



BUNCOMBE COUNTY
NORTH CAROLINA
PLANNING & DEVELOPMENT
(828) 250-4830 - PlanningInfo@BuncombeCounty.org
www.buncombecounty.org/planning

Application for a Zoning MAP AMENDMENT (Rezoning)

PLEASE NOTE:

A PRE-SUBMITTAL CONFERENCE WITH THE ZONING ADMINISTRATOR IS REQUIRED PRIOR TO SUBMITTING THIS APPLICATION FOR A CONDITIONAL USE PERMIT

Please complete all sections of the application.

A. Property Information

Application is hereby made to the Board of Commissioners of Buncombe County to amend the Official Zoning Map of Buncombe County as pertains to the following properties:

PIN(s): 9618-06-6464, 9608-97-8911, 9608-87-8649, 9608-78-5943

Address(es): Propst Road, Candler

Acreage: 222.5

B. Zoning Classification

Current zoning district(s): R3, R-LD Requested zoning district(s)*: CR

**If only a portion of the property is requested to be rezoned, or a rezoning to include more than one zoning district is proposed, please enclose a map indicating the area(s) of the property to be considered for rezoning.*

C. Applicant Contact Information

Property Owner Contact Information (If different)

Freedom In Christ, Inc.

Company/Corporate Name (if applicable)

Peter Radchishin

Applicant's Name

89 Pete Luther Road

Mailing Address

Candler, NC 28715

City, State, and Zip Code

(828) 449-2167

Telephone

peter@rpmcarolina.com

Email

Owner's Name

Mailing Address

City, State, and Zip Code

()

Telephone

Email

OFFICE USE ONLY:

Case Number: ZPH 2019 - 00054

Date Received: 11/15/19

Scheduled Planning Board Hearing Date: 12/16/19

D. MAP AMENDMENT CONSISTENCY & APPROPRIATENESS

Please answer the following questions (if necessary attach a separate sheet of paper):

1. Describe how the size of the tract proposed for rezoning in reference to surrounding properties makes it suitable for the proposed zoning classification:

Please see addendum

2. Describe how the proposed rezoning is consistent with Buncombe County's Comprehensive Land Use Plan (*The plan is available on the Planning Department website.*) Please reference recommendations outlined on page 5 of the Land Use Plan when answering this question:

Please see addendum

3. Describe how the proposed rezoning would be reasonable and in the public interest, with specific attention to the zoning and existing land uses of surrounding properties, and the potential effects of the proposed rezoning on property owners, adjacent neighbors, and the surrounding community.

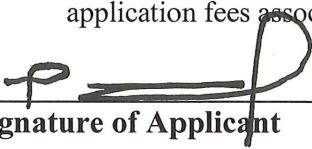
Please see addendum

4. Is/are the applicant(s) listed below the owner(s) of the property? ☒ Yes ☐ No

If the applicant(s) listed herein are not the owner(s) as listed within the Buncombe County Tax Records, North Carolina General Statutes require the applicant to certify that the owner(s) received notice for each public hearing. An owner's affidavit must be submitted with this application, and certification of notice must be provided by the applicant once notice has been made for each public hearing 5 days prior to the hearing date; sample documents for both items can be obtained from the Planning Department.

E. CERTIFICATION

- I hereby certify that I am the owner, authorized agent of the owner, or have provided legal notification to the owner, and the above information is correct to the best of my knowledge and hereby make application for a Zoning Map Amendment. Any information given that is incorrect will cause this application to become null and void.
- I acknowledge that withdrawal of this application after notice has been made will result in forfeiture of any application fees associated with said application.



Signature of Applicant

Signature of Owner

Signature of Applicant

Signature of Owner

Signature of Applicant

Signature of Owner

Signature of Applicant

Signature of Owner

Signature of Applicant

Signature of Owner

Signature of Applicant

Signature of Owner



NOTE TO USER: THIS VERSION OF SECTION E.
CERTIFICATION IS FOR USE IN CASES WHERE
NUMEROUS PROPERTIES, OWNED BY
NUMEROUS PROPERTY OWNERS, ARE
INVOLVED IN THE REZONING APPLICATION

**Application for a Zoning
MAP AMENDMENT**
Multiple Lots and Owners

E. CERTIFICATION

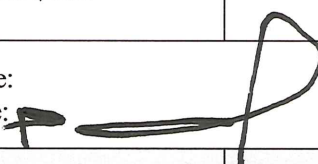

E.1. Required Information: Each property owner who is participating in this rezoning application must complete this form. Each owner or group of owners (corporation, LLC, trust, or similar) should provide their information on a separate form. Owners of multiple properties within the rezoning area may use one form to list all affected properties. Use additional forms if necessary.

E.1.1. Location of Properties Proposed for Rezoning

	Physical E-911 Address	<i>Street number, name, city, state, zip code. You may verify your E911 Address at https://discover.buncombecounty.org/</i>	PIN Number	<i>15-digit unique identifier for each parcel. PIN numbers can be found on your tax bill or online at https://gis.buncombecounty.org/buncomap/. Example: 965415728000000 or 9654-15-7280</i>
1	99999 Propst Road		9618-066-6464	
2	99999 Holcombe Cove Road		9608-97-8911	
3	99999 Holcombe Cove Road		9608-87-8649	
4	323 High Top Mountain Road		9608-78-5943	
5				
6				
7				
8				
9				
10				
11				
12				

E.1.2. Contact Information and Certification of All Owners of Above-Referenced Property or Properties.

By signing this document I hereby certify that I am the owner of the property or properties referenced herein, and that any information given that is incorrect will cause this application to become null and void. I hereby authorize Buncombe County Staff to enter upon the property referenced below for the purpose of processing this rezoning request. I acknowledge that withdrawal of this application after notice has been made will result in forfeiture of any application fees associated with said application. I hereby authorize the Applicant referenced below, to act as my representative for the purposes of this rezoning request.

	Owner Name	Corporate Title (if applicable)	Mailing Address <i>Street number, name, city, state, zip code</i>	Telephone Number	Email Address
1	Freedom In Christ, Inc.		89 Pete Luther Road, Candler NC 28715	828-449-2167	peter@rpmcarolina.com
	Owner Signature:  Date: 11/15/19		Applicant/ Designated Representative - Name: Mike Anderson, PE Signature:  Date: 11/15/19		
2					
	Owner Signature: Date:		Applicant/ Designated Representative - Name: Signature: Date:		
3					
	Owner Signature: Date:		Applicant/ Designated Representative - Name: Signature: Date:		
4					
	Owner Signature: Date:		Applicant/ Designated Representative - Name: Signature: Date:		



34 Big Bear Trail
Asheville NC 28805
Phone: 828-545-5393
NC Firm # C-2849

Addendum 1: Application to Amend the Buncombe County Zoning Map
Nov. 15, 2019

1. Describe how the size of the tract proposed for rezoning in reference to surrounding properties makes it suitable for the proposed zoning classification:

As shown on the attached Zoning Plan map of the parcel the total acreage of the rezoning is approximately 222.5 acres. The property is currently split-zoned between R-3 and R-LD (as shown on the attached area zoning map) we are requesting a change to Conference/Resort - CR to allow for a religious conference resort use. There are a variety of zoning districts surrounding the property, all of varying sizes. Within a five-mile radius of the property, there are numerous zoning districts in place (R-LD, R-1, R-2, R-3, PS, NS, EMP, OU), and thus a change to CR for this large tract of land would not be an outlier or unique in this area.

Indeed, the CR district was created precisely to target facilities and properties such as the current property: those with 100 or more acres who are managed through a common entity (*see* Buncombe County Land Use Plan 2013 pg 70). In creating the CR district, the County was also mindful that the natural environment of the area makes it attractive to conference centers and resorts, and in fact expressly *anticipated* that these centers would be adjacent to properties that were zoned as residential districts, as is the case with this parcel. Instead of discouraging such development near residential properties, “[t]he [CR] District should account for the unique needs of conference centers and resorts providing flexibility while still ensuring the protection of surrounding residential properties.” *See Id.*

2. Describe how the proposed rezoning is consistent with Buncombe County’s Comprehensive Land Use Plan:

As described above, in the 2013 Buncombe County Comprehensive Land Use Plan, the County recognized the need for a CR district in order to “address the unique characteristics of large-scale resort and conference center type facilities.” (Buncombe County Land Use Plan 2013 pg 70). The CR district was thus created “in order to accommodate largescale resort, retreat, or conference facilities” and specifically “target[s] those facilities which are 100 acres and more . . . and managed through a common entity.” *Id.* This property to be rezoned—which is over 222 acres and will be used and managed as a religious retreat and conference center—is perfectly compatible with the purpose of the CR district.

Furthermore, there are several other similar examples of large institutional land uses that are zoned CR district that are consistent with the Comprehensive Land Use Plan. For example, the Billy Graham Training Center at The Cove is a spiritual training center on over 1,000 acres of land zoned CR. That property is directly adjacent to R-LD districts. Ridgecrest Conference Center is a 1,200 acre facility zoned CR, adjacent to R-1 districts. The YMCA Blue Ridge Assembly, a retreat in Black Mountain, is also zoned CR and is adjacent to R-1 and R-LD districts.

Finally, the 2013 Buncombe County Comprehensive Land Use Plan presents suggested factors to consider when evaluating appropriate conference or resort development (Buncombe County Land Use Plan 2013 pg 55, Figure 20). Our project is consistent with the suggestions set forth by Buncombe County:

- It is located within three miles of a major transportation corridor (I-40).
- It is located within a water service area, and septic will be provided for in the project plan. Accordingly, the subject property has reasonable proximity to infrastructure.
- The project will comply with all steep slope area requirements. While approximately one third of the property lies within the moderate hazard and high hazard slope stability areas (as shown on the attached High Hazards map). These areas will be largely protected and undeveloped. For the minimal development in the high and moderate hazard areas, the development will adhere to recommendations from geotechnical engineers.
- The project is located outside of flood hazard areas.
- Although it is not a required factor, the project will provide separation from low-density residential uses because of the property size, utilization of natural boundaries, and development standards to be presented in the master plan. Buffer plantings will be present along the property line adjacent to existing residential uses, and buildings will all be placed well away from property boundaries. The vast majority (70%) of the property will remain undeveloped.

Accordingly, the rezoning of this large parcel to CR district is valid and reasonable under the circumstances and is consistent with the larger context involving rational and logical planning for the community.

3. Describe how the proposed rezoning would be reasonable and in the public interest, with specific attention to the zoning and existing land uses of surrounding properties, and the potential effects of the proposed rezoning on property owners, adjacent neighbors, and the surrounding community.

As shown on the attached Area Zoning map, there are a variety of zoning districts surrounding the property, all of varying sizes. Specifically, within a five-mile radius of

the property, there are R-LD, R-1, R-2, R-3, PS, NS, EMP, OU uses. The variety of land uses in the surrounding properties supports the requested change.

While many of the surrounding areas are zoned residential, the planned use of the parcel as a religious retreat center will not substantially change the character of the area or adversely impact the neighboring property owners. The vast majority (70%) of the property will remain undeveloped, and existing logging roads on the property will be used to access the undeveloped.

Although there is no requirement that properties zoned CR be separated from surrounding low-density or residential uses, the applicant anticipates working with the existing natural topography to maintain buffers from adjacent property owners. The majority of the development will be located on areas of the property that are well away from property lines, and thus are visually protected by natural ridgelines and trees. A school building that is planned for the area closest to Propst Road will have a generous buffer (20+ ft), adjacent to existing residential structures and additional trees will be planted to increase privacy. This rezoning application will be followed by a zoning application including a master plan of the intended religious conference center, where the designers will ensure that the center will be harmonious with the existing and proposed residential uses on the surrounding properties.

Currently, the portion of Propst Road that is used to access this property (and adjoining residential properties) is a NCDOT maintained gravel road that is likely to remain unpaved. However, as part of the overall plan for the development, the property owner plans to pave a new road through an adjacent commonly owned parcel (see Area Zoning Map – “Proposed Maitland Way”). This new road will give those residents better paved access to their properties and thus will serve as an enhancement to the area. The developer has also engaged a traffic engineer who is studying traffic patterns and will have proposals to share with the County upon request.

The CR district was specifically created to encourage and allow for facilities like our proposed project, and thus we believe this request for rezoning the property is reasonable and in the public interest (see Buncombe County Land Use Plan 2013 pg 50 (noting that current use designations “impose limitations on expansions and improvements” of conference and resort centers)). We believe that change in zoning and the development of a religious mission center will have a positive overall effect on the surrounding properties, property owners, and community at large.



34 Big Bear Trail
Asheville NC 28805
Phone: 828-545-5393
www.aceasheville.com

Transmittal Letter

Date: Nov. 15 2019

Project Name: Mission – Propst Road

ACE Project: 18070

To: Buncombe County Planning and Development

46 Valley Street Asheville, NC 28801

Attn: Joshua Freeman, Planner III Zoning Administrator

Via Mail Overnight Hand Delivered X Pick up @ ACE Office

Copies	Date	Description
1	11/15/19	24x36 Zoning Plan
1	11/15/19	Application to Amend the BC Zoning Map
1	11/15/19	Application to Amend the BC Zoning Map: Owner's Affidavit
1	11/15/19	Check for \$2000
1	11/15/19	High Hazard map and area zoning map

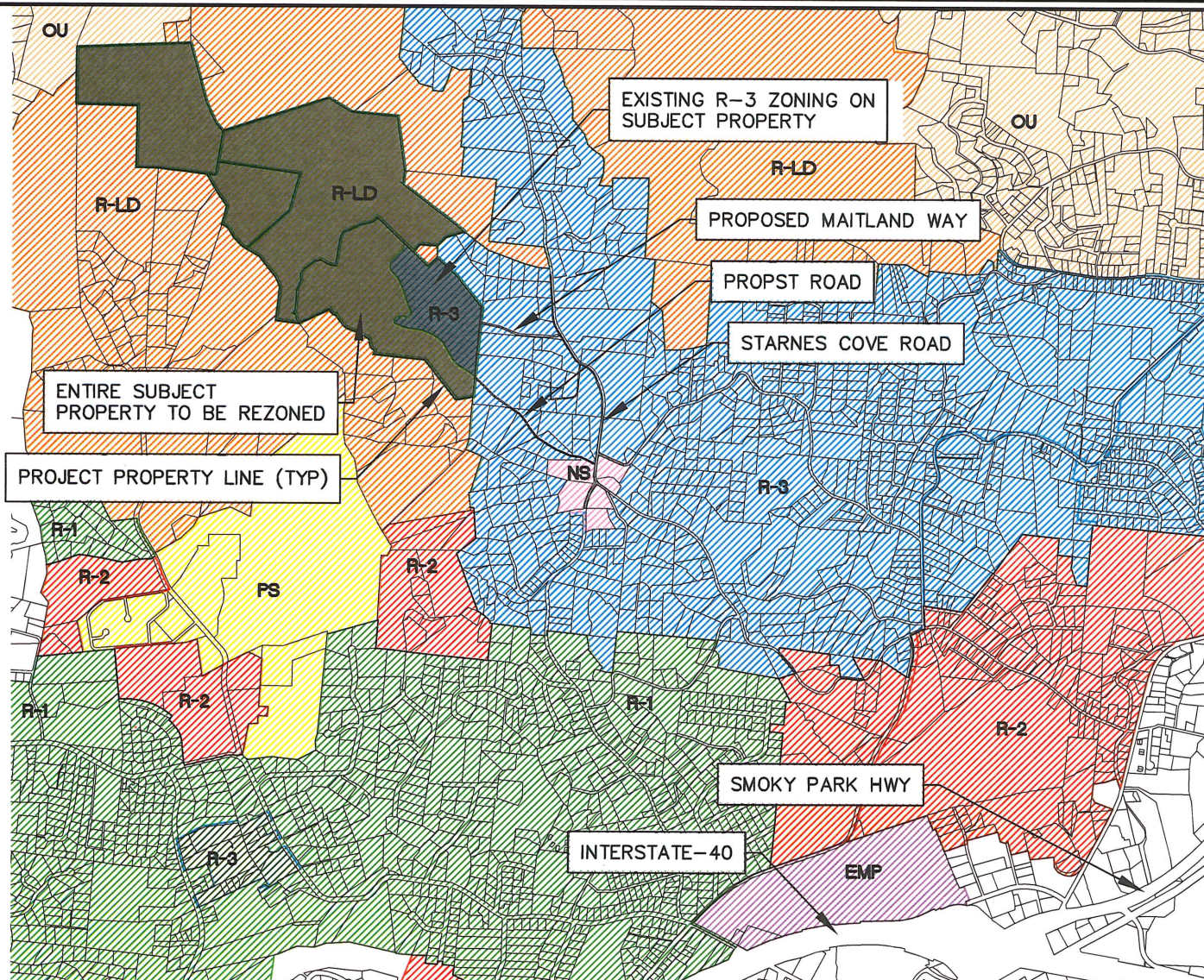
REMARKS:

Joshua,

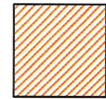
Please except this submittal for zoning amendment for two properties of off Propst Road. Please don't hesitate to contact our office with any questions or concerns.

By: Mike Anderson

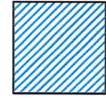
*Received 11/15/2019 4:30 PM
Joshua Freeman*



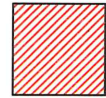
R-LD



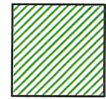
R-3



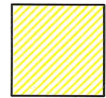
R-2



R-1



PS



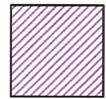
OU



NS



EMP



AREA ZONING MAP FOR:
MISSION - PROPST RD

NOVEMBER 13, 2019

PREPARED FOR:

FREEDOM IN CHRIST, INC
89 PETE LUTHER ROAD
CANDLER, NC 28715

NORTH CAROLINA FIRM NUMBER C-2849

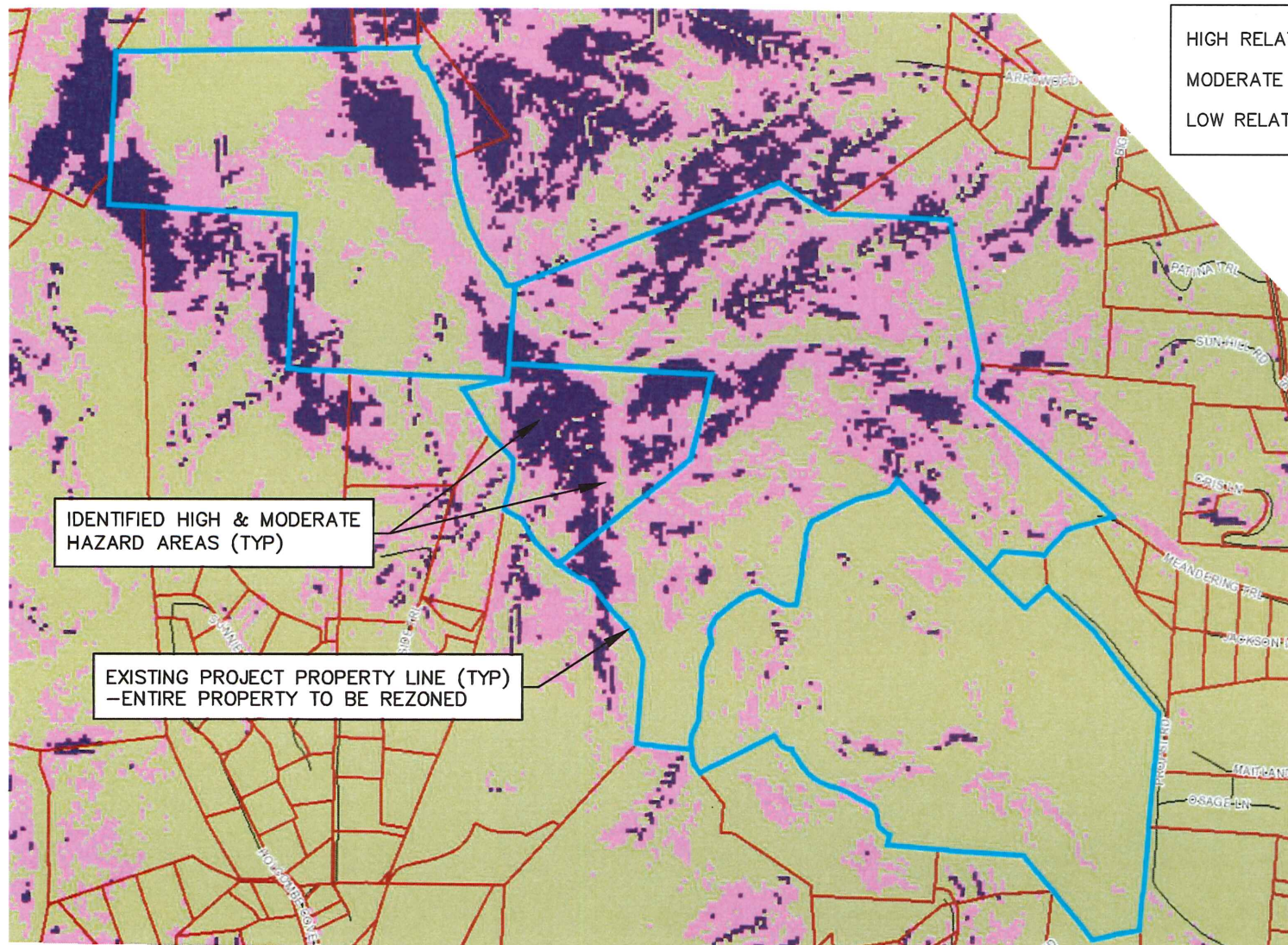
A.C.E.
Advantage Civil Engineering, PA

MICHAEL LOVOY, P.E.
34 BIG BEAR TRAIL
ASHEVILLE, NC 28805

(828) 545-5393
mlovoy@accasheville.com

SCALE: 1" = 2000'





HIGH RELATIVE HAZARD
MODERATE RELATIVE HAZARD
LOW RELATIVE HAZARD



IDENTIFIED HIGH & MODERATE
HAZARD AREAS (TYP)

EXISTING PROJECT PROPERTY LINE (TYP)
-ENTIRE PROPERTY TO BE REZONED

HIGH HAZARD MAP FOR:
MISSION - PROPST RD

NOVEMBER 13, 2019

PREPARED FOR:

FREEDOM IN CHRIST, INC
89 PETE LUTHER ROAD
CANDLER, NC 28715



SCALE: 1" = 800'

NORTH CAROLINA FIRM NUMBER C-2849

A.C.E.
Advantage Civil Engineering, PA

MICHAEL LOVOY, P.E.
34 BIG BEAR TRAIL
ASHEVILLE, NC 28805

(828) 545-5393
mlovoy@aceasheville.com



Application to Amend the Buncombe County Zoning Map: Owners' Affidavit

Planning and Development
www.buncombecounty.org

46 Valley Street
Asheville, NC 28801
Telephone (828) 250-4830
Fax (828) 250-6086

OWNERS' AFFIDAVIT

The persons listed below do hereby appear before a Notary Public and affirm that they are the legal owners of the property located at:

Propst Rd. Candler, NC 28715

PIN(s) # 9618-06-6464, 9608-97-8911, 9608-87-8649, 9608-78-5943

The persons listed below do hereby give authorization and permission to:

Mike Anderson, PE of Advantage Civil Engineering, PA
(Name of Representative/Agent) (Name of Organization)

to submit to Buncombe County a request to amend the zoning map for the above listed properties from:

Current zoning district: R-LD, R3 Requested zoning district: CR

This application will be submitted to be heard by the Planning Board in a public hearing on _____, 20__ and to be subsequently heard by the Commissioners.

Owner's Name (Print)

Peter Radchishin

Owner's Signature

P. Radchishin

Date

5 8 19

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I, Yana Pavlyuk, a Notary Public of the County and State aforesaid, certify that
Peter Radchishin, PROPERTY OWNER, personally appeared before me this day and voluntarily
acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 8 day of May, 2019

Yana Pavlyuk
Notary Public

My Commission Expires:

May 06, 2023

YANA PAVLYUK
Notary Public, North Carolina
Henderson County
My Commission Expires
May 06, 2023