



**A. PROPERTY INFORMATION**



**CASE:** ZPH2022-00026  
**PROJECT:** Pleasant Grove SUP

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**Zoning:** R-3 Residential  
**Current Land Use:** Residential  
**Utilities:** Public water and sewer with public extension  
**Overlays:** Floodplain  
**Application Submitted:** July 21, 2022  
**PIN(s):** 9752-24-0297 and 9752-24-0579  
**Address:** 9 Pleasant Grove Rd, and Unaddressed on Reems Creek Road

**B. PROJECT SUMMARY:**

Special Use Permit for a Level 1 Planned Unit Development, application proposes the following:

- 40 residential townhome units

Deviations requested from the PUD standards:

- Interior setbacks of structures to property lines waived
- Minimum Lot sizes reduced from 6,000 sf per lot to 1,989 sf per lot
- Distances between buildings reduced from 20 feet to 0 feet

**C. DOCUMENTATION SUBMITTED**

- Applicant Documents:
- SUP Application
  - Site plan
  - Water Commitment
  - MSD Sewer Allocation

- Staff Documents:
- Motion Worksheet
  - MAPS

**D. HEARING NOTIFICATION**

Notice in AVL Citizen Times: 9/28/22  
 Notice mailed to owners within 1,000 ft: 9/28/22  
 Physical posting: 9/30/22  
 Notice on County Website: 9/28/22  
 Hearing Date: 10/12/22

**E. CONDITIONS FOR GRANTING SPECIAL USE PERMIT APPROVAL**

In granting a special use permit (SUP), the board may designate conditions in connection with this application, ensuring that the proposed use will conform to the requirements and spirit of this article. If at any time after a SUP has been issued the board finds that conditions imposed and agreements made are not being fulfilled, the SUP shall be terminated, and the operation of such use discontinued. If a SUP is terminated for any reason, it may be reinstated only after a public hearing is held. Before any SUP is issued, the board shall make written findings certifying compliance with the specific rules governing the individual use and that satisfactory provisions and arrangements have been made to meet the conditions of approval.

## F. TECHNICAL CONSIDERATIONS

The site plan proposes the following notable features:

- Playground
- Sidewalks within the development

Staff Comments:

- A floodplain development permit shall be required for any development in the special flood hazard area, including sealed “no-rise” certification(s) with verifying information to the satisfaction of the County FPA for any floodway encroachments undertaken for the purpose of connecting to any utilities.

## G. STAFF SUGGESTED CONDITIONS OF APPROVAL

Staff recommends, if the Special Use Permit is approved, the following **Conditions of Approval** be included in the Board’s Order:

1. A NCDOT Driveway Permit is required as part of the Site Plan Review permit.
2. No parking signs are required along the street on the side with fire hydrants.
3. Project must be constructed as depicted in the site plan.
4. Prior to commencement of land disturbance and construction activity the applicant shall submit a Site Plan Development permit for the entire project, indicating the following information:
  - a. exact location of all buildings and accessory structures
  - b. commercial lighting plan (demonstrating it meets the standards of the Buncombe Zoning Ordinance)
  - c. buffering, landscaping, and parking lot landscaping (if required)
  - d. retaining walls (demonstrating they meet the standards of the Buncombe Retaining Wall Ordinance)
  - e. easements and rights-of-ways on the property
  - f. approved E-911 road names (names to be approved by the Addressing Coordinator before submittal)
  - g. any other conditions of site development approved by the Board of Adjustment.
  - h. copy of approved permits from the US Army Corps of Engineers, the NC Department of Transportation, and the NC Department of Environmental Quality, where applicable.
  - i. **This Master Site Plan Permit approval shall not replace the requirement of pulling an individual Site Plan Permit for each building or structure within the development.**
5. Applicant must agree in writing to these conditions prior to commencement of site work.

## H. BOARD OPTIONS FOR SUP

- a) **Approval as presented.** *Approval decision must be substantiated in the Board’s findings of fact.*
- b) **Approval with conditions.** *Conditions of approval must directly relate to the impacts of the project as substantiated in the findings of fact. The Applicant must indicate in writing, their acceptance of these*

*conditions. Should the Applicant indicate an unwillingness to accept certain conditions, then the BOA must (a) deny the PUD application, or (b) approve it without the disputed condition.*

- c) **Denial as presented.** *A denial decision must be substantiated in the Board's findings of fact.*
- d) **Continuance to a date certain.** *A continuance should serve a specific purpose, such as to provide a party of standing (the Applicant, the County, an adjacent property owner, etc.) sufficient time to gather and provide additional documentation or information.*