### Buncombe County Planning Board June 20, 2016

The Buncombe County Planning Board met on June 20, 2016 in the meeting room at 30 Valley Street. Members present were Gene Bell, Nancy Waldrop, David Rittenberg, Joan Walker, Bob Taylor, and Parker Sloan. Also present were Michael Frue and Vince Hyatt, Staff Attorneys; Jon Creighton, Planning Director; and Gillian Phillips, Debbie Truempy, and Shannon Capezzali, Planning staff.

### **Call to Order**

Gene Bell called the meeting to order at 9:31 am.

### **Approval of Agenda**

Joan Walker made a motion to approve the agenda. The motion was seconded by David Rittenberg and passed unanimously.

### Approval of Minutes (May 16, 2016)

David Rittenberg made a motion to approve the minutes. The motion was seconded by Nancy Waldrop and the motion passed unanimously.

### **Public Hearing**

**ZPH2016-00031:** Application to rezone two parcels at 9743-24-8619 (30 Cole Road) and 9743-24-5707 (located at the intersection of Kennedy Road and Clarks Chapel Road) from R-3 Residential to CS Commercial Service.

Debbie Truempy reviewed the proposed rezoning request. Randall and Sue Hintz, and Daniel Bowman were present to represent the application and provided additional information to the Board about the proposed use of the two sites for a pottery business and for equipment storage for a grading and excavation business. David Rittenberg expressed concern about the compatibility of the proposed zoning to the surrounding area and the impact on property values.

Gene Bell opened public comment:

- Tim Holcombe of Clarks Chapel Road stated that most commercial businesses are on the other side of the highway, providing a separation from the residential area. The existing glass works business looks like a residential home. He does not support the rezoning request due to concerns about compatibility and traffic.

Chairman Bell closed the public hearing, as there was no one else wishing to speak.

David Rittenberg made a motion to deny the rezoning request. The motion to deny was seconded by Bob Taylor. The motion did not pass based on the 3/3 vote.

Parker Sloan made a motion to approve the rezoning request. The motion was seconded by Nancy Waldrop and passed 4/2.

**SUB2016-00 108**: Warren Sugg of Civil Design Concepts sought approval of a 25 lot major subdivision located at 9664-48-2498 (southeast of the intersection of Williams Road and Sequoyah Hills Drive).

The Board was provided with the submitted site plan (Attachment A) and proposed staff conditions (Attachment B). Gillian Phillips reviewed the proposed subdivision for the Board. Warren Sugg from Civil Design Concepts was present to represent the application. Staff conditions include water line and E-911 approval, erosion and stormwater, FEMA flood information and individual driveways to be listed on the plat, and the inclusion of a statement concerning no base course placed on muck. Warren Sugg answered questions from the Board.

David Rittenberg made a motion to grant preliminary approval to the subdivision with the proposed staff conditions. The motion was seconded by Nancy Waldrop and passed unanimously.

**SUB2016-00219**: Gary Davis of Davis CivilSolutions sought major subdivision approval for a 141 lot subdivision located on tax lot PIN 9634-14-6580 (adjacent to 139 Avery Creek Rd.)

The Board was provided with the submitted site plan (Attachment C) and proposed staff conditions (Attachment D). Gillian Phillips reviewed the proposed subdivision for the Board. Gary Davis from Davis CivilSolutions was present to represent the application. Staff conditions include city water and sewer, E-911 approval, erosion and stormwater, FEMA flood information to be listed on plat, existing adjacent uses listed on plat, indicate shared driveway less than 20% grade on plat, NCDOT driveway permits, a public road maintenance plan, NCDOT subdivision road approval, and Army Corps approval of wetland development. Gary Davis answered questions from the Board about the wetland, steep slope areas, and control of the site. Fred Spiegel, the developer, provided information about the surrounding area, open spaces, and duplex development.

Joan Walker made a motion to grant preliminary approval to the subdivision with the proposed staff conditions. The motion was seconded by Nancy Waldrop and passed unanimously.

### **Presentations and Discussion**

Jon Creighton stated that NCDOT was not available for today's meeting and staff will continue working to schedule a time for Greg Benton to come meet with the Planning Board.

Michael Frue provided information to the Board about a recent case law decision as it applies to quasi-judicial hearings. Michael will be working with Planning staff to review the County's current procedures for subdivision variance approvals. Variance approvals will need to be done using a quasi-judicial hearing to include swearing in witnesses and other requirements.

### **Adjourn**

The meeting was adjourned at 10:31am.

SUB2016-00108 Submitted 5/10/2016

Approved with conditions by the Planning Board on 6/20/16

Provide proof of approval of system design for City of Asheville water lines. Proof of acceptance of the water lines into the City of Asheville's water system will be required prior to recordation of a final plat or release of a financial guarantee.

Provide proof of approval of E-911 addressing

Provide a written statement from the Buncombe County Erosion Control Officer stating that an Erosion Control Plan has been submitted and approved for the project. No grading shall occur on the site until an approved Buncombe County Erosion Control permit is obtained. Provide a written statement from the Buncombe County Stormwater Administrator stating that a

Stormwater Plan has been submitted and approved for the project. No grading shall occur on the site until an approved Buncombe County Stormwater Control permit is obtained.

Provide FEMA flood plain information on the submitted plat.

COUNTRY WALK 5. 6. 7. matter. Indicate individual driveways on the submitted plat Indicate no base course shall be placed on muck, pipe clay, organic matter or other unsuitable

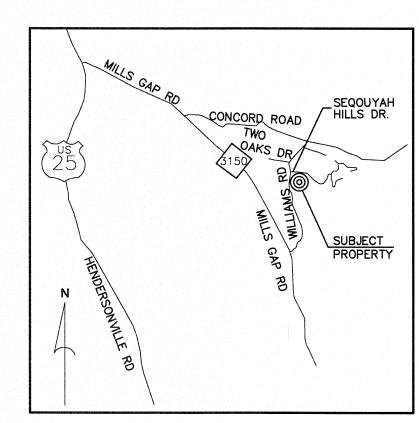
# FLETCHER, NORTH CAROLINA

MARCH 8, 2016

### PREPARED FOR:

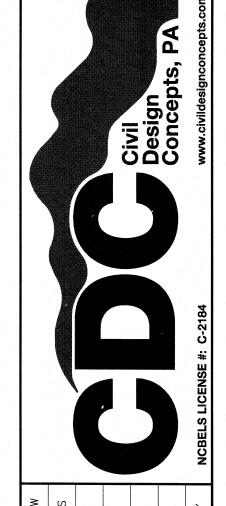
JACKSON RESIDENTIAL PARTNERS, LLC P.O. BOX 1157 ARDEN, NC 28704 KEN JACKSON (828) 684-8800

	INDEX OF SHEETS
Sheet No.	_Title_
C000	COVER SHEET
	PRELIMINARY SUBDIVISION SURVEY (PROVIDED BY OTHERS)
C101	EXISTING CONDITIONS PLAN
C201	SITE PLAN
C301	ROUGH GRADING & EROSION CONTROL PLAN
C501	STORM DRAINAGE PLAN
C601	WATER PLAN
C801	ROAD PROFILE



**VICINITY MAP** (NOT TO SCALE)





168 PATTON AVENUE ASHEVILLE, NC 28801 PHONE (828) 252-5388 FAX (828) 252-5365

WALNUT STREET - SUITE 9
WAYNESVILLE, NC 28786
PHONE (828) 452-4410
FAX (828) 456-5455

2. 05/09/16 BOA CUP SUBMITTAL JP. NO. DATE BY		01/00/00		
DATE	2.	05/09/16	BOA CUP SUBMITTAL	Sdr
DATE				
	NO.	DATE	DESCRIPTION	ВҮ



COUNTRY WALK

DATE: DRAWN BY:

CDC PROJECT NO.: SHEET

C000

### **DEVELOPMENT DATA**

JACKSON RESIDENTIAL PARTNERS, LLC OWNER/DEVELOPER: P.O. BOX 1157

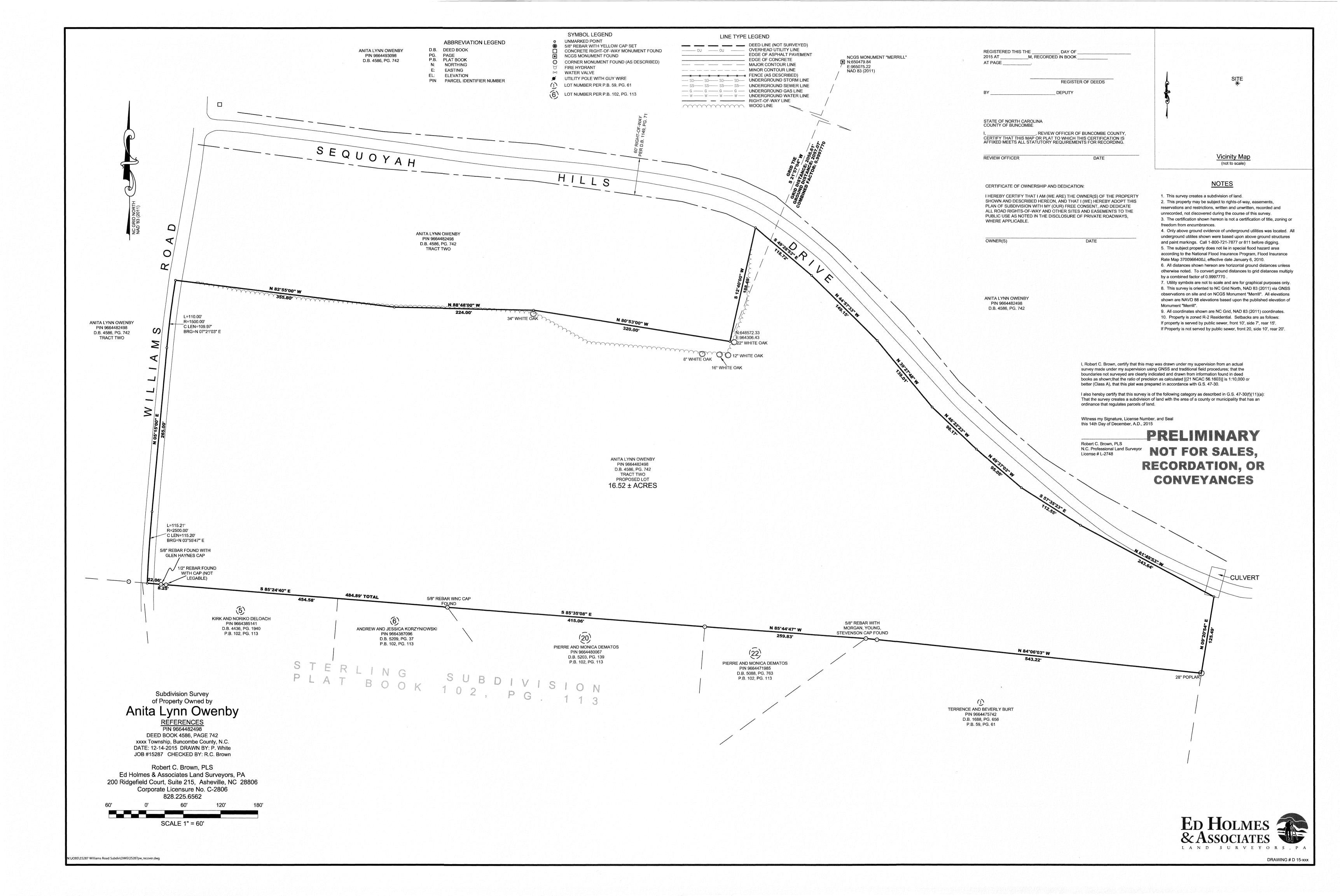
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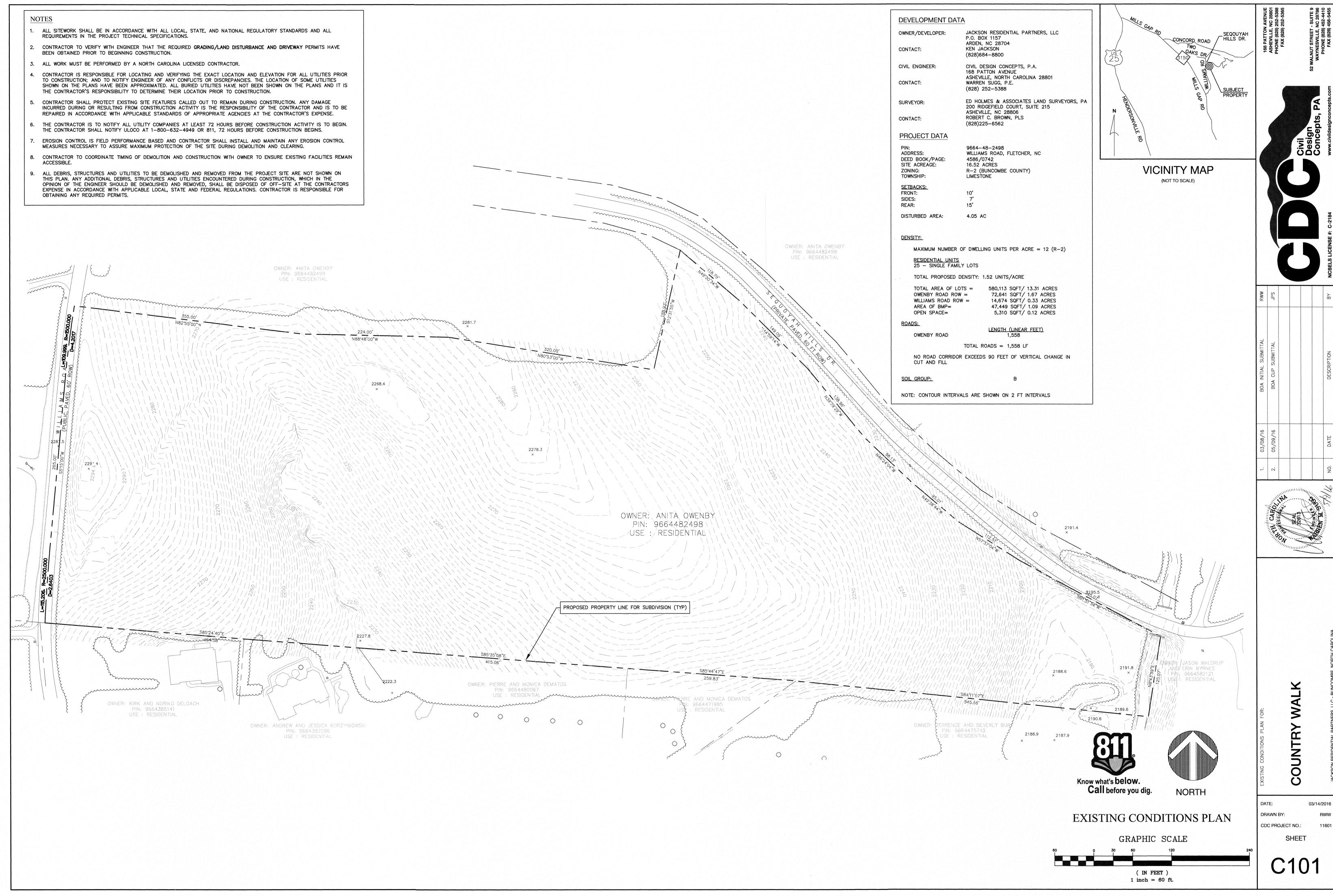
168 PATTON AVENUE ASHEVILLE, NORTH CAROLINA 28801 CONTACT: WARREN SUGG, P.E.

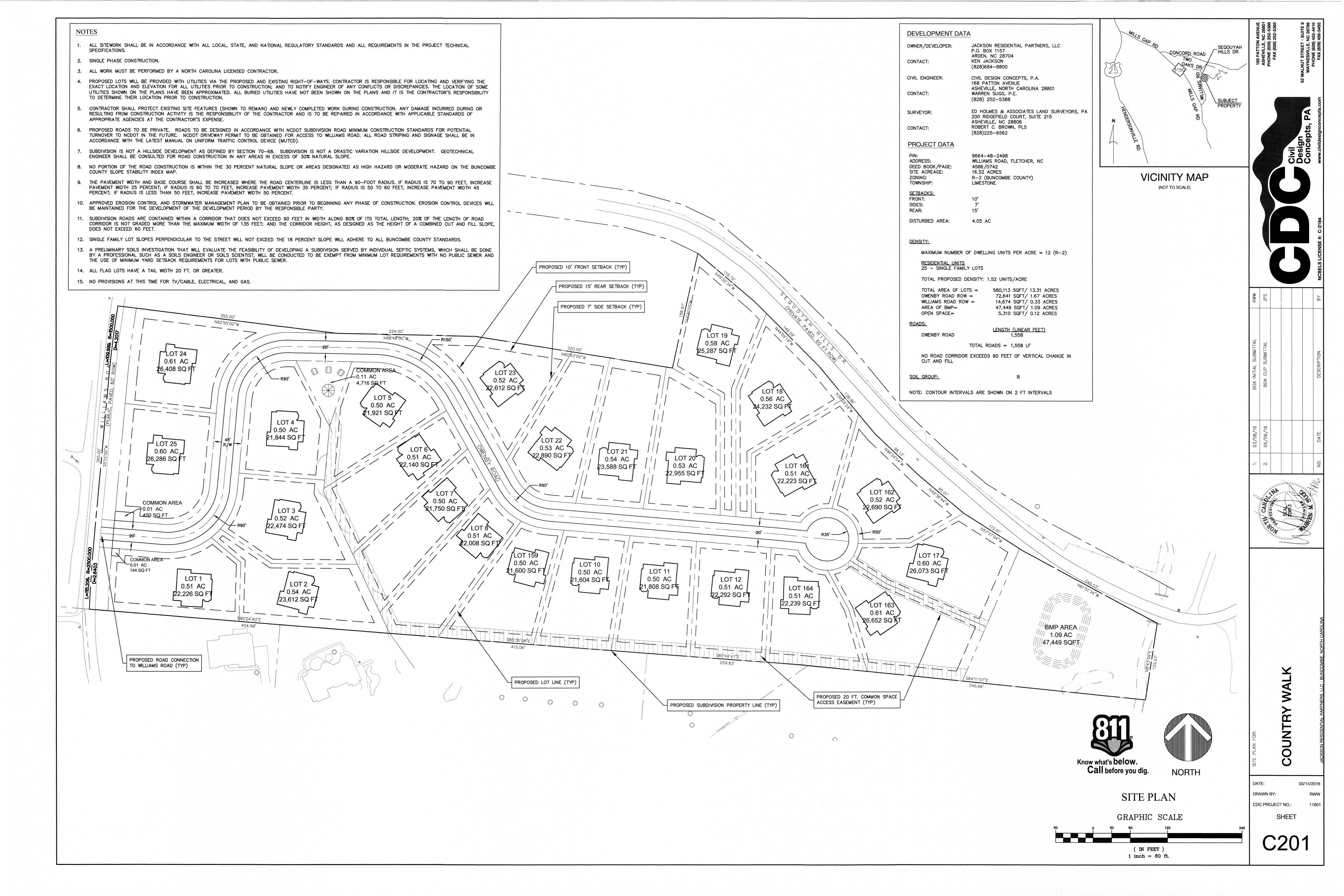
(828) 252-5388 ED HOLMES & ASSOCIATES LAND SURVEYORS, PA 200 RIDGEFIELD COURT, SUITE 215

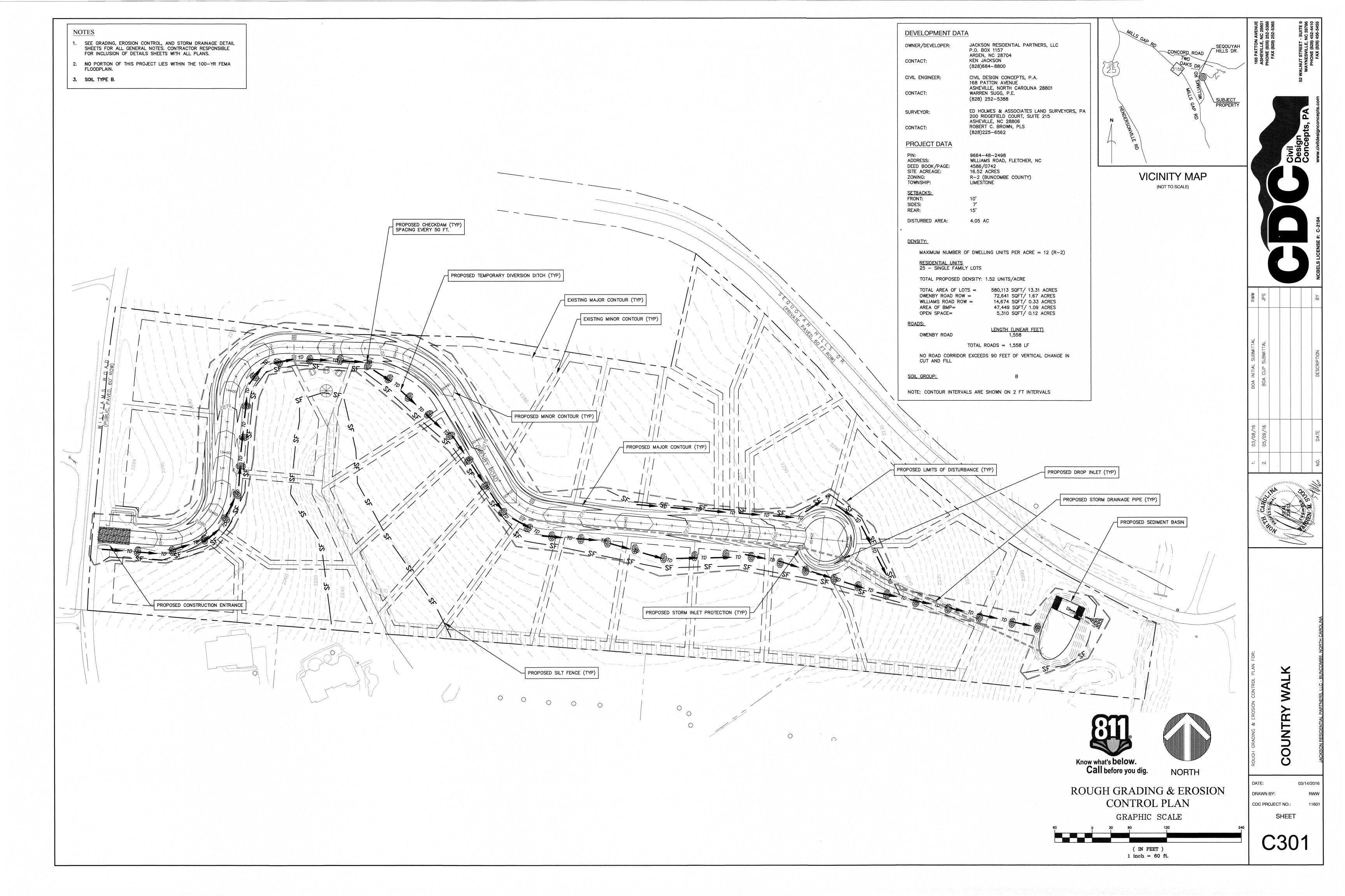
ASHEVILLE, NC 28806 ROBERT C. BROWN, PLS CONTACT:

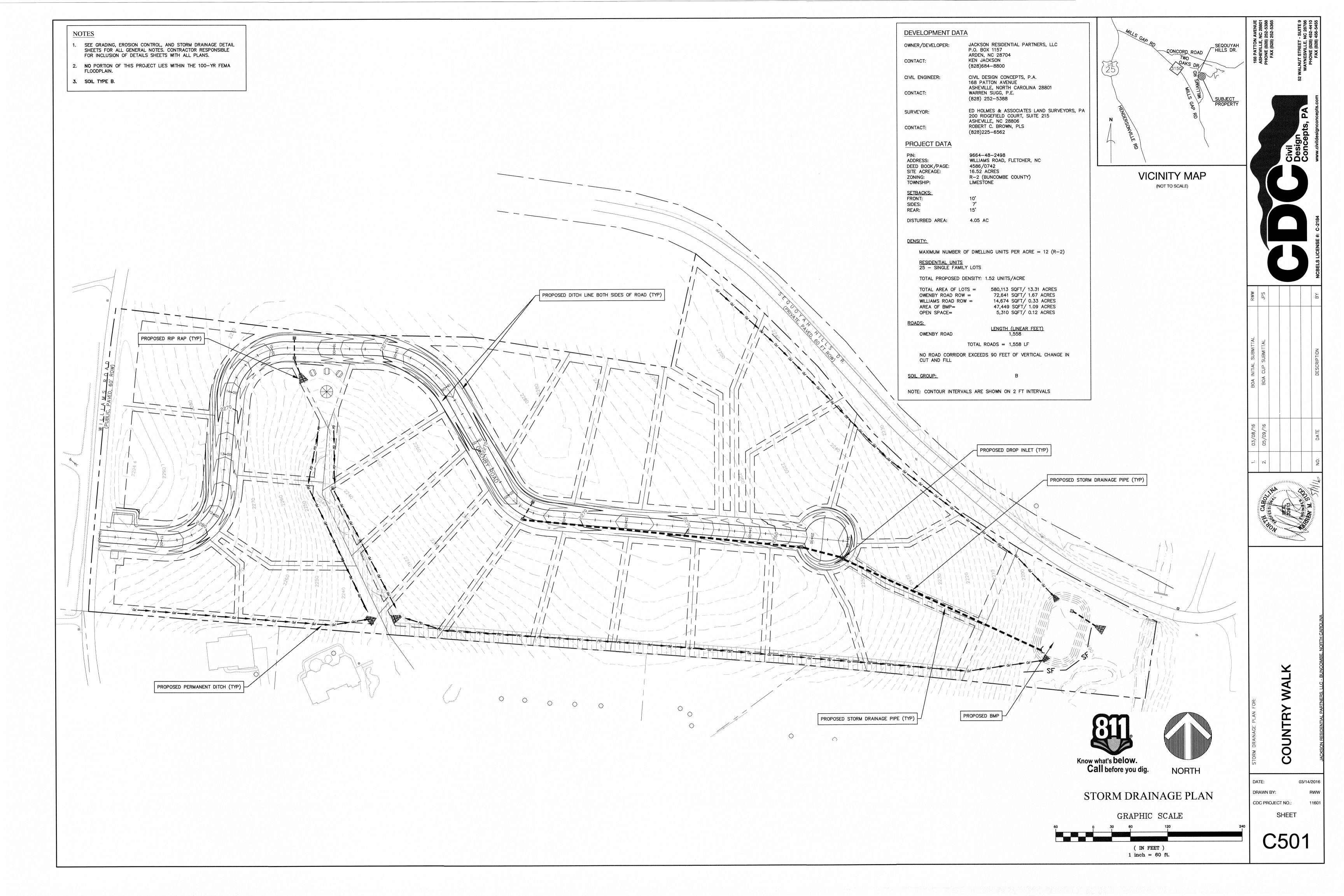
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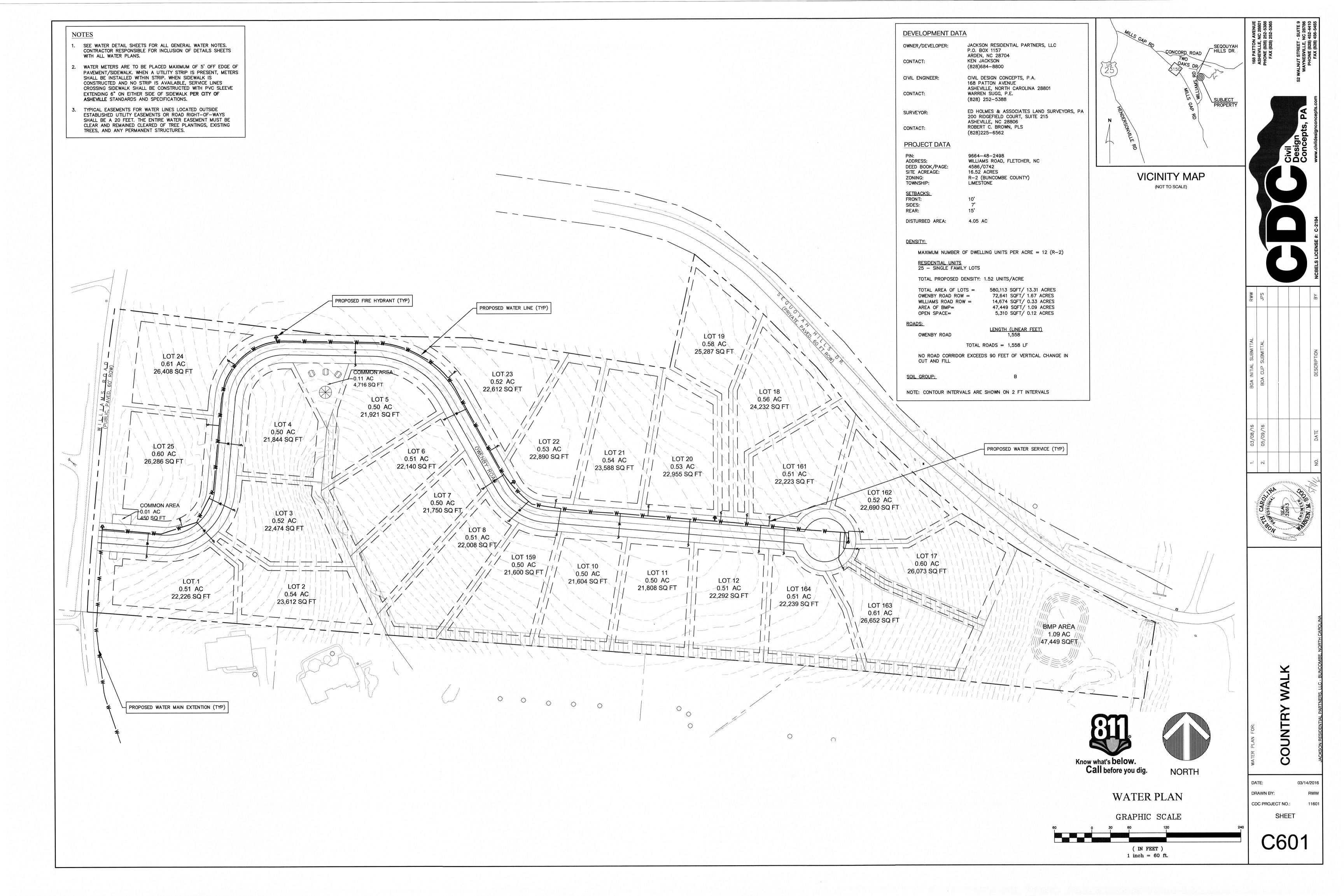


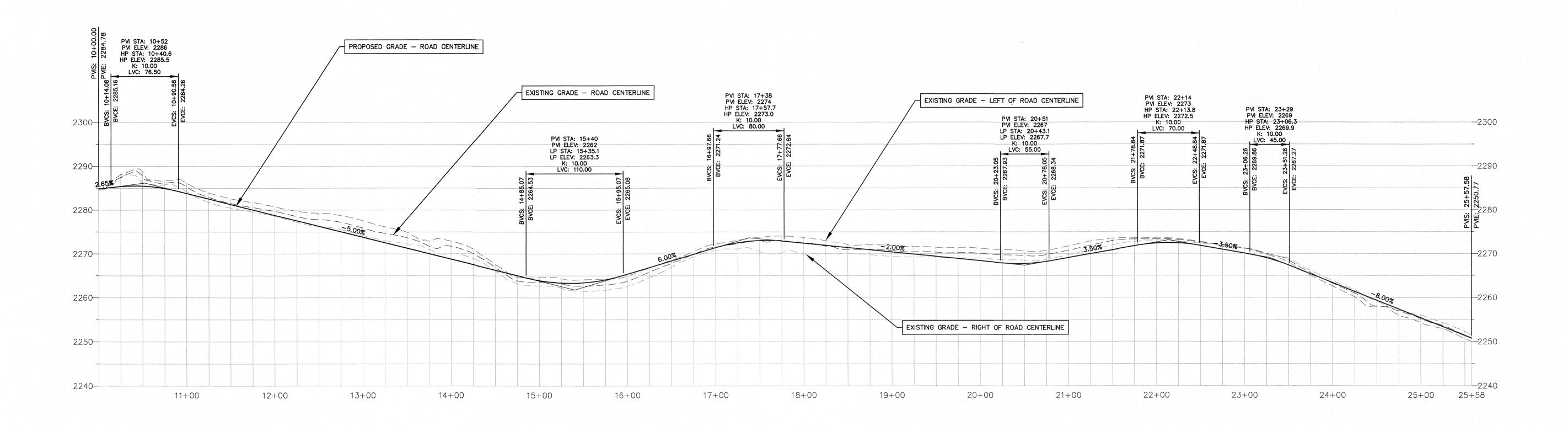




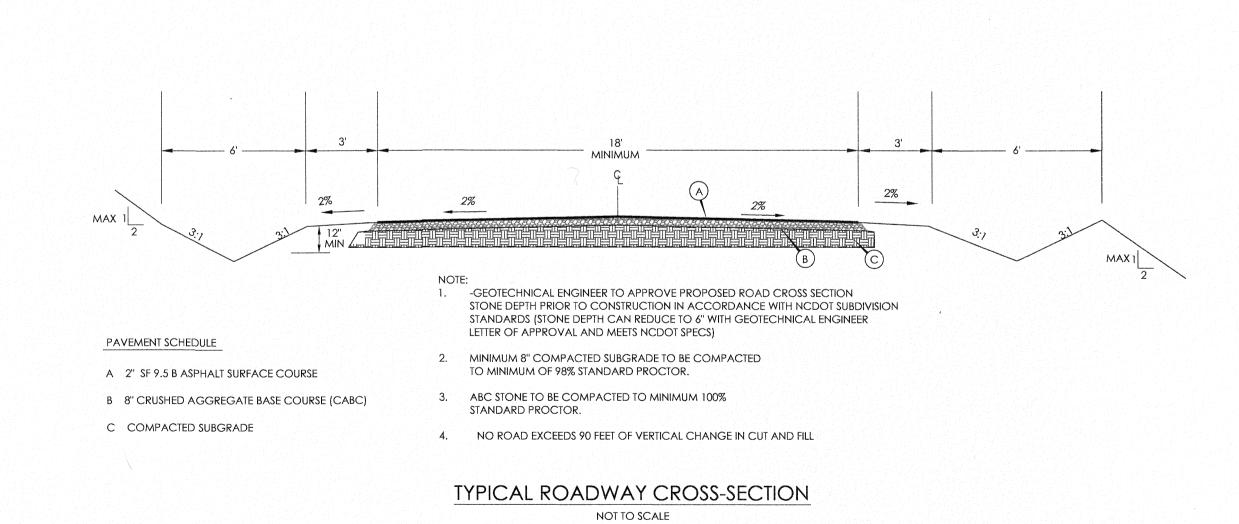








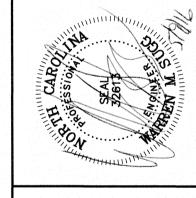
### OWENBY ROAD



ROAD PROFILES

SCALE 1" = 60' HORIZONTAL 1" = 12' VERTICAL NOBELS LICENSE #: C-2184 www.civildesignconcepts.com

	DESCRIPTION	DATE	ON
J	BOA CUP SUBMITTAL	05/09/16	2.
2	BOA INITIAL SUBMITTAL	03/08/16	•



COUNTRY WALK

DATE: 03/14/2016

DRAWN BY: RWW

CDC PROJECT NO.: 11601

C801

SHEET

### ATTACHMENT B

Buncombe County Planning Board Meeting Recommended Staff Conditions June 20, 2016 SUB2016-00108 Country Walk

If approved by the Buncombe County Planning Board, the applicant shall provide the following information on a revised set of plans (if necessary) submitted to the Buncombe County Department of Planning and Development:

- 1. Provide proof of approval of system design for City of Asheville water lines. Proof of acceptance of the water lines into the City of Asheville's water system will be required prior to recordation of a final plat or release of a financial guarantee.
- 2. Provide proof of approval of E-911 addressing
- 3. Provide a written statement from the Buncombe County Erosion Control Officer stating that an Erosion Control Plan has been submitted and approved for the project. No grading shall occur on the site until an approved Buncombe County Erosion Control permit is obtained.
- 4. Provide a written statement from the Buncombe County Stormwater Administrator stating that a Stormwater Plan has been submitted and approved for the project. No grading shall occur on the site until an approved Buncombe County Stormwater Control permit is obtained.
- 5. Provide FEMA flood plain information on the submitted plat.
- 6. Indicate individual driveways on the submitted plat
- 7. Indicate no base course shall be placed on muck, pipe clay, organic matter or other unsuitable matter.

# Site Development Plan For The Preserve a Avery's Creek

SUB2016-00219 SUBMITTED 5/20/2016

Approved with the following conditions at the 6/20/2016 Planning Board

1. Provide proof of approval of system design for City of Asheville water lines. Proof of acceptance of the water lines into the City of Asheville's water system will be required prior to recordation of a final plat or release of a financial guarantee.

2. Provide proof of approval of system design for MSD sewer lines. Proof of acceptance of the sewer lines into the MSD sewer system will be required prior to recordation of a final plat or release of a financial quarantee.

B. Provide proof of approval of E-911 addressing

4. Provide a written statement from the Buncombe County Erosion Control Officer stating that an Erosion Control Plan has been submitted approved for the project. No grading shall occur on the site until an approved Buncombe County Erosion Control permit is obtained.

5. Provide a written statement from the Buncombe County Stormwat Administrator stating that a Stormwater Plan has been submitted and approved for the project. No grading shall occur on the site until an approved Buncombe County Stormwater Control permit is obtained.

6. Provide FEMA flood plain information on the submitted plat.7. Indicate existing use of land within and adjacent to subdivision.

Provide NCDOT driveway permit.

Provide NCDOT driveway permit.
 Provide a public road maintenance plan.

April 15, 2016

Description

Revision Date

.0. Indicate on plans that the shared driveway is less than 20% grade.

Provide proof of Army Corps of Engineers approval if development

11. Provide proof of Army Corps of Engineers approval if development occurs within wetlands.

12. Provide proof of approval of subdivision road design by NCDOT. Certification that roads are built to Buncombe County Subdivision Ordinance standards shall be required prior to recordation of the final plat. NCDOT shall review and sign off on final plat.

# BUNCOMBE COUNTY, NORTH CAROLINA

Owner/Developer: Avery's Creek LLC

Contact: Matt King

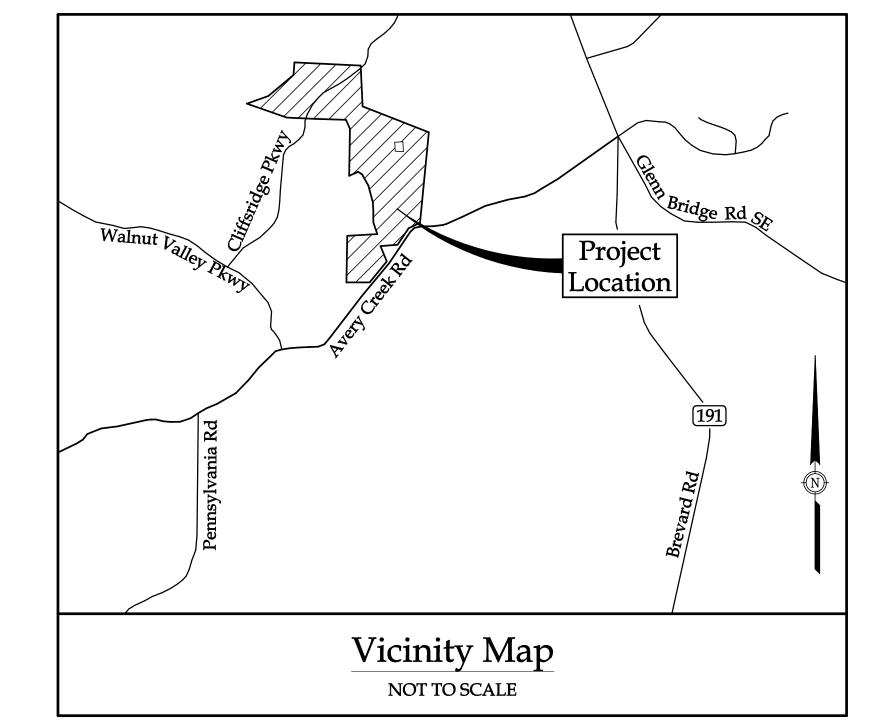
828.242.0087 23 Hyde Park Place Arden, NC 28704

PIN: 9634-14-6580

9634-23-4768

COA WPFY#: 15-16-036

MSD Project#: x



# Preliminary SEAL 12296 For Parkiew

## Index of Drawings

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C2.	Existing Conditions	C24.	Water Profiles
C3.	Existing Conditions	C25.	Sewer Profiles
C4.	Existing Conditions	C26.	Sewer Profiles
C5.	Existing Conditions	C27.	Sewer Profiles
C6.	Overall Layout	C27.	Sewer Profiles
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C8.	Layout	D2.	Details
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C10.	Overall Grading, Storm Water, and Erosion Control	D4.	Details
C11.	Grading, Storm Water, and Erosion Control	D5.	Details
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C13.	Grading, Storm Water, and Erosion Control	D7.	Details
C14.	Overall Utilities	D8.	Details
C15.	Utilities	D9.	Details
C16.	Utilities	D10.	Details
C17.	Utilities	D11.	Details
C18.	Utilities	D12.	Details
C19.	Road Profiles		

**Road Profiles** 

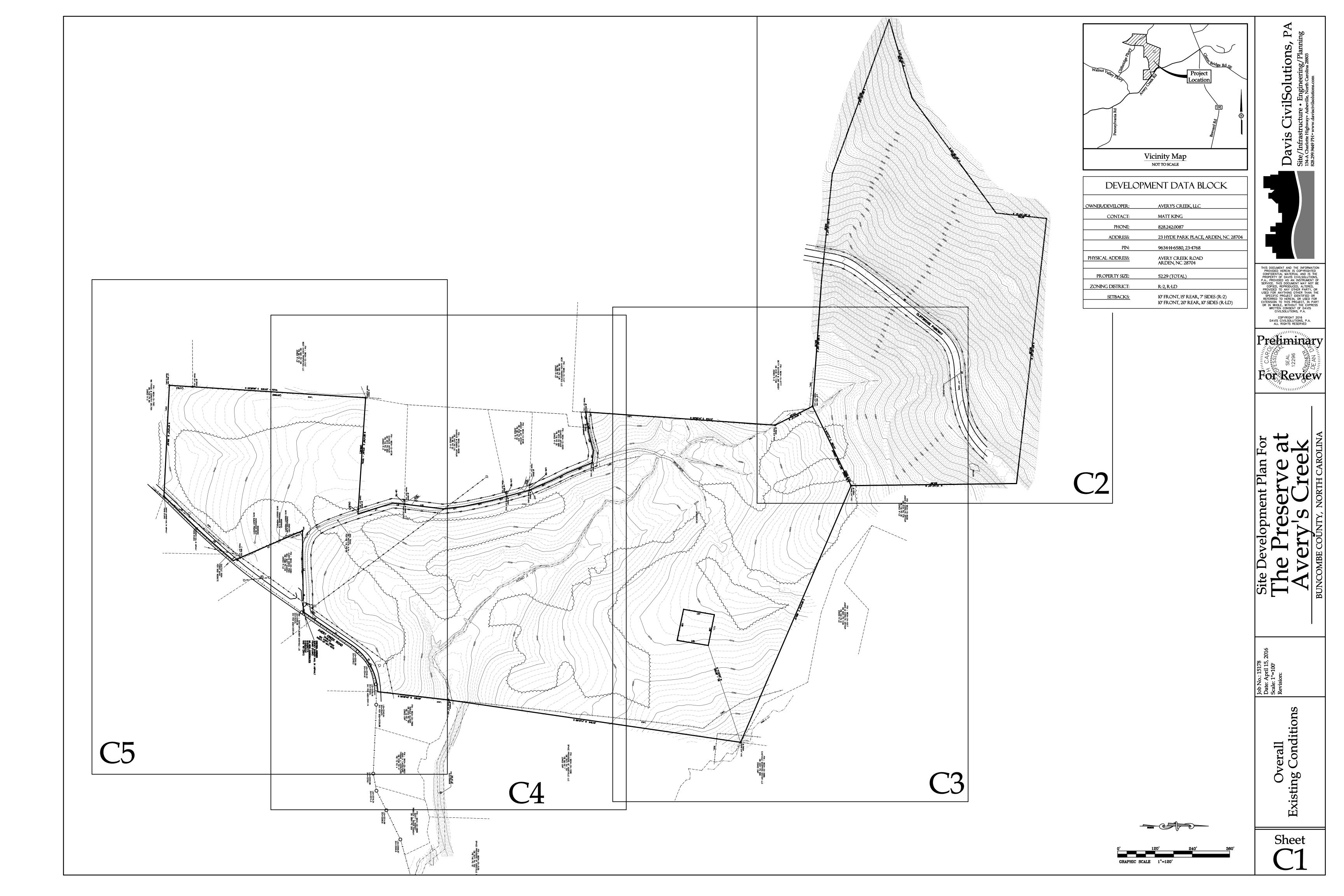
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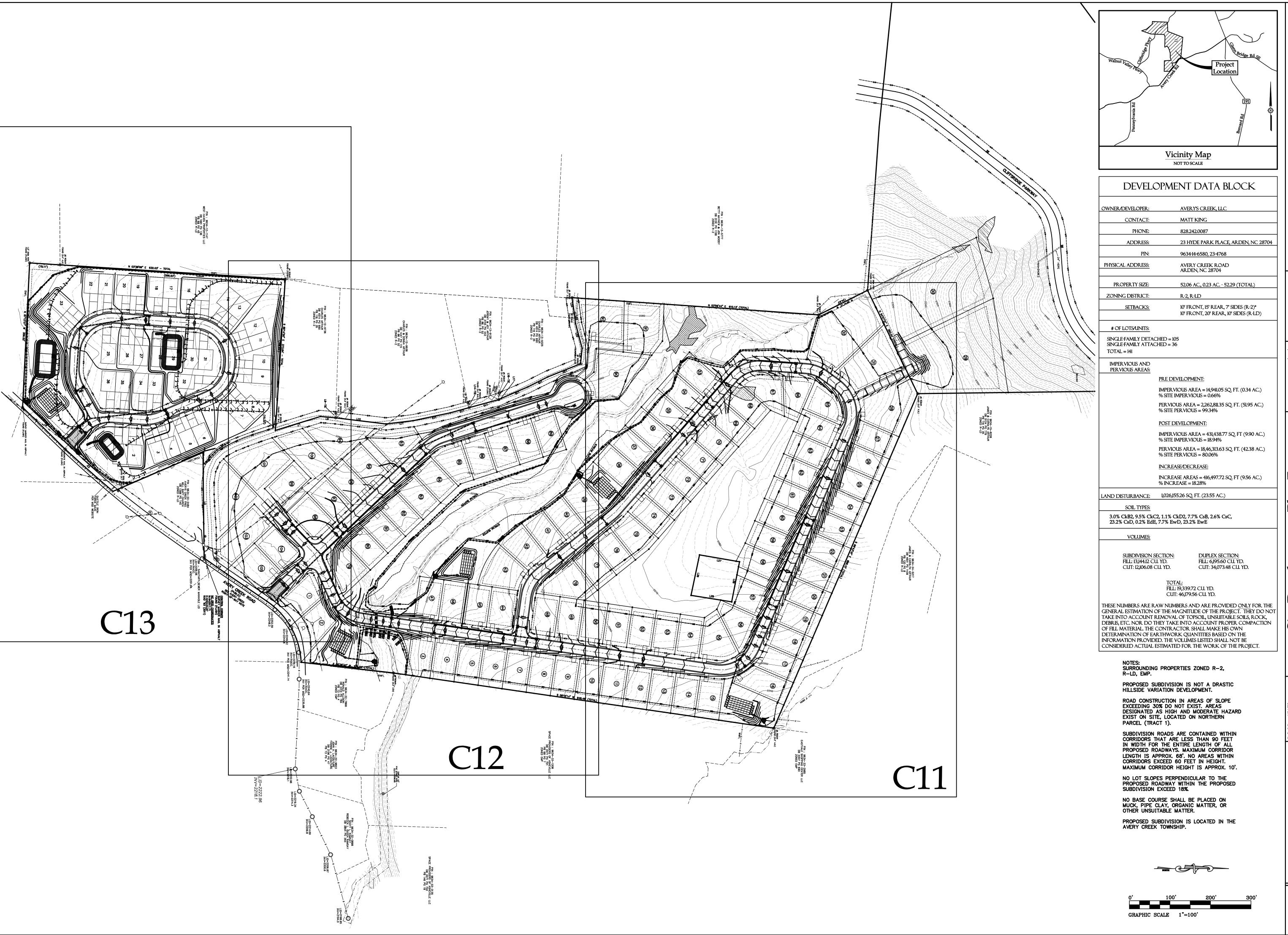


Davis CivilSolutions, PA

Site/Infrastructure • Engineering/Planning
134-A Charlotte Highway • Asheville, North Carolina 28803
828.299.9449 PH • www.daviscivilsolutions.com

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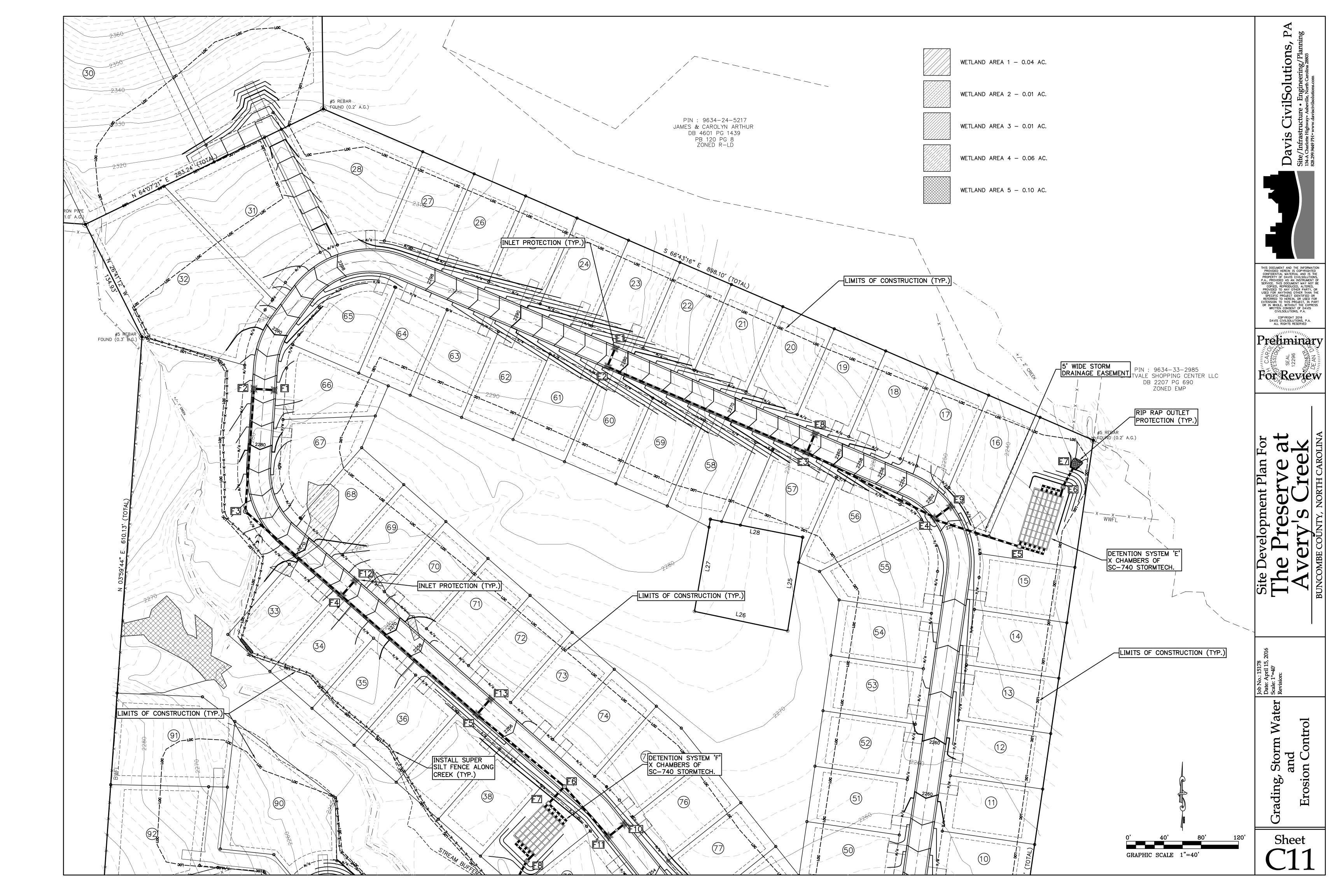
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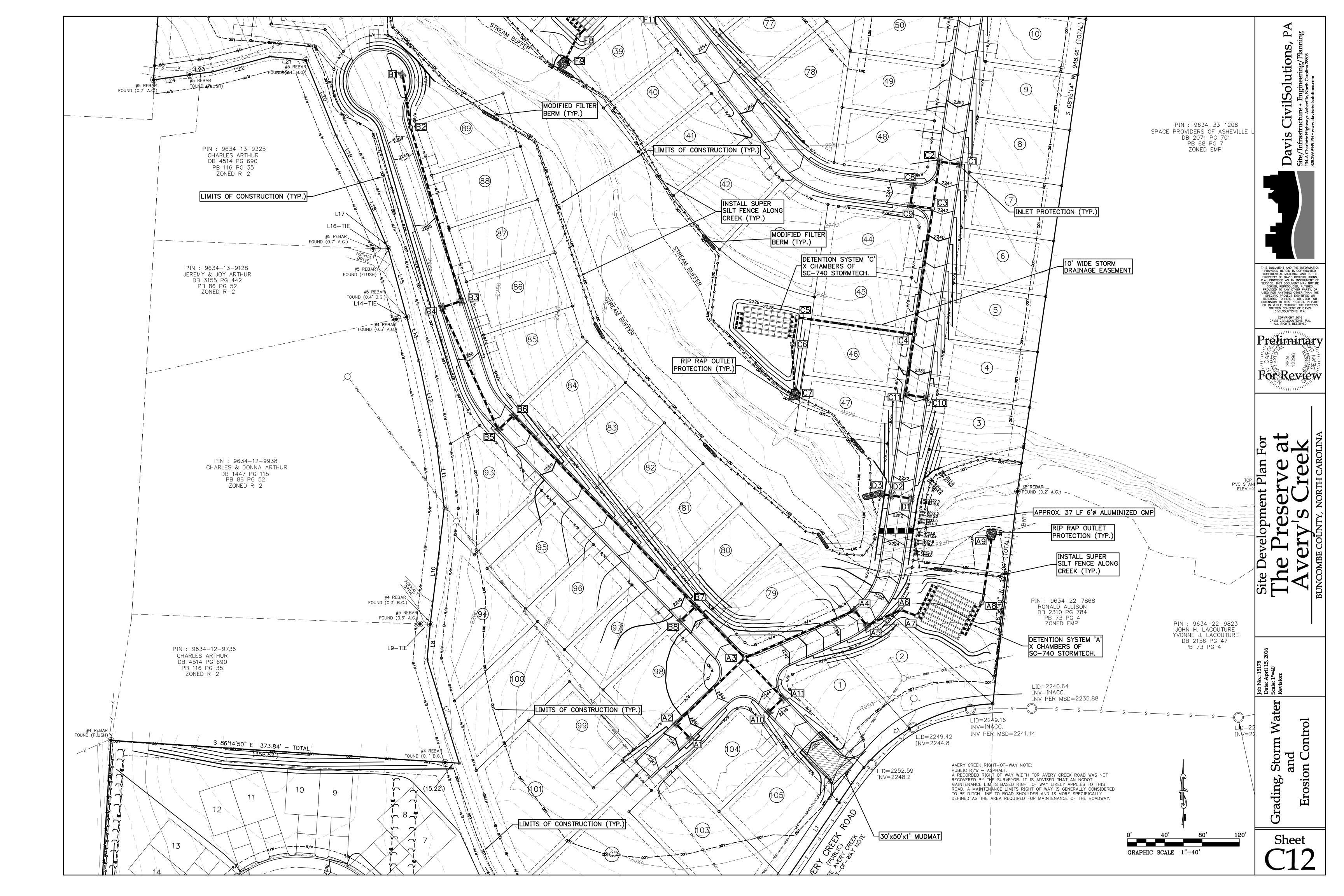
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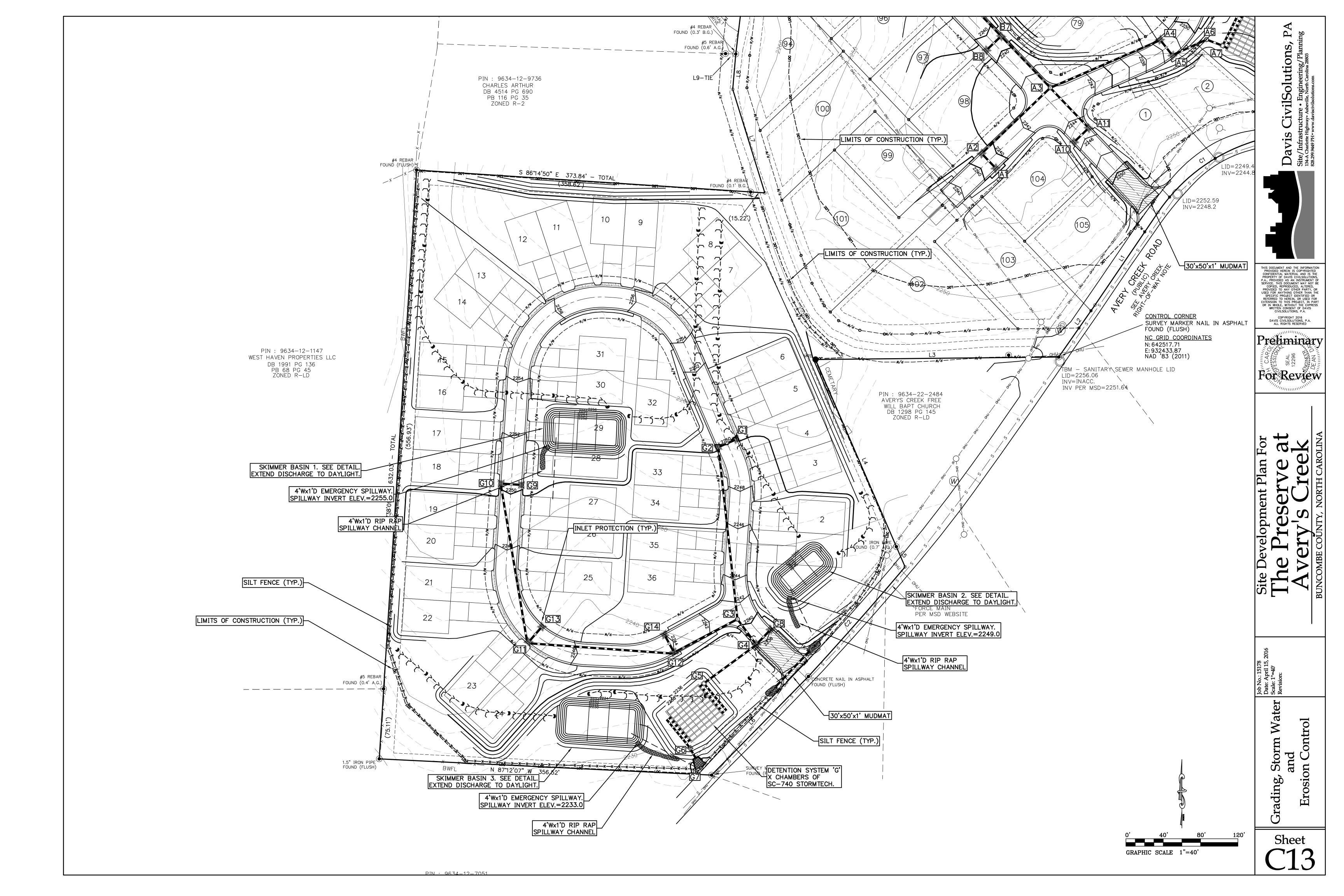
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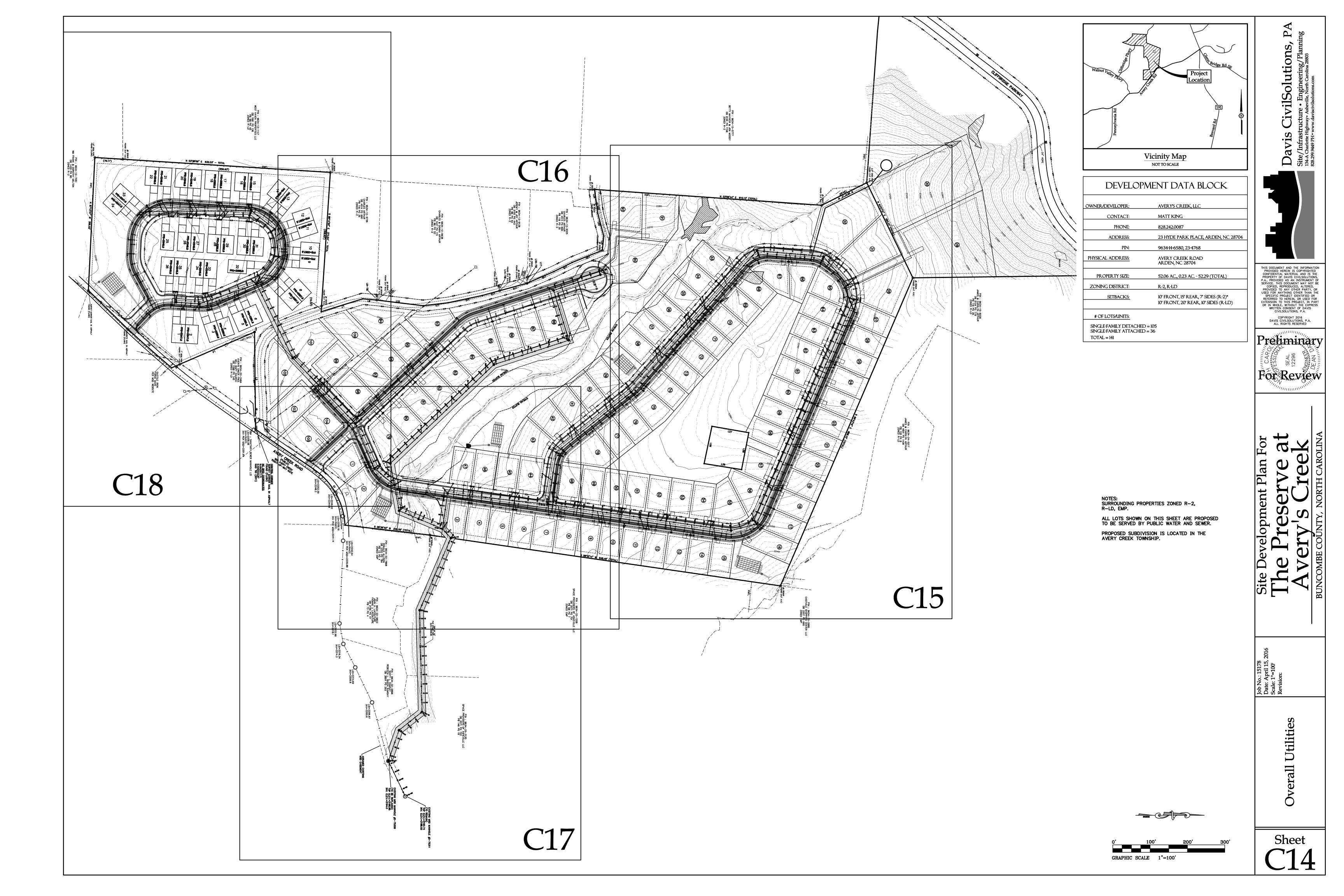
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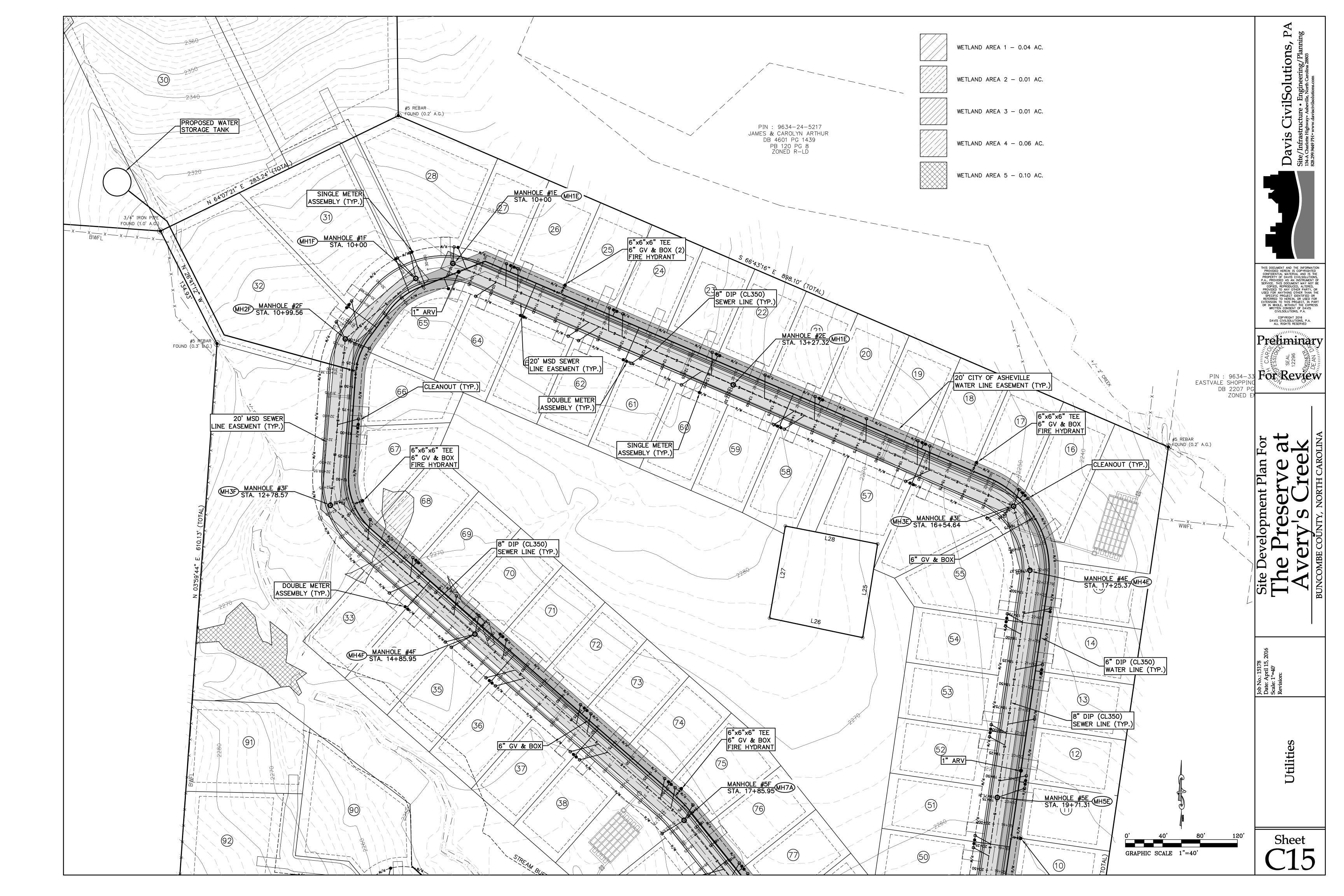
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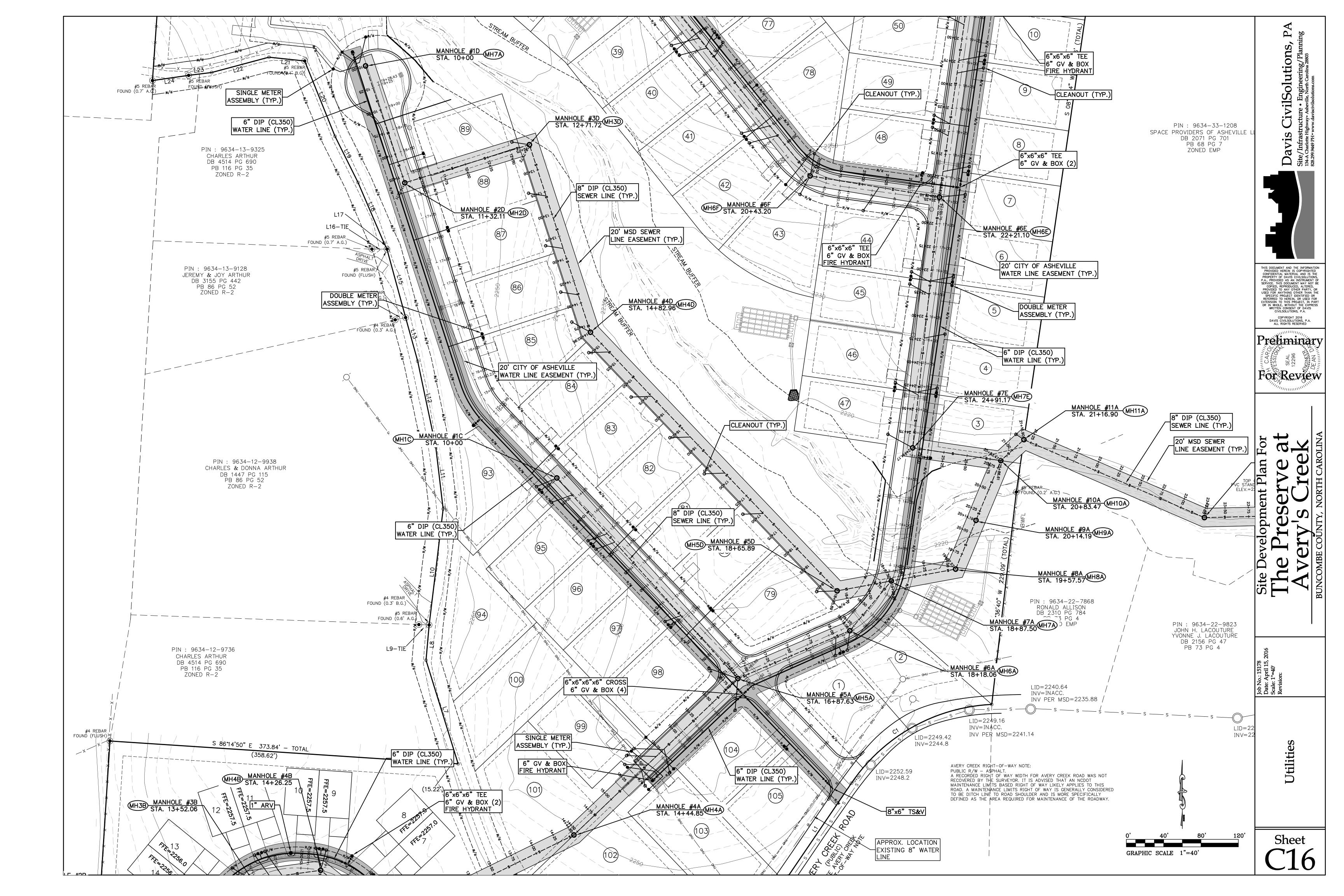


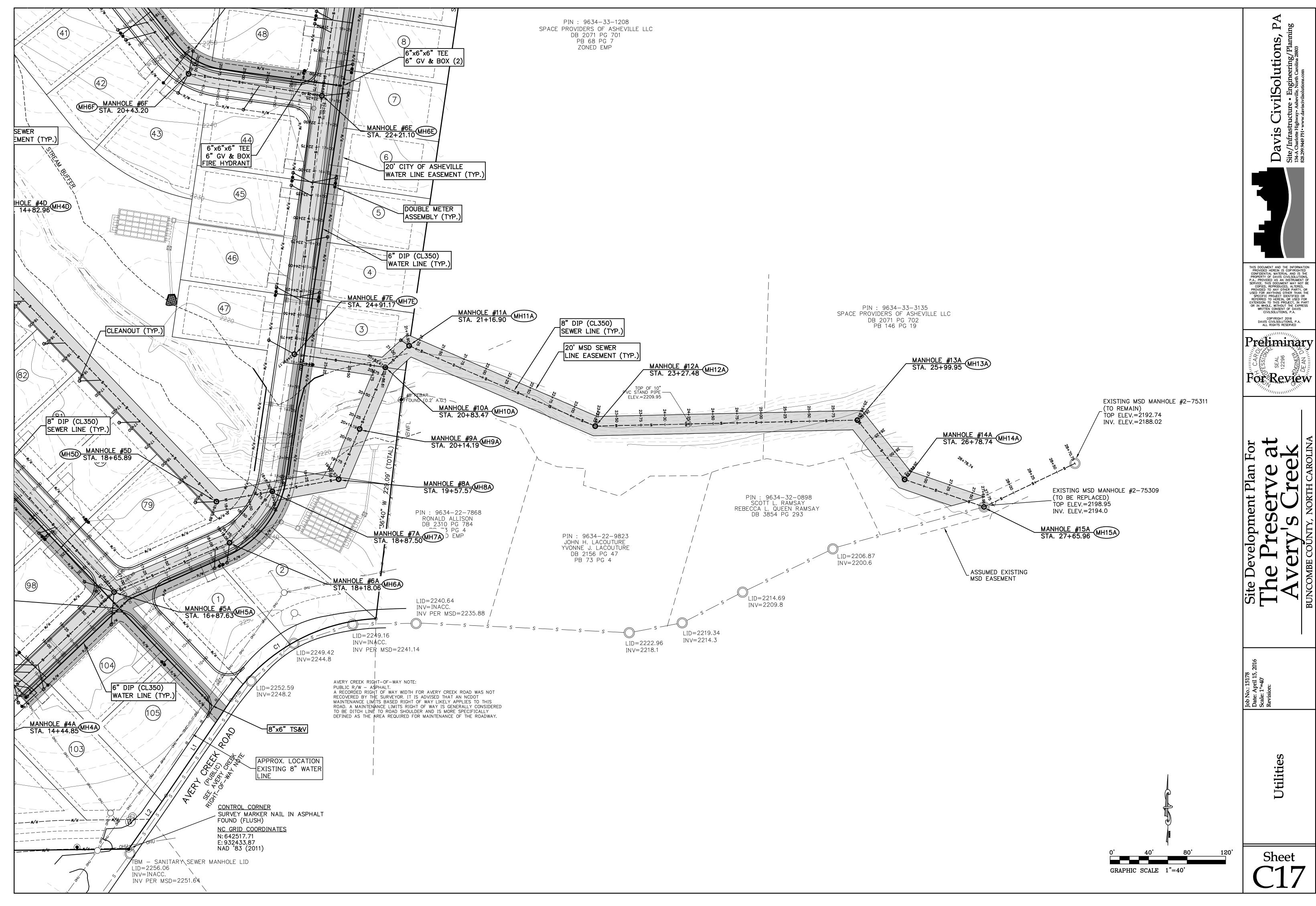


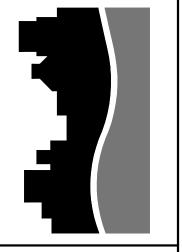


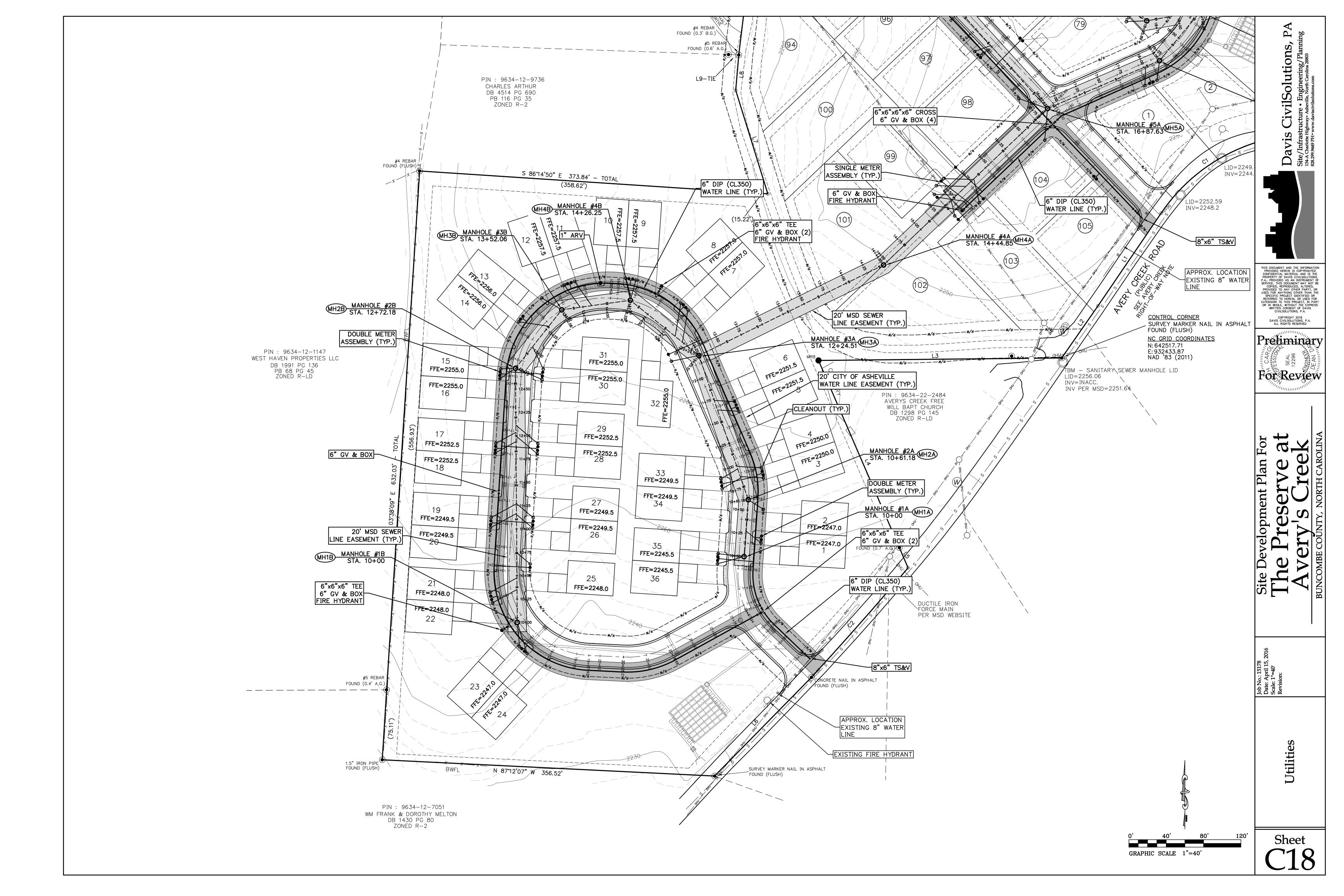


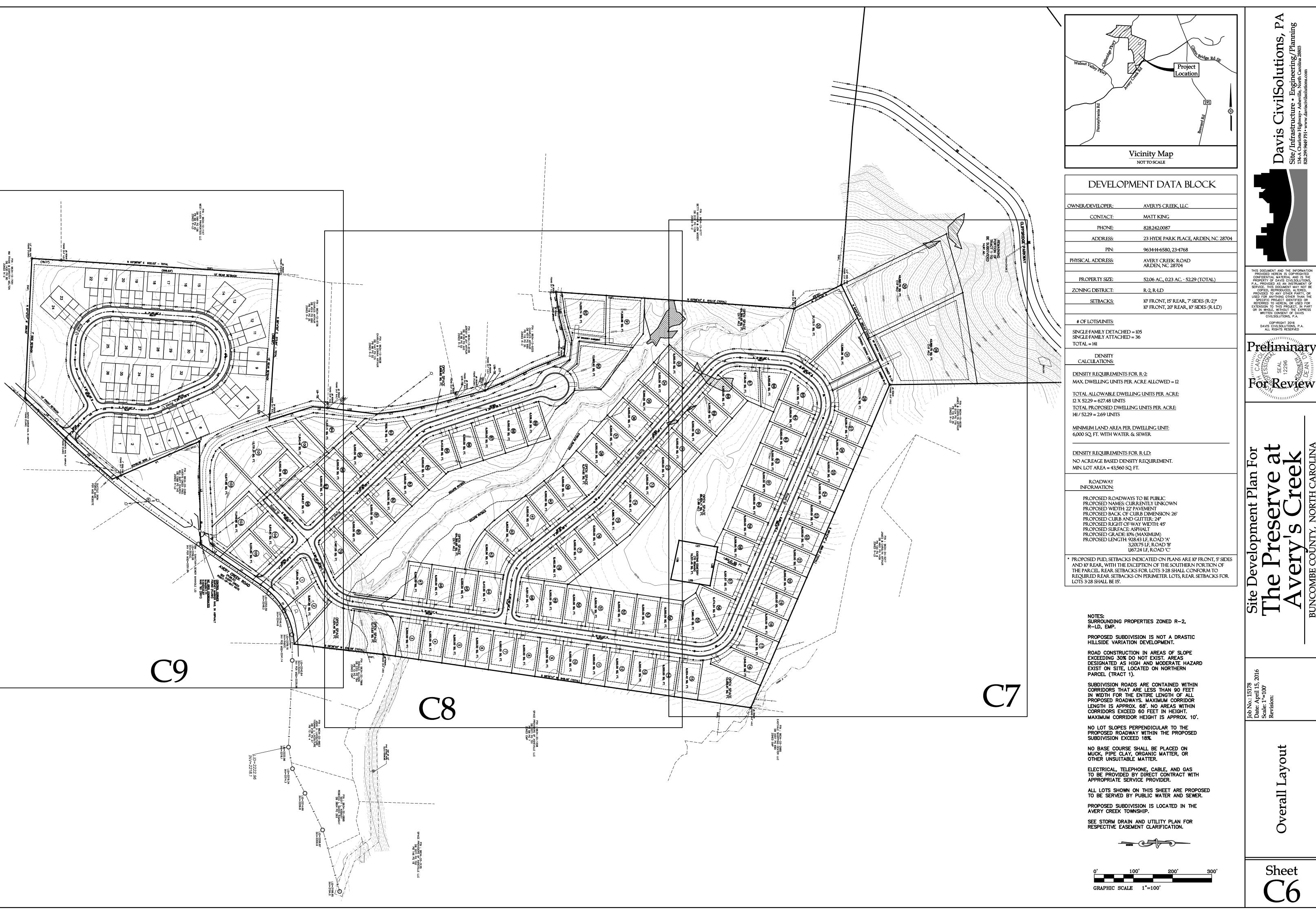






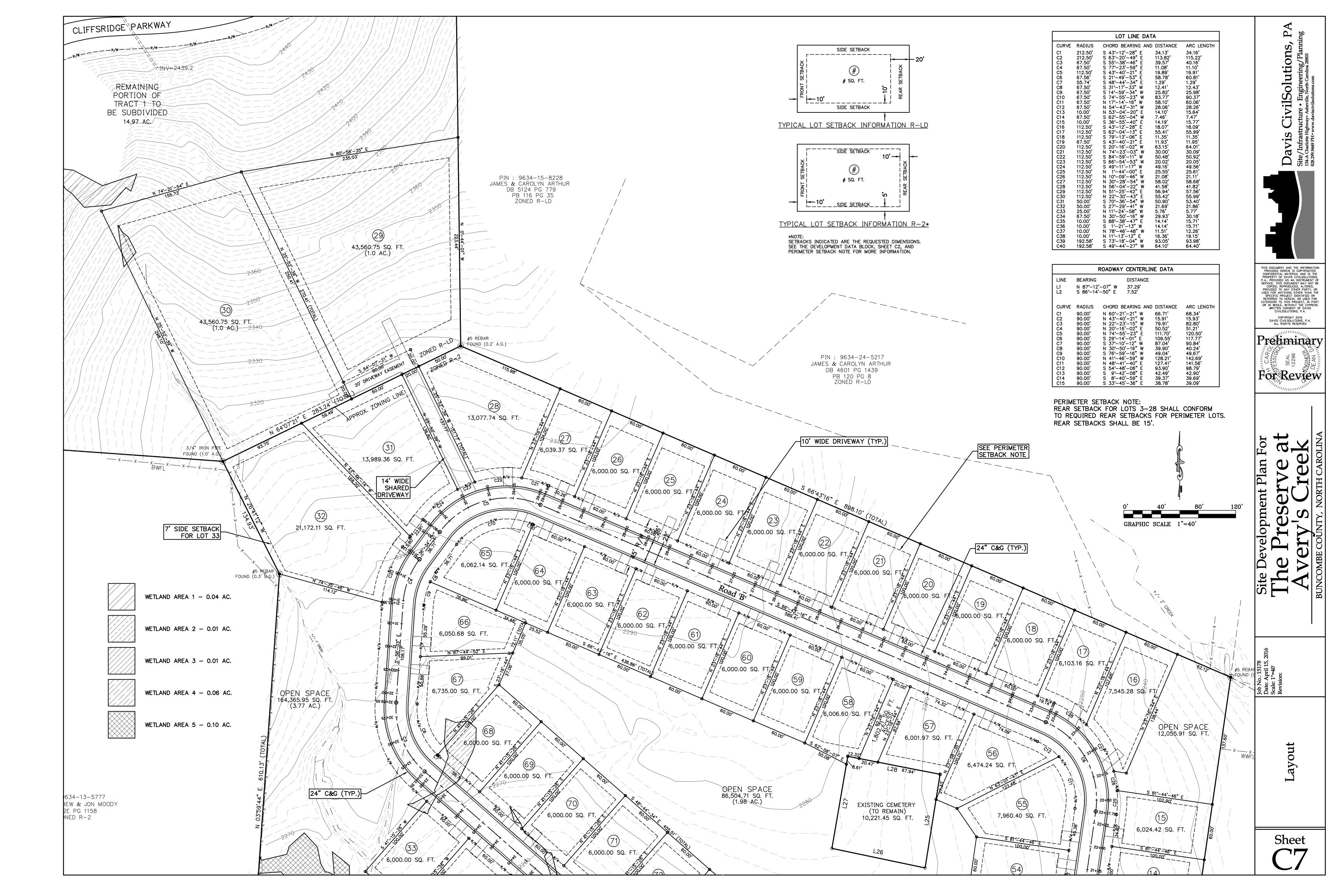


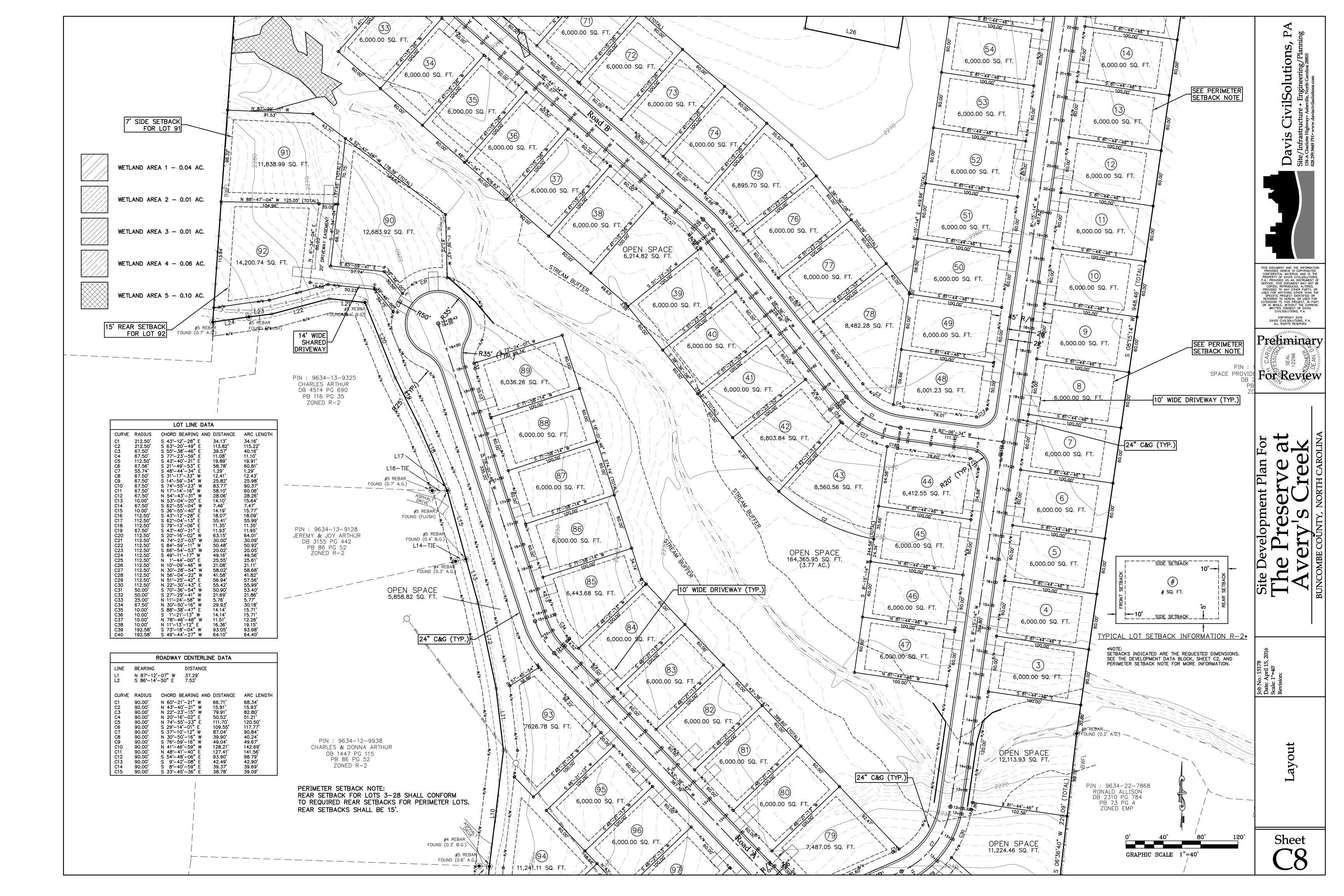


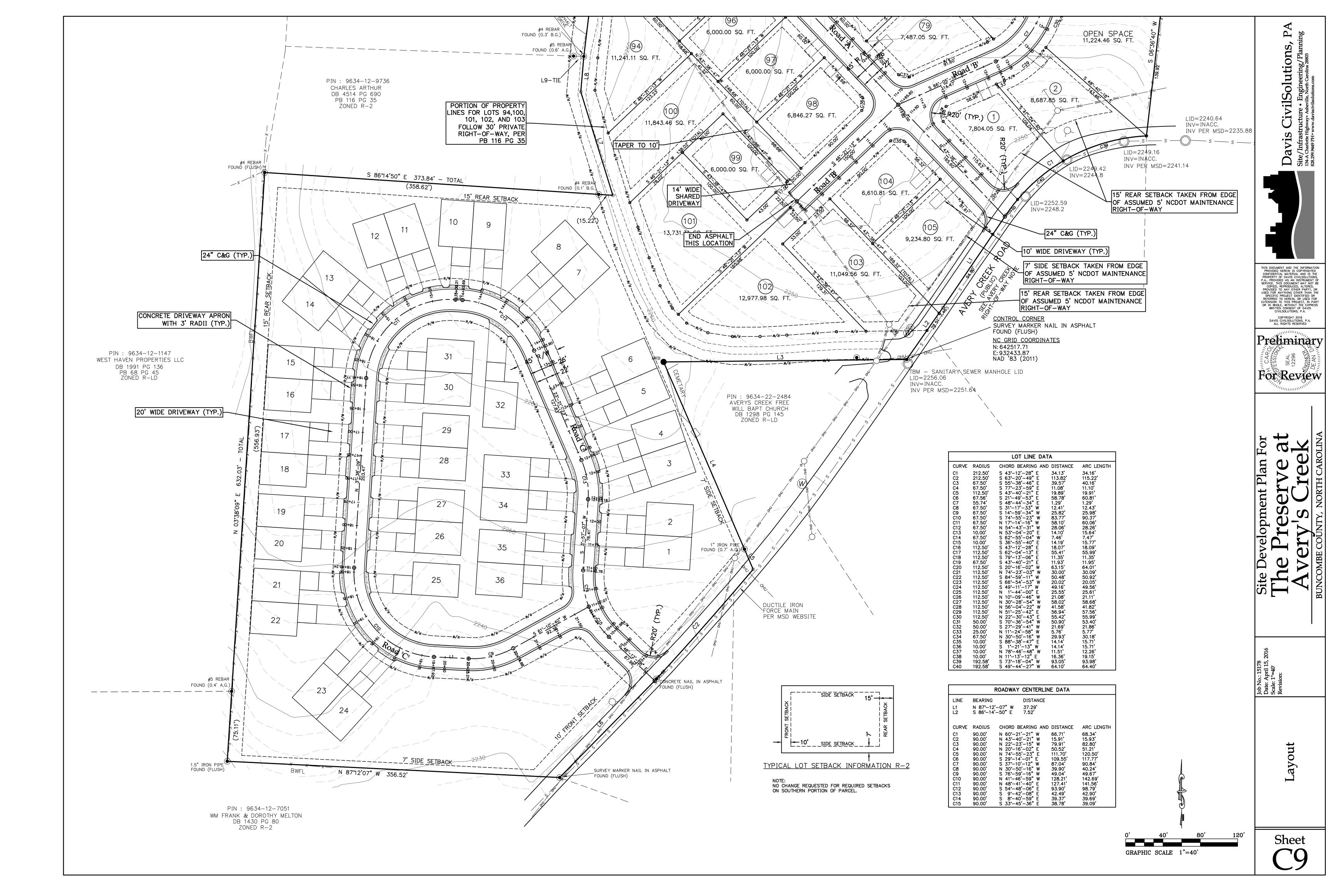


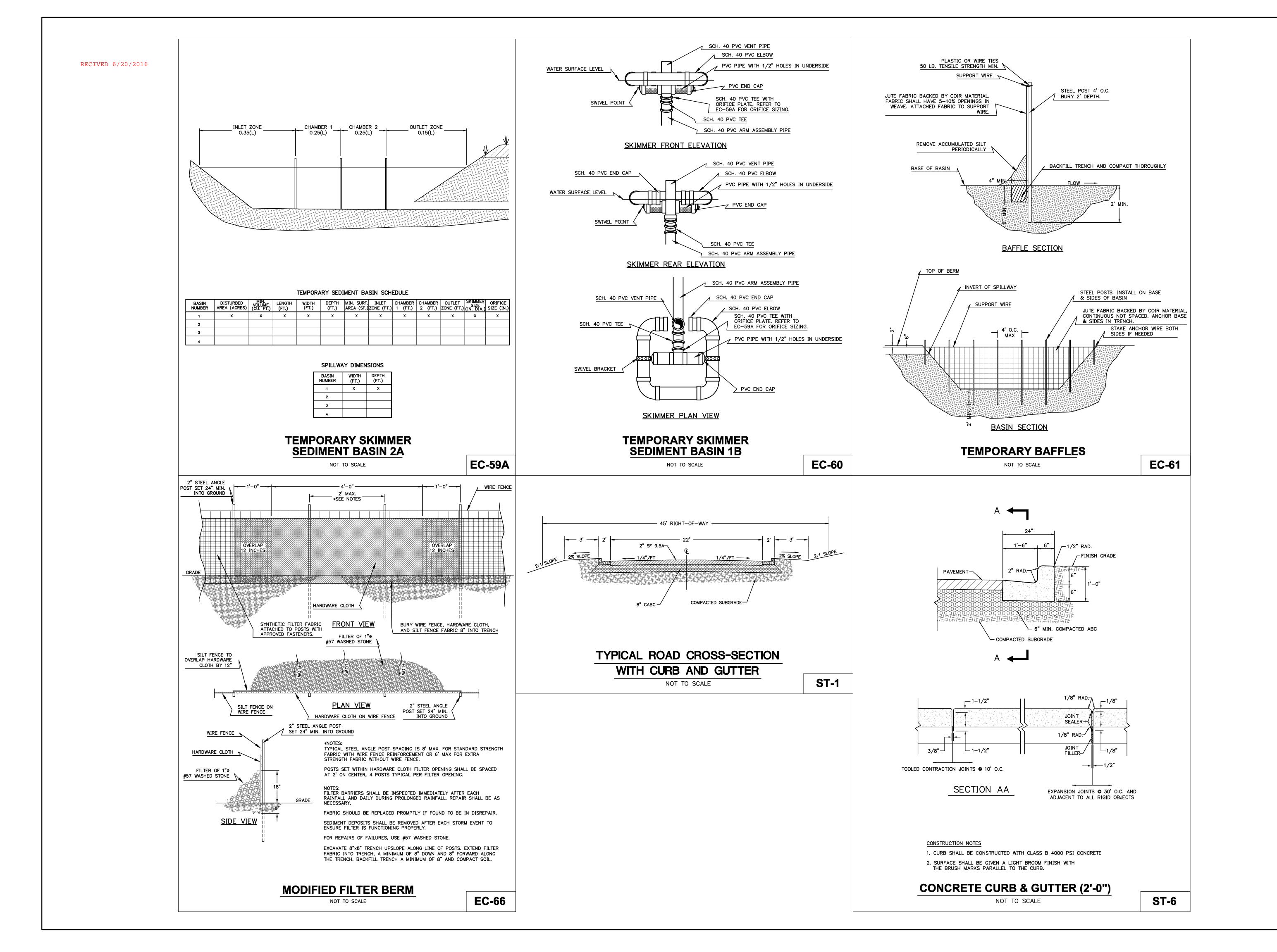
CivilSolutions, ructure • Engineering/Plant

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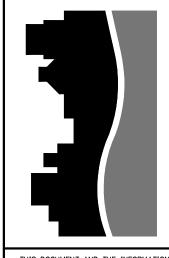


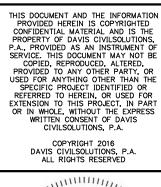


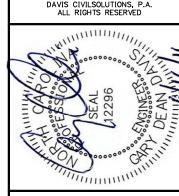




Davis CivilSolutions, PA Site/Infrastructure • Engineering/Planning 134-A Charlotte Highway • Asheville, North Carolina 28803







he Preserve at Avery's Creek

ob No.: 151/8 Date: April 15, 2016 scale: NTS Revision:

Details

Sheet D1

### ATTACHMENT D

Buncombe County Planning Board Meeting Recommended Staff Conditions June 20, 2016 SUB2016-00219 Preserve at Avery's Creek

If approved by the Buncombe County Planning Board, the applicant shall provide the following information on a revised set of plans (if necessary) submitted to the Buncombe County Department of Planning and Development:

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- 2. Provide proof of approval of system design for MSD sewer lines. Proof of acceptance of the sewer lines into the MSD sewer system will be required prior to recordation of a final plat or release of a financial quarantee.
- 3. Provide proof of approval of E-911 addressing
- 4. Provide a written statement from the Buncombe County Erosion Control Officer stating that an Erosion Control Plan has been submitted and approved for the project. No grading shall occur on the site until an approved Buncombe County Erosion Control permit is obtained.
- 5. Provide a written statement from the Buncombe County Stormwater Administrator stating that a Stormwater Plan has been submitted and approved for the project. *No grading shall occur on the site until an approved Buncombe County Stormwater Control permit is obtained.*
- 6. Provide FEMA flood plain information on the submitted plat.
- 7. Indicate existing use of land within and adjacent to subdivision.
- 8. Provide NCDOT driveway permit.
- 9. Provide a public road maintenance plan.
- 10. Indicate on plans that the shared driveway is less than 20% grade.
- 11. Provide proof of Army Corps of Engineers approval if development occurs within wetlands.
- 12. Provide proof of approval of subdivision road design by NCDOT. Certification that roads are built to Buncombe County Subdivision Ordinance standards shall be required prior to recordation of the final plat. NCDOT shall review and sign off on final plat.