



**Asheville Alternative Compliance
MINUTES**

REGULAR MEETING
(Monday, May 16, 2016)

Board Members:

Justin Price
Bill Hascher

Jessica Berstein

Project Name: 85 Mills Gap Road – Mills Creek Townhomes (BP 16-01993 PZ)

Alternative Compliance Recommendation: APPROVAL

This residential townhome development was originally approved in 2006 for the overall master plan. The final phase was recently approved by the Planning & Zoning Commission on April 21st with a condition that an alternative is approved for street tree spacing.

1. Street Tree Spacing: Section 7-11-3(d) (3) requires that “in no case shall a required street tree be closer than 15 feet or farther than 65 feet from another required tree.”
This application proposes street trees along both sides of Alpine Ridge Drive within the project area and while the total number of trees required is provided onsite, there are several locations where the distance exceeds 65 feet.

There are practical challenges related to the site and this final phase in that the locations of the utilities, street and right-of-way and building footprints are already in place from the 2006 development activity. The greater distance between trees incorporates individual private driveways, water line easements and maintaining a right-of-way stub-out for a future connection to the adjacent parcel.

While the greater spacing does not meet the exact standard of the ordinance, the number of street trees is provided on site and required and there is still a generally consistent street tree pattern to enhance the pedestrian environment and soften the streetscape. Because the intent of the ordinance is met, staff is supportive of the request.

Staff recommends **approval** of the alternative compliance request as proposed.

Agree with staff recommendation. There is a shrub there called Pachysandra, it is an invasive, if there could be a replacement shrub for that one.

Jennifer Blevins, Urban Planner I

Meeting Date: May 16, 2016

Project Name: Liberty House Cafe
Location: 221 South Liberty Street
PIN: 9649.43-5049
Zoning: Office district
Acreage: .33 acres

Description of request/background:
The project is to convert an existing single-family dwelling to a coffee house/café use. Because the new use is a higher impact, full compliance with the landscaping standards contained in Article XI of the UDO is required. In this case, only the street tree requirement was applicable. The Merrimon Place frontage required 3 small maturing trees and the South Liberty Street frontage required 3 large maturing trees. Along with several existing small maturing trees claimed for credits, the approved site plan indicated that two flowering dogwoods would be planted on Merrimon Place and one Deodar cedar would be planted at the corner of the property, within a new patio area to be constructed. The stone mason did not refer to the approved plan and constructed the patio in such a way that leaves no planting area for the required tree. The applicant is proposing the addition of a Yoshino Cherry tree along the Liberty Street frontage as an alternative to reconstructing the patio.

Staff findings:
Staff has evaluated the request and finds that the species and placement proposed are appropriate and recommends approval of the request as stated.

Agree with staff recommendation.

Mike Wheeler, City Planner

Meeting Date: May 16, 2016

Project Name: Pizza Hut
Location: 12 Miami Circle
Pin: 9644.89-6900
Zoning: Institutional (INST)
Acreage: .79 acres

Description of request/background:
<p>The project involves the demolition of an existing single family residence and the construction of a new eating/drinking facility (restaurant). The code requires the site to be brought into compliance with all applicable landscaping standards. In this case, the applicant is requesting alternative compliance relating to the required buffer-yard along the southern property boundary.</p> <ol style="list-style-type: none">1. The code requires a type “B” bufferyard along the southern property boundary adjacent to the RS-2 zoning district, which measures 223 feet in length. The applicant proposes to eliminate the majority of the bufferyard width and install all of the required plant material for the bufferyard in other suitable areas of the site. They indicate the adjacent property to the south zoned RS-2 is not and will not be developed for residential purposes. The property is owned by Duke Energy and is encumbered with easements and rights-of-way.
Staff findings:
<p>Staff has reviewed this matter and confirms the applicant’s statements are warranted. Staff would recommend approval with the following condition: Amend the plan to shift some plant material along the southern property boundary where there is ample room to plant in order to balance out the site.</p>

Agree with staff recommendations, with the shift of plants to balance out site.

Mike Wheeler, City Planner

Meeting Date: May 16, 2016

Project Name: Sisters of Mercy
Location: 1272 Tunnel Road
Pin: 9668.76-5125
Zoning: Highway Business (HB)
Acreage: .88 acres

Description of request/background:
<p>The project involves the new construction of a medical facility. The code requires the site to be brought into compliance with all applicable landscaping standards. In this case, the applicant is requesting alternative compliance relating to the required buffer-yard along the western property boundary.</p> <ol style="list-style-type: none">1. The code requires a type “A” bufferyard along the western property boundary adjacent to the RM-16 zoning district, which measures 206 feet in length. The applicant proposes to reduce the plant material by 50% (which is allowed by the code when there is an elevation change of 15 feet or greater and/or there is a separation between the developed land and the adjacent residentially zoned property). In order to take advantage of this allowance all of the plant material is required to be installed along the top of the slope. The applicant proposes to place the plant material along the toe of the slope and indicates there is not adequate remove along the top of the slope to plant any material that would be on their property.
Staff findings:
<p>Staff has reviewed this matter and confirms the applicant’s statements are warranted. Staff would recommend approval with the following condition: Amend the plan to use some evergreen tree species in the requested reduced bufferyard.</p>

Agree with staff recommendations with the stipulation of adding some American Hollies.



**Asheville Tree Commission/Minutes
Monday, May 16, 2016**

CURRENT BOARD MEMBERS: Mike Kenton (Chair); Debbie Emmons (Vice- Chair); Amy Kemp; **Justin Price;** Stephen Hendricks; **Marc Williams; Roy Smith; Phyllis Stiles;** Richard Stiles; **Mike Davie; Bill Hascher; Carl Nyberg;** Alison Arnold; **Dawn Chavez**

CALL TO ORDER

1. APPROVAL OF MINUTES

Justin Price made a motion to approve the minutes from last month's meeting. Carl Nyberg second the motion and the motion passed unanimously.

2. UNFINISHED BUSINESS

a. City Tree Update, Mark Foster/Greg Shuler

- Working on hiring for open positions
- Continued work orders

b. TRC , Susan Roderick

- No report

c. Duke Energy, Roy Smith

- Working in West Asheville, Haywood Road

d. Bee City, Phyllis Stiles

- Pollination Celebration is coming up June 16- June 25.
- Working with Greenworks for annual tour
- We would love for the commissioners to come and give us ideas, messages or anything that would get the information out.
- Sarah has been working hard with the schools with pollinator gardens with getting kids educated and involved in pollinator gardens.

e. Blue Ridge Arborist Assoc., Mike Davies

- We are continuing to work on the agreement to work with the City of Asheville. The agreement is in the City Manager's office for signatures.

f. Asheville GreenWorks, Dawn Chavez

- We on our way to reaching our goal with planting 800 trees this year.
- Working on develop the “adopt a spot” program
- Eric working a meeting to discuss a list of edible planting for the City.
- Garden Tour, Saturday, June 25. Also part of Pollinator Celebration

g. Recommended Species List and Asheville Tree Map, Amy Kemp

- No report

h. Parks and Recreation, Roderick Simmons

- Eagerly waiting on the finalization of the agreement with Blue Ridge Arborist so that we may get some projects stated and completed.
- Met with Eric this morning regarding the edibles and pollinators. That is going well.
- Pritchard Park will be coming up in front of the Tree Commission soon.
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3. NEW BUSINESS

- For lunches in the future for the Tree Commission
- Beginning next month it will be a RSVP type of event. You will need to RSVP at least a week in advance or bring your own lunch.
- The Tree Commission is the only board/commission that provides lunch and this will help with the budget part of the spending on meals.
- If you plan to attend each let Lora know you will be regularly attending
- We want to keep the time at this time and we want to keep the food provided since it is during this time to help out.
- We will let you all know about the cost each month as soon as it known.

4. PUBLIC COMMENT (5 CITIZENS, 3 MINUTES EACH)

- Kira Jahn, proposed changes to Asheville’s Tree Ordinance
- Followed by discussion

5. FUTURE AGENDA ITEMS

- None at this time

ADJOURNMENT

NEXT MEETING: Monday, June 20, 2016

For more information on the [Asheville Tree Commission](#), please contact [Lora Morgan 828-259-5932](#)

