

**Asheville Alternative Compliance**  
**Tuesday, January 20, 2015**  
**Minutes**

**Members Present:** Bob Gale (Chair-Alternative Compliance); Amy Kemp (Tree Commission)

**Staff Present:** Chad Bandy (Public Works); Lora Morgan (Public Works); Mark Foster (Public Works); Greg Shuler (Public Works); Mike Wheeler (Planning); Jessica Bernstein (Planning);

**Guest Present:** Warren Sull, Chris Day, David Ross, Trevor Baker, Leif Stevens, Ryan Blau

To: City of Asheville Tree Commission  
From: Nathan Pennington, Plan Review Coordinator  
Date: January 9, 2015

Meeting Date: January 20, 2015
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Project Name: Noble Cider
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Location: 356 New Leicester Highway
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Pin: 9629.23.8707
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Zoning: Highway Business (HB)
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Acreage: .82 acres
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<b>Description of request/background:</b>
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The applicant is requesting a reduction to a property line buffer in the rear yard of the existing building along County Home Road. The project seeks to convert an existing carpet sales showroom to a cider manufacturing and tasting room facility. A change of use to a higher impact requires that the site be brought into compliance with all applicable provisions of Article 11 including landscaping.
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<b>Staff findings:</b>
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The subject property is zoned Highway Business (HB) and is a through lot with frontage along New Leicester Highway and Old County Home Road. A 30 foot wide property line buffer is required along Old County Home Road due to the proximity of residential zoning across the street (Buncombe County zoning R-1). Due to existing site constraints including an existing loading dock, driveway and concrete retaining walls lining the driveway, a traditional uninterrupted buffer yard is not feasible. The applicant proposes to plant along the existing retaining walls as well as provide a six (6) foot wood privacy fence as indicated on the site plan that will traverse the majority of the property along County Home Road. Further, the applicant is seeking to place some plantings that cannot be accommodated on the property within portions of the NCDOT right-of-way which is allowable once an encroachment agreement is secured.
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Staff recommends **approval** of the alternative compliance request.

**Alternative compliance supports the staff's recommendations with the request of the replacement of the Eunonymus alatus.**

**Meeting Date:** January 20, 2015

**Project Name:** Hyatt Place Hotel (BP 13-04541)

**Alternative Compliance Recommendation:** APPROVAL

This project was approved for the construction of a hotel and parking structure located at 199 Haywood Street in the Central Business District. Construction is currently underway. The following modification is being requested:

*Parking Deck Perimeter Landscaping*

The UDO requires trees and shrubs to be planted surrounding all sides of a standalone parking structure. The project is able to comply with this requirement on all sides except for along the southwest. There is a twenty-foot wide Duke Energy easement running along this property boundary. The planting of trees is not permitted within this type of easement.

The project site will be heavily landscaped, above what is typically found in the Central Business District. Staff recognizes the challenges resulting from utility easements and recommends **approval** of the alternative compliance request as proposed.

**Alternative compliance supports the staff's recommendations with the request of the replacement of the Spirara japonica.**

**Asheville Tree Commission  
Minutes  
Tuesday, January 20, 2015**

**Members Present:** Mike Kenton (Tree Commission- Chair); Bob Gale (Tree Commission); Amy Kemp (Tree Commission); Brandee Boggs (Tree Commission); Richard Stiles (Bee City USA); Susan Roderick (Tree Commission); Justin Price (Tree Commission); Stephen Hendricks (Tree Commission); Marc Williams (Tree Commission)

**Staff Present:** Chad Bandy (Public Works); Lora Morgan (Public Works); Mark Foster (Public Works); Greg Shuler (Public Works)

**Guest:** Heather Seltzer (Code Asheville)

The Asheville Tree Commission held its monthly meeting on **Tuesday, January 20, 2015**, at **12:00 p.m.** in Room A-109 of the William F. Wolcott Public Works Complex at 161 South. Charlotte Street. Mike Kenton called the meeting order.

Mike welcomed everyone to the Tree Commission meeting.

The motion was made by Amy Kemp to approve the minutes from the November 17, 2014 Tree Commission meeting, Brandee Boggs seconded and the minutes were accepted unanimously.

Presented plaques to:

**Very special recognition to Bob Gale who has served on the Tree Commission for very, very long time. Chair of the Tree Commission, Chair of the Alternative Compliance, we appreciate all that Bob has done!!!**

**Also a special thank you to Brandee Boggs for her dedication and commitment to the Tree Commission. We appreciate all of your hard work!!!**

Welcome to the Tree Commission to our new members, Justin Price, Stephen Hendricks, Leslee Reiter and Marc Williams.

***Heather Seltzer- Code Asheville and Asheville Open Tree Map***

- Greg and Amy met before the meeting and Greg is working to hold a place in the budget for the Tree Commission.
- We need to have a plan to roll the mobile app for Open Tree Map out.
- Heather and I are meeting after this meeting to talk.
- We are waiting on two data sets from the City

- We will be ready to discuss budgetary needs and the roll out next month.

### ***Directors Report:***

***Greg Shuler***

- Would like to extend a warm welcome to the new members of the Tree Commission. We appreciate you taking the time out of your busy schedules to serve your community in this capacity. We look forward to working with you all.
- Mike Kenton- for the new members: we hope that the new members will find a sub-committee that you are interested in and get involved.
- We are in the initial part of our budgeting process here at the City, talking with Amy Kemp about some specifics and we will discuss at the next Tree Commission meeting.
- Priority based budget is the process the City is taking on the fall. We are excited about making the most of what the tax payers put towards for our employees and the services we provide back to them.
- Last week we had a boards and commissions meeting. The first one of these we have had. It was very educational and well worth the time for us to be there.
- Congratulations to Susan Roderick. She was recognized last week as a Downtown Hero!!! Susan has attended about 1,768 Tree Commission meetings.
- Council is really taking notice to all the boards and commissions in the City. There are 44 different boards and commission in the City.

### ***Streets Manager Report:***

***Chad Bandy***

- North Market Street in the last week we removed six healthy trees. However, we are doing a sidewalk replacement and will be planting back seven. On Haywood Street down from the US cellular, we did a demo last week on an alternative to tree grates. It is called flexi-pave. It allows the roots to expand without pushing the tree grates up causing a trip hazard.

### ***Tree- Related Activities:***

***Mark Foster***

- The trees that were removed on North Market were *Tilia cordata* – little leaf linden. The ones at far North end had gotten to some good size but I cannot call them healthy. We are putting a layer of washed stone in the tree pit to help dry the roots. This will hopefully delay the fracturing of the sidewalk. The flexi-pave is impervious. Few concerns but could be a good way to prevent trip hazards.
- Holiday decorations are put up and we are back to tree work.
- Finalizing my spring tree list.
- Back on the board with the North Carolina Urban Forest Council.

***Citizen Response Committee:***

***Mark Foster***

- Two site visits after this meeting. Will report on them next meeting.

***TRC Committee Report:***

***Susan Roderick***

- The building on Roberts Street has been bought and they are going to do extensive landscaping and going to try to get diagonal parking in on the River district.
- Harris Teeter on Merrimon is putting out new trees.

***Duke Energy Progress:***

***Roy Smith***

- Working in Burnsville, Haywood County and Oteen. Will be spring or summer before we are back to Asheville.

***Bee City USA:***

***Phyllis Stiles/Richard Stiles***

- We appreciate Greg and the City's perspective and hopefully this is the place for us to advocate for the pollinators.
- Demonstration gardens. Very proud of them.
- Kids programs
- The University in Oregon is creating a frame work for Bee City Campus.
- This is almost magical how pollinator's time has come.
- Asheville Bee City USA- sign in front of Pack Square Park
- **More information see attached hand out**

***Blue Ridge Arborists Association:***

***Mike Davies/ Mark sub for Mike***

- Discussion of our next project is under way.

***Asheville Greenworks:***

- No report
- Tree City USA- Our 34<sup>th</sup> year. You have to have a tree board, tree ordinance and you have to plant so many trees each year. Then we report for Arbor Day each year. We are planning on trying to have it at the Navitat again.

### ***Education Committee:***

- Nothing new to report. Working with Code Asheville on the Open Tree Map

### ***Alternative Compliance Follow Up***

#### ***Bob Gale- Urban Forest Keepers***

- Meeting with Shannon Tuch in the Planning Dept. Bob will be going off the Tree Commission but will be volunteering as chair for this. There are several things that the City can do. Such as training and working together to better the City.  
\*\* If we had interested parties apply for a position on the Tree Commission and did not make it maybe they will volunteer for committee. Mike to contact Maggie in the City Manager's office to get information.

### ***Old Business and New Business:***

\*\*\*Still in the works.....

Mike will work on the definition of an historic tree and would like for us to have it ready to send up at the next meeting.

\*\*\*Historic Tree of Asheville-

“Any tree that is of a variety included on the city's Recommended Species List, having at the time of submission a dbh of twelve inches or larger, which is deemed by a resident to have historical significance. This could include, but is not limited to, connections to notable people and/or events. It could also include trees that the resident believes add to the character and/or charm of the city of Asheville.

\*\*\* Please make changes or suggestions to Mike and he will make adjustments. Mike is waiting on a suggested change and will update everyone on the suggestion at the next meeting.

At the next meeting Mike would like to have Phyllis' suggestions for the definition so he may go ahead with finalizing it.

**The next meeting is scheduled for  
Monday February 16, 2015**

