

**Alternative Compliance Meeting
Minutes
Monday, July 20, 2015**

Members Present: Amy Kemp (Tree Commission); Bill Hascher

Staff Present: Chad Bandy (Public Works); Lora Morgan (Public Works); Mark Foster (Public Works); Mike Wheeler (DSD); Jessica Berstein

Guest: Reuben Jones, Hillory Cole, Lee Thomason, Hobie Orton, Mike Dale, Tony Hauser

Meeting Date: July 20, 2015
Project Name: White Labs
Location: 174 S. Charlotte Street
Pin: 9648.58-1796
Zoning: Regional Business (RB)
Acreage: 1.82 acres

Description of request/background:
<p>The project involves the renovation and expansion of the existing facility for a new use. 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 two separate standards (bufferyards and building impact landscaping).</p> <ol style="list-style-type: none">1. The code requires a type "A" bufferyard along the northern property boundary adjacent to the RM-8 zoning district, which measures 400 feet in length. The applicant states the existing conditions (building location, access drive with fire lane, parking, etc.) prohibits their ability to meet this requirement and therefore they request a full reduction of 100% of this standard.2. The code requires building impact landscaping per 1,000 square feet of building footprint. In this case, an additional 18 trees and 37 shrubs are required to meet this standard. The applicant states the existing conditions (building location, access drive with fire lane, parking, etc.) prohibits their ability to meet this requirement and therefore they request a full reduction of 100% of this standard. <p>The property is located in our downtown and typically bufferyards and building impact standards would not apply to properties zoned CBD; but, for whatever reason this property is zoned Regional Business and thus these standards apply. The project is an adaptive reuse of an existing facility and although the applicant proposes to eliminate these two landscaping requirements, the redevelopment of the site will produce a total of 51 new trees and 148 new shrubs.</p>
Staff findings:
Staff has reviewed this matter and confirms the applicant's requests are warranted and we recommend the Tree Commission approve the request as stated.

Alternative Compliance agrees with staff recommendations

Meeting Date: July 20, 2015

Project Name: Duke Energy Progress, Inc.
Location: 146 Swannanoa River Road
Pin: 9658.02-2232 & 9658.01-0962
Zoning: River
Acreage: 4.75 acres

Description of request/background:
<p>The project involves the redevelopment of the site with a new substation and retaining walls. 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 three separate standards (buffer yards, retaining wall screening and street trees).</p> <ol style="list-style-type: none">1. The code requires type “B” buffer yards to be located along the northern and eastern property boundary lines which are adjacent to an RS-8 zoning district. The applicant states these areas of the site include both existing slopes and plant material which serve as adequate buffers and request that no additional plant material be required.2. The code requires retaining wall screening for sections greater than 20 feet in height (acceptable methods for screening include a 5-foot planting strip located at the base of the wall planted with a specified number of trees and shrubs per 30 feet or attached vegetation with appropriate screens planted with a specified number of vines). The applicant proposes to relocate the plant material elsewhere on site (see areas noted 1-4) along the perimeter of the substation, access drive, transmission line locations, etc. for safety reasons.3. The code requires one small maturing tree to be planted along Swannanoa River Road based on the applicants noted frontage of 30 feet. The code requires this tree to be located within 20 feet of the street. The applicant proposed to install a tree located within 80 feet.
Staff findings:
Staff has reviewed this matter and confirms that the applicants request is warranted and we recommend the Tree Commission approve the request as stated.

Alternative Compliance agrees with staff recommendations

Meeting Date: July 20, 2015

Project Name: Talon Workshop
Location: 1478 Patton Avenue
Pin: 9628.64-8663
Zoning: Highway Business (HB)
Acreeage: .38 acres / 16,552 square feet

Description of request/background:
The project is to renovate and reoccupy the existing building, which has been vacant for a number of years. The code requires the site to be brought into compliance with all applicable landscaping standards. The applicant seeks an alternative to the required street trees along the side street (Rumbough Place). Based on the linear frontage, the code requires a minimum of 4 large maturing trees. The applicant's request is to eliminate 2 of the required trees due to the location of the existing building (zero lot line along side street right-of-way) and the requirement to provide a sidewalk (6 feet back of curb), which eliminates any area for planting.

Staff findings:
Staff has reviewed this matter and confirms the applicants request is warranted and we recommend the Tree Commission approve the request as stated.

Alternative Compliance agrees with staff recommendations

Meeting Date: July 20, 2015

Project Name: Hampton Inn & Suites - 117 Hendersonville Road (BP 15-08406 PZ)

Alternative Compliance Recommendation: APPROVAL

This project proposes the construction of a new hotel and surface parking. As a part of the proposal, the applicant is required to bring the site into compliance with landscaping requirements. The following modifications are being requested:

1. Street Buffer: Because of the proximity of the surface parking to the street, a shrub buffer is required. The street buffer is intended to provide a separation of the use from the street and a more comfortable pedestrian environment. In this case, there is a 15-20' grade change up to Hendersonville Road that provides an effective separation. Additionally, this hillside is heavily planted and would possibly meet the technical requirement for number of plantings as well as the allowed alternative due to grade separation; however the plantings are not on the applicant's own property. They are located in the NCDOT Hendersonville Road controlled access right-of-way and therefore do not technically satisfy the requirement from that respect.

2. Street Trees: Street trees along Hendersonville Road are required but similar to above; there is insufficient room on the applicant's property to provide the trees. Existing trees within the DOT ROW likely satisfy the requirement but are not technically compliant because they are not on the project site.

While the existing plantings in between Hendersonville Road and the subject property possibly satisfy the number of trees and shrubs that would be required and the heavy existing vegetation meets the intent of the requirements, they do not technically satisfy the standards of compliance because they are not on the applicant's property. Because the intent of the ordinance is met and because of the lack of pedestrian access in these areas, staff is supportive of the request.

Staff recommends **approval** of the alternative compliance request as propose

Alternative Compliance agrees with staff recommendations

**Asheville Tree Commission
Minutes
Monday, July 20, 2015**

Members Present: Amy Kemp (Tree Commission); Stephen Hendricks (Tree Commission); Leslee Reiter (Tree Commission); Susan Roderick (Tree Commission); Marc Williams (Tree Commission); Phylis Stiles (Bee City); Richard Stiles (Bee City); Susan Roderic (Tree Commission); Roy Smith (Duke Energy)

Staff Present: Chad Bandy (Public Works); Lora Morgan (Public Works); Mark Foster (Public Works); Greg Shuler (Public Works); Cecil Bothwell (City Council);

Guest: Ingrid Durre

The Asheville Tree Commission held its monthly meeting on **Monday, July 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.

Amy (filling in for Mike Kenton) welcomed everyone to the Tree Commission meeting.

Introductions were made.

The motion was made by Mark Williams to approve the minutes from the June 15, 2015 Tree Commission meeting Leslee Reiter seconded and the minutes were accepted unanimously.

Directors Report:
Greg Shuler

- Welcome everyone and thank you for taking time out of your busy schedule to join us.
- Recently the staff had training for all the boards and commissions. It was very educational for me. We are looking for more uniformity across the City. We will be revising the agenda that we currently use. It will begin to look like the agenda that City Council uses. The staff will also be more on the part of facilitating in the Tree Commission instead of participating.
- Tree Commission members are here to advise City Council and the City staff is here to support and help you in your role as Tree Commission.
- We are working to add Metropolitan Sewage District to our meetings.
- We may need to visit our by-laws and update them.

***Trees &
Citizen Response Committee:
Mark Foster***

- Nothing happening in the tree maintenance area. However with roadside maintenance we have added two new positions along with mowers to our crews as of July 1st for roadside mowing.
- Chad Bandy stated that the crews have already showed great strides in all that we are doing in roadside mowing. We are looking forward to having them back in Public Works.

***TRC Committee Report:
Susan Roderick***

- New Belgium area there will be some new housing in that area
- The Sleep Inn will be becoming the new Hampton Inn
- Commercial property in Biltmore at the 700 block
- Hendersonville Road there will be a mini storage going in
- If you would like to take a look at the plans, Susan will look them up for you

Recommended Species List:

- *No report*

***Duke Energy Progress:
Roy Smith***

- Working in the Beverly Hills and Haw Creek areas

***Bee City USA:
Phylis Stiles/Richard Stiles***

- Please see attached presentation copy

***Blue Ridge Arborists Association:
Mike Davies***

- No report

***Asheville Green works:
Dawn Chavez***

- No report

Education Committee:

- Any articles you would like to have published in the Citizen Times please send them to Lesliee and she will get them to John Boyle.
- Mike Kenton stated he would write the first article.

Open Tree Map:

- Received the funding, not as much that we had hoped for but we will work with what we received. Working on the contract at this time.

***Alternative Compliance Follow Up
Bob Gale- Urban Forest Keepers (not available at this meeting)***

Need follow up on list below:

- We have not got a group of citizens to meet, and we are trying to get back from Shannon. We had a meeting last week, kind of an orientation.
- Bob handed out a copy of Chapter 20 of the UDO and the landscape and buffering standards.
- As a Tree Commission there should be an orientation to new members that way they are up to speed as they come on.
- Where the process goes after a violation is where we are trying to follow up. We want to ensure that the standards are being followed.
- We want to be able to take a look at some recent plans that went through the Alternative Compliance so we can go out and look and see how they are proceeding now with their plantings.

- When we get a plan for Alternative Compliance we need it before we go out so we can see what we are up against.
- We will be working on the tree topping at the Skyland Fire Department and do a follow up and report back to the commission.
- We would like to be able to find the contractors than the owners for the damaged trees and also requiring permits.

Old Business and New Business:

- Open Tree Map-finalizing contract with Scott Barnwell with IT.
- Recommended Species list still in the works.

Collier Ave Apt. Project:

- Ingrid Durre gave the update on the project in hopes to prevent the trees from being taken down at this site.
- They were very appreciative of the letter that Mike Kenton had written from the Tree Commission in support of their request.
- There was a petition signed with 650 signatures on line.
- The next meeting with planning and zoning is in September.
- Ingrid and the supporters continue to research and inform themselves on more incentives that they can take to try and prevent these trees being removed.
- Ingrid will not be able to participate in the next meeting however will be in attendance in September to update the commission.
- Suggestions from the commission were for Ingrid to meet with the developer and ask them if there is a possibility of the trees being preserved.

Meeting adjourned.

**The next meeting is scheduled for
Monday, August 17, 2015**