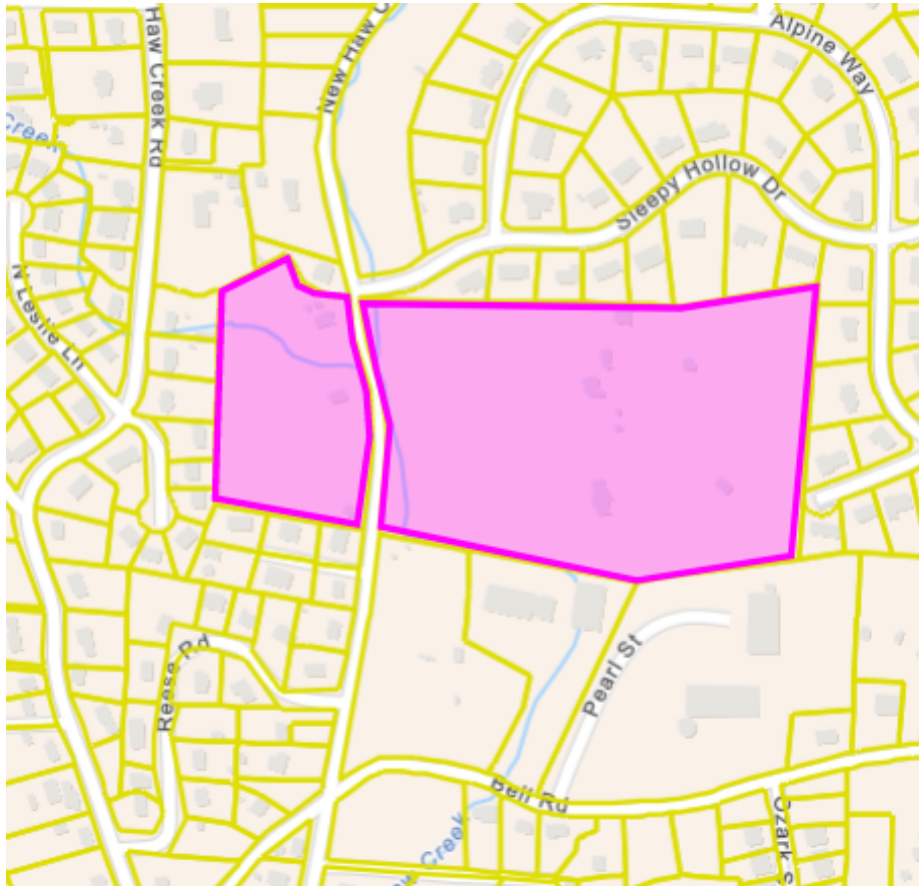




# TECHNICAL REVIEW COMMITTEE STAFF REVIEW REPORT



Project Number	24-00256PZ
Project Name	Meadows at New Haw Creek
Review Type:	<a href="#">Conditional Zoning - Conceptual</a>
Primary Project Address:	767 New Haw Creek   Pin: 9659-93-9458
Project Planner:	Sam Starr-Baum
TRC Meeting Date:	Feb 5, 2024
Last Action:	N/A
Current Recommendation:	<a href="#">Approve with Conditions</a>
Next Action:	Mar 6, 2024   <a href="#">Planning &amp; Zoning Commission</a>



# TECHNICAL REVIEW COMMITTEE STAFF REVIEW REPORT

## Site and Plan Data

Applicant Name(s):	Warren Sugg/Civil Design Concepts
Owner Name(s):	Margaret King
Current Zoning:	RS-4 ▾
Site Area (Ac.):	27.05 Acres
Existing Land Use:	Singe-Family Residential ▾
Proposed Land Use:	Singe-Family Residential ▾
<b>Adjacent Zoning</b>	
East:	RS-4 ▾
West:	RS-4 ▾
South:	RS-4 ▾
North:	RS-4 ▾

## UDO Compliance

UDO Provision	Requirement	Proposed
Gross Floor Area:	N/A	N/A
Density:	Density shall be determined by the minimum lot size standards	3.51 Units/Acre
Lot Size Minimum	8,000 sq. ft.	2,090 sq. ft. townhome lots 4,860 sq. ft. SFR lots
Building Height(s):	40 Ft. maximum height	40 Ft. maximum Height
Building Setbacks:	Front: 25 ft. Side: 10 ft. Rear: 25 ft.	<u>SFR</u> Front: 15 ft. Side: 7 ft. Rear: 15 ft. <u>Townhomes</u> Front: 20 ft. Side: N/A Rear: 15 ft.
Vehicle Parking Spaces:	1 per unit to 3 per unit based on bedrooms provided.	1 per unit to 3 per unit based on bedrooms provided.
Bicycle Parking Spaces:	0 spaces required	12 spaces shown



# TECHNICAL REVIEW COMMITTEE STAFF REVIEW REPORT

Open Space:	4.06 ac.	4.06 ac.
Impervious Surface Area:	N/A	8.40 ac.
Sidewalks:	5 ft.	5 ft.
Tree Canopy Preservation:	Management District: Suburban Classification: Class C Existing canopy: 53% Required canopy: 17%	Preserved: 12.4% (150,375 sf.) Planted: 5% (61,040 sf.) Total: 17.4% (211,415 sf.)
Applicable Landscaping Standards	Property Line Buffer	Does apply ▾
	Street Buffer	Does not ... ▾
	Street Trees	Does apply ▾
	Parking Landscaping	Does not ... ▾
	Building Landscaping	Does not ... ▾
	Screening	Does not ... ▾
	<ul style="list-style-type: none"> <li>Type B, 30'-wide property buffers are required where the property abuts single-family zoning districts to the north and west.</li> <li>Street tree requirements are met, but vary based off the presence of overhead utilities along New Haw Creek Road</li> </ul>	

## Equity Analysis (Source: [data.census.gov/map](https://data.census.gov/map))

Census Tract #	Tract 18.02	
Race	<i>Total Population</i>	4,671
	White:	3,925 (85.4%)
	Black:	215 (4.5%)
	Asian:	75 (1.6%)
	Native Hawaiian or Pacific Islander:	3 (0.006%)
	American Indian/Alaskan Native:	5(0.010%)



# TECHNICAL REVIEW COMMITTEE STAFF REVIEW REPORT

	<table border="1"> <tr> <td>2+ Races:</td> <td>219 (4.6%)</td> </tr> <tr> <td>Some Other Race:</td> <td>42 (1.7%)</td> </tr> </table>	2+ Races:	219 (4.6%)	Some Other Race:	42 (1.7%)
2+ Races:	219 (4.6%)				
Some Other Race:	42 (1.7%)				
Ethnicity	<table border="1"> <tr> <td>Hispanic/Latino:</td> <td>4,482 (95%)</td> </tr> <tr> <td>Not Hispanic/Latino:</td> <td>189 (5%)</td> </tr> </table>	Hispanic/Latino:	4,482 (95%)	Not Hispanic/Latino:	189 (5%)
Hispanic/Latino:	4,482 (95%)				
Not Hispanic/Latino:	189 (5%)				
Educational Attainment (Bachelor's Degree or Higher, %):	61.6%				
Homeownership Rate (%):	50.7%				
Median Household Income :	\$98,971.00				
Legacy Neighborhood Status:	Not a Legacy Neighborhood ▾				

## Review Commentary

### Project Planner Highlights & Notes

#### Overall Project Proposal

- The project proposed is a conceptual site plan for a residential development on a larger, historically agricultural property bisected by New Haw Creek Road.
  - This property is additionally encumbered by Haw Creek, and nearly 4 acres of this 27 acre lot are within the floodway, floodplain, and 30' aquatic no-build buffers.
- The project proposes 95 dwelling units total.
- Access to the site is proposed by a single, non-signalized right hand turn on a newly created "Haw River Drive".
- Sidewalks are proposed on only the Western portion of New Haw Creek Road/S.R 2032 and on both sides of "Haw River Drive"
  - Sidewalks are only provided on one side of "Beargrass Lane" "Red Ember Drive" and "Elm Shadow Way". There is no internal connectivity between the three (50' ROW) streets servicing the 60 detached single family residences.
- A 12' Greenway is proposed to run through the open space to the southern portion of the property. At time of TRC Memo publication, there are no plans to connect further south to the planned City of Asheville's Haw Creek Greenway or sidewalk infrastructure along New Haw Creek Road.
- No Technical Modifications have been provided to City planning staff prior to the Technical Review Committee Meeting

#### Required Reviews

- Review by the Planning & Zoning Commission - tentatively scheduled for March 6, 2024.
- Review by the Asheville City Council is not yet scheduled.



# TECHNICAL REVIEW COMMITTEE

## STAFF REVIEW REPORT

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### Review Comments

#### Planning

Staff: Sam Starr-Baum

Recommendation: Approve with Conditions ▾

#### Comments

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- Revise landscape plan to show “Type B” buffer instead of “Type A” buffer.
- A “CL” Tree is specified as a street tree, but there is no “CL” in the Plant Schedule. Revise and clarify exact street tree species.
- Bicycle parking is shown and the SSDM spec. sheet is provided, but there is no call out for specific spaces. Please show bicycle parking calculations on the Development Data Block.
- Provide an open space plat similar to a tree canopy preservation plat for review prior to Planning and Zoning Commission submittal.
- A tree canopy preservation plat that complies with UDO Sec. 7-19-2 and notes: “the tree canopy shown on this plat must be preserved and maintained in perpetuity” must be recorded prior to the issuance of a Certificate of Occupancy.
- An open space plat that complies with UDO Sec. 7-11-4 and notes: “the open space shown on this plat must be preserved and maintained in perpetuity” must be recorded prior to the issuance of a Certificate of Occupancy.
- All outdoor lighting shall comply with UDO Sec. 7-11-10.
- All signage shall comply with UDO, Article XIII.
- All retaining walls over 4’ in height must meet UDO Sec. 7-10-5.
- Provide a note on the landscape plan stating that, “All required plant material shall meet the plant specification and maintenance requirements of UDO Sec. 7-11-3(f)”.

#### Transportation Engineering

Staff: Christopher Cairns

Recommendation: Approve with Conditions ▾ (Revise & Resubmit- 01/30/24, CCC)

#### Comments

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- A traffic impact study is not required (UDO 7-11-6-b) based on the anticipated trip generation of less than 100 peak hour trips. The traffic assessment submitted for the project is acknowledged and was used to confirm that the projected peak hour trips will be less than 100 per hour.
- Adjust sight visibility triangles to be shown from the back of right-of-way, not from the pavement edges (SSDM 3C.07). Add the following condition to the site and landscape plans: “Area within triangles shall be constructed and maintained by the owner such that cross-visibility at a level between 3’ and 10’ above the street elevation is not obstructed (SSDM 3C.07).”
- Depict the sight visibility triangles (10 feet by 70 feet) at the New Haw Creek Road driveways, as required for NCDOT maintained streets. Include the following condition as a note on the site and



# TECHNICAL REVIEW COMMITTEE

## STAFF REVIEW REPORT

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landscape plans: “Area within triangles shall be constructed and maintained by owner such that cross-visibility at a level between 3’ and 10’ above the street elevation is not obstructed (SSDM 3C.07).”

- Verify that no trees within sight visibility triangles will obstruct cross-visibility, both at planting and at maturity.
- Sidewalk and curb and gutter construction is required along the new local streets that are part of this project. For the new streets, sidewalks must be 5 feet wide with a 5-foot utility strip. If not located within the existing right of way, the sidewalk facilities plus 1.5-ft setback from the back of sidewalk (ASSDM Table 3-18) should be placed in a recorded easement prior to TCO.
- Sidewalk and curb and gutter construction is required along both sides of New Haw Creek Road (UDO 7-11-8).
- The proposed greenway east of Haw Creek is a good feature to promote non-vehicular mobility. However, it does not meet the requirement for sidewalk along New Haw Creek Road.
- For the portion of sidewalk to be constructed within the NCDOT right-of-way you must obtain an approved 3-party encroachment agreement from NCDOT prior to construction. NCDOT will require the City’s sign-off on the application before reviewing it. Provide the encroachment application to the City of Asheville Transportation Department for signatures.
- Applicant must obtain a driveway permit agreement from NCDOT prior to construction. NCDOT will require the City’s sign-off on the application before reviewing it. Provide the NCDOT driveway application to the City of Asheville Transportation Department for signatures.
- All driveway connections to public streets must conform to City of Asheville Standard Specifications and Details Manual. Include the appropriate detail (e.g., 3.15) on the site and detail plans. ADA accessibility must be maintained through the driveway.
- Any existing drive that will be abandoned must be closed and repaired. The closed driveway area must match existing conditions.
- Valley curb should not be used along Haw River Drive, which serves more than 20 residences and appears to exceed 5 percent grade (SSDM 3C.09). Use standard curb and gutter.
- Verify that intersection sight distances from the new street connections to New Haw Creek Road meet AASHTO’s *A Policy on Geometric Design of Highways and Streets* requirements (SSDM 3D).
- Any and all traffic control devices (e.g., signage) required for this project must meet all MUTCD (Manual on Uniform Traffic Control Devices) requirements. Any and all street name signage must meet City of Asheville standards. Contact Dean Grayson, Traffic Sign Supervisor at 828-259-5449 for information as necessary.
- The developer is responsible for ensuring that all facilities in the public right-of-way comply with the current Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG), available on the US Access Board website at <https://www.access-board.gov/prowag/>.
- Construction staging plan should be submitted. Ensure shoulder along New Haw Creek Road is not reduced unless for active construction of the shoulder or sidewalk. This is to allow pedestrian traffic to continue the current use.



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### Building Safety

Staff: Sam Beck II

Recommendation: Approve with Conditions ▾

#### Comments

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- Compliance with the 2018 NC Residential Building Code will be reviewed during the building permit application process.
- Any shared/common amenity or building must be on an accessible route.
- Retaining walls require engineering and special inspections. Retaining walls adjacent to walking surfaces, parking spaces, or drive aisles require fall protection, guardrails or both.
- In the best interest of the completed (final) project the contractor, civil engineer and architect, upon receiving the permit, should physically walk the site to evaluate the site accessibility and identify any issues in meeting the minimum requirements of the NC State Building Code. This could include actual finished grades and/or widths of walking surfaces as well as obstacles and objects that might interfere with a clear and unobstructed accessible path.

### E-911 Emergency Addressing

Staff: Sam Starr-Baum

Recommendation: Approve with Conditions ▾

#### Comments

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- 1. The address 767 New Haw Creek is the address of the existing building proposed to be demolished. Once the building has been removed, the 767 New Haw Creek address will be forever deleted from the E911 and all public GIS mapping platforms.
- 2. Current lot numbers shown on the plan should not be used.

### Fire Marshal

Staff: Brian Ronie

Recommendation: Approve with Conditions ▾

- Emergency Responder Radio Coverage shall be provided per 2018 NC fire code, section 510 for all new construction with a single story over 7500 square feet or any building over 1 story or on any remodel when the cost of work exceeds 75% of the building value.
- Fire Access roads to be built to COA specs.
- Project requires a water flow test.
- Building(s) to be protected by a fire sprinkler system per NFPA 13.
- Hydrant to be within 100' of FDC.
- (New buildings)- Non-sprinklered buildings require a hydrant to be within 400' of all points of building(s) at ground level.





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- (New buildings)- Sprinklered buildings require a hydrant to be within 600' of all points of building(s) at ground level.
- Building(s) require standpipes when any floor is 30' or more above exit discharge. Standpipe connections shall be on intermediate landings. A working standpipe is required when construction reaches 40' in height.
- All required exits to lead to a public way or safe dispersal area.
- Overhead powerlines to be relocated when building height exceeds 55'.

### Water Resources

Staff: Chad Pierce

Recommendation: Approve with Conditions ▾

#### Comments

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- 1. A Letter of Commitment for water service has been issued for this project. All terms and conditions indicated in said Letter of Commitment are applicable to the proposed waterline extension.
- 2. The TRC review process does not constitute an approval of the proposed waterline extension as waterline extensions are received and reviewed separately by the Water Resources Department. Please submit plans for waterline extension approval to the Water Engineering Division for review, approval and permitting.
- 3. A 20 feet easement is required around all publicly owned and maintained water infrastructure. Minor landscaping improvements, shrubs or ground cover, can occur within the 20 feet easement of existing or proposed public waterlines. However, the planting of trees and erecting of structures, signs, etc., is restricted within this 20 feet easement.
- 4. Separation requirements between proposed water infrastructure and other improvements; utilities, structures, landscaping, etc. must be adhered to. Please verify requirements can be met
- 5. Existing waterlines shall be field located at the request of the applicant and trees or other obstructions shall not be installed in areas that would violate required separations from existing water line/meter/hydrant etc.

### Public Works

Staff: Chad Bandy

Recommendation: In Review ▾

#### Comments

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### Development Engineering

Staff: Ric Ledford





# TECHNICAL REVIEW COMMITTEE

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Recommendation: **Approve with Conditions** ▾

Comments: Must provide stormwater calculations and copies of ACE & DWR permits for work in jurisdictional waters.

- 1. **PLEASE NOTE: We have a process change for stormwater documentation.** Starting November 1, 2021, if a project has required stormwater controls for quantity and or quality, the Operations & Maintenance Agreement and Easement(s) documentation will be required prior to the release of the building permit. For major subdivisions this will be required in conjunction with platting. If you have any questions, please contact Ric Ledford, 828-259-5411 or [ledford2@ashevillenc.gov](mailto:ledford2@ashevillenc.gov)
- 2. For sites with greater than 25,000 square feet of disturbance, a contract is required between the person financially responsible and a licensed professional for the initial inspection ensuring erosion and sediment control measures have been installed consistent with the approved plan. A notarized certificate of inspection agreement on a form available from the Development Services Department (contact staff above) stating the existence of the contract required hereinabove must be received and approved by Development Services Department before a grading and stormwater permit is approved and issued. (Code of Ordinances, City of Asheville, North Carolina, Part II, Chapter 7, Sec. 7-12-2 (g) (5))
  - The initial and signed inspection report must be filed with the stormwater administrator prior to the commencement of any land disturbing activity. (Asheville, North Carolina – Code of Ordinances Chap. 7, Article XII, Sec. 7-12-2 (g) (5) d. 6.)
  - A licensed professional shall conduct weekly inspections for all sites where Hillside, Steep Slope and/or Mountain Top Protection regulations apply and bi-weekly for all other sites. (Code of Ordinances, City of Asheville, North Carolina, Part II, Chapter 7, Sec. 7-12-2 (g) (5))
  - All weekly inspections and bi-weekly inspections must be kept on inspection logs and retained at the site. (Code of Ordinances, City of Asheville, North Carolina, Part II, Chapter 7, Sec. 7-12-2 (g) (5) d. 6.)
- 3. For sites greater than one acre of disturbance, A Certificate of Coverage/NCG01 (COC) will be required and a copy provided to the City. Upon approval of the site plans a Formal Letter of Approval from the City will be provided. This letter must be submitted with the Notice of Intent (NOI) application to NC DEQ. Please note that the NPDES requirements for the state permit has additional requirements than the City ordinance, please review these requirements at: <https://deq.nc.gov/about/divisions/energy-mineral-land-resources/energy-mineral-land-permits/stormwater-permits/construction-sw>
- 4. The Permit Application Number (24-00256PZ) shall be provided on the plans, Narrative & Calculations and all future correspondence. It is requested that this be either in the Development Data Block or printed in large enough print to be seen if located elsewhere.
- 5. Any work within jurisdictional waters requires a Section 404 Permit from the US Army Corps of Engineers and a Section 401 Permit from the NC Department of Environment and Natural Resources. A copy of these permits shall be provided to the City of Asheville, Development Services Department, prior to release of Grading, Stormwater and Flood Permits.

### Standard comments; no specific response necessary

- 1. A pre-construction conference will be required for this project. The conference will be scheduled after all City departments have completed their review, and after all required Grading and Stormwater Permits have been approved. The Zoning and Grading Permits will be issued at this meeting. (Code of Ordinances, City of Asheville, North Carolina, Part II, Chapter 7, Sec. 7-12-2 (c)(2)e.)



# TECHNICAL REVIEW COMMITTEE

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- 2. A security for re-vegetation is required for all land-disturbances which will exceed five acres. The security shall be in the form of a construction bond or letter of credit and must be provided prior to issuance of the grading and stormwater permit. The security shall be sufficient to revegetate proposed disturbed areas and must be valid for one year from the issuance of the permit and be updated throughout the process. The City of Asheville has set the re-vegetation amount at \$3,500.00 per acre or portion thereof. **The revegetation bond must be submitted on a form available from the DSD Website called “Surety Application” and must be received and approved by the stormwater administrator before a grading and stormwater permit is approved and issued.** (Code of Ordinances, City of Asheville, North Carolina, Part II, Chapter 7, Sec. 7-12-2(e)(2)h3)
- 3. If requirements for other departments affect grading and stormwater, revisions will be required, historic drainage patterns shall be maintained and/or changed to concentrated flow shall be managed.
- 4. For sites with greater than 2 acres of disturbance, a phased erosion control plan must be developed and provided in the plan set.
- 5. Provide Stormwater/ESC Narrative in the calculations package. Which shall include but is not limited to:
  - Scope of project outlined, including a brief description of pre- and post-development conditions, provide a chart of pre-post run-off rates per basin.
  - Narrate how each requirement is being addressed and what measure is being utilized; include any assumptions that are being made:
    - Erosion and Sediment Control
    - Stormwater Quantity, if required
    - Stormwater Quality, if required
  - If the internal drainage system designed for the 25-yr storm, narrate how stormwater up to the 50-yr storm will be conveyed to the stormwater feature.***
  - Demonstrate the extended detention requirement has been met for the difference between the pre-post run-off rate for the 2 year, 24hr storm event.
  - Maintenance Responsibility, Requirements and Schedule for each feature
  - Stream Buffer Requirements, if applicable
  - Floodplain Development Requirements, if applicable
  - Drainage Area Maps: existing and proposed contours to be shown for onsite and offsite areas that drain towards site
    - During Construction – delineate areas to each feature
    - Pre-and Post-development Area Maps – identify all analysis points on property (outfall points)
      - Show flow path for each drainage area
      - Provide a table/chart summary for  $T_c$  that corresponds to each flow path: type of flows, length of segments, slopes, manning’s n values
      - Off-Site topography for drainage basins must extend to a point where ridgelines can be clearly identified.
  - Narrate any additional permits requirements (ACOE permits, etc), if applicable
- 6. Provide drainage area map(s) and complete hydrologic and hydraulic calculations for the proposed storm drainage system components including, but not limited to inlets, pipes, outfalls, ditches, detention systems, outlet control devices, energy dissipation structures, outlet protection aprons, etc., and demonstrate compliance with Section 8, City of Asheville Standard Specifications and Details Manual.
  - Provide post development drainage area maps include:



# TECHNICAL REVIEW COMMITTEE

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- Identify all analysis points on property
- Show flow path for each drainage area
- Provide table/chart summary for Tc that corresponds to each flow path, type of flows, length of segments, slopes, manning's n values
- Off-site topography for drainage basins must extend to a point where ridgelines can be clearly identified. (Standards Specifications and Details Manual)
- 7. Provide profiles for storm drainage system, as indicated on checklist, which shall include the following: (City of Asheville Standard Specifications and Details Manual)
  - Storm drainage structures and pipes with all information as indicated in comment 38.
  - All crossings with other existing or proposed underground utilities with separation distances indicated
  - Existing and proposed grades
- 8. Add a chart on the plan that specifies the maximum impervious surface area per lot, and total impervious area for infrastructure (road/sidewalk, etc.) as specified by the City of Asheville UDO 7-12-2 not to exceed 50% of the Common Plan of Development at full build out.
- 9. Verify that the calculated "Max Flow" values shown in the stormwater drainage calculations represent full flow conditions with a maximum allowable capacity 7/8 full. Provide calculations for required design storm as stated in the City of Asheville Standard Specifications and Details Manual. (City of Asheville Standard Specifications and Details Manual, "Section 8 – Stormwater", "Storm Drains", "Sizing and Design")

### Urban Forestry

Staff: Keith Aitken

Recommendation: Approve with Conditions ▾

Comments

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- 1. Break out your TCP planting from your landscape plan with a plant schedule and label L-103 accordingly with both the genus and species, not just genus (Birch, Oak, Hemlock, Maple).
- 2. As all plant material must be in good health when planted it would be best to steer clear of Tsuga Canadensis given the widespread Adelgid problem that is occurring in our area. It is highly unlikely that any nursery stock is free from this pest and if it is free, it will soon become infected if not treated, triggering replanting.
- 3. It is also my opinion that planting Tulip Trees in the vicinity of any dwelling is irresponsible because they are susceptible to limb breakage in moderate winds. The species also requires a large area to mature, is sensitive to heat and drought and has a low compaction tolerance. Black Gum, resistant Elm or American Beech would be a better choice around homes.

### MSD

Staff: Kevin Johnson ( kevinj@msdbc.org )

Recommendation: Approve with Conditions ▾

Comments

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# TECHNICAL REVIEW COMMITTEE STAFF REVIEW REPORT

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- 1. MSD issued a wastewater allocation approval in the amount of 21,375 GPD on 11/8/2023 for 95 single family residential units.
- 2. This project requires a sewer extension and separate MSD review and permitting.
- 3. No trees or permanent structures are permitted within the permanent public (MSD) sanitary sewer easement.
- 4. Building permits will not be released until the sewer extension permit has been issued and sewer service applications have been completed and applicable fees paid.
- 5. Certificates of Occupancy will not be released until the sewer closeout is complete.

## Parks & Recreation

Staff: Al Kopf

Recommendation: Approve with Conditions ▾

Comments:

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- Approval pending who will be maintaining the proposed greenway within the development.

### **REVISED PLAN SUBMITTAL INSTRUCTIONS:**

For projects heading to **Planning & Zoning Commission: (INSERT DATE)**

- A digital copy must be delivered prior to the Planning & Zoning Commission meeting no later than **(INSERT DATE)**. These sets shall be delivered electronically to <https://develop.ashevillenc.gov>

For **Final TRC & Revisions**: All Final Technical Review Committee and Revised submissions should be delivered electronically at <https://develop.ashevillenc.gov/>

Also included in these submittals shall be:

- A letter to the City addressing all TRC staff report conditions/comments. **The letter shall state the specific condition and how and where the items have been addressed on the revised plans.**
- The revised plans shall **clearly identify and illustrate** the revision noted in the staff report (i.e. a symbol on the plan noted with the number of the condition).
- All revised plans and documents shall be submitted in PDF format in addition to required hard copies.