STAFF REPORT

To: Planning Board of Adjustment

Agenda Title: Major Subdivision—High Hopes

Presenter: Ricky Hurley, AICP

Meeting Date: January 7, 2025

Summary:
An administrative (ministerial) review for a 19-lot major subdivision located on three parcels totaling 2.8 acres. The site is currently vacant and located at 4 Desperate Lane, being identified in the Buncombe County tax record as PINs 9629-65-5672, 9629-65-4520, and 9629-65-4447.

Background/Site Context:
The applicant is requesting preliminary subdivision plat approval as part of an administrative review for a major subdivision. Administrative (ministerial) reviews conducted by the Planning Board of Adjustment must be approved when the applicant demonstrates they have complied with all technical standards found within Chapter 46 Subdivision and Chapter 54 Zoning codes. Although review of the application occurs as part of a public meeting, the Board may not require a public hearing or solicit public comment as part of their review when determining compliance with the Woodfin Town Code. The subject properties are currently vacant and covered in a mixture of open fields and scattered woodlands with elevations of 2,200 feet to 2,285 feet, that gradually slopes from Ben Lippen Road towards View Street. Although the development is above the 2,200' elevation contour, the project is not subject to Steep Slope regulations since the average natural grade is less than 20%.

Major subdivisions are divisions of land in which five or more lots are created for the purposes of development. Additionally, any previous development within 1,500 feet of this property is also considered for determining the threshold for review. A minor subdivision creating three lots was reviewed and subsequently recorded on September 8, 2023, and is now incorporated into the current application for further division.

Staff Analysis:
The proposed development is located along Ben Lippen Road, with most of the surrounding properties being developed for detached single-family homes and undeveloped land. Topography of this area is defined by a ridgeline with small valleys that drain northward towards the French Broad River. The site slopes downhill towards a small creek at the northeastern portion of the property. The subject property was formerly a manufactured home park which was vacated a few years ago. A total of 19 detached

single-family units on individual lots are planned. Zoning classifications for the development and adjacent properties to west of site is Mountain Village District, Buncombe County R-3 Residential District and City of Asheville Institutional to the south across Ben Lippen Road, and an un-zoned area of Buncombe County adjacent to the north and east.

Ben Lippen Road will provide the principal means of access to the development. A new subdivision street of approximately 350 feet in length, terminating in a turnaround at the northwestern property boundary, is planned to be publicly maintained. Four proposed lots will be directly accessed from Ben Lippen Road, with the remainder being from the proposed "Road A". The development will be served by City of Asheville public water and MSD sewer services.

One stormwater device is proposed as required to comply with the Town's adopted stormwater ordinance.

The developer is providing approximately 0.53 acres of open space area which represents approximately 19% of the project area and exceeds the required open space for the Mountain Village zoning district. The Mountain Village zoning district does not specify a minimum lot size, width, or setbacks.

Considerations:

- The proposed development is allowed as a "use by right" within the Mountain Village zoning district for up to 19 dwelling units/lots.
- The area is a mixture of on-site and manufactured single family dwellings.
- The site was previously occupied by a manufactured home community that was removed approximately 9 years ago.

Woodfin Together/Future Land Use:

The comprehensive plan's Future Land Use Map (FLUM) designates this parcel as a Cluster Residential land use, with primary land uses being cluster development. These areas include both developed and undeveloped areas which should be sensitively designed with cluster homes, protected open space, and other community amenities. The desired characteristics encourage development of compact communities that may include 1-3 story homes situated on reduced lot widths, and setbacks ranging from 5-25 feet in depth. The Conceptual Growth Framework map also identifies this area as part of a larger Activity Center/Corridor along Ben Lippen Road that is centered on Crest Mountain.

Staff Recommendation:

Staff recommends approval of the preliminary plat as it meets all technical standards of the Town's Subdivision Ordinance.

Suggested Motion:

I move to approve the preliminary subdivision plat for 2.8 acres as shown on Exhibit 1 and complies with the technical requirements of Chapter 46 – Subdivisions.

Attachments:

(1) Exhibit 1 – Preliminary Subdivision Plat
(2) Exhibit A – Zoning Map
(3) Exhibit B – Existing Conditions/Aerial Map
(4) Exhibit C – Future Land Use Map

THIS DRAWING IS THE PROPERTY OF SUMMIT ENGINEERING GROUP, INC. AND IS NOT TO BE REPRODUCED OR COPIED IN ANY FORM OR MANNER WHATSOEVER OR BE USED FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN AND IS NOT TO BE USED ON ANY OTHER PROJECT.

NOTES:

1. THIS PROPERTY IS SUBJECT TO ANY EASEMENTS OR RIGHTS-OF-WAY (WRITTEN OR UNWRITTEN).
2. THE PROPERTY OR PROPERTIES DISPLAYED WERE SURVEYED WITHOUT THE BENEFIT OF A LITTLE SEARCH AND MAY NOT SHOW ALL EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, ENCUMBRANCES, ETC. THAT WOULD BE REVEALED BY A CURRENT THOROUGH EXAMINATION OF TITLE BY A NC LICENSED ATTORNEY-AT-LAW. THIS SURVEY SHALL NOT BE CONSIDERED A CERTIFICATION OF OWNERSHIP, ZONING, TITLE, OR GUARANTEE THAT THE SUBJECT IS FREE FROM ENCUMBRANCES.
3. ADJOINING PROPERTY OWNER INFORMATION TAKEN FROM THE BUNCOMBE COUNTY GIS WEBSITE AND DEEDS AND PLATS OF RECORD AS NOTED.
4. AREA SHOWN HEREON WAS COMPUTED BY THE COORDINATE METHOD.
5. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES IN US FEET UNLESS OTHERWISE NOTED.
6. THIS PROPERTY IS ZONED MOUNTAIN VILLAGE BY THE TOWN OF WOODFIN HAVING THE FOLLOWING SETBACKS:.
7. BY GRAPHICAL LOCATION, PROPERTY IS SHOWN AS LYING IN FLOOD ZONE X, AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FEMA FIRM MAP NO. 3700962900J, EFFECTIVE DATE 1/6/2010.
8. THIS SURVEY IS SUBJECT TO ANY AND ALL UNDERGROUND UTILITIES THAT MAY EXIST. UNDERGROUND UTILITIES SHOW HEREON ARE BASED ON SOLELY ON ABOVE GROUND STRUCTURES AND APPURTENANCES. THIS SURVEY MAKES NO CERTIFICATION TO THE EXISTENCE/NON-EXISTENCE OF UNDERGROUND UTILITIES, STORAGE FACILITIES, OR OTHER UNDERGROUND STRUCTURES AND LINES. DIAL 811 BEFORE DIGGING.
9. ANY STREAM CREEKS, PONDS, LAKES, WETLANDS, ETC. LOCATED ON THIS PROPERTY SHOWN OR NOT SHOWN HEREON, MAY BE SUBJECT TO BUFFER AREAS. IT IS THE OWNER/DEVELOPER'S RESPONSIBILITY TO HAVE THE AREAS DESIGNATED BY PROFESSIONAL AUTHORIZED BY THE PROPER AUTHORITIES TO MAKE THE DETERMINATIONS.
10. RESTRICTIONS FOR SUBJECT PROPERTY FOUND IN DB 5318 PG 983.
11. SITE PLAN AND DESIGN PROVIDED FOR BY SUMMIT ENGINEERING GROUP, INC.
12. 20' TOTAL WIDTH SEWER LINE EASEMENT TO BE CONVEYED TO THE METROPOLITAN SEWAGE DISTRICT OF BUNCOMBE COUNTY AT A LATER DATE, 10' EITHER SIDE OR SEWER LINES AS CONSTRUCTED.
13. OPEN SPACE AND COMMON AREAS TO BE MAINTAINED BY THE HIGH HOPES SUBDIVISION HOMEOWNERS ASSOCIATION.

THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY.

1. CLASS OF SURVEY: A (HORIZONTAL)
2. POSITIONAL ACCURACY: 0.10' @ 95% CONFIDENCE
3. TYPE OF GPS FIELD PROCEDURE: RTK/VRS
4. DATE OF SURVEY: 06-29-2023
5. DATUM/EPOCH: NAD 83
6. PUBLISHED/FIXED-CONTROL USED: CORS NCMA MARSHALL
7. GEOID MODEL: GEOID 2012
8. COMBINED GRID FACTOR: 0.99978751
9. UNITS: US SURVEY FEET

PUBLIC ROAD

I HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) FOR THE PROPERTY SHOWN AND DESCRIBED HEREON, AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY OUR FREE CONSENT, INDICATE ALL ROADS RIGHTS-OF-WAY AND OTHER SIDE AND EASEMENTS TO THE PUBLIC PEACE AS NOTED IN THE CERTIFICATION, I ACKNOWLEDGE MY RESPONSIBILITY TO PETITION THE TOWN OF WOODFIN FOR THE ACCEPTANCE OF STREETS AND SIDEWALKS (AS APPLICABLE) FOR PUBLIC MAINTENANCE.

SIGNATURE DATE

CERTIFICATE OF OWNERSHIP AND DEDICATION

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF THE TOWN OF WOODFIN AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT AND ESTABLISHED MINIMUM BUILDING SETBACK LINES AS NOTED.

DATE OWNER

CERTIFICATE OF COMPLIANCE

I CERTIFY THAT THIS SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE TOWN OF WOODFIN, NORTH CAROLINA AND THAT THIS PLAT HAS BEEN APPROVED BY SUBDIVISION ADMINISTRATOR FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS OF BUNCOMBE COUNTY.

DATE

SUBDIVISION ADMINISTRATOR

REVIEW OFFICER
STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I, _____, REVIEW OFFICER OF BUNCOMBE COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

DATE

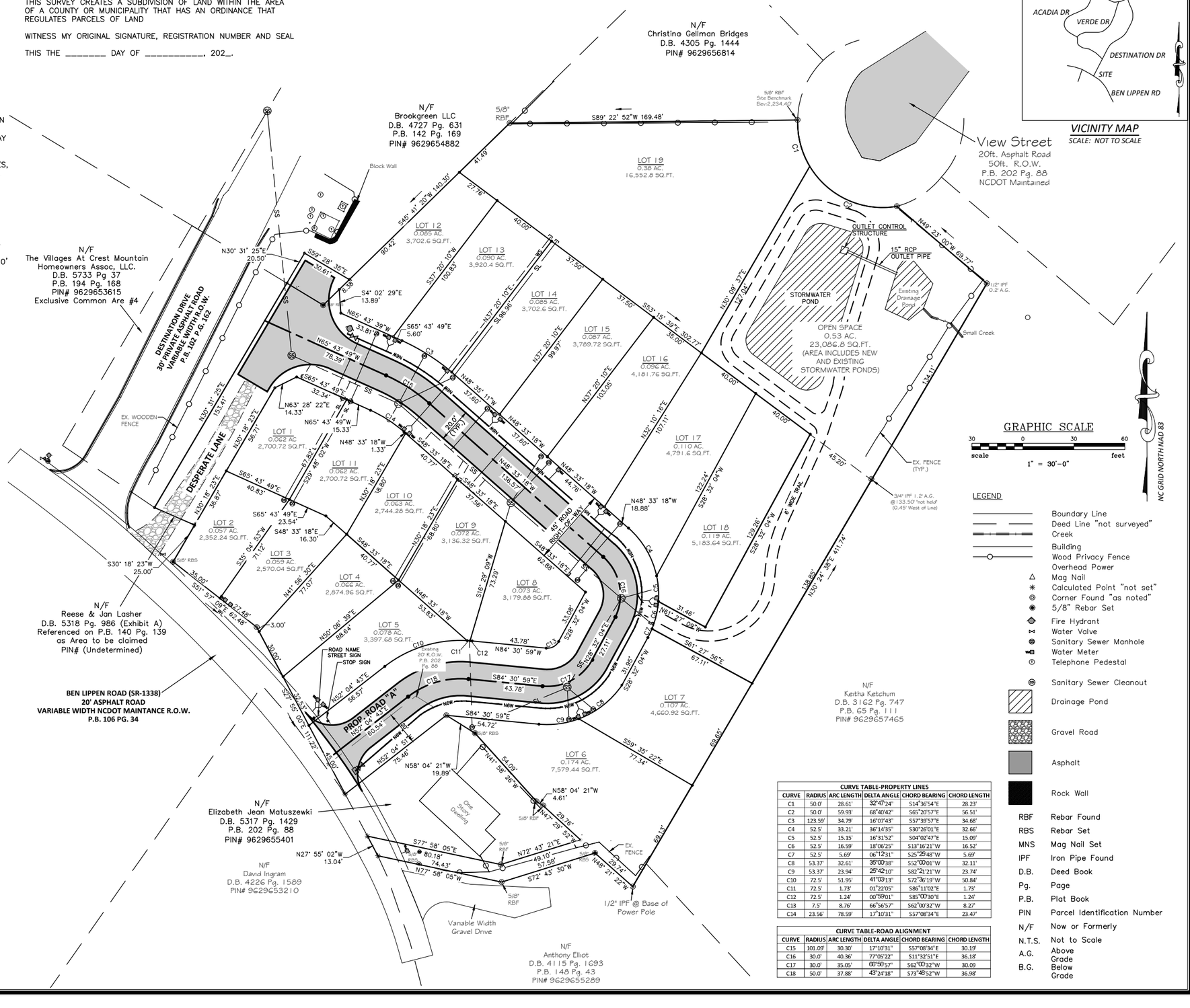
REVIEW OFFICER'S SIGNATURE

I, _____, CERTIFY THAT THIS MAP OR PLAT MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN THE NORTH CAROLINA (21 NCAC 56.1600) & GS47-30 AS-AMENDED.

THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL

THIS THE _____ DAY OF _____, 202_.



CURVE TABLE-PROPERTY LINES					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	50.0'	28.61'	32°47'24"	S14°36'54"E	28.23'
C2	50.0'	59.98'	68°40'42"	S65°20'57"E	56.51'
C3	123.59'	34.79'	16°07'43"	S57°39'57"E	34.68'
C4	52.5'	33.21'	36°14'35"	S30°26'01"E	32.66'
C5	52.5'	15.15'	16°31'52"	S04°02'47"E	15.09'
C6	52.5'	16.59'	18°06'25"	S13°16'21"W	16.52'
C7	52.5'	5.69'	06°12'31"	S25°25'48"W	5.69'
C8	53.37'	32.61'	35°00'38"	S52°00'01"W	32.11'
C9	53.37'	23.94'	25°42'10"	S82°21'21"W	23.74'
C10	72.5'	51.95'	41°03'13"	S72°36'19"W	50.84'
C11	72.5'	1.73'	01°22'05"	S86°11'02"E	1.73'
C12	72.5'	1.24'	00°59'01"	S85°10'30"E	1.24'
C13	7.5'	8.76'	66°56'57"	S62°00'32"W	8.27'
C14	23.56'	78.59'	17°10'31"	S57°08'34"E	23.47'

CURVE TABLE-ROAD ALIGNMENT					
CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C15	101.09'	30.30'	17°10'31"	S57°08'34"E	30.19'
C16	30.0'	40.36'	77°05'22"	S11°32'51"E	36.18'
C17	30.0'	35.05'	66°56'57"	S62°00'32"W	30.09'
C18	50.0'	37.88'	43°24'18"	S73°46'52"W	36.98'

VICINITY MAP
SCALE: NOT TO SCALE

GRAPHIC SCALE
30 0 30 60
scale feet
1" = 30'-0"

LEGEND

- Boundary Line
- Deed Line "not surveyed"
- Creek
- Building
- Wood Privacy Fence
- Overhead Power
- Mag Nail
- Calculated Point "not set"
- Corner Found "as noted"
- 5/8" Rebar Set
- Fire Hydrant
- Water Valve
- Sanitary Sewer Manhole
- Water Meter
- Telephone Pedestal
- Sanitary Sewer Cleanout
- Drainage Pond
- Gravel Road
- Asphalt
- Rock Wall

RBF Rebar Found
RBS Rebar Set
MNS Mag Nail Set
IPF Iron Pipe Found
D.B. Deed Book
Pg. Page
P.B. Plat Book
PIN Parcel Identification Number
N/F Now or Formerly
N.T.S. Not to Scale
A.G. Above Grade
B.G. Below Grade

REVISIONS			
NO.	DESCRIPTION	DATE	BY

APPROVALS	
PROJECT ENG:	AF
DESIGNED BY:	MFC
DRAWN BY:	MFC
CHECKED BY:	AF
APPROVED:	AF

SUMMIT
ENGINEERING GROUP of NC, INC.
ENGINEERS • PLANNERS • SURVEYORS
9601 Warren H. Abernathy Hwy.
Spartanburg, SC 29301
(864)949-1111

SHEET TITLE: HIGH HOPES SUBDIVISION PRELIMINARY PLAT
DATE: OCT. 2023 SCALE: AS SHOWN

PROJECT: HIGH HOPES SUBDIVISION
BUNCOMBE COUNTY NORTH CAROLINA

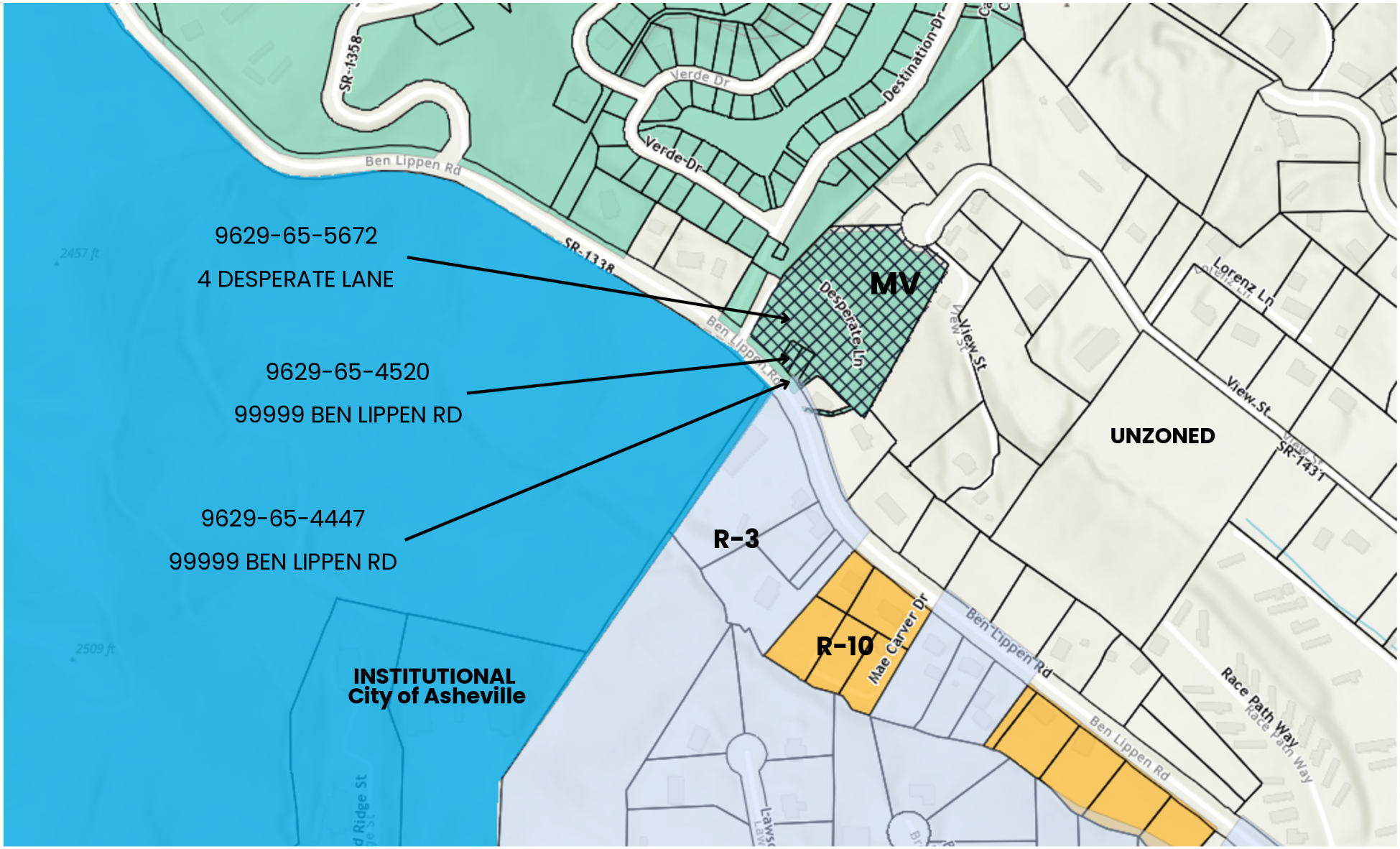
N.B. NO.
REF.
PROJECT NO. 23028

SHEET 1 OF

FILE: 23028 High Hopes..

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Exhibit A - Woodfin Zoning Map



Woodfin Zoning 2024

1:2,895

- MV - Mountain Village
- R-10 - Residential
- R-10 - Residential
- Institutional - City of Asheville
- Un-zoned - Buncombe County

0 0.02 0.04 0.08 mi
0 0.03 0.06 0.12 km

NCDOT GIS Unit, Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA,

8/2/2024

Exhibit B – Aerial

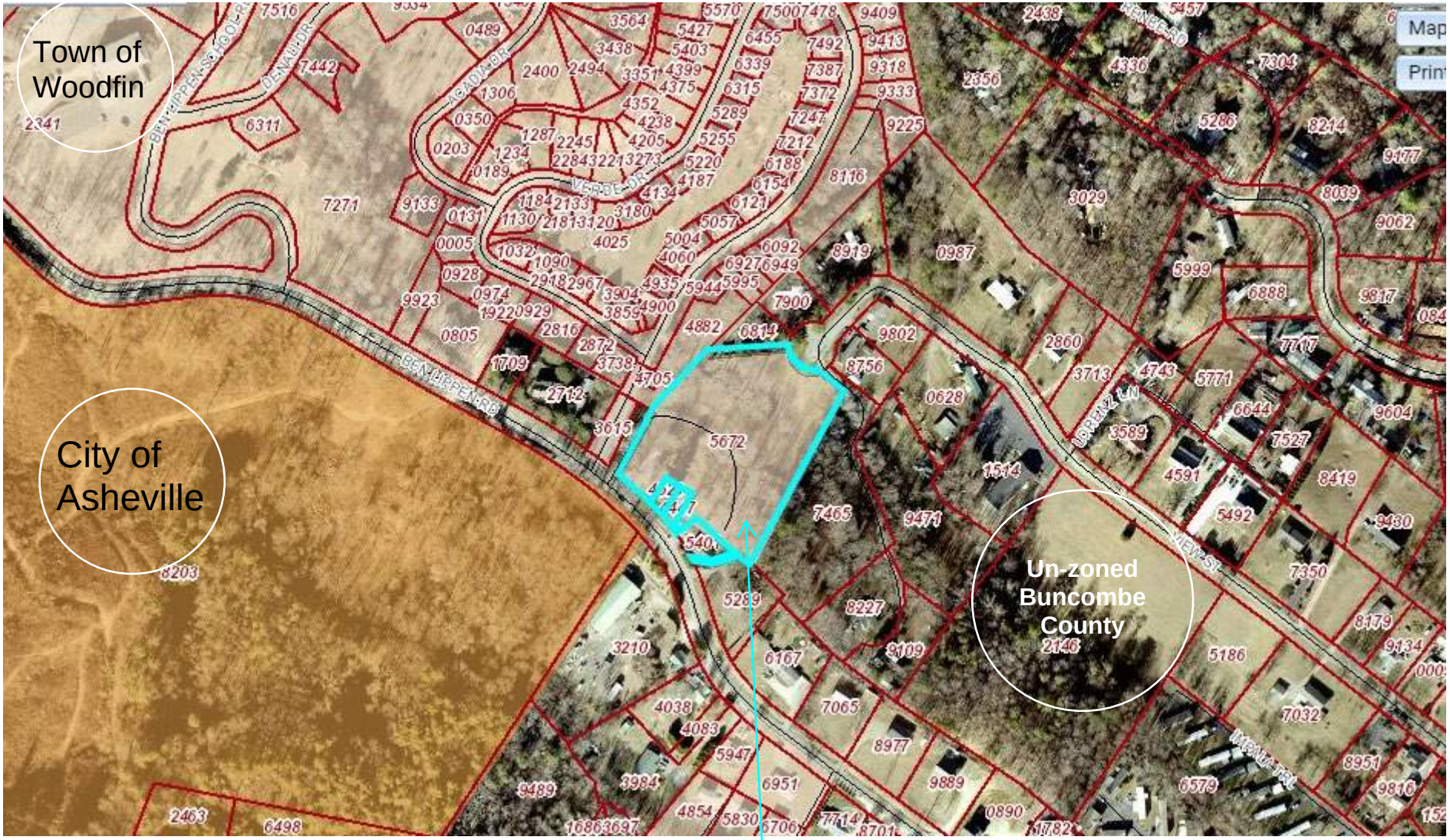
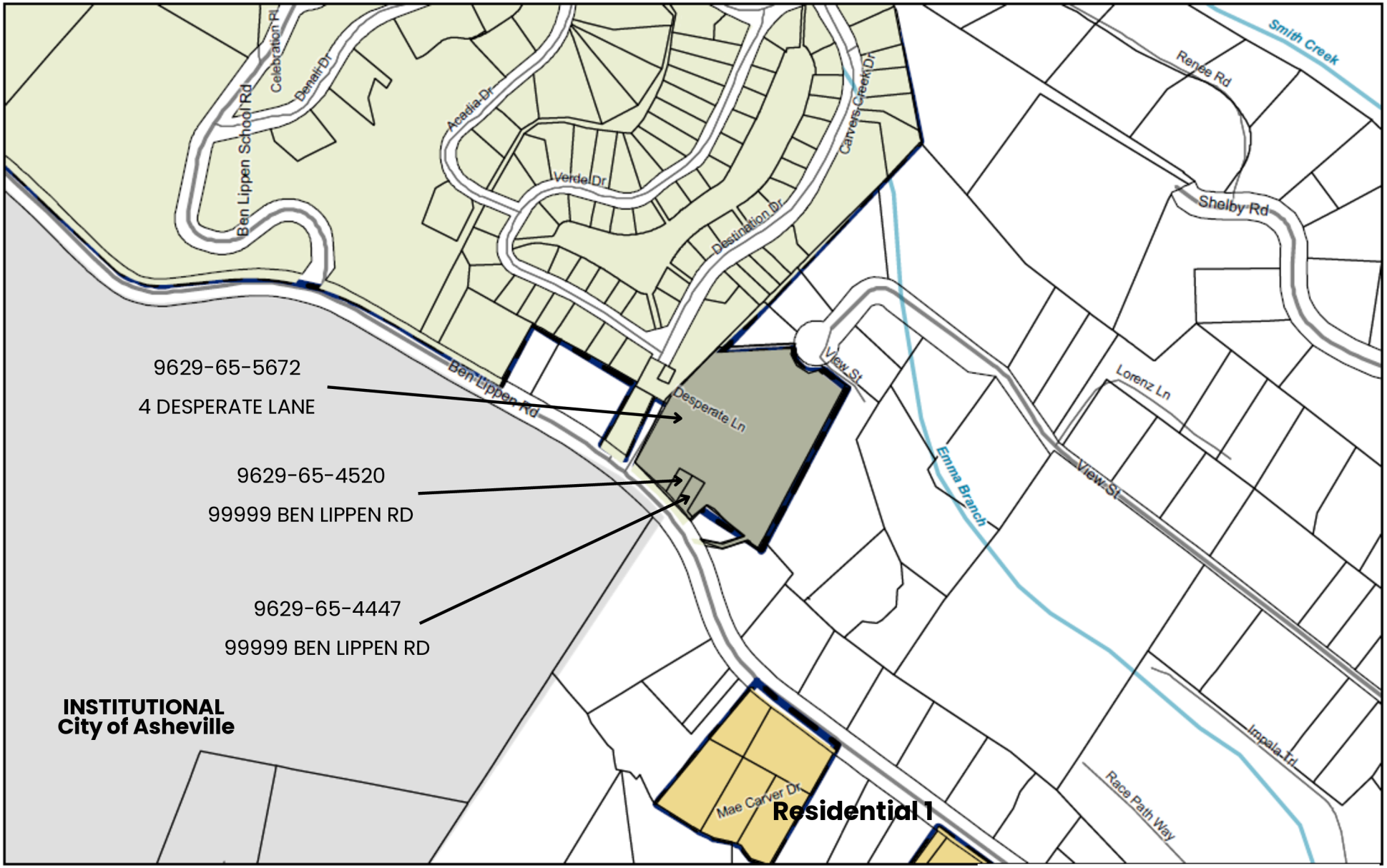


Exhibit C - Woodfin Future Land Use Map



Woodfin Future Land Use Map

- Cluster Residential
- Residential 1
- Institutional - City of Asheville

1:4,514

0 0.03 0.06 0.12 mi

0 0.05 0.1 0.2 km

8/2/2024