

1400 Town Mountain Road

Property Evaluation

submitted to:

Thomas P. and Janet W. Weil
1400 Town Mountain Road
Asheville, NC 28801

MAY 2, 2011



submitted by:

SITE DESIGN STUDIO

28 Hi Landa Acres

Weaverville, NC 28787

828.484.8225

Contact: Jason T. Gilliland, RLA
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Landscape Architecture
Community Planning
Development Management
Construction Observation

May 2, 2011

Dr. Thomas P. and Janet W. Weil
1400 Town Mountain Road
Asheville, NC 28804

RE: PROPERTY EVALUATION

Maximum Development Potential of Six (6) Lots on Existing 14.1 Acre Site

Dear Dr. and Mrs. Weil,

Pursuant to your request, this report provides a preliminary analysis of the development potential of your two (2) tracts of land located at 1400 Town Mountain Road. This communication is based on April 2011 Buncombe County regulations and design standards.

In this consulting agreement, we utilized typical and customary approaches for such studies including, but not limited to: describing the property; reviewing criteria regarding slope stability, debris flow pathways, as well as applicable development standards; and finally, analyzed the property's maximum development potential. This report also provides a number of exhibits including a property survey; pertinent slope analysis, slope stability and debris flow pathway data; as well as county zoning overlay(s).

The major findings of this property evaluation are as follows:

- A. *According to the North Carolina Geological Survey, there is no documented history of landslide activity on the property: the majority of the property being identified as low hazard in terms of slope stability; and is not considered within any debris flow pathway, other than a small portion along the right-of-way of Town Mountain Road.*
- B. *For the purposes of this property evaluation and based upon the results of the natural average slope calculation as well as minimum density requirements set forth within the Protected Ridge Overlay, future development on your site would allow for a maximum of three (3) future lots on PIN 9750-72-7455 and a maximum of three (3) future lots on PIN 9750-71-7959, for a grand total of six (6) future parcels.*

Additional studies including the consideration of special subdivisions and minor subdivisions as well as roadway design standards (either private shared or a minimum subdivision roadway) will need to be forthcoming in any future planning for additional lots on the site.

If you have any additional questions or comments concerning the findings contained within this report, please do not hesitate to contact us again.

Sincerely Yours,

A handwritten signature in black ink that reads 'Jason T. Gilliland'.

Jason T. Gilliland, RLA

SITE DESIGN STUDIO

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PROPERTY EVALUATION

PURPOSE AND INTENT

The following property evaluation was conducted during April 2011 for 1400 Town Mountain Road, Asheville, NC to provide information on existing conditions, applicable regulations as well as the future development potential for two tracts of land described by Buncombe County Tax Records as Parcel Identification Numbers (PIN) 9750-72-7455 (6.75 Acres) and 9750-71-7959 (7.40 Acres), totaling approximately 14.15 acres. A property survey, using Deed Book Information and Field Coordinate Methods, was conducted by Blue Ridge Land Surveying, Inc. on December 19, 1990 and describes the combined parcels as a total of 14.01 Acres (please refer to the Property Survey and Existing Conditions Exhibit, *Pages 8-9*). The current owners of record, requesting this evaluation, are Thomas P. and Janet W. Weil. The information provided within this evaluation is based upon the standards and procedures in place as of April, 2011. Any revisions or additions to the policies and procedures may impact the future development potential of the parcels.

PROPERTY DESCRIPTION

The aforementioned parcels are located in Buncombe County, the Beaverdam Township, Fire and Zoning Districts (please refer to the Township, Fire District and County Zoning Exhibits, *Pages 10-12*); approximately four (4) miles northeast of downtown Asheville, 1.5 miles south of the intersection of Webb Cove Road and the Blue Ridge Parkway. The property is adjacent to an upscale neighborhood, Mountain Meadows Subdivision, bounded by the Beaverdam Valley to the north, by the Blue Ridge Parkway to the east, and by Interstate 240 and the residential communities of Haw Creek and Chunn's Cove on the south and west. Adjacent parcels are developed as single-family residential or are currently vacant, but suitable for residential uses.

The parcels are currently accessed by a 9-foot wide driveway through PIN 9750-72-7455 from Town Mountain Road to the northeast. The driveway is moderately steep in its ascent from Town Mountain Road and then quickly levels as it meanders onto the property. Mature trees line the driveway, giving the property a stately character.

The central portion of the combined parcels is relatively flat, is already cleared and is either built upon or is used as a horse pasture. Towards the edges of the parcels the existing grade transitions to moderately steep and very steep along the right-of-way of Town Mountain Road to the south (please refer to the Slope Analysis Exhibit, *Page 13*).

A six-inch high pressure water line is located in an east-west alignment through the center of the parcels (please refer to Property Survey Exhibit for the approximate location of the water line). According to the City of Asheville Water Department, the line is an old cast iron line and eventually may need repairs. The City requires a 20-foot easement for water lines and recommends that future structures be located a greater distance from the line to provide adequate room for future repairs or replacement. While no structures can be developed within the easement, roads and other non-structural development may occur within the easement. According to the City of Asheville, the water line may be accessed for domestic water service and will provide adequate water pressure and volumes for residential uses. Requests for domestic water use must be made to the City of Asheville Water Department. Prior to any future development, it is recommended to locate the existing water line and establish the required easement corridor. Public sanitary sewer is not available to the property, thus on-site wastewater treatment (septic tanks and drain fields) will be required.

Landslide Hazard Mapping

In 2009, the North Carolina Geological Survey (NCGS) issued a Landslide Hazard Map for Buncombe County based on several years of research on historical landslide activity and potential future hazard areas, created by both natural and human causes. This research resulted in a series of three separate mapping criteria available to land and home owners as well as developers in the evaluation of public safety and slope stability requirements. Please refer to the Slope Stability Index and Debris Flow Pathways Exhibits, *Pages 14-15*). According to the findings of the NCGS, there is **NO** documented history of landslide activity on the property, the majority of the property is identified as **LOW** hazard in terms of Slope Stability and it is **NOT** considered within any Debris Flow Pathway, other than a small portion along the right-of-way of Town Mountain Road. Please refer to Protected Ridge Overlay District, Sec. 78-646 (f) for Slope Stability Index Standards for areas over 35% slope and designated as Moderate to High Hazard.

APPLICABLE DEVELOPMENT STANDARDS

According to available NCDOT 4' Contour information, the elevation of the property ranges from approximately 3,292 feet above sea level to approximately 3,396 feet above sea level. Given the property zoning classification, range of elevation, and natural average slope determination, any future development on the property may be subject to one or more of the following development regulations:

Buncombe County Zoning Ordinance including:

- *Beaverdam Low-Density Residential District (BDM); and*
- Protected Ridge Overlay District, Sec. 78-646 (please refer to the County Zoning Overlay Exhibit, *Page 16*);

Buncombe County Subdivision Ordinance including requirements for:

- E-911 Subdivision Road Name Request;
- Special Subdivisions;
- Minor Subdivisions;
- Roadway Design Standards;
- Slope Analysis; and
- Hillside Development Standards including Natural Average Slope Calculations;

Buncombe County Erosion Control Ordinance; and

Buncombe County Stormwater Ordinance.

DEVELOPMENT POTENTIAL

For purposes of this evaluation, applicable development regulations and future development potential of the property, the property shall be considered as two separate parcels, Parcel A - PIN 9750-71-7959 and Parcel B - PIN 9750-72-7455. Utilizing the most accurate and available data resources including the NCDOT 4' Contour Intervals and the 1990 Property Survey (14.01 Acres), the maximum development potential for the property shall be determined by the following:

Natural Average Slope Calculation:

Natural average slope is calculated using the following formula:

$$S = 0.0023 \times I \times L / A$$

Where:

S = Average natural slope of parcel or lot in percent

I = Contour interval of map in feet, with said contour intervals to be five feet or less

L = Total length of the contour lines within the parcel or lot in feet

A = Area of the parcel or lot in acres

0.0023 = Constant which converts square feet into acres

Parcel A - PIN 9750-71-7959 (6.44 Acres)

$$S = 0.0023 \times 4 \times 16,364.07 / 6.44$$

S = 23.38% (minimum of 2 Acre parcels, see table below as well as Protected Ridge Overlay for min. lot frontage, lot size, building width & height requirements for future development)

Parcel B - PIN 9750-72-7455 (7.57 Acres)

$$S = 0.0023 \times 4 \times 22,073.37 / 7.57$$

S = 26.83% (minimum of 2 Acre parcels, see table below as well as Protected Ridge Overlay for min. lot frontage, lot size, building width & height requirements for future development)

% Natural Slope	Lot Frontage (Feet)*	Min. Lot Size (Acres) **
0-14.99	200	2.00
15-19.99	200	2.00
20-24.99	200	2.00
25-29.99	200	2.00
30-34.99	200	2.50
35-39.99	200	3.00
40+	200	5.00

* Minimum Lot Frontage as described in Sec. 78-646 (e) (5) below.

** Minimum Lot Size as described in Sec. 78-646 (e) (1) below.

Sec. 78-646. Protected Ridge Overlay District

(a) *Purpose.* The Protected Ridge Overlay District is established in recognition that the development of land in steep, mountainous areas involves special considerations and requires unique development standards. This section is intended to limit the density of development, preserve the viewshed and protect the natural resources of Buncombe County's protected mountain ridges, consistent with the recommendations of the 1998 Buncombe County Land Use Plan and supplemental to the provisions of the Mountain Ridge Protection Act of 1983. Further, in accordance with North Carolina General Statutes §153A-342, this Protected Ridge Overlay District provides for additional requirements on properties within one or more underlying general districts related to the erection, construction, reconstruction, alteration, repair, or use of buildings, or structures within the Protected Ridge Overlay District in addition to the general underlying zoning regulations including, but not limited to, height, number of stories and size of buildings and other structures.

(b) *Applicability.* This section shall apply to all Buncombe County mountain "ridges" whose elevation is at least 3,000 feet and whose elevation is 500 or more feet above the elevation of an adjacent valley floor and including 500 foot buffers, measured horizontally from the center line of the ridge as specifically identified and delineated on the zoning map entitled "The Official Zoning Map of Buncombe County, North Carolina."

(c) *Permitted uses.* Uses are permitted in the Protected Ridge Overlay District pursuant to the following table. All uses not listed are not allowed.

(d) *Conditional uses.* All conditional uses shall be administered in accordance with Division VI of this chapter.

Protected Ridge Overlay Permitted Use Table										
Uses	P = Permitted C = Allowed as Conditional Use Blank Space = Not Permitted									
	Districts									
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	BDM	OU
Single-family residential dwelling, including modular	P	P	P	P	P	P	P	P	P	P
Manufactured/mobile homes-Residential	P			P			P			P
Subdivisions	P	P	P	P	P	P	P	P	P	P
Accessory buildings	P	P	P	P	P	P	P	P	P	P
Cemetery	P		P	P		P		P		P
Churches	P	P	P	P	P	P	P	P	P	P

Protected Ridge Overlay Permitted Use Table										
Uses	P = Permitted C = Allowed as Conditional Use Blank Space = Not Permitted									
	Districts									
	R-LD	R-1	R-2	R-3	NS	CS	EMP	PS	BDM	OU
Family care home	P	P	P	P				P	P	P
Government protective services			P	P	P	P	P	P		P
Home occupations	P	P	P	P	P	P	P	P	P	P
Public or private nonprofit recreational facilities, outdoor (parks, playgrounds, tennis courts, etc.)	C	C	C	C	P	P	P	P		P
Utility stations and substations, pumping stations, water and sewer plants, water storage tanks	C	C	C	C	C	C	C	C		C

(e) *Development standards.*

- (1) Lot size standards. Any new lot created in the Protected Ridge Overlay District after the effective date of this section shall be a minimum of 2 acres.
- (2) Density standards. No more than two principal buildings or structures shall be allowed on a single lot of record in the Protected Ridge Overlay District unless a planned unit development is approved by the Board of Adjustment.
- (3) Height standards. The maximum building height in the Protected Ridge Overlay District shall be 25 feet when the structure is 50 or fewer vertical feet from the crest of the ridge. The maximum building height in the Protected Ridge Overlay District shall be 35 feet when the structure is more than 50 vertical feet from the crest of the ridge. The vertical distance between the structure and the crest shall be the difference between the elevation (above sea level) of the highest ground level at the structure foundation and the lowest elevation of the crest of the ridge perpendicular to the structure.
- (4) Building width standards. Building width in the Protected Ridge Overlay District shall not exceed 30 percent of the lot width as measured at the face(s) of the building oriented to the downhill section of the lot or adjacent topography and parallel to the crest of the ridge.
- (5) Lot width standards. Minimum lot width in the Protected Ridge Overlay District, as measured parallel to the crest of the ridge, shall be 200 feet.

(6) Disturbed and Impervious standards.

(a) The maximum gross site area disturbance allowed in the Protected Ridge Overlay District for any single lot, excluding disturbance for installation of individual septic systems, shall be:

- for lots less than 2.0 acres shall be 0.3 acres
- for lots 2.0 acres and larger shall be 15%

(b) The maximum gross site area impervious surface allowed in the Protected Ridge Overlay District for any single lot shall be:

- for lots less than 2.0 acres shall be 0.16 acres
- for lots 2.0 acres and larger shall be 8%

These limits shall apply to individual lot improvements, including drives, utilities, and stormwater controls but shall not apply to installation of individual septic systems. When communal infrastructure, including but not limited to roadways, shared drives, public utilities, public facilities and stormwater controls, is installed in accordance with an approved minor or major subdivision plan, the disturbed and impervious area shall be regulated by the Land Development and Subdivision Ordinance and not by this article.

Expansions to structures existing at the time this article was adopted must meet the gross site area disturbed and impervious limitations, however the disturbed and impervious area of the existing development is not required to be included in the disturbed and impervious area calculations.

(7) Screening standards. The following screening regulations shall be required within the Protected Ridge Overlay District for all new structures and any modification to an existing structure exceeding 50 percent of the appraised value of the structure.

The surfaces of the structure which are oriented to the downhill sections of the lot or the downhill sections of the adjacent topography (downhill sections are defined as areas of the property which drop 25 feet or more in elevation within 100 feet of the structure) must be screened at a ratio of one tree of 1.5 inch diameter measured 6 inches above the root ball for every 200 square feet of planar surface. Planar surface is defined as the combined exterior surface area of all vertical surfaces within a single face of the structure. Trees planted to achieve the required ratio must be planted no greater than 50 feet from the furthest extending portion of the structure (measured perpendicularly). Trees must be of varying, native species, as defined by the Natural Resource Conservation Service of the United States Department of Agriculture, and no single species shall comprise more than 50 percent of the trees planted. Trees shall be spaced no less than 10 feet but no greater than 30 feet apart.

Existing trees within the area of allowed disturbance which are left intact and

that appear in good health can be credited toward the required ratio. The following credit system will be observed:

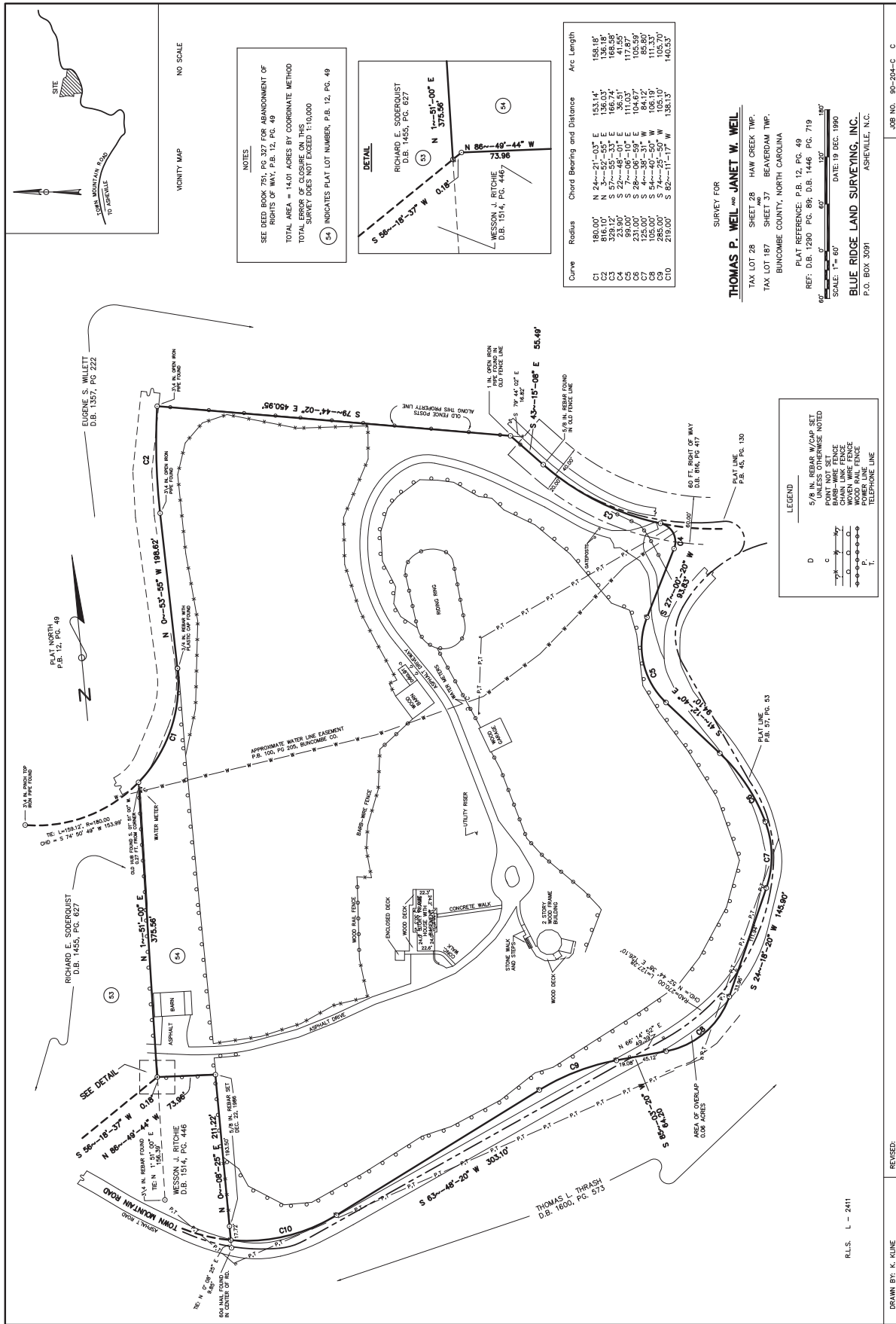
Tree Dimensions	Credits
2.5" to 4" DBH (minimum 8' tall)	1 tree
4" to 6" DBH (minimum 15' tall)	1.5 trees
6" to 10" DBH (minimum 20' tall)	2 trees
10" to 16" DBH (minimum 25' tall)	2.5 trees
16" or greater (minimum 30' tall)	3 trees

Trees to be credited shall be marked using flagging tape prior to site disturbance in order to ensure their health through out site development.

- (f) *Engineering standards for certain slopes.* Consultation with a geotechnical engineer shall be required for development in areas of a tract within the Protected Ridge Overlay District in excess of 35 percent natural slope and for all areas designated as High Hazard or Moderate Hazard on the Buncombe County Slope Stability Index Map prepared by the North Carolina Geological Survey, and an investigation for colluvial deposits shall be made. Recommendations of the geotechnical engineer shall be submitted with the application for review. Prior to final approval, a report by the geotechnical engineer shall be required certifying that recommendations were followed during construction.

Global stability analysis shall be performed for homesites on a 35 percent or greater slope or in an area designated as High Hazard or Moderate Hazard on the Buncombe County Slope Stability Index Map prepared by the North Carolina Geological Survey.

For the purposes of this property evaluation and based upon the results of the natural average slope calculation as well as minimum density requirements set forth within the Protected Ridge Overlay, future development on your site would allow for a **maximum of three (3) future lots on PIN 9750-72-7455 and a maximum of three (3) future lots on PIN 9750-71-7959**, for a grand total of **six (6) future parcels**. Please keep in mind, future development may be subject to the previously mentioned development standards including Special Subdivisions, Minor Subdivisions as well as Roadway Design Standards (either Private Shared or Min. Subdivision Road Standards).



1400 Town Mountain Road Property Survey

(Conducted by Blue Ridge Land Surveying, Inc. Dec. 19, 1990)



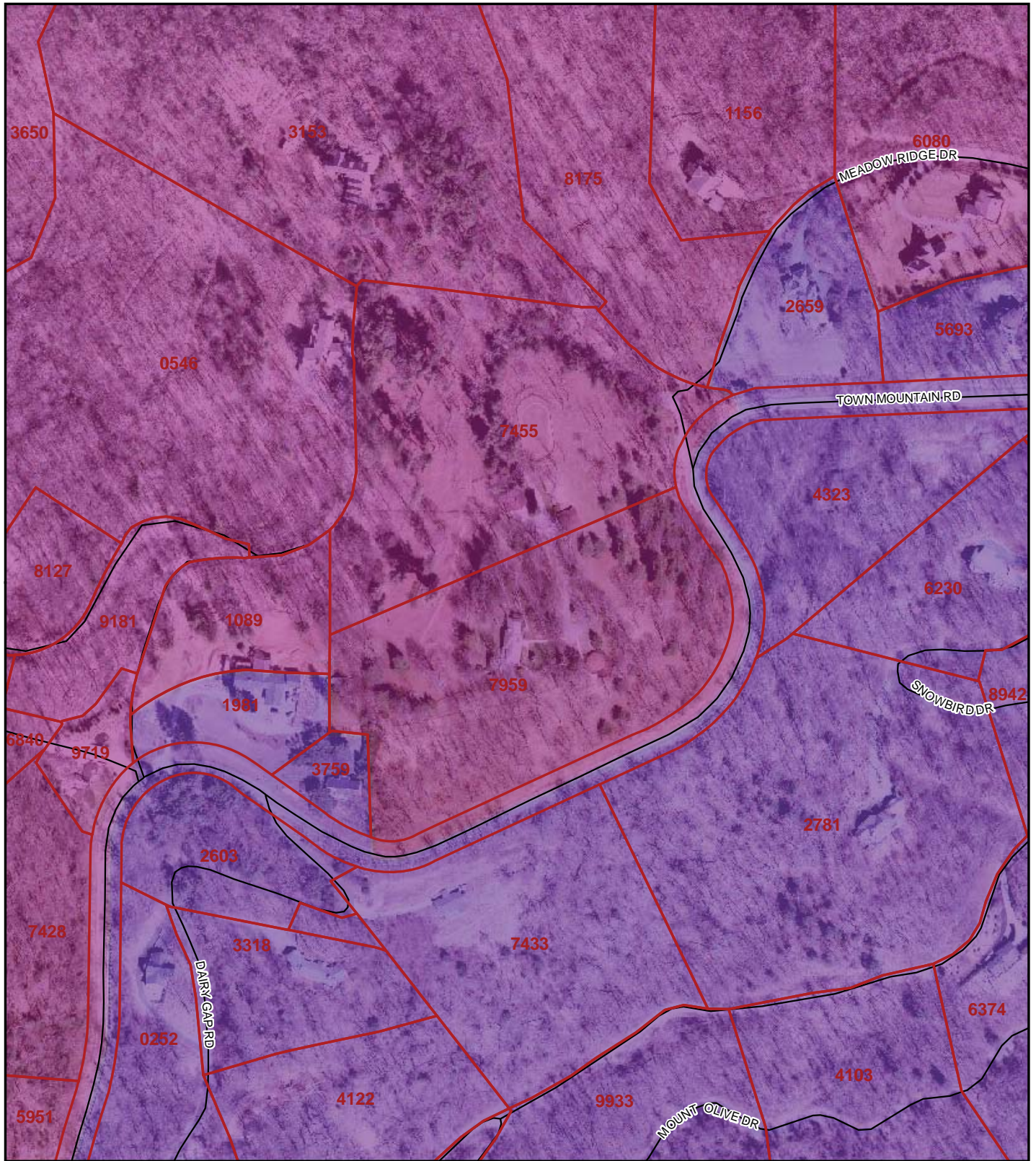
The information provided is based on the best available GIS, Aerial, Topographic (NCDOT 4' Contour Intervals) and Survey data at the time of currency for all datasets. Site Design Studio, PLLC shall not be held liable for any errors in the data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data.



1400 Town Mountain Road Existing Conditions



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Legend

- Beaverdam Township
- Hawcreek Township

The information provided is based on the best available data at the time of currency for all datasets. It is the requestor's responsibility to verify any information derived from the GIS data before making any decisions or taking any actions based on the information. Buncombe County shall not be held liable for any errors in the GIS data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data.



1400 Town Mountain Road Townships



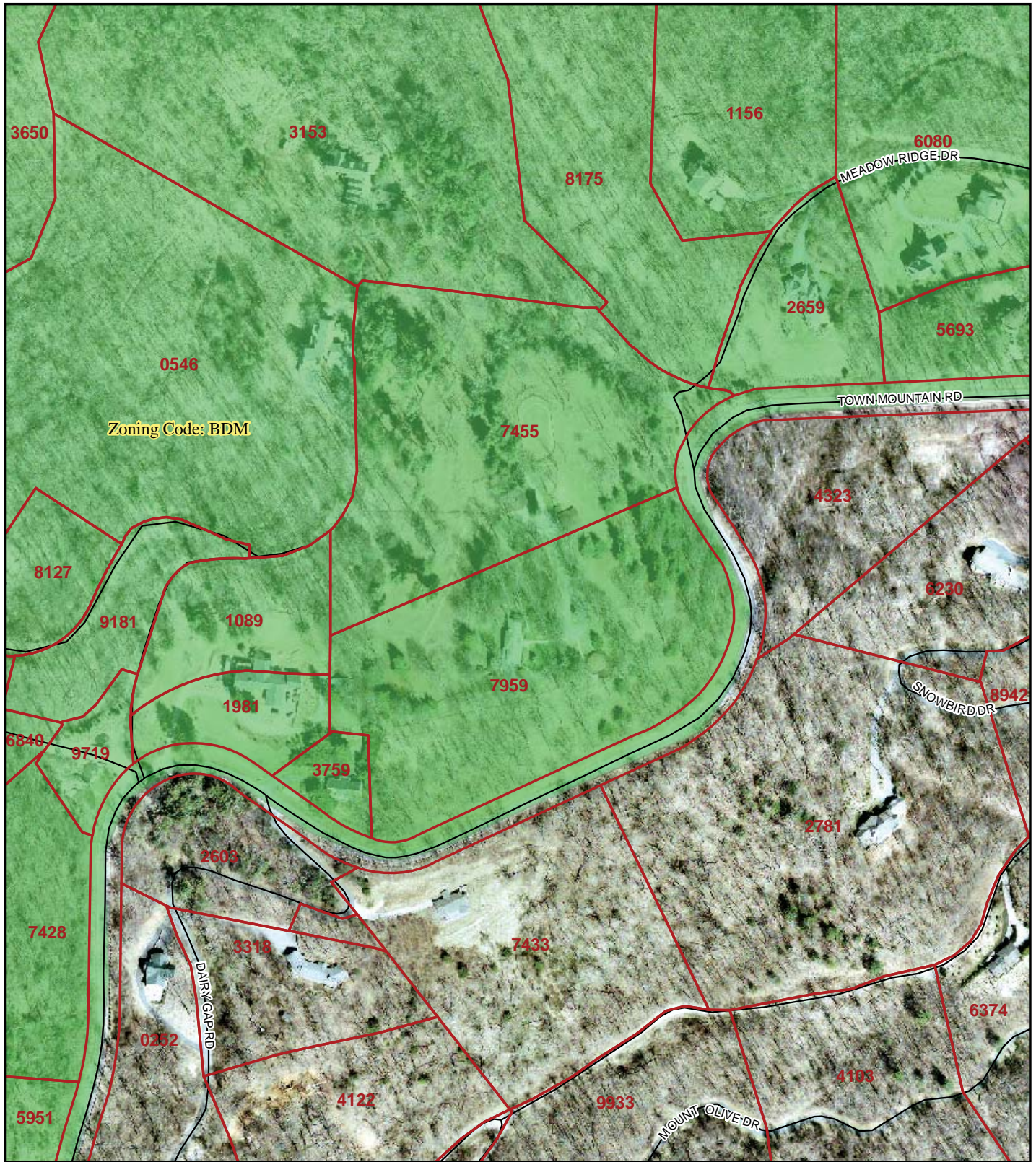
Legend

Beaverdam Fire District

The information provided is based on the best available data at the time of currency for all datasets. It is the requestor's responsibility to verify any information derived from the GIS data before making any decisions or taking any actions based on the information. Buncombe County shall not be held liable for any errors in the GIS data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data.



1400 Town Mountain Road Fire District



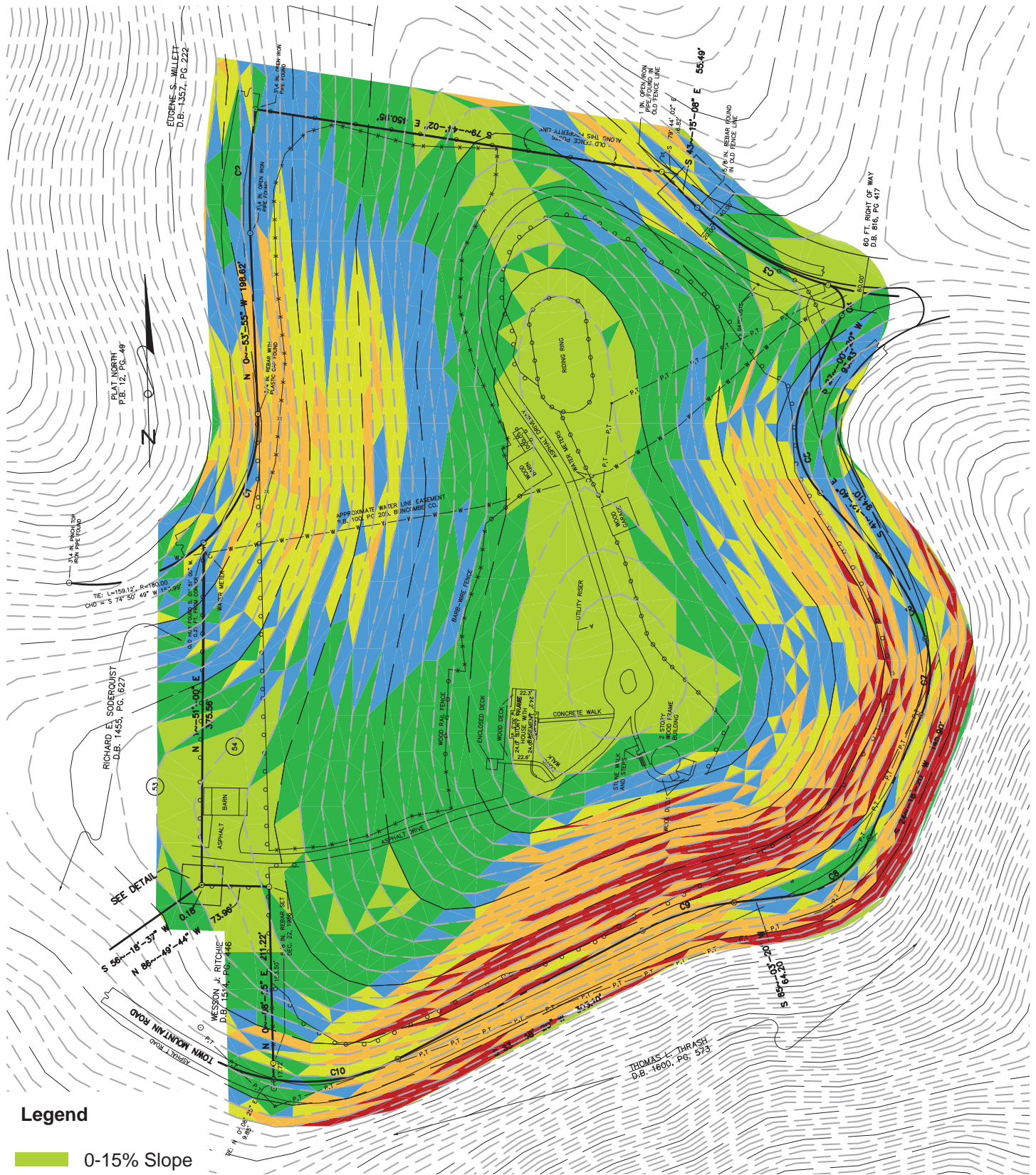
Legend

BDM - Beaverdam

The information provided is based on the best available data at the time of currency for all datasets. It is the requestor's responsibility to verify any information derived from the GIS data before making any decisions or taking any actions based on the information. Buncombe County shall not be held liable for any errors in the GIS data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data.



1400 Town Mountain Road County Zoning



Legend

- 0-15% Slope
- 15-25% Slope
- 25-30% Slope
- 30-35% Slope
- 35-50% Slope
- 50%+ Slope

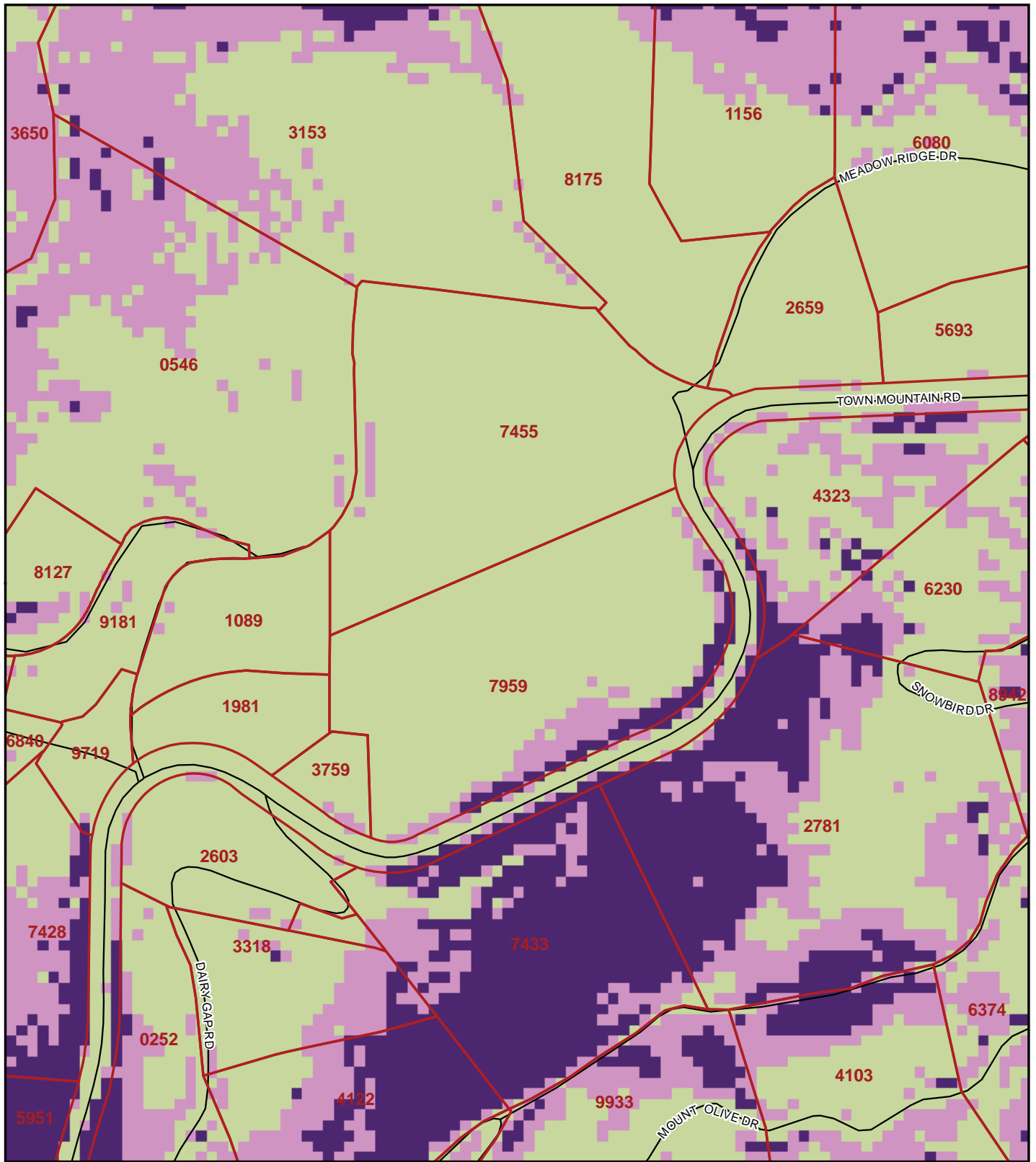
The information provided is based on the best available Topographic (NCDOT 4' Contour Intervals) and Survey data at the time of currency for all datasets. Site Design Studio, PLLC shall not be held liable for any errors in the data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data.



1400 Town Mountain Road Slope Analysis



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Legend

- Low
- Moderate
- High

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1400 Town Mountain Road Slope Stability Index



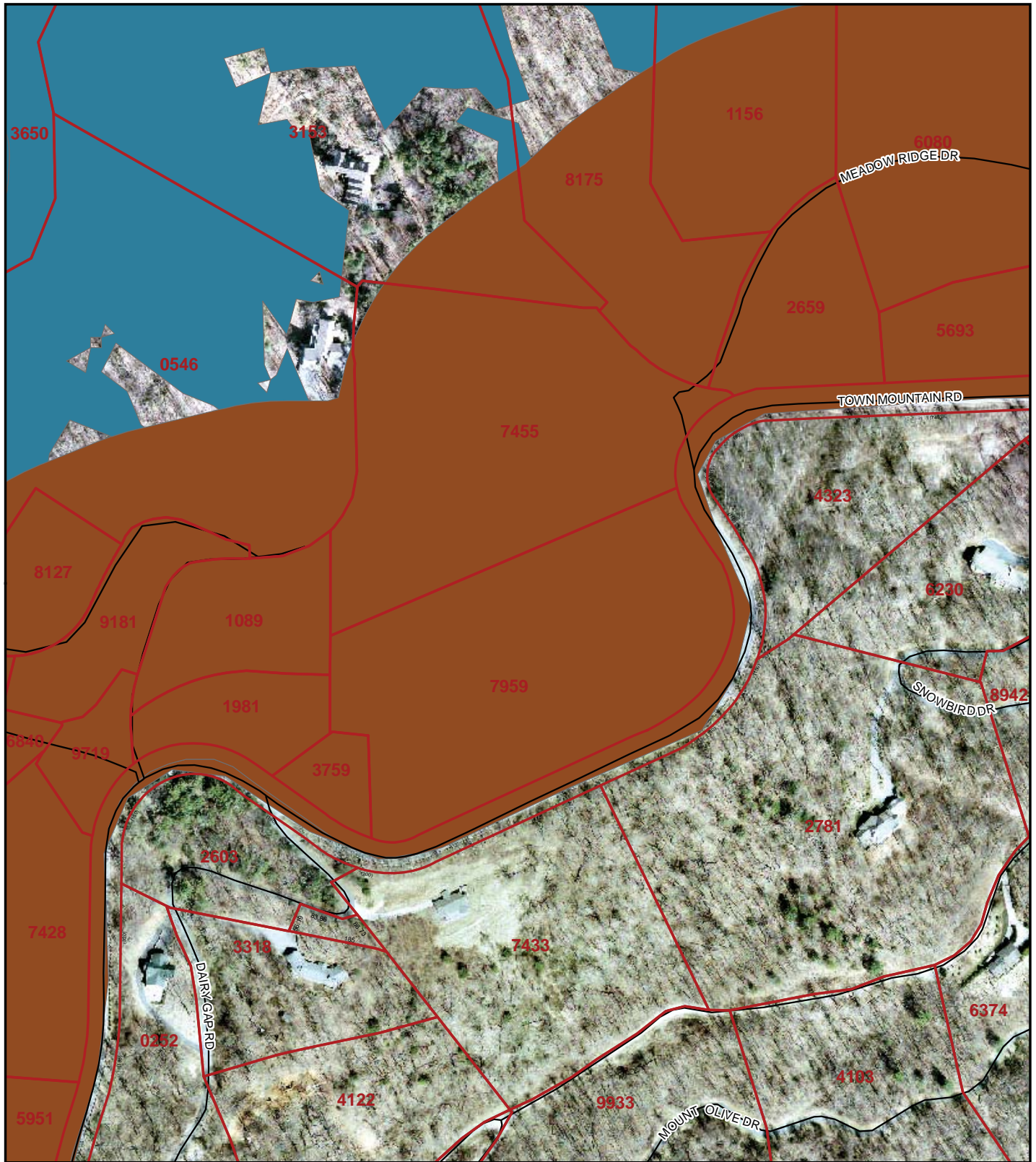
Legend

- Potential Debris Flow Pathways
- Areas of Past Debris Flow Activity

The information provided is based on the best available data at the time of currency for all datasets. It is the requestor's responsibility to verify any information derived from the GIS data before making any decisions or taking any actions based on the information. Buncombe County shall not be held liable for any errors in the GIS data. This includes errors of omission, commission, errors concerning the content of the data, and relative and positional accuracy of the data.



1400 Town Mountain Road Debris Flow Pathways



Legend

- Slope High
- Protected Ridges

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1400 Town Mountain Road County Zoning Overlay

APPLICABLE DEVELOPMENT REGULATIONS

ZONING ORDINANCE

http://www.buncombecounty.org/common/planning/zoning/zoning_ordinance.pdf

SUBDIVISION ORDINANCE

<http://www.buncombecounty.org/common/planning/SubdivisionOrdinance.pdf>

EROSION CONTROL ORDINANCE

http://www.buncombecounty.org/common/planning/BCOrdinance_ErosionControl.pdf

STORMWATER ORDINANCE

http://www.buncombecounty.org/common/planning/Stormwater_Ordinance.pdf