



**Transylvania County Planning Board
October 19, 2023, at 6:00 PM
Community Services Building Conference Room
106 East Morgan Street, First Floor**

AGENDA

CALL TO ORDER

- I. WELCOME**
- II. PUBLIC COMMENT** (15-minute time limit. Speakers are limited to three minutes.)
- III. AGENDA MODIFICATIONS**
- IV. CONSENT AGENDA**
 - A. Minutes (September 21, 2023)
 - B. Subdivision Approval and Updates
- V. NEW BUSINESS**
 - A. The Village at Longcliff Re-Subdivision Phasing Master Plan
- VI. INFORMATIONAL OR DISCUSSION ITEMS**
 - A. Community Grants Program Update
 - B. Community Appearance Initiative Update
 - C. Comprehensive Plan Work Session, Outreach and Survey Questions
- VII. PUBLIC COMMENT** (15-minute time limit. Speakers are limited to three minutes.)
- VIII. BOARD MEMBERS' COMMENTS**

ADJOURNMENT

Transylvania County Planning Board

Staff Report:

PUBLIC REVIEW OF THE VILLAGE AT LONGCLIFF, A REQUEST BY JAMES R. PITTS, OF GO2PSITTS, LLC, ON BEHALF OF LONGCLIFF DEVELOPMENT PARTNERS, LLC, AND PROPERTY OWNERS ZACHERY WADE ENTERPRISES, LLC, FOR A PHASED SUBDIVISION DEVELOPMENT AT 16933 ROSMAN HIGHWAY, LAKE TOXAWAY; PIN# 8521078351000, 8521087494000, 8521068180000, 8521161077000, 8521167094000, 8521166906000 & 8521169863000; IN AN UNZONED AREA OF TRANSYLVANIA COUNTY, WHERE SUBDIVISIONS ARE PERMITTED WHEN CONSISTENT WITH THE SUBDIVISION REGULATIONS OF TRANSYLVANIA COUNTY, NORTH CAROLINA.

Agenda Date: October 19, 2023

Prepared By: Jeffrey S. Adams, PhD

GENERAL INFORMATION

NOTICE

None required;

DISCLOSURES

Any disclosures (i.e. conflicts of interest, site visits or ex parte communications)?

EXHIBITS

“A” Exhibits – Application Materials

- A-1 The Village at Longcliff Subdivision Application;**
- A-2 Longcliff Village Proposed Master Plan, by Sitework Studios, dated October 11, 2023;**
- A-3 Longcliff Village Phasing Diagram, by Sitework Studios, dated October 5, 2023;**
- A-4 The Village at Longcliff, Estimated Development Timeline, received October 12, 2023;**

Background

The applicant, James Pitts, requests a three-phased subdivision development, to be known as the Village at Longcliff, off of Rosman Highway 64, southeast of Lake Toxaway, in Transylvania County. The property is accessed via the platted, Georges Views Circle and is un-zoned.

The property was previously platted as The Gorges at Lake Toxaway, a twenty-lot subdivision, which provided at 44.35 acre conservation easement, accessed by Toxaway Views Circle.

The subject property consists of approximately 101.6 acres, currently comprising seven lots and a 44.35 acre conservation easement. The proposed development will consist of 100 residential lots, 75 condominium units, located across four mixed-use buildings and 11 commercial parcels, accounting for

approximately 100,000 square-feet of commercial space. The total proposed density by the applicant is .61 units per acre.

The Village at Longcliff will be serviced by private roadways, and a community water and sewer system. The conservation easement and property abuts Gorges State Park and Bearwallow Creek. The property has a well and septic easement located on the master plan for protecting the community facilities.

Applicable Criteria

TRANSYLVANIA COUNTY SUBDIVISION REGULATIONS (TCSR)

SECTION 8: Phased Development – *If a developer proposes that a subdivision will be constructed in phases, the following procedure shall apply.*

8.1 *A master plan showing the entire proposed subdivision and the phases of development, proposed density, proposed type and location of utilities, and proposed development timetable shall be submitted to the Planning Department ten (10) working days prior to the presentation of the master plan at a regular meeting of the Planning Board for their review. The Planning Board shall approve, conditionally approve or disapprove the master plan.*

8.2 *Each phase of development shall be preceded by submission and approval of a preliminary plat. The master plan may be submitted prior to or simultaneously with submission of the preliminary plat for the first phase of development.*

8.3 *As each phase is completed, a final plat must be submitted to and approved by the Planning Department for that phase.*

8.4 *Approval of the master plan need not be renewed unless significant design changes or density increases are proposed.*

Staff comment: The applicant has proposed a three-phased re-subdivision of the Gorges at Lake Toxaway, currently consisting of 7 lots. The re-subdivision, as the Village at Lake Toxaway, proposes 175 residential units, including 100 residential lots and 75 condominiums spread across a number of mixed-use buildings throughout the commercial and community center, for a calculated density of 1.72 units per acre. Please note, this differs from that shown on the application (0.61 units per acre).

The first phase of the plan will incorporate the commercial and community center, what the applicant refers to as the Town Center, where the majority of the nearly one-hundred thousand square-feet of commercial space, including hotel, restaurant, bowling, fitness and other retail establishments will be located. The Town Center will be comprised of at least ten structures, a number of community outdoor amenities, such as pickleball, playground and great lawn, as well as the enclosed wastewater treatment plant. There is ample public parking throughout the commercial areas and a possible secondary access off of Hwy. 64, shown as a construction entry road on the master plan.

The 44-acre conservation easement forms the heart of the development, around which there are several public parking areas, with trailhead access to the walking trails and viewing areas in the wooded areas, abutting Gorges State Park. It is unclear from the Phasing Plan or Timeline how much of the conservation easement amenities will be completed or accessible as part of the first phase, but this should be clarified as a condition of approval.

SECTION 9: Resubdivision Procedures -- *For any replatting or resubdivision of land, the same procedures, rules, and regulations shall apply as prescribed in Section 4.*

Staff comment: This is a re-subdivision of the Gorges at Lake Toxaway, affecting all twenty lots previously platted and recorded in 2008. The platting procedures are administratively approved through the process prescribed in Section 4 of the TCSR.

DEVELOPMENT STANDARDS

SECTION 10: General Requirements

10.1 Conformity to Existing Maps or Plans - *The plat of a subdivision shall conform to any official map or plan adopted by the Board of County Commissioners, existing on the date of enactment of this Ordinance, or thereafter adopted.*

10.2 Continuation of Adjoining Road Systems - *The proposed road or road layout shall be coordinated with the existing road system of the surrounding area. Where possible, proposed roads shall be the extension of existing roads.*

10.3 Road Names - *Proposed roads which are obviously in alignment with existing roads should be given the same name. In assigning new names duplication shall be avoided and in no case shall the proposed name be phonetically similar to existing names irrespective of the use of a suffix such as road, drive, place, court, etc. All proposed road names and signs shall be in accordance with the Transylvania County Road Naming Ordinance.*

10.4 Private Roads - *Private roads may be platted in any subdivision and shall conform to the standards set forth in this Ordinance. Private roads shall be set out in protective covenants, deeds, or on plats or any combination of those methods, and shall clearly state that the State and/or County will not be obligated to take over or maintain the road.*

10.5 Lots - *Lot size shall be regulated only to the extent required by the Transylvania County Health Department.*

10.6 Flood Damage - *All subdivision proposals shall be consistent with the need to minimize flood damage as provided for in the Transylvania County Flood Damage Control Ordinance.*

10.7 Erosion and Sedimentation Control - *Land disturbing activity shall be in compliance with the Sedimentation Pollution Control Act of 1973 as amended (North Carolina General Statutes Chapter 113A, Article 4).*

Staff comment: The TCSR offers very little criteria for subdivision review. The master plan provides a single point of access onto Rosman Hwy. 64, which must meet state approval. A Traffic Impact Analysis has been submitted to the state for review and all future phases will be held to that approval. The applicant offers a secondary entrance, labelled as 'construction entry road.' It isn't clear whether this will remain as a secondary or emergency access road, after construction is complete, but previous conversations with the applicant considered this option.

There are a number of public parking areas located in the conservation area, with trailhead, walking trails, boardwalk leading to viewing and interpretive areas and an outdoor classroom area. The roadways will be privately owned and maintained and shall meet County Road standards upon completion. The applicant has approached the County regarding the bonding requirements and is working with the County to secure the necessary arrangements. The applicant has discussed working with the Historic Toxaway Foundation and the North American Land Trust (NALT), to manage the conservation easement.

The project will disturb more than one acre of land and thus, will secure an erosion control permit through the NCDEQ Division of Energy, Mineral and Land Resources (DEMLR) prior to development. A

post-construction stormwater management permit may be required for the Longcliff project. The project must meet NCDEQ standards for stormwater management and treatment measures, where applicable. A community water system will serve the development, which must meet NC Public Water Supply standards.

MOUNTAIN RIDGE PROTECTION ORDINANCE

Article V: Interpretation and definitions

Section 2: Definitions

2.6 Protected mountain ridge: *Any ridge whose elevation is at least five hundred (500) feet above the elevation of an adjacent valley floor and at least three thousand (3,000) feet in elevation, with the addition of Dunn's Rock. Protected mountain ridges are further identified by the map entitled "Identification of Protected Mountain Ridges in Transylvania County" and is on file in the Transylvania County Building Permitting and Enforcement Department the Transylvania County Register of Deeds, and the Transylvania County Planning and Community Development Department.*

2.8 Ridge: *The elongated crest or series of crests at the apex or uppermost point of intersection between two (2) opposite slopes or sides of a mountain, and includes all land within one hundred (100) feet below the elevation of any portion of such line or surface along the crest.*

2.10 Tall structures: *Any building, structure or unit within a multi-unit building, with a vertical height of more than forty (40) feet measured from the top of the foundation of said structure and the uppermost point of said structure; provided, however, that where such foundation measured from the natural finished grade of the crest or the natural finished grade of the high side slope of a ridge exceeds three (3) feet, then such measurement in excess of three (3) feet shall be included in the forty-foot limitation described herein; provided, further, that no such building, structure or unit shall protrude at its uppermost point above the crest of the ridge by more than thirty-five (35) feet.*

ARTICLE VII

SECTION 4: Permits

No tall structure greater than forty (40) feet tall shall be constructed, altered, reconstructed or expanded on any protected mountain ridge without a permit that has been obtained as provided by this Ordinance. No permit shall be issued that would not be in compliance with the provisions of this Ordinance. The Protected Mountain Ridge Permit Application is available from the Transylvania County Planning Department.

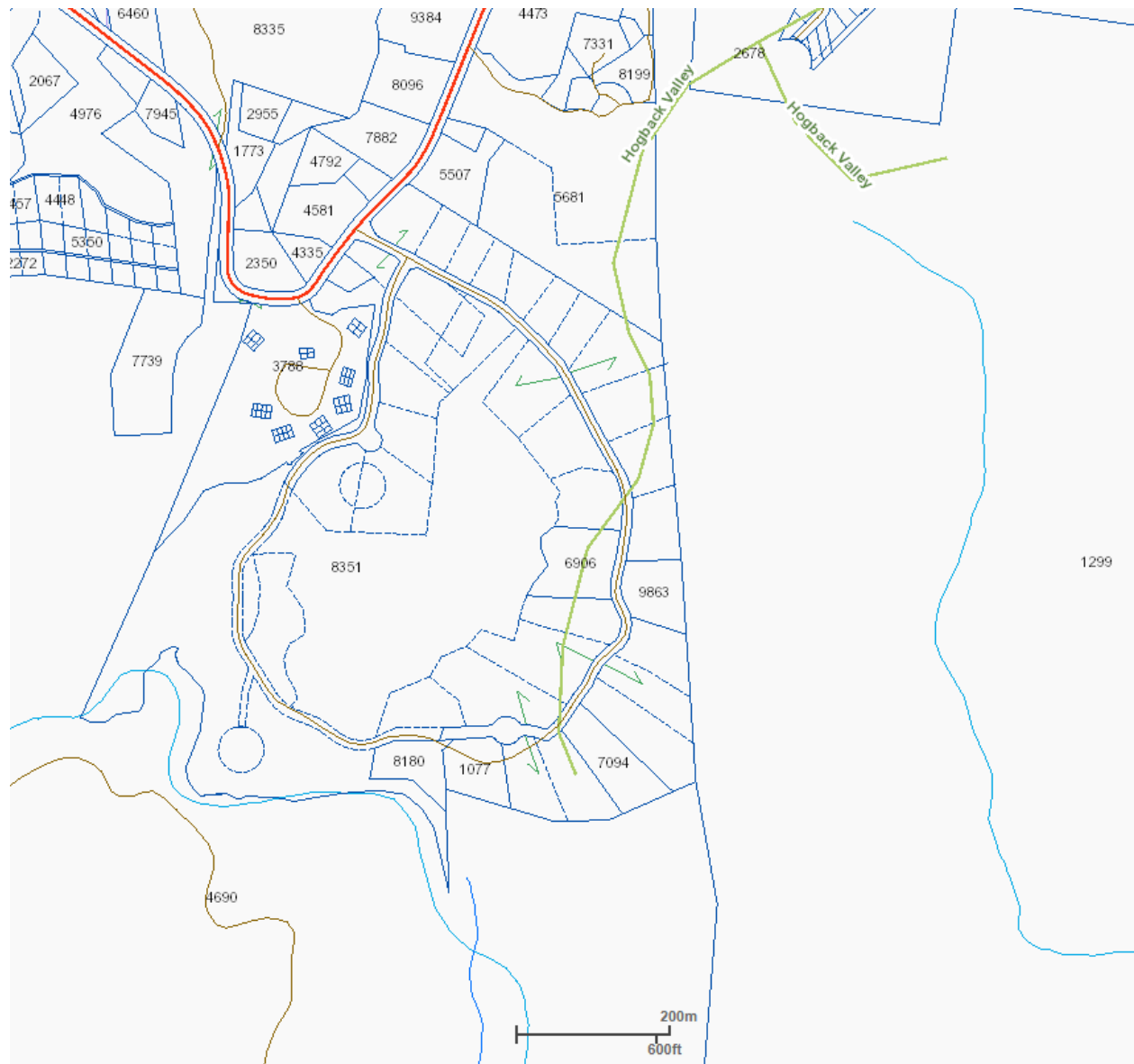
SECTION 6: Application Submission

A completed permit application and three (3) copies of all supporting documentation as identified in Section 5 shall be submitted to the Enforcement Officer for review at least thirty (30) calendar days prior to a regularly scheduled meeting of the Transylvania County Planning Board.

Staff comment: The Mountain Ridge Protection Ordinance protects all ridges as defined by subsection 2.6 of the TCSO. The Hogback Valley Mountain Ridge runs from north to south through the property, as shown in the map below and identified on the master plan. The MRPO defines any structure over forty feet in height to be a 'tall structure,' which must obtain a permit through Transylvania Planning & Community Development. The Enforcement Officer, or Planning Director, is required to make a

recommendation to the Transylvania County Planning Board and provide a notice to surrounding landowners and local paper, no less than ten days (10) and no more than twenty-five days (25) prior to the public hearing. The master plan does not indicate and is not required to indicate the height of future structures, yet staff has notified the applicants of these provisions, prior to development.

In consideration of the proposed development, we have a protected ridgeline running from around 2,910 feet to 3,120 feet throughout the development. This would mean any structure exceeding 40 feet in height, as defined in the ordinance, within 100 feet of elevation of any portion of the ridgeline or surface along the crest (see Fig. 1, below), falling to 2,810 feet to 3,020 feet below, would be required to come before the PB for review.



Hogback Valley Mountain Ridge: shown in green

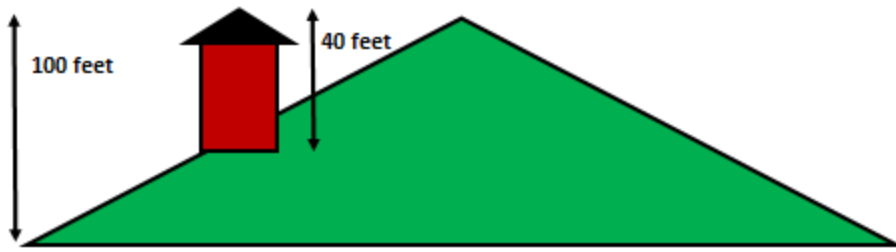


Figure 1: Mountain Ridge Protection

Recommendation

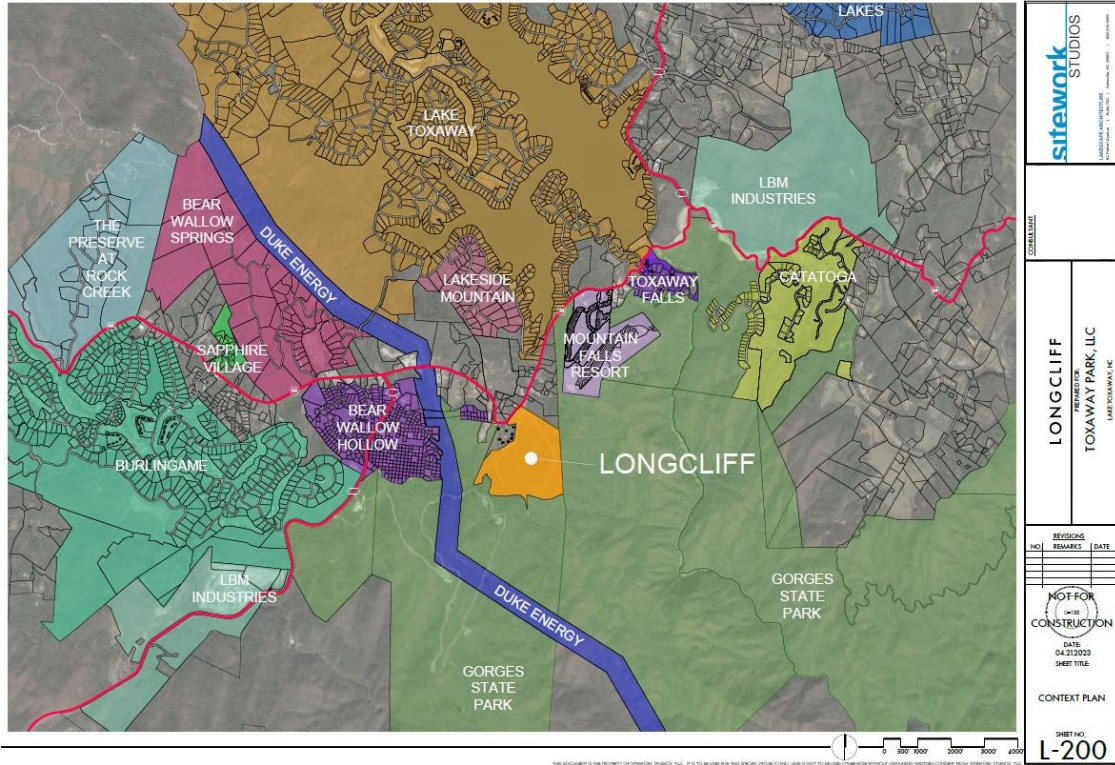
Staff recommends approval, based on compliance with the conditions suggested below.

If approved, the Planning Board should impose the following conditions:

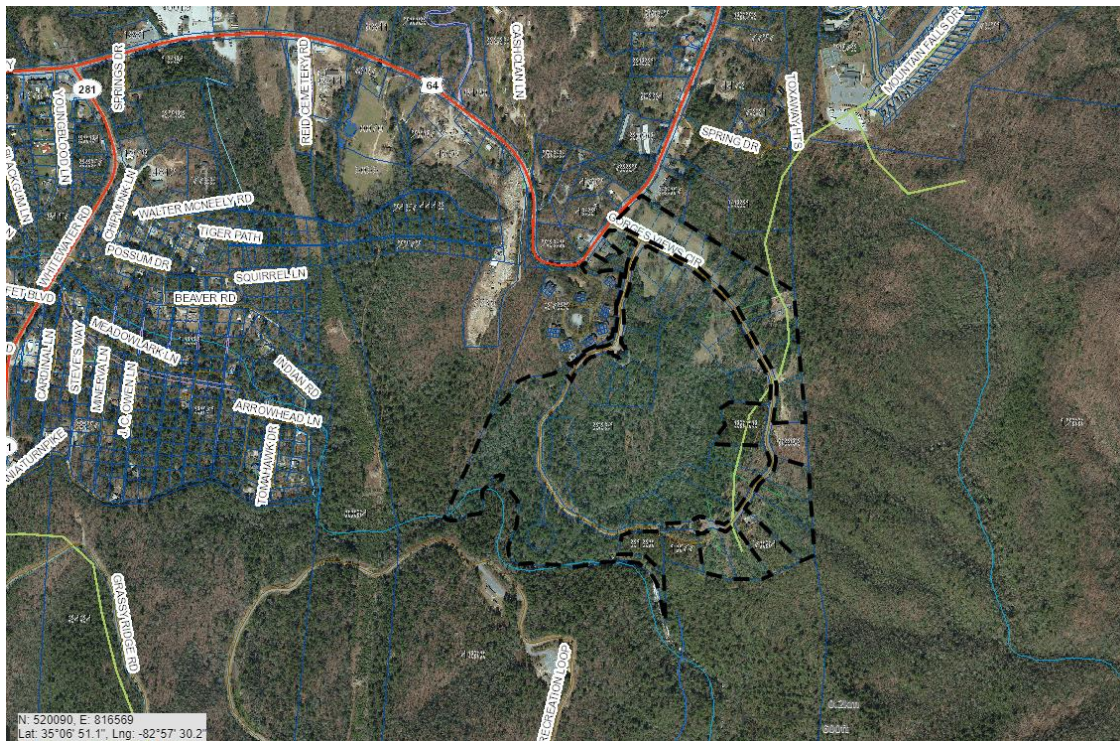
1. TIS approval by NCDOT, with any significant changes triggering additional review.
2. Construction Entry Road remains as a Secondary Emergency Access point, meeting the Fire Districts approval.
3. Project must meet NCDEQ standards for stormwater management and treatment measures.
4. Erosion Control and Stormwater management must meet NCDEQ Division of Energy, Mineral and Land Resources (DEMLR) standards.
5. Conservation Easement maintenance agreement.
6. Community water and sewer system must meet NC Public Water Supply standards and state health requirements of the Engineer Option Permitting process.
7. Any structures projected over 40 feet in height must meet Mountain Ridge Protection standards.

Decision and Conditions

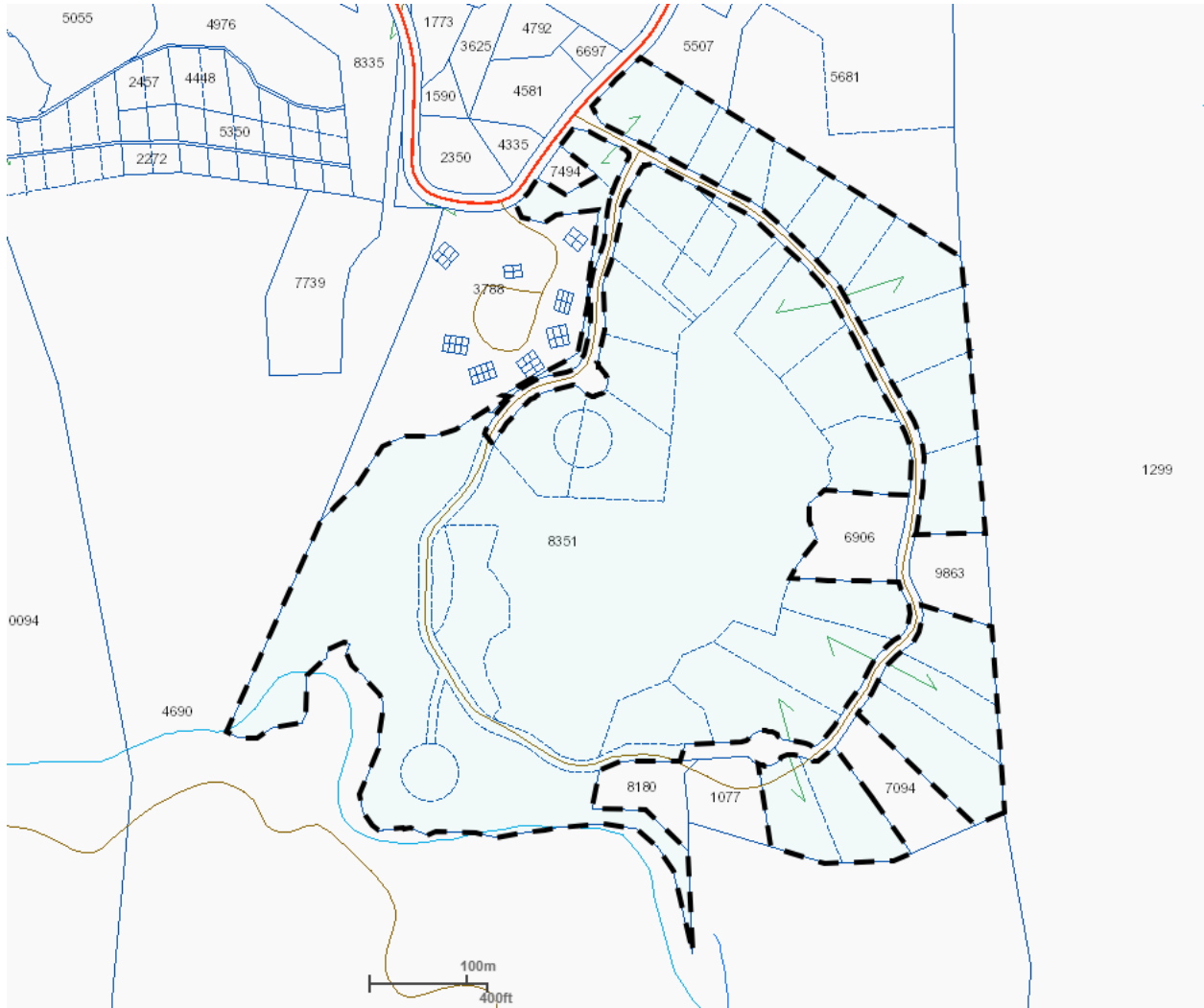
Motion: Having considered the evidence in the record, based on a motion by Board Member (Name) seconded by Board Member (Name), the Transylvania County Planning Board moves to (approve, conditionally approve or disapprove) The Village at Longcliff Phased Development Re-Subdivision Master Plan as presented.



Vicinity Map:



Aerial Map:



GIS Map of current lots:

Transylvania County Subdivision Application

SUBDIVISION INFORMATION

Application No. 1Subdivision Title: The Village At LongcliffPhased Subdivision: Yes No Number of proposed phases: 3Proposed use of property: Residential Commercial Industrial Existing number of lots: 7 Total number of proposed lots: 100 Res., 75 Condo, 11 Com.Total number of proposed units: 100 Res., 75 Condo Proposed density (units/acre): .61 Units/AcRoad system: Public Private Combination of public and private Water system: Individual Community Municipal Sewer system: Individual Community Municipal 8521-06-8180 - 000Plats: Preliminary Final 8521-16-1077 - 000**PARCEL INFORMATION** 8521-16-7094 - 000Parcel Number(s): - 8521-07-8351 - 000 - 8521-16-6906 - 000- 8521-08-7494 - 000 - 8521-16-9863 - 000Total Acreage: 101.86 Combined Deed Book: Varies Page: VariesTownship: 08 Zoning District: Transylvania County - UnzonedProperty address: 16933 Rosman HwyLake Toxaway, NC 28747Fire District: FR07 Water Supply Watershed: _____

Any portion of the property within or containing the following:

Floodplain or floodway: Perennial Streams: Protected mountain ridges: Cemetery:

CONTACT INFORMATION

Property Owner: Zachary Wade Enterprises LLCName: Toxaway Park LLC, LT Stahl LLC Phone: (828) 231 - 0314; 828-888-0102Address: 16933 Rosman Hwy City, State, Zip: Lake Toxaway, NC 28747**Applicant:**Name: Longcliff Development Partners, LLC Phone: (828) 231 - 0314; 828-888-0102Address: 16933 Rosman Hwy City, State, Zip: Lake Toxaway, NC 28747**Agent:** Agent Form Attached: Yes NoName: James R Pitts (Go2Pitts LLC) Phone: (828) 231 - 0314; 828-888-0102

Address: _____ City, State, Zip: _____

Plan Preparer:Name: Siteworks Studio Phone: (828) 225 - 4945Address: 82 Patton Avenue City, State, Zip: Asheville, NC 28801Planning and Community
Development106 East Morgan Street, Suite 207
Brevard, NC 28712
(828)884-3205

I certify that the information shown above is true and accurate and is in conformance with the Transylvania County Subdivision Control Ordinance, and if is not that it could result in assessment of civil penalties or initiation of civil or criminal court actions.

James R Pitts _____ James R Pitts _____ / /
Print (Owner or Agent) Signature (Owner or Agent) Date

COUNTY USE ONLY

Fee: \$ _____ Paid: Yes No Method: _____
Permit No.: _____ Received By: _____
Requires Master Plan Review by the Planning Board: Yes No
Road Inspection Required: Yes No Date of inspection _____ / _____ / _____
Date of Master Plan Review (If Applicable): _____ / _____ / _____
Date of Master Plan Approval (If Applicable): _____ / _____ / _____
Final Plat Approved On: _____ / _____ / _____

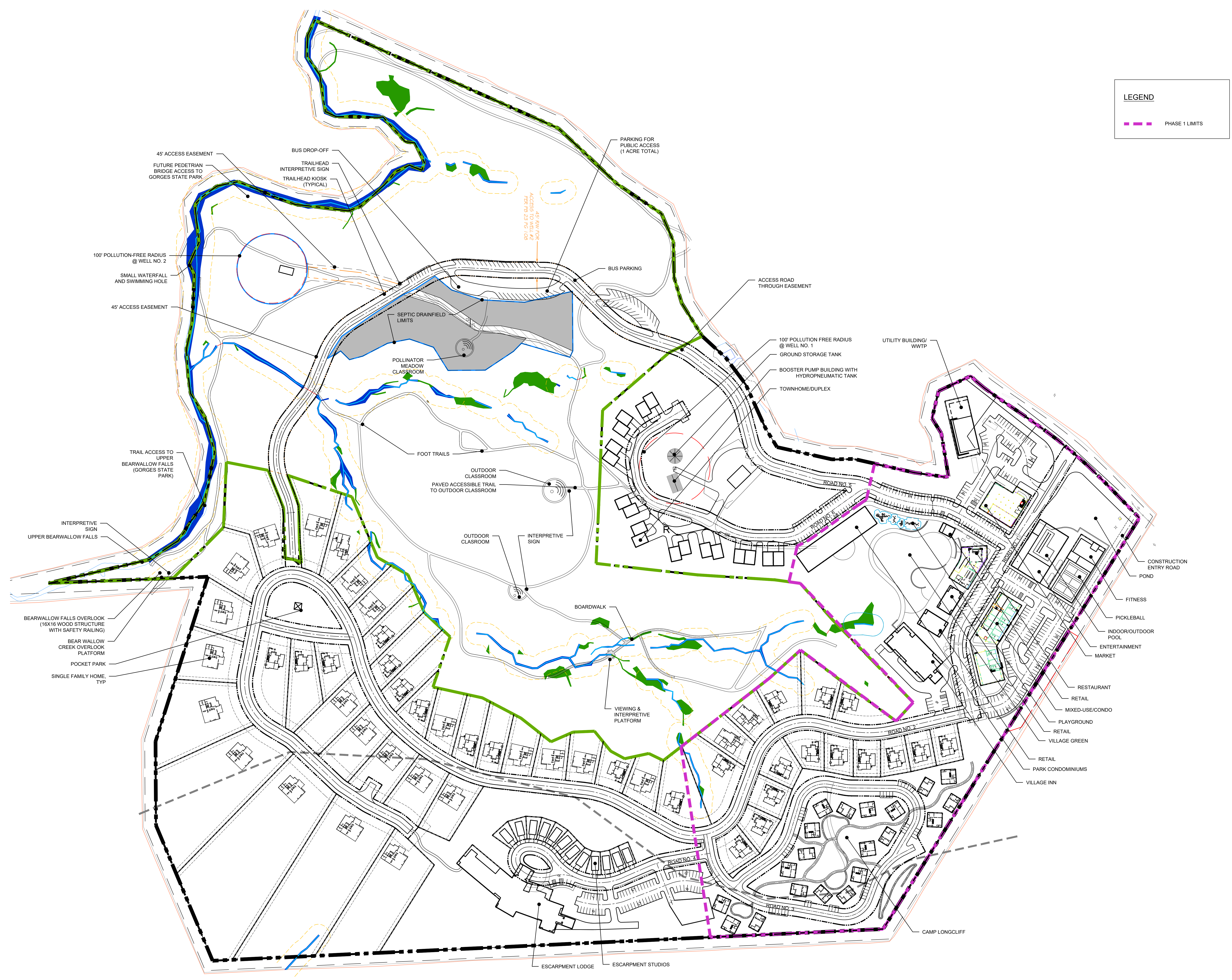
APPROVED _____ / /
Subdivision Administrator **DATE**

Notes: _____



LONGCLIFF VILLAGE

PREPARED FOR:
TOXAWAY PARK, LLC
LAKE TOXAWAY, NORTH CAROLINA 28747



LEGEND

--- PHASE 1 LIMITS

- 45' ACCESS EASEMENT
- FUTURE PEDESTRIAN BRIDGE ACCESS TO GORGES STATE PARK
- TRAILHEAD INTERPRETIVE SIGN
- TRAILHEAD KIOSK (TYPICAL)
- PARKING FOR PUBLIC ACCESS (1 ACRE TOTAL)
- 45' POLLUTION FREE RADIUS @ WELL NO. 2
- SMALL WATERFALL AND SWIMMING HOLE
- 45' ACCESS EASEMENT
- SEPTIC DRAINFIELD LIMITS
- POLLINATOR MEADOW CLASSROOM
- FOOT TRAILS
- OUTDOOR CLASSROOM
- PAVED ACCESSIBLE TRAIL TO OUTDOOR CLASSROOM
- OUTDOOR CLASSROOM
- INTERPRETIVE SIGN
- TRAIL ACCESS TO UPPER BEARWALLOW FALLS (GORGES STATE PARK)
- INTERPRETIVE SIGN UPPER BEARWALLOW FALLS
- BEARWALLOW FALLS OVERLOOK (16X16 WOOD STRUCTURE WITH SAFETY RAILINGS)
- BEAR WALLOW CREEK OVERLOOK PLATFORM
- POCKET PARK
- SINGLE FAMILY HOME, TYP
- BOARDWALK
- VIEWING & INTERPRETIVE PLATFORM
- ESCARPMENT LODGE
- ESCARPMENT STUDIOS
- ACCESS ROAD THROUGH EASEMENT
- 100' POLLUTION FREE RADIUS @ WELL NO. 1
- GROUND STORAGE TANK
- BOOSTER PUMP BUILDING WITH HYDRO-PNEUMATIC TANK
- TOWNHOME/DUPLEX
- UTILITY BUILDING/ WWTP
- CONSTRUCTION ENTRY ROAD
- POND
- FITNESS
- PICKLEBALL
- INDOOR/OUTDOOR POOL
- ENTERTAINMENT
- MARKET
- RESTAURANT
- RETAIL
- MIXED-USE/CONDO
- PLAYGROUND
- RETAIL
- VILLAGE GREEN
- RETAIL
- PARK CONDOMINIUMS
- VILLAGE INN
- CAMP LONGCLIFF

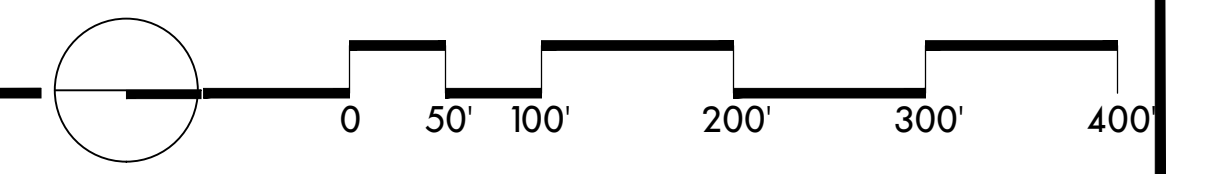
NO.	REVISIONS	REMARKS	DATE

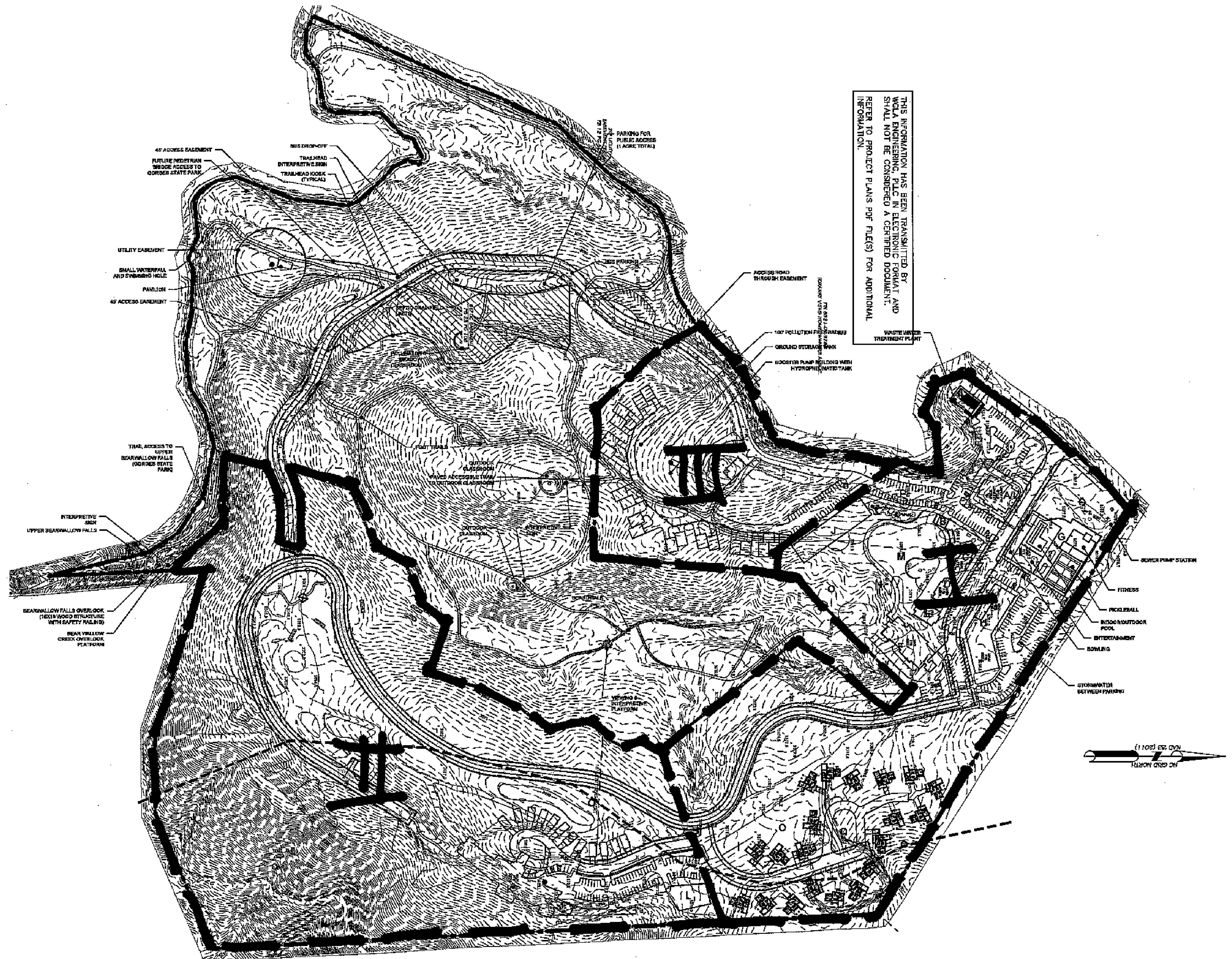


DATE: 10.11.2023
SHEET TITLE:

PROPOSED MASTER PLAN

SHEET NO. **L-100**





THIS INFORMATION HAS BEEN TRANSMITTED BY
 AN AIA REGISTERED ARCHITECT IN ELECTRONIC FORMAT AND
 SHALL NOT BE CONSIDERED A CONTROLLED DOCUMENT.
 REFER TO PROJECT PLANS PDF FILE(S) FOR ADDITIONAL
 INFORMATION.

CONSULTANT

LONGCLIFF VILLAGE

PREPARED FOR:
 TOXAWAY PARK, LLC
 LAKE TOXAWAY, NORTH CAROLINA 28747

NO.	REVISIONS	REMARKS	DATE



DATE
 10.05.2023
 SHEET TITLE

PHASING
 DIAGRAM

SHEET NO.
L-103

