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Town of Black Mountain
Lakeview Center Building
Assessment and Repair Considerations

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I. Summary

A. Purpose of Report

This report summarizes the current condition of the Lakeview Center Building, identifies applicable building code and floodplain regulations, and outlines considerations for repair and continued use.

The building was damaged during Tropical Storm Helene and requires additional repair. Questions have also been raised about compliance with current life safety requirements, particularly an automatic sprinkler system. The Town of Black Mountain requested this report to support decision-making regarding the building's repair and continued use.

B. Current Building Condition

The building sustained significant flood damage during Tropical Storm Helene. Damaged finishes and fixtures on the ground floor were removed as part of flood remediation. The ground floor of the facility remains unfinished, unsuitable for occupation, and still requires reconstruction.

During remediation, evidence of prior fire damage and insufficient repairs was discovered. These issues have since been evaluated and repaired.

C. Key Issues Affecting the building

Several key factors will influence how the town proceeds with repairs:

a. The building is located in a floodplain. If the cost of repairs or improvements exceeds 50% of the building's value ($750,000), the building will be required to comply with the town's Flood Damage Prevention requirements. Compliance will likely result in the loss of use of the lower floor.
b. Given its current size, construction type, and use as an assembly space, the building could be required to be brought into full compliance with the current building code, which would likely require the installation of an automatic sprinkler system.
c. The total cost of repairs, including completed work, remaining construction, and required upgrades, is uncertain, but will likely approach the $750,000 threshold that triggers flood damage prevention requirements.

D. Decision Considerations

In determining how to proceed, Town will need to determine whether continued use and maintenance of the building in its repaired configuration is practical and financially reasonable. Considerations to make this determination should include:

1. Whether the building can be restored to its previous capacity without triggering flood damage prevention compliance
2. Whether FEMA support can be applied to repair or redirected to support lost function
3. What measures, including an automatic sprinkler system, will be required as part of the repairs
4. How to manage construction cost risk and regulatory thresholds during repairs
5. Whether the building can be insured, given its location in a floodplain

Based on current information, there is a probability that required repairs and upgrades will approach or exceed the threshold that limits use of the ground floor.

II. Introduction and Background

A. Building Description

The Lakeview Center is located at 401 Laurel Circle Drive in Lake Tomahawk Park. The building sits immediately adjacent to the lake and pool facility. It was reported to the architect that the building is

owned by the municipality, used for meal preparation and a gathering place for the Center for Active Aging, and serves as an income-generating property as an event rental space.

Each floor primarily serves as an assembly space, with appropriate restrooms and accessory storage. The building has two kitchens, one on each floor, and accessory office space on the lower level. The building is two stories, and both stories open to grade. The building has a footprint of approximately 2,500 square feet and an approximately 1,000-square-foot deck, totaling approximately 6,000 occupiable square feet. Based on visual observations and limited available drawings, the building appears to be unprotected wood construction (Type V-B).

B. Observed Building Condition and History

During Tropical Storm Helene, the building received several feet of floodwater. The damage was extensive throughout the ground floor and the mechanical equipment located below the floodwater levels. Initial flood-damage remediation has been completed, and all fixtures and systems on the ground floor have been removed. Some exterior equipment appears to have been elevated, presumably serving the occupied upper-floor spaces.

During flood remediation, historic fire damage and attempted repairs were uncovered and evaluated. The historic repairs were found to be insufficient. Detailed design and specification, along with suitable repairs, have since been completed and implemented, bringing the structural capacity of the floor system to a permanently acceptable level.

A review of available historic documentation shows that the Lakeview Center was built in the early 1930's in conjunction with the creation of Lake Tomahawk. The structure has always served as a community space, but initially focused on bathing and boating. Photos of the original structure show it on or immediately adjacent to the shoreline, possibly allowing boat access below the upper floor.

In the years since its construction, the Lakeview Center has undergone multiple renovations and additions. The lake level appears to have been lowered, or fill has been placed around the structure. The lower floor has been enclosed, conditioned, and finished to the extent it was prior to the recent damage. The original upper-floor balcony was enclosed and conditioned, and a 1,000 sf deck was added to the lakeside of the structure.

C. Relevance of Building History to Current Condition

The buildings' use and siting were, at their conception, tied to close adjacency with the lake. Although the shoreline has changed, the building's condition suggests it has frequently been exposed to floodwater throughout its lifetime. The Lakeview Center's role as a gathering place in the community remains the same, but its current configuration of conditioned spaces, kitchen, and indoor assembly has evolved significantly. The proximity to the water, once an asset, is now a significant liability.

III. Flood Damage Prevention Requirement Compliance

A. Floodplain Location

The Lakeview Center is located within the floodplain. Since the enactment of the Town of Black Mountain's Flood Damage Prevention regulations as part of the Unified Development Ordinance (UDO), the Lakeview Center has existed as a 'grandfathered' nonconforming structure. The building will need to be brought into compliance with the flood damage prevention regulations upon any substantial improvements. Substantial improvements are defined by the UDO as any repair, or combination of repairs, reconstruction, or improvements, that exceed 50% of the structure's value before the start of work. FEMA has evaluated the structure's value at $1.5 million; accordingly, the substantial improvement threshold is $750,000 of construction costs. It is important to note that this threshold may include:

- Emergency repairs completed immediately after the storm (remediation, HVAC, etc.)
- Completed structural repairs
- Ongoing and proposed renovation work

If the total cost of these combined efforts exceeds $750,000, the building will be required to be brought into compliance with the flood damage prevention requirements.

B. Implications of Substantial Improvement

The Lakeview Center could be brought into compliance with the flood damage prevention requirements in one of two ways:

a. Ground Floor Converted to Flood-Compliant Use

The ground floor would be reconfigured to be "open for unconditioned storage," similar to the ground floor storage and access of an elevated beach house. There could be lockable enclosures; however, nothing could be constructed that would retain floodwaters or otherwise be damaged by a flood event. The spirit of the regulation is that the space be used for parking vehicles, storing maintenance equipment, or providing access to an entry stairway.

Under this approach, the ground floor would no longer function as occupied program space.

b. Waterproofing / Floodproofing the Ground Floor

The ground floor would need to be "waterproofed" to the design flood elevation (likely in the range of 3 to 4 feet). Based on the structure's configuration and existing condition, and the requirements for a waterproofed structure, this does not appear to be a feasible or prudent strategy.

C. Considerations if Substantial Improvement is not Triggered

If the total construction cost remains below the $750,000 threshold, there is greater flexibility in how the ground floor may be repaired and used. However, it should be clearly understood that the ground floor will not be waterproof, and as the structure is located in the floodplain, it will flood again. A hazard mitigation approach could allow the ground floor to be restored for use by the Senior Center, but with a thoughtful approach that anticipates future flooding. Potential strategies include:

- Exterior and interior finishes that can be submerged and dried without damage
- Locating windows with sills above anticipated flood levels

- Locating electrical fixtures, devices, and equipment well above flood levels
- Locating HVAC equipment and the water heater on the upper floor
- Avoiding traditional built-in cabinetry; instead, using wall-mounted solid surface counters or free-standing stainless-steel prep tables that can be easily cleaned after a flood

These decisions would be intended to reduce the cost and disruption of future flood-damage-related repairs. There are many options to consider, and each would need to be weighed against anticipated use, functionality, and cost-benefit. The FEMA Public Assistance Program includes provisions to support such hazard mitigation efforts.

D. Survey and Base Flood Elevation

A necessary first step, regardless of the approach, is to have the site surveyed. To date, the design flood elevations around the building are based on assumptions. To proceed with detailed design and to obtain any approvals from the Floodplain Administrator, a Base Flood Elevation (BFE) will need to be established and marked on site. The site survey should also include the location of utilities on the site. This documentation will be required for design and permitting, and may also be valuable to the Town for long-term management of the Lakeview Center and adjacent facilities.

IV. Building Code

A. Building Code Overview and Basic Building Data

The observations and code compliance review provided herein are based on compliance with the 2024 North Carolina Building Code and 2024 North Carolina Existing Building Code. Certification to occupy a building is issued by the authority having jurisdiction, typically the local building department, fire marshal's office, or code enforcement agency. The architect has provided only this report, with no design or applications for permit or approvals to occupy the building.

Regarding existing structures, the 2024 North Carolina Building Code reads as follows:

> *102.6: Existing structures.*
>
> *The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the International Existing Building Code or the International Fire Code.*
>
> > *102.6.1: Buildings not previously occupied.*
> >
> > *A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion shall comply with the provisions of this code or the International Residential Code, as applicable, for new construction or with any current permit for such occupancy.*
> >
> > *102.6.2: Buildings previously occupied.*
> >
> > *The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the International*

Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

While existing buildings are generally permitted to continue operating, these provisions allow the authority having jurisdiction to require upgrades where necessary for life safety.

B. Sprinkler Requirements - Existing Building Code Compliance

The Existing Building Code provides a path to code-compliant repairs and alterations for any building that was legally occupied before the current building code was adopted.

Per the North Carolina Existing Building Code, work defined as repairs or alterations that do not exceed 50% of the building area will not require the installation of an automatic sprinkler system where none previously existed.

If the Lakeview Center can be evaluated under the Existing Building Code, the proposed flood-damage repairs and anticipated limited alterations to the building will align with the acceptable scopes of repair and should not require the addition of an automatic sprinkler system.

C. Sprinkler Requirements - Current Building Code Compliance

Current building code compliance, especially regarding fire safety, is based on building occupancy and construction type. Based on the building's current use as a banquet hall, supporting events with dining and associated kitchen facilities, it is classified as an Assembly Group A-2 Occupancy. The building is constructed of unprotected wood construction and can only qualify as type V-B.

Two-story structures of Type V-B construction and any assembly occupancy are required to have an automatic sprinkler system. Based on this, to achieve compliance with the current building code, repairs will need to include the installation of an automatic sprinkler system. Additionally, improvements to comply with other code requirements would to be completed as part of building repairs.

If adding a sprinkler is not feasible, an alternative means of achieving compliance with contemporary code is to reconfigure the building as an office building. This Business (B) Occupancy classification can be used in a two-story type V-B structure without an automatic sprinkler system. The building would need to be configured for substantial office use, which could include two meeting rooms, each accommodating up to 50 people. The cost of reconfiguring the building as needed to support the Business function would likely match the cost of adding a sprinkler system required for the building's existing use.

D. Summary of Interpretations

There are two routes of achieving building code compliance: by following the existing building code or by following the current building code.

A building that has been previously *legally occupied* can be modified in accordance with the existing building code. This route would allow for improvements without adding an automatic sprinkler system.

A building that was previously *not legally* occupied must complete work and be brought into compliance with the current building code. This would require the addition of an automatic sprinkler system.

Ultimately, the building official makes the final determination of whether the building was legally occupied after past improvements. The building official also has the authority to deem a sprinkler system necessary for the safety of its occupants.

V. Considerations of Repair and Next-Steps

The following conditions should be considered in determining an appropriate path forward for the Lakeview Center:

a. Flood Damage Prevention Requirements – If repair work exceeds $750,000, the flood damage prevention measures of the Unified Development Ordinance will result in the loss of use of the lower floor.
b. FEMA Support – Buildings damaged during FEMA-declared disasters (Tropical Storm Helene) often qualify for funding through the public assistance program. The magnitude of the repair costs and the conditions of the existing building may form the basis for a capped project. A capped project could support the replacement of the building in a more suitable location or configuration.
c. Building Code Considerations – It will need to be confirmed with the building official if an automatic sprinkler system is required in the building. There are code-compliant routes under new or existing building codes that permit improvements, both with or without installing the system.
d. Cost Considerations – Exact construction costs cannot be determined without further design and construction estimating. It is likely that the cost to complete repairs and achieve compliance with contemporary code will approach the $750,000 flood-damage-prevention threshold. Before proceeding with any construction, a detailed estimate should be obtained from a qualified general contractor to help manage cost risk.
e. Insurance and Risk - The building is situated within an established floodplain. Insurance coverage may be restricted or have higher premiums. The town should consult with its insurance provider to verify insurability and associated risk.
f. Useful Life of the Building – The building is approaching 100 years old. The building has undergone numerous renovations and additions, and much of its code compliance is based on acceptance of grandfathered conditions. The building has flooded multiple times, and given its location in the floodplain, future flooding of the lower level is imminent. While replacement of systems like the siding, the wood deck, and the roof are not immediately required, they will need to be addressed in the future. Given its age, history of modification, and exposure to flooding, the building is likely approaching the end of its typical service life.

Recommended Next Steps

1. Obtain a site survey. Establish base flood elevation, confirm flood-related boundaries, and locate key site utilities.
2. Verify the availability of FEMA support for the project.

3. Coordinate with the authority having jurisdiction to determine exactly what existing conditions can be permitted to remain without change and what improvements are deemed necessary for the general safety and welfare of the occupants and public.
4. Obtain a cost estimate from a qualified contractor. This can likely be used to support a request for FEMA funding and to determine whether the project will approach or exceed the substantial improvement threshold. Additional analysis and schematic design may be required to secure detailed estimates.

These steps should enable the Town to make informed decisions about repairs, funding, and the building and site's future.

Please do not hesitate to reach out if you have any questions about this report or recommendations.

Respectfully,





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