THE CITY OF ASHEVILLE

STAFF REPORT

Council Meeting Date: November 9, 2021

Subject: Voluntary Annexation of City Owned Property - 99999 Sweeten Creek Rd.

Staff Resource(s): Todd Okolichany, AICP, LEED AP ND, Planning & Urban Design Director,
Shannon Tuch, RLA, Principal Planner

Action Requested: Adopt a resolution fixing the date of a public hearing on December 14, 2021 for the voluntary annexation of 10.88 acres in south Asheville off of Sweeten Creek Rd.

Background:

- The City of Asheville purchased 10.88 acres located at 99999 Sweeten Creek Rd. and identified in the Buncombe County tax records as PIN 9656-23-4325.
- This property is a portion of a larger tract located at 2351 Sweeten Creek Rd. which was subdivided and sold to the City of Asheville on Monday, September 27, 2021.
- This parcel was purchased as park land acquisition and development in South Asheville as part of the 2016 general obligation bond that was approved by Asheville voters.
- This property is located in Buncombe County but contiguous to the City of Asheville.
- It is preferred that city owned property be located within the city's jurisdiction and an annexation of the subject property is proposed.
- Based on guidance from the North Carolina School of Government, a petition for annexation is not required for city owned property and, as such, a Certificate of Sufficiency is not required.
- The next step in this process is for the Asheville City Council to set the date for the public hearing.
- Should the City Council decide to proceed with this request the public hearing on the annexation and initial zoning would be held on December 14, 2021.
- The annexation becomes effective immediately once an affirmative vote is reached.

Council Goal(s):

- A well-planned & livable community

Committee(s):

- None

Pro(s):

- Follows the statutory process for voluntary annexations by setting a date for the public hearing.
- Ensures that city owned property and city facilities are located within the city's own jurisdiction, simplifying permitting for future work.

Con(s):

- None.

Comprehensive Plan Consistency:

- This proposal is consistent with the Living Asheville Comprehensive Plan in that it will, 1) Support orderly growth consistent with surrounding neighborhoods (pp. 345-347), and 2) Promote access to well-maintained parks and open space for all (pp.74-75 & 212-213).

Fiscal Impact:

- None.

Suggested Motion:

- I move to adopt the resolution fixing the date of the public hearing for December 14, 2021, for the voluntary annexation of 10.88 acres located at 99999 Sweeten Creek Rd. in south Asheville.
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Attachment(s)

- Resolution
- Exhibit A - Boundary Description
- Exhibit B - Survey

RESOLUTION NO. 21-____

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF VOLUNTARY ANNEXATION OF PROPERTY LOCATED AT 99999 SWEETEN CREEK ROAD PURSUANT TO N.C.G.S. 160A-31

WHEREAS, a request for annexation of the contiguous area described herein has been received; and

WHEREAS, the request is initiated by the City of Asheville for city owned property described herein; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheville, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at 5:00 PM on the 14th day of December 2021, in the Council Chamber, located on the 2nd Floor of City Hall.

Section 2. The area proposed for annexation is as described on "Exhibit A - Boundary Description" attached hereto. A survey of the same subject property is attached hereto as "Exhibit B - Survey".

Section 3. Notice of the public hearing shall be published in the Asheville Citizen-Times, a newspaper having general circulation in the City of Asheville, at least ten (10) days prior to the date of the public hearing.

Read, approved and adopted this 9th day of November, 2021.

_____ _____

City Clerk Mayor

Approved as to form:

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City Attorney