TOWN OF WEAVERVILLE
Weaverville Community Room at Town Hall
30 South Main Street, Weaverville, NC 28787

TOWN COUNCIL AGENDA

Monday, May 20, 2024
Regular Meeting at 6:00 pm

Remote Access Option for General Public via Zoom (unless technical difficulties):
https://us02web.zoom.us/j/85948891960 ; Meeting ID: 859 4889 1960

		Pg #	*Presenter*
1.	**Call to Order**		Mayor Fitzsimmons
2.	**Public Hearing – Annexation – 75 Cole Road**	3	Town Attorney Jackson
3.	**Public Hearing – R-12 Zoning and CLUP Amendment – 75 Cole Road**	14	Town Attorney Jackson
4.	**Approval/Adjustments to the Agenda**		Mayor Fitzsimmons
5.	**Conflict of Interests Statement**		Mayor Fitzsimmons
6.	**Consent Agenda**		Town Manager Coffey
	A. March 19, 2024 Town Council Workshop Meeting Minutes	21	
	B. April 16, 2024 Town Council Workshop Meeting Minutes	25	
	C. April 22, 2024, Town Council Regular Meeting Minutes	27	
	D. Monthly Tax Report and Request for Refunds/Releases	32	
	E. Budget Amendment – Fire Department	37	
	F. Board Appointments – Planning Board	39	
	G. Resolution on Meribel Project (171 Monticello Rd) and Approval of Housing Authority Issuance of Revenue Bonds	41	
	H. Water Commitment Renewal – Garrison Branch Rd Commercial Dev.	47	
7.	**Town Manager's Report**	52	Town Manager Coffey
8.	**General Public Comments** (see below for additional information)		Mayor Fitzsimmons
9.	**Discussion & Action Items**		
	A. Maple Trace Annexation Update	55	David King, Maple Trace
	B. Trail Design Reports for Eller Cove Watershed and Quarry Road	78	Peter Mills, Elevated Trail
	C. Water Commitment/Extension Request – 75 Cole Road	102	Public Works Dir. Pennell
	D. Annexation and Zoning – 75 Cole Road	107	Town Attorney Jackson
	E. Active Weaverville Committee Update	118	Recreation Coord. Myers
	F. Code Amendments – Chapter 20 – Sign Regulations	126	Town Attorney Jackson
	G. Tree Board – Code Amendments and Board Appointments	138	Town Manager Coffey
	H. Staff Report on Potential Changes to Florida Avenue	145	Town Manager Coffey
	I. Quarterly Report – Police	153	Police Chief Oberlin
	J. Quarterly Report – Fire	159	Fire Chief Harris
10.	**Adjournment**		Mayor Fitzsimmons

General public comments may be submitted during the meeting or in writing in advance on any meeting topic or any other item of interest related to the Town of Weaverville. Normal rules of decorum apply to all comments and duplicate comments are discouraged. The general public comments section of the meeting will be limited to 20 minutes. Comments during the meeting are generally limited to 3 minutes. You must be recognized before giving your comment. Written comments timely received will be provided to Town Council and read during the 20-minute general public comment period as time allows. Written comments are limited to no more than 450 words and can be submitted as follows: (1) by putting your written comment in a drop box at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting, (2) by emailing to public-comment@weavervillenc.org at least 6 hours prior to the meeting, (3) by mailing your written comment (received not later than Monday's mail delivery) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments. For more information please call (828)645-7116.

WEAVERVILLE TOWN COUNCIL REGULAR MEETING
REMOTE ELECTRONIC MEETING LOGIN CREDENTIALS

The Weaverville Town Council has elected to continue to provide the general public with remote electronic access to its regular monthly meetings, unless technical issues prevent such access.

This **NOTICE OF REMOTE ELECTRONIC MEETING** is provided to inform the public that the **Weaverville Town Council regular monthly meeting will be held as an in-person meeting (Council Chambers/Community Room at Town Hall, 30 South Main Street) with remote attendance by the general public allowed via Zoom**. For those members of the public wishing to attend remotely via Zoom the following information is provided.

A virtual waiting room will be enabled and participants will be allowed entry into the meeting just prior to the start of the meeting. The instructions to access this meeting are:

To join the meeting by computer, go to this link https://us02web.zoom.us/j/85948891960
You may be asked for permission to access your computer's video and audio. If so, click "allow." You will then be asked for the Meeting ID which is: 859 4889 1960. You will first enter a virtual waiting room. The host will admit you into the meeting just prior to the start of the meeting.

To join the meeting by phone, call: (253) 215-8782 or (301)715 8592
You will then be asked for the Meeting ID which is: 859 4889 1960 . There is no password for this meeting, so if asked for one just press the # button.

Guidelines and Instructions for General Public Comment: A portion of the meeting will be set aside for general public comments. Town adopted Rules for Public Comment will apply. Normal rules of decorum apply to all comments and duplicate comments are discouraged. Public comments may be submitted during the in-person meeting or in writing in advance, but will not be taken from those attending remotely. The public comments section of the meeting will be limited to approximately 20 minutes, but may be extended by Town Council if time allows. You must be recognized before giving your comment and must make comments from the podium. Individual comments during the meeting are generally limited to 3 minutes. Written comments timely received will be provided to Town Council and read into the record during the meeting as time allows. Written comments are limited to no more than 450 words and can be submitted as follows: (1) by emailing to public-comment@weavervillenc.org at least 6 hours prior to the meeting, (2) by putting your written comment in a drop box at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting, (3) by mailing your written comment (received not later than with the mail delivery on the meeting day) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments. For more information please call (828)645-7116.

To view the agenda and related materials, please visit the Town's website at https://www.weavervillenc.org.

Access to the Meeting Recording: A recording of the meeting will be available for one or two months, depending on storage capacity, beginning about 24 hours after the meeting. To access the recording visit the Town's website at https://www.weavervillenc.org or the Town's YouTube channel at https://www.youtube.com/channel/UCkBK1doIGY_O6_vJiqimFUQ, or call the Town Clerk at (828)645-7116.

Patrick Fitzsimmons, Mayor

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

PUBLIC HEARING

MEETING DATE:	May 20, 2024
SUBJECT:	Annexation – 75 Cole Road
PRESENTER:	Town Attorney Jennifer Jackson
ATTACHMENTS:	Public Hearing Notice, Staff Report, Map, Annexation Petition and Related Materials

DESCRIPTION/SUMMARY OF REQUEST:

Roger Spittle is the owner of the property located at 75 Cole Road and has submitted a voluntary annexation petition seeking to have a total of +/- 22 acres annexed into the Town of Weaverville.

The Town Clerk has previously certified the sufficiency of the annexation petition and this annexation request is now eligible for public hearing.

Tonight's public hearing on the annexation petition was advertised in accordance with North Carolina law.

As a part of the public hearing staff will provide any written comments that were timely received regarding the proposed annexation, offer brief staff level comments, and be available to answer questions of Town Council.

The zoning on property, should it be annexed, is the subject of a separate public hearing scheduled for tonight. Questions and comments concerning the proposed R-12 zoning of this property, should it be annexed, should be made during that separate public hearing.

COUNCIL ACTION REQUESTED:

Town Council is asked to hear from the public on the proposed annexation.

TOWN OF WEAVERVILLE
NOTICE OF PUBLIC HEARINGS

PUBLIC NOTICE is hereby given that the Weaverville Town Council will hold two separate public hearings during its regularly scheduled meeting on Monday, May 20, 2024, beginning at 6:00 p.m., or as soon thereafter as Town Council can reach the matter. One public hearing will be on a voluntary annexation petition for property commonly known as 75 Cole Road, bearing Buncombe County parcel identification number 9743-35-2359, and the other public hearing will be on a zoning map amendment to designate that property as R-12 zoning if such property is annexed into the Town and an associated amendment to the Comprehensive Land Use Plan to include a mix of residential and commercial uses within Growth Area 4 and the addition of R-12 as a desirable zoning district within the I-26 corridor growth area.

These public hearings will occur as an in-person meeting in Council Chambers/Community Room at Town Hall, 30 South Main Street, Weaverville, NC.

WRITTEN PUBLIC COMMENTS can also be submitted in advance of the public hearings and will be distributed to Town Council and may be read into the record of the public hearing. Written public comments can be submitted: (1) by EMAILING to public-comment@weavervillenc.org at least 6 hours prior to the meeting, (2) by putting your written comment in a DROP BOX at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting, or (3) BY MAILING your written comment (must be received not later than the day of the meeting) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments.

If you would like ADDITIONAL INFORMATION or to review the content related to the Public Hearings, or have questions regarding how to submit a comment, you may contact Planning Director James Eller at 828-484-7002 or jeller@weavervillenc.org or Town Clerk Tamara Mercer at 828-484-7003 or tmercer@weavervillenc.org.

ANNEXATION STAFF REPORT
ANNEXATION #2024-3 – 75 COLE ROAD

PROPERTY DESCRIPTION

+/- 22 acres at 75 Cole Road (SR 1820); PIN 9743-35-2359 which is located on the west side of I-26

SUFFICIENCY OF PETITION

The Weaverville Town Clerk certified the sufficiency of the petition on 3 April 2024; this property is close to Town municipal limits (orange area on map) but not contiguous and must be processed as a satellite annexation.

FINANCIAL PROJECTIONS

Town Tax Value = +/- $31,460,000
Property Tax Revenue = +/- $110,110/yr[1]
System Development Fees = +/- $68,750
Water Revenue = +/- $79,200/yr



ZONING CLASSIFICATION - Town R-12 zoning was requested to accommodate a proposed 220-unit apartment project. The Planning Board reviewed the zoning request and voted to recommend R-12 zoning on 2 April 2024. The Planning Board could not find that R-12 was consistent with the CLUP, but recommended that the CLUP be amended to allow R-12 in this area. No development approvals have been granted so Town development regulations will fully apply.

OPERATIONAL AND SYSTEM IMPACTS

WATER – A water commitment/extension application has been submitted to the Town for up to 220 apartment units (88,000 GPD) and amenities that includes a waterline extension to connect to the existing 8" Town water main running along Clark's Chapel Road. Staff expects to present this water request to Town Council action in May and approval may be conditioned upon annexation.

STREETS AND STORMWATER– This project is accessed off of Cole Road, an NCDOT road. The project is not likely to result in any Town owned streets and the stormwater system will likewise remain private.

SANITATION – Pursuant to Town Code § 22-50, the owner of multifamily developments of 15 or more units are required to handle their own garbage collection and disposal, so Town sanitation services will not be needed on the property if the anticipated project is developed as expected.

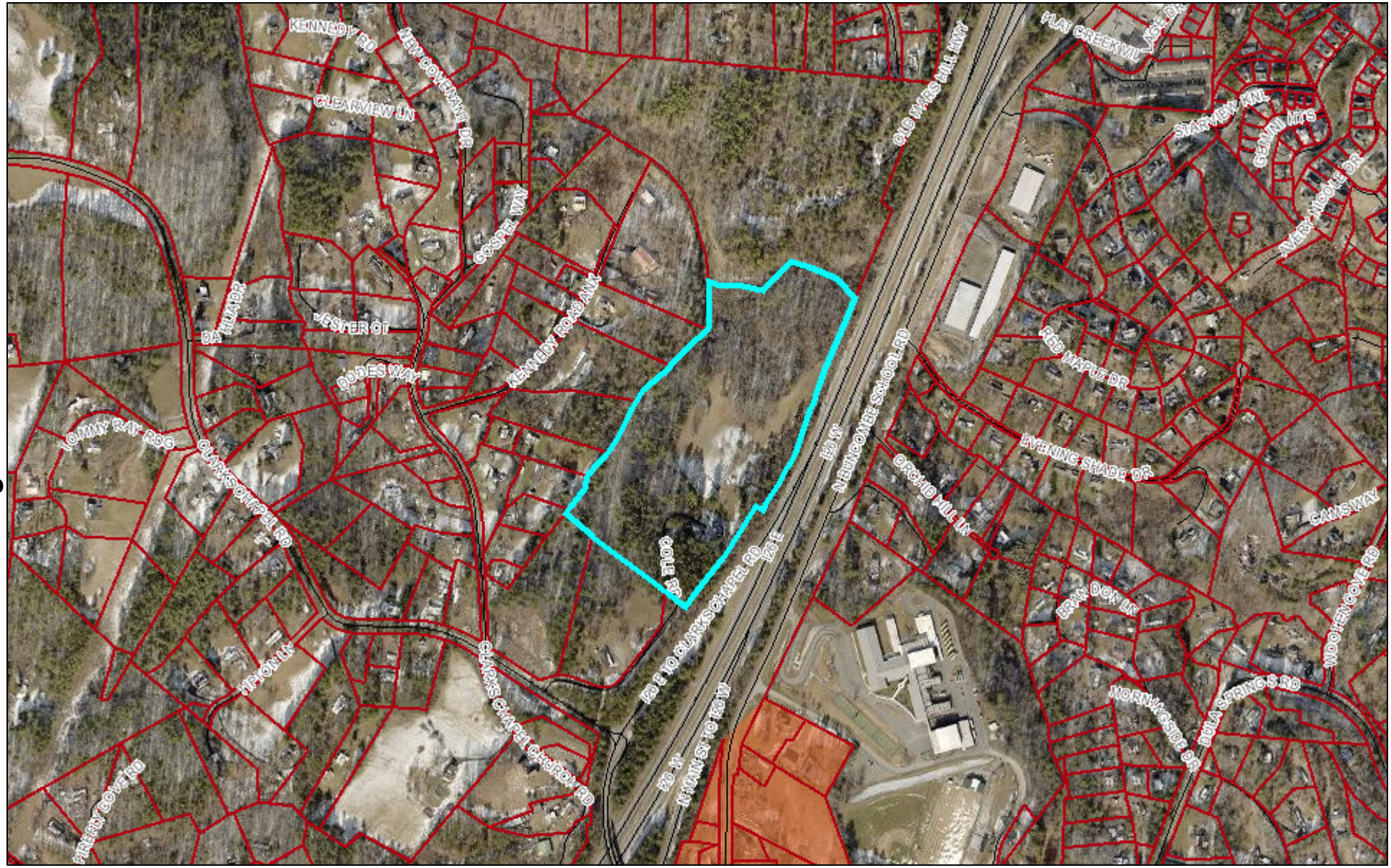
POLICE – 220 apartment units are not anticipated to have any real impact on the Police Department, at its approved staffing level, except that this new development will be added to a routine patrol route.

FIRE – The Town's Fire Department currently provides fire and first responder service to this property since it is in the North Buncombe Fire District and will continue to do so if it is annexed. If annexed the Town will lose a small portion of the North Buncombe Fire District tax (see Footnote 1 below).

GROWTH OPPORTUNITIES – The proposed project will require public sewer and plans currently include an extension of an MSD sewer main under I-26 to serve this property. This will put public sewer on the west side of I-26 and provide growth opportunities for the area that have been previously unavailable.

[1] The Town of Weaverville will lose approximately $840 annually in North Buncombe Fire District Tax (at current tax rate of $0.1077 per $100 and current property value of $776,900) as a result of this annexation.

Buncombe County



April 15, 2024

1:9,028

0 0.075 0.15 0.3 mi

0 0.1 0.2 0.4 km

The Town of
Weaverville
NORTH CAROLINA

CERTIFICATE OF SUFFICIENCY OF
ANNEXATION PETITION 2024-3
+/- 22 ACRES AT 75 COLE ROAD

TO THE WEAVERVILLE TOWN COUNCIL:

I, Tamara Mercer, Weaverville Town Clerk, do hereby certify that I have investigated Voluntary Annexation Petition No. 2024-3 submitted by Roger Spittle and have found as a fact:

1. That said Petition is signed by all the owners of the real property lying in the area described therein;
2. That the nearest point on the proposed satellite corporate limits is not more than 3 miles from the Town's primary corporate limits;
3. That no point on the proposed satellite corporate limits is closer to the primary corporate limits of any other city than to the primary corporate limits of the Town;
4. That the area is situated so that the Town will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits;
5. That the area to be annexed is a subdivision and all lots within the subdivision are included within the area to be annexed; and
6. That the area within the proposed satellite corporate limits, when added to the area of all other satellite corporate limits of the Town, does not exceed ten percent (10%) of the area within the primary corporate limits of the Town.

Therefore, in accordance with North Carolina General Statutes § 160A-58.2, I certify that the Petition is valid and sufficient for the voluntary annexation of a non-contiguous area pursuant to said § 160A-58.1, *et seq.*, of the North Carolina General Statutes.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the seal of the Town of Weaverville, this the 3 day of April, 2024.

Tamara Mercer

TAMARA MERCER, Town Clerk

30 South Main Street • Weaverville, NC 28787 (*PO Box 338*)
(828) 645-7116 • Fax (828) 645-4776
www.weavervillenc.org

DocuSign Envelope ID: D09C3F87-F7D5-4FBB-8FF6-0F31C8E391B7

PETITION FOR VOLUNTARY ANNEXATION PETITION/APPLICATION

Town of Weaverville, North Carolina

Submittal Date: 1/31/2024
Date Fee Paid: _____
Petition No: 2024-3

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

TO THE TOWN COUNCIL OF WEAVERVILLE, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Weaverville, Buncombe County, North Carolina.
2. The area to be annexed is ☐ contiguous, ☒ non-contiguous (satellite) to the Town of Weaverville, North Carolina, and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. § 160A-31(f), unless otherwise stated in the annexation agreement/ordinance.
4. The property and property owner information is as follows:

Property Owner and Mailing Address	Phone Number & Email Address	Deed Reference & Property PIN	Property Owner Signature
Roger Spittle 3300 Piney Grove Road, Charlotte N.C. 28212	704-651-8683 rogerspittle@gmail.com	6283-1006 9743-35-2359	DocuSigned by: Roger Spittle F4C07F334E1F4FD...

5. Zoning vested rights ☐ are not claimed, ☐ have been established under G.S. §§ 160D-108 and/or 160D-108.1 as follows [describe and attach the order and approved site plan]:

_____

_____

Total Acreage to be annexed: 22.06
Population in annexed area: _____
Proposed Zoning District: R-12
Reason for annexation: Receive Town Services ☐ Other (please specify)

The applicant must also submit a zoning map amendment application with the petition for voluntary annexation to establish a Weaverville zoning designation. Please contact the Planning Department at (828)484-7002 for questions. If the purpose of the petition is a connection to public water, contact Public Works Department at (828)645-0606 to confirm that public water is available to the property and the cost of that connection.

DocuSign Envelope ID: D09C3F87-F7D5-4FBB-8FF6-0F31C8E391B7

PETITION FOR VOLUNTARY ANNEXATION DATA SHEET

Town of Weaverville, North Carolina

Submittal Date: 1/31/3024
Petition No. _____
Annexation Area Name: _____

Petitioner: Warren Sugg – Civil Design Concepts

Subject Area Acreage: 22.06
Current Land Use: multiple residential
Proposed Land Use or Development (describe): Multi-Family Apartments

Residential (single family): Number of Units:_____ Anticipated build out in_____years
Average Sales Price: $_____/dwelling unit

Residential (multi-family): Number of Units: 220 Anticipated build out in 1 years
Owned: Average Sales Price: $_____/building unit
Rental: Average Rental Amt:$_____/month

Retail: Square footage:_____ Anticipated build out in_____years
Type of tenancy: _____

Commercial - Non-Retail: Square footage:_____ Anticipated build out in_____years
Type of tenancy: _____

Other: Square footage:_____ Anticipated build out in_____years
Type of tenancy: _____

Development Scale: Max building height of_____; max number of stories of _____

Infrastructure: Linear feet of publicly dedicated roadways proposed:_____feet
Public water proposed (describe): 1,100 linear feet of water line from end/tap of existing town water line and extended into the site.

Other Public Services Requested (describe): _____

Zoning Vested Rights Claimed (describe and attach documentation): _____

DocuSigned by:
Roger Spittle
F4C07F334E1F4FD...
Signature of Owner(s)

DocuSign Envelope ID: D09C3F87-F7D5-4FBB-8FF6-0F31C8E391B7

TOWN OF WEAVERVILLE
AGENT AUTHORIZATION FOR LAND USE DEVELOPMENT PETITION/APPLICATION AND APPROVAL

PROPERTY LEGAL DESCRIPTION:

PARCEL ID: 974335235900000
STREET ADDRESS: 75 Cole Rd

PROPERTY OWNER:
(complete Certificate of Authority if a corporation or LLC)

PROPERTY OWNER: Roger Spittle

PROPERTY OWNER CONTACT INFORMATION:

EMAIL ADDRESS: rogerspittle@gmail.com
PHONE NUMBER: 704-651-8683
MAILING ADDRESS: 3300 Piney Grove,
Charlotte, NC 28212

PERMIT SOUGHT/APPLICATION TO BE SUBMITTED: Rezoning Application & Petition for Annexation

NAME OF INDIVIDUAL AGENT: Warren Sugg
NAME OF CONTRACTOR/CONSULTING FIRM: Civil Design Concepts, PA

AGENT CONTACT INFORMATION:

EMAIL ADDRESS: wsugg@cdcgo.com
PHONE NUMBER: 828-252-5388
MAILING ADDRESS: 168 Patton Avenue, Asheville, NC 28801

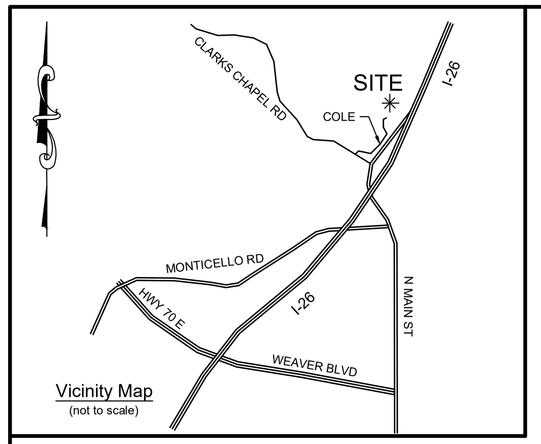
We, the undersigned property owner(s) of the above noted property, do hereby authorize the individual or company listed above as the property owner's agent to act on his/her/their behalf and to take all actions necessary for the processing, issuance, and acceptance of the above-referenced permit or application. We hereby certify the above information submitted in this application is true and accurate to the best of our knowledge.

DocuSigned by:
Roger Spittle
F4CU7F334E1F4FD...
Property Owner Signature

Date: 1/31/2024

Property Owner Signature

Date: _____



Vicinity Map
(not to scale)

SEE SHEETS 2 AND 3 FOR LEGEND, ABBREVIATIONS, LINE TABLE, AND CURVE TABLE.

I, Andrew M. Wolfe certify the following information was used in conjunction with the GNSS portion of the survey:

(1) Class of survey: Vertical Control (21 NCAC 56.1605(a)): Class C (GPS)
Horizontal Accuracy (21 NCAC 56.1606(c)(1)): Class A
Vertical Accuracy (21 NCAC 56.1606(c)(2)): Class C (GPS)
(2) Type of GNSS field procedure: Real Time Kinematic
(3) Horizontal Positional accuracy: < 0.10' + 50 ppm
(4) Dates of GNSS survey: 02/01/2024 - 02/26/2024
(5) Datum/Epoch: NAD 83(2011) Epoch 2010.00, NAVD '88
(6) Published/Fixed-control use: NGS Monument "Stock"
(7) Geoid model: Geoid 18
(8) Combined grid factor(s): 0.99980743
(9) Units: U.S. Survey Feet

I, Andrew M. Wolfe, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Deed Book 6283, Page 1006); that the boundaries not surveyed are clearly indicated as drawn from information found in documents as referenced hereon; that the positional accuracy as calculated is Class A (<0.10' + 50ppm); that this plat was prepared in accordance with G.S. 47-30 as amended.

I also hereby certify that this survey is of the following category as described in G.S. 47-30 (F)(11)(C)(1): That this survey is of an existing parcel or parcels of land or one or more existing easements and does not create a new street or change an existing street.

Witness my original signature, license number and seal this 2nd day of May, A.D., 2024.

Preliminary Survey
Not for conveyances, recordation, or sales.

Professional Land Surveyor
License Number L-5444

NORTH CAROLINA PROFESSIONAL SEAL L-5444 LAND SURVEYOR ANDREW M. WOLFE

notes

1. This survey is of existing parcels of land.
2. All areas calculated by coordinate computation method.
3. This property may be subject to rights-of-way, easements, reservations and restrictions, written and unwritten, recorded and unrecorded, not discovered during the course of this survey.
4. The certification shown hereon is not a certification of title, zoning or freedom from encumbrances.
5. Adjoining property owner information shown per the buncombe county gis website.
6. This survey was conducted without benefit of title search.
7. Underground utilities shown are based upon paint markings and above ground structures. call 811 before digging.
8. All distances shown hereon are horizontal grid distances (u.s. survey feet) unless otherwise noted. to obtain ground distances, utilize a combined factor of 0.99980743.
9. The subject property lies within zone "x" minimal flood risk, according to the national flood insurance program, flood insurance rate map 3700974300j, revised date 1/6/2010.
10. All coordinates shown are n.c. grid, nad 83(2011) coordinates.
11. According to the buncombe county gis website, property is zoned r-3. no zoning report was provided and all zoning information shown hereon should be verified with the buncombe county planning department.

front: 10' (public sewer)
20' (non-public sewer)
side: 7' (public sewer)
10' (non-public sewer)
rear: 15' (public sewer)
20' (non-public sewer)

Note: surveyor's interpretation of setback requirements are shown hereon. developer must confirm these setbacks with county planning prior to building.

12. The property surveyed hereon is the same property described in deed book 6283, page 1006.
13. Note that creeks, rivers and wetlands shown, or not shown hereon may be subject to buffers.

Deed References:
DB 6283 PG 1006 - Subject Deed
DB 1026 PG 465 - Subject Back Deed
DB 290 PG 453 - Subject Back Deed
DB 880 PG 585 - NCDOT R/W
DB 1049 PG 15 - NCDOT R/W
DB 1093 PG 687 - Judgement

Plat References:
PB 57 PG 81
PB 156 PG 65
NCDOT Plans for Project 8.3023211
NCDOT Plans for Project 8.19066
Unrecorded survey by J.R. Reagan titled "Property of W.A. Cole" dated Nov. 1956

NC GRID NORTH
NAD 83 (2011)

PIN 9743-36-5631
MARK & LESIA HARRIS
DB 1763 PG 705

PIN 9743-36-0357
PHILLIP & ALENE SUMMERSGILL
DB 4383 PG 6
PB 43 PG 34

PIN 9743-25-9997
RONALD & SYLVIA MAYBERRY
DB 1141 PG 183
PB 40 PG 76

MIDDLE OF CREEK IS PROPERTY LINE PER DB 1026 PG 465 AND DB 6283 PG 1006.

3/4" IRON PIPE W/ "MCMAHAN" CAP FOUND +1.3'
3/4" IRON PIPE W/ "MCMAHAN" CAP FOUND +0.3'
1-1/2" IRON BAR FOUND +0.2'

BRANCH GOES UNDERGROUND

DEED LINE CALLS PER DB 1026 PG 465 - NOT HELD. BRANCH IS PROPERTY LINE PER DB 290 PG 453, BACK DEED TO CURRENT DEED FOR SUBJECT PROPERTY.

OLD FOUNDATION

STREAM "SB"
STREAM "SC"
STREAM "SD"
STREAM "SE"
STREAM "SF"
STONE RESERVOIR
STREAM "SG"
STREAM "SH"
STREAM "SJ"

WETLAND "WA"
WETLAND "WB"
WETLAND "WC"
WETLAND "WD"
WETLAND "WE"
WETLAND "WF"
WETLAND FLAG (TYPICAL)

LITTLE FLAT CREEK

CONTROL ACCESS FENCE LIES ±1' SOUTHEAST OF PROPERTY LINE

1/2" IRON PIPE FOUND FLUSH

PORTION OF DB 290 PG 465 WITHIN NCDOT RIGHT OF WAY
0.638± ACRES
27,796± SQ.FT.

APPROXIMATE OLD DEED LINE FOR DB 290 PG 465 (BACK DEED TO SUBJECT DB 6283 PG 1006). NCDOT RIGHT OF WAY ACQUIRED IN DB 880 PG 585 AND CONTROL ACCESS ACQUIRED IN DB 1049 PG 15. THIS ARE IS NOT WITHIN DESCRIPTION CONTAINED IN SUBJECT DB 6283 PG 1006.

FENCE POST ON LINE

(3) 8'X8' BOX CULVERTS
YARD INLET
CONC SWALE
PIPE SHOWN APPX.
PIPE DRAINS TO BOX CULVERT (SHOWN APPX.)
UTILITY CLUSTER
GRAVEL DRIVE
#4 REBAR FOUND +0.7'
RWMON FOUND +0.2'
3/4" IRON PIPE FOUND FLUSH
#5 REBAR FOUND DISTURBED ABOVE GRADE SHOT AT BASE

I-26 VARIABLE WIDTH PUBLIC RIGHT OF WAY PER NCDOT PLANS FOR PROJECT 8.19066 AND PROJECT 8.3023211

APPROXIMATE RIGHT OF WAY LINE FOR I-26 PER PB 160 PG 139
APPROXIMATE RIGHT OF WAY LINE FOR I-26 PER PB 160 PG 139 AND PB 105 PG 95
APPROXIMATE RIGHT OF WAY LINE FOR I-26 PER 139 PG 15

NORTH BUNCOMBE SCHOOL ROAD - SR 2207
LIES WITHIN VARIABLE WIDTH PUBLIC RIGHT OF WAY FOR I-26 PER NCDOT PLANS FOR PROJECT 8.19066 AND PROJECT 8.3023211

NOTE: BURIED GAS LINE SHOWN APPROXIMATE BASED ON DISTANT GAS MARKER SIGNS.
NO GAS LINES WERE MARKED IN THIS AREA AS A RESULT OF 811 LOCATE REQUEST.
IT IS ADVISED THAT GAS LINES RUN THROUGH THE AREA.

NOTE: BURIED FIBER OPTIC SHOWN APPROXIMATE BASED ON DISTANT FIBER OPTIC MARKER SIGNS.
NO COMMUNICATION LINES WERE MARKED IN THIS AREA AS A RESULT OF 811 LOCATE REQUEST.
IT IS ADVISED THAT FIBER OPTIC LINES MAY RUN THROUGH THE AREA.

SUBJECT PROPERTY
PIN 9743-35-2359
75 COLE ROAD
22.056± ACRES

MATCH LINE
SHEET 1
SHEET 2

Annexation Map for Town of Weaverville
of Property Owned by
Roger Young Spittle, Jr.

REFERENCES
PIN 9743-35-2359
Deed Book 6283, Page 1006
Reems Creek Township, Buncombe County, NC
Field Work Completed: 02-26-2024
Drawn By: A. Wolfe
JOB #23364

Andrew Wolfe, PLS
awolfe@edholmessurveying.com
www.edholmessurveying.com
Company Licensure # C-2806
200 Ridgefield Court, Suite 208, Asheville, NC 28806
828.225.6562

40' 0' 40' 80' 120'

SCALE 1" = 40'

SHEET 1 OF 3

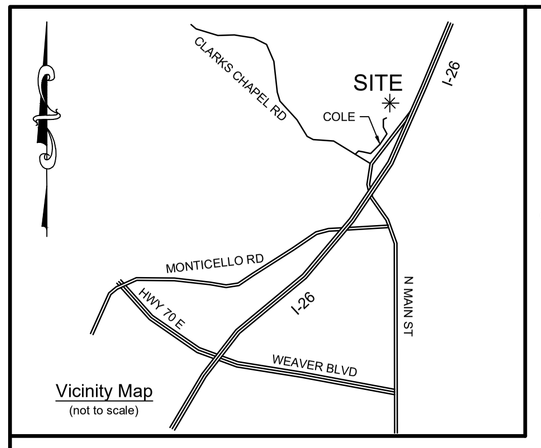
REVISIONS:

NO.	DESCRIPTION	DATE
1		
2		

N:\JOBS\23364 75 Cole Road\DWG

Drawing Number: D24-031

ED HOLMES & ASSOCIATES LAND SURVEYORS, PA



NC GRID NORTH
NAD 83 (2011)

SEE SHEET 1 FOR NOTES AND CERTIFICATIONS.

LINE TYPE LEGEND

- GIS PARCEL LINE
- UNDERGROUND WATER LINE
- UNDERGROUND SANITARY SEWER LINE
- UNDERGROUND GAS LINE
- UNDERGROUND FIBER OPTIC LINE
- UNDERGROUND POWER LINE
- OVERHEAD UTILITY LINE
- EDGE OF CONCRETE
- CONCRETE CURB
- ROAD RIGHT-OF-WAY LINE
- FENCE (AS DESCRIBED)
- GUARD RAIL
- DITCH
- TREELINE
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- WETLAND DELINEATION (BY OTHERS)

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- WOODEN POST
- LIGHT POLE
- ELECTRICAL METER
- ELECTRICAL SERVICE
- TELEPHONE PEDESTAL
- MAILBOX

ABBREVIATION LEGEND

+/-/FL	ABOVE/BELOW/FLUSH WITH ADJACENT GRADE
CMP	REINFORCED CONCRETE PIPE
RCP	DUCTILE IRON PIPE
N:	NORTHING
E:	EASTING
PIN:	PARCEL IDENTIFIER NUMBER
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PB	PLAT BOOK
PG	PAGE
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EHH	ELECTRICAL HAND HOLE
TSHH	TRAFFIC SIGNAL HAND HOLE
MB	MAILBOX
CONC	CONCRETE
NCDOT	NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
C/A	CONTROL ACCESS
CLFL	CHAIN LINK FENCELINE
WW	WING WALL
APPX	APPROXIMATE
FFE	FINISHED FLOOR ELEVATION
HP	HEAT PUMP
SR	SECONDARY ROAD (NCDOT)

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LINE TABLE

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L4	S 37°38'15" W	80.16'
L5	N 65°55'56" W	46.37'
L6	N 65°55'56" W	113.02'
L7	N 42°26'31" E	139.19'
L8	N 16°34'45" E	59.97'
L9	N 40°34'23" E	136.05'
L10	N 40°08'10" E	69.06'
L11	N 25°35'38" E	148.54'
L12	N 32°55'13" E	41.34'
L13	N 33°31'23" E	58.81'
L14	N 51°20'44" E	159.78'
L15	N 48°30'54" E	226.95'
L16	N 07°42'16" E	121.83'
L17	N 01°27'54" E	67.95'
L18	N 01°27'54" E	22.64'
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L33	S 39°21'28" W	14.13'
L34	S 39°21'28" W	377.72'
L35	N 67°30'12" W	115.18'
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L37	N 55°40'45" W	167.36'
L38	N 26°46'39" W	90.27'
L39	S 39°46'22" W	2.33'
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L41	N 45°20'15" W	41.23'
L42	S 16°00'30" E	97.19'
L43	S 11°59'30" W	165.00'
L44	S 40°29'30" W	299.13'
L45	S 40°29'30" W	228.87'
L46	S 05°59'30" W	140.64'
L47	S 05°59'30" W	238.86'
L48	S 14°59'30" W	354.75'
L49	N 71°45'30" W	308.22'

PIN 9743-25-7863
JOHN & CARLA REILLY
DB 1630 PG 171

DEED LINE CALLS PER DB 1026 PG 465 - NOT HELD. BRANCH IS PROPERTY LINE PER DB 290 PG 453, BACK DEED TO CURRENT DEED FOR SUBJECT PROPERTY.

BRANCH IS PROPERTY LINE PER DB 290 PG 453, BACK DEED TO CURRENT DEED FOR SUBJECT PROPERTY. CALLS ARE SHOWN AS CHORDS FOR THE BRANCH BASED ON PB 57 PG 81, PB 38 PG 87, AND PB 40 PG 76.

WETLAND FLAG (TYPICAL)

10' SIDE SETBACK

BWFL

L14

L13

L12

3/4" IRON PIPE FOUND +1.7'

PIN 9743-25-6630
JOHN & CARLA REILLY
DB 1858 PG 174

L11

10' SIDE SETBACK

BWFL

3/4" IRON PIPE W/ CAP FOUND +0.5'

L10

BWFL

IRON BAR FOUND DISTURBED ABOVE GRADE SHOT AT BASE

PIN 9743-25-6413
ANNE BUCKNER TRUST
DB 5396 PG 1466
PB 38 PG 87

L9

WETLAND FLAG (TYPICAL)

1" IRON PIPE CURVED TOP FOUND ABOVE GRADE

WOOD POST

PVC DRAIN LINES

WELL LID

SPRINGHOUSE

1/2" IRON PIPE FOUND DISTURBED ABOVE GRADE SHOT AT BASE

PIN 9743-25-5350
ANTHONY & MARIA PIKE
DB 6195 PG 1048

L8

L7

10' SIDE SETBACK

STREAM "SA"

PIN 9743-25-4186
DONALD PIKE
DB 6309 PG 1639
PB 113 PG 122

3/4" IRON PIPE W/ CAP FOUND +0.3'

BWFL

N 45°20'15" W 162.00'

20' FRONT SETBACK

PIN 9743-24-5707
TAG PROPERTIES OF ASHEVILLE
DB 5455 PG 1045
PB 156 PG 65

#4 REBAR FOUND +0.7'

BWFL

SHEET 2
SHEET 3

MATCH LINE

SHEET 1
SHEET 2

MATCH LINE

SHEET 2
SHEET 3

SHEET 1

SHEET 2

MATCH LINE

SUBJECT PROPERTY
PIN 9743-35-2359
75 COLE ROAD
22.056± ACRES

STONE RESERVOIR

GATE

BWFL

OLD ROADBED

GRAVEL DRIVE

CONC WALL

GRAVEL

STAIRS

HP

TWO STORY GARAGE

STAIRS

GENERATOR

HP

PROPANE TANK

TWO STORY HOUSE

HP

30' POWER LINE EASEMENT PER DB 1061 PG 494

CONC

OHU

CONTROL ACCESS FENCE LIES ±1' SOUTHEAST OF PROPERTY LINE

L42

L17

L3

RWMON FOUND +0.9'

RWMON FOUND +0.6'
NORTH CAROLINA GRID COORDINATES
NORTHING=735,137.51'
EASTING=943,488.65'
NAD '83 (2011), NAVD '88

C/A FENCE CORNER PROJECTS ACROSS PROPERTY LINE.

L47-TIE

OLD DEED LINE
FOR DB 290 PG 465 (BACK DEED TO SUBJECT DB 6283 PG 1006). NCDOT RIGHT OF WAY ACQUIRED IN DB 880 PG 585 AND CONTROL ACCESS ACQUIRED IN DB 1049 PG 15. THIS ARE IS NOT WITHIN DESCRIPTION CONTAINED IN SUBJECT DB 6283 PG 1006.

CLFL

CONC

0.60'

L4

END OF CHAIN LINK FENCE PROJECTS ACROSS PROPERTY LINE.

OLD EXPOSED ASPHALT ROAD

WETLAND "WE"

OLD ROADBED

UNDERGROUND WELL HOUSE

PVC DRAIN LINES

APPROXIMATE OLD DEED LINE
FOR DB 290 PG 465 (BACK DEED TO SUBJECT DB 6283 PG 1006). THIS ARE IS WITHIN DESCRIPTION CONTAINED IN SUBJECT DB 6283 PG 1006.
0.276± ACRES, 12,035± SQ.FT.

L46-TIE

20' FRONT SETBACK

S 51°26'29" W 164.95'

S 21°40'54" W 241.27' - TOTAL (158.97')
NCDOT C/A FENCE

RWMON FOUND +0.5'

STREAM "SH"

WETLAND FLAG (TYPICAL)

L44-TIE

STREAM "SJ"

15" CMP

SIGN

ASPHALT

20' FRONT SETBACK (64.30')

S 21°40'54" W

NOTE: BURIED GAS LINE SHOWN APPR
ON DISTANT GA
NO GAS LINES WERE MARKED IN THIS AR
OF 811 L
IT IS ADVISED THAT GAS LINES RUN THR

VARIABLE WIDTH (FIBER) RIGHT OF WAY PER NCDOT PLANS FOR PROJECT R-2906B AND PROJECT B-3023(1)

I-26

GAS

Annexation Map for Town of Weaverville
of Property Owned by

Roger Young Spittle, Jr.

REFERENCES
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Deed Book 6283, Page 1006
Reems Creek Township, Buncombe County, NC
Field Work Completed: 02-26-2024
Drawn By: A. Wolfe
JOB #23364

Andrew Wolfe, PLS
awolfe@edholmessurveying.com
www.edholmessurveying.com
Company Licensure # C-2806
200 Ridgefield Court, Suite 208, Asheville, NC 28806
828.225.6562

40' 0' 40' 80' 120'

SCALE 1" = 40'

SHEET 2 OF 3

REVISIONS:

NO.	DESCRIPTION	DATE
1.		
2.		

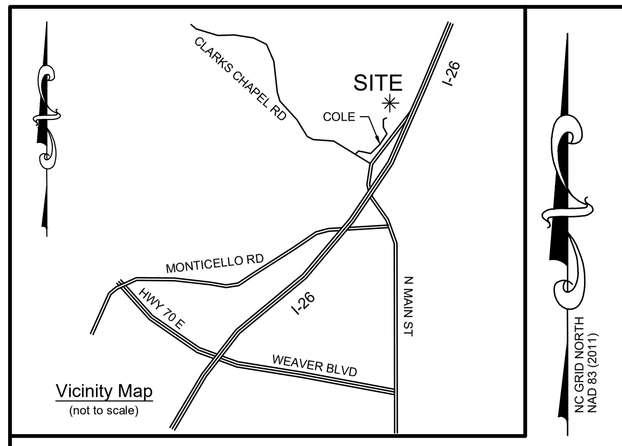
NORTH CAROLINA PROFESSIONAL SEAL L-5444 LAND SURVEYOR ANDREW M. WOLFE

Preliminary Survey
Not for conveyance, recordation or sales.

ED HOLMES & ASSOCIATES LAND SURVEYORS, PA

N:\JOBS\23364 75 Cole Road\DWG

Drawing Number: D24-031



Vicinity Map
(not to scale)

NC GRID NORTH
NAD 83 (2011)

SEE SHEET 1 FOR NOTES AND CERTIFICATIONS.

LINE TYPE LEGEND

- GIS PARCEL LINE
- UNDERGROUND WATER LINE
- UNDERGROUND SANITARY SEWER LINE
- UNDERGROUND GAS LINE
- UNDERGROUND FIBER OPTIC LINE
- UNDERGROUND POWER LINE
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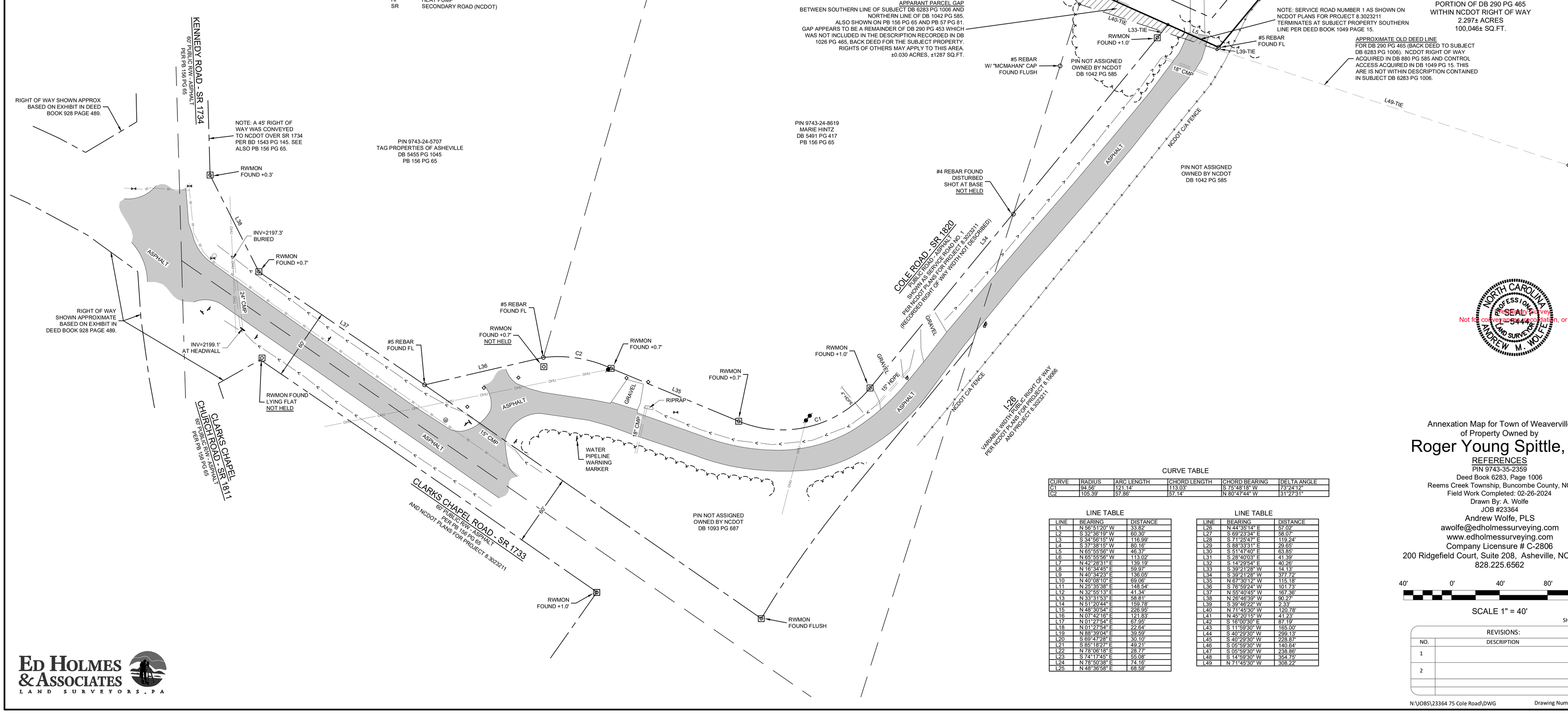

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ED HOLMES & ASSOCIATES
LAND SURVEYORS, PA

NORTH CAROLINA PROFESSIONAL LAND SURVEYOR L-5447 ANDREW M. WOLFE

SEAL, Preliminary
Not for conveyance, recordation, or sales.

Annexation Map for Town of Weaverville
of Property Owned by
Roger Young Spittle, Jr.

REFERENCES
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Reems Creek Township, Buncombe County, NC
Field Work Completed: 02-26-2024
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Company Licensure # C-2806
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828.225.6562

40' 0' 40' 80' 120'

SCALE 1" = 40'

SHEET 3 OF 3

REVISIONS:

NO.	DESCRIPTION	DATE
1		
2		

N:\JOBS\23364 75 Cole Road\DWG

Drawing Number: D24-031

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

PUBLIC HEARING

MEETING DATE: May 20, 2024

SUBJECT: Initial Zoning – 75 Cole Road

PRESENTER: Town Attorney Jennifer Jackson

ATTACHMENTS: Public Hearing Notice
Zoning Map Amendment Application
Planning Board Findings and Recommendation

DESCRIPTION/SUMMARY OF REQUEST:

The annexation petition submitted by Roger Spittle for the property located at 75 Cole Road was accompanied by a request for R-12 zoning.

On 2 April 2024 the Planning Board reviewed the property and the Town's Comprehensive Land Use Plan, and offered a favorable recommendation on R-12 zoning. The Planning Board found R-12 zoning to be reasonable but inconsistent with the Comprehensive Land Use Plan and Town Council's recently adopted resolution addressing Growth Area 4 and recommended that the Comprehensive Land Use Plan be amended to add high density residential uses to desirable or permissible uses in the I-26 corridor growth area.

Tonight's public hearing is on R-12 zoning and an associated amendment to the Town's Comprehensive Land Use Plan and has been advertised in accordance with North Carolina law.

As a part of the public hearing, staff will formally present the Planning Board's findings and recommendations, provide any written comments that were timely received regarding the proposed zoning, and will also be available to answer questions.

COUNCIL ACTION REQUESTED:

Town Council is asked to hear from the public on the proposed R-12 zoning for the property located at 75 Cole Road and the proposed amendment to the Comprehensive Land Use Plan.

TOWN OF WEAVERVILLE
NOTICE OF PUBLIC HEARINGS

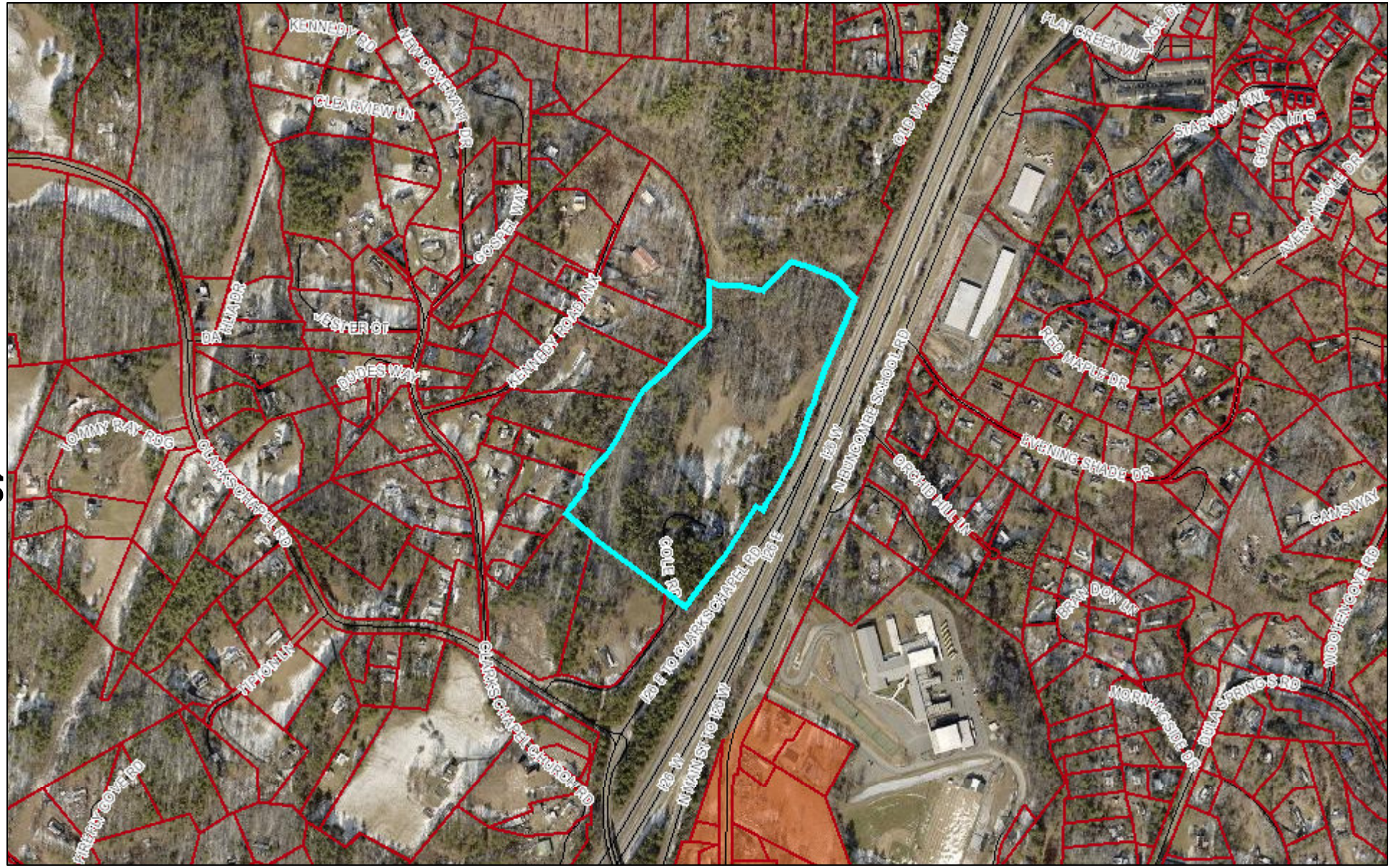
PUBLIC NOTICE is hereby given that the Weaverville Town Council will hold two separate public hearings during its regularly scheduled meeting on Monday, May 20, 2024, beginning at 6:00 p.m., or as soon thereafter as Town Council can reach the matter. One public hearing will be on a voluntary annexation petition for property commonly known as 75 Cole Road, bearing Buncombe County parcel identification number 9743-35-2359, and the other public hearing will be on a zoning map amendment to designate that property as R-12 zoning if such property is annexed into the Town and an associated amendment to the Comprehensive Land Use Plan to reflect high density residential uses as desired or permissible in the I-26 corridor growth area.

These public hearings will occur as an in-person meeting in Council Chambers/Community Room at Town Hall, 30 South Main Street, Weaverville, NC.

WRITTEN PUBLIC COMMENTS can also be submitted in advance of the public hearings and will be distributed to Town Council and may be read into the record of the public hearing. Written public comments can be submitted: (1) by EMAILING to public-comment@weavervillenc.org at least 6 hours prior to the meeting, (2) by putting your written comment in a DROP BOX at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting, or (3) BY MAILING your written comment (must be received not later than the day of the meeting) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments.

If you would like ADDITIONAL INFORMATION or to review the content related to the Public Hearings, or have questions regarding how to submit a comment, you may contact Planning Director James Eller at 828-484-7002 or jeller@weavervillenc.org or Town Clerk Tamara Mercer at 828-484-7003 or tmercer@weavervillenc.org.

Buncombe County



16

April 15, 2024

1:9,028

0 0.075 0.15 0.3 mi

0 0.1 0.2 0.4 km

DocuSign Envelope ID: E1118719-C8BE-4348-91FE-A61E2E9BDCBF

TOWN OF WEAVERVILLE APPLICATION FOR A ZONING MAP OR TEXT AMENDMENT

Planning and Zoning Department, 30 South Main Street, P.O. Box 338, Weaverville, NC28787
(828) 484-7002--- fax (828) 645-4776 --- jeller@weavervillenc.org

Application Fee Based Upon Size of Property

OWNER/APPLICANT NAME: APPLICATION DATE: 01-31-2024

PHONE NUMBER: MAILING ADDRESS:

Application is made to the Town Council of Weaverville to amend:

☒ The Zoning Map

☐ The text of the Zoning Ordinance (Chapter 20 Planning and Development)

APPLICATION TO AMEND ZONING MAP

PROPERTY ADDRESS: 75 Cole Road

PIN: 9743-35-2359 LOT AREA (acres): 22.06

CURRENT ZONING DISTRICT: Buncombe County R-3 PROPOSED ZONING DISTRICT: R-12

APPLICATION IS NOT COMPLETE WITHOUT A BOUNDARY SURVEY DEPICITING:

- ☐ Total acreage
- ☐ Current owner(s) and date of survey
- ☐ Property location relative to streets
- ☐ North arrow
- ☐ Existing easements, rights of way, or other restrictions on the property
- ☐ Areas located within the floodplain
- ☐ Adjoining property owners, addresses, and Buncombe County PINs

APPLICATION TO AMEND TEXT

SECTION(S) OF CHAPTER 20 TO AMEND:

PROPOSED CHANGE TO TEXT (attach additional documentation if necessary):

JUSTIFICATION OF PROPOSED AMENDMENT(S):

DocuSign Envelope ID: E1118719-C8BE-4348-91FE-A61E2E9BDCBF

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Application Fee Based Upon Size of Property

I certify that the above information is accurate and true and that I am the owner or a duly appointed agent of the owner.

DocuSigned by:
Roger Spittle
SIGNATURE OF APPLICANT — 1/31/2024 DATE

It is the applicant's responsibility to obtain a copy of the Town of Weaverville Zoning Ordinance and to be fully aware of the regulations detailed therein.

Application fees are due at the time of submittal. Withdrawal of an application after the public hearing has been advertised will result in the forfeiture of the application fee.

REZONING FEE SCHEDULE:

< 1 acre	$250.00
1-3 acres	$500.00
4-9 acres	$750.00
10 + acres	$1,000.00

Text Amendment
Fees..... $500.00

OFFICE USE ONLY				
FEE: $ DATE PAID:		CHECK		CASH
DATE OF INTIAL COUNCIL MEETING:	ACTION TAKEN:			
DATE OF PLANNING BOARD MEETING:	ACTION TAKEN:			
DATE OF PUBLIC HEARING & COUNCIL DECISION:	FINAL ACTION:			

The Town of Weaverville NORTH CAROLINA

The Town of
Weaverville
NORTH CAROLINA

April 3, 2024

Mayor Patrick Fitzsimmons and
Weaverville Town Council

Re: *75 Cole Road - +/- 22 acres*
Proposed Zoning Map Amendment - R-12 Zoning
Statement of Consistency/Reasonableness and Recommendation

Dear Mayor and Council –

At the direction of Town Council, the Planning Board reviewed the application for a zoning map amendment that was submitted in conjunction with the pending annexation petition on the above-referenced property, and submits this letter as its statement on plan consistency and reasonableness.

The property consists of +/- 22 acres with one single family residence located at 75 Cole Road, is near the I-26 interchange just north of Town municipal limits and within the Town's Growth Area 4.

Town development regulations concerning zoning map amendments require the Planning Board to review the application for plan consistency and reasonableness. **At the meeting on April 2, 2024, the Planning Board reviewed the project for compliance with the Comprehensive Land Use Plan (CLUP) and the reasonableness factors contained in Town Code Section 20-1505(d).**

With a unanimous vote the Planning Board sends a favorable recommendation to Town Council for R-12 with findings that R-12 zoning is reasonable, but inconsistent with the CLUP. In the same vote the Planning Board recommended that Town Council consider amending the CLUP to include a mix of residential and commercial uses within Growth Area 4 and the addition of R-12 as a desirable zoning district within that I-26 Corridor.

The finding that the requested zoning district of R-12 was inconsistent with the CLUP was based exclusively on the Future Land Use Map and the Resolution Concerning Growth Areas which was last adopted by Town Council on 23 October 2023 and now incorporated in the CLUP ("growth area resolution"). The description in the growth area resolution seems to limit the desired districts in Growth Area 4 to C-2 and conditional zoning. Therefore, R-12 zoning was found to be inconsistent with the CLUP.

In finding the R-12 zoning designation to be reasonable the Planning Board considered the I-26 corridor area, the current and desirable uses, and what it might take to get the uses that are desired in Growth Area 4. The Planning Board considered that a multifamily residential project may be most likely to result in public sewer getting to the west side of I-26, and that public sewer was likely necessary to

support the commercial uses that were found to be desirable in Growth Area 4. Put another way, a multifamily project will likely be a catalyst to the commercial development in this area that is desired by Town Council. It was also considered that a multifamily project in this location pushes development out of the downtown area and other areas that are saturated with multifamily projects, while also providing additional support for downtown business. It also considered that a multifamily residential project might generally be a higher and better use than what might be perceived as an underutilized property (one single family residence on a large tract of land). This type of use may also be less intensive than some of the uses, like a hospital, that were noted as desirable. The Planning Board also considered that the property is currently zoned County R-3 which allows multifamily developments up to 12 units per acre, similar to Town's R-12 district.

This proposed zoning district represents a consistent and compatible use when considering the zoning and current uses in the area, including properties within the Town and just outside its municipal limits, and could serve to increase housing availability and affordability and diversify the housing stock within the Town's municipal limits.

As mentioned above, the Planning Board vote included a recommendation that Town Council consider amending the CLUP and the desired zoning districts within the I-26 Corridor (Growth Area 4) to add a high-density residential district, such R-12. If, and when, public sewer becomes available on the west side of I-26, it will be important for the Planning Board and Town Council to revisit this Growth Area 4 and refine what is possible and desirable in this area and provide updates to the CLUP based on that work.

Please let me know if you need anything further from the Board on this matter.

Sincerely,



Bob Pace
Planning Board Chairman

cc: James Eller, Town Planner
Selena Coffey, Town Manager
Jennifer Jackson, Town Attorney

MINUTES

Town of Weaverville **Town Council Worshop**
State of North Carolina **Tuesday, March 19, 2024**

The Town Council for the Town of Weaverville held its Budget Workshop on March 19, 2024, at 6:00 p.m. in Council Chambers within Town Hall at 30 South Main Street, Weaverville, NC with remote access via Zoom.

Councilmembers present: Vice Mayor Catherine Cordell and Council members Doug Jackson, John Chase, Michele Wood, Peter McGuire and Dee Lawrence.

Absent: Mayor Patrick Fitzsimmons

Staff members present: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Finance Director Tonya Dozier, Planning Director James Eller, Town Clerk Tamara Mercer, Police Chief Ron Davis, Assistant Police Chief Somer Oberlin, Assistant Fire Chief Michael Hunter, Public Works Director Dale Pennell, Water Plant Supervisor Randall Wilson, and Zoom Room Coordinator Lauren Ward.

1. Call to Order Vice-Mayor Cordell

Vice Mayor Cordell called the meeting to order at 6:00 p.m.

2. Overview of Preliminary Revenue Projections - Finance Director Dozier

Finance Director Tonya Dozier provided an overview of preliminary revenue projections for the upcoming fiscal year that included ad valorem property tax, local option sales taxes, North Buncombe Fire District tax revenues, DMV taxes, Utilities tax, interest income, Powell Bull funds, ABC distributions, and facility use rental fees. Ms. Dozier's report included the current year budgeted rates and actual YTD percentages from fiscal year 2021 through fiscal year 2025 estimated projections.

Ms. Dozier reviewed the water revenue as audited from fiscal years 2021 - 2023 with projections estimated for fiscal years 2024-2025. . System Development fees have been hard to forecast due to timing of development projects and annexations coming online. The water rate, system development fees and impacts of those projects still to be completed were calculated in the estimated water revenue. System development fees have averaged $260,000 annually since 2019.

In response to vice Mayor Cordell's question regarding how much of the Town's total revenue comes from the fire tax Ms. Dozier said the percentage is between 17-19% of total revenues for the Town. .

In response to Council member Jackson's question regarding the drop in revenues from the ABC Board, Manager Coffey said we are working with chairman of the ABC Board, and we will explore the reasons for the decline in revenues.

3. Town Council Preliminary Discussion and Input on Budget - Town Manager Coffey and Town Council

Town Manager Coffey requested the Town Council's input and discussion on Council's upcoming budget priorities, and Staff is seeking input regarding new fees or increasing fees if necessary. New programs and if there are questions for staff to budget for new programs.

Council member Jackson stated there he preferred no ad valorum tax increases.

In response to Council member Chase's question regarding the water treatment plant expansion project, which was funded, he asked what other projects were not funded. Ms. Dozier said the resiliency project as a capital improvement project is a separate capital project fund. The resiliency project includes the generators and chlorine gas conversion..

Manager Coffey clarified that in September this will be brought before Council again as staff assesses the next needs in the resiliency project.

Council member Wood said she supports implementing a COLA this year as one of her top two goals, to which Council member Jackson said he supports as well.

Manager Coffey requested Town Council to address fees such as stormwater fees, trash, and Community Center fees. There was discussion regarding capital expenses and CIP (Capital Improvement Projects), and the Community Center costs.

Council member Jackson was in favor of increasing Community Center fees for non-residents.. Vice Mayor Cordell agreed with increasing Community Center fees but was opposed to trash or stormwater fees. Cordell noted that t has been years since Council raised taxes, so we should raise taxes rather than increase fees. Council member Jackson said due to a healthy general fund balance, he was against a tax increase.

Vice Mayor Cordell said she is in favor of another park, more greenway extensions, and sidewalks, noting that she thought it has been eight years since there was a tax increase and a small incremental tax increase would fund parks.

Ms. Dozier noted that the Buncombe County Tax revaluation is next year and if Council wishes to remain revenue neutral or slightly above revenue neutral that could be considered.

In response to Manager Coffey question regarding a 40% fund balance target, there was general consensus of Town Council to maintain the 40% target.

Manager Coffey addressed employee cost of living increases within her presentation, asking for Town Council's input. The last three years, the previous Councils did not approve a COLA. Manager Coffey explained compression adjustments within job descriptions and salary ranges, the jobs market and regional comparisons, inflation, merit pay, CPI (Consumer Price Index) and sliding scale within the organization. She requested Council to consider implementing a COLA if we do not it may cost more in the long-term.

Manager Coffey explained last year's market adjustment was to address certain employees whose salary was below new employees, so a tenured person was making less than a new employee. That is the consequence of not implementing a COLA. If approved, a COLA will help to retain employees, and we are marketable with other towns and jurisdictions. She cautioned it can cost the town more if we don't get back on par with inflation.

Council member Jackson restated he was in favor of a COLA and merit pay due to food, fuel, heat and other price inflation so we remain competitive with jurisdiction comparisons in our region.

In response to Vice Mayor Cordell's question regarding which employees received merit pay, Manager Coffey said 4% increase was for seven employees, 5% for twelve, and 46 employees received 6% merit..

Council member Wood noted that elected officials had campaigned to give COLAs in order to retain town services yet Council had not added COLA pay increases.

In response to Council member Chase's question regarding the salary study, Manager Coffey reviewed the Compensation and Salary Study from 2021 which cost $7,000. The study recommended the town implement comp pay at $87,000 but at that time the previous Town Council did not approve it. Without implementing the recommended increases, salary compression became worse in departments. We lost tenured employees. Council member Lawrence said without promotions we lose institutional knowledge, and the organization has retention issues if not competitive, he agrees with implementing a COLA every year.

In response to Council member Chase's question, Manager Coffey said it staff's recommendation to be close to the CPI, which was currently at 3.5 % so she believes we will be close to 3.5%.

Vice Mayor Cordell requested benchmark research for COLA and merit pay from other County jurisdictions and agencies.

Council member McGuire said to retain employees in his firm they provide a COLA based on CPI, he explained new employee and tenured employee pay must be raised or is not fair. He asked what the turnover rate is due to not receiving compensation, to which Manager Coffey said in the employees' exit poll, some left due to retirement or for better pay. Council member McGuire noted that his firm uses COLA to retain employees.

Council member Chase said he supports both COLA and merit pay since the last few years requires clean-up now. In response to Council member Wood's question regarding a balanced budget if we implement a COLA and merit pay but still not raise taxes, Manager Coffey said we can still adjust it if need be, but she will provide a draft of a COLA in the budget since there is general consensus that Council was supportive of a COLA, and she will provide benchmark data regarding regional COLA and merit as per Vice Mayor Cordell's request.

Manager Coffey addressed the Water Treatment Plant Expansion Project. Staff reviewed the antiquated equipment in a previous report and those costs are included.

There was discussion regarding land acquisition, a parcel for sale in the drainage ravine which the town owns adjacent to Zaxbys. There was general consensus and interest in the Nature Park improvements that were presented to Town Council earlier this year.

Funding for the trail system and connection from Quarry Road was noted. Council member Jackson added the grading, paving and maintenance for accessibility in the area. The timeline for coordinating with Woodfin and Buncombe County was discussed. Since it is 'year of the trails' Manager Coffey said she will follow up with this partnership as we cannot solely rely on volunteer groups. Buncombe County management plan is in place for the conservation easement using grant funding.

Manager Coffey addressed the Outdoor Recreation Complex at Lake Louise explaining the steps taken for sound abatement. Public Works Director Pennell reviewed the placement of the acoustic panels, screens, and vegetative buffers.

Council member Wood requested payments for the storytellers at the Community Center programs. Manager Coffey said WCCHL is dissolving, and the town can keep the board for WCCHL active which staff recommends. She explained the liability and insurance coverage that the Town carries with the NC League of Municipalities. She recommends that the Community Center Director take over WCCHL programming. We need to determine staffing issues, which will include program funding for musicians and storytellers, etc. There was general consensus to support these changes, no Council member opposed.

There was discussion regarding last year's funding for the Senior Living Meal program, the historic placards on buildings, the Economic Development Committee, and the Weaverville Business Association. In response to Vice Mayor Cordell question regarding social districts, Manager Coffey said the WBA will be requesting a social district for Music on Main. She requested Chief Davis and Assistant Chief Oberlin address this.

Chief Davis and Assistant Chief Oberlin have conducted research and specifically went to Brevard to learn about their social district. The WBA would implement and organize the social district with mapping, scheduling, safety, no volunteers using professional bartenders, and address risks such as no overserving. Chief Davis noted that the topographical area of Brevard is different from Weaverville. He suggested a rollout during the cold months to learn what problems we would encounter, such as signage, and gather more information regarding comparisons. We have narrower sidewalks and up slopes; they don't have churches and schools on their Main Street. Chief Davis suggested that the Town start with a small event and practice on a small footprint for Weaverville if Council is interested in creating a social district. Assistant Chief Oberlin said the WBA needs to address our geographic areas, restrooms and trashcans issues, and staff at the boundaries and extra cleanup. We have their planning and research PowerPoint that Brevard shared. Brevard and Silva's social district occurs seven days a week with dedicated seats and improved streetscape with bathrooms for the social district. The merchants who sell alcohol don't want a social district; they wish to keep their customers at their restaurants.

Manager Coffey suggested establishing a social district is event-specific. She also noted that Music on Main costs increase due to overtime staffing during and clean-up after, etc. Vice Mayor Cordell is in favor of public bathrooms and the closure of Florida Avenue, to which Council member Lawrence agreed with closing Florida Avenue for a potential social district for an event(s).

Manager Coffey encouraged further budget questions can be sent to her and she will reply all as the deliberation budget process continues.

4. Adjournment Vice-Mayor Cordell

There being no further business, Council member Jackson motioned to adjourn at 7:32 p.m. The motion was approved unanimously. 7-0.

ATTEST:

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Tamara Mercer, Town Clerk

MINUTES

Town of Weaverville **Town Council Workshop**
State of North Carolina **Tuesday, April 16 2024**

The Town Council for the Town of Weaverville held its Budget Workshop on April 16, 2024, at 6:00 p.m. in Council Chambers within Town Hall at 30 South Main Street, Weaverville, NC with remote access via Zoom.

Councilmembers present: Mayor Patrick Fitzsimmons, Vice Mayor Catherine Cordell and Council members Doug Jackson, John Chase, Michele Wood, Peter McGuire and Dee Lawrence.

Staff members present: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Finance Director Tonya Dozier, Planning Director James Eller, Town Clerk Tamara Mercer, Police Chief Somer Oberlin, Assistant Fire Chief Michael Hunter, Public Works Director Dale Pennell, Water Plant Supervisor Randall Wilson, and Zoom Room Coordinator Lauren Ward.

1. Call to Order Mayor Fitzsimmons

Mayor Fitzsimmons called the meeting to order at 6:00 p.m.

2. Presentation of Town Manager's Proposed FY 2024-2025 Budget

Town Manager Coffey provided the presentation of the proposed fiscal year 2024-2025 Annual Budget to Town Council. She noted that the budget is balanced pursuant to NC General Statutes §159-11. She reviewed the Town Manager's Budget Message, which lists the budgetary goals, economic outlook, expenditure highlights, and revenue changes and projections.

Manager Coffey explained the ad valorem tax valuation, although the Buncombe County property reassessment is to be reevaluated next year, there is no proposed tax increase.

Manager Coffey provided an overview of an 'enhanced budget' in addition to her proposed budget and indicated that she would like to receive Town Council's direction regarding the items in the enhanced list.

Manager Coffey presented the proposed budget for the General Fund and Fire District Fund, the accounting for the Fire Department is separate from General Fund, which is approximately 4 million, a 10% increase from last year and includes a one-cent fire tax increase for the Fire District, but that Chief Harris is considering requesting more of a tax rate increase to help pay for firefighter positions necessary to address future growth. Manager Coffey indicated that she would update Town Council regarding the final rate proposed.

Manager Coffey reviewed the Community Center Capital Project Fund timeline, budget and funding and stated there is approximately $150,000 left of outdoor construction for the pavilion which includes the restrooms and storage to complete the project. As well she reviewed the Water Fund Budget for the Water Treatment Plant Expansion Project.

In response to Manager Coffey's question regarding the fund balance, there was general consensus of Town Council for the fund balance policy to remain at 40%.

Manager Coffey said there has been no property tax increase in Weaverville over 8 years. She highlighted the personnel expenses, health insurance has a 6% increase, new positions will be required for increases in demand for services. Manager Coffey noted that she is recommending a new position, Assistant Public Works Director, and three firefighters. She noted that the number of firefighters may increase if Buncombe County approves the Town's fire district tax rate increase.

Manager Coffey continued to highlight the Capital Improvements (CIP), equipment, vehicles, Powell Bill, roadways and paving improvement projects, system development fees, debt service, and new initiatives and the proposed funding was presented in the chart.

3. Town Council Discussion and Input on Budget

Mayor Fitzsimmons encouraged further questions to be sent to Manager Coffey throughout the budget process.

In response to Council member Jackson's question regarding population growth rate, Manager Coffey noted the increase in housing stock will double with the newest developments, but we can only speculate on the construction timeline.

4. Adjournment

There being no further business, Council member Jackson motioned to adjourn at 6:48p.m. The motion was approved unanimously. 7-0.

ATTEST:

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Tamara Mercer, Town Clerk

MINUTES

Town of Weaverville **Town Council Regular Meeting**
State of North Carolina **Tuesday, April 22 2024**

The Town Council for the Town of Weaverville held its regular meeting on April 22, 2024, at 6:00 p.m. in Council Chambers within Town Hall at 30 South Main Street, Weaverville, NC with remote access via Zoom.

Councilmembers present: Mayor Patrick Fitzsimmons, Vice Mayor Catherine Cordell and Council members Doug Jackson, John Chase, Michele Wood, Peter McGuire and Dee Lawrence.

Staff members present: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Finance Director Tonya Dozier, Planning Director James Eller, Town Clerk Tamara Mercer, Police Chief Somer Oberlin, Assistant Fire Chief Michael Hunter, Public Works Director Dale Pennell, Water Plant Supervisor Randall Wilson, and Zoom Room Coordinator Lauren Ward.

1. Call to Order Mayor Fitzsimmons

Mayor Fitzsimmons called the meeting to order at 6:00 p.m. and acknowledged the 54th anniversary of Earth Day.

2. Approval/ Adjustments to Agenda

Mayor Fitzsimmons asked that item 7. D. Maple Trace Annexation Update be removed per request from the applicant to the May 20th meeting and that the March 19, 2024, draft minutes (item 4.B.) be removed for further review.

Councilmember Chase moved to approve and adopt the agenda as adjusted removing items 4.B. and 7. D. The motion was approved unanimously. 7-0.

3. Conflict of Interests Statement

Mayor Fitzsimmons stated that it is the duty of the Mayor and every Town Councilmember to avoid both conflicts of interest and appearances of conflicts. No member had any known conflict of interest or appearance of conflict with respect to any matters on the agenda for tonight's Town Council meeting.

4. Consent Agenda

Manager Coffey reviewed the consent agenda items:

A. February 24, 2024, Town Council Strategic Planning Retreat Minutes - approved
C. March 25, 2024, Town Council Regular Meeting Minutes - approved
D. Monthly Tax Report and Request for Refunds/Releases - approved
E. Budget Amendments – Police - Approved
F. Annexation and Zoning – 75 Cole Road – Set PHs for 5/20/24 at 6pm - Approved
G. Annual Presentation of Town Manager Delegated Policies – Information Only
H. Road Closure Ordinances – Music on Main June 15 & July 4 Downtown - Adopted

I. Proclamation Recognizing Lions Club 75 Year Anniversary - Approved
J. Letter of Support for AdventHealth - Approved
K. Set Public Hearing on FY 2024-2025 Annual Budget for May 14, 2024 and Notice of Workshop Location Change to Weaverville Fire Station, Meeting Room, 3 Monticello Road - Approved

Vice Mayor Cordell moved to approve and adopt the consent agenda items as presented. The motion was approved unanimously. 7-0.

5. Town Manager's Report

Manager Coffey provided Town Council with the Manager's report including updates and program highlights. Firstly, she suggested a joint meeting with the Planning Board to be scheduled after the annual budget adoption in July or thereafter.

- Budget Process Update
- Active Weaverville Committee Update at May 20 meeting
- Woodfin/ Weaverville Greenway Connector Project timeline
- Tree Board
- Elevated Trail Design Presentation planned for May 20th
- Grant Application for County Open Space Bond for Passive Recreation Lands project and timeline
- Congressman Edward's Office collaboration
- Upcoming Events: Arbor Day Program in honor of late Mayor Dottie Sherrill on April 26, rescheduled regular Town Council meeting in May is May 20 due to Memorial Day, Memorial Day Observance at the Community Center

There was a general consensus to wait for more in-town residents to apply.

Mayor Fitzsimmons presented the Proclamation Recognizing 75th Year Anniversary of the Weaverville Lions Club. Various community initiatives and programs sponsored by the Lions Club were acknowledged.

6. General Public Comments

Ms. Jill Totman a Weaverville resident addressed the Weaverville Center for Creative and Healthy Living program as she supports the programing and hopes the program continues to be a town priority and she supports the transition to the town.

Mr. Matthew Knauer of Alabama Avenue said he has lived here for 21 years and was concerned with a ban and/or regulations of short-term rentals. Mr. Knauer noted the short-term rental review process of Planning Board, Police and Fire Department statistics, Weaverville Business Association input and the research and report conducted by Kayla DiCristina of Land of Sky Regional Council stating minor impacts to claims STRs are driving the housing shortfall. Mr. Knauer opposes a ban on whole-house short-term rentals and requests common sense solutions.

Ms. Marci Brigman a Weaverville resident questioned the rules governing pickleball courts as she said that they are complex and confusing. Ms. Brigman was against locking the courts and the restricted parking. She questioned etiquette and passed out 'pickleball etiquette' flyers from Donner Park, Columbus, Indiana.

Ms. Trisha Hollifield made statements regarding short-term rentals, and she opposes regulating short-term rentals. She does not believe the Town can force a registration or permitting process of STRs. Ms. Hollifield requested the Attorney's legal opinion of short-term rental regulations.

Attorney Jackson stated the Planning Board is still working on the Short-Term Rental Project and that they have not yet considered any draft regulations. She also noted that her legal opinions on the topic will be addressed to Town Council and not the general public.

Ms. Darla Letourneau addressed the proposed budget package and said she supports an employee COLA and staff merit pay increases, and according to the COLA chart of the surrounding region, Weaverville has proposed the lowest COLA in area.

Mr. Tom Balestieri of Whitetail Drive and WCCHL Chairman addressed the WCCHL transition. He noted the program has provided 3-years of free wellness health and creative programs. As an experiment is a rounding success and Mr. Balestieri supports the transition of the WCCHL programing to the Town. He encouraged Council to support funding in the budget and is in favor of continuing to implement programs under the leadership of Community Center Director Myers.

7. Discussion & Action Items

A. AdventHealth Presentation

Mr. Graham Fields, Assistant President of AdventHealth thanked Council for the letter of support and presented an overview of the AdventHealth Hospital plan. He said the 67-bed hospital is to be located off US 25/70 west of I-26 on approximately 30 acres and has received approval through the NC Department of Health and Human Services. Mr. Fields introduced Mark Murrill, who provided a history and timeline of the State permitting process, and noted construction is anticipated to begin next year and take about 18-24 months to complete. Mr. Murrill noted an additional 26 beds have been applied for and they are waiting on approvals. He also anticipates that their campus will include wellness preventative care services and medical practice offices, to support Buncombe and other surrounding counties.

B. Social District Request for Music on Main Event

Ms. Camille Danals, Events Assistant at the Weaverville Business Association provided a presentation on a proposed 'social district' at the WBA's Music on Main event. The request would allow people to drink alcoholic beverages purchased from participating businesses in a specifically defined and mapped area of downtown Weaverville at the June 15 Music on Main event.

Ms. Danals explained the site plan layout, coordinating agency procedures, law enforcement and safety. There was a question-and-answer period regarding concerns, risks, safety, consumption, footprint, procedures, compostable versus single-use plastic garbage, event permit, and the legal process since the legislature passed the bill last year.

Mayor Fitzsimmons called the vote for establishing a social district for the event Music on Main.

Council member McGuire moved to adopt the Ordinance creating an event specific social district to be held on June 15, 2024 from 3:30 p.m. – 9:00 p.m. pursuant to § 160A-205.4 and 18B-300.1. The motion was approved unanimously. 7-0.

C. Presentation on Possible Florida Avenue Reconfiguration

Mr. Bill Boughton President of the Weaverville Business Association provided three improvements suggested by the WBA members to consider changes to vehicular traffic patterns on Florida Avenue.

1. Eliminate three parking spaces on the right side of the avenue to expand the sidewalks equally on both sides of the roadway to allow for the placement of tables or planters making it pedestrian friendly and inviting for shoppers. Proper signage may stop or reduce travel on wrong way down the one-way street, thus safer.
2. Improved lighting such as an aesthetically appealing lamppost and / or attached lighting on buildings or a string of hung lights along the streetscape.
3. Add signage advertising businesses which have expanded down Florida Avenue inviting, safe and wayfinding signs.

There was further discussion on the street vehicular pattern, the tables, determination of space and of use, eliminate parallel parking spaces, and increase the sidewalks on both sides of street, alleyway configuration, accessibility issues, and construction of moving the road.

Manager Coffey inquired about handicap accessibility, construction costs and funding, to which Mr. Boughton said the WBA did not yet have a plan, they are just looking for Council's input and to receive a positive consensus of the businesses in area. Manger Coffey also noted the issues with truck deliveries and spacing problems with the reconfiguration.

Councilmember Chase agreed there is a need to consider minimum road width allowance for trucks and sightline triangle issues, and spacing determinations to address. Mayor Fitzsimmons added it is Council's wish to beautify the area, so next steps should be preliminary designs, feasibility suggestions and costs to the Town and Public Works costs and funding for repaving and installations.

Manager Coffey said Staff will provide feedback, research the suggestions, address pedestrian and vehicle safety, fire protection, business friendly goals, Town and Public Works costs and budgeting to Town Council.

D. Maple Trace Annexation Update - removed per applicants' request

E. Transition of WCCHL to Town Programming

Manager Coffey reviewed with Town Council that the Weaverville Center for Creative and Healthy Living, Inc, (WCCHL) is a private non-profit 501c(3) that is providing programming at the Community Center. She advised that WCCHL has made the decision to dissolve and requested that the Town take on the programing. Council directed the Manager's Office to include funding for this additional programming and she reviewed the proposed budget. The plan includes all programming and scheduling, communications, management of volunteers, payments for entertainment, set-up staffing, special events under the tutelage of the Community Center Director, Sarah Myers. The Town Manager recommends Town Council to direct staff to form ad hoc advisory committee and to authorize Town Staff to manage the programming beginning July 1st.

Mayor Fitzsimmons polled Town Council and there was general consensus to authorize the Town Manager to implement the changes to programming and management coinciding with the 2024-2025 fiscal year.

F. Quarterly Report – Planning

Planning Director Eller provided the Planning Department quarterly report from January, February and March 2024, reviewing the permits issued, the Planning Board's agenda specifically on the topic of short-term rentals as directed by Town Council, and the Board of Adjustment meetings.

G. Quarterly Report – Finance

Finance Director Dozier reviewed the quarterly report summarizing the trends, revenues, last quarter's sales tax, expenditures, the fund balance, and capital improvement projects budgets.

8. Closed Session

At 7:52, Council member Jackson moved to enter closed session as allowed by NCGS § 143-318.11(a)(3) – to consult with the Town Attorney under attorney-client privilege; NCGS § 143-318.11(a)(5) – To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract; NCGS § 143-318.11(a)(6) – To consider the qualifications, competence, performance, character, fitness, conditions of appointment of a public officer or employee. The motion was approved unanimously. 7-0.

[CLOSED SESSION]

At approximately 8:44 p.m. Council member Jackson moved to re-enter to open session.

9. Adjournment Mayor Fitzsimmons

There being no action taken and no further business and without objection, Mayor Fitzsimmons motioned to adjourn the meeting at 8:45 p.m. The motion was approved unanimously. 7-0.

ATTEST:

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Tamara Mercer, Town Clerk

T,OWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

MEETING DATE: May 20, 2024

SUBJECT: Monthly Tax Report and Request for Refunds/Releases

PRESENTER: Tax Collector

ATTACHMENTS: Monthly Tax Report Summary
TR-401G Net Collections Report for April

DESCRIPTION/SUMMARY OF REQUEST:

Buncombe County has provided the monthly net collections report with data through the end of April 2024 and a request for tax releases/refunds.

A summary of the monthly tax report is provided and shows that **99.82% of the Town's property taxes have been collected as of the end of April**. This totals $4,196,969 out of the $4,204,335 total tax levy (real property, personal property, and business personal property). At the end of April 2024, there was only $7,365 left to collect of the 2023 property taxes.

The Motor Vehicle Levy Releases/Refunds information comes from the state and was not received in time for this agenda item.

Buncombe County Assessor's Office has requested approval of the following releases/refunds:

April 2024	Property Tax Levy Release/Refund	$2.36
April 2024	Motor Vehicle Levy Release/Refund	$TBD

COUNCIL ACTION REQUESTED:

The monthly report is provided for information only.

Approval of the tax releases/refunds is requested. The following motion is suggested:

I move that Town Council approve the releases and refunds as requested.

Town of Weaverville
MONTHLY TAX REPORT
FY 2023-2024

Tax Year 2023
Summary for YTD April 2024:

Original Billed Amts	$	4,196,765
Abs Adj (Adjustments by Assessor)	$	(2,949)
Bill Releases	$	(59)
Discovery Levy	$	8,428
Additional Levy	$	2,149
Net Levy	$	4,204,335
Total Current Year Collections	**$**	**4,196,969**
% Collected		**99.82%**
Total Left to be Collected:	**$**	**7,365**
Prior Years Tax Paid	$	-
Prior Years Interest Paid	$	4,671

Date run: 5/7/2024 11:14:48 AM

TR-401G Net Collections Report

NCPTS V4

Data as of: 5/6/2024 11:31:07 PM

Report Parameters:

Date Sent to Finance Start: **Min - April 1, 2024**

Date Sent to Finance End: **Max - April 30, 2024**

Abstract Type: **BUS,IND,PUB,REI,RMV**

Tax District: **WEAVERVILLE**

Levy Type: **Admin Expense, Advertisement Fee, Attorney Fee, Collection Fee 5, Collection Fee 9, Cost, Docketing Expense, EXPENSE, FEE INTEREST, Garnishment Fee, Interest, LATE LIST PENALTY, Legal Ad Expense, NSF Penalty, Postage Expense, Sheriff Service Fee, SPECIAL ASSESSMENT, TAX, VEHICLE FEE, WEAVERVILLE TAX**

Tax Year: **2024, 2023, 2022, 2021, 2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007, 2006, 2005, 2004**

Year For: **2023, 2022, 2021, 2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007, 2006, 2005, 2004, 2003**

Collapse Districts: **N**

Default Sort-By: **Tax Year**

Grouping: **Tax District,Levy Type**

Fiscal Year Activity from July 1, 20XX to April 30, 2024								Activity from April 1, 2024 to April 30, 2024			
Tax Year	Orig. Billed Amt ($)	Abs. Adj ($)	Bill Releases ($)	Disc. Levy ($)	Net Levy ($)	Amt Collect. ($)	Unpaid Balance ($)	Amt Collect. ($)	Abs. Adj ($)	Bill Releases ($)	Disc. Levy ($)
		Assessor Refunds ($)	Net Collections ($)	Additional Levy ($)	Collection Fee Amt ($)	% Coll.	% Uncoll.			Assessor Refunds ($)	Additional Levy ($)
TAX DISTRICT: WEAVERVILLE LEVY TYPE: Interest											
2023	0.00	0.00	0.00	0.00	0.00	6,066.05	0.00	829.66	0.00	0.00	0.00
		0.00	6,066.05	0.00	0.00	NA	NA			0.00	0.00
2022	0.00	0.00	0.00	0.00	0.00	4,860.95	0.00	0.00	0.00	0.00	0.00
		0.00	4,860.95	0.00	0.00	NA	NA			0.00	0.00
2021	0.00	0.00	0.00	0.00	0.00	5,050.81	0.00	0.00	0.00	0.00	0.00
		0.00	5,050.81	0.00	0.00	NA	NA			0.00	0.00
2020	0.00	0.00	0.00	0.00	0.00	11,904.51	0.00	1.20	0.00	0.00	0.00
		0.00	11,904.51	0.00	0.00	NA	NA			0.00	0.00
2019	0.00	0.00	0.00	0.00	0.00	5,056.63	0.00	0.00	0.00	0.00	0.00
		0.00	5,056.63	0.00	0.00	NA	NA			0.00	0.00
2018	0.00	0.00	0.00	0.00	0.00	316.01	0.00	0.00	0.00	0.00	0.00
		0.00	316.01	0.00	0.00	NA	NA			0.00	0.00
2017	0.00	0.00	0.00	0.00	0.00	39.57	0.00	0.00	0.00	0.00	0.00
		0.00	39.57	0.00	0.00	NA	NA			0.00	0.00
2016	0.00	0.00	0.00	0.00	0.00	64.92	0.00	0.00	0.00	0.00	0.00
		0.00	64.92	0.00	0.00	NA	NA			0.00	0.00

2015	0.00	0.00	0.00	0.00	0.00	100.08	0.00	0.00	0.00	0.00	0.00
		0.00	100.08	0.00	0.00	NA	NA			0.00	0.00
2014	0.00	0.00	0.00	0.00	0.00	47.72	0.00	34.26	0.00	0.00	0.00
		0.00	47.72	0.00	0.00	NA	NA			0.00	0.00
2013	0.00	0.00	0.00	0.00	0.00	1,020.36	0.00	0.00	0.00	0.00	0.00
		0.00	1,020.36	0.00	0.00	NA	NA			0.00	0.00
2012	0.00	0.00	0.00	0.00	0.00	730.74	0.00	0.00	0.00	0.00	0.00
		0.00	730.74	0.00	0.00	NA	NA			0.00	0.00
2011	0.00	0.00	0.00	0.00	0.00	12.59	0.00	0.00	0.00	0.00	0.00
		0.00	12.59	0.00	0.00	NA	NA			0.00	0.00
Sub.	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**35,270.94**	**0.00**	**865.12**	**0.00**	**0.00**	**0.00**
		0.00	**35,270.94**	**0.00**	**0.00**	**NA**	**NA**			**0.00**	**0.00**
TAX DISTRICT: WEAVERVILLE		**LEVY TYPE: LATE LIST PENALTY**									
2024	0.00	0.00	0.00	181.03	181.03	21.25	159.78	0.00	0.00	0.00	0.00
		0.00	21.25	0.00	0.00	11.74 %	88.26 %			0.00	0.00
2023	9,154.90	55.02	0.36	36.73	9,216.60	9,127.65	88.95	6.40	0.00	0.00	0.00
		0.00	9,127.65	80.35	0.00	99.03 %	0.97 %			0.00	0.00
2022	2,555.97	4.77	0.80	733.13	3,283.53	3,266.55	16.98	0.00	0.00	0.00	0.00
		0.00	3,266.55	0.00	0.00	99.48 %	0.52 %			0.00	0.00
2021	1,320.31	65.20	0.54	3,159.35	4,413.92	4,392.09	21.83	0.00	0.00	0.00	0.00
		0.00	4,392.09	0.00	0.00	99.51 %	0.49 %			0.00	0.00
2020	1,211.84	478.88	0.96	6,083.77	7,047.59	7,032.49	15.10	0.00	0.00	0.00	0.00
		0.00	7,032.49	231.82	0.00	99.79 %	0.21 %			0.00	0.00
Sub.	**14,243.02**	**603.87**	**2.66**	**10,194.01**	**24,142.67**	**23,840.03**	**302.64**	**6.40**	**0.00**	**0.00**	**0.00**
		0.00	**23,840.03**	**312.17**	**0.00**	**98.75 %**	**1.25 %**			**0.00**	**0.00**
TAX DISTRICT: WEAVERVILLE		**LEVY TYPE: TAX**									
2024	0.00	0.00	0.00	719.06	719.06	53.12	665.94	0.00	0.00	0.00	0.00
		0.00	53.12	0.00	0.00	7.39 %	92.61 %			0.00	0.00
2023	4,196,765.41	2,948.95	58.99	8,428.28	4,204,334.61	4,196,969.19	7,365.42	24,056.44	0.00	2.05	0.00
		0.00	4,196,969.19	2,148.86	0.00	99.82 %	0.18 %			0.00	0.00
2022	3,986,151.82	1,317.96	43.41	5,719.53	3,990,509.98	3,989,022.52	1,487.46	0.00	0.00	0.00	0.00
		735.06	3,989,757.58	0.00	0.00	99.96 %	0.04 %			0.00	0.00
2021	3,717,652.88	6,296.91	36.26	14,153.16	3,728,407.71	3,725,357.32	3,050.39	0.00	0.00	0.00	0.00
		726.57	3,726,083.89	2,934.84	0.00	99.92 %	0.08 %			0.00	0.00
2020	3,354,216.35	6,680.68	71.80	22,850.56	3,373,041.19	3,372,014.52	1,026.67	3.83	0.00	0.00	0.00
		2,156.28	3,374,170.80	2,726.76	0.00	99.97 %	0.03 %			0.00	0.00
2013	73,342.49	0.00	1,623.13	0.00	71,719.36	71,719.36	0.00	0.00	0.00	0.00	0.00
		0.00	71,719.36	0.00	0.00	100 %	0 %			0.00	0.00

2012	68,037.63	0.00	1,498.22	0.00	66,539.41	66,539.41	0.00	0.00	0.00	0.00	0.00
		0.00	66,539.41	0.00	0.00	100 %	0 %			0.00	0.00
2011	82.56	0.00	0.00	0.00	82.56	82.56	0.00	0.00	0.00	0.00	0.00
		0.00	82.56	0.00	0.00	100 %	0 %			0.00	0.00
Sub.	**15,396,249.14**	**17,244.50**	**3,331.81**	**51,870.59**	**15,435,353.88**	**15,421,758.00**	**13,595.88**	**24,060.27**	**0.00**	**2.05**	**0.00**
		3,617.91	**15,425,375.91**	**7,810.46**	**0.00**	**99.91 %**	**0.09 %**			**0.00**	**0.00**
TAX DISTRICT: WEAVERVILLE		**LEVY TYPE: WEAVERVILLE TAX**									
2019	49,954.82	0.00	193.07	0.00	49,761.75	44,424.98	5,336.77	0.00	0.00	0.00	0.00
		0.00	44,424.98	0.00	0.00	89.28 %	10.72 %			0.00	0.00
2018	1,576.57	0.00	3.29	0.00	1,573.28	914.17	659.11	0.00	0.00	0.00	0.00
		0.00	914.17	0.00	0.00	58.11 %	41.89 %			0.00	0.00
2017	771.97	0.00	566.38	0.00	205.59	145.15	60.44	0.00	0.00	0.00	0.00
		0.00	145.15	0.00	0.00	70.60 %	29.40 %			0.00	0.00
2016	217.62	0.00	2.56	0.00	215.06	168.06	47.00	0.00	0.00	0.00	0.00
		0.00	168.06	0.00	0.00	78.15 %	21.85 %			0.00	0.00
2015	201.36	0.00	8.59	0.00	192.77	160.43	32.34	0.00	0.00	0.00	0.00
		0.00	160.43	0.00	0.00	83.22 %	16.78 %			0.00	0.00
2014	2,126.15	0.00	6.29	0.00	2,119.86	72.85	2,047.01	40.86	0.00	0.31	0.00
		0.00	72.85	0.00	0.00	3.44 %	96.56 %			0.00	0.00
2013	570.35	0.00	0.00	0.00	570.35	1.15	569.20	0.00	0.00	0.00	0.00
		0.00	1.15	0.00	0.00	0.20 %	99.80 %			0.00	0.00
2012	752.46	0.00	111.58	0.00	640.88	204.72	436.16	0.00	0.00	0.00	0.00
		0.00	204.72	0.00	0.00	31.94 %	68.06 %			0.00	0.00
Sub.	**56,171.30**	**0.00**	**891.76**	**0.00**	**55,279.54**	**46,091.51**	**9,188.03**	**40.86**	**0.00**	**0.31**	**0.00**
		0.00	**46,091.51**	**0.00**	**0.00**	**83.38 %**	**16.62 %**			**0.00**	**0.00**
Total	**15,466,663.46**	**17,848.37**	**4,226.23**	**62,064.60**	**15,514,776.09**	**15,526,960.48**	**23,086.55**	**24,972.65**	**0.00**	**2.36**	**0.00**
		3,617.91	**15,530,578.39**	**8,122.63**	**0.00**	**99.85 %**	**0.15 %**			**0.00**	**0.00**

Signature (Tax Collector) _____

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

Date of Meeting:	May 20, 2024
Subject:	Budget Amendment – Fire
Presenter:	Town Finance Director
Attachments:	Budget Amendment Form

Description/Summary of Request:

The current year budget includes $300,000 in the Fire Department for a down payment on a new replacement for Engine 8, which is nearing the end of its useful life and has a three-year lead time on replacement. The vendor offered a small discount for a cash down payment but did not require it to secure the pricing and availability. Town staff determined it was more beneficial to hold on to the $300,000 in our interest-bearing account rather than pay now and receive the discount.

The Town currently has a Capital Reserve Fund (with a balance of $225,000) where we have been setting aside funds for this purpose. The attached budget amendment is to transfer the current year budgeted expenditure in the Fire Department to the Capital Reserve Fund and prevent having to re-appropriate it for the next two years.

Action Requested:

Town Manager recommends approval of the attached Budget Amendment.

Budget Amendment FY 2023-2024

Town of Weaverville

What expense accounts are to be increased?

Account	Account Description	Transfer Amount
010-004-320-09962	Transfer to Capital Reserve Fund	$300,000.00

What expense account(s) are to be decreased or additional revenue expected to offset expense?

Account	Account Description	Transfer Amount
040-430-434-50500	Capital Equipment - Fire Dept	$300,000.00

Justification: Please provide a brief justification for this budget amendment. *To reclass $300,000 down payment budgeted in current year for Engine 8 replacement at the Fire Department.*

Authorized by Finance Officer **Date**

Authorized by Town Manager **Date**

Authorized by Town Council (if applicable) **Date**

Budget Ordinance Section 7:

B. *The Budget Officer or his/her designee is hereby authorized to distribute departmental funds based upon the line item budgets and make expenditures therefrom, in accordance with the Local Government Budget and Fiscal Control Act.*

C. *The Budget Officer or his/her designee may authorize transfers between line items, expenditures and revenues, within a department or division without limitation and without a report being required.*

D. *The Budget Officer or his/her designee may transfer amounts up to 5%, but not to exceed $10,000 monthly, between departments, including contingency appropriations, but only within the same fund. The Budget Officer must make an official report on such transfers at a subsequent regular meeting of Town Council.*

E. *The Budget Officer or his/her designee may not transfer any amounts between funds, except as approved by Town Council, as a budget amendment.*

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

MEETING DATE:	May 20, 2024
SUBJECT:	Board Appointments - Planning Board
PRESENTER:	Mayor Fitzsimmons
ATTACHMENTS:	Proposed Roster

DESCRIPTION/SUMMARY OF REQUEST:

Ryan Gagliardi has had to resign from his alternate seat on the Planning Board as he is moving out of the Town's jurisdiction.

The Mayor and Planning Board Chairman recommend that Michael Sollazzo be appointed to fill the vacancy on the Planning Board for the unexpired term, which is due to expire in September 2024. Mr. Sollazzo will be eligible to be reappointed for a new 3-year term beginning in September 2024.

COUNCIL ACTION REQUESTED:

Suggested motion: *I move the approval of the following board reappointments/appointments:*

> *Michael Sollazzo - appointment as an alternate member of the Planning Board to serve an unexpired term ending September 2024*

WEAVERVILLE PLANNING BOARD				
Regularly meets 1st Tuesday of the month at 6 pm in Community Room/Council Chambers at Town Hall				
NAME AND POSITION	**CONTACT INFORMATION**	**FIRST APPT**	**DATE OF APPT**	**TERM (3 YEARS)**
Bob Pace Regular Member Chair	116 Mountain Meadow Circle	2020	September 2022	September 2022 – 2025
Jane Kelley Regular Member Vice Chair	31 Moore Street	2021	August 2023	September 2023 – 2026
Mark Endries Regular Member	9 Grove Street	2021	March 2022	March 2022 - Sept 2024
Donna Mann Belt Regular Member	53 Highland Street	2021	August 2023	September 2023 – 2026
Stefanie Pupkiewicz-Busch Regular Member	11 Clinton Street	2023	August 2023	September 2023 – 2025
Michelle Rippon Alternate Member	179 Holston View Drive, Apt 108	2023	August 2023	September 2023 –2025
Michael Sollazzo Alternate Member	118 S. Main St.	2024	May 2024	May 2024 – Sept 2024
James Eller Town Planner	828-484-7002 (direct line) jeller@weavervillenc.org			
Jennifer Jackson Town Attorney	828-442-1858 (cell) jjackson@weavervillenc.org			
Tamara Mercer Clerk/Bd Sec.	828-484-7003 (direct line) tmercer@weavervillenc.org			

Last updated May 2024

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

MEETING DATE:	May 20, 2024
SUBJECT:	Resolution on the Meribel Project (171 Monticello Road) and Approval of Housing Authority Issuance of Revenue Bonds
PRESENTER:	Town Attorney Jackson
ATTACHMENTS:	Proposed Resolution

DESCRIPTION/SUMMARY OF REQUEST:

The affordable housing project proposed for 171 Monticello Road has been named Meribel and the developers are in the process of securing the funding for the project. Among other funding sources they have been working with the Asheville Housing Authority for the issuance of up to $28 million in revenue bonds.

The federal tax code and North Carolina law requires local government approval of these revenue bonds. Since the Meribel project is located within the Town's municipal jurisdiction they must secure Town Council approval on the issuance of those bonds.

The attached resolution has been prepared by bond counsel for the City of Asheville Housing Authority and reviewed by the Town Attorney.

The resolution does not in any way obligate the Town of Weaverville with respect to the bonds. The developer will be solely responsible for repayment on the bonds. The approval is simply to satisfy the legal requirements of the federal tax code and North Carolina law.

The Town Attorney recommends the adoption of this resolution.

COUNCIL ACTION REQUESTED:

Suggested motion: *I move the adoption of the resolution entitled "RESOLUTION PROVIDING APPROVAL OF A MULTIFAMILY HOUSING FACILITY TO BE KNOWN AS MERIBEL IN THE TOWN OF WEAVERVILLE, NORTH CAROLINA, AND THE FINANCING THEREOF WITH THE PROCEEDS OF MULTIFAMILY HOUSING REVENUE BONDS ISSUED BY THE HOUSING AUTHORITY OF THE CITY OF ASHEVILLE IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $28,000,000".*

RESOLUTION PROVIDING APPROVAL OF A MULTIFAMILY HOUSING FACILITY TO BE KNOWN AS MERIBEL IN THE TOWN OF WEAVERVILLE, NORTH CAROLINA, AND THE FINANCING THEREOF WITH THE PROCEEDS OF MULTIFAMILY HOUSING REVENUE BONDS ISSUED BY THE HOUSING AUTHORITY OF THE CITY OF ASHEVILLE IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $28,000,000

WHEREAS, the Town Council of the Town of Weaverville, North Carolina (the "Town") met in Weaverville, North Carolina at 6:00 p.m. on the 20th day of May, 2024; and

WHEREAS, pursuant to Section 160D-1311(b) of the General Statutes of North Carolina, the Town is authorized to exercise the powers granted to housing authorities under the North Carolina Housing Authorities Law, Article 1 of Chapter 157 of the General Statutes of North Carolina, as amended (the "Act"); and

WHEREAS, Section 157-10 of the Act provides that "any two or more housing authorities may join or cooperate with one another in the exercise, either jointly or otherwise, of any or all of their powers for the purpose of financing (including the issuance of bonds, notes or other obligations and giving security therefor)…a housing project or projects located within the boundaries of any one or more of said authorities" and for such purpose a housing authority "may by resolution prescribe and authorize any other housing authority or authorities, so joining or cooperating with it, to act on its behalf with respect to any or all of such powers"; and

WHEREAS, Meribel LP, a North Carolina limited partnership (the "Borrower"), has requested that the Housing Authority of the City of Asheville (the "Authority"), a public body and body corporate and politic organized and operating pursuant to the Act, assist the Borrower in financing the acquisition, construction and equipping of a 156-unit qualified residential rental project to be known as Meribel and located at 171 Monticello Road in the Town (the "Development"); and

WHEREAS, the Authority desires to issue its multifamily housing revenue bonds in an amount not to exceed $28,000,000 (the "Bonds"), for the purpose of providing financing to the Borrower for the Development; and

WHEREAS, the Town acknowledges that the acquisition, construction and equipping of the Development will satisfy a need for affordable housing within the Town, and that the financing of the Development will be in furtherance of the Town's purposes, acting as a housing authority, under the Act; and

WHEREAS, the Authority has requested that the Town, exercising the powers of a housing authority, agree, in accordance with Section 157-10 of the Act, cooperate with it in the financing of the Development through the issuance of the Bonds by the Authority, as the issuer, and to authorize the Authority to act on behalf of the Town in connection with such financing, and the Town desires to do so; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that any tax-exempt bonds issued by the Authority for the Development may only be issued after approval of the plan of financing by the Town following a public hearing with respect to such plan; and

WHEREAS, on May 9, 2024, the Authority held a public hearing with respect to the issuance of the Bonds to finance, in part, the Development (as evidenced by the Certificate and Summary of Public Hearing attached hereto) and has requested the Town approve the issuance of the Bonds as required by the Code; and

WHEREAS, the Town has determined that approval of the issuance of the Bonds is solely to satisfy the requirements of the Act and Section 147(f) of the Code and shall in no event constitute an endorsement of the Bonds or the Development or the creditworthiness of the Borrower, nor shall such approval in any event be construed to obligate the Town for the payment of the principal of or premium or interest on the Bonds or for the performance of any pledge, mortgage or obligation or agreement of any kind whatsoever which may be undertaken by the Authority, or to constitute the Bonds or any of the agreements or obligations of the Authority an indebtedness of the Town, within the meaning of any constitutional or statutory provision whatsoever;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WEAVERVILLE:

1. The proposed housing development consisting of the acquisition, construction and equipping of the Development described above in the Town of Weaverville, North Carolina by the Borrower and the issuance of the Authority's multifamily housing revenue bonds therefor in an amount not to exceed $28,000,000 are hereby approved for purposes of Section 147(f) of the Code and the Act.
2. The Town hereby consents to and approves the issuance by the Authority of the Bonds and agrees to cooperate with the Authority and authorizes the Authority to act on its behalf, solely in connection with the issuance of the Bonds for the Development.
3. This resolution shall take effect immediately upon its passage.

Councilmember _____ moved the passage of the foregoing resolution and the resolution was passed with ____ voting in favor and ____ voting against.

ADOPTED this 20th day of May, 2024.

_____
PATRICK FITZSIMMONS, Mayor

ATTEST:

_____
TAMARA MERCER, Town Clerk

CERTIFICATION

I, Tamara Mercer, Town Clerk of the Town of Weaverville, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the Town Council for the Town of Weaverville, North Carolina, in regular session convened on May 20, 2024, and that such proceedings of such meeting are recorded in the minutes of the Town Council. Pursuant to state law, a current copy of a schedule of regular meetings of the Town Council is on file in my office.

WITNESS my hand and the corporate seal of the Town of Weaverville, North Carolina, this the ___ day of May, 2024.

_____

Town Clerk

(SEAL)

EXHIBIT A

CERTIFICATE AND SUMMARY OF PUBLIC HEARING

(Attached)

CERTIFICATE AND SUMMARY

The undersigned designated hearing officer of the Housing Authority of the City of Asheville hereby certifies:

1. Notice of a public hearing (the "Hearing") to be held on May 9, 2024, with respect to the issuance of bonds by the Housing Authority of the City of Asheville (the "Authority") for the benefit of Meribel LP, a North Carolina limited partnership (the "Borrower"), was published on May 2, 2024, in the *Asheville Citizen-Times*. The proceeds of the bonds will be loaned to the Borrower and used, together with equity from related 4% low income housing tax credits and other funds, to finance the acquisition, construction and equipping of Meribel in the Town of Weaverville, Buncombe County, North Carolina, which will be operated as affordable housing.

2. I was the hearing officer for the Hearing.

3. The following is a list of the names and addresses of all persons who spoke at the Hearing:

None.

4. The following is a summary of the oral comments made at the Hearing:

None.

IN WITNESS WHEREOF, my hand this 9th day of May, 2024.

By: Monique L. Pierre

Name: Monique L. Pierre

Title: Hearing Officer

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

Date of Meeting: May 20, 2024

Subject: 16, 18 & 20 Garrison Branch Commercial Development

Request for renewal of a previously approved Water Commitment to serve 3 commercial buildings

PIN: 9733-72-2155, 9733-72-0316

Presenter: Dale Pennell, Public Works Director

Attachments:

1. Application for Commitment Letter
2. Engineer's cover sheet dated May 6, 2024

Description: The developer's engineer (Civil Design Concepts) submitted an renewal request and "Application for a Commitment Letter" dated May 6, 2024 for 14,824 GPD to serve a proposed 3 building commercial development that is now under construction. The applicant's current commitment expired on March 6, 2024 and they are requesting a 12-month extension, with construction on the water line to begin within the next 30 to 60 days.

The Public Works Department has reviewed the application and has determined that adequate water capacity is still available to serve this request.

Action Requested: Council discussion and decision.

Recd 5/6/24

CDC Civil Design Concepts, PA

May 6, 2024

Mr. Dale Pennell, PE, PLS
Town of Weaverville
Public Works Director
15 Quarry Road
Weaverville, NC 28787

Re: Water Commitment for Garrison Branch Road
Commercial Development
16,18 & 20 Garrison Road
PIN 9733-72-2155 and 9733-72-0316
CDC Project No.: 11557

Dear Dale,

Following up on our email correspondence regarding the renewal of the water allocation for the Garrison Branch Rd Commercial Development project. The project timeline has been delayed, however the construction of the water service is expected to occur within 30 days of the reinstatement of the allocation. I respectfully request a renewal of the Water Commitment for the Garrison Branch Road Commercial Development.

Thank you for your time and assistance with this project. If you should have any questions or comments regarding this submittal, please do not hesitate to contact our office.

Sincerely,

Greg Hoffman, PE
Civil Design Concepts, P.A.
ghoffman@cdcgo.com
cc: Sage Barfield, Rob Rikoon

TOWN OF WEAVERVILLE
WATER DEPARTMENT

APPLICATION FOR A COMMITMENT LETTER

APPLICANTS NAME: Garrison Branch Acquisitions, LLC

ADDRESS: 19 Arlington Street, Suite 1
Asheville, NC 28801

PHONE NUMBER: 828-484-2296

PROJECT NAME: 10 & 30 Garrison Branch Rd Commercial Development

LOCATION: 10 & 30 Garrison Branch Road
Weaverville, NC 28787

PIN NUMBER: 9733-72-2155; 9733-72-0316

ELEVATION: 2150

TYPE OF SERVICE:

RESIDENTIAL	☐	SINGLE FAMILY HOME
	☐	TWO FAMILY_____NUMBER OF BUILDINGS
	☐	MULTI-FAMILY_____NO. OF BUILDINGS _____UNITS PER BUILDING
	☐	RESIDENTIAL SUBDIVISION_____NO. OF LOTS
COMMERCIAL	☐	SINGLE COMMERICAL BUILDING
	☒	UNIFIED BUSINESS DEVELOPMENT 3 NO. OF BUILDINGS 18 NO. OF UNITS
INDUSTRIAL	☐	SANITARY FACILITES ONLY
	☐	SANITARY & INDUSTRIAL PROCESS WATER
OTHER	☒	FIRE SPRINKLER SYSTEM
	☐	IRRIGATION SYSTEM
	☐	_____

CAPACITY REQUESTED:

MAXIMUM GALLONS PER MINUTE 190 GPM
MAXIMUM GALLONS PER DAY 14,824 GPD
ANTICIPATED DATE OF SERVICE August 2024

PROJECT DESCRIPTION:

By way of Attachment(s) provide as much information as possible about this project. At minimum, attach A copy of the County Tax Map showing the location of the property. If the project involves a subdivision or more than one building location, a topographic map of the property is required to show building or lot Elevation.

ACKNOWLEDGEMENT:

I Greg Hoffman understand that the processing fee of $ 100, paid herewith is non-refundable and is to cover the costs of processing and investigating this request and that an additional Commitment Fee based on the size and number of connections is due upon approval. It is further understood that the Town has the exclusive right to deny the request for any reason whatsoever.

Signature _____ Date 8-6-24

The Town of
Weaverville
NORTH CAROLINA

March 7, 2023

Mr. Greg Hoffman
Civil Design Concepts, PA
P.O. Box 5432
Asheville, NC 28813

Re: Water Commitment Renewal for Garrison Branch Rd Commercial Development
16, 18, & 20 Garrison Road
PIN 9733-72-2155 and 9733-72-0316

Dear Mr. Hoffman:

This letter represents the Town of Weaverville's renewal of its approval of the water commitment request made for the Garrison Branch Road Commercial Development project. An application for this renewal was submitted by your engineers (CDC) dated January 23, 2023, prior to the expiration of the original water allocation approval that was dated February 17, 2022. Your request for Weaverville to provide domestic water service as described herein to the three commercial buildings that you intend to construct on the above property is hereby approved for another year running from the date of this letter. The domestic water service to building A (#18) and building C (#20) are both to be served by a single individual 1.5" water meter with an anticipated total project flow of 97 GPM and maximum daily flow of 7,574 GPD maximum capacity, and to building B (#16) with an individual 1.5" water meter with a maximum daily flow of 93 GPM and a maximum daily flow of 7,250 GPD. The total combined daily flow is estimated at 14,824 GPD. Since the buildings vary in size, please note that our 1.5" meters can provide 100 GPM maximum flow with a continuous flow of 80 GPM.

The following represents the conditions that must be met in order for the Town to provide water to your project:

1. Your engineer must coordinate with Weaverville Public Works Director Dale Pennell on the detailed plans, materials, and installation of these water services.

2. All water services must be installed in accordance with Town Code and Water Policies, Procedures, and Specifications. Component submittals must be provided to the Public Works Director for approvals. Work must be performed by a NC Licensed Utility Contractor and supervised by Town staff.

3. The Owner/Developer is to pay all costs associated with the installation of the water services, water service line, taps, meters, valves, and other related appurtenances.

4. Tap fees are not required where taps, meters, and associated appurtenances are provided and installed by Owner/Developer; otherwise a Tap Fee must be paid if the tap is made by Town Staff. System Development Fees, Service Charges, and Deposits will be assessed at the time water service is to be turned on.

5. This water commitment is valid only for the project described in this letter. Installation of the water system improvements must begin on or before one year from the date of this letter, unless otherwise extended by request to the town.

6. This water commitment does not constitute the Town's approval and acceptance of the proposed project.

7. This water commitment cannot be used to secure a building permit. To be eligible for a building permit your water tap(s) for the project must be installed.

8. Required fees for this renewal (invoice attached/enclosed), the following must be paid within 60 days of this letter's date. Failure to pay these fees by the aforementioned date will result in a staff recommendation to Town Council requesting them to void their approval.

    a. $100.00 – Non-refundable Water System Availability/Commitment Application Fee
    b. $100.00 – Water System Availability/Commitment Fee for inside town 1-1/2" meter for combined buildings A and C
    c. $100.00 – Water System Availability/Commitment Fee for inside town 1-1/2" meter for building B

Additional fees will be required to activate <u>each</u> meter account based on the Town-adopted Fee Schedule that is effective at the time of account activation. The following fees would be required if an account is activated during FY2023, but are subject to change based on the adopted Town Code and most current Fee Schedule:

- $25 Account Establishment Service Charge
- $180 Water System Account Deposit (1.5" connection & inside town limits)
- $11,160 Water System Development Fee (1.5" meter)

Sincerely,

Selena D. Coffey, MPA, ICMA-CA
Town Manager

cc: Dale Pennell, Public Works Director

May 2024

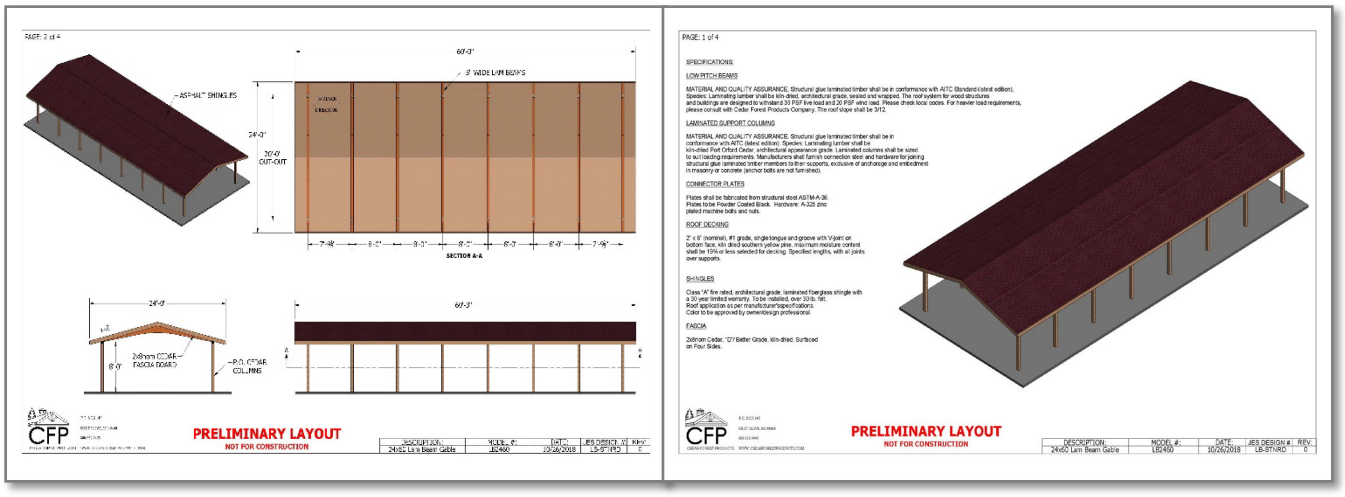
COUNCIL FOLLOW UP ITEMS & UPDATES

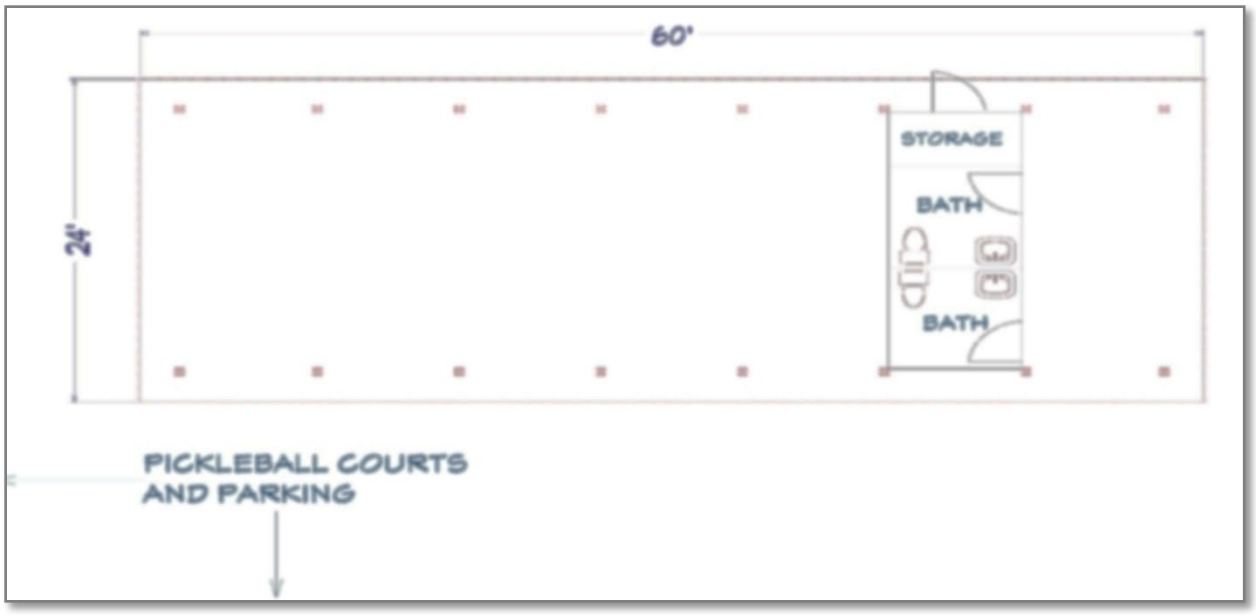
Woodfin/Weaverville Greenway Connector Update

As an update for Town Council, the Woodfin/Weaverville Greenway Connector project is moving forward and the steering committee met on April 26 and chose to execute a contract for the study to Traffic Planning Design (TPD). Now that we have selected the consultant firm for the study, we will execute a contract between Land of Sky and the consultant. This contract, including the consultant's rates and scope, is then required to be approved by NCDOT prior to execution, which can take varying amounts of time. However, we are hoping for a June study/project kick-off.

Update on Recreation Complex Pavilion

As Town Council is aware, the next project planned for the recreation complex is the construction of a pavilion structure that houses restrooms, storage, and picnic tables. I am including a concept drawing and a sketch for your information. We have received one proposal to construct this building and are waiting for others. I will update you when we have a proposal and budget to bring before Council.





Update on Solar Panel Project at Weaverville Fire Department

Sugar Hollow Solar will begin their work installing the solar panels at the fire station in June or July. The net system cost is anticipated to be $52,881, which is the total system cost minus a 30% direct pay incentive of $22,663. If we do not finish the project in June, we will be asking for Council to approve a budget amendment to reappropriate the funds for next fiscal year, which begins July 1.

INFORMATION

Grant Application for Tourism Development Funds

Last month, I reported that we had submitted and application for grant funding totaling $1,072,030 for the Eller Cove trail system to Buncombe County for their Open Space Bond for Passive Recreation Lands. The Passive Recreation Lands Subcommittee will present its funding recommendations to the Board of Commissioners in August. The Commissioners will make the final funding decisions after receiving the Subcommittee's recommendations.

This month, staff submitted another grant application for the Eller Cove trail system through the Tourism Development Fund through the Buncombe County Tourism Development Authority. This grant application totaled $862,000 (less maintenance estimates as these are not permitted within the grant proposal. This grant, if awarded, and accepted by the Town, will require a 1:1 match.

If the Town's application makes it through Phase 1 review in June 2024, we will be invited to participate in the Phase 2 review process and would know if we are awarded the grant by October 2024. I will update Town Council as I learn more.

National Police Week

I would like to extend my gratitude to law enforcement officers in our nation, state, and region, but especially for our Weaverville Police Department today and in honor of National Police Week, which as May 12-18.

Citizens Academy Graduation

Our current 2024 Citizens Academy class will be graduating on Thursday, June 20 at 6pm at the Community Center. I would like members of Council to attend if you are available.

Supply Chain Issues with Water Radio-Read Meters

The company that has supplied the Town's radio-read water meters for the last 10 years has informed staff that they are having problems assembling and delivering the register for the meters. Supply chain issues and FCC concerns have postponed any shipments to our Water Maintenance Division. We are working to address this issue and find solutions as soon as possibe.

UPCOMING EVENTS AND IMPORTANT DATES

- Monday, May 27, 2024, 11am, Memorial Day Observance, Community Center
- Tuesday, June 4, 2024, 6pm, Budget Workshop #4, Weaverville Town Hall
- Tuesday, June 18, 2024, 6pm, Budget Workshop #5 – Budget Adoption, Weaverville Town Hall

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

MEETING DATE:	May 20, 2024
SUBJECT:	Annexation – Maple Trace Subdivision – Update
PRESENTER:	David King, Maple Trace HOA
ATTACHMENTS:	GIS Map; Updated Staff Report; Dale Pennell email dated 10 May 2024

DESCRIPTION/SUMMARY OF REQUEST:

David King is a representative of the Maple Trace HOA and has been the Town's primary point of contact concerning the pending annexation request that seeks to have all of the Maple Trace Subdivision brought within the Town's municipal limits. Mr. King has requested to be on tonight's Town Council agenda in order to provide an update on activity related to the request that has occurred since January 2024.

The Maple Trace HOA was able to obtain title to the portion of Water Leaf Drive that connects to Parker Cove Road (SR 2106) and the HOA is requesting that this piece of land also be considered for annexation. The petition has been updated and the Town Clerk is working to add this newly acquired HOA property to the Certificate of Sufficiency, as well as recertify the original petition to include any property transfers that have occurred since October 2023.

Will Buie, a Professional Engineer with WGLA Engineering, PLLC, will present an engineering report dated 27 March 2024 that he has provided to the Maple Trace HOA concerning their streets. That engineering report is very lengthy and not included within the agenda materials, but has been provided to Town Council in advance of the meeting. It is also available to the public upon request.

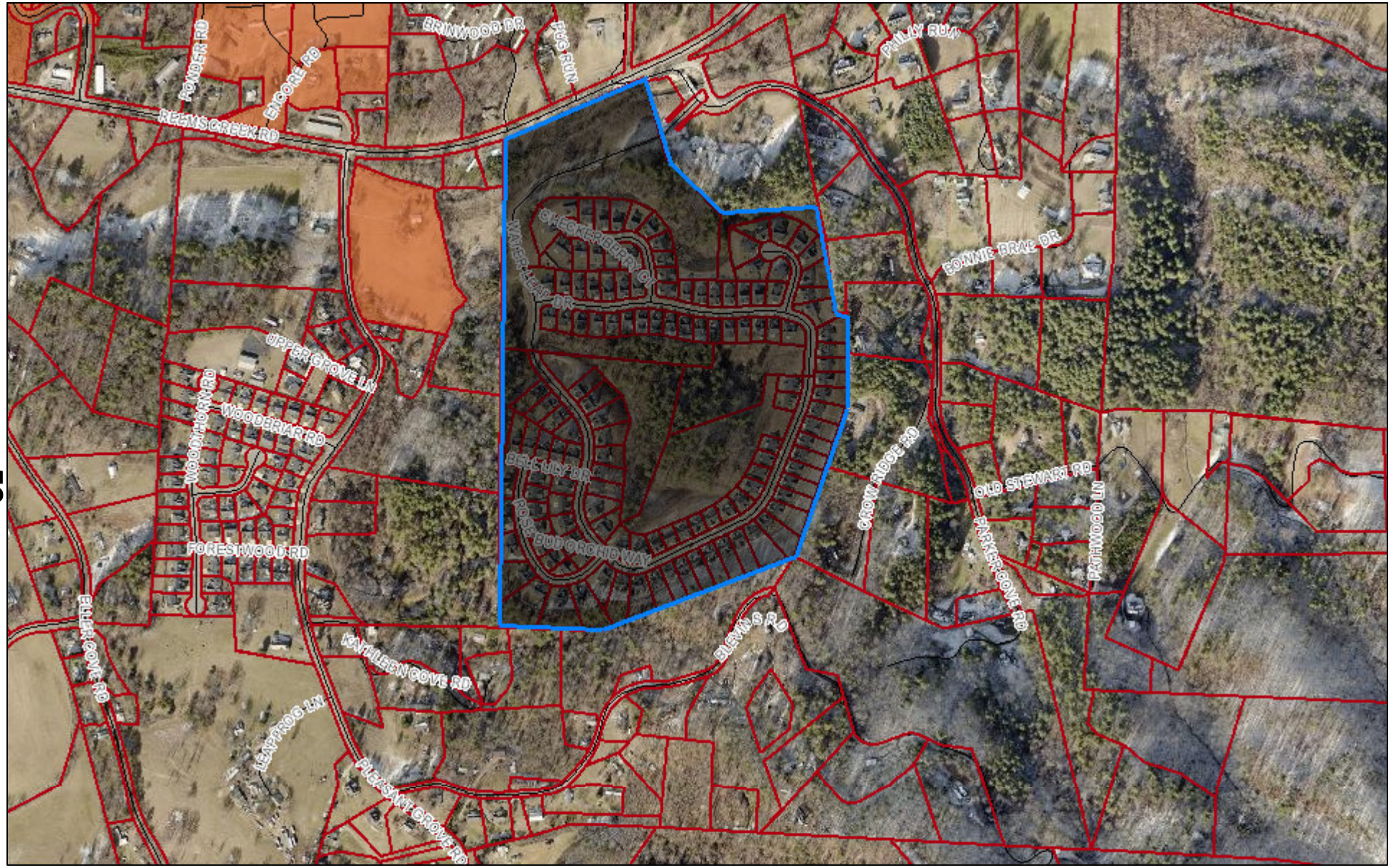
Public Works Director, Dale Pennell, has reviewed the report and offered his comments and recommendation to the Town Manager in an email dated 10 May 2024, a copy of which is attached, and will present the highlights to Town Council during this meeting.

In addition to Maple Trace representatives, the Town Manager, Public Works Director, and Town Attorney will be at tonight's meeting and will be available to answer any questions and guide Town Council with whatever next steps it deems appropriate.

COUNCIL ACTION REQUESTED:

Town Council discussion and direction as deemed appropriate.

Buncombe County



56

April 15, 2024

1:9,028

0 0.075 0.15 0.3 mi

0 0.1 0.2 0.4 km

UPDATED ANNEXATION STAFF REPORT
ANNEXATION #2023-2 – MAPLE TRACE SUBDIVISION

Updated May 2024 (see highlighted provisions for updates)

PROPERTY DESCRIPTION – Entirety of Maple Trace Subdivision; 143 properties; entrance and exit over a private easement for Water Leaf Dr (private road) to Parker Cove Rd (SR 2106), which crosses Reems Creek via a new 2-way NCDOT bridge and connects directly to Reems Creek Rd (SR 1003)

SUFFICIENCY OF PETITION – With the assistance of the Town Attorney, the Town Clerk certified the sufficiency of the annexation petition on 19 October 2023. This is a satellite annexation and, if annexed, brings the total percentage of satellite annexations from 0.92% to 3.97% (10% is the legal maximum).

FINANCIAL PROJECTIONS

Town Tax Value = +/- $43,820,025
Property Tax Revenue = +/- $153,370 annually
Water Revenue = +/- $48,240 annually[1]

PROPERTY DETAILS

Existing single-family subdivision that is built out and consists of:

+/- 66.5 acres
134 single family residences
9 HOA owned and managed common areas
5 private streets: +/- 7,415 linear feet = +/- 1.4 miles
Public utility providers: Town water, MSD sewer

ZONING CLASSIFICATION

Town R-2 zoning was requested as the Town zoning district that most closely aligns with the existing subdivision. The Planning Board reviewed the zoning request and voted to recommend R-2 zoning on 1 August 2023. The only discrepancies appear to be some minor deviations in min. lot area and setbacks (Subdivision 15' front, 15' rear, 7' side vs. Town 30' front, 10' rear, 10' side). Additional improvements in the subdivision will be constructed with prior approved setbacks for consistency and vested rights.

OPERATIONAL AND SYSTEM IMPACTS

WATER – The Town currently provides public water to these properties, so no operational challenges or additional system impacts are expected. A decrease in water revenue is noted in footnote 1.

STREETS – 5 private streets were constructed and are in use within the subdivision: Water Leaf Drive, Wild Ginger Court, Rosebud Orchid Way, Checkerberry Court, and Bell Lily Drive. The condition of these private streets has been reviewed and tested by engineers engaged by the HOA with a report dated 27 March 2024 being generated. The report and results of the testing have been reviewed by the PW Director and his comments and recommendation submitted. The HOA has obtained title to the portion of Water Leaf Drive that connects to Parker Cove Road and has updated its annexation petition to include this newly acquired property. Street lighting is present along all of the private streets.

STORMWATER – This subdivision operates under a stormwater management permit issued by Buncombe County and includes several stormwater control measures. The stormwater drainage system located within the street improvements has not yet been inspected to determine if the system is working properly or requires repair or maintenance.

SANITATION – If annexed these residential properties must be added to the weekly garbage route and the leaf/yard waste schedule. When considered with development that is expected with recent annexations, this annexation will require the addition of another garbage collection day. Staffing needs may be impacted and will have to be analyzed once the new garbage truck is received and put into service, which is expected in within the next month.

[1] Upon annexation, Town water revenue will be reduced to the approximate amount indicated due to conversion from outside rates to inside rates. Outside water rates for these properties generate approximately $96,480 in water revenue annually.

UPDATED ANNEXATION STAFF REPORT
ANNEXATION #2023-2 – MAPLE TRACE SUBDIVISION

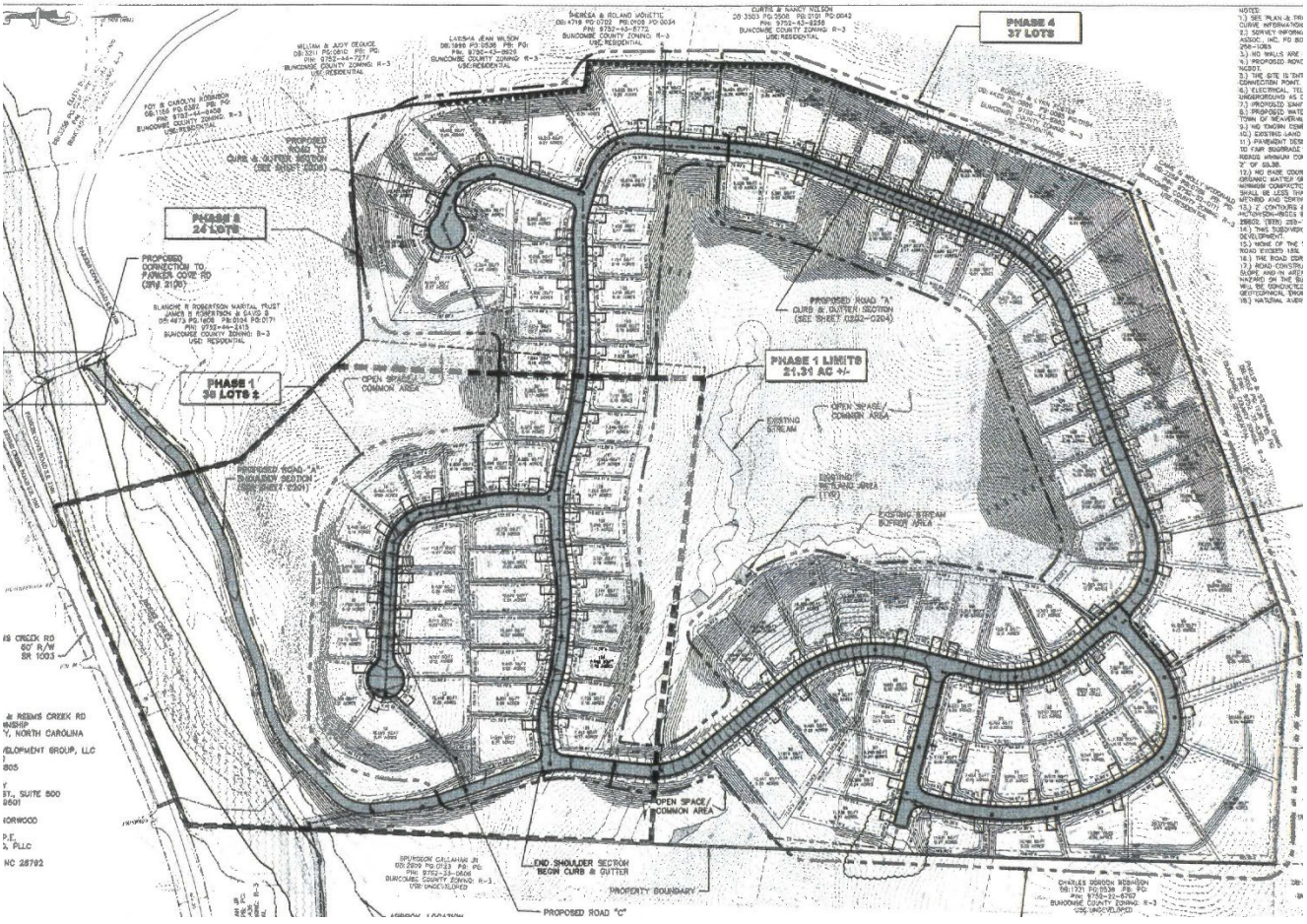
Updated May 2024 (see highlighted provisions for updates)

POLICE – The Weaverville Police Department believes that it will be able to efficiently and effectively serve this subdivision at its approved staffing level. These properties will be added to a routine patrol route.

FIRE – Reems Creek Valley Fire Department (RCVFD) currently provides fire service to these properties. If annexed these properties will be removed from the RCVFD district and the Town will be responsible for providing fire and first responder services. This annexation area represents approximately 4% of the RCFD tax base and will be a significant loss of tax revenue to the RCVFD at approximately $66,000 per year based on current rates.

N.C. Gen. Stat. § 160A-58.2A requires the Town to pay a proportionate share of a tax district's debt on facilities and equipment existing at the time an annexation petition is submitted. The Town's share of RCVFD debt for all of the annexations affecting the RCVFD tax district, including Maple Trace Subdivision, has been calculated to be $15,039.62 over a period of approximately 3.5 years.

The Town of Weaverville and the RCVFD recently entered into an automatic aid agreement which specifically provides that the annual amount owed by the Town to the RCVFD under the agreement will need to be renegotiated if the Maple Trace subdivision is annexed and will include any amounts legally owed to RCVFD for the Town's proportionate share of RCVFD debt as a result of the anticipated reduction in their tax base.



Jennifer Jackson

From: Dale Pennell
Sent: Friday, May 10, 2024 11:20 AM
To: Selena Coffey
Cc: Jennifer Jackson; Dale Pennell
Subject: Evaluation of Maple Trace Road Report
Attachments: Maple Trace Road report attachments.pdf

Selena,

I have completed my evaluation of the 172-page report furnished by WGLA Engineering of Hendersonville dated March 27, 2023 regarding the 1.4 miles of streets within the Maple Trace subdivision.. This report was prepared on behalf of the Maple Trace Homeowners Association, as they pursue the annexation of their development into the Town of Weaverville and the proposed acceptance of their streets into the town's street system. The condition of these streets (built between 2016 and 2019) has been a point of contention during the annexation process, with the Town's Public Works Department (PW) requesting a thorough study of the streets and the underlying storm drainage system. In lieu of complying with the PW's recommended 62 cores of the pavement cross-section and a video inspection of the drainage system, the HOA chose to have the original engineering firm for the Maple Trace development provide a less thorough road study with only 16 pavement cores and no drainage study at all. After reviewing this report, I have the following observations.

1. The study provided by WGLA Engineering was primarily conducted by a geotechnical & testing sub-consultant, Bunnell Lammons Engineering (BLE) of Asheville. The first 8 pages were provided by WGLA and included inspection reports from their 3+ years of road and utility construction. The remaining pages were provided by BLE, consisting of inspection reports, related maps, photographs, test results, and pavement core results.

2. WGLA and BLE mention several times that the road construction exceeds Buncombe County and NCDOT requirements for subdivision roads. These standards are defined as minimum of 6" of ABC stone base and 1-1/2" of asphalt for "good" subgrade conditions and 8" ABC stone and 1-1/2" asphalt for "poor to fair" subgrade conditions, in order to produce a road with a 15-20 year life span. While these requirements are important, the Town's requirements are more stringent (minimum of 8" ABC stone base and 2" of asphalt) in order to build streets with a minimum 20 years of lifetime with many town streets now exceeding 25 years.

3. Public Works asked for pavement testing consisting of 62 cores throughout the 1.4 miles of streets, which equal approximately 1 core per 119 feet of road. The WGLA/BLE study provided results for 16 pavement cores for the 1.4 miles of streets, or approximately 1 core per 460 feet of road, as shown on Figure 2 of Appendix A provided by BLE **(see attached)**, or 25% of the town's requested amount. The HOA asked for this smaller representative study to see if the majority of results would meet or exceed the town's standards before moving on to further testing. Unfortunately, the results did not give this outcome. Their Field Data Summary Sheet **(see attached)** shows 2 results for each of the 16 cores (one each for asphalt thickness and ABC stone thickness) for a total of 32 test results. **14 of the 32 did NOT pass** the town's standard specifications for road construction, meaning 43% of the tests did not pass.

4. The written BLE report **(see attached 4 pages)** contains a number of statements that deserve comment from PW and these are highlighted in yellow on the attached.

    a. On page 1 of 4, Section 3.0, the report stated "No significant areas of distress had been noted in the AC (asphaltic concrete paving) by the Maple Trace HOA prior to requesting this evaluation". However, the first 1000 to 1200 feet of Water Leaf Drive has had numerous repairs of failed pavement in the past as

well as recent replacement of several asphalt pavement edges. In addition, some of the patches are now showing distress and cracking and the remaining original pavement is developing "alligator" cracking in a number of areas.

b. Just FYI, this same Section 3.0 states that Maple Trace intends on dedicating the roads to the City of Woodfin – obviously just a typo.

c. In the last paragraph of Section 4.0, the report states "The base course material encountered generally appeared to consist of standard NCDOT ABC material. No specific testing of the ABC was performed.

d. In the first paragraph of Section 5.0, BLE says the asphalt pavement thickness was measured between 1.75" and 3.75" in depth and generally looks in relatively good condition. Please note that 2" is the minimum town standard and numerous areas of asphalt surfaces on the lower section of Water Leaf Drive have visible cracking and areas of deterioration as mentioned in 4.a. above.

e. In the second paragraph of Section 5.0, the stone (ABC) thickness under the paving layer was between 6 and 12 inches. Please note that the stone thickness is required to be 8" per the town's standards.

f. In Section 6.0 "Assessment and Evaluations", the report restates many of the observations that were found, including: no groundwater was encountered in any of the cores; AC thickness between 1.75 and 3.875; ABC thickness was between 6 and 12"; expected pavement life of 15-20 years; NCDOT recommends a minimum pavement thickness of 1-1/2" asphalt and 6" ABC stone. There was no notation within the report that the town's road constructiion standards were more stringent than the NCDOT requirements.

g. In Section 6.0 last paragraph, the report states that "No significant areas of distress were identified during this investigation." However, PW staff has clearly identified areas within the first 1,000 to 1,200 feet of Water Leaf Drive. It should also be noted that this section of road was the only access in or out of the Maple Trace development throughout construction so every construction vehicle, loaded dump truck, concrete truck, material delivery truck, moving van, and resident's vehicle had to travel this street section. As evidence of our staff's observations, I have **attached 10 pictures** from the first 1,000 feet of Water Leaf Drive which show multiple locations of deterioration to original pavement, areas of patches and recent pavement edge repairs, cracking of patched pavement which demonstrate continued distress.

h. Finally, the last 3 sentences in Section 7.0 read as follows: "We are not responsible for determining what work transpired before or after site visits and/or testing. Our scope in these cases is strictly limited to providing test results and observations for a given location at a given time. It cannot and should not be extrapolated for broader interpretation." I agree with this statement by the geotechnical engineer, particularly the last sentence, and our opinion remains that 16 cores for 1.4 miles of streets does not accurately represent the current conditions for the entire street network within Maple Trace. Also, no deep cores were conducted by the engineer in areas where significant fill was placed to determine if organic materials were present in these areas.

5. Lastly, a properly functioning drainage system under the streets is as important for the longevity of the streets as the pavement structure itself. When the town assumes responsibility for a street, we also assume responsibility for the drainage system within the road right-of-way. We originally asked for a video survey of the drainage system under the streets as a part of the road study, to determine the condition of the piping and structures and the watertightness of the system. Unfortunately, no study of drainage system has been provided by the HOA.

To summarize our findings, (A) only 16 cores were made as opposed to 62 cores that were requested by PW; (B) 43% of the engineer's 16 borings failed to meet town standards for road construction; (C) approximately 1,000 to 1,200 feet of the lower section of Water Leaf Drive is exhibiting significant distress and deterioration, with previous patches continuing to show cracking; (D) the deterioration of the lower section of Water Leaf Drive after only 6-8 years gives us concerns about the remainder of the roads as time passes; and (E) no drainage study has been provided. In order to protect the Town of Weaverville from future significant costs to repair and/or repave these streets (currently estimated to exceed $900,000), we would recommend completion of the remaining 46 cores of the road study as well as the video survey of the drainage system. Without these additional testing results, our opinion is to recommend that the Town deny the Maple Trace's HOA request to assume ownership of their streets as a part of their annexation request.

I am available at your convenience to discuss our review of this study.

Thanks,
Dale

Dale Pennell, PE, PLS
Public Works Director
Town of Weaverville
15 Quarry Road
Weaverville, NC 28787
828-645-0606 Office
828-231-7050 Cell

The Town of Weaverville
North Carolina

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DRAWN BY: KLC	DATE: 2-6-24	BUNNELL LAMMONS ENGINEERING	**SOIL BORING LOCATION MAP** GEOTECHNICAL EXPLORATION MAPLE TRACE DEVELOPMENT WATER LEAF DRIVE, WEAVERVILLE BUNCOMBE COUNTY, NORTH CAROLINA
CHECKED BY: COD	FILE: BLP.MXD		
APPROVED BY: COD	JOB NO: J24-22142-01		FIGURE 2

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Field Data Summary Sheet
Maple Trace, Weaverville, North Carolina

Boring Number	Asphlt/ABC Thickness	Roadway Condition at Test Location	Dynamic Cone Penetrometer blows/increment (1st - 2nd - 3rd)		General Soil Subgrade Description	Notes
	(inches)		- 1 foot (depth)	- 2 feet (depth)		
B-1	[illegible] / 8	Minor alligator cracking.	8 - 6 - 7	7 - 8 - 7	Brown, silty sand with some gravel and rock fragments	Terminated at 33.75" from road surface
B-2	2.125 / [illegible]	No signs of distress	8 - 10 - 10	9 - 10 - 8	Brown, silty sand with some gravel and rock fragments	Terminated at 33.875" from road surface
B-3	[illegible]	No signs of distress	5 - 5 - 7	15 - 15 - 8	Brown, silty sand with some gravel and rock fragments	Terminated at 33" from road surface
B-4	2.375 / 8.5	No signs of distress	9 - 8 - 10	5 - 5 - 5	Brown, silty sand with some gravel and rock fragments	Terminated at 34.875" from road surface
B-5	2.75 / [illegible]	No signs of distress	8 - 13 - 13	10 - 12 - 13	Brown, silty sand with some gravel and rock fragments	Terminated at 32.75" from road surface
B-6	1.75 / 7.5	No signs of distress	25+	20 - 25+	Brown, silty sand with some gravel and rock fragments	Terminated at 33.25" from road surface
B-7	2.25 / [illegible]	No signs of distress	25+	21 - 25+	Brown, silty sand with some gravel and rock fragments	Terminated at 33.25" from road surface
B-8	[illegible] / [illegible]	No signs of distress	10 - 12 - 10	8 - 7 - 7	Brown, silty sand with some gravel and rock fragments	Terminated at 35.5" from road surface
B-9	2.125 / [illegible]	No signs of distress	15 - 11 - 9	Auger Refusal	Brown, silty sand with some gravel and rock fragments	Auger encountered refusal at 33.625" from road surface
B-10	2.25 / 9	No signs of distress	25+	25+	Brown, silty sand with some gravel and rock fragments	Terminated at 35.25" from road surface
B-11	3.875 / 8	No signs of distress	6 - 10 - 9	5 - 6 - 5	Brown, silty sand with some gravel and rock fragments	Terminated at 35.875" from road surface
B-12	2 / 10	No signs of distress	15 - 11 - 8	Auger Refusal	Brown, silty sand with some gravel and rock fragments	Auger encountered refusal at 36" from road surface
B-13	[illegible] / 10	No signs of distress	25+	Auger Refusal	Brown, silty sand with some gravel and rock fragments	Auger encountered refusal at 35.875" from road surface
B-14	[illegible] / 12	No signs of distress	25+	7 - 8 - 9	Brown, silty sand with some gravel and rock fragments	Terminated at 37.75" from road surface
B-15	2.25 / [illegible]	No signs of distress	8 - 11 - 7	11 - 9 - 14	Brown, silty sand with some gravel and rock fragments	Terminated at 35.875" from road surface
B-16	[illegible] / [illegible]	No signs of distress	8 - 6 - 7	7 - 6 - 9	Brown, silty sand with some gravel and rock fragments	Terminated at 35.875" from road surface

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1.0 AUTHORIZATION

A limited pavement assessment and subgrade evaluation has been requested for the Asphaltic Concrete (AC) roadways in the Maple Trace Residential Development in Weaverville, North Carolina. This exploration was performed generally as described in Bunnell-Lammons Engineering (BLE) proposal No. P24-0094 dated January 15, 2024. The exploration was authorized on January 16, 2024, by the signature of Mr. David Kniffin of the Maple Trace HOA on our proposal acceptance sheet.

2.0 SCOPE OF EXPLORATION

This report details the findings of the limited pavement assessment and subgrade evaluation that BLE completed in the Maple Trace Community in Weaverville, North Carolina (reference Figure 1 in Appendix A). The intent of this study was to evaluate the condition/thickness of the Asphaltic Concrete (AC), stone base and subgrade of the roadways in the residential development (reference Figure 1 in Appendix A). BLE completed Construction Materials Testing Services (CMT) on this development during its construction between 2016 and 2019. BLE also completed a review of the Testing Reports from the CMT as part of this assessment.

3.0 PROJECT INFORMATION

This report has been prepared based on an emailed request for proposal from Mr. Will Buie, P.E. of WGLA to BLE representative, Mr. Colm O'Doherty, P.E. on January 8, 2024. BLE are also in receipt of the site civil plans provided by WGLA Engineering dated March 23, 2015.

The Property Owners Association for Maple Trace has requested an evaluation of the AC roadways within the housing development known as Maple Trace in Weaverville, North Carolina. There are approximately 1.4 miles of road in Maple Trace which needed to be assessed. The roadways in the residential development are labelled as Water Leave Drive, Checkerberry Circle, Wild Ginger Couty, and Rosebud Orchid Way. BLE proposed to assess the roads by collecting pavement sample cores, measuring base course thickness, and evaluating the underlying subgrade using Hand-Auger Borings and Dynamic Cone Penetrometer (DCP). BLE are familiar with this development having completed Construction Materials Testing (CMT) at the development during the construction between 2016 and 2019. BLE also reviewed their Testing Reports from construction as part of this scope.

No significant areas of distress had been noted in the AC by the Maple Trace HOA prior to requesting this evaluation. The HOA has requested this evaluation because they are intending on dedicating the roads in the Maple Trace Community to the City of Woodfin.

4.0 IELD EXPLORATION

Sixteen (16) test locations were selected by BLE. The test locations are shown on Figure 2 in Appendix A and the Hand-Auger Boring (HAB) Logs are shown in Appendix C. A summary of the collected field data is shown in Appendix B. At each test location, the AC was cored using an electrically powered, water-cooled, core drill with a six-inch diameter diamond tipped core barrel. The AC core was removed at each location to expose the supporting stone base, which was then further excavated to expose the subgrade soils. Upon encountering the soil subgrade, dynamic cone penetrometer (DCP) testing was performed to evaluate the relative consistency of underlying soils at select locations. The DCP testing was repeated at one-foot

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vertical intervals to depths of between 1 foot and 2 feet into the subgrade soils. The dynamic cone penetrometer is an instrument composed of a conical point driven with blows from a 15-pound hammer falling 20 inches. The point is driven into the soil in three increments of 1¾ inches. The number of hammer blows required to drive each increment is recorded. The average number of blows of the final two increments, when properly evaluated, is an index to soil strength. Upon completion of the testing, the core holes were backfilled with the cuttings and patched using an asphalt cold patch mix.

Once extracted, the AC pavement cores were visually observed and measured for thickness. After the cores were removed, the base course material was removed and measured for thickness by excavating through the material until the underlying soil subgrade was reached. A tape measure was then used to measure the in-place base course material. The base course material encountered generally appeared to consist of standard North Carolina Department of Transportation (NCDOT) Aggregate Base Course (ABC) material. The measured thicknesses of the AC and ABC are also shown on the Hand-Auger Boring logs in Appendix C. A summary of the collected field data is shown in Appendix B.

5.0 SUBSURFACE CONDITIONS

Asphaltic Concrete (AC)
The thickness of the AC material was measured as being between 1.75 and 3.875 inches in depth. Generally, the AC looks in relatively good condition. It was placed between 2016 and 2019.

Aggregate Base Course (ABC) Material
Below the surface AC, an Aggregate Base Course (ABC) stone was encountered. The thickness of this layer was between 6 and 12 inches. The ABC generally appeared to consist of standard NCDOT ABC stone. This material was also placed during the construction of the roads between 2016 and 2019.

BLE completed density testing using a nuclear gage density testing methods (ASTM D6938) on both the AC and the ABC during construction. BLE reviewed the density testing reports completed during the construction. All results appeared to conform to industry standard compaction standards.

Subgrade Soil
The subgrade soil immediately below the aggregate base course stone typically consisted of a firm silty sand with some gravel. Due to the disturbed conditions of the soil in the hand auger bucket, it was difficult to discern the difference between fill and residual soil. The soils encountered have similar appearance, and the transition (if any) was not easily identifiable. The soil encountered in our hand auger borings were generally free of organic and deleterious materials. However, it should be noted that the content and quality of soils can vary significantly, especially at sites that have been previously graded. BLE reviewed the subgrade inspection reports completed during the road construction. The areas intended to provide support for the pavement were subjected to a proofroll using a four-wheeled, rubber-tired roller or similar approved equipment. The proofroll also was reported to have passed this subjective inspection.

Refusal Material
Material sufficiently hard to cause auger refusal to our hand-auger boring equipment was encountered in B-9, B-12, and B-13 at approximate depths of between 33.625 and 36 inches. Refusal may result from boulders, rock fragments Partially Weathered Rock (PWR) or dense residual soils. In this case, the refusal is believed to have resulted from rocks fragments/gravel in the soil matrix. Power drilling procedures are required to penetrate hand auger refusal materials and determine the material character and continuity. Power drilling was beyond the scope of this investigation.

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Groundwater

No groundwater was encountered in any of the Hand-Auger Borings at the time of the assessment. However, it should be noted that groundwater levels may fluctuate several feet with seasonal and rainfall variations and with changes in the water level in adjacent drainage features. Normally, the highest groundwater levels occur in late winter and spring and the lowest levels occur in late summer and fall.

6.0 ASSESSMENT AND EVALUATION

BLE understands the AC for the entire Maple Trace development was placed in five stages between 2016 and 2019. Most of the AC at the development appears to be in good condition, other than normal wear and tear, given that the pavement is approximately 7 years old. In our experience, most pavement sections are expected to provide adequate performance considering a 15- to 20-year service life. The AC thickness varied between 1.75 and 3.875 inches for the project site. BLE also reviewed the Compaction Testing Results that were completed during the asphalt placement. The asphalt was tested using nuclear gage density testing methods (ASTM D6938). All results appear to meet or exceed the normally recommended 92% compaction requirement.

The thickness of the ABC layer was measured as being between 6 and 12 inches on all hand auger borings completed at the development. BLE also reviewed the Compaction Testing Results that were completed during the ABC stone placement. The ABC was tested using nuclear gage density testing methods (ASTM D6938). All results appear to meet or exceed the normally recommended 100% compaction requirement.

As part of this report, BLE reviewed the *North Carolina Department of Transportation Subdivision Roads Minimum Construction Standards (January 2010).* This manual recommends a pavement surface of 1.5-inch layer of S9.5B Asphaltic Concrete overlying a 6-inch layer of ABC for a good subgrade soil with AASHTO classification A-2-7. The recorded thickness of the AC pavement and the ABC base course appeared to be within the recommendations of this document.

The Hand-Auger Borings (HAB) and the DCP data suggests that the subgrade also generally appears to be of sufficient quality to support the traffic loading frequency for this section of roadway. The subsurface soils appeared to consist of moderate to firm, silty sand with trace gravel and rock fragments. The DCP data suggests that the subsurface soils received compactive effort at the time of placement. BLE reviewed the subgrade inspection reports completed during the road construction. The areas intended to provide support for the pavement were subject to a proofroll using a four-wheeled, rubber-tired roller or similar approved equipment. The proofrolls also appeared to pass inspection.

Based on the data collected during this limited pavement assessment and subgrade evaluation and the Testing Inspection Reports reviewed during the road construction between 2016 and 2019, the roads appear to be in relatively good condition and constructed to a high standard. No significant areas of distress were identified during this investigation.

7.0 BASIS OF EVAULUATION

Our evaluation has been based on our understanding of the project information and data obtained in our exploration as well as our experience on similar projects. The general subsurface conditions utilized in our subsurface evaluation have been based on interpolation of the subsurface data between the widely spaced hand auger borings. Subsurface conditions between the borings may differ. If the project information is incorrect, please contact us so that our recommendations can be reviewed. The assessment of site

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environmental conditions for presence of pollutants in the soil, rock and groundwater of the site was beyond the scope of this exploration.

Details of individual testing activities and observations have been provided in the Daily Field Reports. These reports were issued to our client (Windsor Built Homes) during the construction between 2016 and 2019. The inspections were performed on an on-call, part-time basis. This approach reduces the extent and efficacy of our services. On-call, part-time work frequently consists of intermittent observations, and is often scheduled by a third party. With part-time work, where, when and what testing/observation occurs is dictated and scheduled by the client's designated representative. We do not accept any responsibility for performing the required testing when we are not scheduled for work, are not present on-site, or for items requiring testing that we have not been directed to test or observe. We are not responsible for determining what work transpired before or after site visits and/or testing. Our scope in these cases is strictly limited to providing test results and observations for a given location at a given time. It cannot and should not be extrapolated for broader interpretation.



WATER LEAF DRIVE 5-7-24 #1


WATER LEAF DRIVE 5-7-24 #2

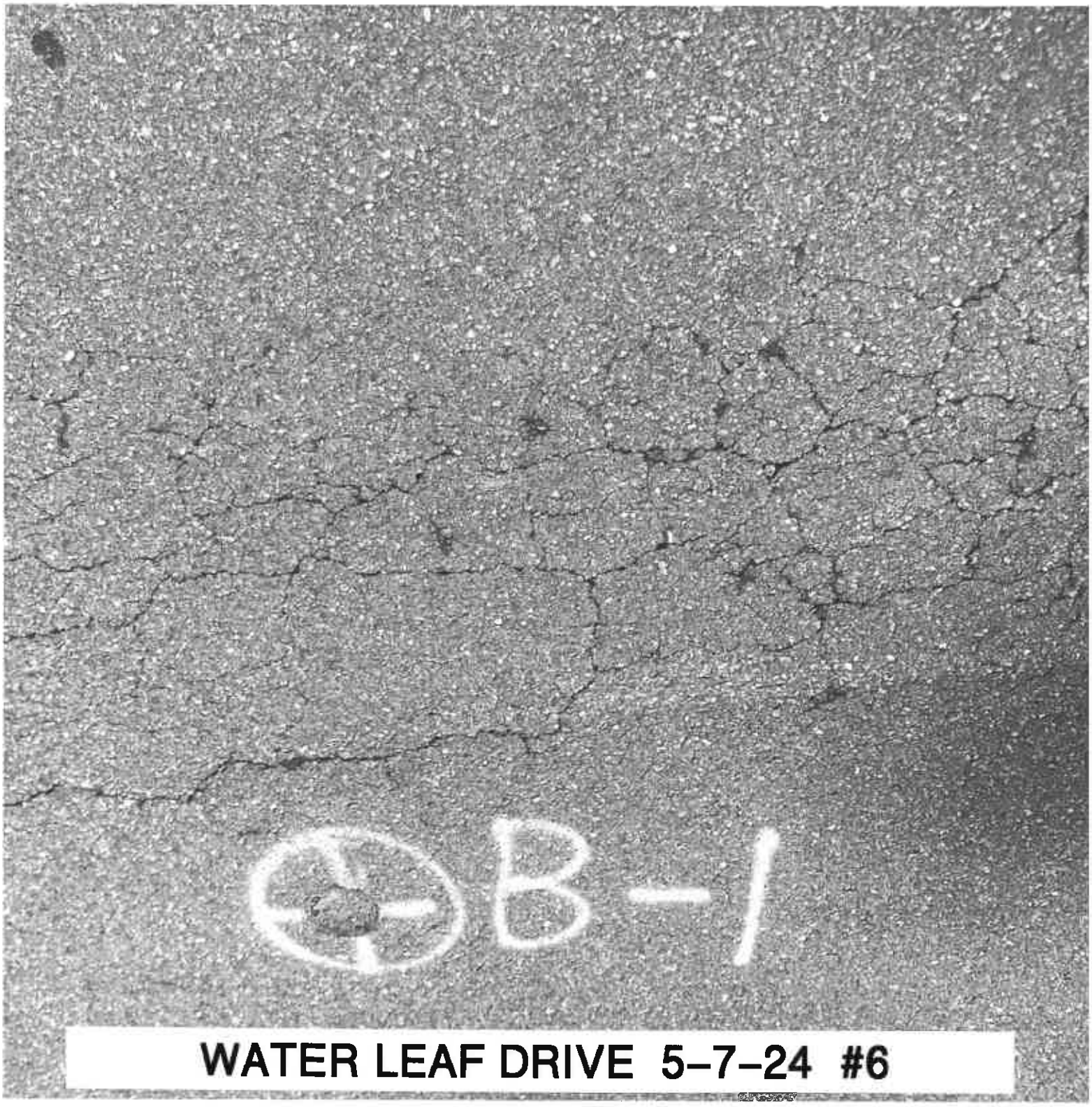


WATER LEAF DRIVE 5-7-24 #3



WATER LEAF DRIVE 5-7-24 #4


WATER LEAF DRIVE 5-7-24 #5



WATER LEAF DRIVE 5-7-24 #6


WATER LEAF DRIVE 5-7-24 #7



WATER LEAF DRIVE 5-7-24 #8



WATER LEAF DRIVE 5-7-24 #9


WATER LEAF DRIVE 5-7-24 #10

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

Date of Meeting: Monday, May 20, 2024

Subject: Presentation of Eller Cove Watershed Trail Study and Quarry Road Trail Study

Presenter: Peter Mills, Elevated Trail Design

Attachments: Eller Cove Watershed Trail System Presentation
Eller Cove Watershed Trail Plan & Cost Estimate
Quarry Road Trail System Presentation

Description:

Peter Mills, owner of Elevated Trail Design, will be in attendance at this meeting to present his final report on the Eller Cove trail system project and the Quarry Road trail system project.

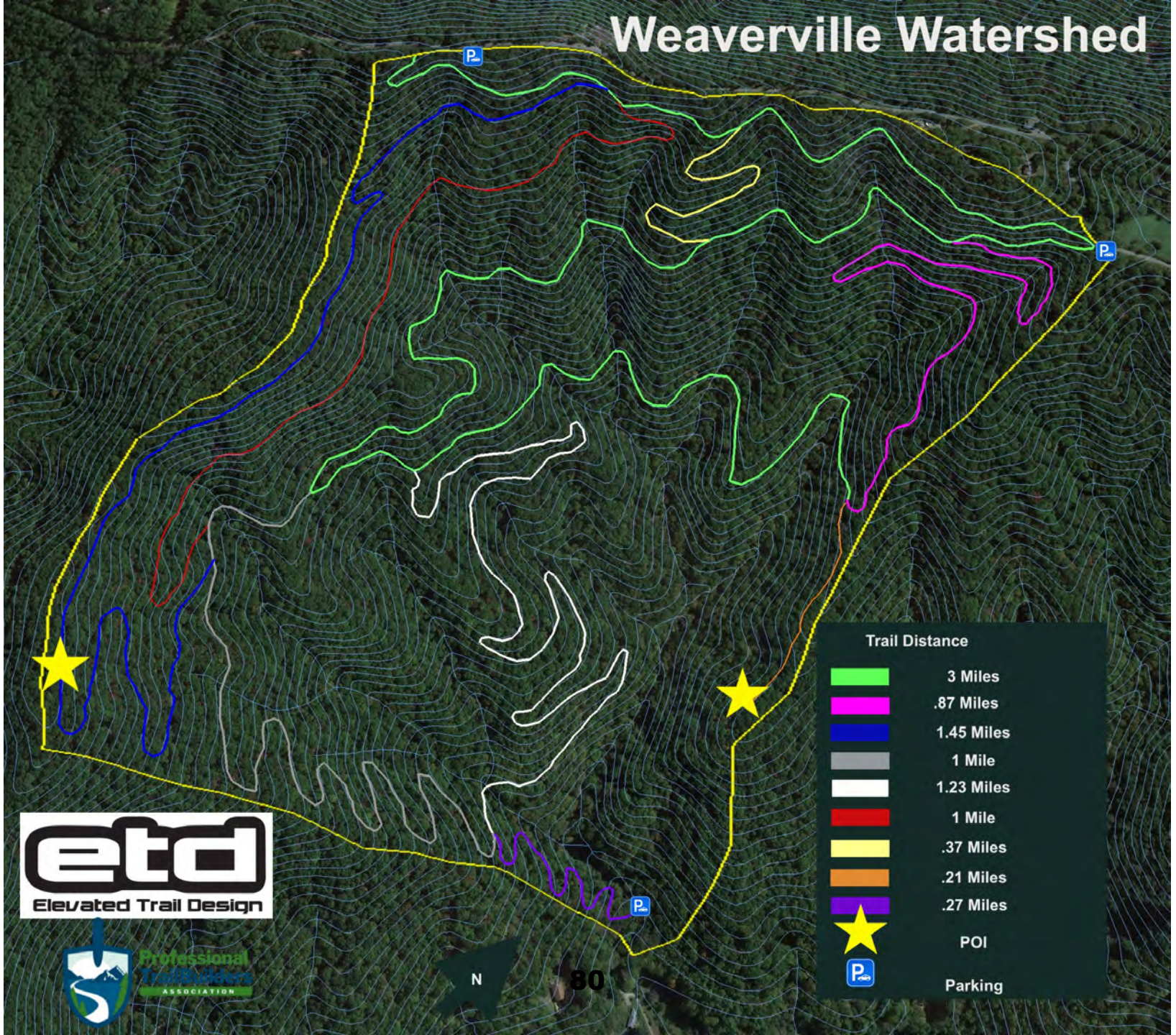
Council Action Requested:

The Town Manager recommends that Town Council give staff direction as to whether it wishes to move forward with either or both projects, including discussion of funding within the fiscal year 2024-2025 budget.



Weaverville Watershed

Elevated Trail Design


Weaverville Watershed
Trail Distance
3 Miles
.87 Miles
1.45 Miles
1 Mile
1.23 Miles
1 Mile
.37 Miles
.21 Miles
.27 Miles
POI
Parking
etd
Elevated Trail Design
Professional Trailbuilders Association
N
80




82









Weaverville Watershed Trail Plan

Client: Town of Weaverville
Location: Weaverville Watershed Property

Prepared By:
Peter Mills
Owner/Founder
Elevated Trail Design, LLC
PTBA Member Company
Connect Buncombe Board Member

Office Location:
280 Hunter Ridge Dr.
Marshal, NC 28753 USA
NC Licensed Contractors
Date: January 17th, 2024



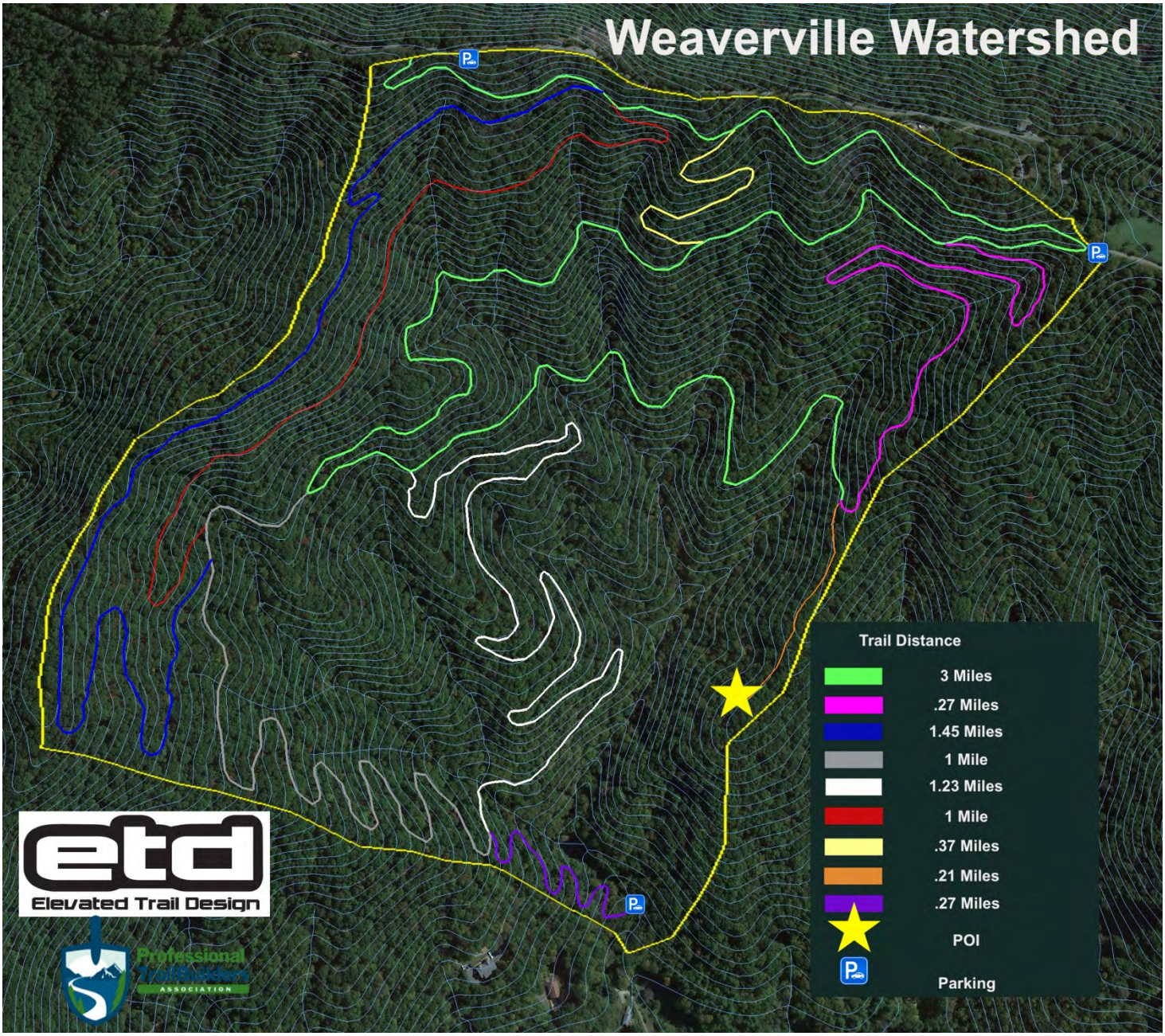
Overview: Our local trail design and construction firm has been contracted by the town of Weaverville to explore their "watershed" property to design a trail system in alignment with the long-term conservation goals. The watershed property is ideally suited for passive recreation and our trail design plans for a low-density approach with just under 7 miles of multi-use trails. The trail design takes advantage of the existing network of historical logging roads. Our approach minimizes the impact on the land and maximizes the return on investment in trails. To ensure that the old logging roads properly drain water and can handle foot and bike traffic, we recommend converting these road beds into narrower trails. The property provides long-range views, large hardwood trees, and, in some areas, the kind of quiet forest space you would expect from being deep in the backcountry.

These potential trails can be a valuable asset for our local community members and visitors. The Town of Weaverville has a great opportunity to create a safe space for responsible recreation just a few minutes from downtown Weaverville. This trail plan represents a big step forward, with the property being professionally assessed with boots on the ground, exploring all available terrain, and designing the trails to make the most of the space available in a practical and sustainable manner. Our team has worked to ensure all trails fit within the parameters of the conservation requirements. It will enable the land to be enjoyed for years and instill the importance of conservation land in the next generation.

Having the trails flagged in the field allows people to see the potential in the forest more clearly.

ETD's owner, Peter Mills, has personally led the trail design phase and will be available to discuss this plan in person on-site to answer all questions about the Watershed trail plan.

Watershed Trail Map:

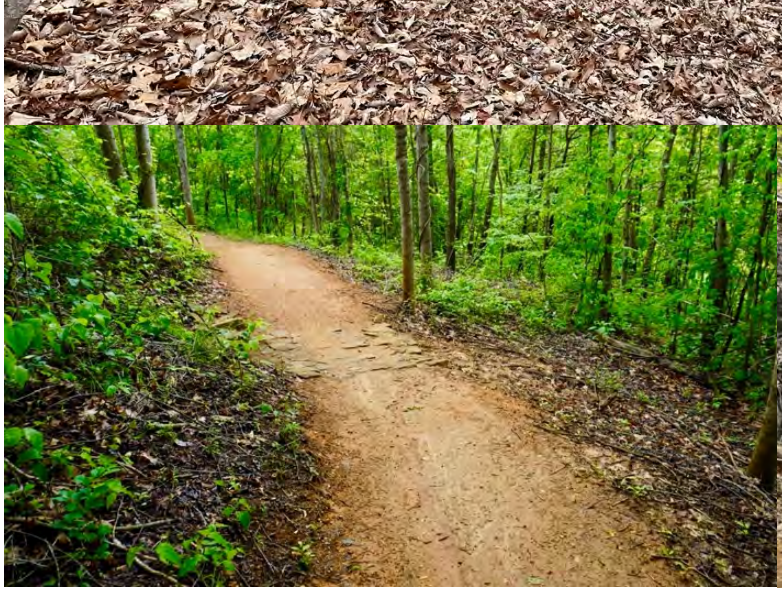


-More than just lines on a map, these alignments represent solutions to problems ranging from drainage, slope, old trails, infrastructure, water, and years of logging.
-These alignments are ground proofed and the final flagging on the ground is in process. We do not anticipate any major changes to this general layout after the final flagging is completed.

-Please view separate large maps that have also been included for easy viewing.



-Left is a typical example of the old logging roads that we propose get converted into trails for the green trail on the map.





What Types of Trails?

Trails of all types have been designed on property to create a diverse and low-density trail system that takes advantage of the absolutely beautiful forest. The old logging roads that were suitable have been connected with bits of new trail to create a just over three miles of the trail system. The Blue trail takes you just below the ridge and offers long range views off both sides

while you hike, walk, run or bike along a gradual grade. The purple, grey, and white trail are options that will allow folks to travel down to the lowest point and the farthest end of the property. These trails will feature switchbacks and travel through some rocky and rugged terrain. We also propose one biking only trail to allow an option for separating those users from hikers for a well-rounded trail system. Please see the pictures below from various ETD projects that show similar types of trails in similar terrain to the Watershed property.









Boardwalks and Bridges can be treated lumber or upgraded to Oak and Locust. Although it is more work, we recommend the hardwood locust and oak for a natural aesthetic in the forest setting.
-Left is a 16-foot bridge with treated lumber; below is a bridge with White Oak decking and Locust supports.
-All bridges and Boardwalks will need to receive a rock abutment to ensure long-term durability and reduce soil loss.
-Our design limits the need for any boardwalks or bridges to just a few.



Trail ID:

Please examine the attached Weaverville Watershed Trail ID document for full trail descriptions, specifications, phasing, cost estimates and additional information. This trail ID shows each trail and its associated color for reference with the included map.

Trail Specifications and BMPs of Trail Construction:

The trail system has been designed using our firms most up-to-date practices following the NCDENR, IMBA trail construction guidelines, and PTBA best practice standards. These practices our firm has followed to design and build several hundred miles of trail since 2011. We strive to continually improve our approach in the design phase to reduce erosion and control sediment. During construction, all trail must be fully stabilized and compact all work that occurs daily. Being tidy during construction is critical. The goal is for the new trail to allow water to travel across the tread surface and not travel up and down for extended periods in a linear fashion. The below specifications provide opportunities to ensure that water spends as little time as possible on the actual trail tread surface:

- Average trail grades are between 3-10% for optimal sustainability and approachability.
- The trail tread will be constructed with a slight and consistent out-sloped tread of 1.5-2% to allow water to shed off the downslope.
- Grade reversals will be incorporated into the contouring undulations of the trail to shed water and reduce the linear distance that water travels along the tread of the trail.
- The "toe edge" or downslope below the tread will be evenly covered with leaf litter and other natural debris to aid in the dispersion of water and erosion control. This is the BMP used by all National Parks and State Parks.
- Trails will feature ample back slopes, which will transition smoothly to the hillside above and help reduce water's speed across the tread surface.
- Trails shall not exceed a sustained grade of 10% in any situation.
- Climbing trails will utilize grade reversal drainage systems at the entrance and exit of the turns.
- In-sloped turns will allow the water to exit at grade reversals if needed.
- Re-vegetative matting will be used in limited key areas to achieve optimal soil stabilization if needed.
- Trail width will average 36 inches-48. There will be an average 8 foot cleared corridor. This refers to removing branches and limbs that may protrude into the trail and pose a hazard or danger.
- There should be little to no disturbance outside of the trail corridor.
- Silt fence will be used in select very limited areas around the limited boardwalk or bridge locations.

Soils:

The various types of soil relate to the varying topography changes on the property. Our trail alignments avoid low-lying wet areas. The site has a typical mix of soils we have seen in this region. We think it is a sand/clay/rock mix that is prone to draining better than some areas that have a higher clay content. Based on our experience trail building several trail systems on the other side of this ridge we feel confident the soils will be able to provide a firm tread surface and have good long-term durability after proper construction. We feel these trails will be durable and



Trail Heads and Trail Signage: For this property to be activated it will need clear signage and maps for visitors to navigate and have a positive experience. We want people to clearly see the trail names and provide an opportunity for trail information and space for educational and emergency information. Here are examples of a map station created out of Locust hardwoods that we installed at the new Chestnut Mountain Park in Canton, NC. The map and information are printed on an aluminum substrate panel.

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The final map, trail names, name markers, and details will be determined with the client as the project progresses. We have included pricing estimates for map stations, trail name markers, and entrance “arches.” The final cost for the production of name markers, maps, and any other signs is subject to clients material preference and local vendor pricing and final amount of signage client desires for the trail system. Utilizing the local locust hardwoods would look great and match similar aesthetic with our region. These examples from a previous project used local Locust hardwoods.



Trail Construction Process & Guidelines:

Construction of this trail network needs to be executed to the highest industry standards. Our team has designed the trails within the Watershed property to be feasible for construction and we anticipate being able to adhere closely to the flagged trail design with little need to adjust. There is the possibility that the corridor may shift up to 50 feet from the original flag line. GPS is only accurate within so many feet so we need to allow for the 50-foot variance. Adjustments to the flag line may occur in situations where we find it necessary to avoid harm to trees, rock slabs, and springs, and or to ensure optimal sustainability of the trail. Any modification that exceeds 50 feet for construction should be discussed with the client. Given the nature of the property and the trail layout, we do not anticipate cutting any large trees. Navigating around the larger trees to avoid the unnecessary removal of any healthy trees is critical. Dead, hazardous trees will be removed if they potentially present an immediate safety risk for trail users. Hazard tree removal 15 feet from the center of the trail tread is included in construction to help reduce future maintenance greatly. The trails should be constructed using excavators, which ensures our ability to remove organic matter from the trail tread fully and allows us to create a fully benched trail. These excavators allow as minimal an impact as possible while the construction of the trails is executed. The excavators to compact all tread surfaces and finish as you go down the trail.



Construction Timeline:

- Our firm would plan for a 10-11 month timeline for all phases to be built at once by a qualified, experienced local firm. ETD could mobilize and break ground as soon as the town of Weaverville is ready to bring this trail system to life.
- The final construction timeline is TBD based on the final scope and timeline for Town.

Costs:

The full breakdown of cost estimates is found in the Watershed Trail ID.

Trail System Maintenance:
-The trails have been designed to be built in a manner that will hold up well and be something that can be maintained as easily as possible.
-Although the weather is out of our control, building the trails right the first time ensures they are a long-term asset for your community.
-We offer training for future trail system maintenance and management.
-This is a long-term working relationship, and we always enjoy working with clients to come up with short-term and long-term options for keeping their trail system and park in great condition for a safe and fun trail experience.

Conclusion:
After your team has had the opportunity to review everything we have shared, lets connect in person and go over the details. I am happy to set up a time to walk the flags on the ground and give a tour of the trail alignments. In addition, I am happy to discuss with any interested party to help The Town of Weaverville advance this opportunity for outdoor recreation and conservation to work hand in hand. Don't hesitate to contact Peter Mills to review and move into the next phase. 919-614-2391.

Elevated Trail Design

Professional TrailBuilders Association



flag/map color	Trail Length In miles	Trail Narrative	Average Tread Width in Feet	Phase	Estimated Cost Per Foot for Construction	Bridge/Boardwal or rock armored crossing Budget Range	Signage Budget Estimate
Green	3 miles	This trail is the primary foundation of the watershed trail system. It takes advantage of old logging roads and has several re-routes to make it possible to use these old routes. The goal is to narrow the roadbeds and make a moe functional trail. The views are ample as you go in and out of the contours.	5.00	1	3 to 5	$5,000-7,500	$3,500-$12,000
Pink	.85 miles	This trail makes for a complete loop using the green trail. It allows the connection to work and is all new trail. Closing segments of old logging road in several areas near this trail will help reduce water run off on the property and generally improve the area.	4	1	5 to 8	$2,500-4,000	$1,000.00
White	1.23 miles	This segment provides the very important connection between the lower and upper elevations on the property. This area is also very open and quite as it is protected by the ridges.	4	1	5 to 10	$8,000-14,000	$1,000.00
Blue	1.45 miles	This trail takes advantage of the long distance views and skirts just below a protected ridge. The trail user will have opportuntities to see off both sides as they navigate this section of trail. The star indicates a great area for a destination, benches or small structure allowable with the easement.	4	2	5 to 10	$2,000-3,000	$1,000.00
Red	1 mile	This trail is an opportunity to create a mountain bike trail that is just for bikers. This will allow less bike traffic to be on the other trails and focus their use in a more controlled way.	3	2	5 to 10	$2,000-$3,000	1,000-1,500
Yellow	.37 miles	This section will have rocks to create a rugged step feel in several areas and provide opportunties for a more direct hiking route to make a shorter loop for folks visiting from the top.	2	2	5 to 10	$5,000-6,500	$1,000.00
Grey	1 mile	This segment helps provide another access from the top to bottom. It look close on the map, but it is much more spread out in real life in the woods.	3	2	5 to 12	$3,000-8,000	$1,000.00
Purple	.27 miles	Purple is the only way to get from the bottom entrance up the elevation necessary to access the rest of the property. Great effort was put into designing this segment to safely pull people away from the water supply.	3	1	5 to 12	$500-2,500	$3,500-12,000
Orange	.21 miles	This section is a short spur that takes advantage of the views and would be a nice area for some benches or a small treehouse type structure that is allowed in the easement. It would be a lovely location for a destination.	4	2	5.00	$0.00	$1,000.00
	approximately 7 Miles of Trail	Trail System Maintenance: For this size trail system we would reccomend a budget of $50-$55,000 for yearly long term maintenance plan with a professional contractor.					

Elevated Trail Design

Professional TrailBuilders ASSOCIATION



Weaverville 127 & 15 Quarry Rd


CAT



TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

Date of Meeting: May 20, 2024

Subject: 75 Cole Road Apartments
Request for Water Commitment serving 200 apartments
PIN: 9743-35-2359

Presenter: Dale Pennell, Public Works Director

Attachments:
1. Application for Commitment Letter
2. Water Demand Calculations
3. Proposed Site Map

Description: The developer's engineer (Civil Design Concepts) submitted an "Application for a Commitment Letter" in November 2023 for 67,000 GPD to serve a proposed 216-unit apartment project on Cole Road.

The Public Works Department has reviewed the application and has determined that adequate water capacity is available to serve this request, with the provision that the property be annexed by town as a condition of allocation approval. The applicant is aware that a public water line will need to be extended for approximately 800 feet at the developer's expense along Cole Road from the town's 10" water line in Clarks Chapel Road to serve the property.

Action Requested: Council discussion and decision.

Transmittal

Date: February 9, 2024
Project Name: 75 Cole Road
CDC Project: 12335

To: Dale Pennell, P.E., P.L.S.
Town of Weaverville
Public Works Director
15 Quarry Road
Weaverville, NC 28787

Via Mail ___ Overnight ___ Hand Delivered _x__ Pick up @ CDC Office ___

Copies	Date	Description
1	02-09-2024	Application for a Commitment Letter
1	02-09-2024	Water Demand Calculations
1	02-09-2024	11x17 Conceptual Layout Bulletin

REMARKS:

CC:

By: Warren Sugg, P.E.

Mailing Address: P.O. Box 5432, Asheville, NC 28813

168 Patton Avenue, Asheville, NC 28801
Phone 828-252-5388 Fax 828-252-5365

52 Walnut Street – Suite 9, Waynesville,NC 28786
Phone: 828-452-4410 Fax: 828-456-5455

TOWN OF WEAVERVILLE
WATER DEPARTMENT

APPLICATION FOR A COMMITMENT LETTER

APPLICANTS NAME: Warren Sugg, P.E.

PROJECT NAME: 75 Cole Road

ADDRESS: 168 Patton Avenue

Asheville, NC 28801

LOCATION: 75 Cole Road

Weaverville NC, 28787

PHONE NUMBER: 828-252-5388

PIN NUMBER: 9743-35-2359

ELEVATION: 2157

TYPE OF SERVICE:

RESIDENTIAL	☐	SINGLE FAMILY HOME
	☐	TWO FAMILY_____NUMBER OF BUILDINGS
	☒	MULTI-FAMILY 9 NO. OF BUILDINGS 24 UNITS PER BUILDING
	☐	RESIDENTIAL SUBDIVISION_____NO. OF LOTS
COMMERCIAL	☐	SINGLE COMMERICAL BUILDING
	☐	UNIFIED BUSINESS DEVELOPMENT_____NO. OF BUILDINGS
		_____NO. OF UNITS
INDUSTRIAL	☐	SANITARY FACILITES ONLY
	☐	SANITARY & INDUSTRIAL PROCESS WATER
OTHER	☐	FIRE SPRINKLER SYSTEM
	☐	IRRIGATION SYSTEM
	☐	_____

CAPACITY REQUESTED:

MAXIMUM GALLONS PER MINUTE 350
MAXIMUM GALLONS PER DAY 67,000
ANTICIPATED DATE OF SERVICE Fall 2024

PROJECT DESCRIPTION:

By way of Attachment(s) provide as much information as possible about this project. At minimum, attach A copy of the County Tax Map showing the location of the property. If the project involves a subdivision or more than one building location, a topographic map of the property is required to show building or lot Elevation.

ACKNOWLEDGEMENT:

I Warren Sugg, P.E. understand that the processing fee of **$ 100**, paid herewith is non-refundable and is to cover the costs of processing and investigating this request and that an additional Commitment Fee based on the size and number of connections is due upon approval. It is further understood that the Town has the exclusive right to deny the request for any reason whatsoever.

Signature Warren M Sugg Date 2/9/24

WATER DEMAND CALCULATIONS

Project Scope: This project will consist of 200 Units

AVERAGE DAILY DEMAND

Establishment Type	Daily Design Flow			No. of Units	Total Flow		Notes
1 bed residential	200	gal /	Unit	56	11,200	gpd	
2 bed residential	300	gal /	Unit	144	43,200	gpd	
3 bed residential	400	gal /	Unit	20	8,000	gpd	
Pools/ammenities	10	gal /	Unit	404	4,040	gpd	
Average Daily Demand					66,440	gpd	round to 67,000 gpd

Are fixture counts available: Yes

PEAK WATER DEMAND

Fixture Type	Demand Weight of Fixtures			No. of Fixtures	Fixture Units	
Sink/service	4	fixture units /	fixture	604	2,416	
Water Closet	5	fixture units /	fixture	384	1,920	
Bath/Shower	4	fixture units /	fixture	384	1,536	
Dishwasher	2	fixture units /	fixture	220	440	
Washing Machine	4	fixture units /	fixture	220	880	
Total Fixture Units					7,192	
Total Peak Water Demand					350	gpm

FIRE PROTECTION

Unit demant = 750 GPM

Notes:

1. Establishment types and daily design flows from Average Daily Water Demand Chart.
2. Fixture types and demand weight from COA Design & Construction Manual figure W02-b, NC Plun code, and **load calculations provided by plumbing engineer.**
3. Peak design flows are from Instantaneous Water Demands Chart.
4. Calculated domestic water demand above is based upon anticipated fixture counts for the project. Final calculations shall be done by the Plumbing Engineer during construction document preparation.

NORTH

0' 200'

PROPOSED WATER SERVICE LINE (TYP)

PROPOSED FIRE HYDRANT ASSEMBLY (TYP)

PROPOSED PRIVATE WATER LINE (TYP)

PROPOSED CONNECTION TO EXISTING WATER LINE

PROPOSED 8" PUBLIC WATER LINE ALONG CLARKS CHAPEL ROAD

PROPOSED MASTER METER AND BACKFLOW PREVENTOR

BUILDING #1
FFE-350
3 FLAT - 24 units

BUILDING #2
FFE-350
3 FLAT - 24 units

BUILDING #3
FFE-350
3 FLAT - 24 units

BUILDING #4
FFE-350
3 FLAT - 24 units

BUILDING #5
FFE-350
3 FLAT - 24 units

BUILDING #6
FFE-350
3 FLAT - 24 units

BUILDING #7
FFE-350
3 FLAT - 24 units

BUILDING #8
FFE-350
3 FLAT - 24 units

CLUBHOUSE
FFE-350

INTERSTATE 26

CDC Civil Design Concepts, PA

NCBELS #: C-2184

75 COLE ROAD
WATER ALLOCATION BULLETIN
OCTOBER 2023

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

MEETING DATE:	May 20, 2024
SUBJECT:	Annexation, Zoning, Comprehensive Land Use Plan Update – 75 Cole Road
PRESENTER:	Town Attorney Jennifer Jackson
ATTACHMENTS:	Proposed Amended and Restated Resolution on Growth Areas Proposed Annexation Ordinance and Annexation Map

DESCRIPTION/SUMMARY OF REQUEST:

Roger Spittle is the owner of the property located at 75 Cole Road and has submitted a voluntary annexation petition seeking to have a total of +/- 22 acres annexed into the Town of Weaverville. The purpose of the annexation petition appears to be to obtain Town services to support an apartment complex that is proposed on the property. The petitioners are requesting an initial zoning designation of R-12 to support that multifamily residential project.

The Town Clerk has previously certified the sufficiency of the annexation petition and public hearings were held earlier in the meeting on 20 May 2024 on the annexation, the proposed R-12 zoning, and a related update to the Comprehensive Land Use Plan.

The annexation petition is now eligible for Town Council action. The proposed annexation ordinance is attached for Town Council review and possible adoption and includes an R-12 zoning designation as requested by the petitioner and recommended by the Planning Board.

An amendment to the Comprehensive Land Use Plan to include a mix of residential and commercial uses, including R-12 zoning, in the I-26 corridor growth area was recommended by the Planning Board. An amended and restated resolution concerning the growth areas is attached for consideration and, if adopted, would serve as an amendment to the Comprehensive Land Use Plan.

COUNCIL ACTION REQUESTED:

Town Council is asked to adopt the Amended and Restated Resolution Concerning Growth Areas and to amend the Comprehensive Land Use Plan to include this updated version.

If it wishes to annex this property into the municipal limits of the Town of Weaverville, Town Council is asked to adopt the annexation ordinance.

The following motion is suggested:

> *I move that Town Council adopt the Amended and Restated Resolution Concerning Growth Areas and to adopt the proposed annexation ordinance.*

TOWN OF WEAVERVILLE
AMENDED AND RESTATED RESOLUTION
CONCERNING GROWTH AREAS

WHEREAS, on October 23, 2023, Town Council adopted a resolution concerning identified growth areas and, at the Planning Board's recommendation, Town Council wishes to broaden the uses deemed desirable within Growth Area 4;

WHEREAS, municipal growth through annexation is essential to sound urban development and continued economic stability in the Town of Weaverville; and

WHEREAS, managing growth by extending municipal services makes sense and annexation of properties ensures that new development is built to Town of Weaverville standards;

WHEREAS, influencing where and what commercial development occurs within the Weaverville area and providing balanced residential development is desirable to the Town of Weaverville;

WHEREAS, the Town of Weaverville would like to see growth that is well-designed and that complements the development that is already within the Town;

WHEREAS, the Town of Weaverville has identified certain properties along its municipal borders as having a high likelihood of development due to the presence of public water and sewer and has identified them as growth areas as described below;

WHEREAS, the Town wishes to indicate its willingness to consider the voluntary annexation of the properties included within these growth areas and to inform the public of the types of development that the Town believes is consistent with its Comprehensive Land Use Plan and reasonable when considering the surrounding area;

WHEREAS, Town Council now wishes to amend and restated such resolution;

WHEREAS, a public hearing was held on 20 May 2024 on the amendments set out herein and Town Council wishes to amend the Town's Comprehensive Land Use Plan to include the amendments adopted herein;

NOW, THEREFORE, BE IT RESOLVED, the Weaverville Town Council hereby declares and resolves as follows:

1. The Town has identified the following growth areas which are now shown on the Town's GIS map, a copy of which is attached hereto:
    a. Growth Area 1 – Gill Branch Valley Area
    b. Growth Area 2 – Monticello Road West Area
    c. Growth Area 3 – Ollie Weaver Road Area
    d. Growth Area 4 – I-26 Corridor
    e. Growth Area 5 – Reems Creek Road Area
2. The Town is likely to favorably consider voluntary annexation petitions received for the properties shown within these growth areas. It is noted, however, that some development, especially in Growth Area 3, may best proceed without annexation as

the provision of municipal services may be difficult in certain locations and some areas may be ineligible for annexation by the Town of Weaverville due to legal requirements regarding satellite annexation.

3. The following is valued, and as proposed development is considered on these properties, the Town would like to see an emphasis on:
    a. Great streets and gathering places, where the pedestrian is prioritized;
    b. Connections between adjoining developments and to gathering places;
    c. Walkability through the installation of sidewalks, greenways, and other multi-modal trails, especially those that will connect to the existing or planned pedestrian network within Weaverville;
    d. Preservation of natural spaces for public use;
    e. Establishment of open spaces that provides recreational opportunities in the form of greenways, playing fields and/or playgrounds;
    f. Protection of streams and creeks;
    g. Preservation of mature trees and planting of street trees;
    h. Landscape buffering and screening to protect views;
    i. Reduction of stormwater runoff which threatens our water quality;
    j. Energy conservation measures, such as EV charging stations and solar;
    k. Inclusion of commercial uses that support compatible development.
4. Consistent with Town Council's prior discussions and consensus, the following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and its Future Land Use Map, and may be desirable within **Growth Area 1 [Gill Branch Valley Area]**:
    a. mixed use development;
    b. single family residential development;
    c. duplexes;
    d. townhouses;
    e. multifamily development;
    f. commercial development (especially those supporting residential neighborhoods such as small general retail, restaurants, professional services).

    These uses are most consistent with the following zoning districts: R-1, R-2, R-3, R-12, C-2, and conditional district zoning.
5. Consistent with Town Council's prior discussions and consensus, the following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and Future Land Use Map, and may be desirable within **Growth Area 2 [Monticello Road West Area]**:
    a. mixed use development;
    b. single family residential development;
    c. duplexes;

d. townhouses;
e. commercial development (especially those supporting residential neighborhoods such as small general retail, restaurants, professional services).

These uses are consistent with the following zoning districts: R-1, R-2, R-3, C-2, and conditional district zoning.

6. The following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and its Future Land Use Map, and may be desirable within **Growth Area 3 [Ollie Weaver Road Area]:**

   a. single family residential development;
   b. duplexes;
   c. commercial development (especially those supporting residential neighborhoods).

   These uses are consistent with the following zoning districts: R-1, R-2, R-3, C-2, and conditional district zoning.

7. The following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and its Future Land Use Map, and may be desirable within **Growth Area 4 [I-26 Corridor]:**

   a. mixed use development;
   b. single family residential development;
   c. duplexes;
   d. townhouses;
   e. multifamily development;
   f. commercial development (especially medical services such as healthcare facilities and medical offices, small general retail, restaurants, hotels);

   These uses are most consistent with the following zoning districts: R-1. R-2, R-3, R-12, C-2, and conditional district zoning.

8. The following uses of land are found to be compatible with the Town's adopted Comprehensive Land Use Plan and its Future Land Use Map, and may be desirable within **Growth Area 5 [Reems Creek Road Area]:**

   a. mixed use development;
   b. single family residential development;
   c. duplexes;
   d. townhouses;
   e. multifamily development;
   f. commercial development (especially those supporting residential neighborhoods such as small general retail, restaurants, professional services).

   These uses are most consistent with the following zoning districts: R-1, R-2, R-3, R-12, C-2, and conditional district zoning.

9. The Town is willing to support compatible development within these growth areas by considering approval of public water requests for such development if current or anticipated capacity is available and such approval is in the best interest of the Town and/or its water system.
10. Town Council's recommended procedure for approvals is for property owners to present voluntary annexation petitions either prior to or simultaneously with a water request and zoning request. Some deviations from this recommendation are anticipated in situations where a property is ineligible for municipal annexation or where provision of municipal services will prove difficult.
11. Nothing herein is binding on the Town of Weaverville and the review and approval of all annexation petitions, land use applications, and water extension or commitment requests will be made in Town Council's discretion following procedures as required by North Carolina law and local ordinance.
12. The Town's Comprehensive Land Use Plan is hereby automatically amended to include this amended and restated resolution concerning growth areas.

ADOPTED this the ___ day of May, 2024.

_____

PATRICK FITZSIMMONS, Mayor

_____

TAMARA MERCER, Town Clerk

PREPARED BY AND RETURN TO:
Jennifer O. Jackson, Weaverville Town Attorney
P.O. Box 338, Weaverville, NC, 28787

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE TOWN OF WEAVERVILLE, NORTH CAROLINA – 75 COLE ROAD– +/-22 ACRES - ANNEXATION #2024-3

WHEREAS, the Town Council has been petitioned under N.C. Gen. Stat. § 160A-58.1 to annex the area described below and the Town Clerk investigated the petition and certified the sufficiency of the petition; and

WHEREAS, the Town of Weaverville has the authority pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statutes to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and to amend said regulations and district classifications from time to time in the interest of the public health, safety and welfare; and

WHEREAS, the initial zoning designation was requested to be R-12 and by letter dated 3 April 2024, the Planning Board found R-12 zoning to be reasonable but inconsistent with the Town's Comprehensive Land Use and recommended that the Comprehensive Land Use Plan be amended to include a mix of residential and commercial uses within Growth Area 4 and the addition of R-12 as a desirable zoning district within the I-26 corridor;

WHEREAS, a public hearing on the question of annexation was held during a meeting of Town Council on 20 May 2024 at 6:00 p.m., after due notice by mailing, posting the property, and publication on 9 May 2024 and 16 May 2024, and a written comment period beginning on 30 April 2024;

WHEREAS, a public hearing on the question of R-12 and an amendment to the Comprehensive Land Use Plan to include a mix of residential and commercial uses within Growth Area 4 and the addition of R-12 as a desirable zoning district within the I-26 corridor was held during a meeting of Town Council on 20 May 2024 at 6:00 p.m., after due notice by mailing, posting the property, and publication on 9 May 2024 and 16 May 2024, and a written comment period beginning on 30 April 2024;

WHEREAS, at the public hearings the residents of Weaverville and the surrounding area were given an opportunity to be heard on any questions regarding the desirability of the annexation, the R-12 zoning requested, and the associated amendment to the Town's Comprehensive Land Use Plan;

WHEREAS, Town Council finds that the annexation petition is valid and the public health, safety, and welfare of the inhabitants of the Town and the area proposed for annexation will best be served by annexation of the area proposed;

WHEREAS, Town Council finds that the Comprehensive Land Use Plan should be amended as herein provided;

WHEREAS, when considering such factors as the size, physical conditions, and other attributes of the property, the benefits and detriments to the landowners, the neighbors, and the surrounding community, and the relationship between the current actual and permissible development on the property and the adjoining areas and the development that would be permissible under the proposed zoning, Town Council finds that R-12 zoning is reasonable and in the public interest in that R-12 zoning is compatible with the current uses and zoning of several properties within the area including properties within the Town and just outside its municipal limits, and could serve to diversify the housing stock within the Town's municipal limits.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Weaverville, North Carolina, that:

1. By virtue of the authority granted by N.C. Gen. Stat. § 160A-58.1, that the +/- 22 acre tract shown on the map that is recorded in Map Book _____ at Pages _____, Buncombe County Registry, reference to which is hereby made for a more complete description, is hereby annexed and made part of the Town of Weaverville. Said territory shall be subject to municipal taxes according to N.C. Gen. Stat. § 160A-58.10.
2. From and after the effective date of this annexation ordinance, the area so annexed shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Weaverville and shall be entitled to the same privileges and benefits as other parts of the Town.
3. The Zoning Map of the Town of Weaverville is hereby amended to establish an R-12 zoning classification for the property so annexed.
4. The property owners are directed to submit to the Town of Weaverville an annexation map showing the property so annexed for recordation purposes if they have already done so.
5. The Mayor of the Town of Weaverville shall cause to be recorded in the Office of the Register of Deeds for Buncombe County, and in the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory and a copy of this Ordinance within 30 days of the effective date of the annexation. Such a map shall also be delivered to the Buncombe County Board of Elections as required by N.C. Gen. Stat. § 163-288.1.
6. This annexation ordinance shall be effective immediately.

ADOPTED THIS the 20th day of May, 2024, with ___ voting in favor and ___ against.

_____

PATRICK FITZSIMMONS, Mayor

ATTESTED BY:

_____

TAMARA MERCER, Town Clerk

APPROVED AS TO FORM:

_____

JENNIFER O. JACKSON, Town Attorney

STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

I, _____, a Notary Public, certify that Tamara Mercer personally came before me this day and acknowledged that she is the Town Clerk for the Town of Weaverville and that by authority duly given and as the act of the municipal corporation, the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal, and attested by her as its Town Clerk.

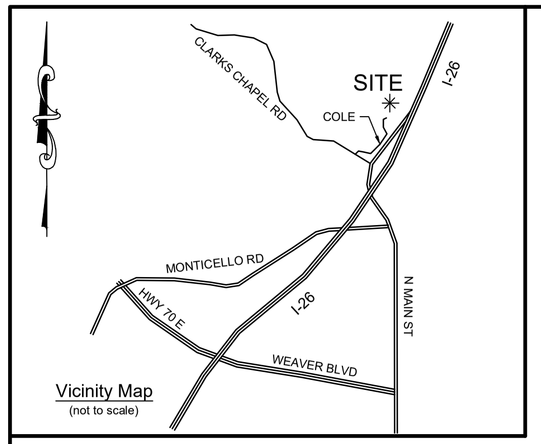
Witness my hand and seal this the _____ day of _____, 2024.

_____

Notary Public

My Commission Expires: _____

SEE SHEETS 2 AND 3 FOR LEGEND, ABBREVIATIONS, LINE TABLE, AND CURVE TABLE.



Vicinity Map
(not to scale)

NC GRID NORTH
NAD 83 (2011)

Deed References:
DB 6283 PG 1006 - Subject Deed
DB 1026 PG 465 - Subject Back Deed
DB 290 PG 453 - Subject Back Deed
DB 880 PG 585 - NCDOT R/W
DB 1049 PG 15 - NCDOT R/W
DB 1093 PG 687 - Judgement

Plat References:
PB 57 PG 81
PB 156 PG 65
NCDOT Plans for Project 8.3023211
NCDOT Plans for Project 8.19066
Unrecorded survey by J.R. Reagan titled "Property of W.A. Cole" dated Nov. 1956

I, Andrew M. Wolfe certify the following information was used in conjunction with the GNSS portion of the survey:
(1) Class of survey: Vertical Control (21 NCAC 56.1605(a)): Class C (GPS)
Horizontal Accuracy (21 NCAC 56.1606(c)(1)): Class A
Vertical Accuracy (21 NCAC 56.1606(c)(2)): Class C (GPS)
(2) Type of GNSS field procedure: Real Time Kinematic
(3) Horizontal Positional accuracy: < 0.10' + 50 ppm
(4) Dates of GNSS survey: 02/01/2024 - 02/26/2024
(5) Datum/Epoch: NAD 83(2011) Epoch 2010.00, NAVD '88
(6) Published/Fixed-control use: NGS Monument "Stock"
(7) Geoid model: Geoid 18
(8) Combined grid factor(s): 0.99980743
(9) Units: U.S. Survey Feet

I, Andrew M. Wolfe, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Deed Book 6283, Page 1006); that the boundaries not surveyed are clearly indicated as drawn from information found in documents as referenced hereon; that the positional accuracy as calculated is Class A (<0.10' + 50ppm); that this plat was prepared in accordance with G.S. 47-30 as amended.

I also hereby certify that this survey is of the following category as described in G.S. 47-30 (F)(11)(C)(1): That this survey is of an existing parcel or parcels of land or one or more existing easements and does not create a new street or change an existing street.

Witness my original signature, license number and seal this 2nd day of May, A.D., 2024.

Preliminary Survey
Not for conveyances, recordation, or sales.

Professional Land Surveyor
License Number L-5444

NORTH CAROLINA PROFESSIONAL SEAL L-5444 LAND SURVEYOR ANDREW M. WOLFE

notes

1. This survey is of existing parcels of land.
2. All areas calculated by coordinate computation method.
3. This property may be subject to rights-of-way, easements, reservations and restrictions, written and unwritten, recorded and unrecorded, not discovered during the course of this survey.
4. The certification shown hereon is not a certification of title, zoning or freedom from encumbrances.
5. Adjoining property owner information shown per the buncombe county gis website.
6. This survey was conducted without benefit of title search.
7. Underground utilities shown are based upon paint markings and above ground structures. call 811 before digging.
8. All distances shown hereon are horizontal grid distances (u.s. survey feet) unless otherwise noted. to obtain ground distances, utilize a combined factor of 0.99980743.
9. The subject property lies within zone "x" minimal flood risk, according to the national flood insurance program, flood insurance rate map 3700974300j, revised date 1/6/2010.
10. All coordinates shown are n.c. grid, nad 83(2011) coordinates.
11. According to the buncombe county gis website, property is zoned r-3. no zoning report was provided and all zoning information shown hereon should be verified with the buncombe county planning department.

front: 10' (public sewer)
20' (non-public sewer)
side: 7' (public sewer)
10' (non-public sewer)
rear: 15' (public sewer)
20' (non-public sewer)

Note: surveyor's interpretation of setback requirements are shown hereon. developer must confirm these setbacks with county planning prior to building.

12. The property surveyed hereon is the same property described in deed book 6283, page 1006.
13. Note that creeks, rivers and wetlands shown, or not shown hereon may be subject to buffers.

PIN 9743-36-5631
MARK & LESIA HARRIS
DB 1763 PG 705

MIDDLE OF CREEK IS PROPERTY LINE PER DB 1026 PG 465 AND DB 6283 PG 1006.

STREAM "SB"
STREAM "SC"
STREAM "SD"
STREAM "SE"
STREAM "SF"
STREAM "SG"
STREAM "SH"
STREAM "SJ"

LITTLE FLAT CREEK

WETLAND "WB"
WETLAND "WC"
WETLAND "WD"
WETLAND "WE"
WETLAND "WF"
WETLAND FLAG (TYPICAL)

3/4" IRON PIPE W/ "MCMAHAN" CAP FOUND +1.3'
3/4" IRON PIPE W/ "MCMAHAN" CAP FOUND +0.3'
1-1/2" IRON BAR FOUND +0.2'

PIN 9743-36-0357
PHILLIP & ALENE SUMMERSGILL
DB 4383 PG 6
PB 43 PG 34

PIN 9743-25-9997
RONALD & SYLVIA MAYBERRY
DB 1141 PG 183
PB 40 PG 76

BRANCH GOES UNDERGROUND

DEED LINE CALLS PER DB 1026 PG 465 - NOT HELD. BRANCH IS PROPERTY LINE PER DB 290 PG 453, BACK DEED TO CURRENT DEED FOR SUBJECT PROPERTY.

OLD FOUNDATION

20' REAR SETBACK
10' SIDE SETBACK
BWFL
CLFL
WETLAND FLAG (TYPICAL)

SHEET 1
SHEET 2
MATCH LINE

SUBJECT PROPERTY
PIN 9743-35-2359
75 COLE ROAD
22.056± ACRES

ED HOLMES & ASSOCIATES
LAND SURVEYORS, PA

CONTROL ACCESS FENCE LIES ±1' SOUTHEAST OF PROPERTY LINE

PORTION OF DB 290 PG 465 WITHIN NCDOT RIGHT OF WAY
0.638± ACRES
27,796± SQ.FT.

1/2" IRON PIPE FOUND FLUSH

S 42°42'09" W 330.24' - TOTAL (665.39')
S 21°56'55" W 165.62'
S 21°46'54" W 241.27' - TOTAL (186.97')
NCDOT C/A FENCE

20' FRONT SETBACK (84.30')
20' FRONT SETBACK (31.84')
(35.35')

APPROXIMATE OLD DEED LINE FOR DB 290 PG 465 (BACK DEED TO SUBJECT DB 6283 PG 1006). NCDOT RIGHT OF WAY ACQUIRED IN DB 880 PG 585 AND CONTROL ACCESS ACQUIRED IN DB 1049 PG 15. THIS ARE IS NOT WITHIN DESCRIPTION CONTAINED IN SUBJECT DB 6283 PG 1006.

FENCE POST ON LINE

L43-TIE
L44-TIE
L45-TIE
L46-TIE

I-26
VARIABLE WIDTH PUBLIC RIGHT OF WAY PER NCDOT PLANS FOR PROJECT 8.19066 AND PROJECT 8.3023211

(3) 8'X8' BOX CULVERTS
6' CMP
15" CMP
YARD INLET
CONC SWALE
PIPE SHOWN APPX.
PIPE DRAINS TO BOX CULVERT (SHOWN APPX.)
16" RCP
8' PVC
6" PVC
4" PVC
15" HDPE
ASPHALT
SIGN
GRAVEL DRIVE
UTILITY CLUSTER

NOTE: BURIED GAS LINE SHOWN APPROXIMATE BASED ON DISTANT GAS MARKER SIGNS. NO GAS LINES WERE MARKED IN THIS AREA AS A RESULT OF 811 LOCATE REQUEST. IT IS ADVISED THAT GAS LINES RUN THROUGH THE AREA.

NOTE: BURIED FIBER OPTIC SHOWN APPROXIMATE BASED ON DISTANT FIBER OPTIC MARKER SIGNS. NO COMMUNICATION LINES WERE MARKED IN THIS AREA AS A RESULT OF 811 LOCATE REQUEST. IT IS ADVISED THAT FIBER OPTIC LINES MAY RUN THROUGH THE AREA.

APPROXIMATE RIGHT OF WAY LINE FOR I-26 PER PB 160 PG 139
APPROXIMATE RIGHT OF WAY LINE FOR I-26 PER PB 160 PG 139 AND PB 105 PG 95
APPROXIMATE RIGHT OF WAY LINE FOR I-26 PER 139 PG 15

#5 REBAR FOUND DISTURBED ABOVE GRADE SHOT AT BASE
#4 REBAR FOUND +0.7'
RWMON FOUND +0.2'
3/4" IRON PIPE FOUND FLUSH

NORTH BUNCOMBE SCHOOL ROAD - SR 2207
LIES WITHIN VARIABLE WIDTH PUBLIC RIGHT OF WAY FOR I-26 PER NCDOT PLANS FOR PROJECT 8.19066 AND PROJECT 8.3023211

Annexation Map for Town of Weaverville
of Property Owned by
Roger Young Spittle, Jr.

REFERENCES
PIN 9743-35-2359
Deed Book 6283, Page 1006
Reems Creek Township, Buncombe County, NC
Field Work Completed: 02-26-2024
Drawn By: A. Wolfe
JOB #23364

Andrew Wolfe, PLS
awolfe@edholmessurveying.com
www.edholmessurveying.com
Company Licensure # C-2806
200 Ridgefield Court, Suite 208, Asheville, NC 28806
828.225.6562

40' 0' 40' 80' 120'

SCALE 1" = 40'

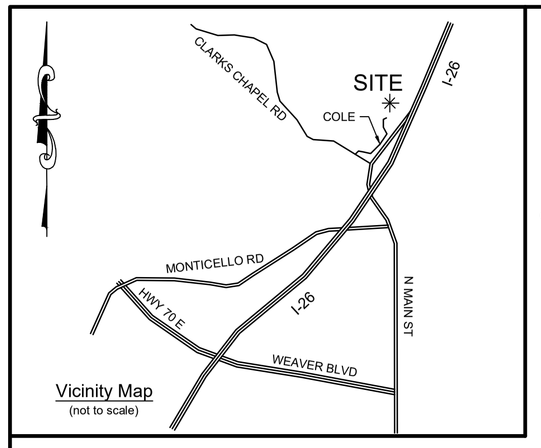
SHEET 1 OF 3

REVISIONS:

NO.	DESCRIPTION	DATE
1		
2		

N:\JOBS\23364 75 Cole Road\DWG

Drawing Number: D24-031



NC GRID NORTH
NAD 83 (2011)

SEE SHEET 1 FOR NOTES AND CERTIFICATIONS.

LINE TYPE LEGEND

- GIS PARCEL LINE
- UNDERGROUND WATER LINE
- UNDERGROUND SANITARY SEWER LINE
- UNDERGROUND GAS LINE
- UNDERGROUND FIBER OPTIC LINE
- UNDERGROUND POWER LINE
- OVERHEAD UTILITY LINE
- EDGE OF CONCRETE
- CONCRETE CURB
- ROAD RIGHT-OF-WAY LINE
- FENCE (AS DESCRIBED)
- GUARD RAIL
- DITCH
- TREELINE
- EDGE OF CREEK
- WETLAND DELINEATION (BY OTHERS)

SYMBOL LEGEND

- SURVEY CONTROL POINT
- UNMARKED POINT
- MONUMENT FOUND (AS DESCRIBED)
- 5/8" REBAR WITH "ED HOLMES AND ASSOC." CAP SET
- MAGNETIC NAIL FOUND
- CONCRETE RIGHT OF WAY MONUMENT
- SANITARY SEWER MANHOLE
- SANITARY SEWER CLEANOUT
- UTILITY MANHOLE
- SIGN
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- UTILITY POLE
- UTILITY POLE WITH GUY WIRE
- WOODEN POST
- LIGHT POLE
- ELECTRICAL METER
- ELECTRICAL SERVICE
- TELEPHONE PEDESTAL
- MAILBOX

ABBREVIATION LEGEND

+/-/FL	ABOVE/BELOW/FLUSH WITH ADJACENT GRADE
CMP	REINFORCED CONCRETE PIPE
RCP	DUCTILE IRON PIPE
N:	NORTHING
E:	EASTING
PIN:	PARCEL IDENTIFIER NUMBER
DB	DEED BOOK
PB	PLAT BOOK
PG	PAGE
BWFL	BARBED WIRE FENCELINE
WFL	WOODEN FENCELINE
EOW	EDGE OF WATER
INV	INVERT ELEVATION
EHH	ELECTRICAL HAND HOLE
TSHH	TRAFFIC SIGNAL HAND HOLE
MB	MAILBOX
CONC	CONCRETE
NCDOT	NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
C/A	CONTROL ACCESS
CLFL	CHAIN LINK FENCELINE
WW	WING WALL
APPX	APPROXIMATE
FFE	FINISHED FLOOR ELEVATION
HP	HEAT PUMP
SR	SECONDARY ROAD (NCDOT)

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	94.56'	121.14'	113.09'	S 75°48'18" W	73°24'12"
C2	105.39'	57.86'	57.14'	N 80°47'44" W	31°27'31"

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 56°51'20" W	33.82'
L2	S 32°36'19" W	60.30'
L3	S 34°56'15" W	116.99'
L4	S 37°38'15" W	80.16'
L5	N 65°55'56" W	46.37'
L6	N 65°55'56" W	113.02'
L7	N 42°26'31" E	139.19'
L8	N 16°34'45" E	59.97'
L9	N 40°34'23" E	136.05'
L10	N 40°08'10" E	69.06'
L11	N 25°35'38" E	148.54'
L12	N 32°55'13" E	41.34'
L13	N 33°31'23" E	58.81'
L14	N 51°20'44" E	159.78'
L15	N 48°30'54" E	226.95'
L16	N 07°42'16" E	121.83'
L17	N 01°27'54" E	67.95'
L18	N 01°27'54" E	22.64'
L19	N 88°39'04" E	39.59'
L20	S 69°47'28" E	30.10'
L21	S 85°18'27" E	49.21'
L22	N 78°06'18" E	28.77'
L23	S 74°17'45" E	55.08'
L24	N 78°50'38" E	74.16'
L25	N 48°36'58" E	68.58'

LINE TABLE

LINE	BEARING	DISTANCE
L26	N 44°35'14" E	57.02'
L27	S 69°23'34" E	58.07'
L28	S 71°25'47" E	119.24'
L29	S 88°33'31" E	29.65'
L30	S 51°47'40" E	63.85'
L31	S 28°40'03" E	41.39'
L32	S 14°29'54" E	40.26'
L33	S 39°21'28" W	14.13'
L34	S 39°21'28" W	377.72'
L35	N 67°30'12" W	115.18'
L36	S 76°59'24" W	101.73'
L37	N 55°40'45" W	167.36'
L38	N 26°46'39" W	90.27'
L39	S 39°46'22" W	2.33'
L40	N 71°45'30" W	120.78'
L41	N 45°20'15" W	41.23'
L42	S 16°00'30" E	97.19'
L43	S 11°59'30" W	165.00'
L44	S 40°29'30" W	299.13'
L45	S 40°29'30" W	228.87'
L46	S 05°59'30" W	140.64'
L47	S 05°59'30" W	238.86'
L48	S 14°59'30" W	354.75'
L49	N 71°45'30" W	308.22'

PIN 9743-25-7863
JOHN & CARLA REILLY
DB 1630 PG 171

DEED LINE CALLS PER DB 1026 PG 465 - NOT HELD. BRANCH IS PROPERTY LINE PER DB 290 PG 453, BACK DEED TO CURRENT DEED FOR SUBJECT PROPERTY.

BRANCH IS PROPERTY LINE PER DB 290 PG 453, BACK DEED TO CURRENT DEED FOR SUBJECT PROPERTY. CALLS ARE SHOWN AS CHORDS FOR THE BRANCH BASED ON PB 57 PG 81, PB 38 PG 87, AND PB 40 PG 76.

WETLAND FLAG (TYPICAL)

10' SIDE SETBACK

BWFL

L14

L13

L12

3/4" IRON PIPE FOUND +1.7'

PIN 9743-25-6630
JOHN & CARLA REILLY
DB 1858 PG 174

L11

10' SIDE SETBACK

3/4" IRON PIPE W/ CAP FOUND +0.5'

L10

BWFL

IRON BAR FOUND DISTURBED ABOVE GRADE SHOT AT BASE

PIN 9743-25-6413
ANNE BUCKNER TRUST
DB 5396 PG 1466
PB 38 PG 87

L9

WETLAND FLAG (TYPICAL)

1" IRON PIPE CURVED TOP FOUND ABOVE GRADE

WOOD POST

PVC DRAIN LINES

WELL LID

SPRINGHOUSE

1/2" IRON PIPE FOUND DISTURBED ABOVE GRADE SHOT AT BASE

PIN 9743-25-5350
ANTHONY & MARIA PIKE
DB 6195 PG 1048

L8

L7

10' SIDE SETBACK

STREAM "SA"

PIN 9743-25-4186
DONALD PIKE
DB 6309 PG 1639
PB 113 PG 122

3/4" IRON PIPE W/ CAP FOUND +0.3'

BWFL

N 45°20'15" W 162.00'

20' FRONT SETBACK

PIN 9743-24-5707
TAG PROPERTIES OF ASHEVILLE
DB 5455 PG 1045
PB 156 PG 65

#4 REBAR FOUND +0.7'

BWFL

SHEET 2
SHEET 3

MATCH LINE

SHEET 1
SHEET 2

MATCH LINE

SHEET 2
SHEET 3

SHEET 1
SHEET 2

MATCH LINE

STONE RESERVOIR

SUBJECT PROPERTY
PIN 9743-35-2359
75 COLE ROAD
22.056± ACRES

GATE

BWFL

OLD ROADBED

GRAVEL DRIVE

CONC WALL

GRAVEL

STAIRS

HP

TWO STORY GARAGE

STAIRS

30' POWER LINE EASEMENT PER DB 1061 PG 494

CONC

GENERATOR

HP

PROPANE TANK

TWO STORY HOUSE

HP

CLFL

CONC

0.60'

END OF CHAIN LINK FENCE PROJECTS ACROSS PROPERTY LINE.

CONTROL ACCESS FENCE LIES ±1' SOUTHEAST OF PROPERTY LINE

L42

L17

L3

RWMON FOUND +0.9'

C/A FENCE CORNER PROJECTS ACROSS PROPERTY LINE.

RWMON FOUND +0.6'
NORTH CAROLINA GRID COORDINATES
NORTHING=735,137.51'
EASTING=943,488.65'
NAD '83 (2011), NAVD '88

OLD DEED LINE
FOR DB 290 PG 465 (BACK DEED TO SUBJECT DB 6283 PG 1006). NCDOT RIGHT OF WAY ACQUIRED IN DB 880 PG 585 AND CONTROL ACCESS ACQUIRED IN DB 1049 PG 15. THIS ARE IS NOT WITHIN DESCRIPTION CONTAINED IN SUBJECT DB 6283 PG 1006.

L47-TIE

OLD EXPOSED ASPHALT ROAD

WETLAND "WE"

OLD ROADBED

BWFL

UNDERGROUND WELL HOUSE

PVC DRAIN LINES

APPROXIMATE OLD DEED LINE
FOR DB 290 PG 465 (BACK DEED TO SUBJECT DB 6283 PG 1006). THIS ARE IS WITHIN DESCRIPTION CONTAINED IN SUBJECT DB 6283 PG 1006. 0.276± ACRES, 12,035± SQ.FT.

L46-TIE

OLD ROADBED

20' FRONT SETBACK

S 51°26'29" W 164.95'

S 44°43'25" W 124.46' TOTAL (59.39')
(61.59')
NCDOT C/A FENCE

S 21°40'54" W 241.27' TOTAL
(158.97')
NCDOT C/A FENCE

L45-TIE

20' FRONT SETBACK

(64.30')

S 21°40'54" W

L44-TIE

STREAM "SJ"

15" CMP

SIGN

ASPHALT

STREAM "SH"

WETLAND FLAG (TYPICAL)

RWMON FOUND +0.5'

STREAM "SH"

I-26
VARIABLE WIDTH PUBLIC RIGHT OF WAY
PER NCDOT PLANS FOR PROJECT R-19066
AND PROJECT B-3022011

NOTE: BURIED GAS LINE SHOWN APPR
ON DISTANT GA
NO GAS LINES WERE MARKED IN THIS AR
OF 811 L
IT IS ADVISED THAT GAS LINES RUN THR

Annexation Map for Town of Weaverville
of Property Owned by

Roger Young Spittle, Jr.

REFERENCES
PIN 9743-35-2359
Deed Book 6283, Page 1006
Reems Creek Township, Buncombe County, NC
Field Work Completed: 02-26-2024
Drawn By: A. Wolfe
JOB #23364
Andrew Wolfe, PLS
awolfe@edholmessurveying.com
www.edholmessurveying.com
Company Licensure # C-2806
200 Ridgefield Court, Suite 208, Asheville, NC 28806
828.225.6562

40' 0' 40' 80' 120'

SCALE 1" = 40'

SHEET 2 OF 3

REVISIONS:		
NO.	DESCRIPTION	DATE
1.		
2.		

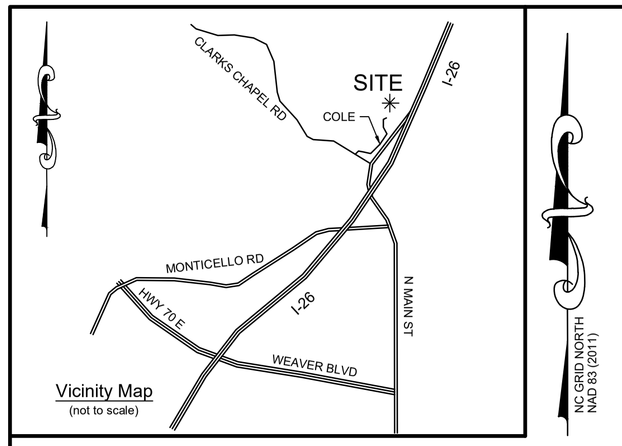
N:\JOBS\23364 75 Cole Road\DWG

Drawing Number: D24-031

NORTH CAROLINA PROFESSIONAL SEAL L-5444 LAND SURVEYOR ANDREW M. WOLFE

Preliminary Survey
Not for conveyance, recordation or sales.

ED HOLMES & ASSOCIATES
LAND SURVEYORS, PA



Vicinity Map
(not to scale)

NC GRID NORTH
NAD 83 (2011)

SEE SHEET 1 FOR NOTES AND CERTIFICATIONS.

LINE TYPE LEGEND

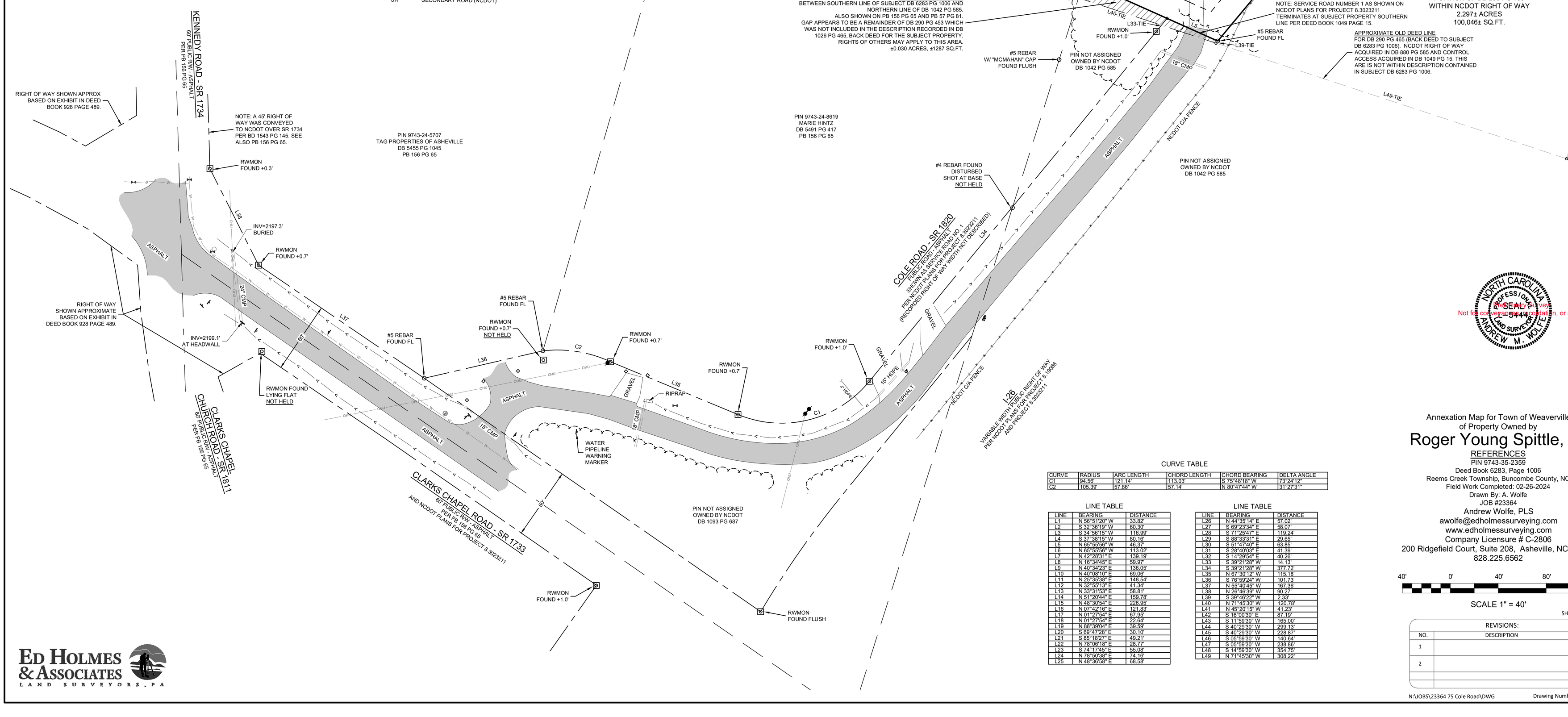
- GIS PARCEL LINE
- UNDERGROUND WATER LINE
- UNDERGROUND SANITARY SEWER LINE
- UNDERGROUND GAS LINE
- UNDERGROUND FIBER OPTIC LINE
- UNDERGROUND POWER LINE
- OVERHEAD UTILITY LINE
- EDGE OF CONCRETE
- CONCRETE CURB
- ROAD RIGHT-OF-WAY LINE
- FENCE (AS DESCRIBED)
- GUARD RAIL
- DITCH
- TREELINE
- EDGE OF CREEK
- WETLAND DELINEATION (BY OTHERS)

SYMBOL LEGEND

- SURVEY CONTROL POINT
- UNMARKED POINT
- MONUMENT FOUND (AS DESCRIBED)
- 5/8" REBAR WITH "ED HOLMES AND ASSOC." CAP SET
- MAGNETIC NAIL FOUND
- CONCRETE RIGHT OF WAY MONUMENT
- SANITARY SEWER MANHOLE
- SANITARY SEWER CLEANOUT
- UTILITY MANHOLE
- SIGN
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- UTILITY POLE
- UTILITY POLE WITH GUY WIRE
- WOODEN POST
- LIGHT POLE
- ELECTRICAL METER
- ELECTRICAL SERVICE
- TELEPHONE PEDESTAL
- MAILBOX

ABBREVIATION LEGEND

+/-/FL	ABOVE/BELOW/FLUSH WITH ADJACENT GRADE
CMP	REINFORCED CONCRETE PIPE
RCP	DUCTILE IRON PIPE
N:	NORTHING
E:	EASTING
PIN:	PARCEL IDENTIFIER NUMBER
DB	DEED BOOK
PB	PLAT BOOK
PG	PAGE
BWFL	BARBED WIRE FENCELINE
WFL	WOODEN FENCELINE
EOW	EDGE OF WATER
INV	INVERT ELEVATION
EHH	ELECTRICAL HAND HOLE
TSHH	TRAFFIC SIGNAL HAND HOLE
MB	MAILBOX
CONC	CONCRETE
NCDOT	NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
C/A	CONTROL ACCESS
CLFL	CHAIN LINK FENCELINE
WW	WING WALL
APPRX	APPROXIMATE
FFE	FINISHED FLOOR ELEVATION
HP	HEAT PUMP
SR	SECONDARY ROAD (NCDOT)



CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	94.56'	121.14'	113.03'	S 75°48'18" W	73°24'12"
C2	105.39'	57.86'	57.14'	N 80°47'44" W	31°27'31"

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 56°51'20" W	33.82'
L2	S 32°36'19" W	60.30'
L3	S 34°56'15" W	116.99'
L4	S 37°38'15" W	80.16'
L5	N 65°55'56" W	46.37'
L6	N 65°55'56" W	113.02'
L7	N 42°28'31" E	139.19'
L8	N 16°34'45" E	59.97'
L9	N 40°34'23" E	136.05'
L10	N 40°08'10" E	69.06'
L11	N 25°35'58" E	148.54'
L12	N 32°55'13" E	41.34'
L13	N 33°31'53" E	58.81'
L14	N 51°20'44" E	159.78'
L15	N 48°30'54" E	226.95'
L16	N 07°42'16" E	121.83'
L17	N 01°27'54" E	67.95'
L18	N 01°27'54" E	22.64'
L19	N 88°39'04" E	39.59'
L20	S 69°47'28" E	30.10'
L21	S 85°18'27" E	49.21'
L22	N 78°06'18" E	28.77'
L23	S 74°17'45" E	55.08'
L24	N 78°50'38" E	74.16'
L25	N 48°36'58" E	68.58'

LINE TABLE

LINE	BEARING	DISTANCE
L26	N 44°35'14" E	57.02'
L27	S 69°23'34" E	58.07'
L28	S 71°25'47" E	119.24'
L29	S 88°33'11" E	29.65'
L30	S 51°47'40" E	63.85'
L31	S 28°40'03" E	41.39'
L32	S 14°29'54" E	40.26'
L33	S 39°21'28" W	14.13'
L34	S 39°21'28" W	377.72'
L35	N 67°30'12" W	115.18'
L36	S 76°59'24" W	101.73'
L37	N 55°40'45" W	167.36'
L38	N 26°46'39" W	90.27'
L39	S 59°46'22" W	2.33'
L40	N 71°45'30" W	120.78'
L41	N 45°30'15" W	41.23'
L42	S 16°00'30" E	67.19'
L43	S 11°59'30" W	165.00'
L44	S 40°29'30" W	269.13'
L45	S 40°29'30" W	228.87'
L46	S 05°59'30" W	140.64'
L47	S 05°59'30" W	238.86'
L48	S 14°59'30" W	354.75'
L49	N 71°45'30" W	308.22'

ED HOLMES & ASSOCIATES
LAND SURVEYORS, PA

NORTH CAROLINA PROFESSIONAL LAND SURVEYOR SEAL L-5447 ANDREW M. WOLFE

Not for conveyance, recordation, or sales.

Annexation Map for Town of Weaverville
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Roger Young Spittle, Jr.

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Drawn By: A. Wolfe
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Andrew Wolfe, PLS
awolfe@edholmessurveying.com
www.edholmessurveying.com
Company Licensure # C-2806
200 Ridgefield Court, Suite 208, Asheville, NC 28806
828.225.6562

40' 0' 40' 80' 120'

SCALE 1" = 40'

SHEET 3 OF 3

REVISIONS:

NO.	DESCRIPTION	DATE
1		
2		

N:\JOBS\23364 75 Cole Road\DWG

Drawing Number: D24-031

Town of Weaverville

Town Council Agenda Item

Date of Meeting: May 20, 2023

Subject: Active Weaverville Committee Update

Presenter: Recreation Coordinator Sarah Myers

Attachments: Relevant Active Weaverville Plan Priority Projects

Description:

This agenda item serves to address the following content:

The Recreation Coordinator, in partnership with the Public Works Director, will present an update on the activities of the Active Weaverville Committee since its creation in November 2023. This Committee has been tasked with using the Town Council-adopted Active Weaverville Ped and Bike plan to suggest priorities and identify what steps/funding those priorities require, with the goal of making suggestions with realistic next steps to Town Council for adoption.

Current projects of interest that will be discussed include Hillside St. improvements, a Main Street streetscape project, and the construction of a sidewalk down Yost Street.

Council Action Requested:
The Town Manager recommends Town Council discussion and potential direction regarding budgeting for Active Weaverville Priorities if appropriate.

1 HILLSIDE STREET IMPROVEMENTS



PLANNING LEVEL COST ESTIMATE

$155,000

Includes design, right-of-way, utilities and construction per assumptions from the NCDOT Bicycle and Pedestrian Cost Estimating Tool.

PROJECT DESCRIPTION

- Traffic calming and spot improvements (longer-term: sidewalk)
- Reduce turn radii at Main Street to encourage complete stop
- Project identified in 1994 Town Pedestrian Plan

CONNECTIONS	MAP AND NOTES *(SEE LOCATION ON MAP BY CORRESPONDING LETTERS)*
o Little Mount Zion Church o Reems Creek Road o Hillside Community Center	A. Traffic calming and improved crossing for pedestrians B. Sight line issues with vertical and horizontal curves C. Constrained with fronting homes and private property D. Steep grades E. Possible gateway treatment and speed control measures F. Curve with guardrail: Improve curve warning signs and markings G. Future crossing need - connection to Reems Creek Greenway
CROSSINGS o Main Street	



RENDERING OF PROPOSED CROSSWALK AND SIGNING



Hillside at South Main Street: Offset Intersection and Reported Cut Through Traffic



Hillside at South Main Street Short Term Application: Reduce radius and implement Pedestrian Crossing with signs and markings. Possible long term implementation option with curb extensions and ADA ramps.



Potential Gateway Treatment



Examples of Speed Signs and Markings: Speed Feedback Signs (Left Side of Road), Slow Warning Sign (Right Side of Road), and Slow Pavement Markings (in Right Lane).

5 YOST STREET SIDEWALKS



PLANNING LEVEL COST ESTIMATE

$525,000

Includes Design, Right-of-Way, Utilities and Construction Per Assumptions from the NCDOT Bicycle and Pedestrian Cost Estimating Tool

PROJECT DESCRIPTION

- 5-foot sidewalk on north side of Yost Street
- Provide needed connection in network gap
- East-west connectivity across Town where it is currently lacking

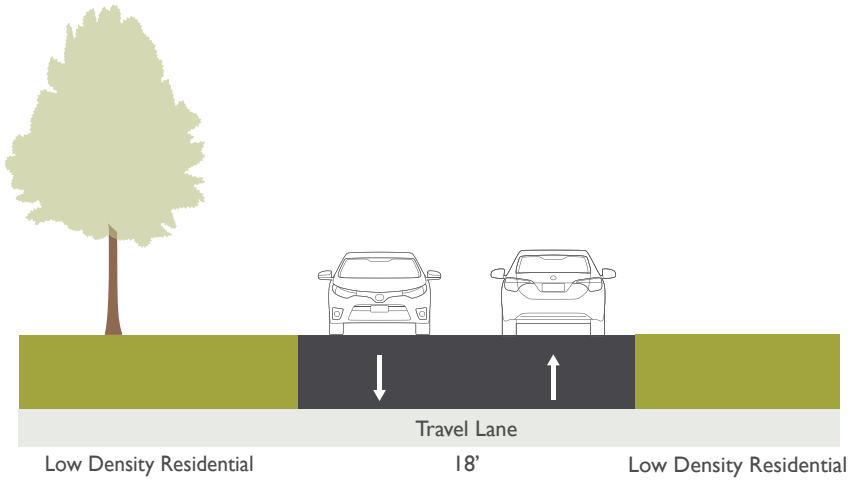
CONNECTIONS	MAP AND NOTES *(SEE LOCATION ON MAP BY CORRESPONDING LETTERS)*
o Weaverville Elementary School o Weaverville Community Center o Lake Louise Park o Homes and downtown	A. Private property constraints throughout B. Sidewalk more feasible on north side of Yost Street C. Steep embankment – possible opportunity to move sidewalk towards school property at top of embankment D. Coordinate with school on fence relocation E. Significant vertical and horizontal curve sight line issues F. Roadway narrows significantly
CROSSINGS	
o None	



(Photo: Steering Committee Member)

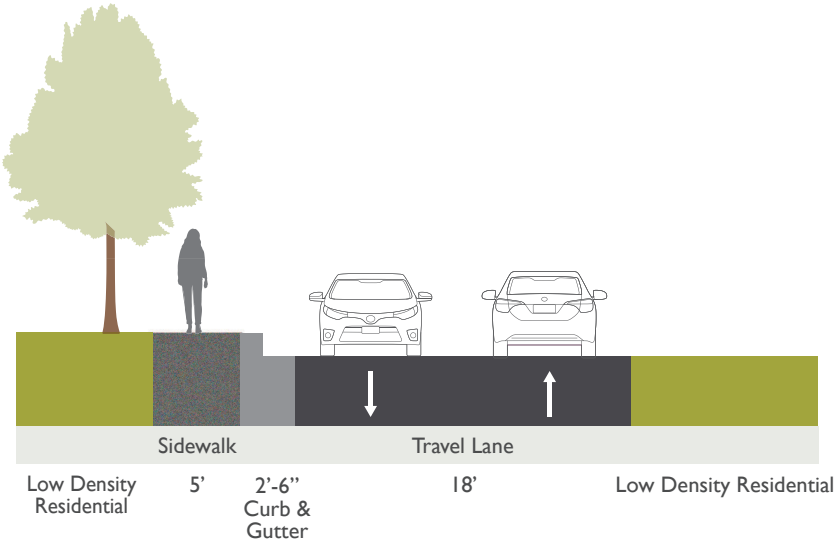
BEFORE CROSS SECTION

Existing Condition: Yost St. Looking East



AFTER CROSS SECTION

Proposed Condition: Yost St. Looking East





Yost - Limited Sight Lines



Given the Roadway Constraints, this Project May Be Best Aligned on the School Property Near the Fence; Close Coordination is Necessary During Project Development.

10 MAIN STREET STREETSCAPE



PLANNING LEVEL COST ESTIMATE

$1,060,000

Includes Design, Right-of-Way, Utilities and Construction Per Assumptions from the NCDOT Bicycle and Pedestrian Cost Estimating Tool

PROJECT DESCRIPTION

- Enhancement to the existing street, sidewalk and crossings
- Requires no loss of parking
- Addition of curb extensions, landscaping
- Enhanced pedestrian crossings
- Traffic calming

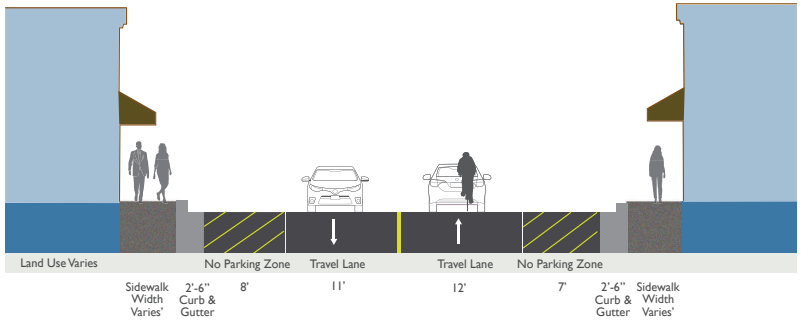
CONNECTIONS	MAP AND NOTES *(SEE LOCATION ON MAP BY CORRESPONDING LETTERS)*
o Downtown Businesses o Neighborhoods o Main Street Nature Park	A. Potential streetscape phase II: Pine Street to Hamburg Mountain Road B. New mid-block crossing to accommodate crossing needs C. Existing streetscape feature at Florida Avenue to be upgraded D. Crossing improvements at Merrimon Avenue
CROSSINGS	
o Pine Street o Mid-Block at Rodney's Auto Shop o Florida Avenue o Merrimon Avenue	



Locations Where Parking is Currently Restricted Can Be Transformed to Curb Extensions and Landscaping

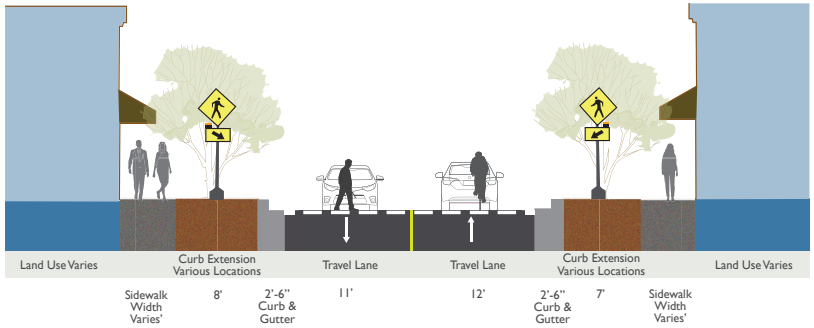
BEFORE CROSS SECTION

Existing Condition : Main St. between Georgia & Florida Ave. Looking North



AFTER CROSS SECTION

Proposed Condition: Main St.



**Evaluate project for signing, marking and signal improvements to enhance the bicycle mode of travel.*



Existing Streetscape Features

RENDERING OF PROPOSED STREETSCAPE



CONCEPTUAL LAYOUT OF STREETSCAPE ELEMENTS





TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

MEETING DATE:	May 20, 2024
SUBJECT:	Code Amendments – Sign Regulations - Set Public Hearing
PRESENTER:	Planning Director
ATTACHMENTS:	Planning Board Recommendation with Proposed Code Amendment

DESCRIPTION/SUMMARY OF REQUEST:

Consistent with the current priorities within the Comprehensive Land Use, Town staff has been working on revisions to the sign regulations within the Town's Code of Ordinances.

The primary focus of this work has been on legal compliance. Recent U.S. Supreme Court cases have significantly impacted how local governments are able to regular signs. In general, the Town can no longer establish regulations based on the content of the sign. This puts any regulation that requires you to read the sign in jeopardy. The Town can, however, continue to regulate the time, place, and manner of the placement of signs. Much of staff's work has been to change the regulations to be content neutral. Some revisions have also been proposed in order to clarify the regulations or resolve inconsistencies between the sign regulations and other provisions of the Town Code.

At its meeting on 7 May 2024 the Planning Board reviewed the proposed text amendments and voted unanimously in favor of their adoption. Their recommendation, with the Code amendments, is attached.

TOWN COUNCIL ACTION REQUESTED:

Town Council is asked to schedule a public hearing on these proposed Code amendments for June 24, 2024, at 6 pm, or as soon thereafter as Town Council can reach the matter.

Town of Weaverville
Planning Board

Recommendation and Plan Consistency Statement for
Proposed Text Amendments

On May 7 the Planning Board reviewed and, with a unanimous vote, recommend to Town Council the attached proposed text amendments which provide for needed updates to sign regulations. This favorable recommendation is based on the findings as stated herein.

This project was deemed a high priority within the CLUP for legal compliance.

The Planning Board has found that these proposed code amendments are consistent with the Town's comprehensive land use plan, reasonable, and in the best interest of the public in that such amendments provide for regulations of signs that are more content neutral and legally compliant with recent U.S. Supreme Court cases.

Bob Pace

_____

Bob Pace, Chairman of the Planning Board
May 8, 2024

ARTICLE I. SIGN REGULATIONS

Sec. 20-4101. Findings, Purpose and Intent ~~Purpose~~.

A. The purpose of this article is to regulate and control the time, place and manner in which signs may be placed ~~and their placement~~ throughout the town's planning and development regulation jurisdiction. The sign regulations contained herein are designed to enhance the health, safety and visual communication of the residents within the area in addition to preserving the natural beauty of the surrounding environment. This chapter also establishes the procedures through which such goals can be fulfilled.

B. This chapter shall be interpreted in a manner consistent with the First Amendment guarantee of free speech.

C. Signs placed on land or a building for the purpose of identification, protection or directing persons to a use conducted therein must be deemed to be an integral but accessory and subordinate part of the principal use of land or building. Therefore, the intent of this article is to establish limitations on signs in order to ensure they are appropriate to the land, building or use to which they are appurtenant and are adequate to their intended purpose while balancing the individual and community interests identified herein.

D. Regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible and appropriate to the activity or use to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound condition.

E. These regulations do not regulate every for and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the town. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth herein.

F. These regulations do not entirely eliminate all harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while reducing and mitigating the extent of the harms caused by signs.

G. It is the intent of this article to regulate signs on a per lot basis in conjunction with the zoning designation of the lot as shown on the zoning map of the town whether a sign is directly visible from the street right-of-way or not.

(Ord. of 5-24-2021(1) , § 5)

Sec. 20-4102. ~~Signs exempt from regulation~~ Authorized signs.

The following signs are considered authorized and allowed by right in all zoning districts without permit:

(a) Signs erected or installed by a governmental agency under governmental authority to identify public buildings, welcome or direct visitors, or to regulate, control or direct traffic, including signs indicating bus stops, ~~taxi stands~~, and similar transportation facilities. Such signs may be illuminated, flashing or moving as

required for public safety. Furthermore, signs erected by a governmental agency which convey information regarding a public service or the location of a public facility may also be illuminated as necessary.

(b) Signs erected, maintained or otherwise posted, owned or leased by the local, state, or federal governments.

(c) Legal notices, warnings, regulatory informational signs erected, or required, by a public agency to ensure the public health, safety, or general welfare.

(d) Signs required by law, including, but not limited to, building permits, exit signs, etc.

(e) Signs which warn of hazard to life, limb, and property, such as high voltage electrical equipment, explosives, etc.

(f) "No Trespassing" and "No Parking" signs equal to or containing less than four square feet of surface area and located on private property.

~~(e) Trade names or product names and graphics which are customarily painted on newspaper stands, soft drink machines, gasoline pumps and automatic teller machines.~~

~~(f) Temporary display of decorations, when such are clearly incidental to, and are customarily and commonly associated with any national, local or religious holiday or celebration.~~

~~(g) Signs indicating finance or credit information such as Visa, MasterCard, etc., not to exceed one square foot per financial sign.~~

~~(h) One freestanding church sign located on church property, or two freestanding church signs on church property if said church is located on a corner lot (one sign facing each street that borders the lot). Exempt church signs shall not exceed 36 square feet in surface area per side of sign up to a maximum of 72 square feet of aggregate surface area.~~

~~(i) One church bulletin board not to exceed 12 square feet of surface area (which may be a wall sign or a freestanding sign).~~

~~(j) Church directional signs. These signs may be located on private property with permission of the owner, at the nearest intersection of the major thoroughfare and/or collector street to the site of the church.~~

~~(k) The display of the flag of the United States, North Carolina, Buncombe County, or the Town of Weaverville.~~

~~(l) Private residential signs indicating the name, box, or house number of a particular residence not to exceed two square feet.~~

~~(m) Temporary signs or festival signs indicating town, civic club or school sponsored events, which must be removed within three days after the event is held.~~

(g) Signs which are located inside a particular establishment and which are not intended for external viewing. ~~are not regulated by this chapter.~~

~~(o) Signs considered to be historically significant and/or landmark signs if so designated by resolution of the town council.~~

~~(p) Fence wraps - see Code section 20-4114.~~

(h) Temporary signs with an aggregate sign face area not to exceed 6 square feet. Off premises commercial signs are not considered temporary signs under this section.

(i) Political signs are temporary signs and the regulations of G.S. 136-32(b)—(e), which are incorporated herein by reference, apply to all political signs within all rights-of-way for North Carolina's highway system and within all rights-of-way for town streets.

(Ord. of 5-24-2021(1) , § 5)

Sec. 20-4103. Prohibited signs.

The following signs shall not be erected or maintained in any zoning district within the jurisdiction of the town:

(1) Any sign located in a manner or place so as to constitute a hazard to traffic as determined by the ~~zoning administrator~~ Planning Director or a law enforcement officer.

(2) Any sign (except a governmental sign) located within a street right-of-way, or projecting into a street right-of-way.

(3) Any sign which obstructs or substantially interferes with any window, door, fire escape, stairway, ladder, or opening intended to provide light, air, ingress or egress for any building.

(4) ~~Billboards and other types of off-premise advertising signs, except such signs located along U.S. 19-23 (Future I-26) and U.S. 25-70, which permitted signs must, nevertheless, comply with all DOT and Buncombe County sign restrictions.~~ Any sign which violates any provision of North Carolina law relative to outdoor advertising.

(5) Roof signs. (Except signs painted or affixed to awnings, canopies, facades, parapets or soffits which shall be allowed.)

(6) Any flashing device or sign displaying flashing or intermittent lights, or lights of changing degrees of intensity, except a sign indicating time and/or temperature, with changes alternating ~~on not less than a five-second cycle~~ more frequently than five seconds.

(7) Any sign painted on a roadway (except governmental signs) or any sign posted to utility poles, ~~trees, fences, rocks,~~ or upon other signs.

(8) Any sign which is a copy of or an imitation of an official governmental sign, or which purports to have official status.

(9) Portable or moveable signs such as rented or leased signs, not permanently affixed to the ground or to a building.

(10) Business or product identification signs associated with home occupations.

(11) Signs not expressly permitted as being allowed by right or otherwise expressly allowed by Town Council or the Board of Adjustment consistent with the provisions of this chapter.

(Ord. of 5-24-2021(1) , § 5)

~~Sec. 20-4104. Sign - generally.~~

~~No freestanding pole sign, ground level sign, marquee or menu board, shall be greater than six feet in height measured from street grade of the closest point in the street upon which the sign is located or from the grade at the base of the sign, whichever is higher, to the highest point of the sign or sign structure. This shall not include wall signs, multiple tenant development signs, mobile home park residential development name signs or projecting signs. All signs shall be aesthetically appealing and in harmony with the environment.~~

(Ord. of 5-24-2021(1) , § 5)

~~Sec. 20-4105. Temporary signs.~~

~~Temporary signs shall be allowable in all zoning districts, but are subject to the following regulations:~~

~~(1) Signs used prior to and during construction to identify the name of contractor(s) and/or developer(s) shall be considered temporary signs, and shall meet the following requirements:~~

~~a. Each contractor shall have no more than one sign per location which shall be removed upon completion of the project.~~

~~b. Construction signs shall not be placed on trees, rocks, or other natural objects.~~

~~c. Construction signs shall be either attached to the building or affixed to a secure temporary post.~~

~~d. Construction signs shall be no greater than 32 square feet per side of the sign up to a maximum of 64 square feet of aggregate surface area for the entire sign.~~

~~(2) Political signs are temporary signs and the regulations of G.S. 136-32(b)—(e), which are incorporated herein by reference, apply to all political signs within all rights-of-way for North Carolina's highway system and within all rights-of-way for town streets.~~

~~(3) Real estate signs (signs offering property for sale, lease or development) shall be considered temporary signs, and shall meet the following requirements:~~

~~a. Real estate signs in residential zoning districts shall not exceed six square feet in surface area per side of sign up to a maximum of 12 square feet of aggregate surface area for the entire sign.~~

~~b. Real estate signs in all other areas shall not exceed 16 square feet in surface area per side of sign up to a maximum of 32 square feet of aggregate surface area for the entire sign.~~

~~c. Real estate signs shall be erected only on the property which is being offered for sale, rent, lease and development.~~

~~d. Real estate signs shall conform to all other applicable provisions of the ordinance not inconsistent with this section.~~

~~e. Real estate signs shall be removed with seven days after the sale or lease of the property is closed.~~

~~f. Real estate directional signs (sign indicating the direction to a property being offered for sale) must be located on private property, with written permission of the property owner, at the nearest intersection of the major thoroughfare or collector street to the street upon which the property which is being offered for sale, rent, lease or development is located.~~

~~(4) Any other temporary sign must be approved by the zoning administrator, and shall be of a size and height which is consistent with signs permitted in the neighborhood in which it will be located. Concerning the length of time a temporary sign may be displayed, the applicant must choose between the following options within a calendar year: (a) up to four 15-day periods, (b) up to two 30-day periods; or (c) one 60-day period. In no event may a temporary sign be displayed for more than 60 days within any given calendar year.~~

~~(Ord. of 5-24-2021(1) , § 5)~~

Sec. 20-410~~6~~4. Sign restrictions for R-1, R-2, And R-3 districts.

In addition to the sign regulations contained in Code section 20-4104, the following restrictions apply within R-1, R-2 and R-3 districts:

(a) ~~Professional services, medical services-doctor offices, personal services, and bed and breakfast establishments~~ Signs displaying commercial messaging for legally operating nonconforming uses shall be allowed one nameplate sign not to exceed eight square feet per side of sign for a maximum total aggregate sign area of 16 square feet.

(b) ~~Manufactured or mobile home parks shall be allowed one freestanding sign per entrance. Such sign shall be no larger than 32 square feet of surface area per side up to a maximum of 64 square feet of aggregate surface area per sign.~~

(c) Each residential development approved under a special use permit or conditional district, or as a major subdivision, or legally operating nonconforming residential uses shall be allowed one freestanding sign per entrance. Said sign shall be no larger than 50 square feet of surface area per side of sign up to a maximum of 100 square feet of aggregate surface area per sign and shall not exceed six feet in height.

(d) Flags:

1. Size: Not to exceed 24 square feet in area.
2. Height: Not to exceed 24 feet in height or no higher than the highest point of the principal building roof, whichever is lower.
3. Number: Up to three flags on one flagpole per lot shall be allowed on the property.
4. Location: Flagpoles shall be placed inside the setbacks of the applicable zoning district.

(Ord. of 5-24-2021(1) , § 5)

Sec. 20-410~~75~~. Sign restrictions for C-1, C-2, I-1, And R-12 districts.

(a) Wall signs shall not cover an area greater than 50 percent of the total surface area of the wall(s) upon which the sign(s) is located. (The surface area of a wall(s) shall be computed excluding windows and doors). All signs attached to a building, including all the visible face of flat signs, and both sides of projecting signs, and suspended signs shall be computed to determine the 50 percent wall coverage limitation. Within the R-12 district, excluding signs which show the address or building number of residential units, such attached signage shall only be permissible on common buildings which are not primarily used for residential purposes within the development.

(b) Projecting or suspended signs shall be limited to one per business per building front, not to exceed eight square feet per side of sign up to a maximum of 16 square feet of aggregate surface area for the entire sign.

(c) Signs overhanging any sidewalk shall be placed at least ~~7½ feet~~ 80 inches above the sidewalk and shall not extend over the sidewalk for a distance equal to or greater than two-thirds of the width of the sidewalk~~. and in no event shall such a sign extend more than ten feet from the building upon which it is located.~~ In all circumstances signs overhanging sidewalks must fully comply with the standards for protruding objects set forth in the Americans with Disabilities Act.

(d) Changeable copy signs shall be limited to one per store front, not to exceed 50 square feet in surface area per side up to a maximum of 100 square feet of aggregate surface area.

(e) Detached ground-level signs, excluding private directional signs, shall be limited to one per commercial site. Ground level signs shall not extend more than six feet, at their highest point above ground level and shall not exceed 50 square feet in aggregate surface area per side of sign and shall not exceed a maximum of 100 square feet of aggregate surface area for the entire sign.

(f) All ground level signs and freestanding pole signs shall be located on the ~~immediate~~ premises of the advertised commercial establishment, and shall be no closer than ten feet to any street pavement, but in no event shall such sign be erected on a street right-of-way.

(g) Private directional signs on premise shall not be over six feet in sign height, and shall not have a surface area greater than four square feet per side up to a maximum of eight square feet in aggregate surface area for all sides.

(h) Where two or more business premises share a common courtyard, alley, or access area, the businesses therein shall be limited to one freestanding identification sign, no higher than 20 feet from top of grade, which shall contain no greater than 75 square feet of surface area per side of sign up to a maximum of 150 square feet of aggregate surface area for the entire sign. Each business establishment located within the development shall be permitted one nameplate sign, not to exceed 12 square feet in surface area per side of sign up to a maximum of 24 square feet of aggregate surface area for the entire sign to be attached to (or hung from) the freestanding identification sign for the development as a whole. (Nameplate signs shall not be of changeable copy). The total square footage of the identification sign and all of the attached nameplate signs shall not exceed 150 square feet per side of sign or 300 square feet for both sides. Signage within the R-12 district is not permitted under this subsection.

(i) The proper installation and/or secure attachment of any sign permitted under this chapter is the responsibility of the owner of the building, the tenant and/or the person installing/securing the same. A Buncombe County building permit may be required in addition to the requisite sign permit from the Town of Weaverville.

(d) Flags:

1. Size: Not to exceed 96 square feet in area.
2. Height: Not to exceed 54 feet in height or no higher than the highest point of the principal building roof, whichever is lower.
3. Number: Up to three flags on one flagpole per lot shall be allowed on the property.
4. Location: Flagpoles shall be placed inside the setbacks of the applicable zoning district.

(Ord. of 5-24-2021(1) , § 5)

Sec. 20-410~~8~~6. Sign construction, design, and illumination.

(a) All signs, except temporary signs and window signs, shall be constructed of materials which will not rapidly deteriorate, fade, fall apart, or in any way become a threat to the public's health, safety, and general welfare.

(b) All signs shall be securely fastened, anchored, and generally placed so as to withstand ordinary adverse weather conditions.

(c) No sign shall use a light reflecting background, but may use light reflecting letters.

(d) Any sign may be illuminated unless otherwise prohibited by Code section 20-4103(6). The lights of indirectly illuminated signs shall be shielded in such a manner so as to illuminate only the face of the sign.

(Ord. of 5-24-2021(1) , § 5)

Sec. 20-41097. Sign maintenance.

(a) The owner of each sign shall be responsible for maintaining the area around the sign, including the cutting of weeds and grass, and the removal of all trash and litter from the sign locale.

(b) In the event that one sign is placed over another sign, the original sign shall be adequately covered or removed so that the original sign is not visible.

(c) All signs, supports, braces, poles, wires and the anchors thereof shall be kept in good repair. They shall be maintained in a clean and safe condition, free from deterioration, missing parts, and peeling paint. Any sign not in compliance with these standards shall be deemed a nuisance and shall be subject to removal by the sign owner or by the town through the ~~zoning administrator~~ Planning Director or their designee.

(Ord. of 5-24-2021(1) , § 5)

Sec. 20-41108. Sign permit required.

(a) Unless otherwise authorized by this Chapter, all signs placed or erected within the town shall require a sign permit issued by the ~~zoning administrator~~ Planning Director or their designee. Failure to secure a permit, when required, shall constitute a violation of this article. A sign permit fee shall be charged for each sign placed or erected after the effective date of the ordinance from which this chapter derives. Fees shall be charged in accordance with the schedule of fees established by town council.

~~(b) A sign permit shall not be required for the following types of signs; provided they meet all of the other requirements of this chapter:~~

~~(1) Private directional or safety signs;~~

~~(2) Temporary construction signs;~~

~~(3) Real estate signs;~~

~~(4) Political signs;~~

~~(5) Window signs;~~

~~(6) Any flag, badge, insignia or design customarily displayed by any governmental, charitable, civic, fraternal, patriotic, religious or similar organization;~~

~~(7) Municipal, school, recreational and civic club sponsored signs which indicate a schedule of events or rules and regulations, and school and public park signs which do not exceed 48 square feet of aggregate surface area per sign.~~

~~(c) All signs which are erected or which are in place prior to the adoption of this chapter or the adoption of any amendment thereto shall require a sign permit in order to be allowed to remain or shall require a statement of noncompliance issued by the zoning administrator setting forth those things which must be done by the sign owner in order to bring the sign within the provisions of the article. Such statements of noncompliance or sign permits shall be issued by the town within 180 days after the initial adoption of this chapter or after the adoption of subsequent amendments hereto which affect a sign. No permit fee shall be collected for the issuance of such noncompliance statement or sign permit.~~

~~(d) In the event that the town fails to issue a sign permit or statement of noncompliance within the 180-day period, the sign owner may assume that the sign is in compliance with all provisions of this chapter and that the sign is permitted to stand but the town shall not be bound by such assumption and may challenge the permissibility of the sign at a later date. A sign owner may request, at any time, that the town issue a sign permit stating that the subject sign is in compliance with the provisions of this chapter.~~

~~(c) Sign permit applications for which a statement of noncompliance is issued, shall include a list of all reasons for such statement of noncompliance. The owner of such sign shall have 90-days from receipt of the statement of noncompliance within which to bring the sign into compliance with the article or to remove the sign. If the sign is not brought into compliance or removed prior to the expiration of the 90-day period, the town may remove the same at the owner's expense.~~

(f) All signs erected or placed after the adoption of this article without prior sign permit approval shall immediately be removed upon inspection by the town if found not to be in compliance with the provisions of this article. If the sign is found to be in full compliance, an after-the-fact permit may be issued provided that all specified fees charged and collected.

(Ord. of 5-24-2021(1) , § 5)

Sec. 20-41~~11~~9. Obsolete or abandoned signs.

(a) Signs or parts of signs which advertise or pertain to a development, complex, business, product, service, commodity, or which pertain to a purpose which no longer exists or which has not been in use for 90-days or more shall be deemed to be an obsolete or abandoned sign. Signs which are associated with a seasonal business shall not be considered obsolete or abandoned provided there is clear intent to continue the business in an upcoming season.

(b) Obsolete or abandoned signs are prohibited and shall be removed by the owner or agent of the owner within 30-days after the termination or the business or event so advertised.

(c) If the owner or agent of an abandoned or obsolete sign fails to remove said sign within the time allowed, the town may seek removal of the sign by an order of abatement pursuant to G.S. § 160A-175.

(Ord. of 5-24-2021(1) , § 5)

~~Sec. 20-4112. Miscellaneous provisions.~~

~~Any sign which is not clearly covered by the provisions of this chapter shall, for the purposes of this chapter, be considered a commercial sign and shall comply with all of the provisions concerning commercial signs.~~

(Ord. of 5-24-2021(1) , § 5)

Sec. 20-41~~13~~10. Violation of article.

(a) *Notice of violation.* The ~~code enforcement officer~~ Planning Director or ~~his~~ their designee shall have the authority to issue a notice of violation for all violations of this article. Where the owner of the sign is indicated on the sign or is otherwise apparent or known to the ~~code enforcement officer~~ Planning Director or ~~his~~ their designee, a copy of the notice of violation shall be delivered to the sign owner by hand delivery or by registered or certified mail. In all other cases, a copy of the notice of violation shall be posted on the sign. A copy of the notice of violation shall also be delivered by hand delivery or registered or certified mail to the owner of the property where the sign is located as shown on the Buncombe County tax records. In addition, service of a notice of violation hereunder may be made in accordance with Rule 4 of the North Carolina Rules of Civil Procedure.

(b) *Time to remedy violation.* Other than for temporary signs, all violations shall be remedied within 30-days after notice of the violation. The 30-day period shall commence upon the service of the notice of violation by any means set forth above. ~~Violations of regulations for temporary signs shall be remedied within 24-hours after service of the notice of violation by any means set forth above.~~

(c) *Extension of time for compliance.* ~~Other than for violations of regulations for temporary signs,~~ The ~~code enforcement officer~~ Planning Director or ~~his~~ their designee shall have the authority to grant a single 30-day extension of time within which to remedy the violation. For violations of regulations for temporary signs, the ~~zoning administrator~~ Planning Director or ~~his~~ their designee shall have the authority to issue a single 24-hour extension of time within which to remedy the violation. Either single extension of time may be issued based upon a written request for an extension of time which sets forth valid reasons for not complying within the original time period.

(d) *Remedies for failure to comply.* Pursuant to G.S. § 160A-175, the ~~code enforcement officer~~ Planning Director or ~~his~~ their designee may choose from the remedies set forth below to enforce the requirements of this article when there is a failure to comply with the notice of violation. Those remedies are as follows:

(1) In addition to or in lieu of the other remedies set forth in this section, the ~~code enforcement officer~~ Planning Director or ~~his~~ their designee may issue a citation and impose a civil penalty as provided in Sec.1-6 of the code of ordinances. In the case of a continuing violation, each 72-hour period during which the violation continues to exist shall constitute a separate violation. The citation shall be served upon the person(s) described in subsection (a) by the means set forth therein. In the event the offender does not pay the penalty within 30 days of service of the citation, the civil penalty shall be collected by the town in a civil action in the nature of debt, which shall not subject the offender to the penalty provisions of G.S. § 14-4.

(2) In addition to or in lieu of the other remedies set forth in this section, the ~~code enforcement officer~~ Planning Director or ~~his~~ their designee shall have the authority to issue an order to remove for any sign not repaired or otherwise brought into compliance within the provisions of this chapter within the time required by the foregoing provisions. Orders to remove shall be issued to and served upon the person(s) described in subsection (a) by the means set forth therein. Any sign ordered to be removed shall be removed 30-days after the service of the order to remove at the expense of the offender. The order to remove shall describe with particularity the location of the sign to be removed and all of the reasons for issuance of the order to remove, including specific reference to the provisions of this article which have been violated.

(3) In addition to or in lieu of the other remedies set forth above, the town may use all of the remedies set forth in G.S. § 160A-175. ~~Specifically, the person violating a provision of this chapter may be charged with a misdemeanor or infraction pursuant to G.S. § 14-4 and fined in accordance with the provisions~~.

(e) *Removal and recovery of expense.* In the event of the failure to comply with the requirements of an order to remove, the ~~code enforcement officer~~ Planning Director or ~~his~~ their designee may cause such sign to be removed. The sign owner and property owner shall be jointly and severally liable for the expense of removal. Notice of the cost of removal shall be served upon the person(s) described in subsection (a) by the means set forth therein. If the cost of removal is not paid within 30-days thereafter, such costs shall be collected by the town in a civil action in the nature of debt, which shall not subject the offender to the penalty provisions of G.S. § 14-4.

(f) *Removal of dangerous signs.* Pursuant to G.S. § 160A-193, the town, through the ~~p~~Planning ~~d~~Director or ~~his~~ their designee shall have the authority to summarily remove, abate or remedy a sign which is determined to be dangerous or prejudicial to the public health or safety. The expense of removal shall be paid by the sign owner, or if the sign owner cannot be determined, by the owner of the property, and if not paid, the expense shall be a lien upon the land or premises where the sign is located and shall be collected in the same manner as unpaid taxes.

~~(g) *Removal of prohibited signs.* The planning director or his their designee shall have the authority to remove summarily any signs prohibited under Code section 20-4103 of this article.~~

(g) *Stay upon appeal.* In the event of a timely appeal of a decision of the ~~code enforcement officer~~ Planning Director or ~~his~~ their designee to the board of adjustment, enforcement of all proceedings and the

furtherance of the action appealed from shall be stayed, unless the ~~code enforcement officer~~ Planning Director or ~~his~~ their designee certifies to the board of adjustment that a stay would cause imminent peril to life or property.

(h) In addition to the remedies set forth in this section, the Planning Director or their designee may remove any illegally posted temporary sign or sign which has been ordered to be removed. Any such removed sign will be retained for seven days, during which period the sign may be retrieved by the owner. After those seven days illegal signs removed by the town may be disposed of or destroyed.

(Ord. of 5-24-2021(1) , § 5)

Sec. 20-41~~14~~11. Fence wraps.

Pursuant to G.S. 160D-908, fence wraps displaying signage when affixed to perimeter fencing at a construction site are exempt from zoning regulation pertaining to signage until the certificate of occupancy is issued for the final portion of any construction at that site or 24 months from the time the fence wrap was installed, whichever is shorter. If construction is not completed at the end of 24 months from the time the fence wrap was installed, the town may regulate the signage but shall continue to allow fence wrapping materials to be affixed to the perimeter fencing. No fence wrap affixed pursuant to this section or G.S. 160D-908 may display any advertising other than advertising sponsored by a person directly involved in the construction project and for which monetary compensation for the advertisement is not paid or required.

(Ord. of 5-24-2021(1) , § 5)

Sec. 20-41~~15~~12. Outdoor advertising.

The provisions of this Article establish standards and review criteria relating to the location, erection, maintenance, lighting, setbacks, and use of signs. This includes regulations pertaining to outdoor advertising (i.e. Billboards). The regulation and permitting of outdoor advertising is also subject to State requirements, including the State Outdoor Advertising Control Act, and Federal requirements. In cases where there is a conflict between Town regulations and State or Federal regulations, relating to the location, erection, maintenance, lighting, setbacks and use of outdoor advertising signage, the corresponding State or Federal law shall take precedent. In cases where there is no applicable State/Federal standard, then existing Town regulations shall be enforced.

Notwithstanding any of the foregoing, the mandatory provisions of G.S. 160D-912 shall apply.

(Ord. of 5-24-2021(1) , § 5)

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

Date of Meeting:	May 20, 2024
Subject:	Tree Board
Presenter:	Town Manager Selena Coffey
Attachments:	Ordinance Amending the Code Chapters 2 and 32 Concerning the Tree Board, Proposed Tree Board Roster

Description/ Summary of Request:

In February of 2024 Town Council authorized staff to draft code amendments and re-establish an independent Tree Board, and seek applications for those interested in serving on the Tree Board. The Town has now received submitted applications for those interested in serving on the Tree Board.

Proposed amendments to the Code: Chapter 2, Article IV- Boards, Commissions and Committees, Division 4, establishes Weaverville's Tree Board and provides that it is the purview of the Tree Board to direct the planting and preservation, where possible, of trees in town parks and on town property and in the town's rights-of-way, and Chapter 32, Article II -repealed.

It should be noted that the Tree Boards generally, including Weaverville's Tree Board, do not have authority over trees on private property, a common misperception.

Town Manager Coffey recommends that there be a 7-member independent Tree Board, with up to two alternate members, as appointed by Town Council. There shall be a majority whose primary residence is within the Town's city limits. Eight applications were received (previously provided To Town Council) and all eight individuals are proposed for appointment to this Board.

One of the first items that the Manager would like the Tree Board to undertake is a comprehensive review of Arbor Day Foundation requirements and standards for Tree City USA, Chapter 2 review of the Tree Board's purview, and other tree related initiatives within the Town with recommendations reported back to Town Council for consideration as priorities within the Comprehensive Land Use Plan.

Action Requested:

The Town Manager recommends: (1) adoption of the proposed ordinance with Code amendment to Town Code Chapter 2 and 32, and (2) appointment of new members to the Tree Board.

ORDINANCE AMENDING WEAVERVILLE TOWN CODE CHAPTERS 2 AND 32 CONCERNING THE TREE BOARD

WHEREAS, pursuant to authority granted by N.C. Gen. Stat. § 160A-174 and as a participant in the Tree City USA program, the Weaverville Town Council wishes to reorganize and reestablish its Tree Board;

NOW, THEREFORE, BE IT ORDAINED by Town Council of the Town of Weaverville, North Carolina, as follows:

1. The attached Division 4, entitled "Tree Board", is hereby added to Article IV of Chapter 2 of the Town's Code Ordinances.
2. That Article II of Code Chapter 32 is hereby repealed.
3. It is the intention of Town Council that the sections and paragraphs of this Ordinance are severable and if any section or paragraph of this Ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining paragraphs or sections of this Ordinance, since they would have been enacted by Town Council without the incorporation in this Ordinance of any such unconstitutional or invalid section or paragraph.
4. These amendments shall be effective immediately upon adoption and codified.

ADOPTED THIS the ___ day of _____, 2024, by a vote of ____ in favor and ____ against.

_____

PATRICK FITZSIMMONS, Mayor

ATTESTED BY:

_____

TAMARA MERCER, Town Clerk

APPROVED AS TO FORM:

_____

JENNIFER O. JACKSON, Town Attorney

CHAPTER 2 – ADMINISTRATION
ARTICLE IV – BOARDS, COMMISSIONS AND COMMITTEES
DIVISION 4. TREE BOARD

Sec. 2-171. Establishment.

(a) The town council establishes a tree board of the town, which board shall consist of seven (7) regular members and up to two (2) alternate members who shall all serve at the pleasure of town council. The tree board members shall primarily consist of residents of the Town of Weaverville, with a majority of the board being residents of the Town of Weaverville. Members shall be appointed by town council.

(b) Except as provided for the first tree board or a newly constituted tree board, the term of office of each member of the tree board shall be for three years. To provide for staggered terms, in appointing original members or in filling vacancies caused by the expiration of the terms of existing members, town council may appoint certain members for less than three years so that the terms of all members do not expire at the same time. Vacancies occurring on the tree board shall be filled for the unexpired term only.

(c) Members of the tree board shall receive no compensation for their services.

(d) Any member of the tree board who is absent without good cause from three consecutive meetings of the board shall be reported to the mayor and may be removed from the board and replaced in the manner prescribed for appointments.

(e) In addition to the seven members appointed to the tree board, the town manager or their designee, shall serve as an ex officio non-voting member of the board.

Sec. 2-172. Records.

The tree board shall keep records of its meetings and proceedings and may certify attendance of board members to the town council.

Sec. 2-173. Officers.

The tree board shall elect a chair and a vice-chair from its membership, who shall each serve for one year or until reelected or until their successors are elected. The town staff member to the board shall serve as secretary and provide staff support to the tree board.

Sec. 2-174. Rules of procedure.

The tree board may adopt appropriate rules of procedure for transaction of its business, as long as the same are not inconsistent with North Carolina law, and shall keep a record of its members' attendance, and of its resolutions, discussions, findings and recommendations in the form of meeting minutes and, as appropriate, formal recommendations and reports. All records of the tree board shall be subject to public records law.

Sec. 2-175. Purpose.

The tree board is intended to be a citizen led group, that works with town public officials and staff to improve the health of the urban and community forest within the municipal limits of Weaverville through tree plantings, advocacy, education, management and maintenance activities.

Sec. 2-176. Duties and Limitations.

The tree board shall primarily act in an advisory capacity to town council and town staff is primarily responsible for the planning, implementation, and coordination with other agencies and boards regarding projects undertaken by the board.

The tree board is to be primarily focused on trees and vegetation within public street rights-of-way, town parks, and town-owned property and shall have the following duties and responsibilities:

(1) To periodically review the regulations within the town's code of ordinances related to trees and vegetation, including specifically Code Chapter 32, and make recommendations concerning revisions, additions, and/or repeal;

(2) To study and make recommendations on land use regulations, such as a tree canopy or protection ordinances and other conservation minded regulation, with the goals of enhancing aesthetics, reducing urban heat islands, reducing stormwater run-off, providing wildlife habitats, lowering building energy costs, and increasing property values;

(3) To seek advice, as needed, from qualified landscape architects, arborists, foresters, horticulturists, or other knowledgeable individuals;

(4) To consult with certified residential and commercial arborists and foresters on an inventory of existing trees within town street rights-of-ways and on town-owned property with data collected on species, size, and general health of each tree;

(5) To designate heritage trees, which are understood to be individual trees with unique value based on age, rarity, size, and/or aesthetic, botanical, ecological, or historical value, and are considered irreplaceable;

(6) To organize educational programs and workshops, sponsor information booths, and develop/distribute informational materials on topics related to planting, maintenance, health, and protection of trees within the urban and community forests of Weaverville;

(7) To foster communication among citizens of the town that would provide community education programs, and increased awareness of urban forestry, protection of trees, and to coordinate active measures to support tree health and growth within the town;

(8) To investigate available grants, loans, or contributions from other governmental agencies, public or private corporations, or individuals, and to recommend the

expenditures of any proceeds toward the accomplishment of the tree board's duties and responsibilities;

(9) To study, investigate, counsel, develop and/or update periodically a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas once a tree inventory has been completed. The plan is to be presented to the Town Council and its acceptance and approval constitutes the official comprehensive Town tree plan.

(10) To approve voluntary planting plans on Town property or in Town street rights-of-way by private citizens or groups.

(11) To submit an annual report of its activities and recommendations to town council;

(12) To perform any other related duties that town council may direct, either through ordinance or action.

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*C*HAPTER *32 – VEGETATION*

~~ARTICLE II – TREE BOARD~~

~~Sec. 32-41. Creation, establishment, role.~~

~~There is created and established a conservation board of the Town of Weaverville (hereinafter the "town"), which shall consist of five members who are citizens and residents of the town, who shall be appointed by the mayor with the approval of the town council. The town manager shall serve as an ex officio member.~~

~~The role of the conservation board shall be to serve as an advisory board to the town council regarding measures required to manage, protect, and plan for the town's natural resources and open areas, and to implement such measures that are within the scope of the board's responsibilities.~~

~~Sec. 32-42. Term of office.~~

~~The term of the conservation board shall be three years, except that the term of two of the members appointed to the first board shall be for only one year and the term of two members of the first board shall be for two years, in order to create staggered terms of board members. If a vacancy shall occur during the term of any member, the successor shall be appointed in the same manner for the unexpired portion of the term.~~

~~Sec. 32-43. Compensation.~~

~~Members of the conservation board shall serve without compensation.~~

~~Sec. 32-44. Duties and responsibilities.~~

~~The conservation board shall have the following duties and responsibilities:~~

~~(1) It shall be the responsibility of the conservation board to study, investigate, counsel, and develop and/or update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees, shrubs, and invasive exotic plants in parks, along streets, and in other places within the town's jurisdiction. Such plan will be presented annually to the town~~

~~council and upon its acceptance and approval shall constitute the official comprehensive town plant management plan.~~

~~(2) The conservation board, when requested by the town council, shall consider, investigate, make findings, report upon, and recommend any special matter of question coming within the scope of its work.~~

~~(3) The conservation board shall facilitate the planting, growth, and protection of trees and other native plantings, as well as manage activities relating to the control of invasive exotic plants on town properties.~~

~~(4) It shall advise the town on management of Main Street Nature Park, including making recommendations for development of park infrastructure, appropriate use of park facilities, and restoration of the native plant community.~~

~~(5) In accordance with the designation of the town as a community wildlife habitat, the conservation board is charged with enhancing wildlife habitat within the town by encouraging and assisting property owners wishing to certify their properties with the National Wildlife Federation. The conservation board will be responsible for meeting annual goals agreed upon with the National Wildlife Federation to maintain community wildlife habitat certification.~~

~~(6) The conservation board will perform the duties of a tree board, in accordance with requirements of the Tree City, USA program. These duties include:~~

~~a. Fostering the communication among citizens of the town that would provide the needed protection of trees and to coordinate active measures to support their health and growth within the town;~~

~~b. Conducting a tree survey of existing trees along streets and on public property within the town;~~

~~c. Developing an official street tree species list comprised of three groups of trees—small trees, medium trees and large trees. No trees other than those included in the list may be planted as street trees without permission of the conservation board.~~

~~d. Establishing guidelines for the spacing of town trees in accordance with the three species size classes in the official street tree species list. These guidelines will cover:~~

~~— Spacing between street trees;~~

~~— The distance street trees may be planted from curbs or curb lines and sidewalks;~~

~~— The distance street trees may be planted from any street corner; and~~

~~— The location of the street trees relative to overhead and underground water lines, sewer lines, transmission lines or other utility, and any other areas involving the spacing of street trees, park trees or town-owned trees.~~

~~(7) The conservation board shall investigate available grants, loans or contributions from other governmental agencies, public or private corporations, or individuals, and recommend the expenditure of any proceeds toward the accomplishment of its purpose.~~

~~(8) The conservation board shall conduct continuing research, planning and feasibility studies required to support the purposes stated in this article.~~

~~(9) The conservation board shall organize educational programs and workshops, sponsor informational booths, and develop/distribute informational materials.~~

~~(10) The conservation board shall submit an annual report of its activities and recommendations to the town council and shall submit to the town clerk copies of its minutes and proceedings of its regular and special meetings.~~

WEAVERVILLE TREE BOARD				
Regularly meets _____of the month at 6 pm in Community Room/Council Chambers at Town Hall				
NAME AND POSITION	**CONTACT INFORMATION**	**FIRST APPT**	**DATE OF APPT**	**TERM (3 YEARS)**
Peter Stanz Jr Regular Member	49 Brown Street *Town Resident*	2024	May 2024	May 2024 – 2027
Shelby Ellenburg Regular Member	16 Brushwood Road *Town Resident*	2024	May 2024	May 2024 – 2027
Pauline Griffith Regular Member	19 Rabbit Ridge Drive *Town Resident*	2024	May 2024	May 2024 - 2026
Russ Kantner Regular Member	50 Loftin Street *Town Resident*	2024	May 2024	May 2024 – 2025
Greg Sanfilippo Regular Member	17 Comfrey Lane Outside Town limits	2024	May 2024	May 2024 – 2026
Jeff Colavecchia Regular Member	26 Benfield Road Outside Town limits	2024	May 2024	May 2024 –2025
Caroline Lord Regular Member	710 Norden Way Outside Town limits	2024	May 2024	May 2024 – 2027
Stephen Hudson Alternate Member	38 Dogwood Drive Outside Town limits	2024	May 2024	May 2024 – 2026
Selena Coffey Town Manager	828-484-7001 (direct line) scoffey@weavervillenc.org			
Tamara Mercer Clerk/Board Sec.	828-484-7003 (direct line) tmercer@weavervillenc.org			

Last updated May 2024

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

Date of Meeting: Monday, May 20, 2024

Subject: Staff Report regarding the Weaverville Business Association Proposed Changes to Florida Avenue

Presenter: Town Manager Selena Coffey

Attachments: Staff Report
Related Duke Energy Email Correspondence

Description:

At its last meeting, Town Council heard a proposal from the Weaverville Business Associton (WBA) requesting the widening of sidewalks on Florida Ave to include the following:

1. *Eliminating the three parking spaces currently on the avenue and using that space to expand the sidewalks equally on both sides of the road. This would allow for the placement of tables and/or planters, making it a more inviting area for shoppers, and also would make it safer for pedestrian traffic. With proper signage we think it would also help to reduce vehicles going the wrong way on Florida Avenue (to turn onto Main Street).*

2. *Improved lighting for the streetscape. This would involve more aesthetic light sources other than traditional streetlights and could include lamp posts, lighting attached to the side of the adjacent buildings, or string lights hung over and across the avenue.*

3. *Additional signage to make visitors aware that there are additional shops, pubs, and businesses located on the avenue.*

The Town Manager has met with key staff regarding this request and offers the attached staff report for Town Council's consideration.

Council Action Requested:

The Town Manager recommends Town Council discussion and direction to staff as to how it wishes to proceed with this proposed project.

Selena D. Coffey, Town Manager
Town of Weaverville
30 South Main Street | PO Box 338
☎ (828) 645-7116
✉ scoffey@weavervillenc.org
www.weavervillenc.org

TOWN OF WEAVERVILLE

STAFF REPORT

TO: **Town Council**

FROM: **Selena D. Coffey, Town Manager**

SUBJECT: **Weaverville Business Association Proposal for Changes to Florida Avenue**

DATE: **May 7, 2024**

At its April 22, 2024 regular meeting, Town Council heard a proposal from the Weaverville Business Association (WBA) regarding potential changes to Florida Avenue. These changes were ranked in order by the WBA as follows:

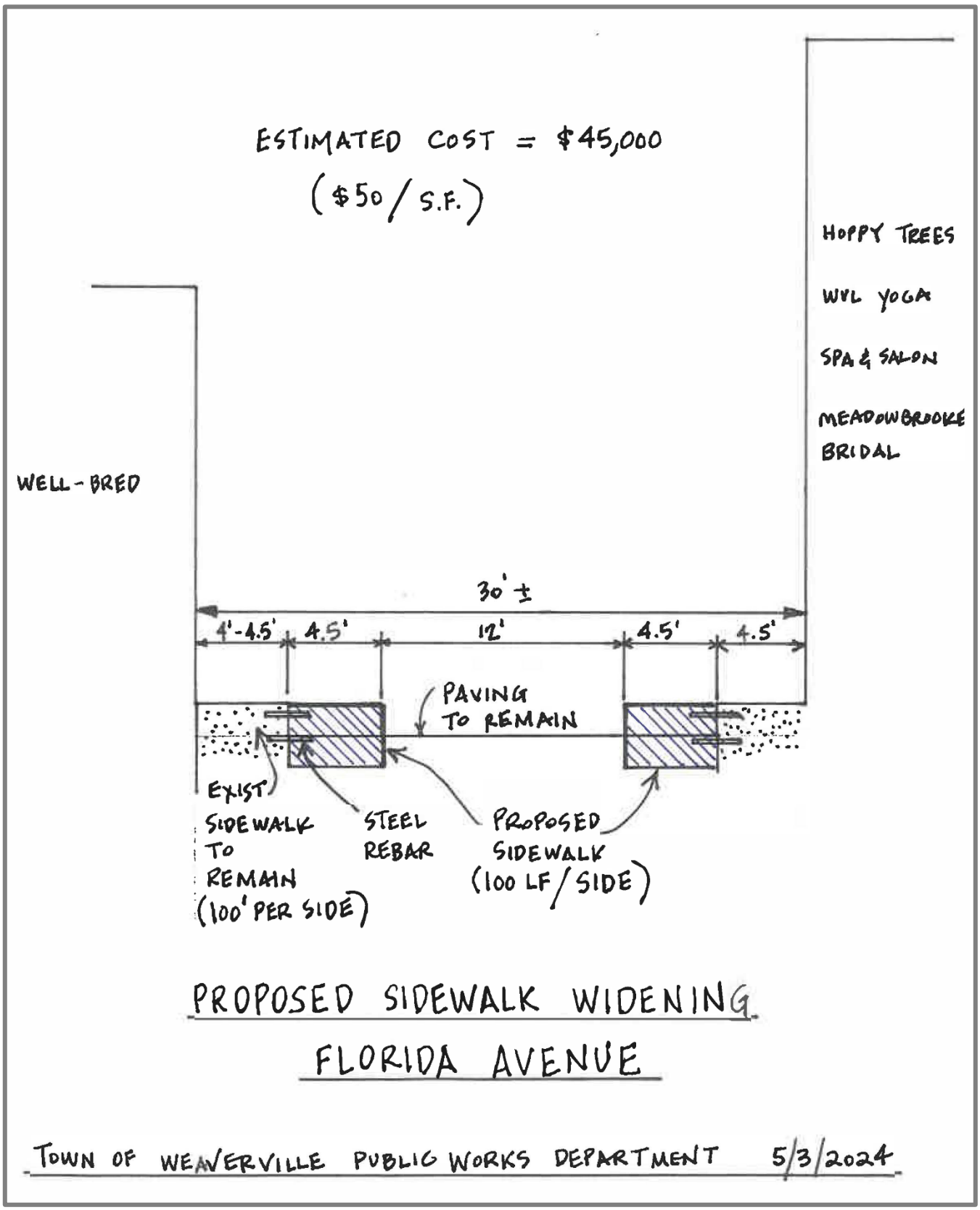
1. *Eliminating the three parking spaces currently on the avenue and using that space to expand the sidewalks equally on both sides of the road. This would allow for the placement of tables and/or planters, making it a more inviting area for shoppers, and also would make it safer for pedestrian traffic. With proper signage we think it would also help to reduce vehicles going the wrong way on Florida Avenue (to turn onto Main Street).*

2. *Improved lighting for the streetscape. This would involve more aesthetic light sources other than traditional streetlights and could include lamp posts, lighting attached to the side of the adjacent buildings, or string lights hung over and across the avenue.*

3. *Additional signage to make visitors aware that there are additional shops, pubs, and businesses located on the avenue.*

I have met with key Town staff and offer the following information for Town Council's consideration. Engineer Dale Pennell has provided a conceptual drawing showing the WBA proposal for reference as you consider the following points developed by staff. I want to note that staff stands prepared to enact the direction of Town Council should it vote to move forward.

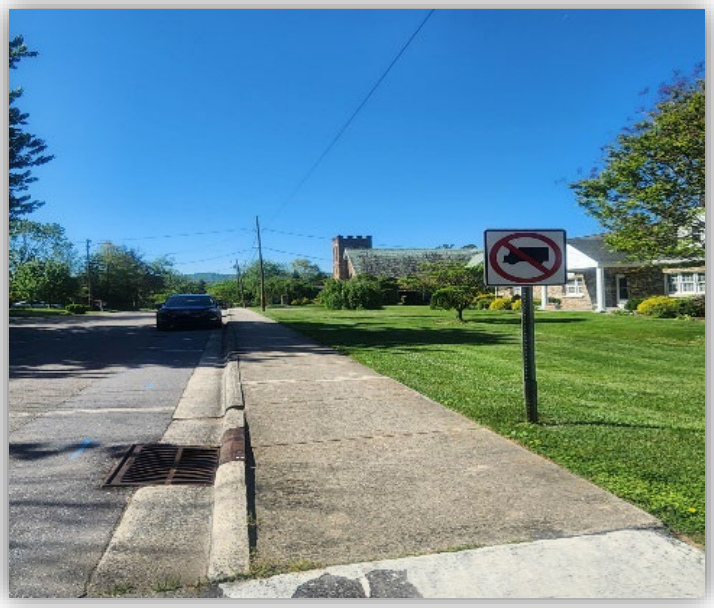
Figure 1: Sketch depicting Florida Avenue and effect of WBA proposal.



Staff has offered the following points for Town Council's consideration.

1. Elimination of 3 parking spaces and expansion of sidewalks on Florida Avenue:

- Visitors often move chairs and tables around Florida Avenue and Main Street, allowing children and pets to move more freely in the spaces. This disrupts pedestrian traffic and is in violation of Town Code and ADA guidelines. Staff is concerned that further widening may not improve this already existing issue.
- Weaverville Fire Department has difficulty traversing the already tight space on Florida Avenue to provide fire protection services on Florida Avenue and Merchants Alley; Their truck, with outriggers extended, is16' wide and current street space is 21' wide, leaving very little clearance space.
- Those sitting at the proposed sidewalk tables would likely feel unsafe when emergency responders would need to use Florida Ave for emergency calls.
- Public Works garbage truck and snow removal trucks currently have difficulty traveling Florida Avenue without hitting curbs. This would be exacerbated by widened sidewalks.
- Several vending trucks cannot currently travel up Merchants Alley and turn left on Florida due to the narrow streets.
- Currently Alabama Avenue has a sign (see image below) to indicate "No Trucks," preventing large vending trucks from traveling in that area; Town staff is uncertain when this sign was posted or who posted it.



- Changes to Florida Avenue will impact parking on Merchants Alley because many of those businesses that back up to Merchants Alley use the street for parking.
    - The new Public Works garbage truck will not be able to be used on Merchants Alley because it is being used as parking for business owners.
- Widening of sidewalks as proposed is estimated to cost the Town approximately $45,000.

2. Improvements/Addition of Lighting:

- Current lighting on Florida Avenue is not adequate to deter burglaries as is; There have been 3 vehicle burglaries near a Florida Avenue brewery recently; Adequate lighting would require the Town to add more substantial lighting than string lights in the vicinity, as well as a camera mounted in the municipal parking lot and pointed in the direction of Florida Avenue.
- In years past, lighting has been strung in this area and has been broken/torn down by vandals and trucks traveling Florida Avenue.
- Lighting costs are estimated at $15 dollars per month per light pole, and a one-time cost of $300 dollars for commercial string lights. The true cost of this project is difficult to project, as much of the work would be linked with the construction costs from the demolition and rebuilding of the sidewalks. Please see the attached email from Duke Energy regarding this project.
    - The Town would need to locate existing electrical sources for connection, then lay underground cable and conduit to each potential light pole location. Duke Energy would subsequently install the poles and connect them to electricity. Duke Energy will be performing a site visit soon. Upon completion of their assessment, we will be able to better determine material and installation costs.
- Camera costs are estimated at approximately $8,600. This estimate assumes Public Works doing the trenching for low voltage lines.

3. Additional Signage:

- Even with widening of sidewalks, visitors are already known to move chairs and allow children and pets to wander closer to streets.
- Advertising signage may be dictated by DOT, depending on the desired placement.
- Staff is unable to quantify additional signage costs until we get into the project should Town Council decide to approve the project.

If Town Council wishes to pursue this project, I would recommend holding a special public input meeting and making the necessary adjustments to the fiscal year 2024-2025 budget. Various staff from the key departments involved in providing this input will be available at the May 20 meeting for further input or questions from Town Council.

cc: Chief Oberlin
Captain Nick Shea
Planning Director Eller
Chief Harris
Deputy Chief Hunter
Fire Marshal Davis

From: Somer Oberlin
To: Selena Coffey
Cc: Nicholas Shea
Subject: Fw: [EXTERNAL] Weaverville PD Florida Ave
Date: Wednesday, May 8, 2024 3:19:29 PM
Attachments: image001.png

Hello Selena,

I don't know how Duke's information concerning lighting on Florida Avenue could be better summarized. They sent Captain Shea a pretty thorough email that literally said the project "will come at a hefty cost." Take a look below and let us know if you have any questions.

Chief

From: Nicholas Shea <nshea@weavervillenc.org>
Sent: Wednesday, May 8, 2024 2:00 PM
To: Somer Oberlin <soberlin@weavervillenc.org>
Subject: Fw: [EXTERNAL] Weaverville PD Florida Ave

Just passing this along. To summarize, Duke states it will be an expensive and significant project to add decorative lighting to Florida Ave in addition to the ADA compliance issues.

Please let me know if I may further assist.

Captain Nick Shea
Weaverville Police Department
30 South Main Street
Weaverville, NC 28787
828.645.5700 office
828.708.9675 cell
nshea@weavervillenc.org

From: Jamison, Zachary <Zachary.Jamison@duke-energy.com>
Sent: Wednesday, May 8, 2024 9:08 AM
To: Nicholas Shea <nshea@weavervillenc.org>
Cc: Simonovich, Vadim <Vadim.Simonovich@duke-energy.com>
Subject: RE: [EXTERNAL] Weaverville PD Florida Ave

Good Morning Nick,

Hope you are doing well. After taking a look into this it looks like the sidewalks

along this section of Florida Ave are only around 4ft wide, and if we install Poles and Lights along this stretch it would make the sidewalks non-ADA compliant. I just wanted to let you know this before proceeding forward. Is there any future projects lined up to have the sidewalks and asphalt road re-poured/re-configured? If the Town of Weaverville is set on having the Decorative Poles and Lights installed it will come at a hefty cost, due to us either Directional Boring or Jet Tracking, which both of these options will require Concrete Sidewalk and Asphalt to be torn up then it will be the customer's(Town's) responsibility to re-pour the Concrete Sidewalk and Asphalt. Even if we Directional Bore the Underground Cable in we would probably need to tear up the Concrete and Asphalt all the way since there is more than likely other utilities in the ground suck as water, sewer, gas, and communication lines. If we Jet Track the entire way then we would definitely be tearing up the Concrete and Asphalt.

I would plan on feeding the new Poles/Lights from the existing Primary Wood Pole at the corner of Florida Ave and N. Main St, which this pole is surrounded by Concrete Sidewalk. Then I would install at least 2 new Poles and 2 new Lights along this stretch of Florida Ave.

Would the Town be opposed to having an LED Roadway Light Fixture installed on the existing Primary Wood Pole at the corner of Florida Ave and N. Main St? The Light would be aim back towards Florida Ave on a longer Backet Arm.

If the Town would like to proceed forward with the installation please see the monthly costs below for the new Poles and Lights:

1. 16ft Style 5 Aluminum Anchor Based Poles(Black) = $26.88/month/pole(I have to go with an Anchor Based Pole since this will be within Concrete Sidewalk, I cannot go with a Direct Buried Pole)
2. 50W(3K) LED Open Traditional Light Fixture = $9.12/month/light
3. Monthly Underground Service Charge = $3.66/month/pole

Our Directional Boring Charge is $24.46 per foot before tax(7%) and gross up charges(13.3%). I do not have a per foot charge for the Jet Tracking but it is very similar to the Directional Boring charge. These charges do not include any cutting and removing of Concrete or Asphalt.

If you, or the Town, have any questions please let me know.

Thanks!

Zak Jamison
Senior Engineering Technologist
Customer Delivery – Lighting Programs
Asheville, NC
828-337-4957
Zachary.Jamison@duke-energy.com

From: Nicholas Shea <nshea@weavervillenc.org>
Sent: Thursday, May 2, 2024 11:27 AM
To: Jamison, Zachary <Zachary.Jamison@duke-energy.com>
Subject: [EXTERNAL] Weaverville PD Florida Ave

***** CAUTION! EXTERNAL SENDER *** STOP. ASSESS. VERIFY!!** Were you expecting this email? Are grammar and spelling correct? Does the content make sense? Can you verify the sender? If suspicious report it, then do not click links, open attachments or enter your ID or password.

Dear Sir,

I hope this message finds you well. I have been tasked by the Town to procure an estimate for the installation of decorative street lamps, along with the potential addition of string lights, along Florida Avenue, situated off North Main Street. Enclosed with this email, you will find an image detailing the area in question.

Thank you sincerely for your assistance in this matter. Please don't hesitate to reach out if you require any further information or support.

Kind regards,

Captain Nick Shea
Weaverville Police Department
30 South Main Street
Weaverville, NC 28787
828.645.5700 office
828.708.9675 cell
nshea@weavervillenc.org

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

Date of Meeting: Monday, May 20, 2024

Subject: Quarterly Report from Weaverville Police Department for May 2024

Presenter: Police Chief Somer Oberlin

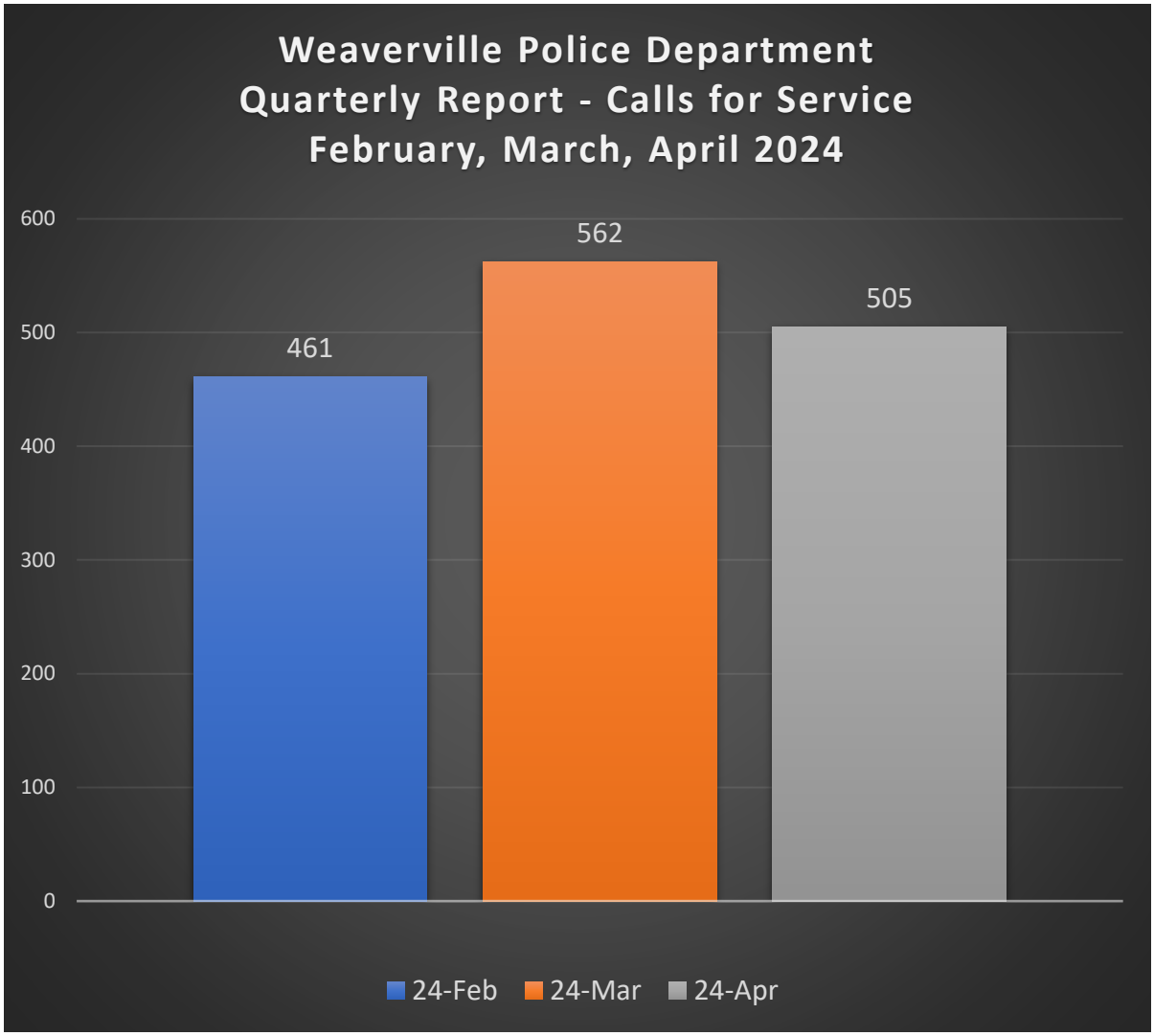
Attachments: Quarterly Report

Description:

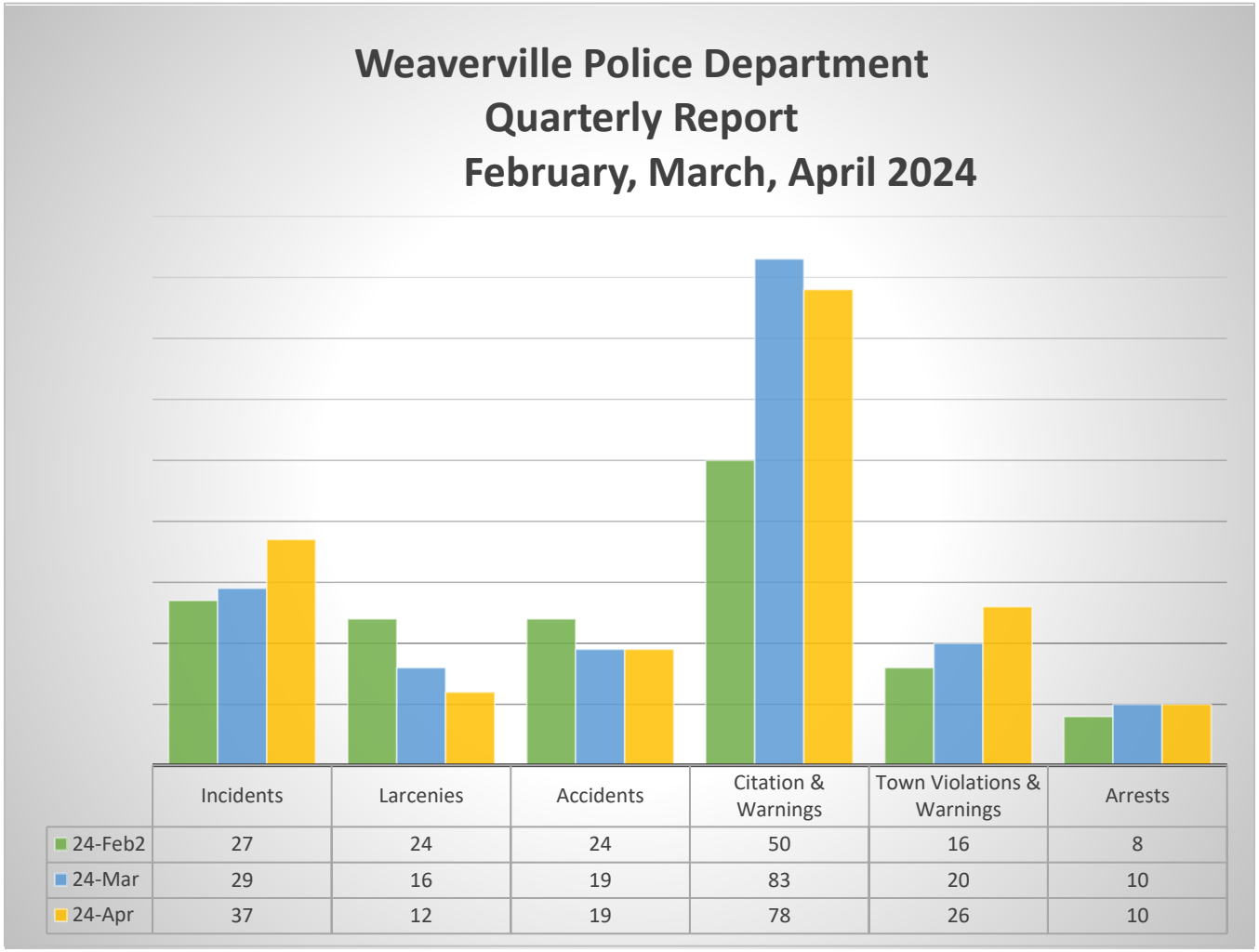
Attached please find the Weaverville Police Department quarterly report for May 2024. Chief Oberlin will be present at the meeting to review this quarterly report.

Council Action Requested:

No action required.



*Calls for service refer to the requests made to police departments by members of the public for assistance with various issues or emergencies. Some examples may be suspicious events, motor vehicle accidents, business or home alarms, welfare checks, stranded motorists, panhandlers, business checks, funeral escorts, dogs running at large, dogs left in vehicles, and many others.



	Incidents	Larcenies	Accidents	Citation & Warnings	Town Violations & Warnings	Arrests
24-Feb2	27	24	24	50	16	8
24-Mar	29	16	19	83	20	10
24-Apr	37	12	19	78	26	10

*Incidents Include-Larcenies, Death Investigations, Drug Offenses, Animal Bites, Trespassing, Fraud/ID Theft, Elder Abuse, Info Only Reports, Sexual Offenses, Involuntary Commitments, and other reportable crimes.

*Citations & Warnings Include-Traffic Offenses-157, Criminal Offenses-54

*Ordinance Violations Include-Parking, Noise, Dogs Running at Large, Public Urination, Firearms

Training and Professional Development

- The agency completed ICAT training (Integrating Communications, Assessment, and Tactics) ICAT takes the essential building blocks of critical thinking, crisis intervention, communications, and tactics, and puts them together in an integrated approach to training. It helps officers assess situations, make safe and effective decisions, and document and learn from their actions.
- Hired Dwayne Shelton and Chase Glass as patrol officers.
- Four officers attended specialized domestic violence training, covering subjects like strangulations investigations and identifying the predominant aggressor.
- Firearms instructor attended a Glock Optics Instructor school.
- Two officers became CPR instructors.
- One officer completed suicide investigation training.
- The entire department completed bomb awareness training.
- Three completed TRACS wreck reporting training, preparing for the transition to a new reporting system.
- One officer completed SWAT operator school.
- One completed dementia/Alzheimer training.
- Firearms instructor attended firearms instructor update for the new BLET course of fire.
- One officer attended Active Shooter training with BCSO.
- One officer attended a Community Care Symposium at Western Carolina University where programs related to enhancing police response to those with mental illness in the community were covered.

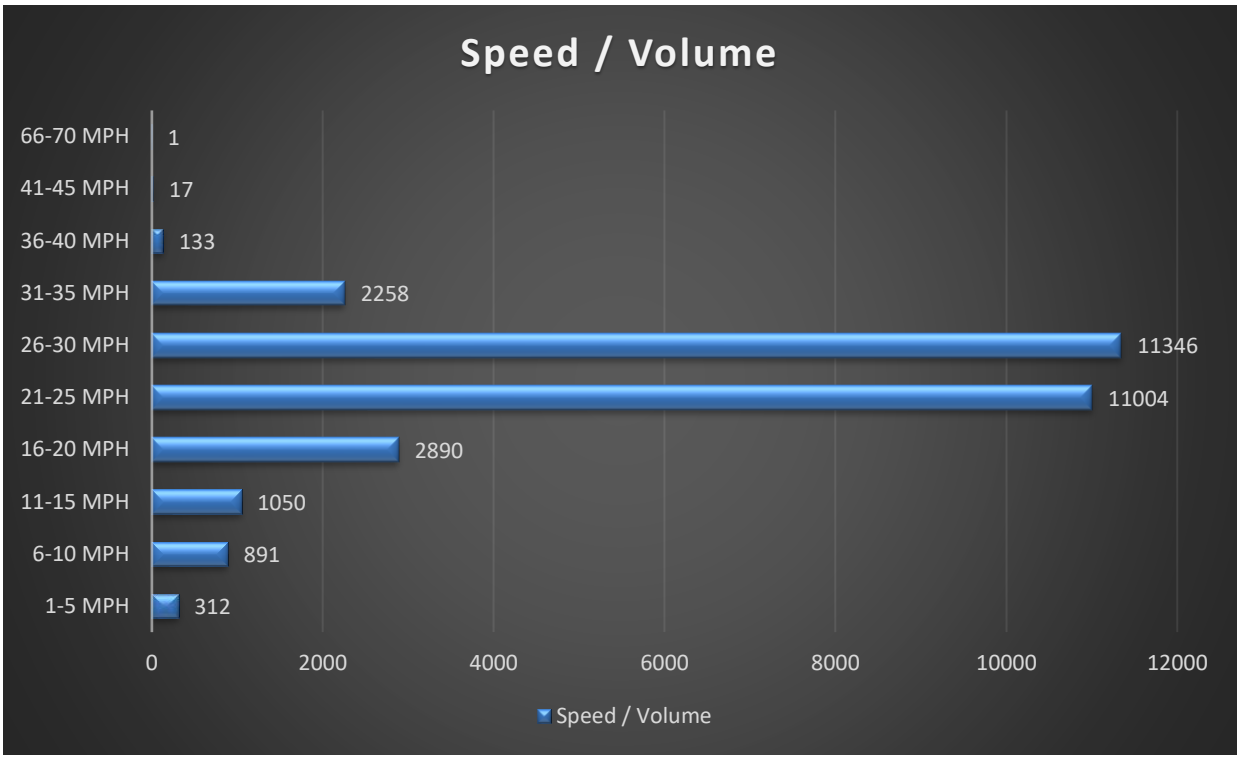
Activities of Interest

- Event operations and traffic control for the Chilly Challenge.
- A water line broke, flooding the police department.



- Located a missing/runaway juvenile after over 12 hours of active searching.
- Assisted Fletcher PD with a multi-agency check point and saturation patrol, bringing GHSP points to our agency.
- Evidence Technician, Brenda Redmon, completed an agency evidence audit with 100% of the items accounted.
- Officers Workman and Robertson celebrated 5-year anniversary.
- Officers Ervin and Shea celebrated 10-year anniversary.
- Derrick Burrell and Nick Shea were promoted to Captains.
- Hosted Citizens Academy.





Summary: Citizen complaint of speed on Main Street at Reagan Lane

Dates of data collection: 04/30/2024 – 05/06/2024 (Tuesday – Tuesday)

Speed Limit: 35 mph. **Total Volume of Vehicles**: 29,902

Average Speed: 24.25mph **50th percentile**: 24.77mph **85th percentile**: 28.75mph

Vehicles travelling 6-10 miles per hour over the speed limit: 18 (1 at 67 mph @ 1 a.m.) or .06%

Conclusion: Factors in the area are influencing the perception of danger, such as the sidewalk's proximity to the road, the sidewalk being limited by a rock wall on one side, narrow traffic lanes, congestion of vehicles, a nearby change of speed limit (+/- 15mph), and higher traffic noise.

There have been no reported collisions in the last year on Main Street at Reagan Lane.

DOT declined to lower the speed limit to 20 mph on that stretch of Main Street.

99.49% are travelling at or below 40 mph.

Plan of action: Continued monitoring, high visibility patrol, and enforcement if needed.

Town of Weaverville

Town Council Agenda Item

Date of Meeting:	May 20th 2024
Subject:	Weaverville Fire Department Quarterly Report
Presenter:	Chief Scottie Harris
Attachments:	Quarterly Report

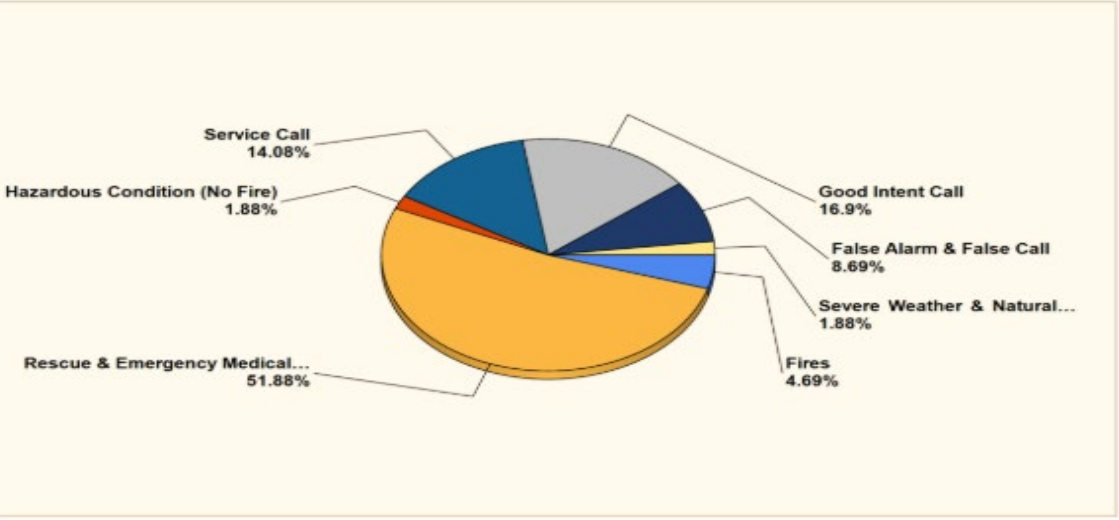
Description:

Attached please find the quarterly report for the Weaverville Fire Department. Chief Harris will be present at the meeting to present the report and answer any questions Town Council may have.

Action Requested:

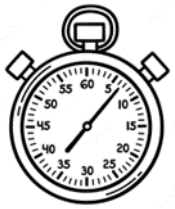
Information only; No action required.

Weaverville Fire Department Quarterly Report
February 1, 2024 - April 30, 2024



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	20	4.69%
Rescue & Emergency Medical Service	221	51.88%
Hazardous Condition (No Fire)	8	1.88%
Service Call	60	14.08%
Good Intent Call	72	16.9%
False Alarm & False Call	37	8.69%
Severe Weather & Natural Disaster	8	1.88%
TOTAL	426	100%

# OVERLAPPING	% OVERLAPPING	TOTAL
84	19.72	426



AVERAGE RESPONSE TIME (Dispatch to Arrived)

0:06:32

FIRE LOSS

LOSSES		PRE-INCIDENT VALUES	
PROPERTY	CONTENTS	PROPERTY	CONTENTS
$152,500.00	$3,000.00	$152,500.00	$3,000.00
$7,000.00	$200.00	$7,000.00	$200.00

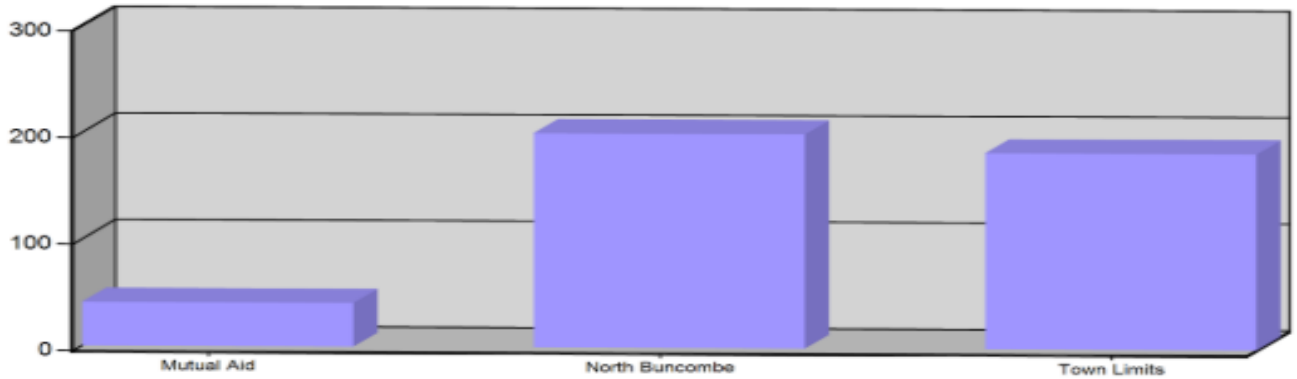
TOTAL LOSSES: $162,700.00

TOTAL PRE-INCIDENT VALUES: $162,700.00

PROPERTY SAVED

TOTAL PRE-INCIDENT PROPERTY	TOTAL PRE-INCIDENT CONTENT	TOTAL PRE-INCIDENT	TOTAL PROP. SAVED	TOTAL CONT. SAVED	TOTAL SAVED
$159,500.00	$3,200.00	$162,700.00	$0.00	$0.00	$0.00

ZONE	# INCIDENTS
Mutual Aid - Mutual Aid	41
North Buncombe - North Buncombe District	201
Town Limits - Town Limits	184
TOTAL:	426



WEAVERVILLE FIRE DEPARTMENT

3 MONTICELLO RD.
WEAVERVILLE, NC 28787

Celebrating 100 years of service to our community

Fire Marshals Office Stats. February 2024, March 2024 and April 2024.

SafeKids. Child Car Seat Installation.

February = 6 installations.

March = 5 installation.

April = 8 installations.

Fire Prevention and Education Classes.

February 13th and 15th. OSHA Consultation Survey on all Town Properties.

February 27th . Disaster Scenario. The Greens. Nursing Home Evacuation Training. (25 people)

March 7th. Child Passenger Safety Training. (18 people)

March 22nd . Career Day. North Buncombe High School. (870 students)

March 26th. Career Day. Weaverville Primary School. (230 students)

Commercial Business Inspections.

February = 22 inspections.

March = 26 inspections.

April = 28 inspections.

Kile R. Davis

Fire Marshal

Weaverville Fire Department

kdavis@weavervillefd.org