# City of Asheville Staff Report

## City Council Meeting Date: June 9, 2026

## Staff Resources: Ashley Haire, Director of Transportation, Jessica Morriss, Asst. Dir.

## Action Requested: Adoption of resolution to: 1) find that the public cost of this project to improve an unopened portion of Pine Lane will not exceed either: $250,000; the estimated cost of the City making the improvements; or the cost of paying for the improvements through a bid contract; and 2) authorize the City Manager to: enter into an agreement with Roers Asheville Developer, LLC, wherein the developer agrees to improve an unopened portion of Pine Lane and the City agrees to accept the newly improved portion; and sign any amendments needed to effect this resolution's purpose.

## Background:

- Pursuant to North Carolina General Statutes Section 160A-309, the City may contract with a developer for public roadway improvements that are adjacent or ancillary to a private land development project. These contracts are not subject to Article 8 of Chapter 143 of the General Statutes provided that City determines the public cost will not exceed: $250,000.00; the estimated cost of making the improvements itself; or the cost of paying for the improvements through a bid contract.
- On 25 February 2025, Council adopted Ordinance Number 5120 which rezoned two parcels totaling 6.68 acres to Residential Expansion – Conditional Zone.
- The parcels are located off of Brevard Road, between Brevard Road and Interstate 26; just north of where these roads intersect.
- The parcels are accessed via Pine Lane, a City maintained street. The City opened a portion of this street in 1994.
- The rezoning was effected to allow construction of 126 units of multi-family housing, to be called The Deyton.
- The developer, Roers Asheville Developer LLC, has offered to improve a roughly 165 feet section of Pine Lane that the City has not opened.
- The developer will bring these areas up to City standards and pay for all costs associated with the work, which the developer estimates will be $198,361.
- The City has agreed to accept and maintain this additional 165 feet section of public right-of-way.

## Vendor Outreach: N/A

## Council Vision 2036 Focus Area(s):

- Living Asheville – A Comprehensive Plan For our Future

## Council Priority Recovery Area(s):

- People; Infrastructure & Environment; Housing; Economic Recovery

## Committee(s):

- N/A

## Fiscal Impact:

- The developer will pay all costs associated with improving Pine Lane. The City will only have to pay costs associated with maintaining the additional improved portions of Pine Lane.

## Suggested Motion:

- Motion to affirm the finding that the cost of this project for the City to improve an unopened portion of Pine Lane will not exceed either: $250,000, or the cost of paying for the improvements through a bid contract; and to further authorize the City Manager to: enter into an agreement with Roers Asheville Developer, LLC, wherein the developer agrees to improve an unopened portion of Pine Lane and the City agrees to accept the newly improved portion; and sign any amendments needed to effect this resolution's purpose.

## Attachment(s):

- Resolution

# City of Asheville Resolution Number 26-___

Resolution authorizing the execution of an improvement agreement that will allow a private developer to improve unopened portions of public right-of-way on Pine Lane and accept those areas for City maintenance.

Whereas, North Carolina General Statutes section 160A-309 authorizes the City to contract with a developer for public roadway improvements and removes the contract from the purview of Article 8 of Chapter 143 of the General Statutes provided that: the public cost will not exceed $250,000.00; and the City determines that the public cost will not exceed the estimated cost of making the improvements itself or through a bid contract.

Whereas, the City has opened a portion of a public right-of-way known as Pine Lane.

Whereas, the developer Roers Asheville Developer, LLC, has offered to: improve a roughly 165 feet unopened portion of Pine Lane; bring this portion up to the City's standards for public streets; and pay for all costs associated with this work, which the developer estimates will be $198,361.

Whereas, the City has agreed to accept this newly improved portion of Pine Lane and take over maintenance thereof.

Whereas, the City is not responsible for any costs associated with the construction of these improvements.

Now, Therefore, be it resolved by the City Council of the City of Asheville that:

City Council hereby finds that the cost of this project for the City to improve an unopened portion of Pine Lane will not exceed either: $250,000, or the cost of paying for the improvements through a bid contract. Council further authorizes the City Manager to: enter into an agreement with Roers Asheville Developer, LLC, wherein the developer agrees to improve an unopened portion of Pine Lane and the City agrees to accept the newly improved portion; and sign any amendments needed to effect this resolution's purpose.

Read, approved and adopted this 9th day of June, 2026.

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Esther E. Manheimer, Mayor

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Brad Branham, City Attorney

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Magdalen Burleson, City Clerk