TOWN OF WEAVERVILLE **AGENDA**

Town Hall Council Chambers
30 South Main Street
Weaverville, N.C. 28787

September 19, 2016 at 6:00pm
Town Council Monthly Meeting & Public Hearings

1. **Call to Order**..... Mayor Sherrill

2. **Approval / Adjustments to the Agenda**..... Mayor Sherrill

3. **Approval of Minutes**..... Mayor Sherrill
   A. August 15, 2016 Town Council Meeting
   B. August 22, 2016 Special Called Meeting
   C. September 6, 2016 Special Called Meeting

4. **Employee Recognition**..... Town Manager
   A. Tonya Dozier, New Finance Officer
   B. Fire Chief Ted Williams, Grant Award

5. **General Public Comments**

6. **Consent Agenda**..... Mayor Sherrill
   Motion to approve the consent agenda
   A. Set Date for Public Hearing on Proposed Subdivision Amendments Regarding Minor Subdivisions
      This is recommended for October 17, 2016 at 6:00pm
   B. Budget Amendment
      Amendment adding funds contributed to the Police and Fire Depts. after budget was adopted.
   C. Ratification of Road Closure Ordinance for Art in Autumn
      NCDOT Ordinance to approve closure of Main Street for Art in Autumn.
   D. Tax Release
      Recommendation to release $356.62 due to duplicated billing by Buncombe County.

7. **Discussion & Action Items:**
   A. Adoption of Ordinance Establishing CZD for New Homes at North Main..... Town Attorney
   B. Approval of Concept Plan for Major Subdivision: Cottages at North Main..... Town Planner
   C. Water Meter & Allocation Request to Serve Fairfield Inn…..... Public Works Director
   D. Set Date for Worksession Regarding Land Use Regulation (Commercial/Industrial)..... Town Manager
   E. Proposed Solid Waste Ordinance Amendments..... Town Attorney
   F. Proposed Fire Code Amendments..... Town Attorney
   G. Board Appointments *(Conservation Board; Planning & Zoning Board)*..... Mayor Sherrill

8. **Public Hearing: Proposed Zoning Ordinance Amendments to Eliminate Unified Housing Developments, Traditional Neighborhood Developments and Revise Conditional Zoning District Provisions**
   A. Discussion and Action on Item 8 Above..... Town Attorney

9. **Public Hearing: Proposed Voluntary Annexation - Serota Mars Hill, LLC**..... Town Attorney

10. Public Hearing: Proposed Voluntary Annexation - Garrison Branch Reserve Investors, LLC.... Town Attorney

11. Public Hearing: Proposed Initial C-2 Zoning – Serota Mars Hill, LLC..... Town Planner

12. Public Hearing: Proposed Initial R-12 Zoning – Garrison Branch Reserve Investors, LLC Town Planner

A. Discussion and Action on Annexations and Initial Zonings on Items 9 – 12 Above..... Town Attorney
Town Planner

13. Closed Session..... Mayor Sherrill

§ 143-318.11(a)(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.

§ 143-318.11(a)(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

14. Adjournment..... Mayor Sherrill

Note: Departmental Reports are available to the public at Council Chambers during the meeting.

MINUTES

TOWN OF WEAVERVILLE **TOWN COUNCIL MEETING**
STATE OF NORTH CAROLINA **MONDAY, AUGUST 15, 2016**

The Town of Weaverville Town Council met on Monday, August 15, 2016 beginning at 6:00pm in Council Chambers within Weaverville Town Hall at 30 South Main Street.

Council Present: Mayor Dottie Sherrill, Vice-Mayor John Penley, Council Members Doug Dearth, Patrick Fitzsimmons and Doug Jackson. Absent: Councilman Andrew Nagle.

Staff Present: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Police Chief Greg Stephens, Public Works Director Tony Laughter, Fire Marshal Jayson Harwood and Town Planner James Eller.

1. **Call to Order**

   Mayor Sherrill called for the meeting to come to order at 6:00pm.

2. **Approval/Adjustments to the Agenda**

   Councilman Jackson requested to add Discussion and Action Item D for Council to address solid waste collection of larger multi-family residential developments.

   Councilman Dearth requested to remove the Planning and Zoning Board and Zoning Board of Adjustment appointments from Consent Agenda Item A for further discussion.

   Town Manager Coffey requested to add Consent Agenda Item E to address an Ordinance related to road closures for the North Buncombe High School Homecoming Parade.

   Mayor Sherrill asked if Closed Session could be removed from the Agenda and Town Attorney Jackson confirmed.

   Councilman Jackson motioned to approve the Agenda as Amended. Councilman Dearth seconded and all voted unanimously.

3. **Public Hearing: Conditional Zoning District, New Homes at North Main**

   Vice-Mayor Penley moved to go into the public hearing. Councilman Fitzsimmons seconded and all voted in favor.

   Town Planner & Code Enforcement Officer James Eller opened the public hearing with an explanation of the documents presented to Council. Those documents are affidavits of mailing, posting and publication, a statement of reasonableness from the Planning and Zoning Board, the

application and supporting documents, minutes from the June 7th and July 5th meetings of the Planning and Zoning Board and a Public Involvement Meeting Report.

Councilman Jackson stated his concern over the lack of street lighting for the proposed project. Vice-Mayor Penley shared this concern.

Fire Marshal Jayson Harwood stated to Council that the plans were sufficient to meet the qualifications of the Fire Code but that some minor relocating of fire hydrants had been discussed with the applicant and needed to be made. Public Works Director Tony Laughter stated that the water line for the project was sufficient to supply the development.

Council Dearth asked who would own the street lights if council chooses to incorporate them in the project in conjunction with the Conditional Zoning District. Mr. Laughter stated that if the lights were placed within the right-of-way then the Town could assume ownership and also discouraged the practice of the Town accepting any more street lighting due to the costs associated. Mr. Laughter also stated that if the lights were placed outside of the right-of-way the home owners association could be responsible for the lights.

Applicant Joe Quinlan of Mountain Housing Opportunities (MHO) introduced himself, Wyatt Stevens of Roberts & Stevens and Warren Sugg of Civil Design Concepts. Mr. Stevens, legal representative of MHO, spoke to Council regarding the project and similar successful projects developed by MHO in both the Town of Weaverville and Buncombe County.

Meredith Moody, Sandra Dorn, Pam Abernethy and Al Root each spoke in favor of the proposed development. Christine Borden inquired about the price point of the homes. Mr. Quinlan responded that the market value homes would be determined by the present market value and the self-help homes would be less. Thomas Veasey suggested that the median housing cost in the area was $236,000.

A motion was made to close public hearing by Councilman Jackson. Vice-Mayor Penley seconded and all voted in favor.

4. Public Comments

James Proffitt spoke to Council regarding his concerns over traffic which may be generated by a proposed development at 97 Lakeshore Drive.

Laura Ayers spoke to Council regarding the history of Lake Louise and suggested that the proposed development at 97 Lakeshore Drive could endanger same.

Matt Perramore spoke to Council suggesting that all the proposed development posed a threat to the unique character of the Town.

Paris Lyle spoke to Council about the condition of Lakeshore Drive in relation to the proposed development at 97 Lakeshore Drive.

Donna Bollinger spoke to Council regarding her belief that the signs being deployed by the Town to advertise Public Hearings are inadequate.

Tom Plaut spoke to Council on behalf of the Lake Louise Preservation Association and their supposition that Council represent the park at the next meeting of the Zoning Board of Adjustment regarding the proposed development at 97 Lakeshore Drive.

Thomas Veasey spoke to Council regarding the history of Lake Louise, structures and people around same.

Bernie Koesters spoke to Council regarding his concerns related to the proposed development at 97 Lakeshore Drive.

5. Approval of Minutes

Councilman Dearth made a motion to adopt the minutes as presented for the July 18, 2016 Town Council meeting and the August 3, 2016 Town Council special call workshop. Vice-Mayor Penley seconded. All voted in favor.

6. Employee Recognition

Town Manager Coffey recognized Debbie Bruce for the 99.94% tax collection rate

7. Consent Agenda

A. Amendment to Audit Contract.
B. Schedule Public Hearings on Voluntary Annexation Petition / Initial Zoning Request for Garrison Reserve Investors LLC.
C. Schedule Public Hearings on Voluntary Annexation Petition / Initial Zoning Request for Serota Mars Hill LLC.
D. Road Closure for North Buncombe High Scholl Homecoming Parade.

Councilman Fitzsimmons made a motion to approve the Consent Agenda. Vice-Mayor Penley seconded. All voted in favor.

8. Discussion and Action Items:

A. FY 15-16 Tax Collectors Settlement; Approval of Bond Amount; FY 16-17 Tax Order for Collection.

Town Manger Coffey spoke to Council regarding the aforementioned items which are statutorily required.

Councilman Fitzsimmons made a motion to approve the Resolution Approving the Tax Collector's Settlement for Fiscal Year 2015-2016, the Resolution Setting the Bond Amount for the Tax Collector, and the Resolution Adopting the Order of Collection for the 2016-2017 Tax Year and Charge to the Tax Collector for the collection of the taxes for FY 2016-2017. Vice-Mayor Penley seconded. All voted in favor.

B. Proposed Amendments to Zoning Ordinance ref. Unified Housing Developments, Traditional Neighborhood Developments & Conditional Zoning Districts.

Town Attorney Jackson spoke to Council regarding the aforementioned amendments to the Zoning Code which call for the elimination of Unified Housing Developments, the Elimination of

the Traditional Neighborhood Zoning District, and the elimination of the major thoroughfare access requirements for Conditional Zoning Districts. These changes were requested by Council following a previous workshop related to residential development.

Councilman Dearth made a motion to send the proposed Zoning Code amendments to the Planning and Zoning Board for review and recommendation and to set a public hearing before Town Council on Monday, September 19, 2016 at 6pm.Councilman Fitzsimmons seconded. All voted in favor.

C. Request for Town Council Acceptance and Staff Level Final Approval of a Waterline Extension for Sonic at Northridge Commons.

Public Works Director Laughter spoke to Council regarding a request to transfer authority to staff for a waterline extension related to Sonic due to the timing of the structures completion and Town Council's regularly scheduled meetings.

Councilman Dearth made a motion to grant staff the authority to accept the waterline extension. Councilman Jackson seconded. All voted in favor.

D. Solid Waste Collection for Larger Multi-Family Residential Developments.

Councilman Jackson explained that his request to place this item on the agenda was due to an array of concerns over the Town's ability to collect refuse from large multi-family residential complexes.

Councilman Jackson made a motion which instructed staff to draft an ordinance amendment related to refuse collection for large multi-family residential developments for Council's review at the next regularly scheduled meeting. Councilman Fitzsimmons seconded. All voted in favor.

E. Board Appointments, Reappointments & Term Adjustments.

Mayor and Council reviewed the membership and terms on the ABC Board, Zoning Board of Adjustment and the Planning and Zoning Board.

Councilman Dearth made a motion to accept the appointment of Warren Alcorn to the ABC Board and to transfer him from the Zoning Board of Adjustment (ZBA) to the ABC Board for a three-year term leaving an open seat on the ZBA. Councilman Fitzsimmons seconded. All voted in favor.

It was noted that Jan Rector had previously been appointed to serve as an alternate on the Zoning Board of Adjustment. Applicants for board positions will be forwarded to Council in order to try to fill the regular seat and one alternate seat on the Zoning Board of Adjustment. Council agreed to roll consideration of the appointments/reappointments for the Planning and Zoning Board to a subsequent meeting.

F. Rezoning Application for a Conditional Zoning District, New Homes at North Main.

Various members of Council expressed concerns related to parking and lighting within the proposed development but otherwise thought the CZD application should be approved. Through conversation with the applicant, the following conditions were agreed upon:

a. The Utility Plan shall be revised so as to show the fire hydrant locations and related infrastructure as required and approved by the Town's Fire Marshall and Public Works Director.

b. The Utility Plan shall be revised so as to show the infrastructure and improvements required and approved by the Town's Public Works Director to provide water to the project consistent with the Town's Code, water regulations and approved water allocation.

c. A lighting plan shall be developed by Mountain Housing Opportunities and approved by the Town Planner if it is (1) reasonable for the development, (2) consistent with the Town's zoning provision governing lighting, and (3) shows all lighting improvements located outside the Town's street rights-of-way. The Utility Plan shall be so revised as to depict the lighting plan approved by the Town Planner.

d. Utilities for the project shall be installed underground.

Councilman Penley made a motion to approve the project subject to the above-noted conditions which the developer agreed to. Councilman Jackson seconded the motion and all voted in favor and directed staff to bring back an Ordinance for adoption at Council's next meeting.

9. Town Manager's Report

Town Manager Coffey informed Council that she is still awaiting a response from Suntrust Bank related to the placement of an additional gateway sign, work is progressing on a new website for the Town, appraisals were being submitted for the old bus garage, the Police Department is organizing a blood drive and an offer has been made to fill the position of Finance Officer. There was some discussion about cancelling the Council's work session scheduled for September 13, 2016.

Councilman Jackson made a motion to cancel the workshop session for Council on September 13, 2016. Councilman Dearth seconded. All voted unanimously.

10. Departmental Reports

Mayor Sherrill noted that departmental reports were available on the table beside the door.

11. Adjournment

At 8:25pm Councilman Dearth moved to adjourn. Vice-Mayor Penley seconded. All voted in favor.

DRAFT

MINUTES

TOWN OF WEAVERVILLE
STATE OF NORTH CAROLINA

TOWN COUNCIL SPECIAL CALLED MEETING
MONDAY, AUGUST 22, 2016

The Town of Weaverville Town Council held a specially called meeting on Monday, August 22, 2016 beginning at 5:30pm in the Small Conference Room located at Weaverville Town Hall at 30 South Main Street.

Council Present: Mayor Dottie Sherrill, Vice-Mayor John Penley, Council Members Doug Dearth, Patrick Fitzsimmons and Doug Jackson. Absent: Councilman Andrew Nagle.

Staff Present: Town Manager Selena Coffey and Town Attorney Jennifer Jackson

1. **Call to Order**

   Mayor Sherrill called for the meeting to come to order at 5:31pm and noted that this special called meeting was noticed and being held in accordance with NCGS § 160A-71 and §143-318.12 and was called for the purpose of holding a closed session pursuant to NCGS § 143-318.11(a)(3) and (4) and for consideration of board appointments.

2. **Closed Session**

   Councilman Jackson made the motion to go into closed session pursuant to NCGS 143-318.11(a)(3) and (4). Vice Mayor Penley seconded the motion and all voted in favor.

   [CLOSED SESSION]

   Councilman Jackson made the motion to come out of closed session. Councilman Dearth seconded the motion and all voted in favor.

3. **Board Appointments**

   There was consensus among Mayor and Councilmen to remove this item from the agenda and to reach out to those Weaverville residents that have shown interest in serving on the Town's Planning and Zoning Board and Zoning Board of Adjustment. No further discussion was made.

4. **Adjournment**

   Councilman Dearth moved to adjourn. Vice-Mayor Penley seconded. All voted in favor.

DRAFT

MINUTES

TOWN OF WEAVERVILLE **TOWN COUNCIL SPECIAL CALLED MEETING**
STATE OF NORTH CAROLINA **MONDAY, SEPTEMBER 6, 2016**

The Town Council for the Town of Weaverville met for a special called meeting on Monday, September 6, 2016 at 5:30pm at Town Hall Council Chambers located at 30 South Main Street,Weaverville.

Council members present were: Mayor Dottie Sherrill, Vice Mayor John Penley, Councilman Doug Jackson, Councilman Doug Dearth and Councilman Patrick Fitzsimmons. Councilman Andrew Nagle was absent.

Staff present were: Town Attorney Jennifer Jackson and Town Manager/Town Clerk Selena Coffey

Call to Order of Regular Meeting
Mayor Sherrill called the meeting to order at 5:33pm with motion from Councilman Dearth and second by Councilman Fitzsimmons. All voted in favor

Mayor Sherrill initiated the meeting stating that the meeting was called to approve board appointments. The Mayor further stated that she wished to make a statement on behalf of herself and Zoning Board of Adjustment (ZBA) Chairman Al Root. Mayor Sherrill further stated that she and Mr. Root were dissatisfied that former Zoning Board of Adjustment member Warren Alcorn had been voted off the Zoning Board of Adjustment prior to the completion of the 97 Lakeshore case but that she was happy to have him on the ABC Board. At the Mayor's request, Town Attorney Jackson reminded Town Council that Mr. Alcorn was moved from the Zoning Board of Adjustment to the ABC Board at the August 15, 2016 meeting and reiterated that the meeting tonight was scheduled for Town Council to consider an empty seat and empty alternate seats for the Zoning Board of Adjustment and reappointment/appointment of members of the Planning and Zoning Board on staggered terms.

Mayor Sherrill then recommended that Tycer Lewis be appointed to the Zoning Board of Adjustment. Town Attorney Jackson asked the Mayor if Tycer Lewis had requested to be appointed to the ZBA. The Mayor stated affirmatively that Lewis wished to move to the Zoning Board of Adjustment. There was some discussion regarding others who had indicated interest in joining the Zoning Board of Adjustment, including Roger Parkin, whose board application had previously been distributed via email by the Town Manager. Christian McLean and Wilder Wadford, had also expressed interest in these boards but that they had not submitted applications as of yet.

Vice Mayor John Penley made the motion to appoint Tycer Lewis to the Zoning Board of Adjustment with a second from Councilman Doug Jackson. Councilmen Fitzsimmons and Jackson and Vice Mayor Penley voted in favor.

Town Attorney Jackson clarified that Tycer Lewis would, based on the vote, fill the regular vacant seat, serving the term of 2016-2017 to keep the terms staggered. It was further clarified that Jan Rector will continue to serve as an alternate on the Zoning Board of Adjustment, leaving one additional alternate seat on the Zoning Board of Adjustment.

Mayor Sherrill then began discussion regarding her recommendation for terms and membership for the Planning & Zoning Board. Discussion ensued among Town Council regarding staggering terms and the potential for having additional applications for this board at the September 19, 2016 meeting. After discussion of the Board's current membership, Mayor Sherrill requested a motion to approve the members as discussed and terms for

board membership. Discussion arose regarding a new applicant, Roger Parkin, who had applied to serve on either the Planning & Zoning Board or the Zoning Board of Adjustment. Town Attorney Jackson noted that it would be appropriate to appoint Mr. Parkin to the Zoning Board of Adjustment as an alternate as opposed to the Planning and Zoning Board of Adjustment since there was a greater need for an alternate on the Zoning Board of Adjustment at this time

Councilman Jackson made a motion to appoint Roger Parkin as the second alternate on the Zoning Board of Adjustment for a one-year term (2016-2017). The motion was seconded by Vice Mayor John Penley. Those voting in favor were Councilmen Jackson and Fitzsimmons and Vice Mayor Penley.

Vice Mayor John Penley made the motion to approve Gary Burge and Catherine Cordell for two-year terms (2016-2018), Terry Dawson for a one-year term (2016-2017), and to transition Leslie Osborne to a regular seat to also serve a two-year term (2016-2018) on the Planning & Zoning Board. This motion was seconded by Councilmen Doug Jackson. All voted in favor.

Mayor Sherrill then stated that the only Board where an alternate is now needed is for the Planning & Zoning Board. Councilman Jackson requested additional information in advance on each applicant in the future. Town Council was in agreement.

With no other business before Council, Mayor Sherrill requested a motion to adjourn.

Vice Mayor John Penley moved to adjourn, Councilman Doug Dearth seconded, all in favor.

Meeting adjourned at 5:49pm.

_____

Dottie Sherrill, Mayor
Town of Weaverville

ATTEST:

_____

Selena D. Coffey, MPA, ICMA-CM
Town Manager / Town Clerk

DRAFT

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

DATE OF MEETING:	September 19, 2016
SUBJECT:	Set Date for Public Hearing on Proposed Subdivision Amendments regarding Minor Subdivisions
PRESENTER:	Town Planner/Town Attorney
ATTACHMENTS:	Planning and Zoning Board Recommendation Proposed Code Amendments

DESCRIPTION:

At its meeting on August 3, 2016, Town Council discussed an alternate review process for minor subdivisions and asked Staff and the Planning and Zoning Board to draft some Code amendments which would allow for an expedited review process for minor subdivisions. Staff has drafted those amendments which eliminate the concept plan for minor subdivisions and allow the Town Planner to approve or disapprove of minor subdivision plans after a reviewing by the Town's Planning and Zoning Board. The Town's Planning and Zoning Board reviewed these amendments at its meeting on September 6, 2016 and has forwarded these proposed amendments to Town Council with a positive recommendation. These amendments will require a public hearing before adoption.

COUNCIL ACTION REQUESTED:

Town Council is asked to schedule a public hearing on these proposed subdivision amendments for its meeting on October 17, 2016 at 6pm.

Dottie Sherrill
Mayor

The Town of Weaverville
NORTH CAROLINA

Doug Dearth
Council Member

Patrick Fitzsimmons
Council Member

Doug Jackson
Council Member

Andrew Nagle
Council Member

John Penley
Council Member

September 12, 2016

Mayor Dottie Sherrill
Weaverville Town Council

Re: Recommended Code Amendments
Subdivision Ordinance – Minor Subdivisions

Dear Mayor and Councilmen:

Town Council at its specially called work session held on August 3, 2016, indicated that it would like to consider an expedited review process for minor subdivisions and asked that Staff and the Planning and Zoning Board work together to draft some amendments to the Town's Subdivision Ordinance to accomplish this.

Staff and the Planning and Zoning Board have worked to draft Code amendments which will: (1) eliminate the need for a concept plan review for minor subdivisions, and (2) allow the Town Planner to approve or disapprove of minor subdivisions after they have been reviewed by the Planning and Zoning Board. At its September 6, 2016, meeting the Weaverville Planning and Zoning Board voted unanimously to recommend for your adoption the attached proposed Code amendments which address the requirements and review process for minor subdivisions.

The Planning and Zoning Board believes that this process will ensure adequate administrative review for minor subdivisions and recommends that Town Council consider the attached Code amendments for adoption.

Respectfully,

Doug Theroux

Doug Theroux, Chairman
Weaverville Planning and Zoning Board

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

REGARDING SEC. 25-78

Sec. 25-78. - General procedures for review of major and minor subdivisions shall be amended as follows:

All applications for development of major or minor subdivisions, including for review of concept plans, preliminary plats and final plats, shall be submitted to the ~~subdivision administrator~~ Town Planner at the Weaverville Town Hall. In order to be considered at the next regularly scheduled meeting of the planning and zoning board, applications must comply with all Code requirements and be received at least ten business days before the meeting. All subdivisions shall be considered major subdivisions except those defined as minor subdivisions in section 25-27. Minor subdivisions shall be reviewed in accordance with the procedure set forth in section 25-79. The minor subdivision procedure may not be used a second time within three years from the date of its first use on any property which is less than 1,500 feet from the original property boundaries by anyone who owned, had an option on, or any legal or equitable interest in the original subdivision at the time the original subdivision received concept plan, preliminary plat or final plat approval. Major subdivisions shall be reviewed in accordance with the procedures set forth in sections 25-81 through 25-83.

DRAFT

REGARDING SEC. 25-79

Sec. 25-79 shall be repealed in its entirety and replaced with the following:

Sec. 25-79. – Procedure for review of minor subdivisions

(a) Preliminary plat. The subdivider shall submit eight copies of the preliminary plat of the proposed minor subdivision, containing the information required by subsection 25-80.

(b) Final plat. The subdivider shall submit eight copies of the final plat of the proposed minor subdivision, containing the information required by subsection 25-80(b).

(c) Review and recommendation of planning and zoning board. The planning and zoning board shall review the preliminary plat for compliance with subsection 25-80 and recommend to the Town Planner approval, conditional approval with modifications to bring the plat into compliance, or disapproval of the preliminary plat and/or the final plat with reasons for such conditional approval or disapproval. Such recommendation must be made in writing within 45 days of its original consideration of the preliminary or final plat. The planning and zoning board shall retain one copy of its recommendation, along with a copy of the plat, for its minutes, and transmit copies of its recommendation, along with copies of the plat, to the Town Planner and to the subdivider. If the planning and zoning board does not make a written recommendation within 45 days after its first consideration of the preliminary or final plat, the subdivider may request that the Town Planner act upon the minor subdivision application and the Town Planner has the authority to approve or deny the application without a recommendation from the planning and zoning board.

(d) Action by Town Planner. The Town Planner, after reviewing the recommendation of the Planning and Zoning Board if timely provided, shall take action regarding the application by either approving or denying the minor subdivision request based on compliance with the information required by subsection 25-80. The action of the Town Planner shall be reduced to writing and transmitted to the subdivider.

For comparison the following are the current provisions of Sec. 25-79. – Procedure for review of minor subdivisions:

(a) Concept plan. The subdivider shall submit eight copies of the concept plan of the propose minor subdivision, containing the information required by subsection 25-80.

(b) Preliminary plat. The subdivider shall submit eight copies of the preliminary plat of the proposed minor subdivision, containing the information required by subsection 25-80.

(c) Final plat. The subdivider shall submit eight copies of the final plat of the proposed minor subdivision, containing the information required by subsection 25-80(b).

(d) Action by planning and zoning board. The planning and zoning board shall recommend, in writing, approval, conditional approval with modifications to bring the plat into compliance, or disapproval of the concept plan, preliminary plat and/or the final plat with reasons for such conditional approval or disapproval within 90 days of its original consideration of the preliminary or final plat.

DRAFT

The planning and zoning board shall retain one copy of its recommendation, along with a copy of the concept plan or plat, for its minutes, transmit one copy of its recommendation, along with a copy of the concept plan or plat, to the town council and shall transmit one copy of its recommendation, along with a copy of the concept plan or plat, to the subdivider.

If the planning and zoning board does not make a written recommendation within 90 days after its first consideration of the concept plan, preliminary or final plat, the subdivider may apply to the town council for approval or disapproval.

(e) Action by town council. The town council shall review the recommendations of the planning and zoning board, or direct application of the subdivider if the planning and zoning board has not acted within the 90 days described above, and may approve, approve with conditions or disapprove the application for preliminary and/or final plat approval. The action of the town council shall be reduced to writing in its minutes and transmitted to the subdivider and to the planning and zoning board.

DRAFT

REGARDING SEC. 25-80

Subsection (a) of Sec. 25-80 regarding concept plan is deleted in its entirety and the remaining subsections are to be renumbered; subsection (c) of Sec. 25-80 regarding additional requirements is deleted in its entirety.

Sec. 25-80. – Requirements for minor subdivision

~~(a) Concept plan:~~

~~(1) The name, if any, of the proposed subdivision;~~

~~(2) The exact exterior boundaries of the tract and the portion of the tract to be subdivided, dimensioned by metes and bounds;~~

~~(3) A sketch vicinity map showing the location of the subdivision in relation to neighboring tracts, subdivisions, roads and waterways;~~

~~(4) The scale of the plat, denoted both graphically and numerically;~~

~~(5) North arrow and delineation;~~

~~(6) Existing street names and designation as either "public" or "private";~~

~~(7) Minimum building setback lines;~~

~~(8) The total acreage to be subdivided;~~

~~(9) The total number of lots created;~~

~~(10) The current zoning classification of the tract and of adjacent properties;~~

~~(11) The existing street layout and right-of-way width, lot layour, and size of lots (including approximate dimensions and acreage or square footage);~~

(a) Preliminary plat:

(1) The name, if any, of the proposed subdivision;

(2) The exact exterior boundaries of the tract and the portion of the tract to be subdivided, dimensioned by metes and bounds;

(3) A sketch vicinity map showing the location of the subdivision in relation to neighboring tracts, subdivisions, roads, and waterways;

(4) The scale of the plat, denoted both graphically and numerically;

(5) North arrow and delineation;

(6) Street names and designation as either "public" or "private";

(7) Minimum building setback lines;

(8) The total acreage to be subdivided;

(9) The total number of parcels created;

DRAFT

(10) The current zoning classification of the tract and of adjacent properties;

(11) The name, address and telephone number of the owner, the registered land surveyor and any land planner, architect, landscape architect or professional engineer responsible for the subdivision, if such persons are used;

(12) The registration number and seal of the professional engineer and registered land surveyor;

(13) The names of streets and the names and numbers of subdivision lots of adjacent developed or platted properties;

(14) The existing street layout and right-of-way width, lot layout, and size of lots (including dimensions and acreage or square footage);

(15) The right-of-way lines and pavement widths of all streets and easements;

(16) The existing and proposed uses of the land within the subdivision and the existing uses of land adjoining it.

(b) Final plat:

(1) A statement from the Buncombe County Health Department that a copy of the final plat has been submitted to them, if septic tanks or other on-site water or wastewater systems are to be used in the subdivision;

(2) The final plat shall be prepared by a registered land surveyor currently licensed and registered to do business in the State of North Carolina by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors. The final plat shall conform to the provisions for plats, subdivisions, and mapping requirements set forth in G.S. 47-30, or its successor, and to the "Standards of Practice for Land Surveying in North Carolina".

(3) The submission of any final plat shall be accompanied by a filing fee set by the town.

(4) Signed certificates substantially in the forms provided for in subsections (i) and (ii) below, shall appear on all copies of the final plat.

(i) Certificate of Ownership and Dedication

I hereby certify that I am the owner of the property shown and described hereon, which is located within the subdivision jurisdiction of the Town of Weaverville and that I hereby adopt this plan of subdivision with my free consent. I further certify that the subdivision complies with all provisions of the ordinance of the Town of Weaverville.

Date:_____ Owner:_____

(ii) A certificate of survey and accuracy which shall be prepared in accordance with G.S. 47-30, or its successor.

(~~c) [Additional requirements.] In addition to the requirements of subsections 25-80(a) and (b), above, the town council, if it deems necessary, may require the subdivider to provide to the town an agreement to complete and a guarantee to insure the proper completion of landscaping, buffering, utilities or other necessary improvements in a minor subdivision. If the town council requires such an agreement to complete and a guarantee, the provisions of subsections 25-83(e)(1)—(3), set forth hereinafter, shall be applicable.~~

DRAFT

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

Date of Meeting: September 19, 2016

Subject: Budget Amendment

Presenter: Town Manager

Attachments: No

Description:

Town Council is asked to approve a budget amendment to add the following expense items:

431 – Police Department

Drug Education (010-430-00431-26250) - $2,750.19

ABC Law Enforcement (010-430-00431-26450) - $233.96

Cops for Kids (010-430-00431-26608) - $2,768.80

434 – Fire Department

Contributory Expense (010-430-00434-26600) - $328.41

It should be noted that these amounts were received in Fiscal Year 2015/2016 and reverted to general fund balance at the end of that Fiscal Year and that these amounts must be reappropriated so that they can be spent in Fiscal Year 2016/2017.

Council Action Requested:

A motion to approve this budget amendment is requested.

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

DATE OF MEETING:	September 19, 2016
SUBJECT:	Ratification of Road Closure Ordinance – Art in Autumn – September 17, 2106
PRESENTER:	Town Manager
ATTACHMENTS:	Road Closure Ordinance

DESCRIPTION:

The Town is asked to ratify, through the adoption of the attached ordinance, the Mayor's action to authorize the temporary road closure for the Weaverville Art in Autumn Festival that was held on September 17, 2016.

COUNCIL ACTION REQUESTED:

Motion to adopt the attached Ordinance Declaring a Road Closure for the Weaverville Art in Autumn Festival.

Weaverville
North Carolina

AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE
Weaverville Art in Autumn Festival

WHEREAS, the Town Council of Weaverville acknowledges a long tradition of supporting the annual Weaverville Art in Autumn Festival, that benefits the Weaverville and the North Buncombe community; and

WHEREAS, the Town Council of Weaverville acknowledges a long tradition of providing the Weaverville Art in Autumn Festival for the pleasure of its citizens; and

WHEREAS, the Town Council of Weaverville acknowledges the Weaverville Art in Autumn requires approximately two (2) hours to install signage, and also requires approximately one (1) hour for removing signage, litter, etc.

WHEREAS, The Town Council of Weaverville recognizes that the detour route will be appropriately marked with signage and personnel at various locations to ensure the motoring public travels safely and without unnecessary delay.

NO THEREFORE BE IT ORDAINED by the Town Council of Weaverville pursuant to the authority granted by G. S. 20-169, that we do hereby declare a temporary road closure on the day and times set forth below and the following described portion of a State Highway System route:

Weaverville Art in Autumn

Date:	September 17, 2016
Time:	5:00 am until 8:00 pm
Road Closure:	The portion of Main Street between Church Street and Brown Street will be closed and all traffic safely detoured around this area.

This ordinance to become effective when signs are erected giving notice of the road closures and detour routes, the implementation of adequate traffic control.

Adopted this the 22nd day of August, 2016

_____

Dottie Sherrill, Mayor

Attest:

_____

Selena D. Coffey, Town Manager / Town Clerk

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

Date of Meeting: September 19, 2016

Subject: Tax Releases/Refunds

Presenter: Selena Coffey, Town Manager

Attachments: No

Description:

Below is a tax releases for Town Council's approval. This release is being requested due to a duplicate billing error on Buncombe County's behalf:

Shelton, John D
113 Firwood Court
Asheville, N.C. 28804

Amount to be released: $356.62

Reason: Duplicate Billing

Council Action Requested:

The Town Manager recommends approving this tax release.

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

DATE OF MEETING:	September 19, 2016
SUBJECT:	Adoption of Ordinance Establishing Conditional Zoning District – New Homes at North Main
PRESENTER:	Town Attorney
ATTACHMENTS:	Proposed Ordinance Establishing Conditional Zoning District for that +/- 7.65 Acre Parcel of Land Identified at Buncombe County Pin 9743-32-6097 and Described in Buncombe County Deed Book 5365 at Page 472

DESCRIPTION:

At its meeting on August 15, 2016, Town Council approved with some conditions the conditional zoning district application submitted by Mountain Housing Opportunities, Inc., for a 46-lot single family residential development to be known as New Homes at North Main on a parcel of land located at 25 Lillie Farm Lane off Critter Trail. Staff has prepared a proposed Ordinance consistent with the discussion and action taken by Town Council.

COUNCIL ACTION REQUESTED:

A motion to adopt the attached Ordinance would be appropriate at tonight's meeting.

ORDINANCE ESTABLISHING CONDITIONAL ZONING DISTRICT FOR THAT +/-7.65 ACRE PARCEL OF LAND IDENTIFIED AS BUNCOMBE COUNTY PIN 9743-32-6097 AND DESCRIBED IN BUNCOMBE COUNTY DEED BOOK 5365 AT PAGE 472

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, Section 36-84 of the Code of Ordinances of the Town of Weaverville establishes the procedures and requirements for zoning property to Conditional Zoning Districts; and

WHEREAS, this amendment is consistent with the Town's Comprehensive Land Use Plan because it provides for a mix of housing opportunities in new residential development including affordable housing, provides for local consistency in street planning and design, and is a residential development in the Town's downtown area which will add to the Town's walkable community;

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

1. The Zoning Map of the Town of Weaverville be, and the same is hereby, amended as follows:

   The zoning classification of that certain real property shown and described on the attached Exhibit A and identified on Buncombe County tax maps as PIN 9743-32-6097, is rezoned from C-2 to Conditional Zoning District and is subject to compliance with the conditions set out herein.

2. Except as specifically provided in this Ordinance to the contrary, all development in the Conditional Zoning District established herein shall be consistent with the 46-lot single-family residential subdivision which is shown on the following pages of the set of plans reviewed by Town Council on August 15, 2016, entitled "New Homes at North Main" prepared by Civil Design Concepts, for Mountain Housing Opportunities, Inc., and further identified as CDC Job No. 11546, a copy of said plans being attached hereto and incorporated herein by reference as if fully set forth:

   Existing Conditions & Demolition Plan – Sheet C101
   Site Plan – Sheet C201
   Rough Grading & Erosion Control Master Plan – Sheet C300
   Rough Grading & Erosion Control Plan – Sheet C301

Storm Drainage Plan – Sheet C501
Utility Plan – Sheet C601

3. All development within this Conditional Zoning District shall be in accordance with the plans which have been incorporated herein, except that:

    a. The Utility Plan shall be revised so as to show the fire hydrant locations and related infrastructure as required and approved by the Town's Fire Marshal and the Public Works Director.

    b. The Utility Plan shall be revised so as to show the infrastructure and improvements required and approved by the Town's Public Works Director to provide water to the project consistent with the Town's Code, water regulations and approved water allocation.

    c. A lighting plan shall be developed by Mountain Housing Opportunities and approved by the Town Planner if it is: (1) reasonable for the development, (2) consistent with the Town's zoning provisions governing lighting, and (3) shows all lighting improvements located outside the Town's street rights-of-way. The Utility Plan shall be so revised as to depict the lighting plan approved by the Town Planner.

    d. Utilities for the project shall be installed underground.

4. That the Town Zoning Administrator is hereby authorized and directed to make the changes as herein enacted on said zoning map with said Conditional Zoning District labeled as "CZD-2" on the Town's zoning map and to issue zoning permits for the individual residences that are to be constructed in compliance with this Conditional Zoning District.

5. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid, it will be up to Town Council to determine if the validity of the remaining portions of this ordinance is affected.

6. That all ordinances and clauses of ordinances in conflict herewith be and are hereby repealed, to the extent of such conflict.

THIS the _____ day of September, 2016.

_____

DOTTIE SHERRILL, Mayor

_____

SELENA D. COFFEY, Town Clerk

NEW HOMES AT NORTH MAIN

WEAVERVILLE, NORTH CAROLINA

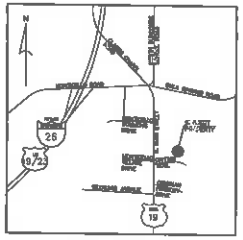
MAY 16, 2016

PREPARED FOR:

MOUNTAIN HOUSING OPPORTUNITIES, INC
64 CLINGMAN AVENUE, SUITE 101
ASHEVILLE, NC 28801
JOE QUINLAN
(828) 254-4030

INDEX OF SHEETS

Sheet No.	Title
C000	COVER SHEET
	SURVEY (BY OTHERS)
C101	EXISTING CONDITIONS & DEMOLISHING PLAN
C201	SITE PLAN
C202	ROUGH GRADING & EROSION CONTROL MASTER PLAN
C301	ROUGH GRADING & EROSION CONTROL PLAN
C601	STORM DRAINAGE PLAN
C651	UTILITY PLAN



VICINITY MAP
(NOT TO SCALE)

811
Know what's below.
Call before you dig.

DEVELOPMENT DATA

OWNER/DEVELOPER:	MOUNTAIN HOUSING OPPORTUNITIES, INC. 64 CLINGMAN AVENUE, SUITE 101 ASHEVILLE, NC 28801
CONTACT:	JOE QUINLAN (828) 254-4030
CIVIL ENGINEER:	CIVIL DESIGN CONCEPTS, P.A. 168 PATTON AVENUE ASHEVILLE, NORTH CAROLINA 28801
CONTACT:	WARREN SUGG, P.E. (828) 252-6300

FOR REVIEW ONLY

NO.	DATE	DESCRIPTION	BY
1.	05/16/16	INITIAL CONDITIONAL ZONING DISTRICT SUBMITTAL	JPS
2.	06/20/16	CONDITIONAL ZONING DISTRICT COMMENT REVISION	JPS

NOT RELEASED FOR CONSTRUCTION

COVER FOR:

NEW HOMES AT NORTH MAIN

MOUNTAIN HOUSING OPPORTUNITIES, INC. - WEAVERVILLE, NORTH CAROLINA

DATE: 05/16/2016
DRAWN BY: JPS
CDC PROJECT NO.: 11546

SHEET

C000

168 PATTON AVENUE
ASHEVILLE, NC 28801
PHONE (828) 252-6300
FAX (828) 252-6305

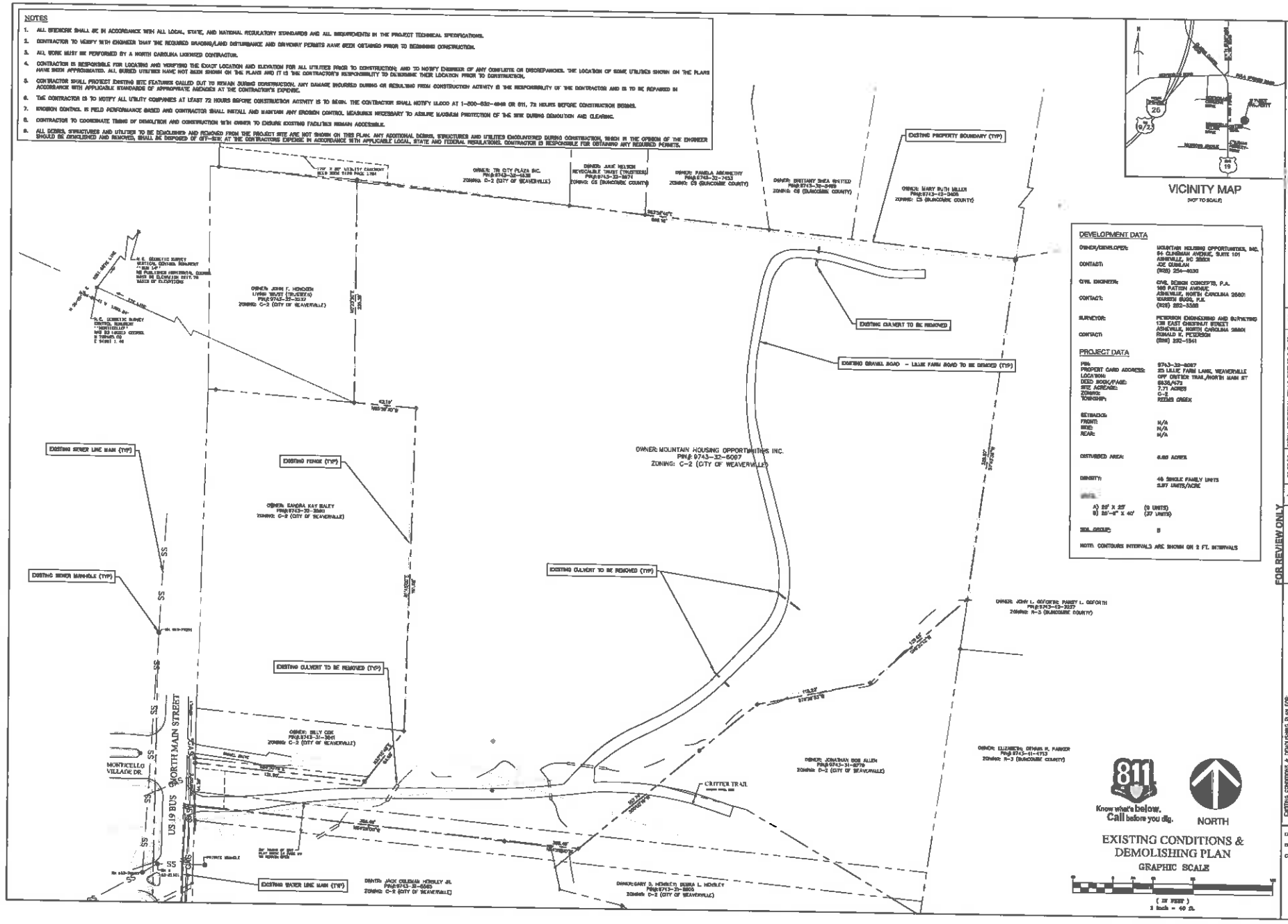
88 WOODFIN STREET - SUITE 1
WAYNESVILLE, NC 28786
PHONE (828) 452-2125
FAX (828) 452-2126

www.civildesignconcepts.com

NC BOARD OF ENGINEERING EXAMINERS FIRM C-0564

NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE, AND NATIONAL REGULATORY STANDARDS AND ALL REQUIREMENTS IN THE PROJECT TECHNICAL SPECIFICATIONS.
2. CONTRACTOR TO VERIFY WITH ENGINEER THAT THE REQUIRED GRADING/LAND DISTURBANCE AND DRIVEWAY PERMITS HAVE BEEN OBTAINED PRIOR TO BEGINNING CONSTRUCTION.
3. ALL WORK MUST BE PERFORMED BY A NORTH CAROLINA LICENSED CONTRACTOR.
4. CONTRACTOR IS RESPONSIBLE FOR LOCATING AND VERIFYING THE EXACT LOCATION AND ELEVATION FOR ALL UTILITIES PRIOR TO CONSTRUCTION; AND TO NOTIFY ENGINEER OF ANY CONFLICTS OR DISCREPANCIES. THE LOCATION OF SOME UTILITIES SHOWN ON THE PLANS HAVE BEEN APPROXIMATED. ALL BURIED UTILITIES HAVE NOT BEEN SHOWN ON THE PLANS AND IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THEIR LOCATION PRIOR TO CONSTRUCTION.
5. CONTRACTOR SHALL PROTECT EXISTING SITE FEATURES CALLED OUT TO REMAIN DURING CONSTRUCTION. ANY DAMAGE INCURRED DURING OR RESULTING FROM CONSTRUCTION ACTIVITY IS THE RESPONSIBILITY OF THE CONTRACTOR AND IS TO BE REPAIRED IN ACCORDANCE WITH APPLICABLE STANDARDS OF APPROPRIATE AGENCIES AT THE CONTRACTOR'S EXPENSE.
6. THE CONTRACTOR IS TO NOTIFY ALL UTILITY COMPANIES AT LEAST 72 HOURS BEFORE CONSTRUCTION ACTIVITY IS TO BEGIN. THE CONTRACTOR SHALL NOTIFY ULOCO AT 1-800-632-4949 OR 811, 72 HOURS BEFORE CONSTRUCTION BEGINS.
7. EROSION CONTROL IS FIELD PERFORMANCE BASED AND CONTRACTOR SHALL INSTALL AND MAINTAIN ANY EROSION CONTROL MEASURES NECESSARY TO ASSURE MAXIMUM PROTECTION OF THE SITE DURING DEMOLITION AND CLEARING.
8. CONTRACTOR TO COORDINATE TIMING OF DEMOLITION AND CONSTRUCTION WITH OWNER TO ENSURE EXISTING FACILITIES REMAIN ACCESSIBLE.
9. ALL DEBRIS, STRUCTURES AND UTILITIES TO BE DEMOLISHED AND REMOVED FROM THE PROJECT SITE ARE NOT SHOWN ON THIS PLAN. ANY ADDITIONAL DEBRIS, STRUCTURES AND UTILITIES ENCOUNTERED DURING CONSTRUCTION, WHICH IN THE OPINION OF THE ENGINEER SHOULD BE DEMOLISHED AND REMOVED, SHALL BE DISPOSED OF OFF-SITE AT THE CONTRACTORS EXPENSE IN ACCORDANCE WITH APPLICABLE LOCAL, STATE AND FEDERAL REGULATIONS. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY REQUIRED PERMITS.



VICINITY MAP
(NOT TO SCALE)

DEVELOPMENT DATA

OWNER/DEVELOPER:	MOUNTAIN HOUSING OPPORTUNITIES, INC. 84 CLINGMAN AVENUE, SUITE 101 ASHEVILLE, NC 28801
CONTACT:	JOE GUNLAN (828) 254-6030
CIVIL ENGINEER:	CIVIL DESIGN CONCEPTS, P.A. 168 PATTON AVENUE ASHEVILLE, NORTH CAROLINA 28801
CONTACT:	WARREN SUDS, P.E. (828) 252-5388
SURVEYOR:	PETERSON ENGINEERING AND SURVEYING 138 EAST CHESTNUT STREET ASHEVILLE, NORTH CAROLINA 28801
CONTACT:	RONALD K. PETERSON (828) 252-1541

PROJECT DATA

PIN:	9743-32-6087
PROPERTY CARD ADDRESS:	25 LILLIE FARM LANE, WEAVERVILLE
LOCATION:	OFF CRITTER TRAIL/NORTH MAIN ST
DEED BOOK/PAGE:	6838/472
SITE ACREAGE:	7.71 ACRES
ZONING:	C-2
TOWNSHIP:	FLETCHER CREEK
SETBACKS:	
FRONT:	N/A
SIDE:	N/A
REAR:	N/A
DISTURBED AREA:	6.60 ACRES
DENSITY:	46 SINGLE FAMILY UNITS 5.97 UNITS/ACRE
[illegible]	A) 25' X 25' (9 UNITS) B) 25'-0" X 40' (37 UNITS)
SOIL GROUP:	B

NOTE: CONTOURS INTERVALS ARE SHOWN ON 2 FT. INTERVALS

FOR REVIEW ONLY

NO.	DATE	DESCRIPTION	BY
1	03/18/16	INITIAL CONDITIONAL ZONING DISTRICT SUBMITTAL	JPS
2	06/20/16	CONDITIONAL ZONING DISTRICT COMMENT REVISION	JPS

PRELIMINARY NOT RELEASED FOR CONSTRUCTION

CDC Civil Design Concepts, P.A.
168 PATTON AVENUE
ASHEVILLE, NC 28801
PHONE: (828) 252-5388
FAX: (828) 252-5389
www.civildesignconcepts.com
NICHOLAS LICENSE # C-0191

Existing Conditions & Demolishing Plan for:

NEW HOMES AT NORTH MAIN

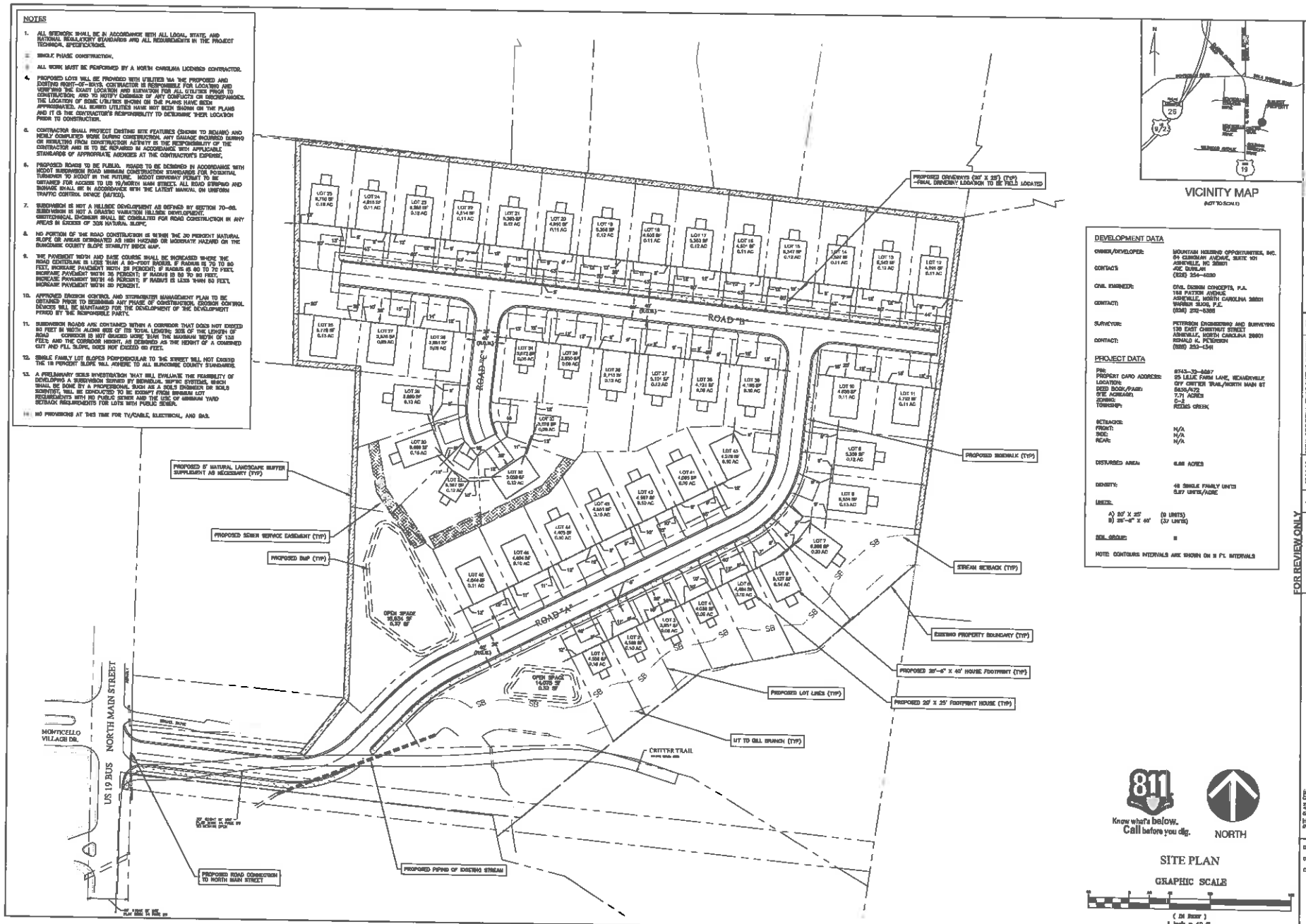
MOUNTAIN HOUSING OPPORTUNITIES, INC. – WEAVERVILLE, NORTH CAROLINA

DATE: 03/18/2016
DRAWN BY: JPS
CDC PROJECT NO.: 11546

SHEET
C101

NOTES

1. ALL SITEWORK SHALL BE IN ACCORDANCE WITH ALL LOCAL, STATE, AND NATIONAL REGULATORY STANDARDS AND ALL REQUIREMENTS IN THE PROJECT TECHNICAL SPECIFICATIONS.
2. SINGLE PHASE CONSTRUCTION.
3. ALL WORK MUST BE PERFORMED BY A NORTH CAROLINA LICENSED CONTRACTOR.
4. PROPOSED LOTS WILL BE PROVIDED WITH UTILITIES VIA THE PROPOSED AND EXISTING RIGHT-OF-WAYS. CONTRACTOR IS RESPONSIBLE FOR LOCATING AND VERIFYING THE EXACT LOCATION AND ELEVATION FOR ALL UTILITIES PRIOR TO CONSTRUCTION, AND TO NOTIFY ENGINEER OF ANY CONFLICTS OR DISCREPANCIES. THE LOCATION OF SOME UTILITIES SHOWN ON THE PLANS HAVE BEEN APPROXIMATED. ALL BURIED UTILITIES HAVE NOT BEEN SHOWN ON THE PLANS AND IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THEIR LOCATION PRIOR TO CONSTRUCTION.
5. CONTRACTOR SHALL PROTECT EXISTING SITE FEATURES (SHOWN TO REMAIN) AND NEWLY COMPLETED WORK DURING CONSTRUCTION. ANY DAMAGE INCURRED DURING OR RESULTING FROM CONSTRUCTION ACTIVITY IS THE RESPONSIBILITY OF THE CONTRACTOR AND IS TO BE REPAIRED IN ACCORDANCE WITH APPLICABLE STANDARDS OF APPROPRIATE AGENCIES AT THE CONTRACTOR'S EXPENSE.
6. PROPOSED ROADS TO BE PUBLIC. ROADS TO BE DESIGNED IN ACCORDANCE WITH NCDOT SUBDIVISION ROAD MINIMUM CONSTRUCTION STANDARDS FOR POTENTIAL TURNOVER TO NCDOT IN THE FUTURE. NCDOT DRIVEWAY PERMIT TO BE OBTAINED FOR ACCESS TO US 19/NORTH MAIN STREET. ALL ROAD STRIPING AND SIGNAGE SHALL BE IN ACCORDANCE WITH THE LATEST MANUAL ON UNIFORM TRAFFIC CONTROL DEVICE (MUTCD).
7. SUBDIVISION IS NOT A HILLSIDE DEVELOPMENT AS DEFINED BY SECTION 70-88. SUBDIVISION IS NOT A DRASTIC VARIATION HILLSIDE DEVELOPMENT. GEOTECHNICAL ENGINEER SHALL BE CONSULTED FOR ROAD CONSTRUCTION IN ANY AREAS IN EXCESS OF 30% NATURAL SLOPE.
8. NO PORTION OF THE ROAD CONSTRUCTION IS WITHIN THE 30 PERCENT NATURAL SLOPE OR AREAS DESIGNATED AS HIGH HAZARD OR MODERATE HAZARD ON THE BUNCOMBE COUNTY SLOPE STABILITY INDEX MAP.
9. THE PAVEMENT WIDTH AND BASE COURSE SHALL BE INCREASED WHERE THE ROAD CENTERLINE IS LESS THAN A 90-FOOT RADIUS. IF RADIUS IS 70 TO 90 FEET, INCREASE PAVEMENT WIDTH 24 PERCENT; IF RADIUS IS 60 TO 70 FEET, INCREASE PAVEMENT WIDTH 36 PERCENT; IF RADIUS IS 50 TO 60 FEET, INCREASE PAVEMENT WIDTH 48 PERCENT; IF RADIUS IS LESS THAN 50 FEET, INCREASE PAVEMENT WIDTH 60 PERCENT.
10. APPROVED EROSION CONTROL AND STORMWATER MANAGEMENT PLAN TO BE OBTAINED PRIOR TO BEGINNING ANY PHASE OF CONSTRUCTION. EROSION CONTROL DEVICES WILL BE MAINTAINED FOR THE DEVELOPMENT OF THE DEVELOPMENT PERIOD BY THE RESPONSIBLE PARTY.
11. SUBDIVISION ROADS ARE CONTAINED WITHIN A CORRIDOR THAT DOES NOT EXCEED 50 FEET IN WIDTH ALONG ONE OF ITS TOTAL LENGTH; 20% OF THE LENGTH OF ROAD CORRIDOR IS NOT GRADED MORE THAN THE MAXIMUM WIDTH OF 150 FEET; AND THE CORRIDOR HEIGHT, AS DEFINED AS THE HEIGHT OF A COMBINED CUT AND FILL SLOPE, DOES NOT EXCEED 60 FEET.
12. SINGLE FAMILY LOT SLOPES PERPENDICULAR TO THE STREET WILL NOT EXCEED THE 18 PERCENT SLOPE WILL ADHERE TO ALL BUNCOMBE COUNTY STANDARDS.
13. A PRELIMINARY SOILS INVESTIGATION THAT WILL EVALUATE THE FEASIBILITY OF DEVELOPING A SUBDIVISION SERVED BY SEWERAGE. SEPTIC SYSTEMS, WHICH SHALL BE DONE BY A PROFESSIONAL SUCH AS A SOILS ENGINEER OR SOILS SCIENTIST, WILL BE CONDUCTED TO BE EXCEPT FROM MINIMUM LOT REQUIREMENTS WITH NO PUBLIC SEWER AND THE USE OF MINIMUM YARD SETBACK REQUIREMENTS FOR LOTS WITH PUBLIC SEWER.
14. NO PROVISIONS AT THIS TIME FOR TV/CABLE, ELECTRICAL, AND GAS.



VICINITY MAP
(NOT TO SCALE)

DEVELOPMENT DATA

OWNER/DEVELOPER:	MOUNTAIN HOUSING OPPORTUNITIES, INC. 64 CUMMIAN AVENUE, SUITE 101 ASHEVILLE, NC 28801 JOE GURLAN (828) 254-6280
CIVIL ENGINEER:	CIVIL DESIGN CONCEPTS, P.A. 148 PATTON AVENUE ASHEVILLE, NORTH CAROLINA 28801 WARREN SLOCK, P.E. (828) 252-5388
CONTACT:	
SURVEYOR:	PETERSON ENGINEERING AND SURVEYING 139 EAST CHESTNUT STREET ASHEVILLE, NORTH CAROLINA 28801 RONALD H. PETERSON (828) 252-4341
CONTACT:	

PROJECT DATA

PIN:	9743-33-8887
PROPERTY CARD ADDRESS:	25 LELIE FARM LANE, WEAVERVILLE
LOCATION:	OFF CRITTER TRAIL/NORTH MAIN ST
DEED BOOK/PAGE:	5430/472
SITE ACREAGE:	7.71 ACRES
ZONING:	C-2
TOWNSHIP:	REEMS CREEK
SETBACKS:	
FRONT:	N/A
SIDE:	N/A
REAR:	N/A
DISTURBED AREA:	6.88 ACRES
DENSITY:	46 SINGLE FAMILY UNITS 5.97 UNITS/ACRE
UNITS:	A) 20' X 25' (9 UNITS) B) 26'-6" X 40' (37 UNITS)
SOIL GROUP:	B

NOTE: CONTOURS INTERVALS ARE SHOWN ON 2 FT. INTERVALS

Know what's below. Call before you dig.

NORTH

SITE PLAN

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

FOR REVIEW ONLY

NOT RELEASED FOR CONSTRUCTION

SITE PLAN FOR:

NEW HOMES AT NORTH MAIN

MOUNTAIN HOUSING OPPORTUNITIES, INC. – WEAVERVILLE, NORTH CAROLINA

NO.	DATE	DESCRIPTION					
1.	09/14/18	INITIAL CONDITIONAL ZONING DISTRICT SUBMITTAL				JPS	
2.	08/20/19	CONDITIONAL ZONING DISTRICT COMMENT REVISION				TBB	
3.	07/15/19	BUILDING LOCATIONS REVISION					

DATE: 09/14/2018
DRAWN BY: JPS
CDC PROJECT NO.: 11548

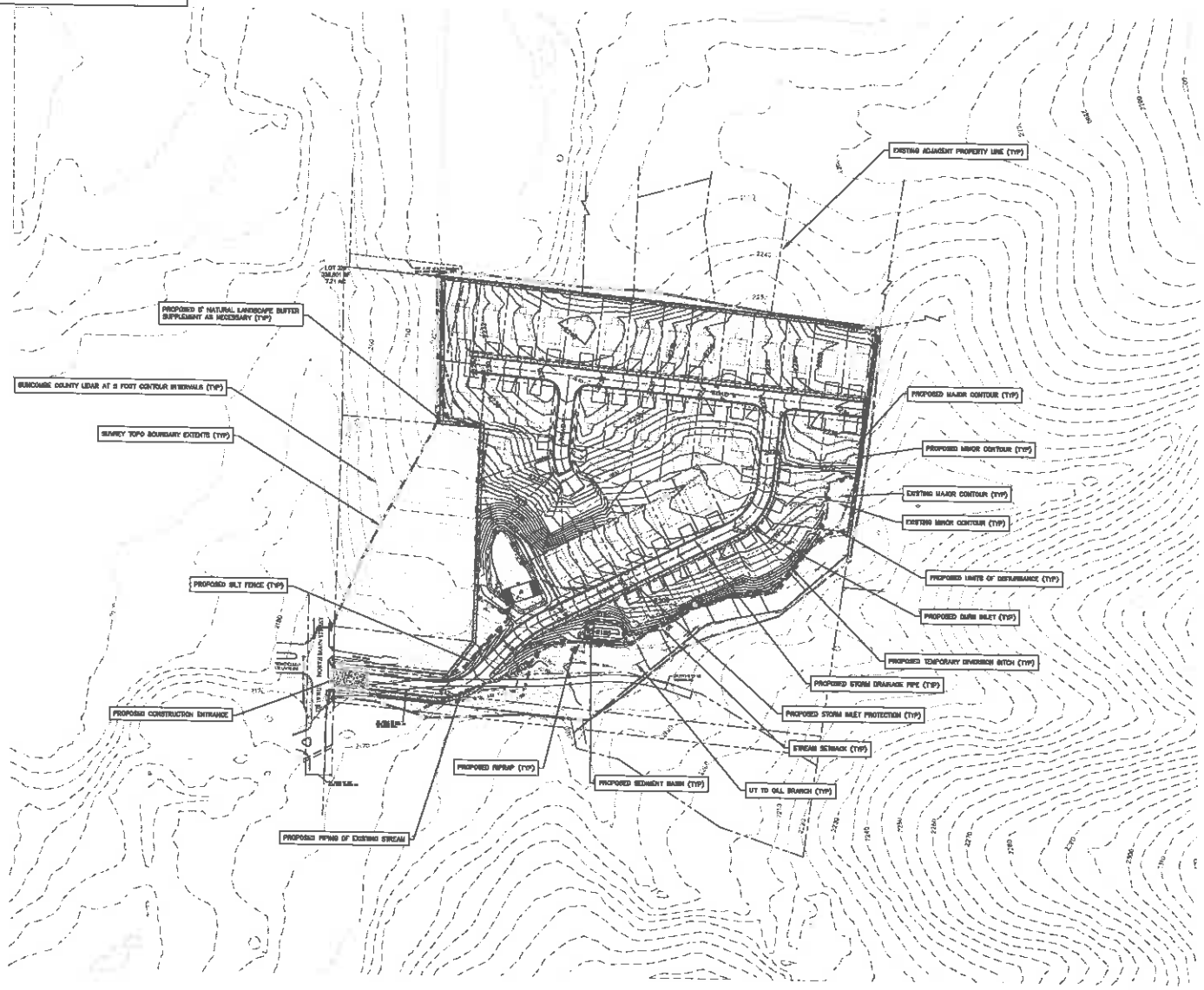
SHEET

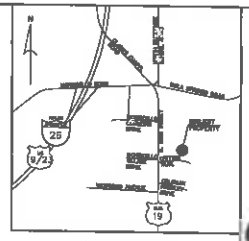
C201

CDC Civil Design Concepts, P.A.
148 PATTON AVENUE
ASHEVILLE, NC 28801
PHONE (828) 252-5388
FAX (828) 252-5389
10 BRILLIANT STREET - SUITE B
WEAVERVILLE, NC 28787
PHONE (828) 645-4540
FAX (828) 645-4542
www.civildesignconcepts.com
NC BOARD OF LICENSURE # C-0184

NOTES

1. SEE GRADING, EROSION CONTROL, AND STORM DRAINAGE DETAIL SHEETS FOR ALL GENERAL NOTES. CONTRACTOR RESPONSIBLE FOR INCLUSION OF DETAILS SHEETS WITH ALL PLANS.
2. NO PORTION OF THIS PROJECT LIES WITHIN THE 100-YR FEMA FLOODPLAIN.
3. SOIL TYPE B.





VICINITY MAP
(NOT TO SCALE)

DEVELOPMENT DATA

OWNER/DEVELOPER:	MOUNTAIN HOUSING OPPORTUNITIES, INC. 64 CLINGMAN AVENUE, SUITE 104 ASHEVILLE, NC 28801
CONTACT:	JOE CIMBLAN (828) 254-4530
CIVIL ENGINEER:	CIVIL DESIGN CONCEPTS, P.A. 198 PATTON AVENUE ASHEVILLE, NORTH CAROLINA 28801
CONTACT:	WARREN SUGG, P.E. (828) 252-3380
SURVEYOR:	PETERSON ENGINEERING AND SURVEYING 138 EAST CHESTNUT STREET ASHEVILLE, NORTH CAROLINA 28801
CONTACT:	RONALD K. PETERSON (828) 252-1541

PROJECT DATA

PIN:	8743-33-8087
PROPERT CARD ACRERES:	35 LUKE FARM LANE, WEAVERVILLE
LOCATION:	OFF CENTER WAY/NORTH MAIN ST
DEED BOOK/PAGE:	5635/472
SITE ACREAGE:	7.71 ACRES
ZONING:	C-2
TOWNSHIP:	REEMS CREEK
SETBACKS:	
FRONT:	N/A
SIDE:	N/A
REAR:	N/A
DISTURBED AREA:	6.08 ACRES
DENSITY:	46 SINGLE FAMILY UNITS 5.97 UNITS/ACRE
UNITS:	A) 22' X 26' (8 UNITS) B) 26'-4" X 40' (37 UNITS)
SOIL GROUP:	B

NOTE: CONTOURS INTERVALS ARE SHOWN ON 2 FT. INTERVALS

Know what's below. Call before you dig.

NORTH

ROUGH GRADING & EROSION CONTROL MASTER PLAN

GRAPHIC SCALE

(IN FEET)
1 inch = 75 ft.

FOR REVIEW ONLY

NOT RELEASED FOR CONSTRUCTION

NO.	DATE	DESCRIPTION	BY
1	05/15/18	INITIAL CONDITIONAL ZONING DISTRICT SUBMITTAL	JPS
2	08/20/18	CONDITIONAL ZONING DISTRICT COMMENT REVISION	JPS

198 PATTON AVENUE
ASHEVILLE, NC 28801
PHONE (828) 252-3380
FAX (828) 285-0120

CDC Civil Design Concepts, P.A.
NICHOLS LICENSE #: C-0194
www.civildesignconcepts.com

18 WALNUT STREET - SUITE B
HENDERSONVILLE, NC 28792
PHONE (828) 693-4488
FAX (828) 693-4489

ROUGH GRADING & EROSION CONTROL MASTER PLAN FOR:

NEW HOMES AT NORTH MAIN

MOUNTAIN HOUSING OPPORTUNITIES, INC. – WEAVERVILLE, NORTH CAROLINA

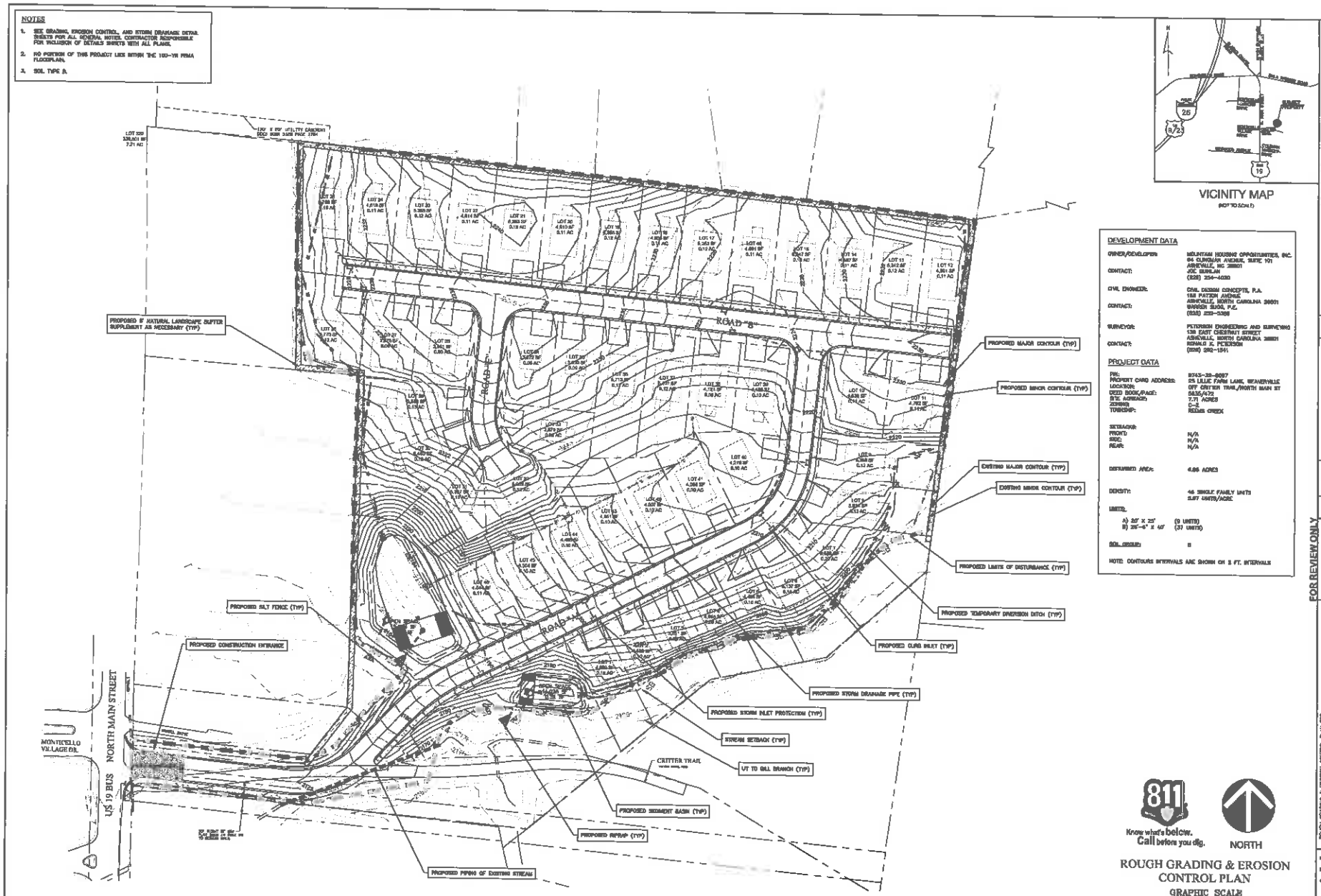
DATE: 05/15/2018
DRAWN BY: JPS
CDC PROJECT NO.: 11248

SHEET

C300

NOTES

1. SEE GRADING, EROSION CONTROL, AND STORM DRAINAGE DETAIL SHEETS FOR ALL GENERAL NOTES. CONTRACTOR RESPONSIBLE FOR INCLUSION OF DETAILS SHEETS WITH ALL PLANS.
2. NO PORTION OF THIS PROJECT LIES WITHIN THE 100-YR FEMA FLOODPLAIN.
3. SOIL TYPE B.



VICINITY MAP
(NOT TO SCALE)

DEVELOPMENT DATA

OWNER/DEVELOPER:	MOUNTAIN HOUSING OPPORTUNITIES, INC. 84 CUNNIHAN AVENUE, SUITE 101 ASHEVILLE, NC 28801
CONTACT:	JOE BURLAN (828) 254-4030
CIVIL ENGINEER:	CIVIL DESIGN CONCEPTS, P.A. 198 PATTON AVENUE ASHEVILLE, NORTH CAROLINA 28801
CONTACT:	WARREN SUGG, P.E. (828) 232-3388
SURVEYOR:	PETERSON ENGINEERING AND SURVEYING 138 EAST CHESTNUT STREET ASHEVILLE, NORTH CAROLINA 28801
CONTACT:	RONALD K. PETERSON (828) 252-1341

PROJECT DATA

PIN:	9743-32-8027
PROPERTY CARD ADDRESS:	25 LILLIE FARM LANE, WEAVERVILLE
LOCATION:	OFF CRITTER TRAIL/NORTH MAIN ST
DEED BOOK/PAGE:	5435/472
SITE ACREAGE:	7.71 ACRES
ZONING:	C-2
TOWNSHIP:	REEMS CREEK
SETBACKS:	
FRONT:	N/A
SIDE:	N/A
REAR:	N/A
DISTURBED AREA:	4.86 ACRES
DENSITY:	46 SINGLE FAMILY UNITS 5.97 UNITS/ACRE
UNITS:	a) 20' X 25' (9 UNITS) B) 25'-4" X 40' (37 UNITS)
SOIL GROUP:	B

NOTE: CONTOURS INTERVALS ARE SHOWN ON 2 FT. INTERVALS

Know what's below. Call before you dig.

NORTH

ROUGH GRADING & EROSION CONTROL PLAN

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

CDC Civil Design Concepts, P.A.

198 PATTON AVENUE ASHEVILLE, NC 28801 828-252-3388 FAX 828-252-3389

89 WALLACE STREET - SUITE 4 WAYNESVILLE, NC 28786 828-452-2121 FAX 828-452-2122

www.cdcforyourprojects.com

NCBELS LICENSED # C-0184

NO.	DATE	DESCRIPTION	BY
1	05/14/18	INITIAL CONDITIONAL ZONING DISTRICT SUBMITTAL	JPG
2	06/20/18	CONDITIONAL ZONING DISTRICT COMMENT REVISION	JPG

FOR REVIEW ONLY

NOT RELEASED FOR CONSTRUCTION

ROUGH GRADING & EROSION CONTROL PLAN FOR:

NEW HOMES AT NORTH MAIN

MOUNTAIN HOUSING OPPORTUNITIES, INC. - ASHEVILLE, NORTH CAROLINA

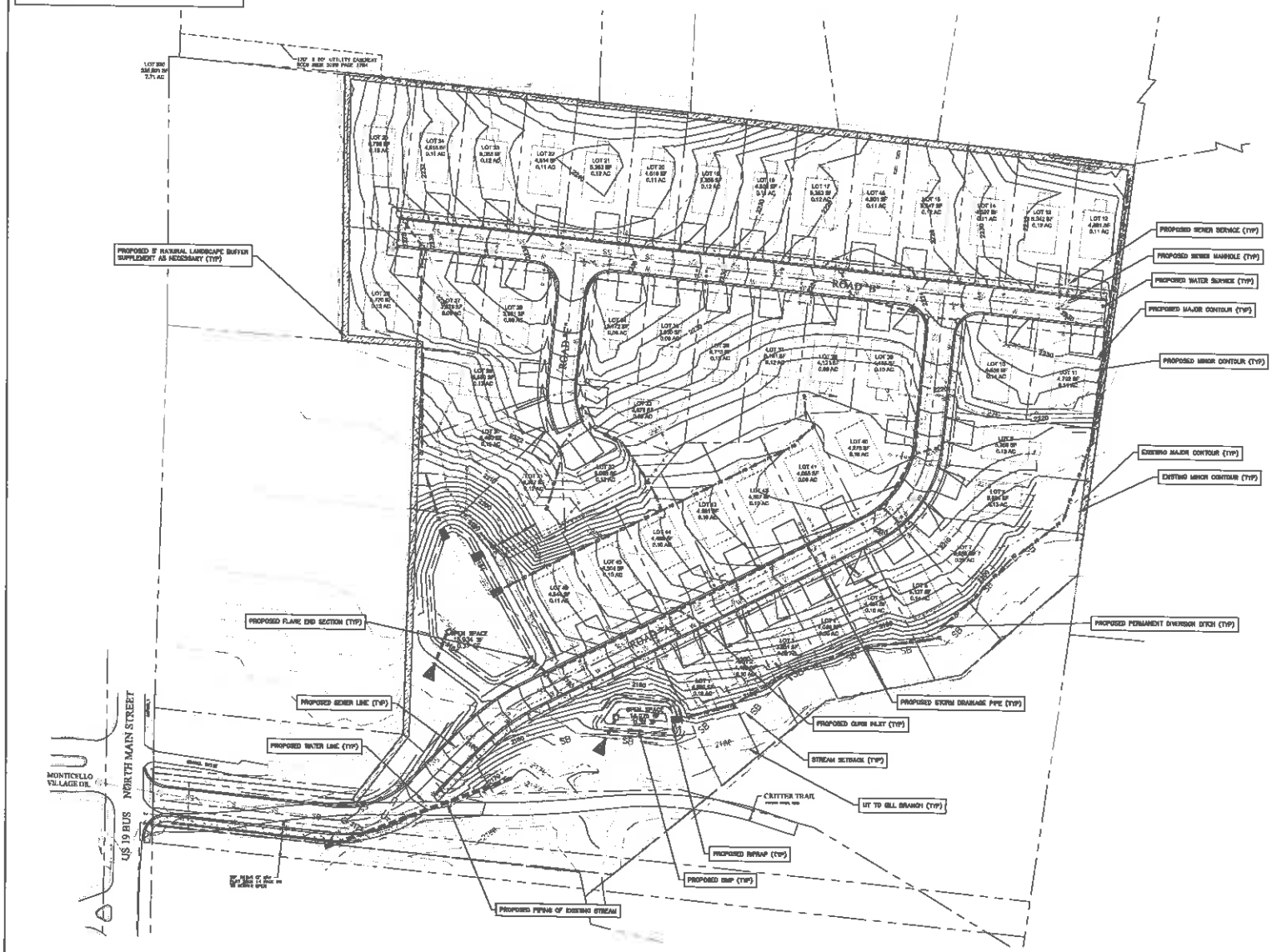
DATE: 06/18/2018
DRAWN BY: JPG
CDC PROJECT NO.: 11349

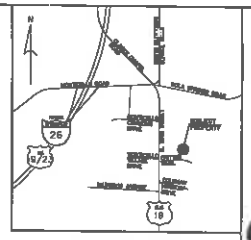
SHEET

C301

NOTES

1. SEE GRADING, EROSION CONTROL, AND STORM DRAINAGE DETAIL SHEETS FOR ALL GENERAL NOTES. CONTRACTOR RESPONSIBLE FOR INCLUSION OF DETAILS SHEETS WITH ALL PLANS.
2. NO PORTION OF THIS PROJECT LIES WITHIN THE 100-YR FEMA FLOODPLAIN.
3. SOIL TYPE B.





VICINITY MAP

(NOT TO SCALE)

DEVELOPMENT DATA

OWNER/DEVELOPER:	MOUNTAIN HOUSING OPPORTUNITIES, INC. 84 CLINGMAN AVENUE, SUITE 101 ASHEVILLE, NC 28805
CONTACT:	JOE GUMLAN (828) 254-4435
CIVIL ENGINEER:	CIVIL DESIGN CONCEPTS, P.A. 188 PATTON AVENUE ASHEVILLE, NORTH CAROLINA 28801
CONTACT:	WARREN SUGG, P.E. (828) 252-3812
SURVEYOR:	PETERSON ENGINEERING AND SURVEYING 138 EAST CHESTNUT STREET ASHEVILLE, NORTH CAROLINA 28801
CONTACT:	RONALD K. PETERSON (828) 252-1341

PROJECT DATA

PIN:	9743-33-6087
PROPERTY CARD ADDRESS:	25 LILLIE FARM LANE, WEAVERVILLE
LOCATION:	OFF DIXTECH TRAIL/NORTH MAIN ST
DEED BOOK/PAGE:	5835/472
SITE ACREAGE:	7.71 ACRES
ZONING:	C-2
TOWNSHIP:	REEMS CREEK
SETBACKS:	
FRONT:	N/A
SIDE:	N/A
REAR:	N/A
DISTURBED AREA:	4.80 ACRES
DENSITY:	46 SINGLE FAMILY UNITS 5.97 UNITS/ACRE
UNITS:	
A) 20' X 55'	(9 UNITS)
B) 30'-4" X 40'	(37 UNITS)
SOIL GROUP:	B

NOTE: CONTOURS INTERVALS ARE SHOWN ON 2 FT. INTERVALS

Know what's below. Call before you dig.

NORTH

STORM DRAINAGE PLAN

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

CDC Civil Design Concepts, P.A.

188 PATTON AVENUE ASHEVILLE, NC 28801 PHONE (828) 252-3812 FAX (828) 252-0092

56 WALNUT STREET - SUITE 9 TRYON, NC 28782 PHONE (828) 859-9157 FAX (828) 859-9158

www.civildesignconcepts.com

NORTH CAROLINA LICENSE # C-0246

NO.	DATE	DESCRIPTION	BY
1.	05/13/15	INITIAL CONDITIONAL ZONING DISTRICT SUBMITTAL	JPS
2.	05/20/16	CONDITIONAL ZONING DISTRICT COMMENT REVISION	JPS

FOR REVIEW ONLY

NOT RELEASED FOR CONSTRUCTION

STORM DRAINAGE PLAN FOR:

NEW HOMES AT NORTH MAIN

MOUNTAIN HOUSING OPPORTUNITIES, INC. – WEAVERVILLE, NORTH CAROLINA

DATE: 05/13/2015

DRAWN BY: JPS

CDC PROJECT NO.: 11544

SHEET

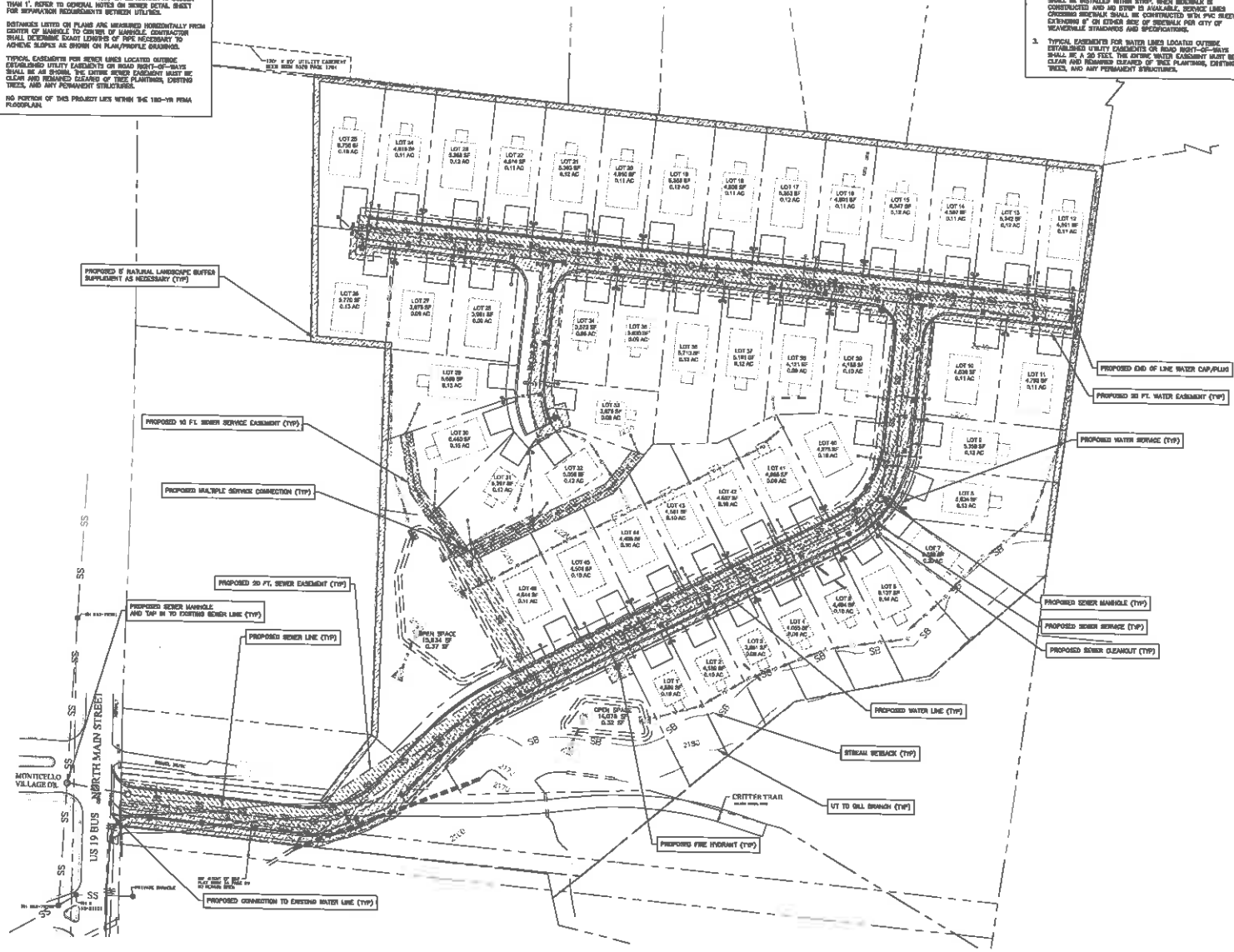
C501

NOTES

1. SEE SEWER DETAIL SHEETS FOR ALL GENERAL SEWER NOTES. CONTRACTOR RESPONSIBLE FOR INCLUSION OF DETAILS SHEETS WITH ALL SEWER PLANS.
2. ALL CROSSINGS IDENTIFIED BY THE FOLLOWING SYMBOL: CROSSINGS TO MAINTAIN MIN REQUIRED VERTICAL SEPARATION. CONTRACTOR TO CONTACT ENGINEER ON ANY CROSSING THAT DOES NOT MEET THIS SEPARATION, OR SEPARATION IS CLOSER THAN 1'. REFER TO GENERAL NOTES ON SEWER DETAIL SHEET FOR SEPARATION REQUIREMENTS BETWEEN UTILITIES.
3. DISTANCES LISTED ON PLANS ARE MEASURED HORIZONTALLY FROM CENTER OF MANHOLE TO CENTER OF MANHOLE. CONTRACTOR SHALL DETERMINE EXACT LENGTHS OF PIPE NECESSARY TO ACHIEVE SLOPES AS SHOWN ON PLAN/PROFILE DRAWINGS.
4. TYPICAL EASEMENTS FOR SEWER LINES LOCATED OUTSIDE ESTABLISHED UTILITY EASEMENTS OR ROAD RIGHT-OF-WAYS SHALL BE AS SHOWN. THE ENTIRE SEWER EASEMENT MUST BE CLEAR AND REMAINED CLEARED OF TREE PLANTINGS, EXISTING TREES, AND ANY PERMANENT STRUCTURES.
5. NO PORTION OF THIS PROJECT LIES WITHIN THE 100-YR FEMA FLOODPLAIN.

NOTES

1. SEE WATER DETAIL SHEETS FOR ALL GENERAL WATER NOTES. CONTRACTOR RESPONSIBLE FOR INCLUSION OF DETAILS SHEETS WITH ALL SEWER PLANS.
2. WATER METERS ARE TO BE PLACED MAXIMUM OF 5' OFF EDGE OF PAVEMENT/SIDEWALK. WHEN A UTILITY STRIP IS PRESENT, METERS SHALL BE INSTALLED WITHIN STRIP. WHEN SIDEWALK IS CONSTRUCTED AND NO STRIP IS AVAILABLE, SERVICE LINES CROSSING SIDEWALK SHALL BE CONSTRUCTED WITH PVC SLEEVE EXTENDING 6" ON EITHER SIDE OF SIDEWALK PER CITY OF WEAVERVILLE STANDARDS AND SPECIFICATIONS.
3. TYPICAL EASEMENTS FOR WATER LINES LOCATED OUTSIDE ESTABLISHED UTILITY EASEMENTS OR ROAD RIGHT-OF-WAYS SHALL BE A 20 FEET. THE ENTIRE WATER EASEMENT MUST BE CLEAR AND REMAINED CLEARED OF TREE PLANTINGS, EXISTING TREES, AND ANY PERMANENT STRUCTURES.


PROPOSED 5' NATURAL LANDSCAPE BUFFER SUPPLEMENT AS NECESSARY (TYP)
PROPOSED 10 FT. SEWER SERVICE EASEMENT (TYP)
PROPOSED MULTIPLE SERVICE CONNECTION (TYP)
PROPOSED 20 FT. SEWER EASEMENT (TYP)
PROPOSED SEWER MANHOLE AND TAP IN TO EXISTING SEWER LINE (TYP)
PROPOSED SEWER LINE (TYP)
PROPOSED CONNECTION TO EXISTING WATER LINE (TYP)
PROPOSED END OF LINE WATER CAP/PLUG
PROPOSED 20 FT. WATER EASEMENT (TYP)
PROPOSED WATER SERVICE (TYP)
PROPOSED SEWER MANHOLE (TYP)
PROPOSED SEWER SERVICE (TYP)
PROPOSED SEWER CLEANOUT (TYP)
PROPOSED WATER LINE (TYP)
STREAM SETBACK (TYP)
UT TO GILL BRANCH (TYP)
PROPOSED FIRE HYDRANT (TYP)
CRITTER TRAIL
OPEN SPACE 10,878 SF 0.32 AC
OPEN SPACE 13,834 SF 0.37 AC
NORTH MAIN STREET
US 19 BUS
MONTICELLO VILLAGE DR.
LOT 25 6,750 SF 0.18 AC
LOT 34 4,819.94 0.11 AC
LOT 28 5,363 SF 0.12 AC
LOT 27 4,814 SF 0.11 AC
LOT 26 3,780 SF 0.09 AC
LOT 29 5,669 SF 0.13 AC
LOT 30 6,440 SF 0.15 AC
LOT 31 5,367 SF 0.12 AC
LOT 32 5,008 SF 0.12 AC
LOT 33 3,878 SF 0.09 AC
LOT 40 4,375 SF 0.10 AC
LOT 41 4,868 SF 0.09 AC
LOT 42 4,607 SF 0.10 AC
LOT 43 4,581 SF 0.10 AC
LOT 44 4,488 SF 0.10 AC
LOT 45 4,504 SF 0.10 AC
LOT 46 4,844 SF 0.11 AC
LOT 8 5,358 SF 0.12 AC
LOT 5 6,634 SF 0.15 AC
LOT 7 5,000 SF 0.12 AC
LOT 6 4,484 SF 0.10 AC
LOT 3 3,861 SF 0.09 AC
LOT 2 4,550 SF 0.10 AC
LOT 1 4,655 SF 0.10 AC
LOT 9 4,884 SF 0.11 AC
LOT 10 4,608 SF 0.11 AC
LOT 11 4,798 SF 0.11 AC
LOT 12 4,901 SF 0.11 AC
LOT 13 5,342 SF 0.12 AC
LOT 14 4,580 SF 0.11 AC
LOT 15 5,347 SF 0.12 AC
LOT 16 4,891 SF 0.11 AC
LOT 17 5,363 SF 0.12 AC
LOT 18 4,608 SF 0.11 AC
LOT 19 5,368 SF 0.12 AC
LOT 20 4,890 SF 0.11 AC
LOT 21 5,363 SF 0.12 AC
LOT 22 4,814 SF 0.11 AC
LOT 23 5,363 SF 0.12 AC
LOT 24 4,819.94 0.11 AC
LOT 35 5,770 SF 0.13 AC
LOT 36 5,770 SF 0.13 AC
LOT 37 5,191 SF 0.12 AC
LOT 38 4,721 SF 0.09 AC
LOT 39 4,153 SF 0.10 AC
LOT 10 4,608 SF 0.11 AC
LOT 11 4,798 SF 0.11 AC
LOT 8 5,358 SF 0.12 AC
LOT 5 6,634 SF 0.15 AC
LOT 7 5,000 SF 0.12 AC
LOT 6 4,484 SF 0.10 AC
LOT 3 3,861 SF 0.09 AC
LOT 2 4,550 SF 0.10 AC
LOT 1 4,655 SF 0.10 AC
LOT 9 4,884 SF 0.11 AC
LOT 40 4,375 SF 0.10 AC
LOT 41 4,868 SF 0.09 AC
LOT 42 4,607 SF 0.10 AC
LOT 43 4,581 SF 0.10 AC
LOT 44 4,488 SF 0.10 AC
LOT 45 4,504 SF 0.10 AC
LOT 46 4,844 SF 0.11 AC
LOT 32 5,008 SF 0.12 AC
LOT 33 3,878 SF 0.09 AC
LOT 31 5,367 SF 0.12 AC
LOT 30 6,440 SF 0.15 AC
LOT 29 5,669 SF 0.13 AC
LOT 34 3,033 SF 0.08 AC
LOT 35 3,635 SF 0.09 AC
LOT 36 5,713 SF 0.13 AC
LOT 37 5,191 SF 0.12 AC
LOT 38 4,721 SF 0.09 AC
LOT 39 4,153 SF 0.10 AC
LOT 10 4,608 SF 0.11 AC
LOT 11 4,798 SF 0.11 AC
LOT 8 5,358 SF 0.12 AC
LOT 5 6,634 SF 0.15 AC
LOT 7 5,000 SF 0.12 AC
LOT 6 4,484 SF 0.10 AC
LOT 3 3,861 SF 0.09 AC
LOT 2 4,550 SF 0.10 AC
LOT 1 4,655 SF 0.10 AC
LOT 9 4,884 SF 0.11 AC
LOT 40 4,375 SF 0.10 AC
LOT 41 4,868 SF 0.09 AC
LOT 42 4,607 SF 0.10 AC
LOT 43 4,581 SF 0.10 AC
LOT 44 4,488 SF 0.10 AC
LOT 45 4,504 SF 0.10 AC
LOT 46 4,844 SF 0.11 AC
LOT 8 5,358 SF 0.12 AC
LOT 5 6,634 SF 0.15 AC
LOT 7 5,000 SF 0.12 AC
LOT 6 4,484 SF 0.10 AC
LOT 3 3,861 SF 0.09 AC
LOT 2 4,550 SF 0.10 AC
LOT 1 4,655 SF 0.10 AC
LOT 9 4,884 SF 0.11 AC
LOT 10 4,608 SF 0.11 AC
LOT 11 4,798 SF 0.11 AC
LOT 12 4,901 SF 0.11 AC
LOT 13 5,342 SF 0.12 AC
LOT 14 4,580 SF 0.11 AC
LOT 15 5,347 SF 0.12 AC
LOT 16 4,891 SF 0.11 AC
LOT 17 5,363 SF 0.12 AC
LOT 18 4,608 SF 0.11 AC
LOT 19 5,368 SF 0.12 AC
LOT 20 4,890 SF 0.11 AC
LOT 21 5,363 SF 0.12 AC
LOT 22 4,814 SF 0.11 AC
LOT 23 5,363 SF 0.12 AC
LOT 24 4,819.94 0.11 AC
LOT 25 6,750 SF 0.18 AC
LOT 26 3,780 SF 0.09 AC
LOT 27 3,675 SF 0.09 AC
LOT 28 5,363 SF 0.12 AC
LOT 29 5,669 SF 0.13 AC
LOT 30 6,440 SF 0.15 AC
LOT 31 5,367 SF 0.12 AC
LOT 32 5,008 SF 0.12 AC
LOT 33 3,878 SF 0.09

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

DATE OF MEETING:	September 19, 2016
SUBJECT:	Approval of Concept Plan for Major Subdivision – Cottages at North Main
PRESENTER:	Town Planner
ATTACHMENTS:	Application and Site Plan Planning and Zoning Board Recommendation Town Code Sec. 25-108

DESCRIPTION:

The Town has received a major subdivision application for a project entitled "Cottages at North Main" consisting of 8 single family lots on a parcel of land located on a 2.329+/- acre parcel at North Main and Coleman Street. The Town Planner and the Planning and Zoning Board have reviewed the concept plan as required by the Town's Subdivision Ordinance and forwards the same to Town Council for review and approval. The only concern that was raised at the Planning and Zoning Board was the similarity of the proposed subdivision name ("Cottages at North Main") to the recently approved conditional zoning district project named "New Homes at North Main." This was raised in reference to Sec. 25-108, which is attached. You will note that this section of the Code provides the Planning and Zoning Board with subdivision naming authority in these situations.

COUNCIL ACTION REQUESTED:

A motion to approve the Concept Plan for the project known as the Cottages at North Main would be appropriate at tonight's meeting.

The Town of
Weaverville
NORTH CAROLINA

MAJOR SUBDIVISION APPLICATION

Planning and Zoning Department, 30 South Main Street, P.O. Box 338, Weaverville, NC 28787
(828) 484-7002--- fax (828) 645-4776 --- jeller@weavervillenc.org

Fee: $300.00 + $25.00 per lot

APPLICATION DATE: 08-19-2016

OWNER NAME: Dogwood Properties & Development, LLC

SUBDIVISION NAME: Cottages at North Main

PROPERTY ADDRESS: TBD North Main & Coleman St

PIN: 9742-39-3915; 9742-39-5935; 9742-39-6935

DEED BOOK/PAGE: 5173/920

ORIGINAL TRACT SIZE (acres): 2.329

PROPOSED NUMBER OF LOTS: 8 total (out of 3 existing)

SUBDIVISION TYPE: [X] RESIDENTIAL [ ] COMMERCIAL [ ] INDUSTRIAL

OWNER/AGENT NAME: Kevin Kopp, Member-Manager
ADDRESS: P.O. Box 8087, Asheville, NC 28814

PHONE NUMBER: 828-230-0744

REGISTERED SURVEYOR: Eric McAbee
ADDRESS: 3 McAbee Trl, Fairview, NC 28730

PHONE NUMBER: 828-628-1295

REGISTERED ENGINEER: TBD
ADDRESS:

PHONE NUMBER:

Which utilities will serve the proposed development?:

[X] PUBLIC SANITARY SEWER
[X] PUBLIC WATER
[ ] COMMUNITY SEWER
[ ] COMMUNITY WATER
[ ] SEPTIC TANKS ON EACH LOT
[ ] WELLS ON EACH LOT

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

I certify that the above information is accurate and true and that I am the owner or a duly appointed agent of the owner. I understand that a copy of the recorded plat must be submitted to the Zoning Department prior to the issuance of any permits associated with this subdivision.

Kevin Kopp, Member-Manager
SIGNATURE OF APPLICANT

8-19-16
DATE

OFFICE USE ONLY

FEE: DATE PAID:

[ ] CHECK [ ] CASH

PRELIMINARY PLAT APPROVAL DATE:

FINAL PLAT APPROVAL DATE:

[ ] APPROVED WITH CONDITIONS:

TOTAL AREA OF SURVEY 2.329 ACRES
PRELIMINARY
NOT FOR CONVEYANCE OR RECORDANCE
McABEE & ASSOCIATES, P.A.
PROFESSIONAL LAND SURVEYING
COTTAGES AT NORTH MAIN (6 TOTAL LOTS)
(LOCATED AT NORTH MAIN ST AND COLEMAN ST, WEAVERVILLE, BUNCOMBE COUNTY, NC)

Town of Weaverville
Planning and Zoning Board

On Tuesday, September 6th, 2016 the Planning and Zoning Board reviewed and unanimously recommended to Town Council the attached Concept Plan for a Major Subdivision for the project commonly known as known as the Cottages at North Main.

It has been found that the Concept Plan is consistent with the Town's Comprehensive Plan and Chapter 25 – Subdivisions. The Planning and Zoning Board considers approval both reasonable and in the public interest due to uses present within the zoning district and on adjacent properties. In light of Sec. 25-108 of the Subdivision Ordinance, the Planning and Zoning Board does call to Town Council's attention the similarity in the name of this proposed subdivision ("Cottages at North Main") with the recently approved conditional zoning district for the residential development known as "New Homes at North Main."

Doug Theroux
Chairman, Planning and Zoning Board

Sec. 25-108. - Name duplication.

The name of the subdivision shall not duplicate, nor closely approximate, the name of an existing subdivision within Buncombe County or within the corporate limits and extraterritorial zoning jurisdiction of the town, and subdivision names may be adopted only with the approval of the planning and zoning board of the town.

(Ord. of 12-15-2008)

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

Date of Meeting:	September 19th 2016
Subject:	Water Meter and Allocation Request to Serve Proposed 108-Unit Hotel Fairfield Inn – Weaverville PIN: 9749742-09-6618
Presenter:	Tony Laughter, Public Works Director Marvin Mercer, P.E., (Engineer for Bob Hodges)
Attachments:	Yes
Description:	This property has a water main on site with a 5/8 x 3/4 meter in place which served the previous commercial activity. That meter is inadequate to serve the proposed project. Weaverville Water Policies and Procedures require Town Council approval of meters larger than 2 inches. A 3-inch meter will be required to meet State of NC Hotel design criteria of 2 gpm x 108 rooms = 216 peak flow. 216 gpm exceeds a 2-inch meter max flow capacity by 31 gpm. The total daily water commitment is 13,500 gallons (108 rooms @ 125 gpd/room). A water main extension is not required to serve this project.
Action Requested:	Council discussion and decision on approval of the 3-inch domestic meter and water commitment of 13,500 gallons per day.

35.00

TOWN OF WEAVERVILLE
WATER DEPARTMENT

APPLICATION FOR A COMMITMENT LETTER

PAID 2016 TOWN OF WEAVERVILLE

NAME OF APPLICANT: Bob Hodges

PROJECT NAME: Fairfield Inn Weaverville

ADDRESS: P.O. box 1686
Clemmons, NC 27012

LOCATION: Behind Bojangles off Weaverville Blvd.

PHONE NO: (336)998-9900

PIN NO: 9742-09-6618

ELEVATION: 2146

TYPE OF SERVICE:

RESIDENTIAL
- ☐ SINGLE FAMILY HOME
- ☐ TWO FAMILY _____ NO. OF BUILDINGS
- ☐ MULTI - FAMILY _____ NO. OF BUILDINGS _____ UNITS PER BUILDING
- ☐ RESIDENTIAL SUBDIVISION _____ NO. OF LOTS

COMMERCIAL
- ☒ SINGLE COMMERCIAL BUILDING
- ☒ UNIFIED BUSINESS DEVELOPMENT 1 NO. OF BUILDINGS 108 NO. OF UNITS

INDUSTRIAL
- ☐ SANITARY FACILITIES ONLY
- ☐ SANITARY & INDUSTRIAL PROCESS WATER

OTHER
- ☒ FIRE SPRINKLER SYSTEM
- ☒ IRRIGATION SYSTEM
- ☐ _____

CAPACITY REQUESTED:

MAXIMUM GALLONS PER MINUTE 216gpm 108 rooms @ 2.00 gpm=216gpm
MAXIMUM GALLONS PER DAY 13,500 gpd 108 rooms @ 125 gpd/room
ANTICIPATED DATE OF SERVICE Summer 2017

PROJECT DESCRIPTION:

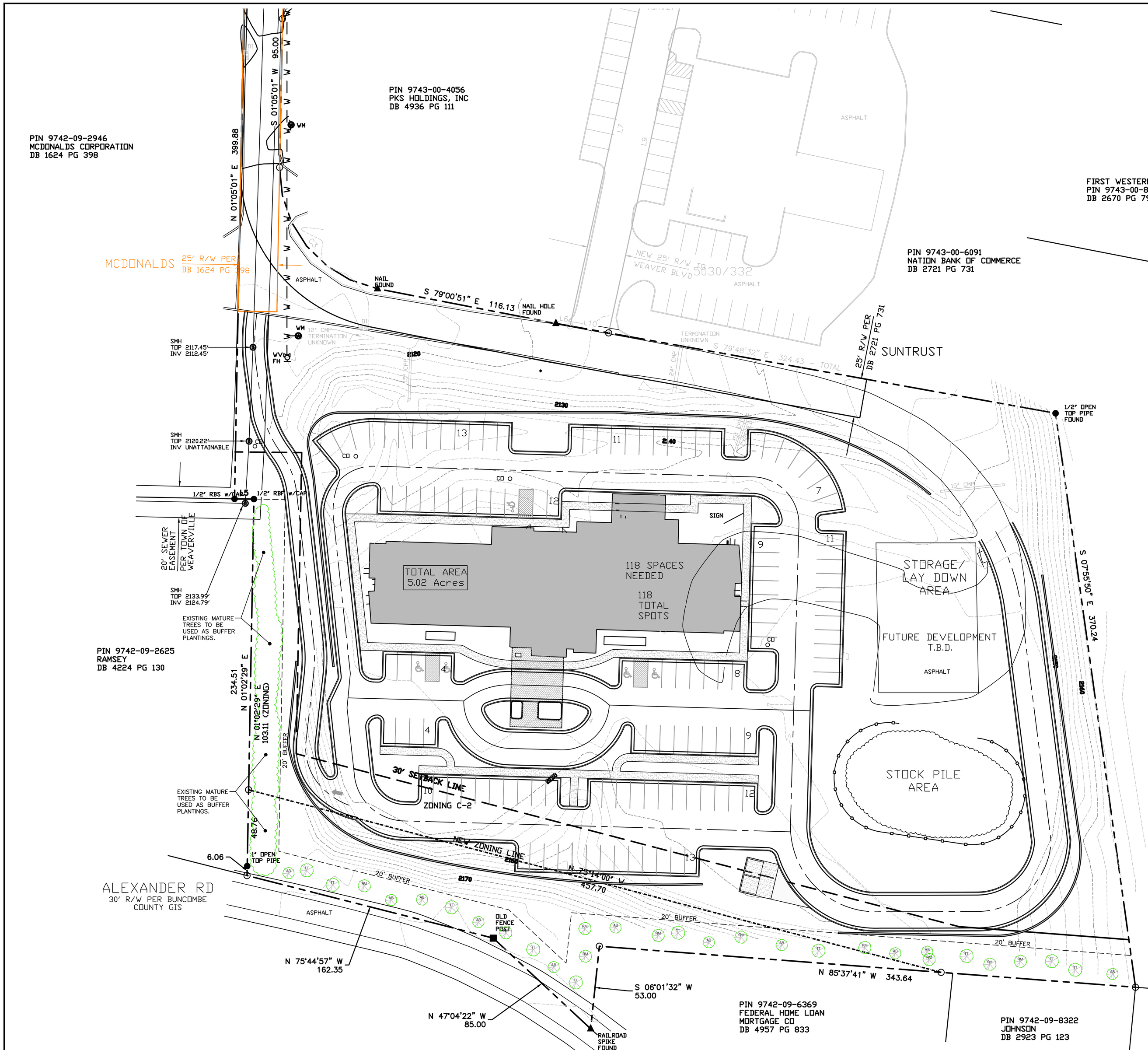
By way of Attachment(s) provide as much information as possible about this project. At minimum, attach a copy of the County Tax map showing the location of the property. If the project involves a subdivision or more than one building location, a topographic map of the property is required to show building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

ACKNOWLEDGMENT

I MARVIN MERCER (FOR HODGES) understand that the processing fee of $ 35.00 , paid herewith, is non- refundable
TYPE OR PRINT NAME
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 9/1/16

Town of Weaverville
P. O. Box 338
Weaverville, NC 28787
(828) 645-7116



GRAPHIC SCALE

30 0 15 30 60 90

(IN FEET)
1 inch = 30 ft.

PROJECT DATA

PROJECT:	FAIRFIELD INN WEAVERVILLE
PROJECT PINS:	9742096618
DEED BOOK/PAGE:	1945/0422
DEVELOPER / FINANCIALLY RESPONSIBLE PARTY:	BLUE RIDGE HOSPITALITY VENTURE, LLC P.O. BOX 1686 CLEMMONS, NC 27012
CONTACT:	BOB HIDGES
CONTACT NUMBER:	(336)998-9900
PROPERTY OWNER:	EDWARDS BERNIED; EDWARDS WANDA
ENGINEER:	MERCER DESIGN GROUP. PC P.O. BOX 1516 204 STONE RIDGE BLVD. ASHEVILLE, NC 28804 828-645-7088

LEGEND

PROPOSED P-1 XX L.F. XX" CMP/HDPE STA. XX+XX.XX INV IN = XXXX.XX INV OUT = XXXX.XX	PROPOSED CULVERT/INLET/MANHOLE LABEL
	PROPOSED SEWER MANHOLE
	PROPOSED SEWER LINE
	PROPOSED WATER HYDRANT
	PROPOSED WATER VALVE
	PROPOSED WATER LINE
	PROPOSED SILT FENCE
	EXISTING WATER LINE
	EXISTING SEWER LINE
	EXISTING SEWER MANHOLE
	LIMITS OF DISTURBANCE
	PROPOSED STORM PIPE
	PROPOSED INLET PROTECTION
	PROPOSED OUTLET DISSIPATOR
	TEMPORARY DIVERSION DITCH
	FLOW ARROW
PROPOSED HEADWALL	PROPOSED HEADWALL REFRENCE LABEL
PROPOSED CATCH BASINS	PROPOSED CATCH BASIN REFRENCE LABEL
PROPOSED JUNCTION BOX	PROPOSED STORM JUNCTION REFRENCE LABEL
	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR
	PROPOSED FENCE
XX.XX	PROPOSED SPOT ELEVATION
XX.XX	PROPOSED TOP OF BACK OF CURB ELEVATION
	EXISTING STORM
	EXISTING STORM WATER MANHOLE
	EXISTING CATCH BASIN
XX.XX	EXISTING TOP OF BACK OF CURB ELEVATION
	TEMPORARY SEDIMENT BASIN
	BOUNDARY
	CURB AND GUTTER
	36"OR 72" TRANSITION TO 0" CURB HEIGHT

PRELIMINARY
NOT FOR CONSTRUCTION

NO.	REVISIONS/SUBMISSIONS	DATE

PRINT DATE BELOW

PRELIMINARY NOT FOR CONSTRUCTION

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 027782 MARVIN MERCER

Designed: JHM
Graphics: MDG
Checked: JHM-JMM
Reviewed: JHM/JMM
Scale:
Date: Aug 23, 2016 - 4:13pm

MDG
ENGINEERING EXCELLENCE
C-2383
CIVIL ENGINEERING STRUCTURAL ENGINEERING
MUNICIPAL INFRASTRUCTURE CONSTRUCTION ADMINISTRATION

P.O. BOX 1516
WEAVERVILLE, NORTH CAROLINA 28787
P: 828.645.7088
F: 828.645.7714
info@mdgeng.com
www.mdgeng.com

FAIRFIELD INN
HOTEL

WEAVERVILLE, NORTH CAROLINA

BUNCOMBE COUNTY
DRAWING TITLE:

Sheet No.: OF NO
Sheet:

Project No: 16-075

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

DATE OF MEETING:	September 19, 2016
SUBJECT:	Set Date for Work Session regarding Land Use Regulations related to Commercial and Industrial Development
PRESENTER:	Town Manager
ATTACHMENTS:	No

DESCRIPTION:

Town Council held a work session on August 3, 2016, concerning land use regulations with a focus on residential uses. Council indicated that it would like to schedule a follow up work session which would focus on commercial and industrial development.

COUNCIL ACTION REQUESTED:

Town Council can discuss setting a date for this land use work session.

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

DATE OF MEETING:	September 19, 2016
SUBJECT:	Proposed Solid Waste Ordinance Amendments
PRESENTER:	Tony Laughter/James Eller
ATTACHMENTS:	Proposed Ordinance Amending Sections 22-1 and 22-50 of the Town's Code of Ordinances

DESCRIPTION:

At Town Council's meeting on August 15, 2016, Councilman Jackson expressed a concern about the Town's ability to collect solid waste from multi-family developments such as apartment buildings since the Town's public works staff is working at capacity and the Town does not have the specialized equipment needed to empty dumpsters. Staff has reviewed the current Code provisions regarding the collection of residential solid waste and has also inventoried multi-family dwellings and how they are currently handling collection and disposal of their solid waste.

Based on that information, Staff has drafted a proposed amendment to the Solid Waste Ordinance which defines multi-family dwellings and places the responsibility on the owners of the larger ones (15+) to collect and dispose of their own solid waste. Staff will be available at tonight's meeting to answer any questions that the Council may have on this issue.

COUNCIL ACTION REQUESTED:

Should Town Council wish to act on the proposed ordinance amendment it would be appropriate to do so tonight by adopting the attached Ordinance. No public hearing is required prior to adoption and as long as the ordinance is passed by at least a 4/5 vote it can be effective immediately.

ORDINANCE AMENDING SECTIONS 22-1 AND 22-50
OF THE TOWN'S CODE OF ORDINANCES

WHEREAS, the Town's Solid Waste Ordinance, which is codified as Chapter 22 of the Town's Code of Ordinance, does not specifically address the collection of garbage for multi-family dwellings; and

WHEREAS, Town Council wishes to clarify its ordinance provisions on that issue;

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

1. The following definitions are hereby adding to Sec. 22-1. – Definitions:

Dwelling, multi-family – see "multi-family dwelling"

Multi-family dwelling means a building, a portion of a building, or a complex of buildings under single ownership and either on the same or adjoining parcels, used or designed as a residence for three or more families living independently of each other and doing their cooking therein, including apartments, apartment houses or apartment hotels, and group houses.

2. The following highlighted and underlined language is added to subsection (a) of Sec. 22-50. - Collection and hauling procedures.

(a) Residential.

Garbage and household trash accumulated at residences shall be collected once each week at curbside or at the edge of the vehicular travelway, on a schedule determined by the public works director. Such collection shall be limited to six approved receptacles. Yard trash, tree and shrubbery trimmings and household appliances shall be collected at curbside on a schedule determined by the public works director.

The collection and disposal of garbage and household trash accumulated at those multi-family dwellings consisting of 15 or more dwelling units shall be the responsibility of the owner of the land on which such multi-family dwelling is located. Likewise, yard trash, tree and shrubbery trimmings and household appliances shall be collected and disposed of by the owner of the land on which such multi-family dwelling is located. Subdivision of land for the purposes of abrogating or avoiding this section of the Town's Code shall not be allowed.

(b) Commercial establishments. Business trash and garbage accumulations at commercial establishments shall be collected once each week on a schedule determined by the public works director. Such collections shall be limited to six approved receptacles. The location of collection shall be at curbside or at a location as determined by the public works director.

DRAFT

(c) Industrial waste. The collection and disposal of industrial waste shall be the responsibility of the operator of the factory, plant or enterprise creating or causing the waste.

(d) Collecting and hauling vehicles. All collectors or refuse haulers or handlers operating within the town shall use a watertight vehicle provided with a tightly fitting cover and so operated as to prevent offensive odors escaping from the vehicle and refuse from being dropped, blown or spilled. It shall be the obligation of any refuse hauler, whether public or private, to immediately gather and collect any refuse of any kind that is spilled in the process of collection or that spills or is blown from any collection vehicle operated in the town. Failure to comply with this subsection shall be a violation of section 22-6. All collection vehicles shall be kept in good repair and shall be cleaned as often as necessary to prevent the body of the vehicle from becoming a breeding place for insects or a source of foul or offensive odors.

(e) Town-owned collection vehicles to remain on public streets and alleys. Except as provided for in section 22-87, all collection vehicles owned and/or operated by the town and/or employees of the town shall at all times be kept on the public streets and alleys and not be driven into yards or private driveways.

3. These amendments shall be effective immediately upon adoption.

ADOPTED THIS the _____ day of September, 2016 by a _____ out of _____ vote.

_____

DOTTIE SHERRILL, Mayor

ATTESTED BY:

_____

SELENA D. COFFEY, Town Clerk

APPROVED AS TO FORM:

_____

JENNIFER O. JACKSON, Town Attorney

DRAFT

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

DATE OF MEETING: September 19, 2016

SUBJECT: Proposed Fire Code Amendments

PRESENTER: Town Manager/Fire Chief

ATTACHMENTS: Proposed Code Amendment

DESCRIPTION:

Earlier in the year Town Council adopted some amendments to Town Code which eliminated from Town Code Appendices D104, D106 and D107 of the NC Fire Prevention Code. These appendices were previously adopted into Town Code and require multiple points of access for certain development. To remove these provisions the Town was required to seek approval by the NC Building Code Council. On September 13, 2016, the NC Building Code Council considered the matter and approved the deletion of the appendices with some minor wording changes which requires Town Council's adoption.

COUNCIL ACTION REQUESTED:

Town Council is asked to consider for adoption the attached proposed Code amendment.

ORDINANCE AMENDING WEAVERVILLE TOWN CODE SECTION 12-37
TO ELIMINATE INCORPORATION OF CERTAIN NC FIRE PREVENTION CODE APPENDICES

WHEREAS, the Town's Fire Prevention Ordinance is codified as Chapter 12 of the Town of Weaverville's Code of Ordinances and incorporates North Carolina's Building Code provisions and certain appendices concerning fire prevention;

WHEREAS, the inclusion of Appendices D104, D106 and D107 which require multiple points of ingress and egress for certain construction projects are limiting potential growth in the Town;

WHEREAS, on September 13, 2016, the NC Building Code Council approved the Town's deletion of Appendices D104, D106 and D107 from its Town Code and the Town would like to take action to make it clear that these certain appendices will not be applicable within the Town;

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

1. Sec. 12-37(c) is hereby repealed in its entirety and replaced with the following:

(c) *Provisions of state building code*. The state building code relating to fire prevention and related appendices are included as a part of this article, except for Appendix D Sections D104, D106 and D107. Code appendices that are included as a part of this article are incorporated as fully as if set out at length in this article and are for utilization by the fire marshal in carrying out his duties. All adopted changes to this code made by the state building council shall be readily adopted into this article. Where a conflict exists between this article and the requirements of the state building code, the requirements of the state building code shall prevail except regarding the schedule of inspections, which shall be conducted annually.

2. This amendment shall be effective immediately upon adoption.

ADOPTED THIS ____ day of September, 2016, by a vote of _____ out of _____.

_____
DOTTIE SHERRILL, Mayor

ATTESTED BY:

_____
SELENA D. COFFEY, Town Clerk

APPROVED AS TO FORM:

_____
JENNIFER O. JACKSON, Town Attorney

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

Date of Meeting: September 19, 2016

Subject: Board Appointments

Presenter: Mayor Dottie Sherrill

Attachments: 3 Applications & Resumes

Description:

Attached please find 3 applications for Board appointments: 2 applications for the Conservation Board (Patsy Beyer and Erin Calloway) and 1 application for the Planning and Zoning Board (Benjamin Graham). There is an alternate seat open on the Planning and Zoning Board and Mayor Sherrill can discuss any openings on the Conservation Board with Town Council at tonight's meeting.

Council Action Requested:

Potential motions:

I move to appoint _____ and/or _____to the Conservation Board for a term to expire on _____.

I move to appoint _____ to the Planning and Zoning Board for a term to expire on _____ [September 2017 or September 2018].

Town Hall
30 South Main Street | P.O. Box 338
Weaverville, N.C. 28787

The Town of
Weaverville
NORTH CAROLINA

Phone: (828) 645-7116
Fax: (828) 645-4776
Website: www.weavervillenc.org

APPLICATION FOR APPOINTMENT TO TOWN BOARDS OR COMMISSIONS

Applicants are strongly urged to attend several meetings of a board or commission meeting prior to applying for appointment.

Name: Patsy Beyer Date of Application: 9/9/16

Address: PO Box 5237, ALV NC 28814

E-Mail Address(es): pbheyer@aol.com

Phone: 727-365-0734 Alternate Phone: /

Do you live within Town limits? ☐ Yes ☒ No

Please name and rank Boards or Commissions on which you are applying to serve:

Conservation Board

Please list any special skills, interests, or qualifications that you feel would be an asset to these Boards or Commissions:

I like plant rescue operations & gardening & environmental efforts

Why do you wish to serve on the named Board or Commission?

Think I can be of some help.

Please return this application to the Town Manager's Office at the address above, along with a copy of your resume.

P.J. BEYER summary as of 2-20-98:

BOARD OF DIRECTORS:

BAMA	Bay Area Manufacturers Association
FMA	Florida Manufacturers Association & founding member, 1981-97
FEDC	Florida Economic Development Council, 1996-98
MTEC	Manufacturing, Technology & Training Center @ USF, 1997-98
FWCIAC	Florida West Coast International Affairs Commission, 1990 ?
F-FTZ	Florida Foreign Trade Zones Association & founding member, 1996-98

CONVENER:
Workforce Development Board & delivery system overhaul, 1996

CONTRACTOR for County:
NASA Technology Outreach Program, 1995-98

GRADUATE:
EDI, Economic Development Institute; Norman, Oklahoma
Thesis: " A Report to the Governor", Analysis of a survey of Florida's business attitudes & needs, 1983
Thunderbird University: Phoeniz, Arizona; international business, 1997

CREATOR:
Pinellas County Economic Developers organization, 1997

COMMITTEES:
Suncoast Export Council, St. Pete.
Business Retention, Pinellas County, PEDC
Business Retention, Pinellas Park
Business Retention, Clearwater
Workforce Development Board, numerous committees
St. Petersburg Certified Development Corp., 1996-98
Tampa Bay Partnership

FTZ COORDINATOR:
Application for zone grant at the airport and activation status at the STAR Center, 1993 & 1995

CO-CREATOR & ORGANIZER:
Florida Basic Economic Development Course, 1978-1982

MANUFACTURERS EXHIBITION:

Sales & production staff, 1967-81

RELOCATIONS & EXPANSIONS:

School Book Fairs, H & S. Swansons Machine Tool, Atlantic Machine Tool, National Underwriters

(G:\...\guest.bif)

Town Hall
30 South Main Street | P.O. Box 338
Weaverville, N.C. 28787

The Town of
Weaverville
NORTH CAROLINA

Phone: (828) 645-7116
Fax: (828) 645-4776
Website: www.weavervillenc.org

APPLICATION FOR APPOINTMENT TO TOWN BOARDS OR COMMISSIONS

Applicants are strongly urged to attend several meetings of a board or commission meeting prior to applying for appointment.

Name: Erin Calloway Date of Application: 9 / 1 / 16

Address: 32 Chestnut St. Weaverville nc

E-Mail Address(es): calloway.erin@yahoo.com

Phone: 828-200-1207 Alternate Phone:

Do you live within Town limits? ☒ Yes ☐ No

Please name and rank Boards or Commissions on which you are applying to serve:

1- Conservation Board

Please list any special skills, interests, or qualifications that you feel would be an asset to these Boards or Commissions:

I have my MPA, I have a BS in Natural Resource Conservation & have worked in local public works department

Why do you wish to serve on the named Board or Commission?

I am a local, born & raised in this town. I have a deep love for this community. I want to give back to this town while serving to ensure healthy, responsible growth.

Please return this application to the Town Manager's Office at the address above, along with a copy of your resume.

Erin Beck Calloway
calloway.erin@yahoo.com
32 Chestnut St
Weaverville, NC 28787
(828) 200-1207

Education

B.S. Western Carolina University, May 2010
Natural Resource Conservation and Management
GPA: 3.69, *cum laude*

MPA, Western Carolina University, December 2013
Public Affairs and Administration
GPA: 3.94

Relevant Skills

- 15 BSW credit hours
- Outreach and relationship building
- Grant writing and fundraising
- Program coordination, administration and implementation
- Leadership and management experience
- Program evaluation and reporting
- Motivational Interviewing
- Data collection and analysis

Professional Experience

2015 **Population Health Program Director, YMCA,** Asheville NC

- Program development, administration and delivery
- Supervise full time and part time staff
- Budgeting for district department
- Community outreach and relationship building
- Marketing and networking programs to increase participation
- Grant management and reporting
- Understanding the needs of participants needs and connecting individuals with necessary resources

2013-2015 **Medical Wellness Program Manager, YMCA,** Asheville NC

- Educate program participants from various socioeconomic and education backgrounds
- Coordination and planning events
- Quality assurance across all programs
- Coaching program participants through behavior change related to health and wellness.
- Independent decision making and problem solving while working closely with a team

Erin Beck Calloway
calloway.erin@yahoo.com
32 Chestnut St
Weaverville, NC 28787
(828) 200-1207

2012-2013 **Fund Development and Outreach/Education Intern, Asheville Buncombe Community Relations Council**, Asheville NC

- Research funding opportunities for the organization; applying for grants and planning fundraising events.
- Attend training pertaining to non-profit management and client services skill development, including meditation and conflict resolution.
- Assist in community outreach and education initiatives.
- Build trust and relationships with disenfranchised populations

2010-2011 **Adjunct Professor, Haywood Community College Natural Resource Department,** Waynesville NC

- Instructed students in prescribed curriculum, implementing state and federal guidelines
- Prepared required reporting and program evaluation
- Collected data regarding student progress as well as making necessary program adjustments or interventions
- Worked with other professors in executing course work and developing course material

2010-2011 **GIS Technician, Town of Waynesville Public Works Department,** Waynesville NC

- Planned and executed town data collection project
- Prepared extensive deliverables for town administrators
- Supervised and instructed colleagues on the application of the database and model
- Project Management

2007-2008 **Office Manager, Upper Cullasaja Watershed Association,** Highlands NC

- Managed membership database in database pro software
- Generated press releases and newspaper articles
- Coordinated annual membership correspondence as well as correspondence regarding special events
- Organized and coordinated special events such as annual Earth Day celebration.
- Managed the organizations daily and monthly accounting including receiving invoices and statements while managing quick books software.
- Attended board meetings as well as other regional meetings.

Professional References:

Mrs. Laura Turner; Social Work II Adult Placement Prevention-CAP, Haywood County; (828) 356-2805; lturner@haywood.net

Mrs. Jeanne G. Dulworth; Assistant Professor of Social Work, Western Carolina University; (828) 227-3964; jdulworth@wcu.edu

Mr. Fred Baker; Public Works Director, Town of Waynesville NC; (828) 456-4410; publicworksdirector@townofwaynesville.org

Town Hall
30 South Main Street | P.O. Box 338
Weaverville, N.C. 28787

The Town of
Weaverville
NORTH CAROLINA

Phone: (828) 645-7116
Fax: (828) 645-4776
Website: www.weavervillenc.org

APPLICATION FOR APPOINTMENT TO TOWN BOARDS OR COMMISSIONS

Applicants are strongly urged to attend several meetings of a board or commission meeting prior to applying for appointment.

Name: Benjamin Graham Date of Application: 9/7/16

Address: 29 Alabama Ave. Weaverville NC 28787

E-Mail Address(es): benjaminbgraham@gmail.com

Phone: 828-231-7183 Alternate Phone: —

Do you live within Town limits? ☒ Yes ☐ No

Please name and rank Boards or Commissions on which you are applying to serve:

TOWN PLANNING + ZONING

Please list any special skills, interests, or qualifications that you feel would be an asset to these Boards or Commissions:

As a resident of Weaverville, and NBHS teacher of 17 years - I am uniquely committed to our community. As an historian, I believe that Weaverville's history is at a crucial crossroads in development - and I hope to play a role in shaping the vision.

Why do you wish to serve on the named Board or Commission?

I hope to help shape the future development of Weaverville. I firmly believe that the town of Weaverville is at an amazing moment in our history - an opportunity. I hope to share my voice, and work with other communities

Please return this application to the Town Manager's Office at the address above, along with a copy of your resume.

Benjamin B. Graham, *NBCT*
29 Alabama Avenue
Weaverville, NC 28787
828-231-7183
benjamin.graham@bcsemail.org

Profile

Energetic and enthusiastic history teacher - specializing in innovative teaching strategies (ie: photography and music in teaching), global studies, and community outreach. A compassionate educator, who effectively communicates with families, and school community. Active team member, who collaborates and engages with staff members, while maintaining a primary focus on positive student relationships. A leader in his field, actively writing on the history education blog "www.punkrockpedagogy.blogspot.com"

Teaching Experience

North Buncombe High School, Weaverville NC **2000 - Present**

- Teaches (and has taught) Advanced Placement World History, Humanities, United States History, World History, and World Geography. Developed (and continues to teach) the *first Advanced Placement World History* Course in the Buncombe County School System. Collaborated at the national level with fellow AP World History teachers as an official Reader for the Advanced Placement World History Examination - grading the Document Based Question Essay portion of the AP Exam. Also, worked at the county level to design and develop the curriculum for Buncombe County Schools' first Humanities class in 2004.

- Leads and coordinates UNC's Center for International Understanding's NC-India Global Studies partnership – partnering the AP World History class with the New School of Pune, India in an effort to study the causes and solutions of global poverty.

- Collaborates and leads throughout the school in a wide variety of capacities, including: PBIS Leadership Team, the PLC Leadership Team, and the Eblen (local charity for poverty assistance) fundraiser co-chairman. Formally served as Social Studies Department Head, and coached varsity soccer for 9 seasons.

- Has made numerous presentations and writings on innovative teaching strategies to faculty, and at the county level (presentation and written topics include: *TCI History Alive!* Training sessions, classroom strategies for Twitter, popular music, and Instagram) and has received numerous awards for outstanding service, including: Teacher of the Year, and the Coca-Cola Joseph Whitehead Educator of Distinction Award.

- Actively involved in student life, currently sponsors: the NBHS Human Rights Watch (an official member of *S.T.A.N.D.*), the NBHS Adventure Club, and the *NBHS Ultimate Frisbee*

Club. Also, produces the school wide talent show each year, and leads annual student (historical) trips to Chicago and Philadelphia.

- Active education blogger and writer, publishing numerous reflection and accounts on methods, using music in the social studies classroom, lesson plans, collaboration, and philosophy of teaching secondary history. In addition, was a lead writer for the Buncombe County World History Curriculum Guide publication.

- Served on a small team of regional social studies educators in the Master Teacher Corps, a grant program from the US Department of Education (2004 -2007). Developed lesson plans, and led professional development for local teachers, to enhance the Teaching of American History in Western North Carolina.

Education and Certifications

- **Bachelor of Arts in History,** *cum laude* - University of North Carolina at Greensboro, 1999

- **NC Secondary Education Teacher's Certification** - University of North Carolina at Greensboro, 1999

- **National Board Certification for Professional Teaching Standards**, 2007

- **College Board Advanced Placement World History Certification,** University of North Carolina at Charlotte, 2001

Educational Leadership || Honors

- Leader || Coordinator of Western NC UNC-Chapel Hill's USA-India Global Poverty Collaboration, UNC Center for International Understanding, Fall 2014
- Buncombe County School Common Core Leadership Team, 2011 – 2013
- PLC (Professional Learning Communities) Leadership Team, 2011 – Present
- PBIS Leadership Team, 2013 - Present
- NC FALCON Leadership Team, 2011-2012
- Lead Presenter to NBHS Faculty on "Formative Assessment and Balanced Literacy Strategies in the History Classroom" March, 2012
- Best Teacher in Weaverville, NC by *Mountain Express* Best of WNC, August 2013
- Claes Nobel Educator of Distinction, March 2011
- Wal-Mart/Sam's Club WNC Teacher of the Year, 2008 – 2009
- WLOS - "Thanks To Teachers" Featured Profile, October, 2008
- Coca-Cola's Joseph B. Whitehead Educator of Distinction Award, Spring 2007
- Who's Who Among American Teachers, 2002 - 2006
- Outstanding American Teachers – 2006
- Lead presenter: *Teaching American History Seminars* on the American Revolution, the American Civil War, and World War II, 2004 - 2006.
- NBHS Social Studies Department Head, 2005

- Lead Presenter: TCI Training of *History Alive!* Levels 1, 2, and 3, 2005
- Certified *TCI: History Alive!* Coach and Trainer - Fall, 2005
- Lead Presenter: a Demonstration of the *TCI* Approach to BCS Board - November, 2005
- NBHS Teacher of the Year - North Buncombe High School, 2002-2003
- Co-Chairman of *NBHS Curriculum and Instruction Committee*, 2003
- WLOS Educator of the Month - Western North Carolina, April 2002
- NBHS Golden Apple Award, 2001
- Recipient of Kluts Academic Scholarship, UNC-Greensboro, 1997-1999

Professional Training || Workshops

- PBIS Training, Asheville NC, 2013
- PLC Training, Raleigh, NC, 2012
- AP World History Reading, Colorado State University, Fort Collins, CO, 2008
- North Carolina Social Studies Conference, Greensboro NC 2007
- *National Council for History Education Conference*, Pittsburgh, PA, April 2005
- Served as Judge for Western North Carolina Region *History Day* – 2004 - 2006
- Served on the NBHS School Improvement Team, 2008 – 2010
- Served on the NBHS Community Advisory Council, 2008 - 2011
- Served on *Technology Committee*, 2000-2002
- Serve on *Communications Committee*, 2000 – Present
- Completed *Hard Tack and Wool* Civil War Reenactment, Black Mountain, NC, 2005
- Contributed lesson plan to the National AP World History Lesson Jamboree, Spring 2007
- Member – *National Council for History Education,* 2004 - 2009
- Kappa Delta Pi - Education Honor Society 1998-2000
- Phi Alpha Theta - History Honor Society 1997-1999
- Alpha Lambda Delta - Freshman Honor Society 1995-1996
- Member NCSSA - North Carolina Social Studies Association 1999

Community Involvement and Service

- Serves as Chairman of the Eblen Charities Fundraiser, 2009 - Present
- Serving Elder at Grace Covenant Presbyterian Church, Asheville, NC, January 2012 – Present
- Curator for Real Life Stories, (Community Story Telling event) Asheville, NC, Fall 2013 – Present
- Partnered with Greenworks for a campus cleanup with AP World History students, 2014
- Games Coordinator, Marketplace AD: First Presbyterian Church, Asheville, NC, 2013 - 2014
- Produced and performed at the charity music show, resulting in a $100 donation to the local food pantry (Manna), 2011
- Organized and facilitated a school-wide "*Dollars For Darfur*" Campaign to help raise awareness and relief for genocide victims in Sudan, 2006 - 2007
- Youth Soccer Coach ABYSA, Asheville, NC, 2011

- Youth Group Leader, Grace Covenant Presbyterian and First Moravian Churches, 1997, 2014
- UNC –Greensboro International Peer Advisor/Liaison, 1996 – 1997

References

Available upon request

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

DATE OF MEETING:	September 19, 2016
SUBJECT:	Public Hearing - Proposed Zoning Ordinance Amendments to Eliminate Unified Housing Developments, Traditional Neighborhood Developments and Revise Conditional Zoning District Provisions
PRESENTER:	Town Planner/Town Attorney
ATTACHMENTS:	Planning and Zoning Board Recommendation Proposed Code Amendments

DESCRIPTION:

At its meeting on August 15, 2016, Town Council scheduled a public hearing for tonight concerning proposed Code amendments which would: (1) eliminate unified housing development section and all references, (2) eliminate traditional neighborhood development districts and all references, and (3) eliminate the location restriction of the conditional zoning district so that it is available in all districts including all area within the R-1 district. This public hearing has been properly noticed in accordance with North Carolina law and Town Code.

Town Council has sent these proposed amendments to the Planning and Zoning Board for review and that Board reviewed the proposed amendments on September 6, 2016, and offers the attached favorable recommendation for Town Council's consideration.

COUNCIL ACTION REQUESTED:

Town Council is asked to hold the public hearing on these proposed zoning amendments prior to any action to adopt the same.

Dottie Sherrill
Mayor

The Town of Weaverville
NORTH CAROLINA

Doug Dearth
Council Member

Patrick Fitzsimmons
Council Member

Doug Jackson
Council Member

Andrew Nagle
Council Member

John Penley
Council Member

September 12, 2016

Mayor Dottie Sherrill
Weaverville Town Council

Re: Recommended Code Amendments
Zoning Ordinance – Elimination of UHD and TND, Revision to CZD

Dear Mayor and Councilmen:

At its specially called work session held on August 3, 2016, Town Council indicated that it would like to consider certain amendments to the Zoning Ordinance which would eliminate unified housing developments and traditional neighborhood development districts from the Zoning Ordinance and eliminate the geographical restrictions contained within the Town's conditional zoning district provisions. Staff drafted proposed Code amendments and on August 15, 2016, Town Council sent those proposed Code amendments to the Planning and Zoning Board for review.

At its September 6, 2016, meeting the Weaverville Planning and Zoning Board voted unanimously to recommend for Council's adoption the Code amendments that were presented with an additional proposed amendment to eliminate the unified housing development reference in Sec. 36-85.

Respectfully,

Doug Theroux

Doug Theroux, Chairman
Weaverville Planning and Zoning Board

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

ORDINANCE AMENDING WEAVERVILLE TOWN CODE TO ELIMINATE UNIFIED HOUSING DEVELOPMENTS AND TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICTS AND DELETING SECTION 36-84(o) FROM PROVISIONS OF CONDITIONAL ZONING DISTRICTS

WHEREAS, Town Council is desirous of eliminating unified housing developments and traditional neighborhood development districts from its zoning ordinance and modifying the Conditional Zoning District provisions such that it is available in all areas of the Town's zoning area;

WHEREAS, the type of developments that would have been submitted under the unified housing development or the traditional neighborhood development district provisions could be submitted as requests under conditional zoning district provisions;

WHEREAS, the proposed amendments are not inconsistent with the Town's Comprehensive Land Use Plan as adopted in December of 2012;

WHEREAS, on September 6, 2016, the Town's Planning and Zoning Board reviewed these proposed amendments and submitted a favorable recommendation on their adoption;

WHEREAS, the Town Council held a public hearing on September 19, 2016, in order to receive input from the public on these proposed amendments and the public comments were largely [favorable/unfavorable];

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

1. That the Town's Code of Ordinances is hereby amended as follows with the stricken language denoted with strike-throughs and added language underlined:

Sec. 25-26. – Subdivision defined.

… but the following shall not be included within this definition nor be subject to any regulations enacted pursuant to this chapter:

…

(5) Unified ~~housing developments and unified~~ business developments as defined in section ~~17-410~~ 36-5 of the zoning ordinance of the town which have been approved in accordance with the provisions of said zoning ordinance.

Sec. 36-5. – Definition of specific words and terms.

…

Development identification sign. A sign bearing the name of a residential or commercial development or subdivision, including an apartment house, unified ~~housing or~~ business district or mobile home park.

…

~~Unified housing development. A development consisting of one or more principal residential structures or buildings and accessory structures or buildings to be constructed on a lot or plot which may or may not be subdivided into the customary streets and lots.~~

Sec. 36-27. – Hillside development standards.

…

~~(k) [Unified housing developments.] For unified housing developments as defined in section 36-241 of the Weaverville Town Ordinances, road grades shall not exceed ten percent in grade.~~

~~Exception: Grades steeper than ten percent as approved by the Weaverville Fire Chief.~~

Sec. 36-28. – Adult oriented business.

…

(h) All permitted uses must meet all compliance regulations set forth in this section.

…

(2) Adult oriented businesses will not be a permitted use in the following residential zones:

Residential-1 (R-1);

Residential-2 (R-2);

Residential-3 (R-3)~~;~~

~~Traditional neighborhood development (TND).~~

Sec. 36-56. – Use districts.

For the purpose; of this chapter, The Town of Weaverville, North Carolina, is divided into ~~eight~~ use districts designated as follows:

R-1 primary residential

R-2 transition residential

R-3 general residential

R-12 multi-unit residential

C-1 central business

C-2 general business

I-1 light industrial

~~TND traditional neighborhood developments~~

CZD conditional zoning district

Sec. 36-77. – R-1, primary residential district.

…

(c) Special use permits.

~~(1) Unified housing developments, provided such developments meet the requirements of section 36-241.~~

[renumber remaining subparagraphs]

Sec. 36-78. – R-2, transition residential district.

(c) Special use permits.

…

~~(2) Unified housing developments; provided such developments meet the requirements of section 36-241.~~

[renumber remaining subparagraphs]

~~Sec. 36-83. - TND, traditional neighborhood development district.~~

~~(a) Intent. The TND, traditional neighborhood development district, is intended to establish land use and design standards to be applied specifically in neighborhoods where a variety of residential uses are permissible. Foremost among there standards is adherence to an approved traditional neighborhood development plan. TND districts are designed to be walkable, pedestrian-oriented communities where mixed residential uses are located to~~

~~encourage a vibrant community and minimize sprawl. The TND district may include a variety of building types in accordance with the approved traditional neighborhood development plan, including attached and detached single-family and multifamily and recreational uses.~~

~~(b) Uses permitted. Within the TND, traditional neighborhood development district, any of the following uses shall be permitted as set forth in the traditional neighborhood development plan approved by the Weaverville Town Council, upon a recommendation for approval by the Weaverville Planning and Zoning Board.~~

~~(1) All uses permitted in the R-1, primary residential and R-2, transition residential districts.~~

~~(2) Fraternal organizations, clubhouses used for education or recreational purposes, health clubs (including swimming pools, tennis courts, unlit soccer or ball fields, and retail sales related to the health club and contained within the facility) both private and public.~~

~~Lots used for fraternal organizations, clubhouses or health clubs shall be separated from abutting properties in the traditional neighborhood development district by a ten-foot buffer as defined in section 36-5.~~

~~(3) Schools, both public and private.~~

~~(4) Government buildings.~~

~~(5) Buildings used for public utility purposes (water, sewer, natural gas, telephone and cable).~~

~~(6) Professional offices as defined in section 36-5, and medical offices not uses primarily for the treatment of drug addicts or alcoholics.~~

~~(7) Day care centers, as defined in section 36-5, operating with more than five children, provided such centers meet the requirements of section 36-117.~~

~~(8) Commercial development as allowed for in C-1, central business district and a C-2 general business district.~~

~~(c) Design guidelines for TND districts. The following guidelines must be incorporated into a traditional neighborhood development plan although topography will play a significant role in how these guidelines are applied.~~

~~(1) No minimum development size shall be required.~~

~~(2) The maximum permitted density shall not exceed eight dwelling units per acre, which shall be spread over the entire project so that no individual acre shall have more than eight dwelling units. Lot setbacks shall be consistent throughout the traditional neighborhood development and shall be approved as a part of the approval of the traditional development plan submitted for approval.~~

~~(3) A consistent building line should be maintained at the setback line along a particular street. However, projections of porches, bay windows, stoops, and other minor building masses over the street setbacks are encouraged in order to create an interesting block character. Large street setback lines to accommodate parking lots in front of a building are prohibited.~~

~~(4) No building or structure shall be erected or structurally altered within the traditional neighborhood development, as approved, which will exceed 35 feet in height.~~

~~(5) The traditional neighborhood development should have a high proportion of interconnected streets, sidewalks and paths. Streets and rights-of-way are to be shared between vehicles (moving and parked), bicycles and pedestrians. The dense network of traditional neighborhood development streets shall be designed in order to function in an interdependent manner, providing continuous routes that enhance nonvehicular travel. Traditional neighborhood development streets are to be designed to minimize through traffic by the design of the street and the location of land uses. Cul-de-sacs or dead-end streets are to be eliminated wherever practical. Streets shall be designed to be only as wide as needed to accommodate the usual vehicular mix for that particular street while providing adequate access for moving vans, garbage trucks, fire engines and school buses.~~

~~The traditional neighborhood development should encourage walking and biking, enhance transit service opportunities, and improve traffic safety by promoting low speed, cautious driving while fully accommodation the needs of pedestrians and bicyclists.~~

~~(6) A continuous network of alleys, built to the rear of lots but having access to the front street, is encouraged within the traditional neighborhood development area. Such alleys shall be built to the following specifications:~~

~~Right-of-way of alley: 20 feet.~~

~~Minimum width of pavement: 12 feet.~~

~~No parking shall be allowed within the alleys or their right-of-way. Such alleys will not be accepted into the town's road system for maintenance and must be maintained by individual lot owners or by an appropriate homeowners association.~~

~~(7) Any rear vehicle access to a lot or tract shall be from an alley. Any garage facing a front street shall be located a minimum of ten feet behind the front facade of the principal structure where practical. Freestanding garages and carport structures for multiple-dwelling unit buildings should be designed to be an integral part of the building design or situated so as to avoid long and monotonous rows of garage doors and long monotonous building walls.~~

~~(8) The length of any separate block (from street intersection to street intersection) should not exceed 600 feet, unless constrained by topographical considerations.~~

DRAFT

~~(9) Any traditional neighborhood development must be served by the Town of Weaverville Municipal Water System and by the Metropolitan Sewerage District of Buncombe County and be built in accordance with the construction standards for each of these utility systems.~~

~~(10) All other water lines, where possible, should be constructed within the right-of-way of the street, lane or avenue in front of a lot. Utilities shall be constructed underground and shall be constructed within alleys wherever possible. All utility installations shall be in accordance with the Town of Weaverville utility policy, Metropolitan Sewerage District of Buncombe County policy and the current utility policy of the North Carolina Department of Transportation.~~

~~(11) Residential roadways within a traditional neighborhood development (excluding alleys) shall be known as lanes or streets and roadways leading from these lanes or streets to main roads outside of the traditional neighborhood development shall be known as avenues or main streets. Within these lanes, streets, avenues, and main streets underground utilities may cross under or run longitudinally with and under the pavement of such roadways, provided future utility stub-outs are installed from these utility lines prior to paving. If properly constructed, such residential roadways may be accepted into the town road system for maintenance.~~

~~(12) Shorter and more frequently placed street lamps are to be preferred to fewer and taller street lamps. High-intensity lamps are discouraged. The scale of lighting fixtures and the illumination provided therefrom must be appropriate for both pedestrian and vehicular movements. Street lamps shall be installed on both sides of a street and must be placed 100 feet apart, unless this requirements is specifically varied in a particular neighborhood by the town council. All lighting plans and specifications must be approved by the town council and must be followed.~~

~~(13) Open spaces within a traditional neighborhood development shall be designed in order to provide and emphasize safe and inviting traditional neighborhood areas such as squares, parks, and greenways, and to integrate such areas into the neighborhood pattern for the active and passive enjoyment of neighborhood residents. Such open space should be incorporated into and be a fundamental element of the traditional neighborhood development plan. Traditional neighborhood open space should be planned and improved to be highly accessible and usable by persons living or working nearby. Except for areas designated as natural preserves, such areas should be cleared of underbrush and debris and may contain one or more of the following types of improvements: landscaping, walks, benches, seating areas, fountains, ponds, ball fields and playground equipment. Significant stands of trees, streamside areas, and other valuable topographic features should be preserved within such open space areas.~~

~~(14) All streets (including lanes, streets, avenues or main streets as defined in subsection (11) above) within a traditional neighborhood development shall be designed and~~

~~constructed, so far as practical, in keeping with the traditional neighborhood development (TND) guidelines published by the North Carolina Department of Transportation.~~

~~(15) Unless impractical, sidewalks should be constructed on both sides of a street. Whenever possible, there should be a continuous pedestrian network of sidewalks adjacent to the streets. Curb cuts should be minimized in order to reduce conflicts with pedestrian traffic. Sidewalks shall be a minimum of five feet wide. Sidewalks may need up to an additional two feet of width where they directly abut fences, walls or buildings. Sidewalks should be sized and surfaced appropriately for anticipated pedestrian traffic volumes and to meet or exceed the guidelines for the Americans with Disabilities Act.~~

~~(16) Bicyclists. On streets with a lower volume of traffic, bicyclists should be considered a normal part of the vehicle mix on such street. On streets having a higher volume of traffic, bicyclists should be accommodated with six-foot wide bike lanes, but separate routes for less experienced bicyclists may also be considered. Routing bicyclists within and through a traditional neighborhood development may include signage and striping, including changing color for the entire bike lane, as appropriate.~~

~~(17) On-street parking. Parking in unmarked areas on the residential roadways known as streets or lanes shall be allowed and shall be known as informal parking. Parking on collector roadways known as avenues or main streets shall be only in areas designated by signs or other clearly defined markings.~~

~~(18) Planting strips and street trees. Planting strips shall be located between the curb and sidewalk parallel with the street, and shall be six feet or more in width. Care should be used to ensure that larger planting strips do not push pedestrian crossing areas back from intersections by requiring a larger curb radius. On streets with design speeds of 20 mph or less, or on streets with on-street parking, small street trees may be planted within three feet of the back of curb and should generally be planted along the centerline of the planting strip. Street trees shall have a caliper of at least 1½ inches. Section 17-1080 sets forth a list of recommended species of street trees. To maintain sight lines, trees and other objects should be restricted from corners for distances of 30 feet on all sides. Along all planting strips the area between two feet and seven feet above ground shall be maintained as a clear zone to preserve sight lines and accommodate pedestrians.~~

~~(19) Vertical curb and gutter construction shall be preferred throughout an entire traditional neighborhood development. Vertical curb and gutter construction shall be required within the community core, in all areas where densities are six units per acre or greater, and where sidewalks on both sides of the street are proposed. Alternative construction shall be considered in low density areas, where sidewalks only on one side of the street are proposed due to topographical conditions, or within water supply watersheds and similar environmentally sensitive areas, or preserved open space and natural areas.~~

DRAFT

~~(20) Buffering requirements shall be established during the approval of a zoning application. Property located on the perimeter of traditional neighborhood development district shall have setbacks and buffers that are consistent with the setbacks and buffers of the adjoining zoning district or districts.~~

~~(21) All signage in any traditional neighborhood development must be in compliance with article VIII of this zoning ordinance.~~

~~(22) The Weaverville Town Council shall have the power, at all times, to regulate parking on lanes, streets, avenues, and main streets by appropriate signs, depending upon traffic counts, the need for emergency vehicle access or other appropriate factors. The town council shall also retain the power to enforce such parking requirements.~~

~~(d) Establishment of a traditional neighborhood development plan. Rezoning and site plan approval. In order to receive the traditional neighborhood development district zoning, a developer must file with the town an application to rezone property to such a district in accordance with the provisions of article VIII of this zoning ordinance and must submit a proposed traditional neighborhood development plan for the project site for review by the Weaverville Planning and Zoning Board and for adoption by the town council. The filing of such an application shall be considered as a pronouncement by the applicant of the intent to adhere to higher standard of design and to place a premium upon the long-term livability and attendant value appreciation of the development. The process leading to the zoning map amendment for a traditional neighborhood development district shall include a presubmittal meeting with the zoning administrator, an application for the proposed zoning map amendment, the submission of a complete set of preliminary plans showing areas of the proposed traditional neighborhood development plan elements, review by the Weaverville Planning and Zoning Board, a public hearing on the zoning map amendment and on the particular traditional neighborhood development plan, the adoption of the zoning map amendment and the approval by the town council of the particular traditional neighborhood development plan. The process to be followed by the town council in the approval of a traditional neighborhood development district and the site plan therefore is a legislative determination involving conditional use zoning districts pursuant to G.S. 160A-381 and 160A-382.~~

~~The following constitutes an outline of the steps to be followed in the approval process:~~

~~(1) Presubmittal meeting. A presubmittal meeting shall be held between the zoning administrator and the applicant to acquaint the town's staff with the proposed development, provide the applicant with preliminary staff comments, and identify major concerns or the need for additional data.~~

~~(2) Application and contents. A completed application for a zoning map amendment to establish or enlarge a traditional neighborhood development district shall consist of the following elements:~~

~~a. A letter requesting rezoning prepared in accordance with article XVII of this chapter.~~

~~b. A copy of the proposed traditional neighborhood development plan itself. The particular adopted plan shall be specifically referenced in any ordinance granting zoning to the subject tract of land as a TND traditional neighborhood development district, and thenceforth that particular zone is measured.~~

~~(3) Traditional neighborhood development plan submission elements. The proposed traditional neighborhood development plan shall include a general site plan, drawn neatly and to scale showing the following elements:~~

~~a. A topographical map of the project site with contours drawn at five-foot intervals;~~

~~b. A project design showing lots and specific land uses, property lines, street and other right-of-way lines, public utility easements and rights-of-way;~~

~~c. Project-specific site development standards, including dimensional standards, architectural and design standards, sign requirements, street and alley design standards, parking and sidewalks;~~

~~d. Location of street, trees and landscape design and the design of public open spaces;~~

~~e. Location of residential lots, professional offices, instructional, civic buildings and lots;~~

~~f. Location and amount of land in flood hazard areas and any other lands not suitable for development;~~

~~g. Preliminary water, sewer and street design and construction plans for the proposed traditional neighborhood development completed by a North Carolina registered engineer which meet town standards;~~

~~h. All proposed provisions for stormwater collections and disposal, including both natural and manmade featured, and the proposed treatment of ground cover, slopes, banks and ditches;~~

~~i. Any other information required by the Town of Weaverville Zoning Administrator to demonstrate conformance with the traditional neighborhood development district purposes and standards.~~

~~(4) Zoning as a traditional neighborhood development district and adoption of the traditional neighborhood development plan. After review by the Weaverville Planning and Zoning Board, a public hearing shall be conducted by the town council to review and consider the particular traditional neighborhood development district as an amendment of the town's zoning map and the preliminary adoption of the proposed traditional neighborhood development plan. If the town council desires to zone the area as a traditional neighborhood development district, it shall adopt an ordinance amending the zoning map to reflect the change in the zoning and shall give preliminary approval if the proposed traditional neighborhood development plan.~~

DRAFT

~~(5) Once an area has been rezoned by the town council as a traditional neighborhood development district and a preliminary traditional neighborhood development plan has been approved by the town council, the developer must submit the following construction details and design to the town council for approval:~~

~~a. Final construction designs for water, sewer and streets completed by a North Carolina registered engineer and the approval of the town;~~

~~b. Final provisions for stormwater collection which and disposal, including both natural and manmade features, and the proposed treatment of ground cover, slopes, banks, and ditches completed by a North Carolina registered engineer; and~~

~~c. A statement from the North Carolina Department of Environment, and Natural Resources, approving the traditional neighborhood development site plan erosion control plan.~~

~~The town council shall then take action to give final approval of the traditional neighborhood development plan.~~

~~(e) Conformance to the adopted traditional neighborhood development plan. Once an area has been rezoned by the town council as a traditional neighborhood development district and a traditional neighborhood development plan has been approved by the town council, minor changes in the location, siting, or use of buildings or deviations from the dimensional standards shown in the plan may be authorized by the zoning administrator if required by engineering or other circumstances not foreseen at the time of the plan adoption. It is to be expected that certain housing types and land uses will sell or be filled faster than others. This normal and usual occurrence shall not justify the removal of housing types and land use types from the neighborhood mix, but it may justify adjustments of the percentages of the neighborhood devoted to various uses.~~

~~(f) Streets and utilities. Unless the construction of all street and all utilities required by this section has been completed prior to the recording of a final plat, the traditional neighborhood development developer shall make system improvements guarantee as provided in subsection 25-82(b) of the Weaverville subdivision ordinance.~~

~~(g) Guaranty of defects. Once construction of required or contemplated improvements has been completed, inspected and accepted by the town, the developer shall provide a guaranty of defects as provided for in subsections 25-82(c) and 25-82(d) of the Weaverville subdivision ordinance.~~

~~(h) Phased development. A traditional neighborhood development to be built in phases shall meet the following requirements:~~

~~(1) At least 50 percent of the initial phase, as approved, must be substantially completed before the approval of another phase.~~

~~(2) Numbering. All phases shall be shown on the adopted traditional neighborhood development plan and numbered in the expected order of development. Changes to the order of development must be approved by the Weaverville Town Council.~~

~~(3) Final plat prerequisites. No final plat for a phase of a traditional neighborhood development shall be approved unless:~~

~~a. All common facilities included in previous phases have been completed; and~~

~~b. There is no violation of the traditional neighborhood development plan in any previous phase.~~

~~(Ord. of 4-15-2002; Ord. of 12-15-2003; Ord. of 9-15-2008, § 1(l) – (r))~~

Sec. 36-84. – Conditional zoning district.

…

~~(o) Property in R-1 use district. Due to the distinct nature of the R-1 use district, the only lots in the R-1 district that are eligible for rezoning to a conditional use district are lots contiguous to and have the development's only access to Weaver Blvd., Main St. and Merrimon Ave.~~

Sec. 36-85. – R-12, multi-unit residential district

(c) Special use permits.

…

~~(2) Unified housing developments; provided such development meets the requirements of section 36-241.~~

[renumber remaining subparagraphs]

Sec. 36-107. – Footnotes for table of dimensional requirements.

See sections: Businesses, subsection 36-81(d)94); cemeteries, subsection 36-77(c)(4); churches, subsection 36-77(b)(3); dwelling setbacks, sections 36-13 to 36-15; automobile service stations and repair garages, section 36-118; general density, section 36-7; industries, subsection 36-82(d)(3); mobile and manufactured homes, subsection 36-79(b)(3); nonconforming lots, section 36-21; right-of-way, section 36-8; unified business development, section 36-240~~; unified housing development, section 36-241~~.

Sec. 36-156. – Landscaping guarantees bond or undertaking.

(a) Applicability. The provisions set forth in this section shall apply to all of the following:

...

(2) ~~Unified housing developments as provided for in section 36-241 of this chapter.~~

~~(3)~~ All development of land where the total lot area is two acres or more in size.

~~Sec. 36-241. – Unified housing development.~~

~~(a) Intent. To establish additional criteria and guidelines for unified housing developments consisting of one or more principal structures or buildings and accessory structures or buildings to be constructed on a lot or plot not subdivided into the customary streets and lots, and which may or may not be subdivided or retained in single ownership at a later date.~~

~~(b) Applicability. The following housing developments, except subdivisions, shall be classified as unified housing developments and shall be subject to the provisions set forth herein.~~

~~(1) One or more buildings consisting of a total of 25,000 square feet or more.~~

~~(2) Two or more multifamily buildings.~~

~~(3) Twelve or more dwelling units, some of which may be connected.~~

~~(c) Requirements.~~

~~(1) The yard regulations and height regulations set forth in this chapter may be modified for a unified housing development provided that, for such a development as a whole, excluding driveways and streets, but including parks and other permanent open spaces, densities shall not be greater than twelve dwelling units per acre on the proposed site on which such development is to be located.~~

~~(2) Points of ingress and egress shall be located a sufficient distance from highway intersections to minimize traffic hazards, inconvenience, and congestion. Furthermore, each development greater than eight dwelling units shall have a minimum of two such points to ensure the safety of the inhabitants.~~

~~a. Minimum pavement width for two-way streets: 24 feet, or 18 feet provided, usable, all weather shoulders are provided on each side of the 18-foot pavement to effect an overall usable minimum width of 24 feet.~~

~~b. Minimum pavement width for one-way streets: 12 feet.~~

~~c. Fire apparatus access roads shall not exceed ten percent in grade. Exception: Grades steeper than ten percent as approved by the fire chief.~~

~~(3) The number, width, and location of all curb cuts shall be such as to minimize traffic hazards, inconvenience, and congestion.~~

~~(4) Parking areas and loading spaces shall be provided as required in sections 36-176 and 36-177 of this chapter, and all parking areas and traffic lanes shall be clearly marked.~~

~~(5) Storm drainage and sanitary sewerage shall be provided, as approved by the town engineer or representative, and in accordance with the regulations set forth in this Code or other applicable regulations.~~

~~(d) Multifamily residential buildings. Notwithstanding any other provisions of this chapter where two or more multifamily residential buildings are constructed on parcels under single ownership, whether simultaneously or at different times, the collective parcel of land occupied by such multifamily residential buildings shall be considered one lot, and parking spaces and usable open space will continue to be required in the same proportions as if the buildings were on one lot.~~

~~(1) Dimensional regulations. The following dimensional regulations shall apply to the construction of all multifamily residential buildings:~~

~~a. Minimum horizontal distance between facing walls:~~

~~Between two walls, both of which contain a window or windows: 50 feet.~~

~~When only one facing wall contains a window: 30 feet.~~

~~When neither of the facing walls have a window or windows: 25 feet.~~

~~b. Minimum horizontal distance between any buildings or between any building and any outside lot line (other than a street right-of-way): 25 feet.~~

~~(2) Other requirements. No parking of motor vehicles shall be permitted within any required yard. The space within the required yard may not be used as maneuvering space for vehicles, except that driveways providing ingress and egress to the parking area may be installed across such yard area. (See section 36-177 for loading space requirements.)~~

~~(e) General plan. Each application shall be accompanied by a general site plan, drawn neatly and to scale, showing:~~

~~(1) Property lines, street and other right-of-way lines, public utility easements and rights-of-way.~~

~~(2) Topography of the site, showing five-foot contours and elevations.~~

~~(3) Location and approximate size of all existing and proposed buildings and structures within the site and the ownership of all properties within 500 feet of the site boundaries.~~

~~(4) All proposed points of ingress and egress together with the proposed pattern of internal traffic circulation and parking areas.~~

~~(5) All proposed provisions for stormwater collection and disposal, including both natural and manmade features, and the proposed treatment of ground cover, slopes, banks, and ditches.~~

~~(6) Proposed connections with the town water shall have a commitment letter from the town and sewer systems shall have a sewer system allocation approval from the Metropolitan Sewerage District and proposed locations of trash or garbage bulk containers shall have a sewer system allocation approval from the Metropolitan Sewerage District.~~

~~(7) An adequate amount of recreational area shall be provided according to the concentration of residential occupancy. Only usable land areas will be considered as recreational areas and such area must be in a safe location. The zoning board of adjustment may require that an area of land, not exceeding ten percent of the total area contained in the special use area, to be dedicated as a public recreation area or to school use.~~

~~(8) Landscaping shall be provided and must comply with article VI of this chapter. The landscaping plan required by article VI shall be submitted for approval to the zoning board of adjustment, as well as the site plan.~~

~~(9) Each site plan shall be accompanied by a statement that an erosion control plan has been submitted to the Department of Environment and Natural Resources (DENR) or its successor.~~

~~(10) The zoning board of adjustment may require other matters to be incorporated into the special use which are considered essential for the protection of the public health, safety, welfare and convenience.~~

~~(f) Permitted uses. Use regulations within a district may be modified in order to permit uses which are necessary and incidental to the operation of the unified housing development, such as maintenance buildings and management offices. Such structures shall be in character with the general development and surrounding property.~~

~~(g) Area requirements. The area requirements of the district in which the development is located shall apply, except as otherwise modified or provided herein.~~

~~(h) Subsequent performance.~~

~~(1) Detailed plans. Within six months of the approval of the application and general plan, the applicant shall file detailed plans for review by the zoning administrator showing the details of the proposed development as fully as possible and including elevations and perspectives of proposed construction. If the applicant later wishes to change any of the details of the proposed development, further detailed plans shall be filed for review by the zoning administrator. No building permit for the proposed development, or any part thereof, shall be issued until the zoning administrator has determined that the pertinent~~

~~detailed plans are in accordance with the application and general plans as approved by the zoning board of adjustment.~~

~~(2) Construction. If construction or other improvements to the property have not begun within 12 months of the date of approval of the detailed plans, the special use permit shall become null and void. One six-month extension may be granted by the zoning board of adjustment when reasonable cause is shown but an application for the extension must be filed prior to the end of the initial 12-month period. No building shall be occupied until a detailed report showing the outcome of construction is submitted by the applicant to the zoning administrator and the administrator has certified that all of the requirements of this section have been met.~~

~~(3) [Extended time limit.] Projects that have approved detailed plans as of May 1, 2009, but on which there has not been a start of construction will have an additional 24 months (36 months total) from the date of approval of the detailed plans to the start of construction. If there has not been start of construction prior to the expiration of the approved time period, the special use permit shall become null and void. Developers with approved plans must file a request for the additional extension of time with the Weaverville Zoning Administrator prior to the end of the initial 12-month period.~~

~~(i) Sign requirements. Each unified housing development, or subdivision, shall be allowed one freestanding sign per entrance. Said signs 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. Said signs shall not exceed six feet in height.~~

~~(Ord. of 6-19-1978, Art. XIII, § 17-1330; Ord. of 9-15-2008, § 1(x)—(aa); Ord. of 4-20-2009, § 2; Ord. of 11-18-2013, § 2)~~

2. That these amendments shall be effective immediately upon adoption.

ADOPTED THIS the _____ day of September, 2016, by a vote of ____ in favor and ___ against.

_____

DOTTIE SHERRILL, Mayor

ATTESTD BY:

_____

SELENA D. COFFEY, Town Clerk

APPROVED AS TO FORM:

_____

JENNIFER O. JACKSON, Town Attorney

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

DATE OF MEETING:	September 19, 2016
SUBJECT:	Discussion and Action on Proposed Ordinance Amendments to Eliminate Unified Housing Developments, Traditional Neighborhood Developments and Revise Conditional Zoning District Provisions
PRESENTER:	Town Planner/Town Attorney
ATTACHMENTS:	No (See attachments to Public Hearing on this matter)

DESCRIPTION:

At its meeting on August 3, 2016, Town Council indicated that it would like to consider Code amendments which would: (1) eliminate unified housing development section and all references, (2) eliminate traditional neighborhood development districts and all references, and (3) eliminate the location restriction of the conditional zoning district so that it is available in all districts including all areas within the R-1 district. These amendments have been drafted by Staff and reviewed by the Planning and Zoning Board with a favorable recommendation.

COUNCIL ACTION REQUESTED:

It would be proper for Town Council to discuss these proposed amendments to the Town's Code as described above and to consider adopting the same after it has held a public hearing which is scheduled for earlier in tonight's meeting.

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

DATE OF MEETING:	September 19, 2016
SUBJECT:	Public Hearing - Proposed Voluntary Annexation – Serota Mars Hill, LLC
PRESENTER:	Town Manager/Town Attorney
ATTACHMENTS:	Certificate of Sufficiency Annexation Petition and Data Sheet Survey and Legal Description

DESCRIPTION:

At its meeting on August 15, 2016, Town Council scheduled a public hearing for tonight concerning the Petition for Voluntary Annexation submitted by Serota Mars Hill, LLC, which seeks to have a +/-2.83-acre parcel located on Garrison Branch Road annexed into the Town's municipal boundaries. This parcel is considered contiguous to the Town limits. There is currently some commercial activity on this parcel that would be consistent with a zoning designation of C-2 which has been requested and is the subject of a separate public hearing.

COUNCIL ACTION REQUESTED:

Town Council is asked to hold the public hearing on this annexation petition prior to any action to adopt an annexation ordinance to incorporate this property into the Town's the same.

Dottie Sherrill
Mayor

The Town of
Weaverville
NORTH CAROLINA

Doug Dearth
Council Member

Patrick Fitzsimmons
Council Member

Doug Jackson
Council Member

Andrew Nagle
Council Member

John Penley
Council Member

CERTIFICATE OF SUFFICIENCY OF ANNEXATION PETITION

TO THE WEAVERVILLE TOWN COUNCIL:

I, Selena D. Coffey, Weaverville Town Clerk, do hereby certify that I have investigated the Annexation Petition of Serota Mars Hills, LLC, a copy of which is attached hereto, and have found as a fact that said Petition is signed by all the owners of real property lying in the area described therein, in accordance with North Carolina General Statutes § 160A-31, *et seq*. I, therefore, certify that the Petition is sufficient for the voluntary annexation of a contiguous area pursuant to said § 160A-31 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 8th day of August, 2016.

Selena D. Coffey, Town Clerk

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

PETITION FOR VOLUNTARY ANNEXATION APPLICATION

Town of Weaverville, North Carolina

Submittal Date: 7/12/16
Date Fee Paid: 7/13/16
Petition No: 2016-1

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.

Name of Property Owner(s)/Address	Telephone Number Email Address	Deed Book/Page No PIN# of Property
Serota Mars Hill LLC	c/o Atty for Owner	5415/821
PO Box 187	Wilder & Wilder Bird, Attorney	9733-62-2155-00000
Weaverville NC 28787	828645-4215 x313	
	WWAdford48@gmail.com	

5. Zoning vested rights ✓ are not claimed, _____ have been established under G.S. § 160A-385.1 or § 153A-344.1 as follows: _____

Total Acreage to be annexed: 2.83 ACRES
Existing Housing Units: -0-
Population in annexed area: -0-
Proposed Zoning District: C-2
Reason for annexation: ✓ Receive Town Services
_____ Other (please specify) _____

The applicant must also submit a rezoning 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 the Public Works Department at (828) 645-0606 to confirm that public water is available to the property and the cost of that connection.

7/12/16 Mgr
Serota Mars Hill LLC, Manager, Jon Sarvat

PETITION FOR VOLUNTARY ANNEXATION
DATA SHEET
Town of Weaverville, North Carolina

Date: 8/4/16
Annexation Petition No. _____
Annexation Area Name: Serota Mars Hill

Petitioner: Serota Mars Hill LLC
Subject Area Acreage: 2.83 acres
Current Land Use: Strip Mall commercial rental 7500 sq. ft
Proposed Land Use or Development (describe): Drug Store and or Fast Food or other commercial use permitted by C2 zoning. - To be determined in future

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

Residential (multi-family): Number of Units: _____ Anticipated build out in _____ years
Owned: Average Price: $_____/building unit
Rental: Average Price: $_____/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: Maximum number of proposed stories: _____ stories

Infrastructure: Linear feet of publicly dedicated roadways proposed: _____ feet
Public water proposed (describe): _____

Other Public Services Requested (describe): _____

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

Manager, Serota Mars Hill LLC
Signature of Owner(s)

INCUMBENCY CERTIFICATE

SEROTA MARS HILL, LLC

The undersigned Manager, on behalf of the Serota Mars Hill LLC ("Company"), and in connection with the voluntary annexation and zoning applications to the Town of Weaverville for the project known as Serota Mars Hill located at the intersection of Garrison Branch Road, Monticello Road and US 19-23, Weaverville, North Carolina ("Applications"), does hereby certify as follows:

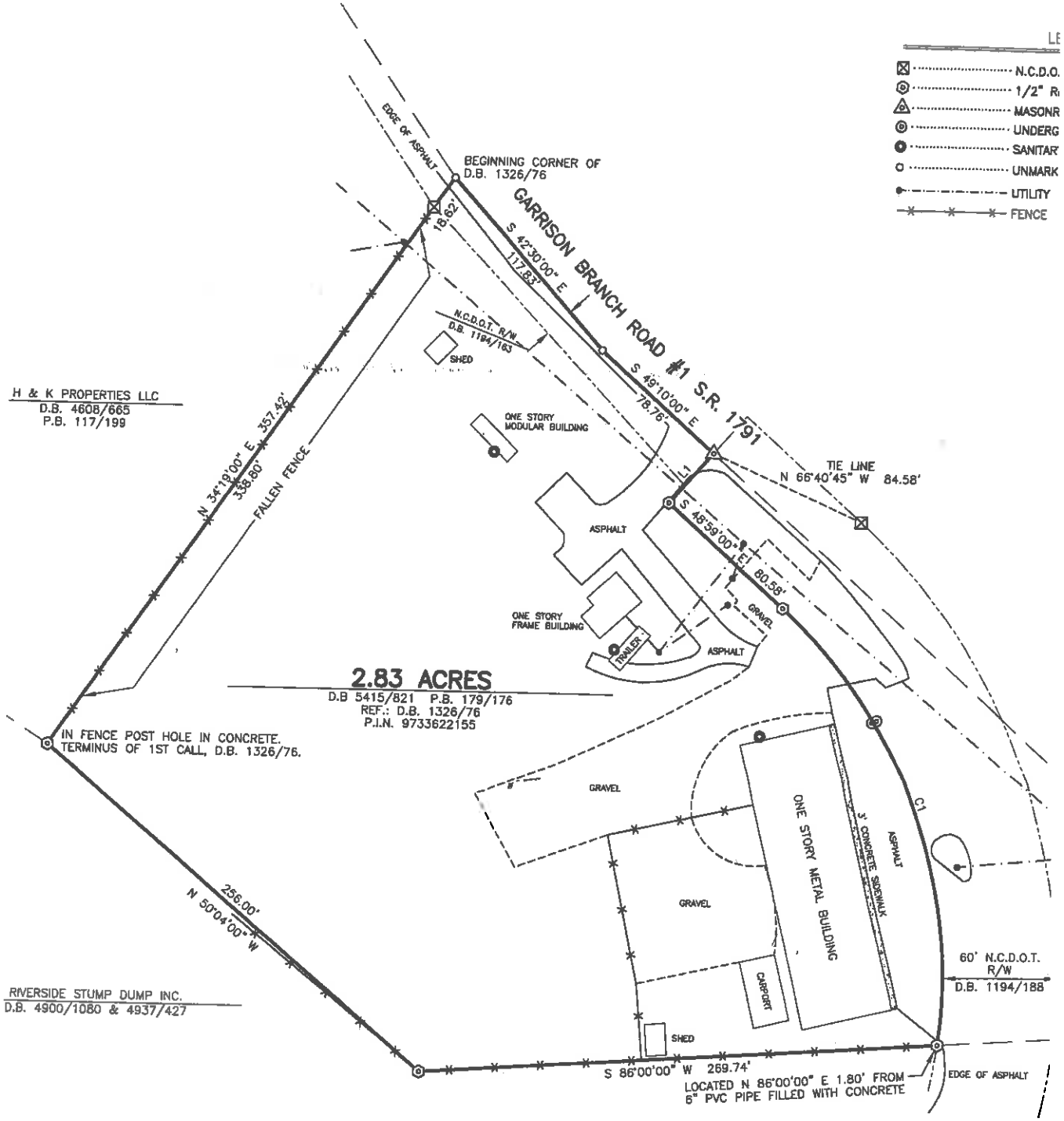
The Company is currently in existence and in good standing with the Secretary of State of North Carolina.

A controlling majority of the Members and the Managers of the Company have adopted a resolution with respect to the Applications which resolution has been duly and validly adopted. The resolution adopted the Applications and authorized the undersigned Manager to do any and all things to complete the process for the Applications to be approved by the Town of Weaverville. Said resolution is in full force and effect on the date hereof in the form in which adopted and no other resolutions have been adopted by the Members and Manager of the Company or any committee thereof relating to the Applications.

IN WITNESS WHEREOF, the Company, by its Manager, has caused this Certificate to be executed on behalf of the same effective as of August 9, 2016.

Serota Mars Hill LLC

Wilder Wadford, Manager



SI

FILED FOR REGISTRATION ON THE ____ DAY OF _____, 20 ___
AT ___ O'CLOCK ___ M., AND RECORDED IN _____

REGISTER OF DEEDS BUNCOMBE COUNTY

BY _____ DEPUTY

EXHIBIT A
SEROTA MARS HILL, LLC

BEGINNING at an unmarked point, said point being beginning corner of Book 1326 at Page 76, Buncombe County Registry, reference to which is being made for a more particular description; thence from said BEGINNING point thus established South 42-30-00 East 117.83 feet to an unmarked point; thence South 49-10-00 East 78.76 feet to a masonry nail set in Garrison Branch Road (NCSR 1791), said nail being North 66-40-45 West 84.58 feet from NC DOT concrete r/w monument set in the northern/eastern margin NC DOT Right of Way, being 60 feet in width and more particularly described in Book 1194 at Page 188, Buncombe County Registry, reference to which is being made for a more particular description; thence South 41-01-00 West 34.29 feet to at ½" rebar with ID cap (set) on the southern/western margin of the aforementioned NC DOT Right of Way; thence with said right of way the following courses and distances: South 48-59-00 East 80.58 feet to a ½" rebar with ID cap (set); and on a curve to the right with a radius of 256.48 feet, an arc length of 249.41 fee, a chord length of 239.70 feet and a chord bearing of South 21-07-31 East to a ½" rebar with ID cap (set) in a fence line, said rebar located North 86-00-00 East 1.80 feet from a 6" PVC pipe filled with concrete; thence with said fence South 86-00-00 West 269.74 feet to a ½" rebar with ID cap (set) in a fence line; thence North 50-04-00 West 256.00 feet to a ½" rebar with ID cap (set) partially in a fence line, said rebar being in a fence post hole in concrete and also being the terminus of the first (1st) call in Book 1326 at Page 76, Buncombe County Registry, reference to which is being made for a more particular description; thence with a fallen fence line North 34-19-00 East 357.42 feet to a NC DOT concrete right of way monument, said monument being located in the southern/western edge of the right of way for Garrison Branch Road (NCSR 1791), said point being more particularly described in Book 1194 at Page 163, Buncombe County Registry, reference to which is being made for a more particular description; thence North 34-19-00 East 18.62 feet to the point and place of BEGINNING. Containing 2.83 acres, more or less, according to a survey by Bobby C. McMahan, P.L.S., dated July 11,2016, entitled Serota Mars Hill, LLC Job number 12-3334 and being the same property as described in Book 5415 at Page 821 and shown in Plat Book 179 at Page 176, all in the Buncombe County Registry, reference to which is being made for a more particular description, and also being identified by Parcel Identification Number 9733-62-2155-00000, Buncombe County Tax Office.

TOGETHER WITH AND SUBJECT TO easements, restrictions and rights of way of record.

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

DATE OF MEETING:	September 19, 2016
SUBJECT:	Public Hearing - Proposed Voluntary Annexation – Garrison Branch Reserve Investors, LLC
PRESENTER:	Town Manager/Town Attorney
ATTACHMENTS:	Certificate of Sufficiency Annexation Petition and Data Sheet Survey and Legal Description Conditional Use Permit and Site Plan

DESCRIPTION:

At its meeting on August 15, 2016, Town Council scheduled a public hearing for tonight concerning the Petition for Voluntary Annexation submitted by Garrison Branch Reserve Investors, LLC, which seeks to have a +/-18.91-acre unimproved parcel located on Garrison Branch Road annexed into the Town's municipal boundaries. This parcel is contiguous to the Serota Mars Hill, LLC, parcel which is also seeking annexation into the Town limits and, as such, would be contiguous annexation if the Serota Mars Hill property is annexed prior to or contemporaneously with this parcel.

This parcel has received site specific plan approval from Buncombe County for a 224-unit apartment complex and the property owners is claiming statutory vested rights to proceed with their project based on the conditional use permit granted by Buncombe County. The owner is requesting an R-12 zoning district which is generally consistent with the County approved plan. A separate public hearing is scheduled for the zoning request on this property.

COUNCIL ACTION REQUESTED:

Town Council is asked to hold the public hearing on this annexation petition prior to any action to adopt an annexation ordinance to incorporate this property into the Town's the same.

Dottie Sherrill
Mayor

The Town of
Weaverville
NORTH CAROLINA

Doug Dearth
Council Member

Patrick Fitzsimmons
Council Member

Doug Jackson
Council Member

Andrew Nagle
Council Member

John Penley
Council Member

CERTIFICATE OF SUFFICIENCY OF ANNEXATION PETITION

TO THE WEAVERVILLE TOWN COUNCIL:

I, Selena D. Coffey, Weaverville Town Clerk, do hereby certify that I have investigated the Annexation Petition of Garrison Branch Reserve Investors, LLC, a copy of which is attached hereto, and have found as a fact that said Petition is signed by all the owners of real property lying in the area described therein, in accordance with North Carolina General Statutes § 160A-31, *et seq*. I, therefore, certify that the Petition is sufficient for the voluntary annexation of a contiguous area pursuant to said § 160A-31 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 8th day of August, 2016.

Selena D. Coffey, Town Clerk

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

PETITION FOR VOLUNTARY ANNEXATION APPLICATION

Town of Weaverville, North Carolina

Submittal Date: 7/18/16
Date Fee Paid: 7/18/16
Petition No: 2016-2

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 X 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.

Name of Property Owner(s)/Address	Telephone Number Email Address	Deed Book/Page No PIN# of Property
Garrison Branch		5384/1962
Reserve Investors		9733632398000000
20 Harrison St		5388/0066
Asheville N/C 28801-0000		9733626933000000
		5384/1942
		9733627514000000

5. Zoning vested rights _____ are not claimed, ✓ have been established under G.S. § 160A-385.1 or § 153A-344.1 as follows: Order granting CUP on August 10, 2016 by Buncombe Co. Board of Adjustment.

Total Acreage to be annexed: +/- 18.85
Existing Housing Units: 2
Population in annexed area: unknown
Proposed Zoning District: R-12
Reason for annexation: x Receive Town Services
_____ Other (please specify) _____

The applicant must also submit a rezoning 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 the Public Works Department at (828) 645-0606 to confirm that public water is available to the property and the cost of that connection.

Owner Signature: [illegible] (Wilder Landford)
Mgr for WW Management LLC, Mgr for Garrison Branch Reserve Investors LLC

PETITION FOR VOLUNTARY ANNEXATION
DATA SHEET
Town of Weaverville, North Carolina

Date: 8/4/16
Annexation Petition No. 2016-2
Annexation Area Name: Blue Ridge Crossing

Petitioner: Austin Development, LLC
Subject Area Acreage: 18.85 AC
Current Land Use: Vacant
Proposed Land Use or Development (describe): This land shall be used as a Class A living space for members of the community. Blue Ridge Apartments will lease out the 9 unit, multi-family apartments to screened tenants.

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

Residential (multi-family): Number of Units: 9 Anticipated build out in 1.5 years
Owned: Average Price: $_____/building unit
Rental: Average Price: $1283.33/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: Maximum number of proposed stories: 3 stories and 3/4 split buildings

Infrastructure: Linear feet of publicly dedicated roadways proposed: +- 400 feet
Public water proposed (describe): Public water routed through Garrison Branch. Previously approved by council.
Other Public Services Requested (describe): Proposed sewer extension from Moticello Rd up Garrison Branch. MSD allocation letter of approval acquired.

Zoning Vested Rights Claimed (describe and attached documentation): The project is currently going through a Conditional Use Permitting with Buncombe County: The Board of Adjustments meeting is set for 8/10/16. See attached development plans.

(Victor Lindford) Manager of LVL Management LLC, Manager of Garrison Branch Reserve Investors LLC

Signature of Owner(s)

INCUMBENCY CERTIFICATE

GARRISON BRANCH RESERVE INVESTORS, LLC
GARRISON BRANCH RESERVE MANAGEMENT LLC

The undersigned, WW Management LLC, Manager of Garrison Branch Reserve Management LLC, which is the Manager of Garrison Branch Reserve Investors LLC, all North Carolina limited liability companies, hereinafter the "Companies", on behalf of the Garrison Branch Reserve Investors LLC, and in connection with the voluntary annexation and zoning applications to the Town of Weaverville for the project known as Blue Ridge Crossing located at 30 and 40 Garrison Branch Road, Weaverville North Carolina ("Applications"), does hereby certify on behalf of Garrison Branch Reserve Investors LLC as follows:

The Companies are currently in existence and in good standing with the Secretary of State of North Carolina.

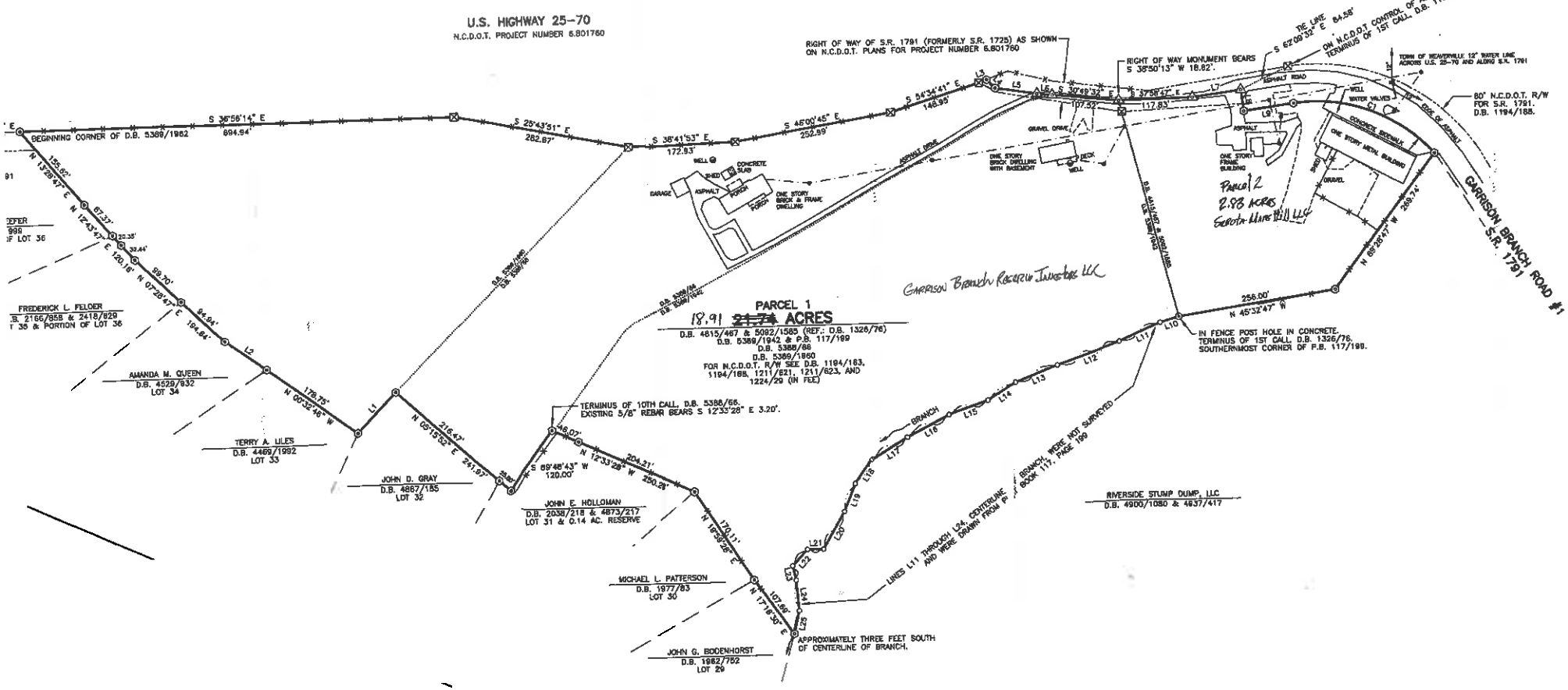
A controlling majority of the Members and the Manager of the Companies have adopted resolutions with respect to the Applications which resolutions have been duly and validly adopted. The resolutions adopted the Applications and authorized the undersigned Manager to do any and all things to complete the process for the Applications to be approved by the Town of Weaverville. Said resolutions are in full force and effect on the date hereof in the form in which adopted and no other resolutions have been adopted by the Members and Managers of the Companies or any committee thereof relating to the Applications.

IN WITNESS WHEREOF, the Companies, by its Manager, have caused this Certificate to be executed on behalf of the same effective as of August 9, 2016.

WW Management LLC

Wilder Wadford, Manager of WW Management LLC which is the Manager of Garrison Branch Reserve Management LLC, which is the Manager of Garrison Branch Reserve Investors LLC

L25	S 65°59'02" W	37.87'
L26	N 51°16'12" W	145.97'
L27	S 73°13'47" W	185.00'
L28	N 05°43'47" E	114.90'
L29	N 73°13'47" E	78.00'
L30	S 87°46'13" E	74.00'
L31	N 86°13'47" E	6.31'
L32	S 37°01'18" E	217.68'



GARRISON BRANCH RESERVE INVESTORS, LLC
18.91 ACRES

BEGINNING at a ½" rebar (found) in a fence post hole in concrete, said rebar being the terminus of the 1st call in Deed 1326 at Page 76, and also being the southernmost corner of the property being shown on Plat Book 117 at Page 199, both in the Buncombe County Registry, reference to which is being made for a more particular description; thence from said point of BEGINNING thus established North 54-03-34 West 31.17 feet to an unmarked point in the center line of a branch; thence with the center line of said branch the following courses and distances: North 60-55-13 West 72.50 feet to an unmarked point, North 56-47-06 West 107.05 feet to an unmarked pint, North 57-04-59 West 72.65 feet to an unmarked point, North 68-53-42 West 53.05 feet to an unmarked point, North 56-00-49 West 67.09 feet to an unmarked point, North 64-24-47 West 75.54 feet to an unmarked point, North 68-20-59 West 65.51 feet to an unmarked point, South 88-15-58 West 46.95 feet to an unmarked point, South 75-38-13 West 47.45 feet to an unmarked point, South 83-31-10 West 68.63 feet to an unmarked point, North 37-26-45 West 26.46 feet to an unmarked point, North 83-34-13 West 35.05 feet to an unmarked point, South 41-08-49 West 23.47 feet to an unmarked point and South 48-12-25 West 49.02 feet to an unmarked point; thence leaving said branch South 65-59-02 West 37.87 feet to a ½" rebar (set), said rebar being set approximately three feet south of centerline of the branch; thence North 17-18-30 East 107.69 feet to a 5/8" rebar (found) in a fence line; thence with a fence line North 19-59-28 East 170.11 feet to a 5/8" rebar (found) in a fence line; thence with a fence line North 12-33-28 West 204.21 feet to a 5/8" rebar (found) in a fence line; thence North 12-33-28 West 46.07 feet to a 5/8" rebar (found) near a fence line, said rebar being the terminus of the 10th call in Book 5388 at Page 66, Buncombe County Registry, reference to which is being made for a more particular description; thence South 89-48-43 West 120.00 feet to a 5/8" rebar (found) near a fence line; thence North 05-15-52 East 25.50 feet to a 5/8" rebar (found); thence North 05-15-52 East 216.47 feet to a 5/8" rebar (found); thence North 81-47-54 West 88.78 feet to a 5/8" rebar (found); thence North 00-32-46 West 178.75 feet to a 5/8" rebar (found); thence North 00-22-31 West 81.21 feet to a 5/8" rebar (found); thence North 07-28-47 East 94.94 feet to a 5/8" rebar (found); thence North 07-28-47 East 99.70 feet to a 5/8" rebar (found); thence North 12-43-47 East 32.44 feet to a 5/8" rebar (found); thence North 12-43-47 East 20.35 feet to a 5/8" rebar (found); thence North 12-43-47 East 67.37 feet to a 5/8" rebar (found); thence North 13-28-47 East 155.62 feet to a 5/8" rebar (found) in a fence line, said rebar being South 36-56-14 East 104.48 feet from a N.C.D.O.T. concrete R/W monument along US Highway 25-70, and said rebar also being the Beginning corner of the property being describe in Book 5389 at Page 1962, Buncombe County Registry, reference to which is being made for a more particular description; thence with said fence line the following courses and distances: South 36-56-14 East 694.94 feet to a N.C.D.O.T. concrete R/W monument for US Highway 25-70, South 25-43-51 East 282.67 feet to a N.C.D.O.T. concrete R/W monument for US Highway 25-70, South 38-41-53 East 172.93 feet to a N.C.D.O.T. concrete R/W monument for US Highway 25-70, South 46-00-45 East 252.99 feet to a N.C.D.O.T. concrete R/W monument for US Highway 25-70, South 54-34-41 East 148.95 feet to a N.C.D.O.T. concrete R/W monument for US Highway 25-70 and South 57-26-32 East 13.39 feet to a ½" rebar (set); thence South 07-47-51 West 19.39 feet to a ½" rebar (set); thence South 28-12-09 East 67.61 feet to a masonry nail (set) in an asphalt drive; thence South 30-28-39 East 24.61 feet to a masonry nail (set) in an asphalt drive; thence South

30-49-32 East 107.52 feet to an masonry nail (set) in an asphalt drive; thence South 34-19-00 West 18.62 feet to a N.C.D.O.T. concrete R/W monument for US Highway 25-70; thence South 34-19-00 West with a fallen fence 338.80 feet to the point of BEGINNING. Containing 18.91 acres, more or less, according to a survey by Bobby C. McMahan, P.L.S., dated February 15, 2016, entitled Survey for "Garrison Branch Reserve Investors, LLC", and being further identified by Drawing No. 16-3558.

TOGETHER WITH AND SUBJECT TO easements restrictions and rights of way of record.

STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

BEFORE THE BUNCOMBE COUNTY BOARD OF ADJUSTMENT

In the Matter of:

ZPH2016-00041
Blue Ridge Crossing

ORDER

THIS MATTER came up for hearing before the Buncombe County Board of Adjustment (sometimes hereinafter referred to as "Board") at its August 10, 2016 meeting upon application for a conditional use permit pursuant to requirements of the Buncombe County Zoning Ordinance.

Based on the information and evidence presented and after hearing all the evidence, the Board hereby makes the following:

FINDINGS OF FACT

1. The applicant, Nolan Franz of Hagen Engineering, has applied for a Conditional Use Permit for a Residential Planned Unit Development on tax lot PIN 9733-63-2398, 9733-62-6933, and 9733-62-7514 (30 and 40 Garrison Branch Road).

2. The property is owned by Garrison Branch Reserve Investors.

3. Said property is within the zoning jurisdiction of Buncombe County and the property is zoned EMP (Employment District) and OU (Open Use District).

4. The applicant is requesting approval of a Residential Planned Unit Development, to construct a a 224 unit apartment complex including a clubhouse and detached garages referred to as Blue Ridge Crossing, as required by Sec. 78-641. Permitted Uses of the Buncombe County Zoning Ordinance.

5. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, County staff, and Board members. The development plan submitted by the applicant is sufficient to evaluate the proposed impact of the project and any information not included as set forth in 78-677(d) subsections (1) through (11) by the applicant is considered not essential to the proper decision of the project and waived pursuant to 78-677(d) (12).

6. That Sec. 78-677 (g) and 78-678 (b) (6) of the Buncombe County Zoning Ordinance were used to evaluate this request.

7. All required notices were sent, a sign was posted on the property, and a legal ad was published.

8. This application does meet the requirements for granting a Conditional Use Permit for the following reasons:

Conditional Use Standards:

a. The Conditional Use Permit will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed CUP.

   This development will be a bedroom community for the County of Buncombe. The development will be a Class A apartment facilities, and its many amenities will also provide a strong social outlet for those living in the community.

b. The Conditional Use Permit will not be detrimental to the public welfare or injurious to property or public improvements in the neighborhood of the proposed Conditional Use Permit.

   In order to keep the integrity of the neighborhood, the development will be staffed with onsite management to observe and serve the community. They will also provide background checks and credit checks on incoming tenants to ensure a safe living environment is maintained, and the public welfare of the surrounding area is secure.

c. The proposed use will not cause or have adverse effects on surrounding properties due to noise, vibration, odor, or glare effects.

   Light pollution will be kept to a minimum by designing the lighting network in a way that keeps all the light onsite and prevents any excess light from leaving the site. A compactor and recycling station will be provided to encourage the reduction of litter on the site. With the site being a residential site, there will not be many activities that seem disruptive or different from other neighborhoods nearby.

d. Satisfactory ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control.

   In order to better allow for both foot traffic and vehicular traffic, a series of interconnected sidewalks and streets meander throughout the development. Ingress and egress movements from the site are managed by a driveway that connects Garrison Branch Road to Monticello Road. Access to the main office and majority of the site is controlled by a roundabout.

e. Provision of off-street parking and loading areas where required, with particular attention to the items in section 78-658.

Off-street parking is provided throughout the site, with particular focus on all primary structure and housing units. All spaces and drive aisles are dimensioned to Buncombe County Standards. The number of spaces needed were determined by providing 90% of the bedrooms in the Community. This leads to a minimum of 335 needed and 353 provided spaces. There are also 4 parking garages spread throughout the site.

f. Adequate and proper utilities, with reference to locations, availability, and compatibility.

There is already a proposed sanitary sewer line that crosses Monticello Road toward Garrison Branch Road. Sanitary lines are proposed that extend to the property. There is a proposed pump station on the Northwestern portion of the site that will provide access to the aforementioned sanitary sewer lines. Water will be provided by the Town of Weaverville.

g. Buffering, with reference to type, location, and dimensions. The Board of Adjustment shall exercise ultimate discretion as to whether adequate buffering has been provided.

The setbacks that dictated the design of the site are from the current zoning, EMP. The Zoning Ordinance asks for 20 foot front and rear setbacks with 10 foot side setbacks.

h. Signs, if any, and proposes exterior lighting, with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.

Any sign provided with lighting will have said lighting directed toward the sign, thus limiting light pollution around the sign. Any sign itself will not cause any sight distance problems. As far as exterior lighting, it will only be used during the darker portions of the day to conserve energy and help provide light for drivers and pedestrians when needed, thus providing a way for residents and their neighbors to feel safe.

i. Playgrounds, open spaces, yards, landscaping, access ways, and pedestrian ways, with reference to location, size, and suitability.

The proposed development has a large pond in the rear of the site that collects the runoff from the site. Around this pond is a pedestrian walking trail. It can be accessed through that site by use of the sidewalks that interconnect through the site. There is also a proposed dog park that can be accessed by the walkway as well as a large amount of open space between each of the buildings and club house.

j. Buildings and structures, with reference to location, size, and use.

There are 3 primary building types on the site. The most common building is a 3 story, 24 unit building. There are 7 of these building types. The next building on this site is a ¾ split that houses 28 units. This particular type of building is on the site twice. The last type of building is the clubhouse leasing office. It has an attached pool and cabana and is the epicenter of the development. All of this will be compatible with the existing development as this site lies between the highway and a single family residential neighborhood. The style of the building and project layout provide a good transition between the commercial areas along US Hwy 25-70 and existing residential neighborhood to the west.

k. Hours of operation, with particular reference to protecting and maintaining the character of the neighborhood.

Since it will be an apartment complex, its peak hours of operation will be during the morning and evening hours of the day, with the staff working during the day with a few hours of overlap. By maintaining this schedule, the surrounding neighborhoods shouldn't feel overwhelmed with excess traffic during the day. Providing this Class A housing, the neighbors should feel safe and welcoming to the new residents.

Residential or Mixed Use Planned Unit Development Standards

a. *Ownership control.* The land in a RPUD shall be under single ownership or management by the applicant before final approval and/or construction, or proper assurances (legal title or execution of a binding sales agreement) shall be provided that the development can be successfully completed by the applicant.

The site is currently owned by Garrison Branch Reserve Investors.

b. *Density requirements.* There are no density requirements for nonresidential uses as long as the proposed project does not violate the intent of the district in which it is located. The proposed residential density of the RPUD (dwelling units per acre as shown in section 78-642) shall conform to that permitted in the district in which the development is located. If the RPUD lies in more than one district, the number of allowable dwelling units must be separately calculated for each portion of the RPUD that is in a separate district, and must then be combined to determine the number of dwelling units allowable in the entire RPUD. When the RPUD is a community oriented development, the allowed density shall be in accordance with Sec. 78-650.

In the proposed development there are 9 individual residential buildings with 224 proposed units and 372 bedrooms. The site acreage is 18.85 acres. The allowable density is 12 units per acre and the proposed density is 11.88 units per acre.

c. A mixture of land uses shall be allowed in any RPUD. However, within residential districts, nonresidential uses shall not constitute the primary use in the RPUD, and nonresidential uses shall be carefully designed to complement the residential uses within the RPUD. All RPUDs must be compatible with and not violate the intent of the zoning district; however, said uses may include uses not permitted under Sec. 78-641 within the zoning district(s) within which the project is located, provided that the Board of Adjustment finds that nonresidential uses do not disrupt the character of the community.

The land in this project shall be used for residential purposes.

d. *Minimum requirements.* Minimum requirements for land development are as follows:

- The normal minimum lot size and requirements for interior setbacks are hereby waived for the RPUD, provided that the spirit and intent of this section are complied with in a total development plan, as determined by the Board of Adjustment. The Board of Adjustment shall exercise ultimate discretion as to whether the total development plan does comply with the spirit and intent of the ordinance.

  The submitted development shows the proposed building locations.

- Height limitations. The normal maximum structure height may be waived for the RPUD, provided that unique elements of the development impose requirements for additional height that are not universal throughout the zoning district. Additionally, RPUDs in excess of the normal maximum height require that the spirit and intent of this section are complied with in a total development plan, as determined by the Board of Adjustment. The Board of Adjustment shall exercise ultimate discretion as to whether the total development plan does comply with the spirit and intent of this section. RPUDs within the Blue Ridge Parkway Overlay District may not contain structures which exceed the maximum height allowed within the overlay district.

  There will be three story buildings with ¾ split buildings. The ¾ split building will be three stories in the front and four stories in the back. Site amenity buildings such as clubhouse, garages, and carwash will all be one story. The proposed buildings are all much shorter than the 90 foot maximum building height allowed in the EMP Zoning District.

- Required distance between buildings. The minimum

distance between buildings shall be 20 feet or as otherwise specified by the Board of Adjustment to ensure adequate air, light, privacy, and space for emergency vehicles.

The closest distance between the two buildings are to each other is 20.3 feet. All others have a larger distance between them.

e. *Privacy*. Each development shall provide reasonable visual and acoustical privacy for all dwelling units. Fences, insulation, walks, barriers, and landscaping shall be used, as appropriate, for the protection and aesthetic enhancement of property and the privacy of its occupants, screening of objectionable views or uses, and reduction of noise. Multilevel buildings shall be located within a RPUD in such a way as to dissipate any adverse impact on adjoining low-rise buildings and shall not invade the privacy of the occupants of such low-rise buildings

The site provides visual protection through the use of existing trees and other buffers. Buffers also act as a sound wall that limits sound that is coming into and going out of the site. The closest any building is to the property line is 20 feet with most buildings being at a greater distance.

f. *Perimeter requirements.* Perimeter requirements are as follows:

- Structures located on the perimeter of the development must be set back from property lines and rights-of-way of abutting streets in accordance with the provisions of the zoning ordinance controlling the district within which the property is situated.

  All structures meet setback requirements.

g. *Parking.* Parking requirements may be waived for the RPUD, provided that the spirit and intent of this section are complied with in a total development plan, as determined by the Board of Adjustment. The Board of Adjustment shall exercise ultimate discretion as to whether the total development plan does comply with the spirit and intent of this section.

The required parking was determined by the developer's requirement of 90% of the bedrooms in the site. There are 353 parking spaces provided, which exceeds the parking required by the developer.

h. *Conveyance and maintenance mechanisms.* Conveyance and maintenance of open space, recreational areas and communally owned facilities shall be in accordance with G.S. 47-1 et seq. the Unit Ownership Act and/or any other appropriate mechanisms acceptable to the Board of Adjustment.

This site will use a pump station to get its sanitary sewer across the site to the proposed tie in for the sewer. It will also use gravity to get the stormwater runoff to the sediment basin at the end of the site. Any maintenance needed for the open space will be addressed by the onsite management and the site will be graded in such a way that any excess rainfall flows into a pipe conveyance system and to the basin.

i. *Building envelopes.* Building envelopes are shown on the submitted site plan. Where flexibility in design of residential units is desired, the building envelope shall indicate the maximum expanse of the proposed footprint of the structure.

Building layout is provided on the submitted development plan.

Therefore, based upon the foregoing Findings of Fact the Board hereby makes the following:

CONCLUSIONS OF LAW

1. This Board has jurisdiction to hear and decide applications for Conditional Use Permits under the Zoning Ordinance of Buncombe County, North Carolina.

2. The proposed Conditional Use Permit will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use.

3. The proposed Conditional Use Permit will not be detrimental to the public welfare or injurious to property or public improvements in the neighborhood.

4. The proposed Conditional Use Permit will conform to the requirements and spirit of the Buncombe County Zoning Ordinance.

5. This Board has found that all applicable standards within the Buncombe County Zoning Ordinance have been met.

Now therefore based on the foregoing Findings of Fact and Conclusions of Law the Buncombe County Board of Adjustment hereby Orders as follows:

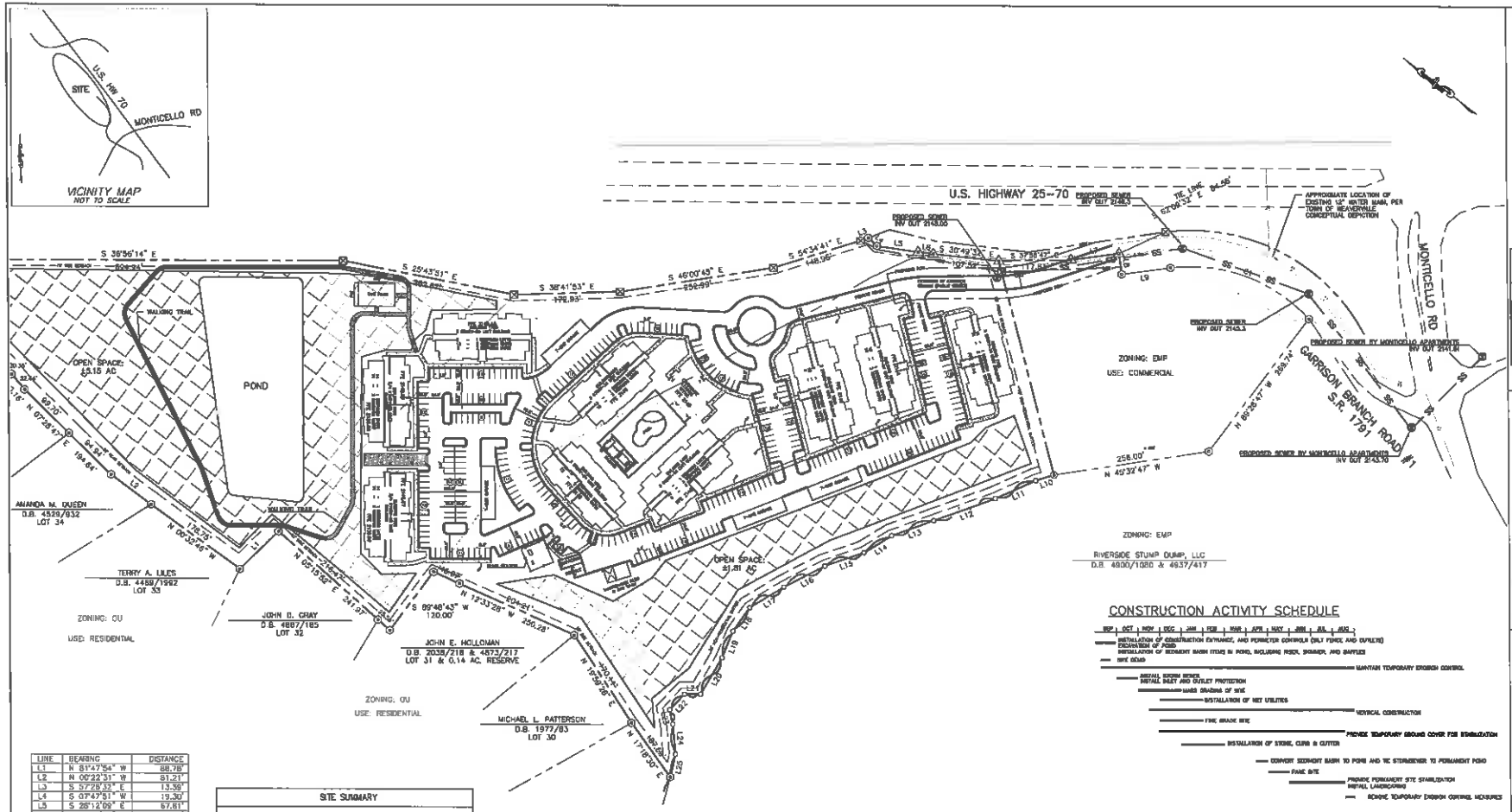
Upon motion to approve the said application based upon compliance with the terms and conditions of the Zoning Ordinance of Buncombe County, North Carolina said application for a Conditional Use Permit is hereby approved by a vote of 5 to 2 of the voting Board Members present at the meeting.

This 10th day of August, 2016.

Buncombe County Board of Adjustment

By: _____
George Lycan
Chairman, Presiding

Attest: _____
Debbie Truempy
Zoning Administrator



LINE	BEARING	DISTANCE
L1	N 81°47'54" W	88.78'
L2	N 00°22'31" W	81.21'
L3	S 57°28'32" E	13.36'
L4	S 07°47'51" W	19.30'
L5	S 28°12'09" E	57.61'
L6	S 30°28'39" E	24.61'
L7	S 44°38'47" E	78.76'
L8	S 45°32'13" W	34.29'
L9	S 44°27'47" E	80.58'
L10	N 54°03'34" W	31.17'
L11	N 80°58'13" W	72.50'
L12	N 58°47'06" W	107.05'
L13	N 57°04'59" W	72.65'
L14	N 88°34'42" W	53.06'
L15	N 58°00'49" W	67.06'
L16	N 64°24'47" W	75.54'
L17	N 88°20'58" W	59.51'
L18	S 88°15'55" W	46.95'
L19	S 79°38'13" W	47.45'
L20	S 83°31'10" W	66.63'
L21	N 37°26'48" W	26.46'
L22	N 83°34'13" W	35.05'
L23	S 41°08'46" W	23.47'
L24	S 48°12'28" W	49.02'
L25	S 65°50'02" W	37.87'
L26	N 51°16'12" W	145.07'
L27	S 73°13'47" W	185.00'
L28	N 03°43'47" E	114.50'
L29	N 73°13'47" E	76.00'
L30	S 87°46'13" E	74.00'
L31	N 68°13'47" E	6.31'
L32	S 37°01'18" E	217.68'

SITE SUMMARY

PIN – 9733632398000000, 9733826933000000, 9733827514000000

PRESENT OWNER – RESERVE INVESTORS

FUTURE OWNER – BLUE RIDGE APARTMENTS

SITE ACREAGE – ±18.85 ACRES (EXCLUDING GARRISON BRANCH R/W

CURRENT ZONING – EMP/OPEN USE (BUNCOMBE COUNTY ZONING DISTRICT)

ALLOWABLE DENSITY – 12 DU/AC

PROPOSED DENSITY – ±12 DU/AC

SITE NOTES

- SITE MANAGEMENT WILL PROVIDE A MAINTENANCE STAFF THAT TENDS TO THE GROUNDS
- BLUE RIDGE APARTMENTS INTENDS TO LEASE OUT THE HOMES WITHIN THE COMMUNITY TO SCREENED TENANTS.
- DEVELOPMENT'S PERIMETER TO BE PROTECTED THROUGH LANDSCAPING

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	256.45'	249.41'	239.70'	S 16°38'16" E

EMP (EMPLOYMENT DISTRICT) ZONING REQUIREMENTS:

MINIMUM LOT AREA – N/A (PER RFUD)

ALLOWABLE DENSITY – 12 DU/AC

FRONT SETBACK – 20'

SIDE SETBACK – 10'

REAR SETBACK – 20'

MAXIMUM BUILDING HEIGHT – 90'

BUFFERYARDS – MIN. 25' WHERE MEETING NON-RES.

DEED REFERENCES:

D.B. 4615/467 & 5092/1585 (REF.: D.B. 1328/76)
D.B. 5388/1942 & P.B. 117/199
D.B. 5388/66
D.B. 5389/1960
FOR N.C.D.O.T. R/W SEE D.B. 1194/163, 1194/168, 1211/621, 1211/623, AND 1224/29 (IN FEE)

UNIT SUMMARY:

UNITS PROPOSED – 224

94 – 1 BEDROOM UNITS
112 – 2 BEDROOM UNITS
18 – 3 BEDROOM UNITS

TOTAL 372 BEDROOMS

PARKING REQUIRED: 90% * 372 = 335 SPACES (BY DEVELOPER)

PARKING PROVIDED: 325 SPACES
GARAGES PROVIDED: 28 SPACES

TOTAL PROVIDED: 353 SPACES

GENERAL NOTES:

1. BOUNDARY INFORMATION WAS OBTAINED FROM PRIOR SURVEY PROVIDED BY McMAHAN & ASSOCIATES, P.A. 2/15/2018. ADDITIONAL TOPOGRAPHIC AND PLANIMETRIC DATA WERE OBTAINED FROM BUNCOMBE COUNTY GIS.

2. EXISTING STREAM DATA SHOWN IS BASED ON PRELIMINARY SURVEY DATA AND IS NOT INDICATIVE OF A PROFESSIONAL DELINEATION OF JURISDICTIONAL WOS FOR DETERMINATION.

3. ALL NECESSARY PERMITS FOR ANY DISTURBANCE TO JURISDICTIONAL WOS WILL BE ACQUIRED.

4. THIS PLAN HAS NOT BEEN SUBMITTED FOR REVIEW BY BUNCOMBE COUNTY, MSD, TOWN OF WEAVERVILLE, OR NCDEQ AND DOES NOT GUARANTEE THAT JURISDICTIONAL REQUIREMENTS HAVE BEEN MET.

DEVELOPER:
AUSTIN DEVELOPMENT, LLC
PO Box 9775
GREENSBORO, NC 27408

PRELIMINARY
JULY 8, 2018

FOR REVIEW ONLY

NOT FOR CONSTRUCTION

HAGEN ENGINEERING, PA
3859 BATTLEGROUND AVE. SUITE 300
GREENSBORO, NC 27410
PHONE: (336) 404-9796 FAX (336) 899-7890
hagen@hagen-eng.com

PRELIMINARY SITE PLAN BLUE RIDGE CROSSING

GARRISON BRANCH RD
REEMS CREEK TOWNSHIP
BUNCOMBE COUNTY, NC

REVISIONS		
NO.	BY	DESCRIPTION	DATE

C-1.0

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

DATE OF MEETING:	September 19, 2016
SUBJECT:	Public Hearing - Proposed Initial C-2 Zoning – Serota Mars Hill, LLC
PRESENTER:	Town Planner/Town Attorney
ATTACHMENTS:	Application for Zoning Map Amendment Requesting C-2 Planning and Zoning Board Recommendation

DESCRIPTION:

At its meeting on August 15, 2016, Town Council scheduled a public hearing for tonight concerning the application for a zoning map amendment in which Serota Mars Hill, LLC, is requesting an initial zoning designation of C-2 for property that it has petitioned for annexation into the Town. The property is a +/-2.83-acre parcel located on Garrison Branch Road that has some existing commercial use. The owner is requesting a C-2 zoning district which is consistent with the uses currently on the property. The Planning and Zoning Board reviewed this zoning request and voted unanimously to submit a favorable recommendation on this C-2 zoning request.

COUNCIL ACTION REQUESTED:

Town Council is asked to hold the public hearing on this proposed zoning map amendment prior to any action on this request.

RECEIVED JUL 13 2016

TOWN OF WEAVERVILLE APPLICATION FOR A ZONING MAP OR TEXT AMENDMENT

Planning and Zoning Department, 30 South Main Street, P.O. Box 338, Weaverville, NC 28787
(828) 484-7002--- fax (828) 645-4776 --- jeller@weavervillenc.org

OWNER/APPLICANT NAME: Sarot & Mars Hill, LLC APPLICATION DATE: 7/13/16

PHONE NUMBER: 828-645-4216 ext 313 MAILING ADDRESS: PO Box 187 Weaverville, NC 28787

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

- [x] The Zoning Map
- [ ] The text of the Zoning Ordinance (Ch 36 of Code of Ordinances)

APPLICATION TO AMEND ZONING MAP

PROPERTY ADDRESS: 10-20 Garrison Branch Rd, Weaverville NC 28787

PIN: 9733-62-2155-00000 LOT AREA (acres): 2.83

CURRENT ZONING DISTRICT: N/A PROPOSED ZONING DISTRICT: C-2

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
- [ ] Natural terrain of 15% or greater grade
- [ ] Adjoining property owners, addresses, and Buncombe County PINs

APPLICATION TO AMEND TEXT

SECTION(S) OF CHAPTER 36 TO AMEND:

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

JUSTIFICATION OF PROPOSED AMENDMENT(S):

The Town of Weaverville NORTH CAROLINA

TOWN OF WEAVERVILLE APPLICATION FOR A ZONING MAP OR TEXT AMENDMENT

Planning and Zoning Department, 30 South Main Street, P.O. Box 338, Weaverville, NC 28787
(828) 484-7002— fax (828) 645-4776 --- jeller@weavervillenc.org

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

SIGNATURE OF APPLICANT Stroft Allen Hill LLC Manager / Jon Sarver 7/12/16 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.

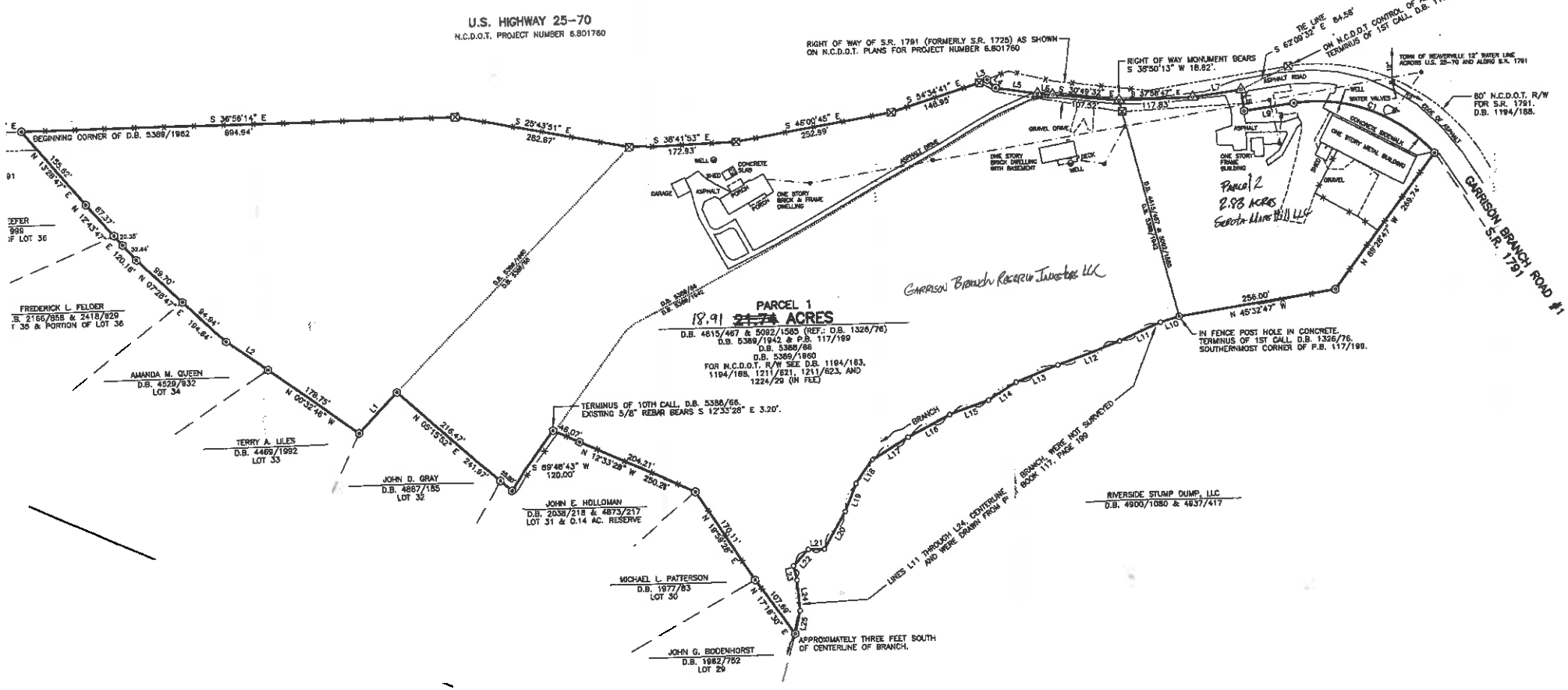
REZONING FEE SCHEDULE:

1 Lot < 1 acre	$350.00
2-4 Lots or 1-3 acres	$450.00
4-9 acres	$550.00
10-25 acres	$750.00
25+ acres	$900.00

OFFICE USE ONLY			
FEE: $ 450.00 DATE PAID: 7/13/16	✓ CHECK		CASH
DATE OF INTIAL COUNCIL MEETING: 7/18/16	ACTION TAKEN: Referred to Planning Board		
DATE OF PLANNING BOARD MEETING:	ACTION TAKEN:		
DATE OF PUBLIC HEARING & COUNCIL DECISION:	FINAL ACTION:		

The Town of Weaverville NORTH CAROLINA

L25	S 65°59'02" W	37.87'
L26	N 51°16'12" W	145.97'
L27	S 73°13'47" W	185.00'
L28	N 05°43'47" E	114.90'
L29	N 73°13'47" E	78.00'
L30	S 87°46'13" E	74.00'
L31	N 86°13'47" E	6.31'
L32	S 37°01'18" E	217.68'



Dottie Sherrill
Mayor

The Town of Weaverville
NORTH CAROLINA

Doug Dearth
Council Member

Patrick Fitzsimmons
Council Member

Doug Jackson
Council Member

Andrew Nagle
Council Member

John Penley
Council Member

September 12, 2016

Mayor Dottie Sherrill
Weaverville Town Council

Re: Recommended Initial Zoning
Annexation Area – Serota Mars Hill, LLC

Dear Mayor and Councilmen:

At its September 6, 2016, meeting the Weaverville Planning and Zoning Board reviewed the initial zoning application submitted by Serota Mars Hill, LLC, in connection with its Voluntary Annexation Petition. The requested zoning for this parcel was C-2 and the Board understands that no vested rights were claimed.

After review of the property, the Town's zoning map and the Town's Comprehensive Land Use Plan, the Planning and Zoning Board voted unanimously to recommend that this parcel be zoned C-2 should it be annexed into the Town's municipal boundaries.

Respectfully,

Doug Theroux

Doug Theroux, Chairman
Weaverville Planning and Zoning Board

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

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

DATE OF MEETING:	September 19, 2016
SUBJECT:	Public Hearing - Proposed Initial R-12 Zoning – Garrison Branch Reserve Investors, LLC
PRESENTER:	Town Planner/Town Attorney
ATTACHMENTS:	Application for Zoning Map Amendment Requesting R-12 Conditional Use Permit and Site Plan Planning and Zoning Board Recommendation

DESCRIPTION:

At its meeting on August 15, 2016, Town Council scheduled a public hearing for tonight concerning the application for a zoning map amendment in which Garrison Branch Reserve Investors, LLC, is requesting an initial zoning designation of R-12 for property that it has petitioned for annexation into the Town. The property is a +/-18.91-acre unimproved parcel located on Garrison Branch Road. This parcel has received site specific plan approval from Buncombe County for a 224-unit apartment complex and the property owners is claiming statutory vested rights to proceed with their project based on the conditional use permit granted by Buncombe County. The owner is requesting an R-12 zoning district which is generally consistent with the County approved plan; however, there are some differences in what has been approved and what the Town's R-12 district would allow. The Planning and Zoning Board reviewed this zoning request and voted unanimously to submit an unfavorable recommendation on this request unless the developer is willing to follow the Town's R-12 regulation or submit a conditional zoning district application for its apartment project.

COUNCIL ACTION REQUESTED:

Town Council is asked to hold the public hearing on this proposed zoning map amendment prior to any action on this request.

TOWN OF WEAVERVILLE APPLICATION FOR A ZONING MAP OR TEXT AMENDMENT

Planning and Zoning Department, 30 South Main Street, P.O. Box 338, Weaverville, NC 28787
(828) 484-7002--- fax (828) 645-4776 --- jeller@weavervillenc.org

OWNER/APPLICANT NAME: Garrison Branch Reserve Investors LLC APPLICATION DATE: 7/6/16

PHONE NUMBER: 828-645-4215 x 313 MAILING ADDRESS: PO Box 187 Weaverville NC 28787

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

- [x] The Zoning Map
- [ ] The text of the Zoning Ordinance (Ch 36 of Code of Ordinances)

APPLICATION TO AMEND ZONING MAP

PROPERTY ADDRESS: 99999, 40, 30 Garrison Branch Rd.

PIN: 9733632398000000
9733626933000000
9733627514000000

LOT AREA (acres): +/- 18.85 Ac

CURRENT ZONING DISTRICT:

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
- [ ] Natural terrain of 15% or greater grade
- [ ] Adjoining property owners, addresses, and Buncombe County PINs

---

APPLICATION TO AMEND TEXT

SECTION(S) OF CHAPTER 36 TO AMEND:

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

JUSTIFICATION OF PROPOSED AMENDMENT(S):

The Town of Weaverville

TOWN OF WEAVERVILLE APPLICATION FOR A ZONING MAP OR TEXT AMENDMENT

Planning and Zoning Department, 30 South Main Street, P.O. Box 338, Weaverville, NC 28787
(828) 484-7002--- fax (828) 645-4776 --- jeller@weavervillenc.org

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

Civil Engineer for Developer

(William Wardford) Mgr of WW Management LLC, Mgr. of Garrison Branch Reserve Investors LLC

SIGNATURE OF APPLICANT — DATE 7/15/16

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.

REZONING FEE SCHEDULE:

1 Lot < 1 acre	$350.00
2-4 Lots or 1-3 acres	$450.00
4-9 acres	$550.00
10-25 acres	$750.00
25+ acres	$900.00

OFFICE USE ONLY			
FEE: $ 750.00 DATE PAID: 7/18/16	✓ CHECK		CASH
DATE OF INTIAL COUNCIL MEETING: 7/18/16	ACTION TAKEN: Referred to Planning Board		
DATE OF PLANNING BOARD MEETING:	ACTION TAKEN:		
DATE OF PUBLIC HEARING & COUNCIL DECISION:	FINAL ACTION:		

The Town of Weaverville

STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

BEFORE THE BUNCOMBE COUNTY
BOARD OF ADJUSTMENT

In the Matter of:

ZPH2016-00041
Blue Ridge Crossing

ORDER

THIS MATTER came up for hearing before the Buncombe County Board of Adjustment (sometimes hereinafter referred to as "Board") at its August 10, 2016 meeting upon application for a conditional use permit pursuant to requirements of the Buncombe County Zoning Ordinance.

Based on the information and evidence presented and after hearing all the evidence, the Board hereby makes the following:

FINDINGS OF FACT

1. The applicant, Nolan Franz of Hagen Engineering, has applied for a Conditional Use Permit for a Residential Planned Unit Development on tax lot PIN 9733-63-2398, 9733-62-6933, and 9733-62-7514 (30 and 40 Garrison Branch Road).

2. The property is owned by Garrison Branch Reserve Investors.

3. Said property is within the zoning jurisdiction of Buncombe County and the property is zoned EMP (Employment District) and OU (Open Use District).

4. The applicant is requesting approval of a Residential Planned Unit Development, to construct a a 224 unit apartment complex including a clubhouse and detached garages referred to as Blue Ridge Crossing, as required by Sec. 78-641. Permitted Uses of the Buncombe County Zoning Ordinance.

5. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, County staff, and Board members. The development plan submitted by the applicant is sufficient to evaluate the proposed impact of the project and any information not included as set forth in 78-677(d) subsections (1) through (11) by the applicant is considered not essential to the proper decision of the project and waived pursuant to 78-677(d) (12).

6. That Sec. 78-677 (g) and 78-678 (b) (6) of the Buncombe County Zoning Ordinance were used to evaluate this request.

7. All required notices were sent, a sign was posted on the property, and a legal ad was published.

8. This application does meet the requirements for granting a Conditional Use Permit for the following reasons:

Conditional Use Standards:

a. The Conditional Use Permit will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed CUP.

   This development will be a bedroom community for the County of Buncombe. The development will be a Class A apartment facilities, and its many amenities will also provide a strong social outlet for those living in the community.

b. The Conditional Use Permit will not be detrimental to the public welfare or injurious to property or public improvements in the neighborhood of the proposed Conditional Use Permit.

   In order to keep the integrity of the neighborhood, the development will be staffed with onsite management to observe and serve the community. They will also provide background checks and credit checks on incoming tenants to ensure a safe living environment is maintained, and the public welfare of the surrounding area is secure.

c. The proposed use will not cause or have adverse effects on surrounding properties due to noise, vibration, odor, or glare effects.

   Light pollution will be kept to a minimum by designing the lighting network in a way that keeps all the light onsite and prevents any excess light from leaving the site. A compactor and recycling station will be provided to encourage the reduction of litter on the site. With the site being a residential site, there will not be many activities that seem disruptive or different from other neighborhoods nearby.

d. Satisfactory ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control.

   In order to better allow for both foot traffic and vehicular traffic, a series of interconnected sidewalks and streets meander throughout the development. Ingress and egress movements from the site are managed by a driveway that connects Garrison Branch Road to Monticello Road. Access to the main office and majority of the site is controlled by a roundabout.

e. Provision of off-street parking and loading areas where required, with particular attention to the items in section 78-658.

Off-street parking is provided throughout the site, with particular focus on all primary structure and housing units. All spaces and drive aisles are dimensioned to Buncombe County Standards. The number of spaces needed were determined by providing 90% of the bedrooms in the Community. This leads to a minimum of 335 needed and 353 provided spaces. There are also 4 parking garages spread throughout the site.

f. Adequate and proper utilities, with reference to locations, availability, and compatibility.

There is already a proposed sanitary sewer line that crosses Monticello Road toward Garrison Branch Road. Sanitary lines are proposed that extend to the property. There is a proposed pump station on the Northwestern portion of the site that will provide access to the aforementioned sanitary sewer lines. Water will be provided by the Town of Weaverville.

g. Buffering, with reference to type, location, and dimensions. The Board of Adjustment shall exercise ultimate discretion as to whether adequate buffering has been provided.

The setbacks that dictated the design of the site are from the current zoning, EMP. The Zoning Ordinance asks for 20 foot front and rear setbacks with 10 foot side setbacks.

h. Signs, if any, and proposes exterior lighting, with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.

Any sign provided with lighting will have said lighting directed toward the sign, thus limiting light pollution around the sign. Any sign itself will not cause any sight distance problems. As far as exterior lighting, it will only be used during the darker portions of the day to conserve energy and help provide light for drivers and pedestrians when needed, thus providing a way for residents and their neighbors to feel safe.

i. Playgrounds, open spaces, yards, landscaping, access ways, and pedestrian ways, with reference to location, size, and suitability.

The proposed development has a large pond in the rear of the site that collects the runoff from the site. Around this pond is a pedestrian walking trail. It can be accessed through that site by use of the sidewalks that interconnect through the site. There is also a proposed dog park that can be accessed by the walkway as well as a large amount of open space between each of the buildings and club house.

j. Buildings and structures, with reference to location, size, and use.

There are 3 primary building types on the site. The most common building is a 3 story, 24 unit building. There are 7 of these building types. The next building on this site is a ¾ split that houses 28 units. This particular type of building is on the site twice. The last type of building is the clubhouse leasing office. It has an attached pool and cabana and is the epicenter of the development. All of this will be compatible with the existing development as this site lies between the highway and a single family residential neighborhood. The style of the building and project layout provide a good transition between the commercial areas along US Hwy 25-70 and existing residential neighborhood to the west.

k. Hours of operation, with particular reference to protecting and maintaining the character of the neighborhood.

Since it will be an apartment complex, its peak hours of operation will be during the morning and evening hours of the day, with the staff working during the day with a few hours of overlap. By maintaining this schedule, the surrounding neighborhoods shouldn't feel overwhelmed with excess traffic during the day. Providing this Class A housing, the neighbors should feel safe and welcoming to the new residents.

Residential or Mixed Use Planned Unit Development Standards

a. *Ownership control.* The land in a RPUD shall be under single ownership or management by the applicant before final approval and/or construction, or proper assurances (legal title or execution of a binding sales agreement) shall be provided that the development can be successfully completed by the applicant.

The site is currently owned by Garrison Branch Reserve Investors.

b. *Density requirements.* There are no density requirements for nonresidential uses as long as the proposed project does not violate the intent of the district in which it is located. The proposed residential density of the RPUD (dwelling units per acre as shown in section 78-642) shall conform to that permitted in the district in which the development is located. If the RPUD lies in more than one district, the number of allowable dwelling units must be separately calculated for each portion of the RPUD that is in a separate district, and must then be combined to determine the number of dwelling units allowable in the entire RPUD. When the RPUD is a community oriented development, the allowed density shall be in accordance with Sec. 78-650.

In the proposed development there are 9 individual residential buildings with 224 proposed units and 372 bedrooms. The site acreage is 18.85 acres. The allowable density is 12 units per acre and the proposed density is 11.88 units per acre.

c. A mixture of land uses shall be allowed in any RPUD. However, within residential districts, nonresidential uses shall not constitute the primary use in the RPUD, and nonresidential uses shall be carefully designed to complement the residential uses within the RPUD. All RPUDs must be compatible with and not violate the intent of the zoning district; however, said uses may include uses not permitted under Sec. 78-641 within the zoning district(s) within which the project is located, provided that the Board of Adjustment finds that nonresidential uses do not disrupt the character of the community.

The land in this project shall be used for residential purposes.

d. *Minimum requirements.* Minimum requirements for land development are as follows:

- The normal minimum lot size and requirements for interior setbacks are hereby waived for the RPUD, provided that the spirit and intent of this section are complied with in a total development plan, as determined by the Board of Adjustment. The Board of Adjustment shall exercise ultimate discretion as to whether the total development plan does comply with the spirit and intent of the ordinance.

  The submitted development shows the proposed building locations.

- Height limitations. The normal maximum structure height may be waived for the RPUD, provided that unique elements of the development impose requirements for additional height that are not universal throughout the zoning district. Additionally, RPUDs in excess of the normal maximum height require that the spirit and intent of this section are complied with in a total development plan, as determined by the Board of Adjustment. The Board of Adjustment shall exercise ultimate discretion as to whether the total development plan does comply with the spirit and intent of this section. RPUDs within the Blue Ridge Parkway Overlay District may not contain structures which exceed the maximum height allowed within the overlay district.

  There will be three story buildings with ¾ split buildings. The ¾ split building will be three stories in the front and four stories in the back. Site amenity buildings such as clubhouse, garages, and carwash will all be one story. The proposed buildings are all much shorter than the 90 foot maximum building height allowed in the EMP Zoning District.

- Required distance between buildings. The minimum

distance between buildings shall be 20 feet or as otherwise specified by the Board of Adjustment to ensure adequate air, light, privacy, and space for emergency vehicles.

The closest distance between the two buildings are to each other is 20.3 feet. All others have a larger distance between them.

e. *Privacy*. Each development shall provide reasonable visual and acoustical privacy for all dwelling units. Fences, insulation, walks, barriers, and landscaping shall be used, as appropriate, for the protection and aesthetic enhancement of property and the privacy of its occupants, screening of objectionable views or uses, and reduction of noise. Multilevel buildings shall be located within a RPUD in such a way as to dissipate any adverse impact on adjoining low-rise buildings and shall not invade the privacy of the occupants of such low-rise buildings

The site provides visual protection through the use of existing trees and other buffers. Buffers also act as a sound wall that limits sound that is coming into and going out of the site. The closest any building is to the property line is 20 feet with most buildings being at a greater distance.

f. *Perimeter requirements.* Perimeter requirements are as follows:

- Structures located on the perimeter of the development must be set back from property lines and rights-of-way of abutting streets in accordance with the provisions of the zoning ordinance controlling the district within which the property is situated.

  All structures meet setback requirements.

g. *Parking.* Parking requirements may be waived for the RPUD, provided that the spirit and intent of this section are complied with in a total development plan, as determined by the Board of Adjustment. The Board of Adjustment shall exercise ultimate discretion as to whether the total development plan does comply with the spirit and intent of this section.

The required parking was determined by the developer's requirement of 90% of the bedrooms in the site. There are 353 parking spaces provided, which exceeds the parking required by the developer.

h. *Conveyance and maintenance mechanisms.* Conveyance and maintenance of open space, recreational areas and communally owned facilities shall be in accordance with G.S. 47-1 et seq. the Unit Ownership Act and/or any other appropriate mechanisms acceptable to the Board of Adjustment.

This site will use a pump station to get its sanitary sewer across the site to the proposed tie in for the sewer. It will also use gravity to get the stormwater runoff to the sediment basin at the end of the site. Any maintenance needed for the open space will be addressed by the onsite management and the site will be graded in such a way that any excess rainfall flows into a pipe conveyance system and to the basin.

i. *Building envelopes.* Building envelopes are shown on the submitted site plan. Where flexibility in design of residential units is desired, the building envelope shall indicate the maximum expanse of the proposed footprint of the structure.

Building layout is provided on the submitted development plan.

Therefore, based upon the foregoing Findings of Fact the Board hereby makes the following:

CONCLUSIONS OF LAW

1. This Board has jurisdiction to hear and decide applications for Conditional Use Permits under the Zoning Ordinance of Buncombe County, North Carolina.

2. The proposed Conditional Use Permit will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use.

3. The proposed Conditional Use Permit will not be detrimental to the public welfare or injurious to property or public improvements in the neighborhood.

4. The proposed Conditional Use Permit will conform to the requirements and spirit of the Buncombe County Zoning Ordinance.

5. This Board has found that all applicable standards within the Buncombe County Zoning Ordinance have been met.

Now therefore based on the foregoing Findings of Fact and Conclusions of Law the Buncombe County Board of Adjustment hereby Orders as follows:

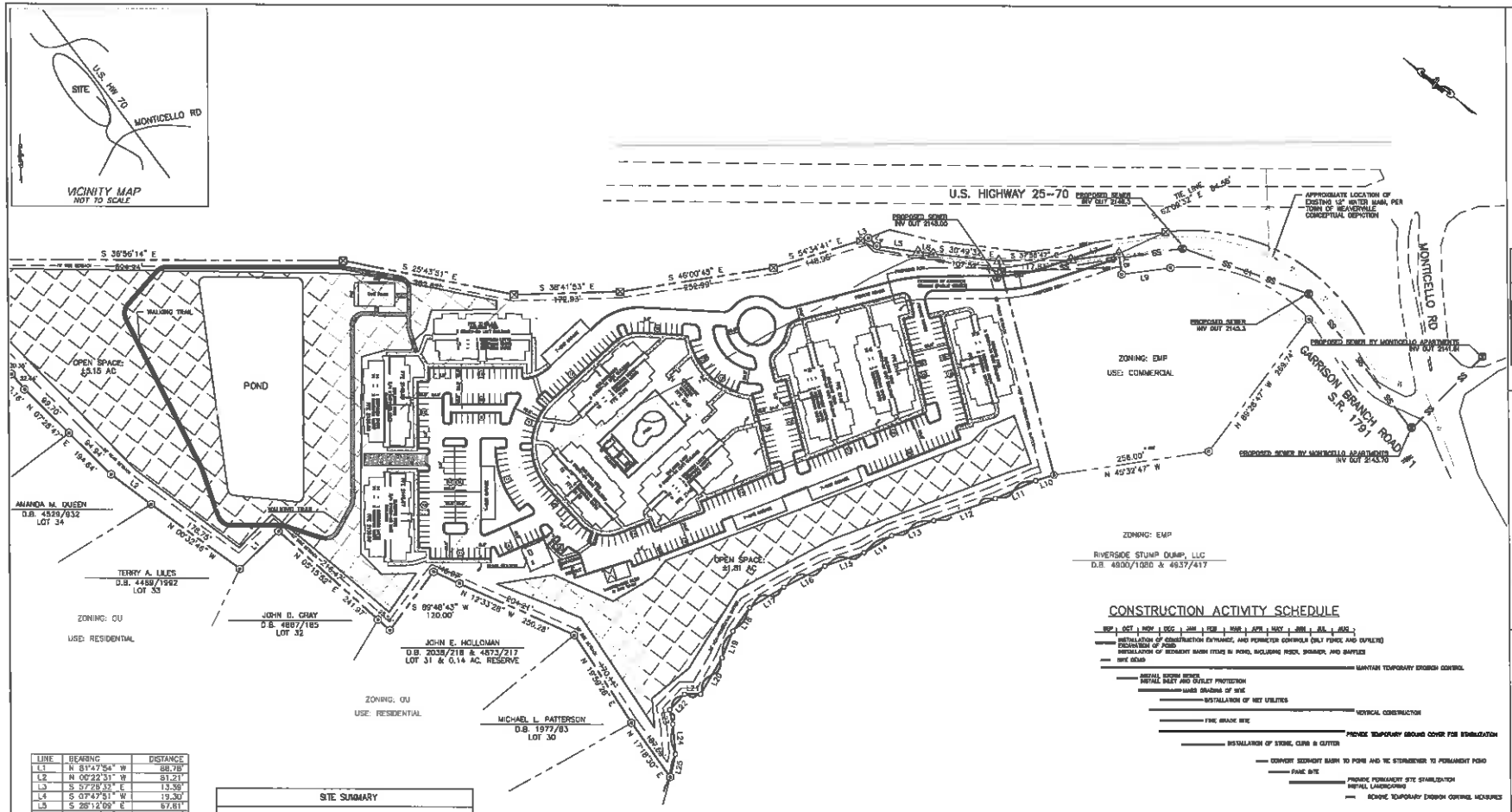
Upon motion to approve the said application based upon compliance with the terms and conditions of the Zoning Ordinance of Buncombe County, North Carolina said application for a Conditional Use Permit is hereby approved by a vote of 5 to 2 of the voting Board Members present at the meeting.

This 10th day of August, 2016.

Buncombe County Board of Adjustment

By: _____
George Lycan
Chairman, Presiding

Attest: _____
Debbie Truempy
Zoning Administrator



CONSTRUCTION ACTIVITY SCHEDULE

LINE	BEARING	DISTANCE
L1	N 81°47'54" W	88.78'
L2	N 00°22'31" W	81.21'
L3	S 57°28'32" E	13.36'
L4	S 07°47'51" W	19.30'
L5	S 28°12'09" E	57.61'
L6	S 30°28'39" E	24.61'
L7	S 44°38'47" E	78.76'
L8	S 45°32'13" W	34.29'
L9	S 44°27'47" E	80.58'
L10	N 54°03'34" W	31.17'
L11	N 80°58'13" W	72.50'
L12	N 58°47'06" W	107.05'
L13	N 57°04'59" W	72.65'
L14	N 86°34'42" W	53.06'
L15	N 58°00'49" W	67.06'
L16	N 64°24'47" W	75.54'
L17	N 86°20'58" W	59.51'
L18	S 88°15'55" W	46.95'
L19	S 79°38'13" W	47.45'
L20	S 83°31'10" W	66.63'
L21	N 37°26'48" W	26.46'
L22	N 83°34'13" W	35.05'
L23	S 41°08'46" W	23.47'
L24	S 48°12'28" W	49.02'
L25	S 65°50'02" W	37.87'
L26	N 51°16'12" W	145.07'
L27	S 73°13'40" W	185.00'
L28	N 03°43'47" E	114.50'
L29	N 73°13'47" E	76.00'
L30	S 87°46'13" E	74.00'
L31	N 68°13'47" E	6.31'
L32	S 37°01'18" E	217.88'

SITE SUMMARY

PIN – 9733632398000000, 9733826933000000, 9733827514000000

PRESENT OWNER – RESERVE INVESTORS

FUTURE OWNER – BLUE RIDGE APARTMENTS

SITE ACREAGE – ±18.85 ACRES (EXCLUDING GARRISON BRANCH R/W

CURRENT ZONING – EMP/OPEN USE (BUNCOMBE COUNTY ZONING DISTRICT)

ALLOWABLE DENSITY – 12 DU/AC

PROPOSED DENSITY – ±12 DU/AC

SITE NOTES

- SITE MANAGEMENT WILL PROVIDE A MAINTENANCE STAFF THAT TENDS TO THE GROUNDS
- BLUE RIDGE APARTMENTS INTENDS TO LEASE OUT THE HOMES WITHIN THE COMMUNITY TO SCREENED TENANTS.
- DEVELOPMENT'S PERIMETER TO BE PROTECTED THROUGH LANDSCAPING

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	256.45'	249.41'	239.70'	S 16°38'16" E

EMP (EMPLOYMENT DISTRICT) ZONING REQUIREMENTS:

MINIMUM LOT AREA – N/A (PER RFUD)

ALLOWABLE DENSITY – 12 DU/AC

FRONT SETBACK – 20'

SIDE SETBACK – 10'

REAR SETBACK – 20'

MAXIMUM BUILDING HEIGHT – 90'

BUFFERYARDS – MIN. 25' WHERE MEETING NON-RES.

DEED REFERENCES:

D.B. 4615/467 & 5092/1585 (REF.: D.B. 1328/76)
D.B. 5388/1942 & P.B. 117/199
D.B. 5388/66
D.B. 5389/1960
FOR N.C.D.O.T. R/W SEE D.B. 1194/163, 1194/168, 1211/621, 1211/623, AND 1224/29 (IN FEE)

UNIT SUMMARY:

UNITS PROPOSED – 224

94 – 1 BEDROOM UNITS
112 – 2 BEDROOM UNITS
18 – 3 BEDROOM UNITS

TOTAL 372 BEDROOMS

PARKING REQUIRED: 90% * 372 = 335 SPACES (BY DEVELOPER)

PARKING PROVIDED: 325 SPACES
GARAGES PROVIDED: 28 SPACES

TOTAL PROVIDED: 353 SPACES

GENERAL NOTES:

1. BOUNDARY INFORMATION WAS OBTAINED FROM PRIOR SURVEY PROVIDED BY McNAMARA & ASSOCIATES, P.A. 2/15/2018. ADDITIONAL TOPOGRAPHIC AND PLANIMETRIC DATA WERE OBTAINED FROM BUNCOMBE COUNTY GIS.

2. EXISTING STREAM DATA SHOWN IS BASED ON PRELIMINARY SURVEY DATA AND IS NOT INDICATIVE OF A PROFESSIONAL DELINEATION OF JURISDICTIONAL WOS FOR DETERMINATION.

3. ALL NECESSARY PERMITS FOR ANY DISTURBANCE TO JURISDICTIONAL WOS WILL BE ACQUIRED.

4. THIS PLAN HAS NOT BEEN SUBMITTED FOR REVIEW BY BUNCOMBE COUNTY, MSD, TOWN OF WEAVERVILLE, OR NCDEQ AND DOES NOT GUARANTEE THAT JURISDICTIONAL REQUIREMENTS HAVE BEEN MET.

DEVELOPER:
AUSTIN DEVELOPMENT, LLC
PO Box 9775
GREENSBORO, NC 27408

ALL CONSTRUCTION MUST CONFORM TO THE UNDERGROUND UTILITY PROTECTION ACT
BEFORE YOU DIG!
CONTACT ONE-CALL CENTER
1-800-632-4949

GRAPHIC SCALE
(IN FEET)
1 inch = 60 ft.

PRELIMINARY
JULY 9, 2018

FOR REVIEW ONLY

NOT FOR CONSTRUCTION

HAGEN ENGINEERING, PA
3859 BATTLEGROUND AVE. SUITE 300
GREENSBORO, NC 27410
PHONE: (336) 404-9796 FAX (336) 899-7890
hagen@hagen-eng.com

PRELIMINARY SITE PLAN BLUE RIDGE CROSSING

GARRISON BRANCH RD
REEMS CREEK TOWNSHIP
BUNCOMBE COUNTY, NC

REVISIONS		
NO.	BY	DESCRIPTION	DATE

C-1.0

Dottie Sherrill
Mayor

The Town of Weaverville
NORTH CAROLINA

Doug Dearth
Council Member

Patrick Fitzsimmons
Council Member

Doug Jackson
Council Member

Andrew Nagle
Council Member

John Penley
Council Member

September 12, 2016

Mayor Dottie Sherrill
Weaverville Town Council

Re: Recommended Initial Zoning
Annexation Area – Garrison Branch Reserve Investors, LLC

Dear Mayor and Councilmen:

At its September 6, 2016, meeting the Weaverville Planning and Zoning Board reviewed the initial zoning application submitted by Garrison Branch Reserve Investors, LLC, in connection with its Voluntary Annexation Petition. The requested zoning for this parcel is R-12 and the Board understands that the property owner does claim a statutory vested right in order to proceed with a site specific plan that was approved as a conditional use by Buncombe County.

After much discussion, the Planning and Zoning Board unanimously voted to submit an unfavorable recommendation for the proposed R-12 zoning unless the owner/developer is willing to follow the Town of Weaverville's R-12 regulations or to submit a conditional zoning district application for its proposed project.

Respectfully,

Doug Theroux

Doug Theroux, Chairman
Weaverville Planning and Zoning Board

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

TOWN OF WEAVERVILLE

TOWN COUNCIL AGENDA ITEM

DATE OF MEETING: September 19, 2016

SUBJECT: Discussion and Action on Annexations and Initial Zonings for Serota Mars Hill, LLC, and Garrison Branch Reserve Investors, LLC

PRESENTER: Town Manager/Town Planner/Town Attorney

ATTACHMENTS: Proposed Annexation Ordinance
Proposed Ordinance Amending Zoning Map
(See also Attachments to the related Public Hearings Items)

DESCRIPTION:

Over the last several months the Town has been in the process of reviewing the annexation petitions for the two properties on Garrison Branch Road and their respective zoning designation requests. The Town Clerk has certified the sufficiency of these annexation petitions, the Planning and Zoning Board has reviewed both zoning districts and Town Council is holding public hearings on these matters at tonight's meeting. Staff will be available at tonight's meeting to guide Council through its discussions and possible action on these requests.

COUNCIL ACTION REQUESTED:

A proposed Annexation Ordinance and a proposed Ordinance Establishing Initial Zoning which amends the Town's Zoning Map are both attached for Council's consideration. These proposed ordinances may or may not be consistent with Council's discussion and leanings but serve as a starting point for potential Council action on this matter.

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE TOWN OF WEAVERVILLE, NORTH CAROLINA – GARRISON BRANCH ROAD #2016-1 AND #2016-2

WHEREAS, the Town Council has been petitioned under N.C. Gen. Stat. § 160A-31 to annex the area described below; and

WHEREAS, Town Council directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of annexation was held in the Town's Council Chambers at Town Hall on September 19, 2016, at 6:00 p.m., after due notice by publication on September 7, 2016; and

WHEREAS, the Town Council finds that the petition meets the requirements of N.C. Gen. Stat. § 160A-31;

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-31, the following territory is hereby annexed and made part of the Town of Weaverville as of September 19, 2016:

TRACT I:

BEGINNING at a ½" rebar (found) in a fence post hole in concrete, said rebar being the terminus of the 1st call in Deed 1326 at Page 76, and also being the southernmost corner of the property being shown on Plat Book 117 at Page 199, both in the Buncombe County Registry, reference to which is being made for a more particular description; thence from said point of BEGINNING thus established North 54-03-34 West 31.17 feet to an unmarked point in the center line of a branch; thence with the center line of said branch the following courses and distances: North 60-55-13 West 72.50 feet to an unmarked point, North 56-47-

06 West 107.05 feet to an unmarked pint, North 57-04-59 West 72.65 feet to an unmarked point, North 68-53-42 West 53.05 feet to an unmarked point, North 56-00-49 West 67.09 feet to an unmarked point, North 64-24-47 West 75.54 feet to an unmarked point, North 68-20-59 West 65.51 feet to an unmarked point, South 88-15-58 West 46.95 feet to an unmarked point, South 75-38-13 West 47.45 feet to an unmarked point, South 83-31-10 West 68.63 feet to an unmarked point, North 37-26-45 West 26.46 feet to an unmarked point, North 83-34-13 West 35.05 feet to an unmarked point, South 41-08-49 West 23.47 feet to an unmarked point and South 48-12-25 West 49.02 feet to an unmarked point; thence leaving said branch South 65-59-02 West 37.87 feet to a ½" rebar (set), said rebar being set approximately three feet south of centerline of the branch; thence North 17-18-30 East 107.69 feet to a 5/8" rebar (found) in a fence line; thence with a fence line North 19-59-28 East 170.11 feet to a 5/8" rebar (found) in a fence line; thence with a fence line North 12-33-28 West 204.21 feet to a 5/8" rebar (found) in a fence line; thence North 12-33-28 West 46.07 feet to a 5/8" rebar (found) near a fence line, said rebar being the terminus of the 10th call in Book 5388 at Page 66, Buncombe County Registry, reference to which is being made for a more particular description; thence South 89-48-43 West 120.00 feet to a 5/8" rebar (found) near a fence line; thence North 05-15-52 East 25.50 feet to a 5/8" rebar (found); thence North 05-15-52 East 216.47 feet to a 5/8" rebar (found); thence North 81-47-54 West 88.78 feet to a 5/8" rebar (found); thence North 00-32-46 West 178.75 feet to a 5/8" rebar (found); thence North 00-22-31 West 81.21 feet to a 5/8" rebar (found); thence North 07-28-47 East 94.94 feet to a 5/8" rebar (found); thence North 07-28-47 East 99.70 feet to a 5/8" rebar (found); thence North 12-43-47 East 32.44 feet to a 5/8" rebar (found); thence North 12-43-47 East 20.35 feet to a 5/8" rebar (found); thence North 12-43-47 East 67.37 feet to a 5/8" rebar (found); thence North 13-28-47 East 155.62 feet to a 5/8" rebar (found) in a fence line, said rebar being South 36-56-14 East 104.48 feet from a N.C.D.O.T. concrete R/W monument along US Highway 25-70, and said rebar also being the Beginning corner of the property being describe in Book 5389 at Page 1962, Buncombe County Registry, reference to which is being made for a more particular description; thence with said fence line the following courses and distances: South 36-56-14 East 694.94 feet to a N.C.D.O.T. concrete R/W monument for US Highway 25-70, South 25-43-51 East 282.67 feet to a N.C.D.O.T. concrete R/W monument for US Highway 25-70, South 38-41-53 East 172.93 feet to a N.C.D.O.T. concrete R/W monument for US Highway 25-70, South 46-00-45 East 252.99 feet to a N.C.D.O.T. concrete R/W monument for US Highway 25-70, South 54-34-41 East 148.95 feet to a N.C.D.O.T. concrete R/W monument for US Highway 25-70 and South 57-26-32 East 13.39 feet to a ½" rebar (set); thence South 07-47-51 West 19.39 feet to a ½" rebar (set); thence South 28-12-09 East 67.61 feet to a masonry nail (set) in an asphalt drive; thence South 30-28-39 East 24.61 feet to a masonry nail (set) in an asphalt drive; thence South 30-49-32 East 107.52 feet to an masonry nail (set) in an asphalt drive; thence South 34-19-00 West 18.62 feet to a N.C.D.O.T. concrete R/W monument for US Highway 25-70; thence South 34-19-00 West with a fallen fence 338.80 feet to the POINT OF BEGINNING. Containing 18.91 acres, more or less, according to a survey by Bobby C. McMahan, P.L.S., dated February 15, 2016, entitled Survey for

DRAFT

"Garrison Branch Reserve Investors, LLC", and being further identified by Drawing No. 16-3558. TOGETHER WITH AND SUBJECT TO easements restrictions and rights of way of record.

TRACT II:

BEGINNING at an unmarked point, said point being the northern margin of a NC DOT right of way for Garrison Branch Road (NCSR 1791) said point being more particularly described in Book 1194 at Page 163, Buncombe County Registry, reference to which is being made for a more particular description, said point also being the and beginning corner of Book 1326 at Page 76, Buncombe County Registry, reference to which is being made for a more particular description; thence from said BEGINNING point thus established with Garrison Branch Road (NCSR 1791) South 42-30-00 East 117.83 feet to an unmarked point; thence South 49-10-00 East 78.76 feet to a masonry nail (set) in the northern margin of Garrison Branch Road (NCSR 1791), said nail being North 66-40-45 West 84.58 feet from NC DOT concrete r/w monument set in the northern margin of a 60 feet in width NC DOT Right of Way, said right of way being more particularly described in Book 1194 at Page 188, Buncombe County Registry, reference to which is being made for a more particular description; thence South 41-01-00 West 34.29 feet to at ½" rebar with ID cap (set) on the southwestern margin of a 60 feet in width NC DOT Right of Way, said right of way being more particularly described in Book 1194 at Page 188, Buncombe County Registry, reference to which is being made for a more particular description; thence with said right of way the following courses and distances: South 49-59-00 East 80.58 feet to a ½" rebar with ID cap (set) and on a curve to the right with a radius of 256.48' an arc length of 249.41 feet a chord length of 239.70 feet and a chord bearing of South 21-07-31 East to a ½" rebar with ID cap (set) in a fence line, said rebar located North 86-00-00 East 1.80 feet from a 6" PVC pipe filled with concrete; thence with said fence South 86-00-00 West 269.74 feet to a ½" rebar with ID cap (set) in a fence line; thence North 50-04-00 West 256.00 feet to a ½" rebar with ID cap (set) in a fallen fence line, said rebar being in fence post hole in concrete and also being the terminus of the first (1st) call in Book 1326 at Page 76 Buncombe County Registry, reference to which is being made for a more particular description; thence with said fallen fence line North 34-19-00 East 357.42 feet to a NC DOT concrete right of way monument, said monument being located in the southern margin of the right of way POINT OF BEGINNING. Containing 2.83 acres, more or less according to a survey by Bobby C. McMahan, P.L.S., dated July 11,2016, entitled Serota Mars Hill, LLC Job number 12-3334and being the same property as described in Book 5415 at Page 821 and as same is shown in Plat Book 179 at Page 176 and Book 1326 at Page 76, all in the Buncombe County Registry, reference to which is being made for a more particular description, and also being identified by Parcel Identification Number 9733-62-2155-00000 Buncombe County Tax Office. TOGETHER WITH AND SUBJECT TO easements, restrictions and rights of way of record.

DRAFT

2. Upon and after September 19, 2016, the above-described territory and its citizens and property 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 of Weaverville. Said territory shall be subject to municipal taxes according to N.C. Gen. Stat. § 160A-58.10.

3. 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, described in Paragraph 1 above, together with a duly certified copy of this Ordinance. Such a map shall also be delivered to the Buncombe County Board of Elections as required by N.C. Gen. Stat. § 163-288.1.

ADOPTED THIS the _____ day of September, 2016 by a _____ out of _____ vote.

_____

DOTTIE SHERRILL, Mayor

ATTESTED BY:

_____

SELENA D. COFFEY, Town Clerk

APPROVED AS TO FORM:

_____

JENNIFER O. JACKSON, Town Attorney

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I, _____, a Notary Public, certify that Selena D. Coffey 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 September, 2016.

_____

Notary Public

My Commission Expires: _____

DRAFT

ORDINANCE ESTABLISHING INITIAL ZONING DESIGNATIONS FOR NEWLY ANNEXED PROPERTIES ON GARRISON BRANCH ROAD

WHEREAS, the Town of Weaverville has annexed certain properties on Garrison Branch Road into the Town's municipal boundaries;

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, Tract I of the newly annexed area consists of a +/-18.91 acre parcel of unimproved land and an R-12 zoning designation has been requested;

WHEREAS, Tract II of the newly annexed area consists of a +/-2.83 acre parcel of land with certain commercial uses operating on the property and a C-2 zoning designation has been requested;

WHEREAS, these amendments are consistent with the Town's Comprehensive Land Use Plan;

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

1. The Zoning Map of the Town of Weaverville be, and the same is hereby, amended as follows:

    a. The zoning classification of that certain real property identified and described as Tract I in the Annexation Ordinance adopted by Town Council on September 19, 2016, is hereby established as R-12.

    b. The zoning classification of that certain real property identified and described as Tract II in the Annexation Ordinance adopted by Town Council on September 19, 2016, is hereby established as C-2.

2. The property owner of Tract I has requested and the Town hereby recognizes, a statutory vested right for the owner to develop Tract I in accordance with the Conditional Use Permit granted by Buncombe County on August 10, 2016, and as shown on the site specific plan approved thereby. The Conditional Use Permit shall hereafter be reviewed, enforced and amended as if it were a Special Use Permit issued by the Town of Weaverville Zoning Board of Adjustment.

DRAFT

3. That the Town Zoning Administrator is hereby authorized and directed to make the changes as herein enacted on said zoning map.

THIS the _____ day of September, 2016.

_____

DOTTIE SHERRILL, Mayor

ATTESTED BY:

_____

SELENA D. COFFEY, Town Clerk

APPROVED AS TO FORM:

_____

JENNIFER O. JACKSON, Town Attorney

DRAFT