Town of Weaverville
Planning and Zoning Board
Town Hall Council Chambers
Thursday, March 5, 2020, 6:00pm

Agenda

1. Call to Order – Chairman Gary Burge.
2. Approval of the Agenda.
3. Approval of the Minutes from the February 4, 2020 Meeting of the Board.
4. Discussion Related to a proposed Major Subdivision Commonly Known as Greenwood Park.
5. Consideration of a Motion Establishing a Recommendation to Town Council on the Aforementioned Major Subdivision.
6. Discussion Related to a Proposed Conditional Zoning District Commonly Known as Garrison Reserve.
7. Consideration of a Motion Establishing a Recommendation to Town Council on the Aforementioned Conditional Zoning District.
8. Discussion Related to Certain Sections of Ordinance Related to Streets, Parking and Mandated Notices for Quasi-judicial Hearings.
9. Consideration of a Motion Establishing a Recommendation to Town Council on the Aforementioned Text Amendments.
10. Any other Business to Come Before the Board.
    - Joint Meeting with Town Council on Tuesday, March 10 within Council Chambers at Town Hall.
11. Adjournment.

Agenda Item 3

Minutes

Town of Weaverville
Planning and Zoning Board
Minutes – Tuesday, February 4, 2020

The Planning and Zoning Board of the Town of Weaverville met for a regularly scheduled monthly meeting at 6:00pm on Tuesday, February 4, 2020 within the Council Chambers at Town Hall.

Present: Chairman Gary Burge, Board Members John Chase and Peter Stanz , Alternate Member Rachael Bronson, Town Attorney Jennifer Jackson and Planning Director James Eller. Vice-Chairman Catherine Cordell, Board Member Steve Warren and Alternate Board Member Tom Balestrieri were absent.

1. **Call to Order.**

Chairman Gary Burge called the meeting to order at 6:00 pm. Upon calling the meeting to order, Chairman Burge noted that Ms. Bronson would be serving as an acting member of the Board due to the absence of two Board Members.

2. Approval of the Agenda.

Mr. Stanz motioned to approve the agenda as amended with the removal of a previously stated conversation related to a major subdivision commonly known as Greenwood Park. Mr. Chase seconded and all voted unanimously.

3. Approval of the Minutes from the January 7, 2020 Meeting of the Board and the December 12, 2019 Joint Meeting with Town Council.

Mr. Stanz motioned to approve the minutes from the January 7 meeting of the Board. Mr. Chase seconded and all voted unanimously.

Mr. Chase motioned to approve the minutes from the joint meeting with Town Council as amended by the comment of Chairman Burge. Ms. Bronson seconded and all voted unanimously.

4. Discussion Related to a Proposed Minor Subdivision Located at 29 Reynolds Lane.

Mr. Eller presented to the Board the particulars of the proposed minor subdivision including the desire to create two additional lots from the underlying 4.5 acres found at the property commonly known as 29 Reynolds Lane.

Ms. Bronson noted her residence's close proximity to the subject property. Ms. Jackson noted that the action of the Board in this matter is not likely to have a direct, substantial, and readily identifiable financial impact on Ms. Bronson and due to Ms. Bronson not having a close familial, business or other associational relationship to the owners of the subject property, no conflict of interest exists.

5. Consideration of a Motion Establishing a Recommendation to the Planning Director on the Aforementioned Minor Subdivision.

Ms. Bronson motioned to offer a positive recommendation to the Planning Director for approval of the aforementioned minor subdivision. Mr. Stanz seconded and all voted unanimously.

6. Discussion and Direction to Staff Related to Mixed Use Development.

Mr. Eller presented to the Board a set of proposed additional standards to be placed upon mixed use buildings or structures in the C-1, C-2 and R-12 zoning districts. The additional standards, if ultimately adopted by Town Council would allow the use defined as mixed use building or structure to be permitted with standards rather than via a conditional zoning district, thus better accommodating such development as called for in the Comprehensive Land Use Plan. Said standards would permit dwelling units on the second or higher floor of any structure within certain zoning districts where the ground or street level floor is occupied by a use or uses otherwise permitted by right or with additional standards or via a conditional zoning district in certain underlying zoning districts.

Other proposed additional standards are related to the dimensional requirements of the underlying zoning district; the density requirements of the underlying zoning district; street lighting requirements; a requirement to contract garbage removal services; and the condition of containment devices for waste and recycling. Specifically related to the proposed additional standards for mixed use building or structures within the C-1 zoning district, there exists a possible waiver of the aforementioned contracted garbage removal and a density bonus for dwelling units for the provision of additional off-street parking places otherwise not required by ordinance both in special recognition of the unique nature of the downtown area.

Per the discussion and ultimate consensus of the Board, the proposed requirement for additional off street parking applicable to the density bonus to be public parking is stricken as being viewed as unenforceable. Consensus was gained in support for all other proposed additional standards.

Though staff had not anticipated for the Board to offer a recommendation on this matter, the conversation had trended toward a positive recommendation.

Mr. Stanz motioned to offer a positive recommendation to Town Council on the proposed additional standards applicable to mixed use buildings or structures within the C-1, C-2 and R-12 zoning districts. Said motion also included a finding that the proposed text amendment is compliant with the Town's Comprehensive Land Use Plan in that the plan calls for land use regulations which provide for transition district and/or mixed use development and an additional finding that the Board considers the proposed text amendment both reasonable and in the public interest as the Town's Strategic Plan calls for a transition between residential and commercial districts and mixed use development regulations. Mr. Chase seconded and all voted unanimously.

7. Discussion Related to Chapter 160D.

Mr. Eller described to the Board that he and Ms. Jackson had the opportunity to attend a regional workshop related to the new Chapter 160D. Ms. Jackson described that the changes to statutes affect the language of local ordinances, the options for local decision processes, and the administrative practices related to development regulations.

Ms. Jackson presented the Board with a G.S. Chapter 160D checklist of changes to local ordinances, policies and practices provided by the School of Government. The document was broken down into three categories being; legislative changes for which local governments must take action; permissive legislative changes for which local governments may take action; and notable legislative changes that do not require local action but of which local governments must be aware.

Mr. Eller noted that he wished for the main topic of the March joint meeting of the Board and Town Council to be Chapter 160D.

8. Any Other Business to Come Before the Board.

Mr. Eller further described the report on undeveloped or underutilized parcels of size within municipal borders originally presented to the Board at their previous meeting and asked the Board if they would support the creation of an overlay district to further restrict the permitting of mobile homes by right in the R-3 zoning district given the number of mobile homes which could be permitted by right. The Board affirmed.

Ms. Jackson noted that Town Council is likely to take action on ordinance revisions related to Chapter 24: Streets and Sidewalks and Chapter 28:Traffic. Said revisions may extend into Chapter 25: Subdivision and Chapter 36: Zoning and, therefore, require review and comment from the Planning and Zoning Board.

9. Adjournment.

Mr. Chase motioned to adjourn. Mr. Stanz seconded and all voted unanimously.

_____
Gary Burge, Chairman
Planning and Zoning Board

ATTEST:

_____
James W. Eller
Planning Director / Deputy Town Clerk

Agenda Item 4&5
Greenwood Park Major Subdivision

Due to the formatting of the file containing the plat and plans for Greenwood Park, they could not be combined with this document. Staff has the full plan set on file for viewing by the general public and a separate file containing the full plan set will be electronically distributed to the Planning and Zoning Board for their review.

Town of Weaverville, North Carolina

Staff Report: Proposed Major Subdivision for Greenwood Park

Prepared February, 2020

Sources: Town of Weaverville Code of Ordinances; Town of Weaverville Water and Street Standards; North Carolina Fire Prevention Code

Introduction to the Property

The subject parcel(s), commonly known as Greenwood Park, consists of 45.89 acres as shown on Buncombe County tax records and proposes to create 73 lots from the aforementioned acreage. The property may be found directly adjacent to the existing Reems Creek Village subdivision and also in close proximity to the Reems Creek Golf Community. The zoning of all properties in question is R-2 which carries the following dimensional requirements established by Section 36-106 of municipal ordinance.

Sec. 36-106. - Table of dimensional requirements.

Zoning District	R-2
Minimum Lot Area (sq. Ft.)	7,500
Minimum Lot Width(ft.)	75
Minimum Front Yard (ft.)	30
Minimum Side Yard (ft.) Abutting Residential District	10
Minimum Rear Yard (ft.) Abutting Residential District	10
Height Limit (ft.)	35

Question of Jurisdiction

Section 25-81.B tasks the Planning and Zoning Board to conduct a review and recommendation to Town Council regarding a major subdivisions compliance with the Town's Subdivision and Zoning Ordinance within 90 days of its original consideration of the preliminary plat.

Previous Decisions Related to this Property

On or about August 2015 the property owner was able to achieve preliminary plat approval for a previous iteration of a subdivision for the subject properties. Under these parameters the property owner was also able to achieve final plat approval for the then known as phase 1 of Greenwood Park in January of 2018. On Monday, December 16, 2019 staff received a correspondence from the property owner expressing the desire and intent to vacate previous preliminary plat approvals for Greenwood Park in favor of a forthcoming version of the plan. This version of the new preliminary plat is what you are being asked to review and consider.

Technical Review Committee Review and Comment

On January 14, 2020 staff first received the preliminary plat and plans for Greenwood Park. On January 21, 2020 the Technical Review Committee consisting of Planning Director James Eller, Public Works Director Dale Pennell and Fire Marshal Kile Davis convened to review the proposed project. A TRC report, a copy of which is attached hereto, was created as a result of this review which proposed 12 changes to the plat and plans as submitted. As a result of these findings, the preliminary plat was rescinded from consideration by the Planning and Zoning Board during their regularly scheduled meeting on Tuesday, February 4, 2020. In the following days, the engineers of the project worked with various members of staff from various departments to address the findings of the TRC. On February 17, 2020 a second version of the plat and plans were submitted to staff with TRC comment revisions at which point the TRC reconvened on February 21, 2020 for further review. A second TRC report was created, also attached hereto, with only one comment on the current version of the plat and plans. Given the current nature of the plat and plans staff felt it appropriate to present to the Board for their review and comment.

Staff Recommendation

Having thoroughly reviewed the plat and plans through the TRC staff is prepared to offer a positive recommendation to the Planning and Zoning Board on the proposed major subdivision commonly known as Greenwood Park with the one recommendation stated on the TRC report II dated February 21, 2020. A copy of the preliminary plat and plans with attesting signatures of the aforementioned municipal officials is on file for review, if needed.

TOWN OF WEAVERVILLE
TECHNICAL REVIEW COMMITTEE
REPORT

Project: Major Subdivision Preliminary Plat, Plans and Application – Greenwood Park
Date: January 21, 2020; 9:00 -12:00
Location: Conference Room, Town Hall
Staff: Planning Director, James Eller; Public Works Director, Dale Pennell; Fire Marshal Kile Davis.

Dept:	Comment:	Sheet #:
PLN	Minimum Lot Area 7,500 sq. ft. 12,500 sq. ft. shown is applicable to duplexes. Any use other than single family residential must be specifically noted.	C1.0
PLN	Parking Required 2 per unit off-street. Not applicable shown	C1.0
PLN	Corporate line limit partially shown. Add portions on northern and eastern borders.	C1.0
PLN	Note adjoining subdivision of record Reems Creek Village. May be found at the southeastern corner of the plat provided.	C1.0
PLN	Show home permitted via zoning permit, 29 Al Dorf Drive on December 5, 2019. Appears to be in the vicinity of lot 111 and/or112.	C1.0 ZP-12.5.19
FD	Hydrants at 500 ft. intervals along traveled roadways and preferably at intersections	C3.0
FD	Road grades in excess of 10% must be approved through Fire Chief	C2.4-C2.6
PW	Finished and existing elevations on utility plan	C3.0
PW	4 inch waterline shown on Tanaka not allowed	C3.0
FD	70 foot shown / 96 foot required for cul-de-sac driving surface	C3.0
PW	No active water allocation	
All	Suitability of land (Section 25-107). Show access for lots 147, 167, 171, 204	

TOWN OF WEAVERVILLE
TECHNICAL REVIEW COMMITTEE
REPORT II

Project: Major Subdivision Preliminary Plat, Plans and Application – Greenwood Park
Date: February 21, 2020; 10:00
Location: Conference Room, Town Hall
Staff: Planning Director, James Eller; Public Works Director, Dale Pennell; Fire Marshal Kile Davis.

Dept:	Comment:	Sheet #:
FD	Hydrants at 500 ft. intervals along traveled roadways and preferably at intersections. Too much distance between hydrants shown at Lot 113 and Lot 204. (possibly relocate hydrant shown at LOT 204 to Lot 119 or 207). Fire hydrant shown at lot 204 also appears to be located on steep fill slope.	C3.0

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: 01/14/2020

OWNER NAME: Greenwood Park LLC

SUBDIVISION NAME: Greenwood Park

PROPERTY ADDRESS: 22 Al Dorf Drive

PIN: 9742-62-9949, 9752-07-2714, 9742-96-6449

DEED BOOK/PAGE: 4752/0623, 4752/0626, 5843/1299

ORIGINAL TRACT SIZE (acres): 11.41, 29.70, 4.78

PROPOSED NUMBER OF LOTS: 73

SUBDIVISION TYPE: ☑ RESIDENTIAL ☐ COMMERCIAL ☐ INDUSTRIAL

OWNER/AGENT NAME: Greenwood Park LLC/ Amit Dorf
ADDRESS: 88 Union Chapel Rd, Weaverville, NC 28787
PHONE NUMBER: 828.712.5566

REGISTERED SURVEYOR: Robert K. Brady JR.
ADDRESS: P.O. Box 8302, Asheville, NC 28814
PHONE NUMBER: 828.255.4341

REGISTERED ENGINEER: Charles J. Christy
ADDRESS: 53 N. Market St. Suite 200, Asheville, NC 28801
PHONE NUMBER: 828.255.1197

Which utilities will serve the proposed development?:

☑ PUBLIC SANITARY SEWER ☐ COMMUNITY SEWER ☐ SEPTIC TANKS ON EACH LOT
☑ PUBLIC WATER ☐ COMMUNITY WATER ☐ 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.

SIGNATURE OF APPLICANT

01/14/20
DATE

OFFICE USE ONLY

FEE: DATE PAID: ☐ CHECK ☐ CASH

PRELIMINARY PLAT APPROVAL DATE: FINAL PLAT APPROVAL DATE:

☐ APPROVED WITH CONDITIONS:

MAJOR SUBDIVISION PLAN AND PLAT REQUIREMENTS

All applications for major subdivisions (including concept plan and preliminary and final plats) should be submitted to the Town of Weaverville Planning and Zoning Administrator.

In order to be considered for the next regularly scheduled meeting of the Planning and Zoning Board, complete applications must be submitted no fewer than ten (10) business days before the meeting. However, it is strongly encouraged that applications be submitted no fewer than fifteen (15) business days in advance of the aforementioned deadline. This will allow additional time for review and correction if needed. Eight (8) copies of the plat shall be submitted.

Concept Plans submitted for consideration must contain the following:

✓	Title Block containing:
✓	Name of subdivision
✓	Name of Owner and Subdivider or Developer
✓	Zoning designation of property
✓	Location: (address, township, county, state)
✓	Buncombe County tax PIN
✓	Date or dates survey was conducted and plat was prepared
✓	Scale of the drawing in feet per inch listed in words or figures
✓	A bar graph
✓	Sketch vicinity map showing the relationship between the proposed subdivision and surrounding area on a scale of one inch equals 500 feet.
✓	Corporate line limits, township boundary lines, county lines if any such lines intersect the subdivision tract.
✓	North arrow orientation.
✓	Exact exterior boundary lines of the tract to be subdivided, fully dimensioned by metes and bounds, and the location of existing boundary lines of adjoining tracts.
✓	Lot and street lines: all proposed streets and street right-of-way lines with dimensions, lot and block numbers, all easements; designation of any dedication or reservations to be made, a notation of building setback lines and proposed use of land if other than single family residential.
✓	Acreage in total tract to be subdivided.
✓	Total number of lots created.

The Town of
Weaverville
NORTH CAROLINA

Preliminary Plats submitted for consideration must contain the following:

☐	Title Block containing:
✓	Name of subdivision
✓	Name of Owner and Subdivider or Developer
✓	Zoning designation of property
✓	Location: (address, township, county, state)
✓	Buncombe County tax PIN
✓	Date or dates survey was conducted and plat was prepared
✓	Scale of the drawing in feet per inch listed in words or figures
✓	A bar graph
✓	Sketch vicinity map showing the relationship between the proposed subdivision and surrounding area on a scale of one inch equals 500 feet.
✓	Corporate line limits, township boundary lines, county lines if any such lines intersect the subdivision tract.
✓	North arrow orientation.
✓	Exact exterior boundary lines of the tract to be subdivided, fully dimensioned by metes and bounds, and the location of existing boundary lines of adjoining tracts.
✓	Lot and street lines: all proposed streets and street right-of-way lines with dimensions, lot and block numbers, all easements; designation of any dedication or reservations to be made, a notation of building setback lines and proposed use of land if other than single family residential.
☐	Street layout: typical cross section of proposed street, proposed street names and designation as public or private.
✓	Topographic lines.
✓	Acreage in total tract to be subdivided.
✓	Total number of lots created.
✓	Names of owners of adjoining properties.
✓	Names of any adjoining subdivisions of record or proposed and under review.
✓	Utility and other easements.
✓	Sanitary sewer system layout prepared by a professional engineer.
✓	Storm sewer system layout and other drainage facilities, if any, prepared by a professional engineer.
✓	Water distribution system layout illustrating connections to existing systems, showing line sizes, the location of fire hydrants, blow offs, pumps, and gate valves prepared by a professional engineer.
✓	A statement as to whether or not natural gas, telephone, electric and cable television lines are to be installed and whether they will be overhead or underground.
✓	Plans for individual water supply and sewerage disposal systems, if any.

Lighting Plan (if outdoor lighting to be installed) – refer to §36-26 of Zoning Ordinance.

Agenda Item 6&7

Garrison Reserve Conditional Zoning District

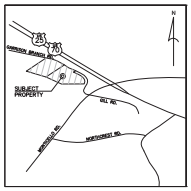
GARRISON RESERVE

WEAVERVILLE, NORTH CAROLINA

PREPARED FOR:

GARRISON BRANCH ACQUISITIONS, LLC
19 ARLINGTON STREET, SUITE 1
ASHEVILLE, NC 28801
JC GUEST
(828) 301-4322

Sheet List Table	
Sheet Number	Sheet Title
C000	COVER
C200	MASTER SITE PLAN
C201	SITE PLAN
C301	GRADING, EROSION CONTROL, & STORM DRAINAGE PLAN
C601	UTILITY PLAN



VICINITY MAP
(NOT TO SCALE)

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

DEVELOPMENT DATA

OWNER/DEVELOPER:	GARRISON BRANCH ACQUISITIONS, LLC 19 ARLINGTON STREET, SUITE 1 ASHEVILLE, NC 28801
CONTACT:	JC GUEST (828) 301-4322
CIVIL ENGINEER:	CIVIL DESIGN CONCEPTS, P.A. 168 PATTON AVENUE ASHEVILLE, NC 28801
CONTACT:	WARREN SUGG, P.E. (828) 252-5388

168 PATTON AVENUE
ASHEVILLE, NC 28801
PHONE (828) 252-5388
FAX (828) 252-5389

52 WALNUT STREET - SUITE 9
WAYNESVILLE, NC 28786
PHONE (828) 452-4410
FAX (828) 452-4420

CDC Civil Design Concepts, PA
www.civildesignconcepts.com
NCBELS LICENSE 1 C-0184

NO.	DATE	DESCRIPTION	BY
1	02/10/20	CONDITIONAL ZONING SUBMITTAL	MAD

PRELIMINARY NOT RELEASED FOR CONSTRUCTION

COVER FOR:

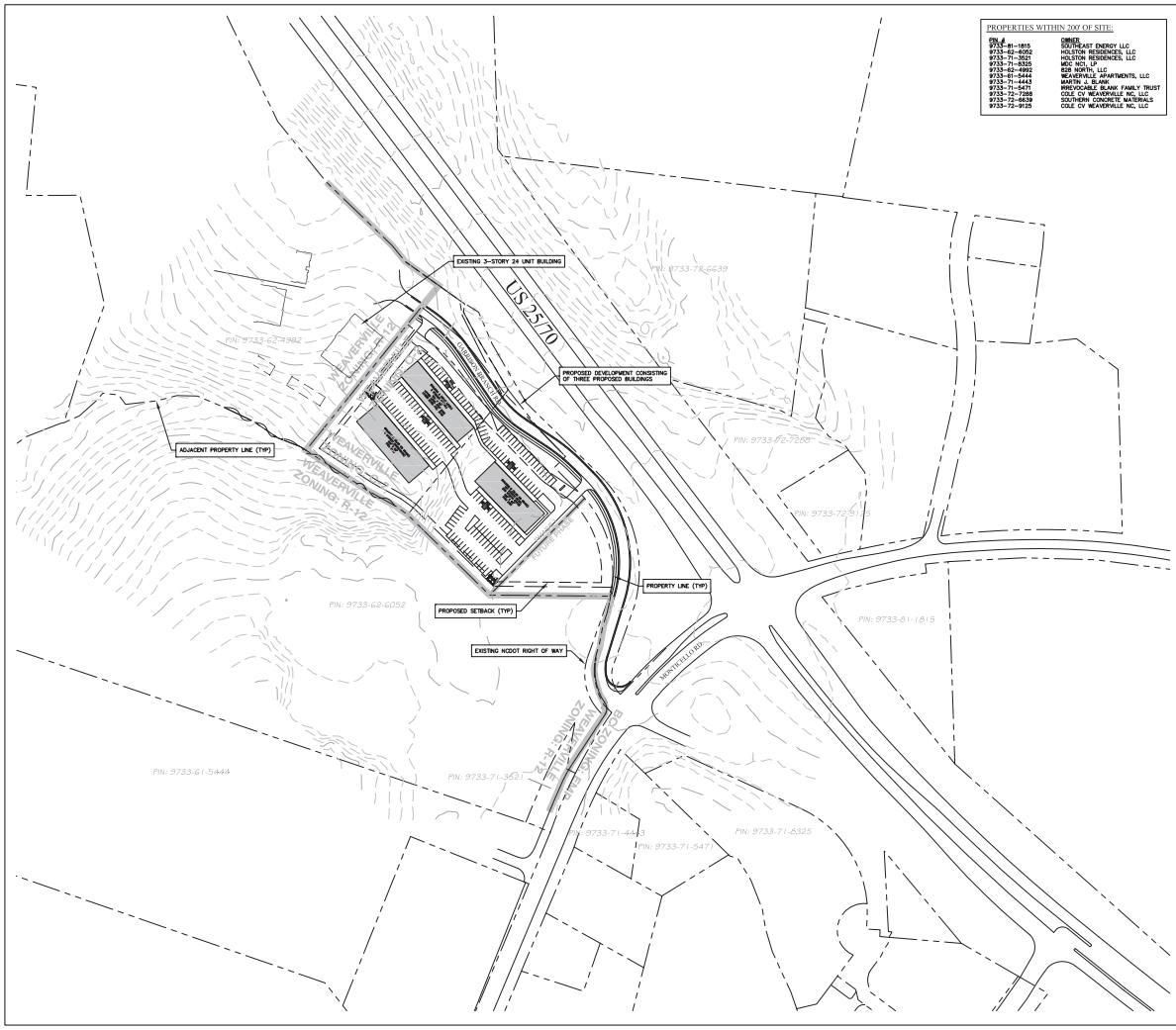
GARRISON RESERVE

GARRISON BRANCH ACQUISITIONS, LLC – WEAVERVILLE, NORTH CAROLINA

DRAWN BY: AMP
CDC PROJECT NO.: 11557
XXX PERMIT NO.: XXX

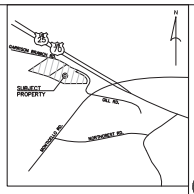
SHEET

C000



PROPERTIES WITHIN 200' OF SITE:

PIN #	OWNER
9733-81-1815	SOUTHEAST ENERGY LLC
9733-62-6052	HOLSTON RESIDENCES, LLC
9733-71-3521	HOLSTON RESIDENCES, LLC
9733-71-8325	MDC NCI, LP
9733-62-4992	628 NORTH, LLC
9733-61-5444	WEAVERVILLE APARTMENTS, LLC
9733-71-4443	MARTIN J. BLANK
9733-71-5471	IRREVOCABLE BLANK FAMILY TRUST
9733-72-7288	COLE CV WEAVERVILLE NC, LLC
9733-72-6639	SOUTHERN CONCRETE MATERIALS
9733-72-9125	COLE CV WEAVERVILLE NC, LLC



VICINITY MAP
(NOT TO SCALE)

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CONTACT:	JC GUEST (828) 301-4322
CIVIL ENGINEER:	CIVIL DESIGN CONCEPTS, P.A. 168 PATTON AVENUE ASHEVILLE, NC 28801
CONTACT:	WARREN SUGG, P.E. (828) 252-5388
ARCHITECT:	BCA ARCHITECTURE AND DESIGN 39 MCDOWELL STREET ASHEVILLE, NC 28801
CONTACT:	ERIN FOY, A.I.A. (828) 423-5351

PROJECT DATA

PIN:	9733-72-2155, 9733-72-0316
ADDRESS:	20 & 30 GARRISON BRANCH ROAD
DEED BOOK/PAGE:	5806/0498;5806/0490
SITE ACREAGE:	4.89 ACRES
ZONING:	C-2 (GENERAL BUSINESS DISTRICT)
SETBACKS:	
FRONT:	25'
SIDE:	30'
REAR:	30'
DISTURBED AREA:	4.6 AC

PARKING CALCULATIONS:

VEHICULAR:

REQUIRED SPACES:

RETAIL:	1/300 SF (TOTAL 29,700 SF) REQUIRED: 99
OFFICE:	1/200 SF (TOTAL 9,920 SF) REQUIRED: 50
WAREHOUSE:	1/300 SF (TOTAL 32,400 SF) REQUIRED: 108 SUGGESTED PARKING: 10
SPACES REQUIRED:	159 SPACES
SPACES PROVIDED:	159

HANDICAPPED SPACES:
SPACES REQUIRED: 7 SPACES PROVIDED: 8

BUILDING DATA:

BUILDING	DESCRIPTION	HEIGHT	GFA
A	TWO STORY METAL	36'-3"	19,500 SF
B	TWO STORY METAL	36'-3"	17,360 SF
C	THREE STORY METAL	37'-0"	32,400 SF

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

NORTH

MASTER SITE PLAN

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

FOR REVIEW ONLY

NO.	DATE	DESCRIPTION	BY
1	02/10/20	CONDITIONAL ZONING SUBMITTAL	MAD

PRELIMINARY NOT RELEASED FOR CONSTRUCTION

CDC Civil Design Concepts, PA
NCBELS LICENSE #: C-0194
www.civildesignconcepts.com

168 PATTON AVENUE
ASHEVILLE, NC 28801
PHONE (828) 252-5388
FAX (828) 252-5389

32 WALNUT STREET - SUITE 9
WAYNESVILLE, NC 28786
PHONE (828) 452-4410
FAX (828) 452-4402

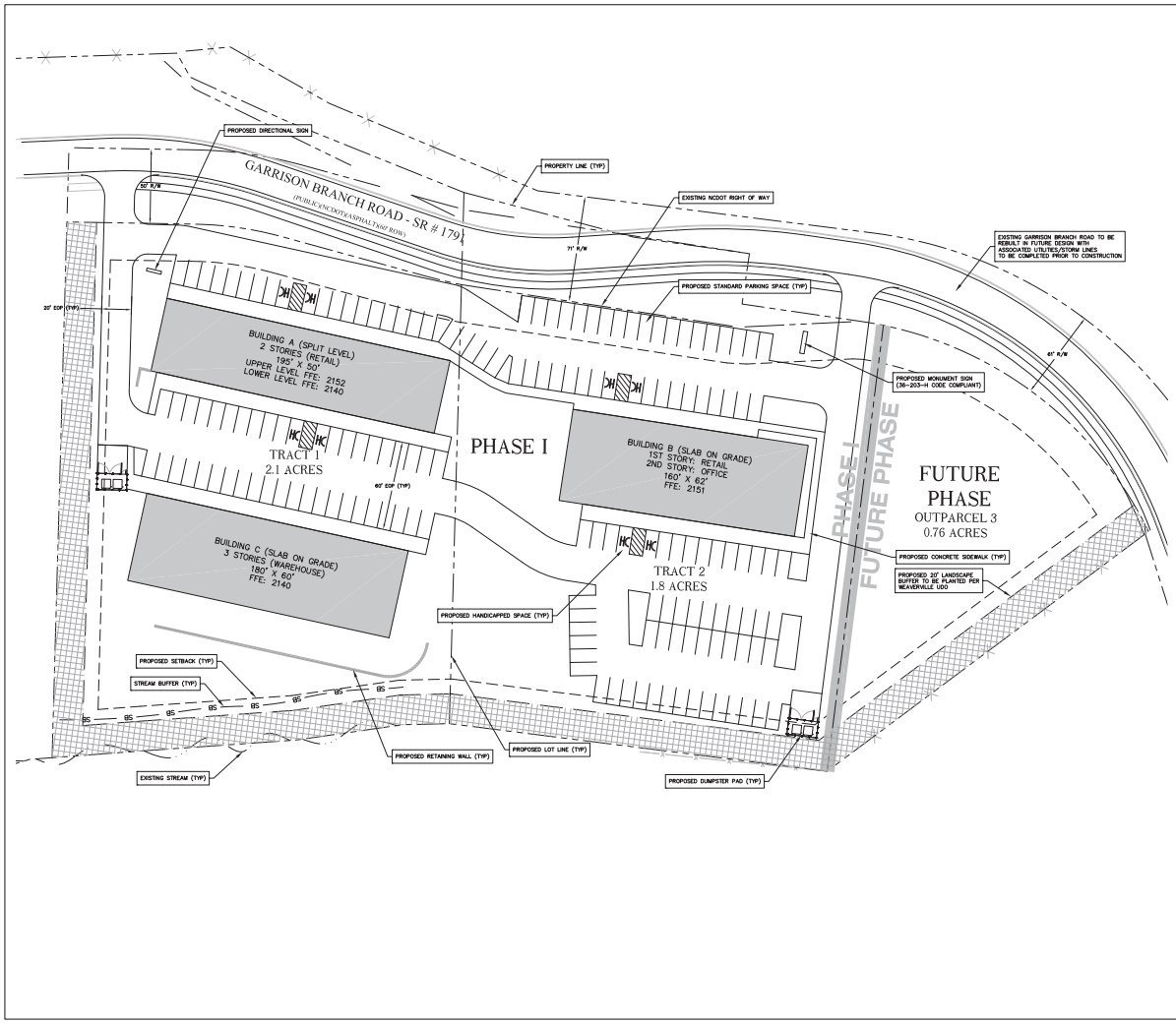
MASTER SITE PLAN FOR:

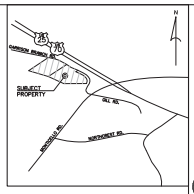
GARRISON RESERVE

GARRISON BRANCH ACQUISITIONS, LLC – WEAVERVILLE, NORTH CAROLINA

DRAWN BY: AMP
CDC PROJECT NO.: 11557
XXX PERMIT NO.: XXX

SHEET
C200





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NORTH

SITE PLAN

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

169 PATTON AVENUE
ASHEVILLE, NC 28801
PHONE (828) 252-5388
FAX (828) 252-5390

52 WALNUT STREET - SUITE 9
WAYNESVILLE, NC 28786
PHONE (828) 452-4410
FAX (828) 452-4450

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NCBELS LICENSE #: C-0184

NO.	DATE	DESCRIPTION	BY
1	02/10/20	CONDITIONAL ZONING SUBMITTAL	MAD

FOR REVIEW ONLY

PRELIMINARY NOT RELEASED FOR CONSTRUCTION
Project Manager
MARION M. SUGG

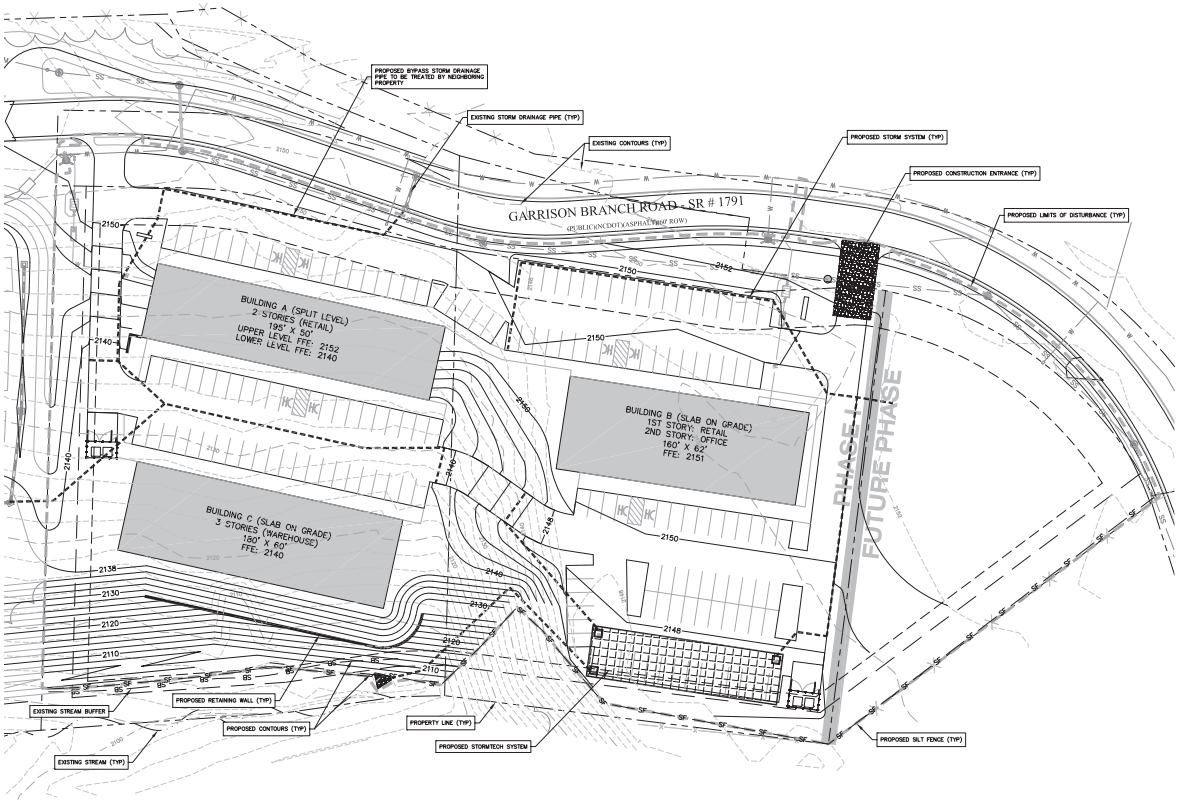
SITE PLAN FOR:

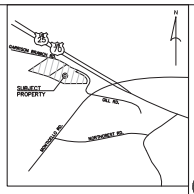
GARRISON RESERVE

GARRISON BRANCH ACQUISITIONS, LLC – WEAVERVILLE, NORTH CAROLINA

DRAWN BY: AMP
CDC PROJECT NO.: 11557
XXX PERMIT NO.: XXX

SHEET
C201





VICINITY MAP
(NOT TO SCALE)

DEVELOPMENT DATA

OWNER/DEVELOPER:	GARRISON BRANCH ACQUISITIONS, LLC 19 ARLINGTON STREET, SUITE 1 ASHEVILLE, NC 28801
CONTACT:	JC GUEST (828) 301-4322
CIVIL ENGINEER:	CIVIL DESIGN CONCEPTS, P.A. 168 PATTON AVENUE ASHEVILLE, NC 28801
CONTACT:	WARREN SUGG, P.E. (828) 252-5388
ARCHITECT:	BCA ARCHITECTURE AND DESIGN 39 MCDOWELL STREET ASHEVILLE, NC 28801
CONTACT:	ERIN FOY, A.I.A. (828) 423-5351

PROJECT DATA

PIN:	9733-72-2155, 9733-72-0316
ADDRESS:	20 & 30 GARRISON BRANCH ROAD
DEED BOOK/PAGE:	5806/0498;5806/0490
SITE ACREAGE:	4.89 ACRES
ZONING:	C-2 (GENERAL BUSINESS DISTRICT)
SETBACKS:	
FRONT:	25'
SIDE:	30'
REAR:	30'
DISTURBED AREA:	4.6 AC

PARKING CALCULATIONS:

VEHICULAR:

REQUIRED SPACES:

RETAIL:	1/300 SF (TOTAL 29,700 SF) REQUIRED: 99
OFFICE:	1/200 SF (TOTAL 9,920 SF) REQUIRED: 50
WAREHOUSE:	1/300 SF (TOTAL 32,400 SF) REQUIRED: 108 SUGGESTED PARKING: 10
SPACES REQUIRED:	159 SPACES
SPACES PROVIDED:	159

HANDICAPPED SPACES:
SPACES REQUIRED: 7 SPACES PROVIDED: 8

BUILDING DATA:

BUILDING	DESCRIPTION	HEIGHT	GFA
A	TWO STORY METAL	36'-3"	19,500 SF
B	TWO STORY METAL	36'-3"	17,360 SF
C	THREE STORY METAL	37'-0"	32,400 SF

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

NORTH

GRADING, EROSION CONTROL, & STORM DRAINAGE PLAN

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

168 PATTON AVENUE
ASHEVILLE, NC 28801
PHONE (828) 252-5388
FAX (828) 252-5389

52 WALNUT STREET - SUITE 9
WAYNESVILLE, NC 28786
PHONE (828) 454-4410
FAX (828) 454-4450

CDC Civil Design Concepts, PA
NCBELS LICENSE #: C-0194
www.civildesignconcepts.com

NO.	DATE	DESCRIPTION	BY
1	02/10/20	CONDITIONAL ZONING SUBMITTAL	MAD

FOR REVIEW ONLY

PRELIMINARY NOT RELEASED FOR CONSTRUCTION

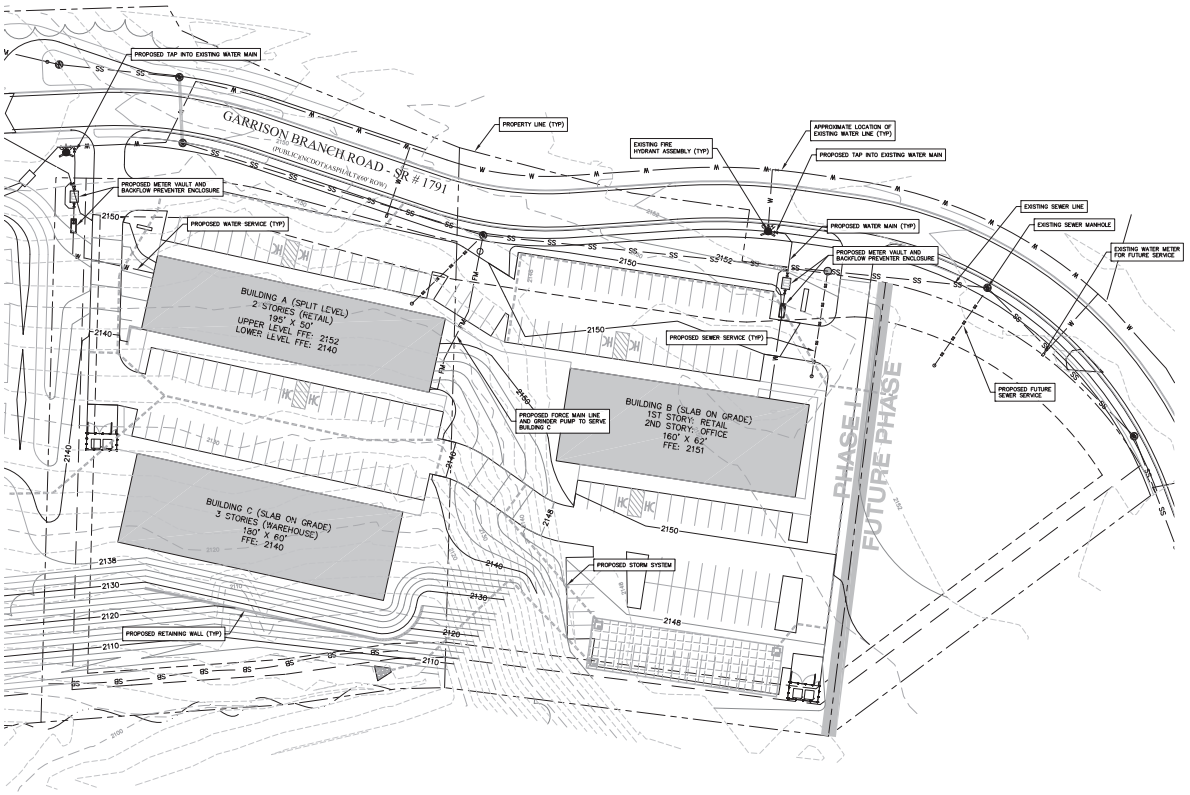
GRADING, EROSION CONTROL, & STORM DRAINAGE PLAN FOR:

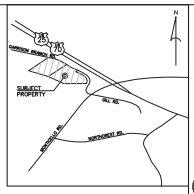
GARRISON RESERVE

GARRISON BRANCH ACQUISITIONS, LLC – WEAVERVILLE, NORTH CAROLINA

DRAWN BY: AMP
CDC PROJECT NO.: 11557
XXX PERMIT NO.: XXX

SHEET
C301





VICINITY MAP
(NOT TO SCALE)

DEVELOPMENT DATA

OWNER/DEVELOPER:	GARRISON BRANCH ACQUISITIONS, LLC 19 ARLINGTON STREET, SUITE 1 ASHEVILLE, NC 28801
CONTACT:	JC GUEST (828) 301-4322
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PROJECT DATA

PIN:	9733-72-2155, 9733-72-0316
ADDRESS:	20 & 30 GARRISON BRANCH ROAD
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SITE ACREAGE:	4.89 ACRES
ZONING:	C-2 (GENERAL BUSINESS DISTRICT)
SETBACKS:	
FRONT:	25'
SIDE:	30'
REAR:	30'
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VEHICULAR:

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

NORTH

UTILITY PLAN

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

CDC Civil Design Concepts, PA
168 PATTON AVENUE
ASHEVILLE, NC 28801
PHONE (828) 252-5388
FAX (828) 252-5390
32 WALNUT STREET - SUITE 9
WAYNESVILLE, NC 28786
PHONE (828) 452-4110
FAX (828) 452-4450
www.civildesignconcepts.com
NCBELS LICENSE #: C-0194

NO.	DATE	DESCRIPTION	BY
1	02/10/20	CONDITIONAL ZONING SUBMITTAL	MAD

FOR REVIEW ONLY

PRELIMINARY NOT RELEASED FOR CONSTRUCTION

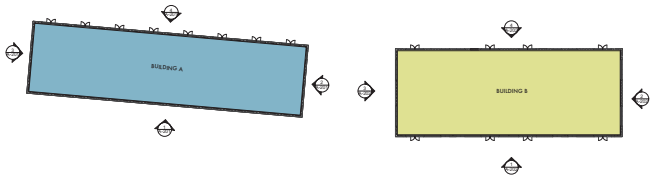
UTILITY PLAN FOR:

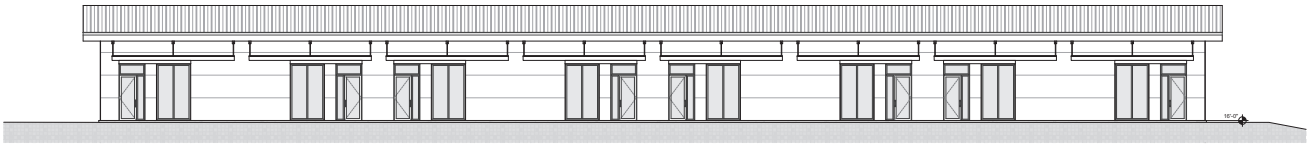
GARRISON RESERVE

GARRISON BRANCH ACQUISITIONS, LLC – WEAVERVILLE, NORTH CAROLINA

DRAWN BY: AMP
CDC PROJECT NO.: 11557
XXX PERMIT NO. XXX

SHEET
C601



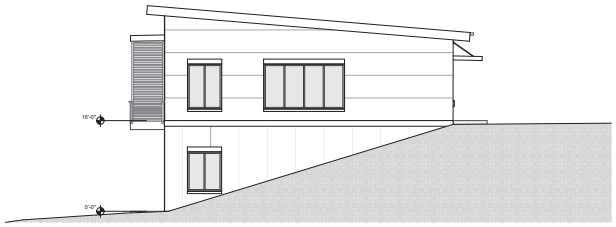


1 BUILDING A (S)
SCALE: 1/8" = 1'-0"

0 4' 8' 16'

2 BUILDING A (E)
SCALE: 1/8" = 1'-0"

0 4' 8' 16'



3 BUILDING A (W)
SCALE: 1/8" = 1'-0"

0 4' 8' 16'

4 BUILDING A (N)
SCALE: 1/8" = 1'-0"

0 4' 8' 16'

BCA
28 MCDOWELL ST. ASHEVILLE, NC
(T) 828.230.7732 WWW.BCAVL.COM

NOTICE
THESE DRAWINGS ARE THE RESULT OF A LIMITED SERVICES AGREEMENT BETWEEN THE OWNER AND THE ARCHITECT. INFORMATION, DETAILS, AND SPECIFICATIONS, NOT INCLUDED IN THIS UNBUNDLED SET OF DRAWINGS SHALL BE THE RESPONSIBILITY OF OTHERS.
IT SHALL BE THE RESPONSIBILITY OF OTHERS TO INTERPRET THESE DRAWINGS AND COORDINATE THE DRAWINGS WITH THE WORK. FURTHER, IT SHALL BE THE RESPONSIBILITY OF OTHERS TO OBSERVE THE WORK TO DISCOVER, CORRECT AND/OR MITIGATE ERRORS, INCONSISTENCIES, OR OMISSIONS IN BOTH THE WORK, AND IN THE DRAWINGS.
USE OF THESE DRAWINGS WITHOUT THE PARTICIPATION BY THE ARCHITECT IN THE CONSTRUCTION PHASE OF THE PROJECT CONSTRUCTION PHASE OF THE PROJECT SHALL INDEMNIFY THE ARCHITECT AND ITS CONSULTANTS AGAINST LIABILITY RESULTING FROM ERRORS, INCONSISTENCIES, OR OMISSIONS IN BOTH THE WORK, AND IN THE DRAWINGS.

CONDITIONAL ZONING

NOT FOR CONSTRUCTION

PROJECT NAME:

GARRISON BRANCH
#Site Address1
Asheville, NC 28801

OWNER:

#Client Full Name

MARK	DATE	ISSUE

PROJECT NO: *1951*
MODEL FILE:
DRAWN BY: *BCA*
CHK'D BY:

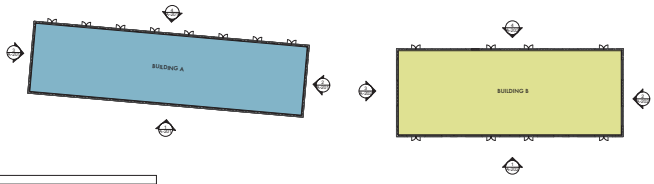
SHEET TITLE

BUILDING A ELEVATIONS

DATE: 2/5/20 *© 2020*

A-201

FOR REVIEW ONLY **NOT FOR CONSTRUCTION**



1 BUILDING B (S)
SCALE: 1/8" = 1'-0"

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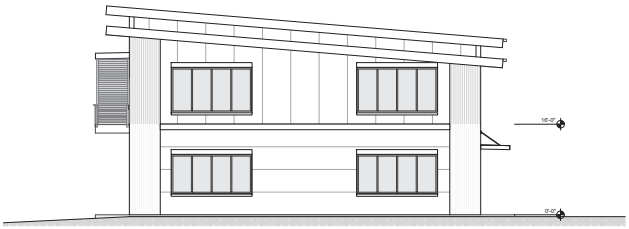
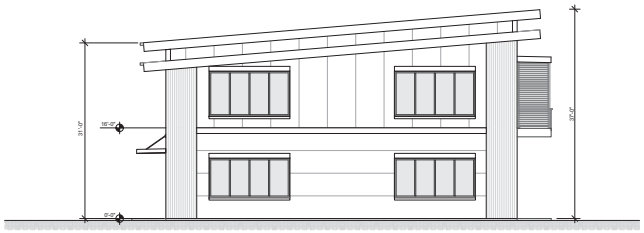


2 BUILDING B (E)
SCALE: 1/8" = 1'-0"

0 4' 8' 16'



3 BUILDING B (W)
SCALE: 1/8" = 1'-0"

0 4' 8' 16'

4 BUILDING B (N)
SCALE: 1/8" = 1'-0"

0 4' 8' 16'

FOR REVIEW ONLY **NOT FOR CONSTRUCTION**

BCA
38 MCDOWELL ST. ASHEVILLE, NC
(T) 828.230.7732 WWW.BCAVL.COM

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CONDITIONAL ZONING

NOT FOR CONSTRUCTION

PROJECT NAME:

GARRISON BRANCH
#Site Address1
Asheville, NC 28801

OWNER:

#Client Full Name

MARK	DATE	ISSUE

PROJECT NO: *1951*
MODEL FILE:
DRAWN BY: *BCA*
CHK'D BY:

SHEET TITLE

BUILDING B ELEVATIONS

DATE: 2/5/20 *© 2020*

A-202

0 15' 30' 60' 90' 120'

GARRISON BRANCH

MASTER PLAN

WEAVERVILLE, NC

THIS DOCUMENT IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
THE REPRESENTATIONS PROVIDED ARE SUBJECT TO CHANGE AND SHOULD NOT BE
RELIED UPON AS A COMPLETE, ACCURATE OR FINAL DESCRIPTION OF THE PROJECT.

sitework STUDIOS

FEBRUARY 7, 2020

1 BUILDING A (S)
SCALE: 1/8" = 1'-0"

2 BUILDING A (E)
SCALE: 1/8" = 1'-0"

3 BUILDING A (W)
SCALE: 1/8" = 1'-0"

4 BUILDING A (N)
SCALE: 1/8" = 1'-0"

GARRISON BRANCH

BUILDING A ELEVATIONS

WEAVERVILLE, NC

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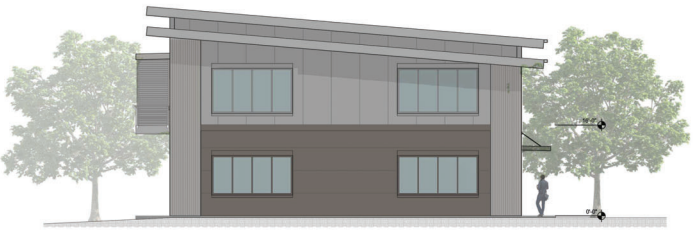
sitework STUDIOS

FEBRUARY 7, 2020

1 BUILDING B (S)
SCALE: 1/8" = 1'-0"

0 4' 8' 16'



2 BUILDING B (E)
SCALE: 1/8" = 1'-0"

0 4' 8' 16'

3 BUILDING B (W)
SCALE: 1/8" = 1'-0"

0 4' 8' 16'

4 BUILDING B (N)
SCALE: 1/8" = 1'-0"

0 4' 8' 16'

GARRISON BRANCH

BUILDING B ELEVATIONS

WEAVERVILLE, NC

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sitework STUDIOS

FEBRUARY 7, 2020

BUILDING C (W)

BUILDING C (N)

0 1 2 3 4 feet

1" = 1'-0"

BUILDING C ELEVATIONS

GARRISON BRANCH

WEAVERVILLE, NC

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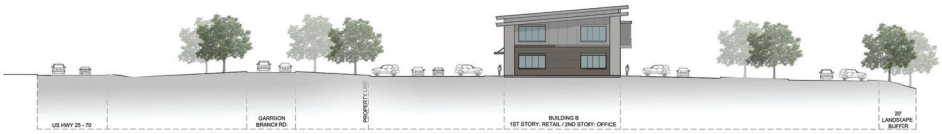
sitework STUDIOS

FEBRUARY 20, 2020

SECTION A



SECTION B

0 2 4 6 8 feet

1/2" = 1'-0"

SECTION A AND B

GARRISON BRANCH

WEAVERVILLE, NC

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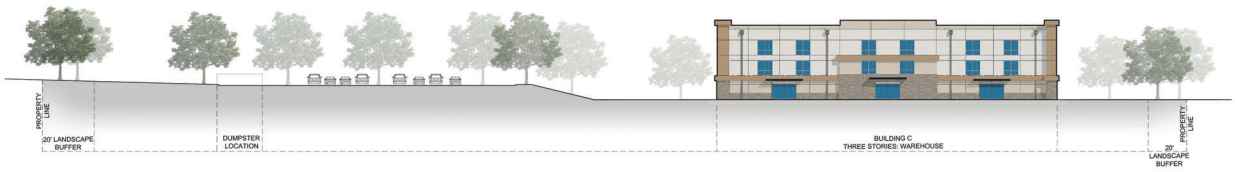
sitework STUDIOS

FEBRUAIY 20, 2020

SECTION C



SECTION D

0 2 4 6 8 feet

1/2" = 1'-0"

SECTION C AND D

GARRISON BRANCH

WEAVERVILLE, NC

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sitework STUDIOS

FEBRUARY 20, 2020

Town of Weaverville, North Carolina

Staff Report: Proposed Conditional Zoning District for Garrison Reserve

Prepared February, 2020

Sources: Town of Weaverville Code of Ordinances; Town of Weaverville Water and Street Standards; North Carolina Fire Prevention Code

Introduction to the Property

The subject parcel(s), commonly known as Garrison Reserve, consists of 4.89 acres as shown on Buncombe County tax records and the conditional zoning district proposal seeks to create approximately 70,000 square feet of commercial space to be used for a combination of warehousing, retail and office purposes. The property may be found on the western corner of the intersection of 25/70 and Monticello Road.

Question of Jurisdiction

Section 36-84 tasks the Planning and Zoning Board to conduct a review and recommendation to Town Council on the proposed conditional zoning district and its compliance, or lack thereof, with the Town's Comprehensive Land Use Plan or other applicable and adopted plans. An initial consideration requisite of Town Council was conducted on the night of Monday, February 24. Comments made ranged from "sprawl with too much parking" to an "improvement over existing or previous conditions" and "suitable to the needs of those in the vicinity."

Sec. 36-105. - Table of Uses

USES	R-1	R-2	R-3	R-12	C-1	C-2	I-1
RETAIL / RESTAURANTS							
Multi-tenant Development (25,000 sq. ft. or more)	-	-	-	-	C	C	C

Technical Review Committee Review and Comment

On February 12, 2020 the Technical Review Committee consisting of Planning Director James Eller, Public Works Director Dale Pennell and Fire Marshal Kile Davis convened to review the proposed project. A TRC report, a copy of which is attached hereto, was created as a result of this review which proposed 1change to the plans submitted. The project engineer has since made the requested revision.

TOWN OF WEAVERVILLE
TECHNICAL REVIEW COMMITTEE
REPORT

Project: Conditional Zoning District Plans and Application – Garrison Reserve
Date: February 12, 2020
Location: Conference Room, Town Hall
Staff: Planning Director, James Eller; Public Works Director, Dale Pennell; Fire Marshal Kile Davis.

Dept:	Comment:	Sheet #:
All	Using the FFE listed on plans provided by CDC for buildings A and C (2140 for both), and heights shown for the same buildings on multiple pages there appears to be a problem with the scale of building C in particular on plans provided by Sitework Studios. In short, a three story building is being shown as being shorter than a two story building. Please revise.	CDC: C200 + all FFE shown/ Sitework: Sections A and B; Sections C and D
PW, FD	Water and sewer availability relies entirely on lines currently under construction for the neighboring apartment complex. No action required.	C601
PLN	Please confirm that a storage building the size of building C, does not require any water service as shown.	C601

Transmittal

Date: **February 10, 2020**

Project Name: **Garrison Reserve**

CDC Project: **11557**

Permit #:

To: **James Eller, Planning Director**
Town of Waverville
30 South Main Street
P.O. Box 338
Weaverville, NC 28787

Via: ☐ Mail ☐ Overnight ☒ Hand Delivered ☐ Pick up @ CDC Office ☐ Digital

Copies	Date	Description
1	02/10/20	Conditional Zoning District Application Fee - $350
1	02/10/20	Conditional Zoning District Application
1	02/10/20	Sewer Allocation
3	02/10/20	24" x 36" Engineering Plans

Remarks:

Attached is the Conditional Zoning District Application package for the Garrison Reserve project.
Please let us know if you have any questions or comments.

Thank you,

Warren Sugg, P.E

S:\ACAD\11855\docs\Planning\submittal parts\Transmittal TRC.docx

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

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

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

CONDITIONAL ZONING DISTRICT 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
$350.00 Application Fee

The Town of Weaverville
NORTH CAROLINA

Conditional Zoning Districts address situations in which a particular use, properly planned, may be appropriate for a specific site but, the existing zoning district of the site has insufficient standards to mitigate the site-specific impact on the surrounding area.

Uses which may be considered for a Conditional Zoning District shall be established on a case-by-case basis at the request of the property owner. Conditional Zoning Districts are not intended for securing early or speculative reclassification of a property.

A Conditional Zoning District shall be defined as a zoning district in which the development and use of the property included in the district are subject to predetermined ordinance standards, regulations, and conditions imposed as part of the legislative decision creating the district and applying it to the particular property. If the use of an approved Conditional Zoning District ever changes, a new proposed use and plan must be submitted for review by the Town Council.

A fee of $350.00 shall be paid to the Town of Weaverville for each Conditional Zoning District or rezoning request. During review of the request, all additional costs incurred by the Town above the initial fee of $350.00 shall be the responsibility of the applicant.

OWNER/APPLICANT NAME: Garrison Branch Acquisitions LLC APPLICATION DATE: 02/10/2020

BRIEFLY DESCRIBE THE PROJECT: 3 buildings with a mix of uses as follows: retail (+/- 29,420 SF), warehouse (+/- 32,400 SF), and office (+/- 9,920 SF)

PHONE NUMBER:

PROPERTY ADDRESS: 20 & 30 Garrision Branch Rd
Weaverville, NC 28787

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

DEED BOOK/PAGE: 5806/0498; 5806/0490

LOT AREA (acres): 4.89 acres

ZONING DISTRICT: C-2

MANAGER AGENT

2/10/2020

SIGNATURE OF APPLICANT

DATE

CONDITIONAL ZONING DISTRICT 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
$350.00 Application Fee

The Town of Weaverville
NORTH CAROLINA

A petition for a Conditional Zoning District must include a site plan and supporting information that specifies the intended uses for property. A complete site plan will include the following:

X	Title block containing:		
		X	Name of owner & applicant
		X	Property address
		X	Buncombe County PIN
		X	Date or dates survey was conducted or plan prepared
		X	Scale of the drawing in feet per inch
		X	Deed book and page reference of the deed
		X	Zoning designation of property
X	Sketch vicinity map depicting the relationship between the proposed subdivision and the surrounding area		
X	North Arrow and orientation		
X	Lot area in acres and square feet		
X	Existing topography of the site and within 300 feet of the site boundary in five (5) foot contours		
NA	Delineation of areas within the floodplain.		
X	Names of owners of adjoining properties, Buncombe County PIN, and zoning designation		
X	Minimum building setback lines applicable to the lot, including drainage or utility easements		
X	Proposed number and location of signs		
X	Exact dimensions, location, height, and exterior features of proposed buildings and structures		
X	Scale of all buildings relative to adjoining properties, including sight lines		
NA	Utility easements		
X	Existing and proposed sanitary sewer system layout and a letter of commitment		
X	Existing and proposed water distribution system layout and a letter of commitment		
X	Existing and proposed stormwater system layout. Include copy of application for Buncombe County stormwater permit		
X	Plans for individual water supply and sewerage/septic disposal system, if any		
NA	A statement as to whether or not natural gas, telephone, electric, and cable lines are to be installed, and whether they will be above or below ground		
X	Exact dimension and location of all traffic, parking, and circulation plans showing the proposed location and arrangement of parking spaces.		
X	Existing and proposed roads, driveways, ingress/egress, easements, and rights-of-way both private and public. Include NCDOT driveway permit, if required.		
NA	Existing and proposed encroachments into setbacks, rights-of-way, and/or easements, if any		
NA	Location of significant trees on the property		
NA	Proposed phasing, if any, and expected completion date of the project.		

Upon reviewing the application, site plan, and supporting documents, the Planning and Zoning Board will issue statement of reasonableness of the proposed Conditional Zoning District.

Before a public hearing may be held by the Town Council, the petitioner must file in the Office of the Town Clerk, a written report of at least one community meeting held by the petitioner. The report shall include a list of those persons and organization notified of the meeting detailing the method and date of contact' the date, time, and location of the meeting; a roster of persons in attendance, a summary of issues discussed, and a description of any changes to the petition as a result of the meeting. In the event the petitioner has not held at least one meeting, the petitioner shall file a report documenting efforts that were made and the reasons such a meeting was not held.

CONDITIONAL ZONING DISTRICT 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
$350.00 Application Fee

The Town of Weaverville
NORTH CAROLINA

At the discretion of the Town Council, it may be required of the property owner to guarantee performance or completion of conditions included in the Conditional Zoning Plan. Such guarantee may take the form of: (1) a surety performance bond made by a company licensed and authorized in North Carolina, (2) a bond of a developer with an assignment to the Town of a certificate of deposit, (3) a bond of developer secured by an official bank check drawn in favor of the Town and deposited with the Town Clerk, (4) cash or an irrevocable letter of credit, (5) a bank escrow account whereby the developer deposits cash, a note, or a bond with a federally insured financial institution into an account payable to the Town. The amount of the guarantee shall be determined by Town Council.

Metropolitan Sewerage District

of Buncombe County, North Carolina

Allocation Approval

This approval is not to be used to obtain a building permit and is for gravity sewer extension only.

Applicant:	STEPHEN BEVERIDGE	**Date:** 2/10/2020
Company:	CIVIL DESIGN CONCEPTS, PA	
Mailing Address:	168 PATTON AVENUE, ASHEVILLE, NC 28801	
Phone:	(Home) (Cell) 828-252-5388 (Work)	
Project #:	2020020	
Project Name:	GARRISON BRANCH RESERVE-RENEWAL	
Project Location:	GARRISON BRANCH ROAD (20,30)	
PIN:	9733722155 9733720316	

MSD of Buncombe County has approved your request for **5,000 GPD**

The connection point (manhole #) will be **Mulitple on new 828 North Extension**

The project will consist of **(4) COMMERCIAL BUILDINGS**

Your final approval is contingent upon compliance of the items below:

- If this project ends up having a restaurant or food servicing facilities or discharge non-domestic waste. You must contact ALAN TAYLOR at ataylor@msdbc.org to obtain approval.
- The project will require service connection(s) as part of the 828 North (2017153) Sewer Extension permitted (P01057) to Stephen Austin. Please complete and submit Sewer Service Application(s). MSD staff will contact you with applicable fees.

Comments:

- Warehouse (Building C) does not show a service connection. If this building will have plumbing, it will require its own sewer service connection to the new public sewer extension.
- Certificates of Occupancy will not be released until 828 North sewer extension is closed out and conveyed to MSD.

The North Carolina Department of Environmental Quality (NCDEQ) requires MSD to issue this approval based on line condition/capacity of the receiving sewer and remaining plant capacity.

This allocation approval will expire on **02/10/2021** if no construction has started.

If you have any questions, please contact MSD.

Kevin Johnson
MSD Planning and Development

Agenda Item 8&9

Proposed Text Amendments: Streets, Parking and Mandated Notices

- **In anticipation of Town Council making substantial changes to both Chapters 24: Streets and Sidewalks & 28: Traffic, the Planning and Zoning Board is being asked to examine sections of ordinance within Chapters 25 & 36 which may be affected. The proposed changes are largely to maintain consistency throughout the code and to incorporate provisions that are better suited within the land use regulations.**
- **Mandated Notices for quasi-judicial matters relate to provisions that the Board of Adjustment, SOG, and staff recommend deleting so as to perfectly align with the notice requirements provided in statute. SOG cautions that the wider the notice bubble on quasi-judicial hearings the more susceptible you are to challenge on issue of standing.**

Sec. 25-111. - Streets.

(a) *Type of street required.* All subdivision lots shall abut on a "public" street as herein defined or on a "private" street with reference to which there is a duly recorded maintenance agreement as provided for in this chapter. All public streets may be dedicated to the town or to the state. All public and private streets shall be built to the standards ~~of this chapter~~ established in Chapter 24 and all other applicable standards of the town and the state department of transportation, whichever is the more restrictive standard.

A written maintenance agreement providing for maintenance of the street until it is added to the town or state highway system shall be included with the final plat. Such agreement shall be recorded as provided for in other sections of this chapter.

(b) *Subdivision street disclosure statement.* All streets shown on the final plat shall comply with the provisions of G.S. 136-102.6 and a designation as "public" shall be conclusively presumed to be an offer of dedication to the town or state. Where streets are offered to be dedicated but are not finally accepted into the town or state system, before lots are sold, a statement explaining the status of the street shall be included on the final plat.

(c) *Access to adjacent properties.* Where, in the opinion of the planning and zoning board and/or the town council, it may be necessary to provide for public street access to an adjoining property not within the subdivision proposed streets shall, as allowed by law, be extended by dedication to the boundary of such public adjoining property and a temporary turnaround provided. The extension dedicated shall have the same right-of-way width as the street being extended.

(d) ~~*Nonresidential streets.* The subdivider of a nonresidential subdivision shall provide streets constructed in accordance with I.F-4 of the North Carolina Department of Transportation, Division of Highways Subdivision Roads Minimum Construction Standards, July 1, 1985, as amended, and the standards in this chapter, whichever are stricter in regard to each particular item.~~

~~(e) *Design standards.* The design of all streets and roads within the jurisdiction of this chapter shall be in accordance with the accepted policies of the state department of transportation, division of highways, which are patterned on the American Association of State Highway Officials (AASHO) manuals. The North Carolina Department of Transportation, Division of Highways Subdivision Roads Minimum Construction Standards, July 1, 1985, as amended, shall apply for any items not included in this chapter, or where they may be stricter than this chapter.~~

~~(f)~~ *Other requirements.*

(1) *Through traffic discouraged on residential collector and local streets.* Residential collector and local streets shall be laid out in such a way that their use by through traffic will be discouraged. Provision shall be made for the free flow of traffic so as not to cause undue congestion. ~~All streets shall be designed or walkways shall be dedicated to assure convenient access to parks, playgrounds, schools, or other places of public assembly.~~

(2) *Sidewalks.* Sidewalks may be required as provided in Sec. 36-24. ~~by the planning and zoning board or the town council on one or both sides of a street in areas likely to be subject to heavy pedestrian traffic such as near schools and shopping areas, or in other areas as deemed appropriate by the planning and zoning board or by the town council. Such sidewalks shall be constructed to a minimum width of five feet, and shall consist of a minimum thickness of four inches of concrete. All sidewalks shall be within the street right of way, unless the subdivision is platted as a planned unit or group development. Sidewalks shall consist of a minimum of eight inches of concrete at driveway crossings and at handicapped ramps~~.

(3) *Street names.* Street names shall be subject to the approval of Buncombe County E-911 Addressing. ~~Proposed streets which are in alignment with existing streets and which will constitute extension of the existing street shall be given the same name as the existing street. In assigning new street names, duplication of existing names shall be avoided. In no case shall a proposed street name be phonetically similar to an existing street name used in Buncombe County irrespective of the use of a suffix such as street, road, drive, place, court, etc. Street~~

~~names shall be subject to the approval of the planning and zoning board and/or the town council~~.

(4) *Street name and other signs.* All subdividers shall be required to provide and erect street name signs to town standards at all intersections within the subdivision. Subdividers shall also erect traffic control and directional signs in appropriate locations.

(5) *Permits for connection to state roads.* An approved permit shall be required for connection to an existing state system road. Such permit shall be required prior to any construction on the street or road. A permit application may be obtained at the office of the nearest district engineer of the division of highways.

(6) *Offsets to utility poles.* Poles for overhead utilities shall be located back from roadway shoulders, preferably a minimum of at least 30 feet from the edge of pavement on major thoroughfares. On streets with curb and gutter, utility poles should be set back a minimum distance of six feet from the face of the curb.

(7) ADA accessibility ~~*Ramps for handicapped persons*~~*.* Where curbs are provided on streets or where curbs and sidewalks are constructed within any subdivision, any construction or reconstruction of such curbs and sidewalks shall be in full compliance with ADA accessibility standards ~~the provisions of G.S. 136-44.14 which sets forth standards for providing curb ramps or curb cuts for handicapped persons~~.

(8) *Guard rails.* ~~Guardrails may be required in areas of danger where deemed appropriate by the planning and zoning board or by the town council~~. Guardrails must be constructed in accordance with the minimum standards for subdivisions as established by North Carolina Department of Transportation or the North Carolina Fire Prevention Code, whichever is stricter.

(9) ~~*Horizontal width for bridge decks*~~*.* *Bridges.* Bridges must be constructed in accordance with the minimum standards for subdivisions as established by North Carolina Department of Transportation or the North Carolina Fire Prevention Code, whichever is stricter.

~~a. The clear roadway widths for new and reconstructed bridges serving two-lane, two-way traffic shall be as follows:~~

~~1. Shoulder section approach.~~

~~Under 800 ADT Design Year: Minimum 28 feet width face-to-face of parapets or rails or pavement width plus ten feet, whichever is greater.~~

~~800—2000 ADT Design Year: Minimum 34 feet width face-to-face of parapets or rails or pavement width plus 12 feet, whichever is greater.~~

~~Over 2000 ADT Design Year: Minimum 40 feet. Desirable 44 feet width face-to-face of parapets or rails.~~

~~2. Curb and gutter approach.~~

~~Under 800 ADT Design Year: Minimum 24 feet face-to-face of curbs.~~

~~Over 800 ADT Design Year: Width of approach pavement measured face-to-face of curbs.~~

~~Where curb and gutter sections are used on roadway approaches, curbs on bridges shall match the curbs on approaches in height, in width of face-to-face of curbs, and in crown drop. The distance from face of curb to face of parapet or rail shall be three feet minimum, or greater if sidewalks are required.~~

~~b. The clear roadway widths for new and reconstructed bridges having four or more lanes serving undivided two-way traffic shall be as follows:~~

~~1. Shoulder section approach. Width of approach pavement plus width of usable shoulders on the approach left and right.~~

~~2. Curb and gutter approach. Width of approach pavement measured face-to face of curbs.~~

(10) *Curbs and gutter.* Street curbs and gutters must be constructed in accordance with the street standards established in Chapter 24. ~~Curbs and gutters shall be provided where deemed necessary by the town council upon recommendation of the planning and zoning board, the street maintenance superintendent, and/or the town's consulting engineer in order to provide adequate drainage because of high traffic volume, poor soil conditions, or where other similar conditions or special problems exist which justify the necessity of curbs and gutters.~~

Sec. 36-12. Street access.

Sec. 36-176. - Off-street parking.

(a) Off-street automobile storage or parking space shall be provided on every lot on which any of the following uses are hereafter established. Each parking space shall have an all weather surface with minimum dimensions of nine by 18 feet. The number of parking spaces provided shall be at least as great as the number specified below for various uses. Each space shall be provided with vehicular access to a street or alley.

[TABLE NOT CHANGED]

(b) *Extension of parking space into a residential district.* Required parking space may not extend from a commercial (C-1 and C-2) use district or from a conditional use district (CZD) that contains any commercial or office use into any residential use district.

(c) Notwithstanding the foregoing, no additional off-street parking other than the parking currently available in the C-1 central business district shall be required except where the structures currently located on an existing lot of record containing more than 1,875 square feet are razed and the lot of record is put to a new use in which event the parking regulations of section 36-176 shall be fully applicable to said property.

(d) *Joint use of parking lots.* The required parking space for any number of separate uses may be combined in one lot, but the required number of spaces assigned to one use may not be assigned to another for use during the same hours.

(e) *Remote parking.* For any use except residential, if the off-street parking spaces required by this division cannot be reasonably provided on the same lot on which the use is located, such spaces may be provided on any land within 800 feet walking distance of any entrance to such use, provided that the district use regulations for the district in which the remote parking spaces are located permit the use which the parking space serves.

Sec. 36-177. - Off-street loading.

Sec. 36-329. - Hearings and notices.

(a) *Hearing* . The zoning board of adjustment shall hold a public hearing and enter a written decision on all matters upon which it is required to decide under this chapter. The public hearing shall be held within 30-days after receipt by the town clerk of an application for a special use permit or variance or a notice of appeal. The board shall follow quasi-judicial procedures when deciding appeals, requests for variances and requests for special use permits. The board shall decide the matter within 60-days after the conclusion of the hearing. Upon a hearing before the zoning board of adjustment, any party may appear in person, or by agent, or by an attorney.

(b) *Notice* . ~~Notice of the time and the place of the public hearing shall be published weekly for two consecutive weeks in a newspaper of general circulation in the town. The first weekly notice shall be published not less than ten days nor more than 25 days before the date fixed for the public hearing. In computing such period, the day of publication is not to be included, but the day of the hearing shall be included.~~ Notice of hearings shall be mailed to the person or entity whose appeal, application or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; and to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing ~~and to all property owners within 500 feet of the property boundaries even if their property is not abutting~~. Notice to such persons or entities must be deposited in the mail at least ten days, but not more than 25 days, prior to the date of the hearing. Within that same time period, a notice of hearing shall be prominently posted on the site that is the subject of the hearing or on an adjacent street or highway right-of-way.

(c) *Oaths* . The chair of the board of adjustment or any member temporarily acting as chair and the clerk to the board are authorized to administer oaths to witnesses in any matter coming before the board. Any person who, while under oath during a proceeding before the board of adjustment, willfully swears falsely is guilty of a class 1 misdemeanor.

(d) *Subpoenas* . The board of adjustment through the chair, or in the chair's absence anyone acting as chair, may subpoena witnesses and compel the production of evidence. To request issuance of a subpoena, persons with standing under G.S. § 160A-393(d) may make a written request to the chair explaining why it is necessary for certain witnesses or evidence to be compelled. The chair shall issue requested subpoenas he or she determines to be relevant, reasonable in nature and scope, and not oppressive. The chair shall rule on any motion to quash or modify a subpoena. Decisions regarding subpoenas made by the chair may be appealed to the full board of adjustment. If a person fails or refuses to obey a subpoena issued pursuant to this subsection, the board of adjustment or the party seeking the subpoena may apply to the general court of justice for an order requiring that its subpoena be obeyed, and the court shall have jurisdiction to issue these orders after notice to all proper parties.