

TOWN OF WEAVERVILLE

Weaverville Town Hall, 30 South Main Street, Weaverville, NC 28787

Remote Meeting via Zoom Meeting:

<http://us02web.zoom.us/j/87513712738> - Meeting ID: 875 1371 2738

Dial +1 253 215 8782 or +1 301 715 8592 – Meeting ID: 875 1371 2738

AGENDA

May 18, 2020

Public Hearings at 6:30pm

Regular Meeting at 7:00 pm

Pg # Presenter

- 1. **Public Hearing:** Code Amendments regarding parking and streets, mandated notices for quasi-judicial matters, mixed use development in C-1, C-2 and R-12 districts 4 Planning Director
- 2. **Public Hearing:** Conditional Zoning District for Multi-Tenant Development on 20 and 30 Garrison Branch Rd 19 Planning Director

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- 1. **Call to Order** Mayor Root
 - 2. **Approval/Adjustments to the Agenda** 1 Mayor Root
 - 3. **Approval of Minutes** Mayor Root
 - A. April 27, 2020 Town Council Meeting Minutes 38
 - 4. **General Public Comments** (see below for submission instructions) Town Clerk
 - 5. **Consent Agenda** Town Manager
 - A. Monthly Tax Report 42
 - B. Approval of Final Subdivision Plat and Improvement Guarantee for Greenwood Park Phase I 44
 - C. Approval of FY 2019-2020 Audit Contract 50
 - D. Amendments to Fee Schedule 71
 - 6. **Town Manager’s Report** 72 Town Manager
 - 7. **Discussion & Action Items**
 - A. Public Street Commitment Applications 74 PW & Planning
 - B. Code Amendment – Chapter 24 – Streets 137 Town Attorney
 - C. Action on Proposed Code Amendments regarding parking and streets, mandated notices for quasi-judicial matters, mixed use development in C-1, C-2 and R-12 144 Planning Director
 - D. Action on Proposed Conditional Zoning District for Multi-Tenant Development at 20 and 30 Garrison Branch Road 155 Planning Director
 - E. COVID-19 Update 160 Town Manager
 - F. Quarterly Report – Finance Department 161 Finance Director
 - G. Quarterly Report – Police Department 175 Police Chief
 - H. Quarterly Report – Fire Department 181 Fire Chief
 - 8. **Recess Meeting to Wednesday, May 20, 2020 at 6pm**
[same Zoom Meeting information – see above] Mayor Root

On a temporary basis, general public comments must be submitted in advance of the meeting. Comments are limited to no more than 450 words and must observe normal rules of decorum. General public comments will be limited to 18 minutes and only comments that are timely received will be read into the record during the general public comment period. All comments timely received will be provided to Town Council and included as part of the minutes of the meeting. Public comments can be submitted as follows: (1) by emailing to public-comment@weavervillenc.org at least 6 hours prior to the meeting, (2) by putting your written comment in a drop box at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting, (3) by mailing your written comment (must be received not later than Monday’s mail delivery) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments. For assistance in providing public comments, please call (828)645-7116.

**TOWN OF WEAVERVILLE
NOTICE OF SPECIAL CALLED MEETING,
NOTICE OF REMOTE ELECTRONIC MEETING, AND
NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE is hereby given that the Weaverville Town Council will hold a special called meeting on Monday, May 18, 2020, beginning at 6:30p.m., for the purpose of holding a Public Hearing(s) on the following matters: (1) a proposed text amendment related to parking, streets and mandated notices for quasi-judicial public hearings; (2) a proposed zoning ordinance text amendment to permit mixed use structures with additional standards in the C-1, C-2 and R-12 zoning districts; and (3) a proposed conditional zoning district to permit a multi-tenant development of 25,000 square feet or more on the property commonly known as 10 and 30 Garrison Branch Road.

This public hearing will occur within Council Chambers at Town Hall located at 30 South Main Street, Weaverville, NC and as an electronic video meeting via Zoom Meeting. Access to the public hearing will begin at 6:15 p.m. and the hearing will start at 6:30 p.m. WRITTEN PUBLIC COMMENTS can also be submitted in advance of the public hearing and will be read into the record of the public hearing. Written public comments can be submitted as follows: (1) by EMAILING to public-comment@weavervillenc.org at least 6 hours prior to the meeting, (2) by putting your written comment in a DROP BOX at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting, or (3) BY MAILING your written comment (must be received not later than Monday's mail delivery on May 22) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments.

In compliance with the Buncombe County Local State of Emergency Declaration dated March 19, 2020, that prohibits gatherings of more than 10 people in Buncombe County, in person attendance by the public may be limited or staggered and social distancing during the hearing will be required.

The INSTRUCTIONS TO ACCESS THE REMOTE ELECTRONIC PUBLIC MEETING are:

To join the meeting BY COMPUTER, use this link: <https://us02web.zoom.us/j/87513712738> . You may be asked for permission to access your computer's video and audio. If so, click "allow." You will then be asked for the Meeting ID which is: 875 1371 2738 .

To join the meeting BY PHONE, call: (253) 215-8782 or (301) 715 8592. You will then be asked for the Meeting ID which is: 875 1371 2738 .

If you would like ADDITIONAL INFORMATION or to review the content related to the Public Hearing, or have questions regarding how to submit a comment or join the meeting, you may contact Planning Director and Deputy Town Clerk James Eller at 828-484-7002 or jeller@weavervillenc.org.

NOTICE OF WEAVERVILLE TOWN COUNCIL REGULAR MEETING REMOTE ELECTRONIC MEETING ON MAY 18, 2020

The State of North Carolina, Buncombe County and the Town of Weaverville have all declared States of Emergency in response to the COVID-19 public health crisis. Emergency restrictions intended to slow the spread of the coronavirus and COVID19 include, among other things: requiring individuals to remain in their homes, except for certain essential activities, closing many businesses to the public, and prohibiting any gatherings which do not comply with its terms. Because of the risks to the public that would arise from in-person meetings, and in accordance with N.C. Gen. Stat. § 166A-19.24, the Town's regular meeting on May 18, 2020 will be conducted via remote electronic format.

This NOTICE OF REMOTE ELECTRONIC MEETING is to inform the public that the Weaverville Town Council will hold its regularly scheduled meeting on Monday, May 18, 2020 at 7:00 p.m. as an electronic video/audio meeting via Zoom Meeting. Access to the meeting will begin at 6:30 p.m. for public hearings and the regular meeting will start at 7:00 p.m. The instructions to access this public meeting are:

To join the meeting by computer, go to this link <https://us02web.zoom.us/j/87513712738> . You may be asked for permission to access your computer's video and audio. If so, click "allow." You will then be asked for the Meeting ID which is: 875 1371 2738

To join the meeting by phone, call: (253) 215-8782 or (301)715 8592 . You will then be asked for the Meeting ID which is: 875 1371 2738 . There is no password for this meeting, so if asked for one just press the # button.

To listen to an audio recording of the meeting and view related materials, please visit the Town's website at <https://www.weavervillenc.org>. An audio recording of the meeting will be posted to the Town's website for public access within 24 hours of the meeting.

General Public Comments – On a temporary basis, general public comments must be submitted in advance of the meeting. Comments are limited to no more than 450 words and must observe normal rules of decorum. Only comments that are timely received will be read into the record during the public comment period. Public comments can be submitted as follows:

By **emailing** to public-comment@weavervillenc.org at least 6 hours prior to the meeting

By putting your written comment in a **drop box** at Town Hall (located at front entrance and back parking lot) at least 6 hours prior to the meeting

By **mailing** your written comment (must be received not later than Monday's mail delivery) to: Town of Weaverville, PO Box 338, Weaverville, NC, 28787, Attn: Public Comments

For questions or additional assistance in how to participate in this meeting or in providing public comments, please call (828)645-7116.

Allan P. Root, Mayor
5/11/2020

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

PUBLIC HEARING

Date of Meeting: Monday, May 18, 2020

Subject: Public Hearing on Proposed Text Amendments Related to Parking, Streets, Mandated Notices for the Board of Adjustment, and Mixed Use Development in C-1, C-2 and R-12

Presenter: Planning Director

Attachments: Planning and Zoning Board Recommendation
Proposed Amendments

Description:

Staff has prepared, in conjunction with the Planning and Zoning Board, a set of proposed text amendments which would ensure code consistency in light of Town Council's work on their general police power ordinances regarding streets and parking.

Language related to the mandated notices for quasi-judicial matters proposes to align the Town's noticing requirements with that of state statute.

Revisions related to mixed use development in the C-1, C-2, and R-12 districts would convert mixed use from conditional zoning district review to permitted with standards.

Action Requested:

Due to newly enacted regulations placed upon public hearings held during a statewide public health emergency, a governing board must also allow public comment to occur an additional 24 hours after the public hearing. Therefore, action is not allowed at this time. Town Council may take action at a later meeting or recess the current meeting long enough to comply with the new 24 hour requirement for public comment after the public hearing.



**Town of Weaverville
Planning and Zoning Board**

On Thursday, March 5, 2020, the Planning and Zoning Board reviewed and unanimously recommended to Town Council the attached proposed text amendments which pertain to streets, parking, and mandated notice for quasi-judicial hearings. The proposed amendments represent, in large part, the revisions of the land use regulations related to Town Council's work on its police power ordinances regarding streets, traffic, and parking.

It has been found that the proposed text amendments are consistent with the Town's Comprehensive Plan in that the plan sets a goal of reviewing policies concerning standards for private streets and encourages review of regulations to ensure consistency with stated goals.

The Planning and Zoning Board considers these amendments both reasonable and in the public interest in light of Town Council's recent comprehensive review of Chapters 24 concerning streets and Chapter 28 concerning traffic and parking and anticipated amendments to those Code Chapters, and by providing better clarity in its regulations and removing inconsistencies between Code chapters.

**Gary Burge
Chairman, Planning and Zoning Board**

PROPOSED CODE AMENDMENTS TO LAND USE REGULATIONS
REGARDING STREETS, PARKING, AND MANDATED NOTICE FOR QUASI-JUDICIAL HEARINGS
AS RECOMMENDED BY STAFF AND THE PLANNING & ZONING BOARD

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.

Commented [JJ1]: Street standards are consolidated in Chapter 24.

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.

Commented [JJ2]: Street standards are consolidated in Chapter 24

- (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.~~

Commented [JJ3]: Street standards are consolidate in Chapter 24

- (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

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~~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.~~

Commented [JJ4]: NCDOT or Fire Prevention Code Standards

Commented [JJ5]: NCDOT or Fire Prevention Code Standards

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~~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.

Commented [JJ6]: Reviewed. No amendment requested.

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

Commented [JJ7]: Sec. 28-101 deleted in favor of this section.

(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.~~

Commented [JJ8]: Policy Discussion; moved from Sec. 28-103

~~(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.~~

Commented [JJ9]: Policy Discussion; moved from Sec. 28-105

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

Commented [JJ10]: No changes needed; Sec. 28-101 deleted in favor of this section.

PROPOSED CODE AMENDMENTS TO LAND USE REGULATIONS
REGARDING STREETS, PARKING, AND MANDATED NOTICE FOR QUASI-JUDICIAL HEARINGS
AS RECOMMENDED BY STAFF AND THE PLANNING & ZONING BOARD

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~~ 45 days after receipt by the town clerk of an application for a special use permit or variance or a notice of appeal, unless otherwise agreed to by the applicant. 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.

Commented [JJ11]: For consistency with the new BOA rules of procedure; 45 days better allows for the required noticing

Commented [JJ12]: 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.



**Town of Weaverville
Planning and Zoning Board**

On Tuesday, February 4, 2020 the Planning and Zoning Board reviewed and unanimously recommended to Town Council the attached proposed text amendment which formally permits with standards certain mixed use development with the Town's C-1, C-2 and R-12 zoning districts. Mixed use development is currently only allowed as a conditional zoning district. The text amendment recommended would allow for a more expedited approval process and developmental certainty for mixed use projects that can meet the standards proposed.

It has been found that the proposed text amendment is consistent with the Town's Comprehensive Plan in that the plan calls for language related to a transitional district and mixed use development as follows:

Consider land use regulation that provides for transition districts; and consider land use regulation that better provides for mixed use development.

The Planning and Zoning Board considers approval both reasonable and in the public interest as the Town's Strategic Plan sets specific objectives of "consider a zoning district to serve as a transition between residential and commercial districts" and "consider mixed use development regulation as a means of expanding development in areas with geographic limitations" under the overall goal of promoting a successful downtown.

Gary Burge
Chairman, Planning and Zoning Board

Sec. 36-5. - Definitions of specific words and terms.

Mixed-use building or development. A multi-story building or structure which may accommodate both commercial and residential uses. A group of mixed-use buildings or structures can be combined to form a mixed-use development.

Sec. 36-104. - Notes on table of uses.

Notes:

1. See article V (section 36-116 et seq.) for additional standards for those uses identified on the Table of Uses as "permitted with standards."
2. If a proposed use can't be found on the table of uses herein established or is not specifically defined herein, then the regulations and restrictions governing the use which most closely resembles the proposed use shall apply.
3. The abbreviations and symbols shown in the Table of Uses have the following meanings:

"C" = Conditional Zoning District required

"P" = Permitted

"PS" = Permitted with Standards

"-" = Not Permitted

Sec. 36-105. - Table of uses.

USES	R-1	R-2	R-3	R-12	C-1	C-2	I-1
MISCELLANEOUS USES							
Mixed-Use Building or Structure	-	-	-	€ PS	€ PS	€ PS	-

Sec. 36-140. – Mixed-Use Building or Structure.

- (a) Additional Standards applicable only within the R-12 zoning district for uses defined mixed use building or structure.
1. Dwelling units are only permissible on the second or higher floor of any structure where the ground floor or street level floor is occupied by a use or uses otherwise permitted by right or with additional standards or by a conditional zoning district in the C-1 or C-2 Zoning District.
 2. The dimensional requirements for the R-12 zoning district and additional standards for the use defined as dwelling-multifamily (more than 4 units/per building are also fully applicable to the use defined mixed-use building or structure.
 3. In no case shall the number of dwelling units exceed 12 units per acre.
 4. Street lighting requirements made necessary by section 36-26 are fully applicable to the use of mixed use building or structure as defined in section 36-5 except that such requirements are hereby modified to provide the following:
 - a. All lighting on the property shall be mounted on posts no more than 16 feet tall.
 - b. Blocking, shielding and aiming of all exterior lighting shall be used to minimize light trespass on to adjoining residential properties.
 - c. The exterior lighting plan shall be subject to review and approval by the town's zoning administrator prior to installation.
 5. The collection and disposal of garbage and household trash accumulated at mixed use buildings or structures shall be the responsibility of the owner of the land on which the building is located. Likewise, yard trash, tree and shrubbery trimmings and household appliances shall be collected and disposed of by the owner of the land.
 6. All containment devices for trash and recyclables, including compactors, dumpsters, commercial roll-out bins, and areas for storing cardboard shall be placed in the side or rear yards only and located and designed so as not to be visible from the view of adjacent streets and properties. All containment areas shall meet the following standards:
 - a. All containment areas shall be enclosed to contain windblown litter.
 - b. Enclosures shall be at least as high as the highest point of the compactor or dumpster.
 - c. Enclosures shall be made of materials that are opaque at the time of installation (such as a fence, wall or mature opaque vegetation) and compatible with and/or similar to the design and materials of the principal building.
 - d. Compactors and dumpsters shall be placed on a concrete pad that is large enough to provide adequate support and allow for positive drainage, and conform to the Buncombe County Health Department regulations governing compactor pads. A concrete apron shall also extend from the pad for support and access.
 - e. Enclosures shall contain gates to allow for access and security.
 - f. Dumpsters and compactors shall be located within the side or rear yard behind buildings and away from sidewalks or pedestrian circulation. Such locations should be accessible to service vehicles.
 - g. Enclosures shall be landscaped in accordance with article VI of Chapter 36.
- (b) Additional Standards applicable only within the C-1 zoning district for uses defined mixed use building or structure.

1. Dwelling units are only permissible on the second or higher floor of any structure where the ground floor or street level floor is occupied by a use or uses otherwise permitted by right or with additional standards or by a conditional zoning district in the C-1 Zoning District.
 2. In no case shall the number of dwelling units exceed 4 units per building notwithstanding the latter permissible density bonus for additional off street parking places provided.
 3. Street lighting requirements made necessary by section 36-26 are fully applicable to the use of mixed use building or structure as defined in section 36-5 except that such requirements are hereby modified to provide the following:
 - a. All lighting on the property shall be mounted on posts no more than 16 feet tall.
 - b. Blocking, shielding and aiming of all exterior lighting shall be used to minimize light trespass on to adjoining residential properties.
 - c. The exterior lighting plan shall be subject to review and approval by the town's zoning administrator prior to installation.
 4. The collection and disposal of garbage and household trash accumulated at mixed use buildings or structures shall be the responsibility of the owner of the land on which the building is located. Likewise, yard trash, tree and shrubbery trimmings and household appliances shall be collected and disposed of by the owner of the land.
 - a. A waiver of the foregoing requirement may be achieved in writing from the Town Manager or their designee upon showing of good cause. Factors for consideration include but are not limited to available space on the subject property, or any variable related to the public health or safety.
 5. All containment devices for trash and recyclables, including compactors, dumpsters, commercial roll-out bins, and areas for storing cardboard shall be placed in the side or rear yards only and located and designed so as not to be visible from the view of adjacent streets and properties. All containment areas shall meet the following standards:
 - b. All containment areas shall be enclosed to contain windblown litter.
 - c. Enclosures shall be at least as high as the highest point of the compactor or dumpster.
 - d. Enclosures shall be made of materials that are opaque at the time of installation (such as a fence, wall or mature opaque vegetation) and compatible with and/or similar to the design and materials of the principal building.
 - e. Compactors and dumpsters shall be placed on a concrete pad that is large enough to provide adequate support and allow for positive drainage, and conform to the Buncombe County Health Department regulations governing compactor pads. A concrete apron shall also extend from the pad for support and access. Enclosures shall contain gates to allow for access and security.
 - f. Enclosures shall contain gates to allow for access and security.
 - g. Dumpsters and compactors shall be located within the side or rear yard behind buildings and away from sidewalks or pedestrian circulation. Such locations should be accessible to service vehicles.
 - h. Enclosures shall be landscaped in accordance with article VI of Chapter 36.
 6. Within the C-1 Zoning District additional dwelling units may be permitted up to a maximum of eight dwelling units per building provided the property owner provide off street parking in addition to those spaces required by Article VII of this Chapter at a ratio of two spaces per additional dwelling unit.
- (c) Additional Standards applicable only within the C-2 zoning district for uses defined mixed use building or structure.

1. Dwelling units are only permissible on the second or higher floor of any structure where the ground floor or street level floor is occupied by a use or uses otherwise permitted by right or with additional standards or by a conditional zoning district in the C-1 or C-2 Zoning District.
2. The dimensional requirements for the C-2 zoning district and additional standards for the use defined as dwelling-multifamily (more than 4 units/per building are also fully applicable to the use defined mixed-use building or structure.
3. In no case shall the number of dwelling units exceed 8 units per acre.
4. Street lighting requirements made necessary by section 36-26 are fully applicable to the use of mixed use building or structure as defined in section 36-5 except that such requirements are hereby modified to provide the following:
 - a. All lighting on the property shall be mounted on posts no more than 16 feet tall.
 - b. Blocking, shielding and aiming of all exterior lighting shall be used to minimize light trespass on to adjoining residential properties.
 - c. The exterior lighting plan shall be subject to review and approval by the town's zoning administrator prior to installation.
5. The collection and disposal of garbage and household trash accumulated at mixed use buildings or structures shall be the responsibility of the owner of the land on which the building is located. Likewise, yard trash, tree and shrubbery trimmings and household appliances shall be collected and disposed of by the owner of the land.
6. All containment devices for trash and recyclables, including compactors, dumpsters, commercial roll-out bins, and areas for storing cardboard shall be placed in the side or rear yards only and located and designed so as not to be visible from the view of adjacent streets and properties. All containment areas shall meet the following standards:
 - a. All containment areas shall be enclosed to contain windblown litter.
 - b. Enclosures shall be at least as high as the highest point of the compactor or dumpster.
 - c. Enclosures shall be made of materials that are opaque at the time of installation (such as a fence, wall or mature opaque vegetation) and compatible with and/or similar to the design and materials of the principal building.
 - d. Compactors and dumpsters shall be placed on a concrete pad that is large enough to provide adequate support and allow for positive drainage, and conform to the Buncombe County Health Department regulations governing compactor pads. A concrete apron shall also extend from the pad for support and access. Enclosures shall contain gates to allow for access and security.
 - e. Enclosures shall contain gates to allow for access and security.
 - f. Dumpsters and compactors shall be located within the side or rear yard behind buildings and away from sidewalks or pedestrian circulation. Such locations should be accessible to service vehicles.
 - g. Enclosures shall be landscaped in accordance with article VI of Chapter 36.

Town of Weaverville, North Carolina

Staff Report: Mixed Use Development / Transitional District

Prepared January 2020

Sources: Town of Weaverville Code of Ordinances; Comprehensive Land Use Plan; Strategic Plan

Strategic Plan

Through the adoption of the Town’s strategic plan, 2018-2021 Strategic Plan in Brief attached hereto, Town Council set a goal of promoting a successful downtown. Specific objectives toward this end were identified as “consider a zoning district to serve as a transition between residential and commercial districts” and “consider mixed use development regulation as a means of expanding development in areas with geographic limitations.”

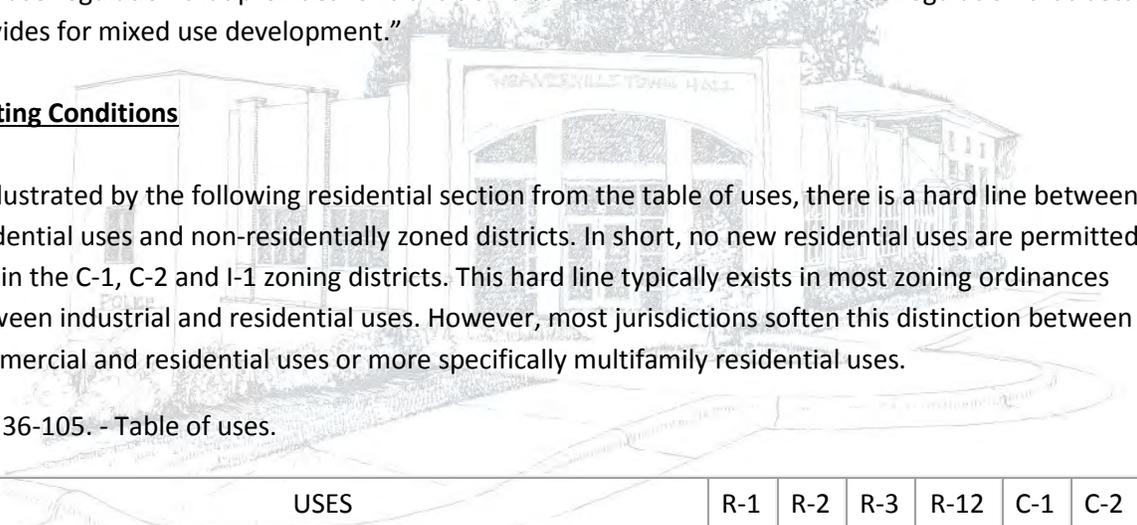
Comprehensive Land Use Plan

Language related to a possible transition district and mixed use development is largely brought forth from the previously adopted strategic plan which Town Council adopted in November, 2018. The aforementioned goals contained within the strategic plan transitioned to the stated goals of “consider land use regulation that provides for transition districts” and “consider land use regulation that better provides for mixed use development.”

Existing Conditions

As illustrated by the following residential section from the table of uses, there is a hard line between residential uses and non-residentially zoned districts. In short, no new residential uses are permitted within the C-1, C-2 and I-1 zoning districts. This hard line typically exists in most zoning ordinances between industrial and residential uses. However, most jurisdictions soften this distinction between commercial and residential uses or more specifically multifamily residential uses.

Sec. 36-105. - Table of uses.



USES	R-1	R-2	R-3	R-12	C-1	C-2	I-1
RESIDENTIAL							
Dwelling - Single Family	P	P	P	-	■	■	■
Dwelling - Duplex	-	P	P	P	■	■	■
Dwelling - Multifamily (4 or fewer units/building)	-	P	P	P	■	■	■

Town of Weaverville, North Carolina

Staff Report: Mixed Use Development / Transitional District

Prepared January 2020

Sources: Town of Weaverville Code of Ordinances; Comprehensive Land Use Plan; Strategic Plan

Dwelling - Multifamily (more than 4 units/building)	-	-	PS	PS	■	■	■
Dwelling - Secondary	PS	PS	PS	-	■	■	■
Family Care Home (6 or fewer residents)	P	P	P	-	■	■	■
Child Care Home (6 or fewer children)	PS	PS	PS	-	■	■	■
Home Occupation	PS	PS	PS	PS	■	■	■
Manufactured Home	-	-	PS	-	■	■	■
Manufactured Home Park	-	-	-	-	■	■	■
Recreational Vehicle	-	-	-	-	■	■	■
Recreational Vehicle Park, Campground	-	-	-	-	■	■	■
Bed & Breakfast	P	P	P	-	■	■	■
Hotel, Motel, Inn	-	-	-	-	■	■	■

It's also fair to recognize that a mixed use building or structure is acknowledged by the zoning ordinance and is defined and regulated as follows. Conditions are present for the Planning and Zoning Board and Town Council to analyze mixed use development on an individual project basis through conditional zoning districts.

Mixed-use building or development. A multi-story building or structure which may accommodate both commercial and residential uses. A group of mixed-use buildings or structures can be combined to form a mixed-use development.

Sec. 36-105. - Table of uses.

USES	R-1	R-2	R-3	R-12	C-1	C-2	I-1
------	-----	-----	-----	------	-----	-----	-----

Town of Weaverville, North Carolina
 Staff Report: Mixed Use Development /
 Transitional District

Prepared January 2020

Sources: Town of Weaverville Code of Ordinances; Comprehensive Land Use Plan; Strategic Plan

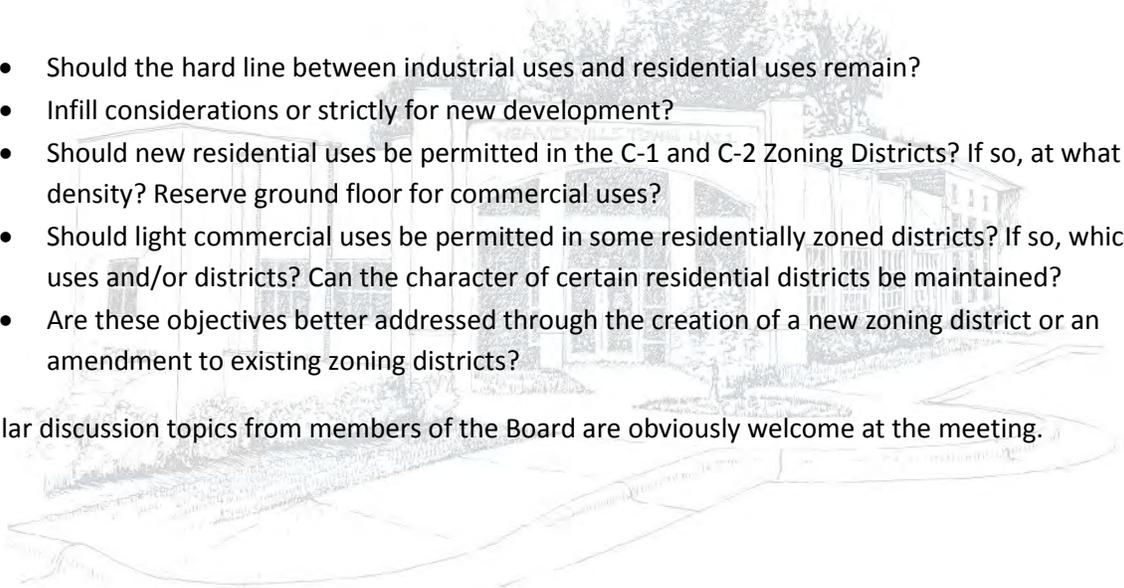
MISCELLANEOUS USES							
Mixed-Use Building or Structure	-	-	-	C	C	C	-

Direction to Staff

Staff intends to address a number of topics in an effort to gain some consensus moving forward in drafting language related to the content of the conversation. These topics include but are not limited to the following...

- Review of mixed use development and areas identified for future mixed use development on the future land use map within the Comprehensive Land Use Plan. (pgs. A-2, A-3 of CLUP)
- Should the hard line between industrial uses and residential uses remain?
- Infill considerations or strictly for new development?
- Should new residential uses be permitted in the C-1 and C-2 Zoning Districts? If so, at what density? Reserve ground floor for commercial uses?
- Should light commercial uses be permitted in some residentially zoned districts? If so, which uses and/or districts? Can the character of certain residential districts be maintained?
- Are these objectives better addressed through the creation of a new zoning district or an amendment to existing zoning districts?

Similar discussion topics from members of the Board are obviously welcome at the meeting.



Goal 1: Provide town services to meet the needs of the community.



- Objective A: Develop consensus on water and annexation growth and develop policies consistent with that consensus.
- Objective B: Revisit the relationship with *Asheville Redefines Transit* to consider re-establishment of bus route given new residential development within the Town.
- Objective C: Enhance the Town's outreach to educate the public about the Town's services.
- Objective D: Recognize the needs of each Town department in serving an ever-changing and growing population.

Goal 2: Improve regional collaboration.



- Objective A: Strengthen relationship with the Asheville-Buncombe Economic Development Coalition and other economic development organizations.
- Objective B: Recognize water as a regional resource and identify regional jurisdictions that wish to partner in water production, sale and distribution.
- Objective C: Consistent involvement and collaboration with neighboring and regional jurisdictions in functional areas, such as police, fire, water resources, etc.
- Objective D: Distribute information regarding regional programs, services and resources available to town citizens.

Goal 3: Maintain balance in land use planning efforts.



- Objective A: Development of tools to encourage balanced residential economic development.
- Objective B: Update economic development goals for the Town.
- Objective C: Update the Town's Comprehensive Land Use Plan.
- Objective D: Investigate options for geographic information systems.

Goal 4: Promote a successful downtown.



- Objective A: Consider a zoning district to serve as a transition between residential and commercial districts.
- Objective B: Develop a mechanism to expand business opportunities along the central business district.
- Objective C: Consider mixed-use development regulation as a means of expanding development in areas with geographic limitations.
- Objective D: Provide information resources marketing downtown and its walkability.
- Objective E: Research grant opportunities for all Town operations and projects, as well as for downtown efforts.
- Objective F: Act as a liaison between downtown churches and businesses to identify available parking downtown.

Goal 5: Increase legislative outreach.



- Objective A: Engage legislative representatives regarding the Town's needs.
- Objective B: Consider opportunities for potential special legislation as Town needs dictate.

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

PUBLIC HEARING

Date of Meeting: Monday, May 18, 2020

Subject: Public Hearing on a Proposed Conditional Zoning District on the Property Commonly Known as Garrison Reserve at 10 and 30 Garrison Branch Road

Presenter: Planning Director, Civil Design Concepts

Attachments: Planning and Zoning Board Recommendation, Staff Report, TRC Report, CZD Application and Plans

Description:

Staff is in possession of an executed conditional zoning district application for properties commonly known as 20 and 30 Garrison Branch Road which can be found at the intersection of Monticello Road and US25/70. Given that a CZD is proposed, initial review by Town Council is required. The application is calls for the establishment of a multi-tenant development of 25,000 square feet of more. Said development is permissible via a conditional zoning district from within the underlying C-2 zoning district.

The plan, as presently constituted, calls for a combination of office, retail, mini-warehousing and a proposed outparcel for a restaurant or drive-thru restaurant.

Action Requested:

Due to new regulations placed upon public hearings held during remote meetings, a governing board must also allow public comment to occur an additional 24 hours after the public hearing. Therefore, action is not eligible at this time. Town Council may take action at a later meeting or recess the current meeting long enough to comply with the new 24 hour requirement for public comment after the public hearing.

The Town of Weaverville

NORTH CAROLINA

March 10, 2020

Mayor Al Root and
Weaverville Town Council

Re: *Garrison Branch Acquisitions LLC*
Conditional Zoning District Application for 10 and 30 Garrison Branch Road
Garrison Reserve Project – Multi-Tenant Commercial Development
Statement of Consistency/Reasonableness and Recommendation

Dear Mayor and Council –

On March 5, 2020, pursuant to Section 36-84 of the Town's Code of Ordinances, the Planning and Zoning Board reviewed the application for a Conditional Zoning District that was submitted by Garrison Branch Acquisitions LLC, on February 10, 2020.

This project consists of a multi-tenant commercial development consisting of three (3) buildings housing a mix of retail, warehouse, and office spaces for a total of approximately 70,000 square feet, and an outparcel for future development. The property is under single ownership, is located near the southwest corner of the intersection of Monticello Road and US 25/70, and is currently zoned C-2.

C-2 zoning regulations require that any multi-tenant development exceeding 25,000 square feet be approved through a conditional zoning district. At the meeting on March 5, 2020, the Planning and Zoning Board reviewed the project for compliance with all of the items enumerated in Section 36-84(d) and, specifically, the Comprehensive Land Use Plan.

The Planning and Zoning Board found that the project is consistent with the Town's Comprehensive Land Use Plan in that it is consistent with the future land use map which identifies the property as being within the mixed use area of Monticello Road and is also consistent with the use and dimensional requirements of the Town's underlying C-2 zoning district which was designed and implemented specifically to accommodate commercial uses such as the ones proposed. With the conditions recommended below, the project can co-exist with the multifamily residential development that is occurring in the area and is, therefore, reasonable in light of the Town's Comprehensive Land Use Plan and other land use policies.

After careful review of this application and the materials submitted, the Planning and Zoning Board unanimously recommends the approval of the application for a Conditional Zoning District for the project as reflected on the attached plans and elevations, subject to the following proposed conditions:

1. The project is to be constructed in substantial compliance with the following plans submitted by the applicant, copies of which are attached hereto and incorporated herein by reference:
 - i. Master plan – Sheet C200
 - ii. Site plan – Sheet C201
 - iii. Grading, erosion control and storm drainage plan – C301
 - iv. Utility plan – Sheet C601
 - v. Building elevations – Sheets A201, A202
 - vi. Building elevation renderings
2. The height of buildings constructed on the site may not exceed the height as indicated on the plans and elevations identified above.
3. The exterior of the buildings must be substantially similar to the building elevations attached hereto and incorporated herein with the following construction materials: metal panels and fiber cement siding.
4. Sidewalks are required along all portions of the property, including the outparcel, which front Garrison Branch Road to provide access to the apartment complex that is under construction on the property adjoining to the west.
5. All driveways/streets within the project shall be private. Said private driveways/streets shall be constructed in such a way as to allow reasonable access for the anticipated traffic of the multi-tenant development proposed and for ease of emergency access, including full compliance with the North Carolina Fire Prevention Code. A driveway permit for the entrance onto Garrison Branch Road must be secured from the North Carolina Department of Transportation.
6. A minimum of 159 off-street parking spaces, with a minimum size of 9 feet by 18 feet, must be provided and must be constructed and maintain in an all-weather condition.
7. The warehousing that is proposed is for mini-warehouses, as that term is defined by Code Section 36-5, and is limited to interior storage in Building C only. Warehousing with exterior storage of any kind is expressly prohibited.
8. One freestanding sign at the entrance of the project is allowed as long as it complies with the standards contained in Article VIII of Chapter 36 of the Town’s Code of Ordinances.
9. Any and all outdoor lighting that is to be installed must comply with Town Code Section 36-26, except as specifically provided in this paragraph. All outdoor lighting on the property shall be mounted on posts that are no more than 16 feet tall. Blocking, shielding and aiming of all outdoor lighting shall be used to minimize light trespass on to adjoining residential

properties. The outdoor lighting plan must be submitted and approved in conjunction with a zoning permit application.

10. Landscape buffers between the property and adjoining properties are required. Landscaping must comply with Article VI of Chapter 36 of the Town's Code of Ordinances. A landscaping plan must be submitted and approved in conjunction with a zoning permit application.
11. Grading, sedimentation and erosion control, and storm drainage plans must be reviewed and permitted by Buncombe County.
12. Construction related vehicles must be parked on the property and not on the public streets or the shoulders of those public streets. All dirt, mud, construction materials, or other debris deposited on the public streets as a result of construction activities must be removed by the contractor or owner on a daily basis, pursuant to Code Section 22-48.
13. Code Section 36-84 shall continue to govern the project including, but not limited, to those provisions regarding issuance of zoning permits, modifications, appeals, and final plat approval.

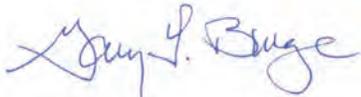
Representatives of Garrison Branch Acquisitions LLC were at the Planning and Zoning Board meeting on March 5th and seemed to indicate their agreement to these conditions.

A traffic analysis was not conducted as Town staff determined that the peak hour trips would not trigger the requirement stated in Town Code Section 36-25.

It is noted that a public involvement meeting required by Sec. 36-84(e)(3) has been scheduled for April 7, 2020, which will allow for the public hearing to be held on April 27, 2020, and action by Town Council to be taken thereafter.

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

Sincerely,



Gary Burge
Planning and Zoning Board Chairman

cc: James Eller, Town Planner
Selena Coffey, Town Manager
Jennifer Jackson, Town Attorney
Garrison Branch Acquisitions, LLC

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 1 change 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.

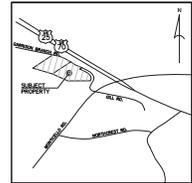
Dept:	Comment:	Sheet #:
All	Using the FFE listed on plans provided by CDC for buildings A and C (2140 for both), and heights shown for the same buildings on multiple pages there appears to be a problem with the scale of building C in particular on plans provided by Sitework Studios. In short, a three 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

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
0000	COVER
0001	MASTER SITE PLAN
0002	SITE PLAN
0003	GRADING, EROSION CONTROL, & STORM DRAINAGE PLAN
0004	UTILITY PLAN



VICINITY MAP
(NOT TO SCALE)



Know what's below.
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DEVELOPMENT DATA	
OWNER/DEVELOPER:	GARRISON BRANCH ACQUISITIONS, LLC 19 ARLINGTON STREET, SUITE 1 ASHEVILLE, NC 28801 JC GUEST (828) 301-4322
CONTACT:	
CIVIL ENGINEER:	CDC DESIGN CONCEPTS, P.A. 158 PATTON AVENUE ASHEVILLE, NC 28801 WARREN BUCK, P.E. (828) 252-0268
CONTACT:	



158 PATTON AVENUE
ASHEVILLE, NC 28801
WARREN BUCK, P.E.
(828) 252-0268
www.cdcdesign.com

NO.	DATE	DESCRIPTION	BY
1	02/17/20	CONDITIONS DURING SUBMITTAL	

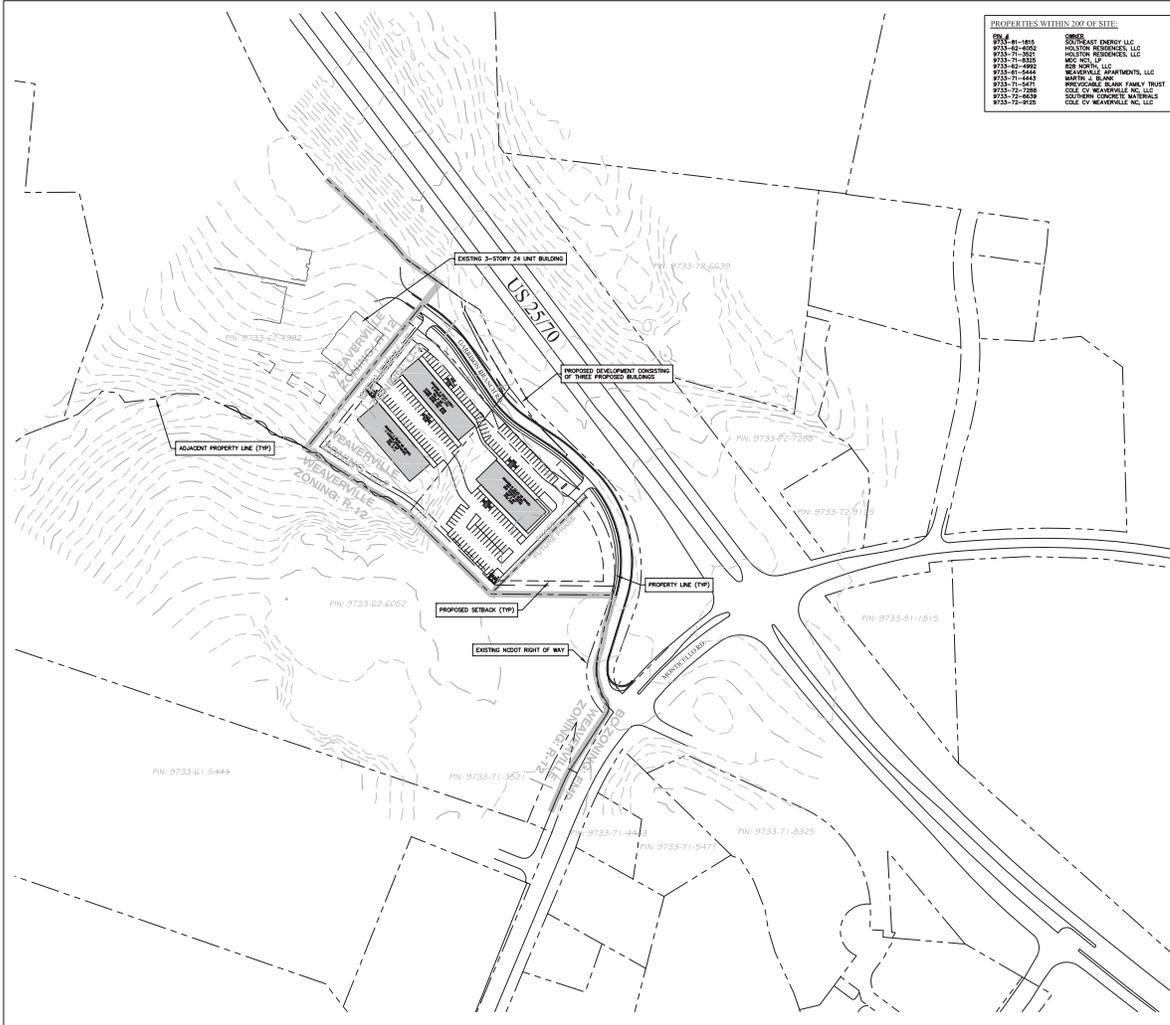


GARRISON RESERVE

GARRISON BRANCH ACQUISITIONS, LLC - WEAVERVILLE, NORTH CAROLINA

SHEET

C000



PROPERTIES WITHIN 300' OF SITE:

9733-61-444	811
9733-61-445	811
9733-61-446	811
9733-61-447	811
9733-61-448	811
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9733-61-498	811
9733-61-499	811
9733-61-500	811



DEVELOPMENT DATA

OWNER/DEVELOPER: GARRISON BRANCH ACQUISITION, LLC
CONTACT: 18 ARLETON STREET, SUITE 1
 ARLETON, PA 15811
 (828) 301-4322

CIVIL ENGINEER: CDC CONCEPTS, P.A.
 1500 W. 10TH STREET
 WARRIOR, ALABAMA 36690
CONTACT: (828) 262-5288

ARCHITECT: BCA ARCHITECTURE AND DESIGN
 10 MOORE STREET
 ARLETON, PA 15811
CONTACT: (828) 423-0351

PROJECT DATA:

PIN: 9733-61-216, 9733-13-016
ADDRESS: 25 & 30 GARRISON BRANCH ROAD
DEED BOOK/PAGE: 280/288-289/290
SITE AREA: 4.88 ACRES
ZONING: C-2 (GENERAL BUSINESS DISTRICT)

SETBACKS: 25'
FRONT: 30'
SIDE: 30'
REAR: 30'

DISTURBED AREA: 4.8 AC

PARKING CALCULATIONS:

VEHICULAR:

REQUIRED SPACES:

RETAIL: 1/200 SF (TOTAL 29,700 SF)
 REQUIRED: 99

OFFICE: 1/200 SF (TOTAL 9,900 SF)
 REQUIRED: 50

WAREHOUSE: 1/200 SF (TOTAL 32,400 SF)
 REQUIRED: 159

SPACES PROVIDED: 159 SPACES

HANDICAPPED SPACES: 7 SPACES PROVIDED: 8

BUILDING DATA:

BUILDING	DESCRIPTION	FLOOR	AREA
A	TWO STORY METAL	30'-0"	19,500 SF
B	TWO STORY METAL	30'-0"	17,900 SF
C	THREE STORY METAL	37'-0"	25,000 SF

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

NORTH

MASTER SITE PLAN

GRAPHIC SCALE
1 inch = 100 ft

CDC CONCEPTS, P.A.

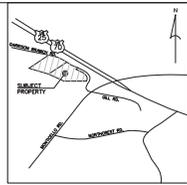
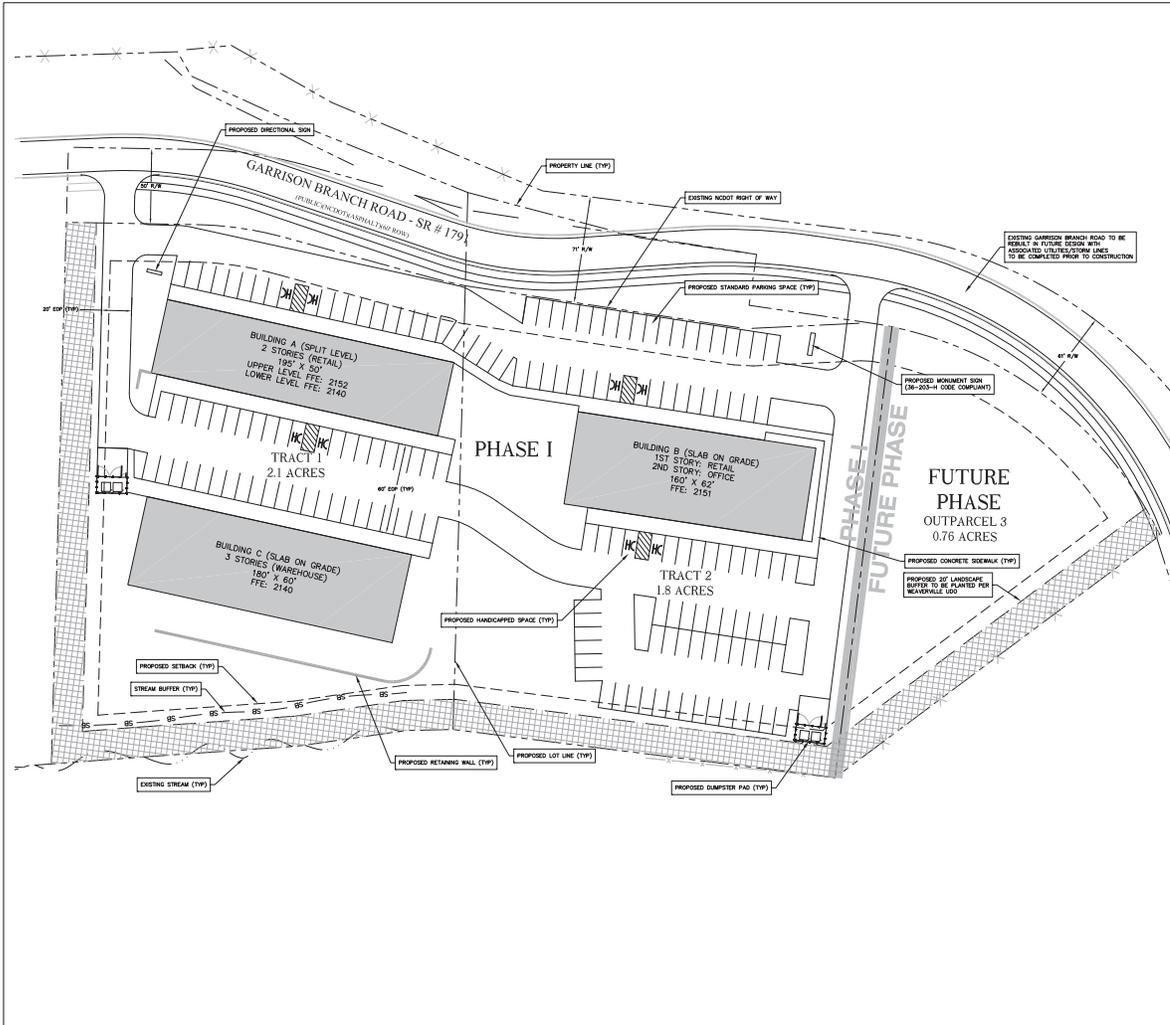
FOR REVIEW ONLY

PROPOSED DEVELOPMENT NOT BEING CONSIDERED FOR CONSTRUCTION

GARRISON RESERVE

GARRISON BRANCH ACQUISITION, LLC - WEAVERVILLE, NORTH CAROLINA

SHEET C200



DEVELOPMENT DATA

OWNER/DEVELOPER: GARRISON BRANCH ACQUISITION, LLC
 CONTACT: 18 ARLETON STREET, SUITE 101, ARLETON, PA 15201 (800) 301-4322

CIVIL ENGINEER: CHA. GIBSON CONCEPTS, P.A.
 CONTACT: 1500 W. 20TH STREET, WARRINGTON, PA 15090 (800) 260-5588

ARCHITECT: BGA ARCHITECTURE AND DESIGN
 CONTACT: 30 MICHELE STREET, ARLETON, PA 15201 (800) 423-0301

PROJECT DATA

FIN: 9733-12-2161, 9733-12-0216
 ADDRESS: 20 & 30 GARRISON BRANCH ROAD, ARLETON, PA 15201
 DEED BOOK/PAGE: 280/038-NEW PARD
 SITE AREA: 4.88 ACRES
 ZONING: C-2 (GENERAL BUSINESS DISTRICT)

SETBACKS: FRONT: 25', SIDE: 30', REAR: 30'

DISTURBED AREA: 4.8 AC

DRAINAGE CALCULATIONS

REQUIRED SPACES: METAL: 1,200 SF (TOTAL 29,700 SF) REQUIRED: 99
 OFFICE: 1,700 SF (TOTAL 8,000 SF) REQUIRED: 52
 WAREHOUSE: 1,200 SF (TOTAL 32,400 SF) REQUIRED: 128
 SPACES PROVIDED: 159 SPACES

HANDICAPPED SPACES
 SPACES REQUIRED: 7 SPACES PROVIDED: 8

BUILDING DATA

BUILDING	DESCRIPTION	FLOOR	HEIGHT	SEA
A	120 STORY METAL	30'-0"	19,500 SF	
B	120 STORY METAL	30'-0"	17,360 SF	
C	THREE STORY METAL	37'-0"	21,400 SF	

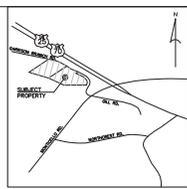
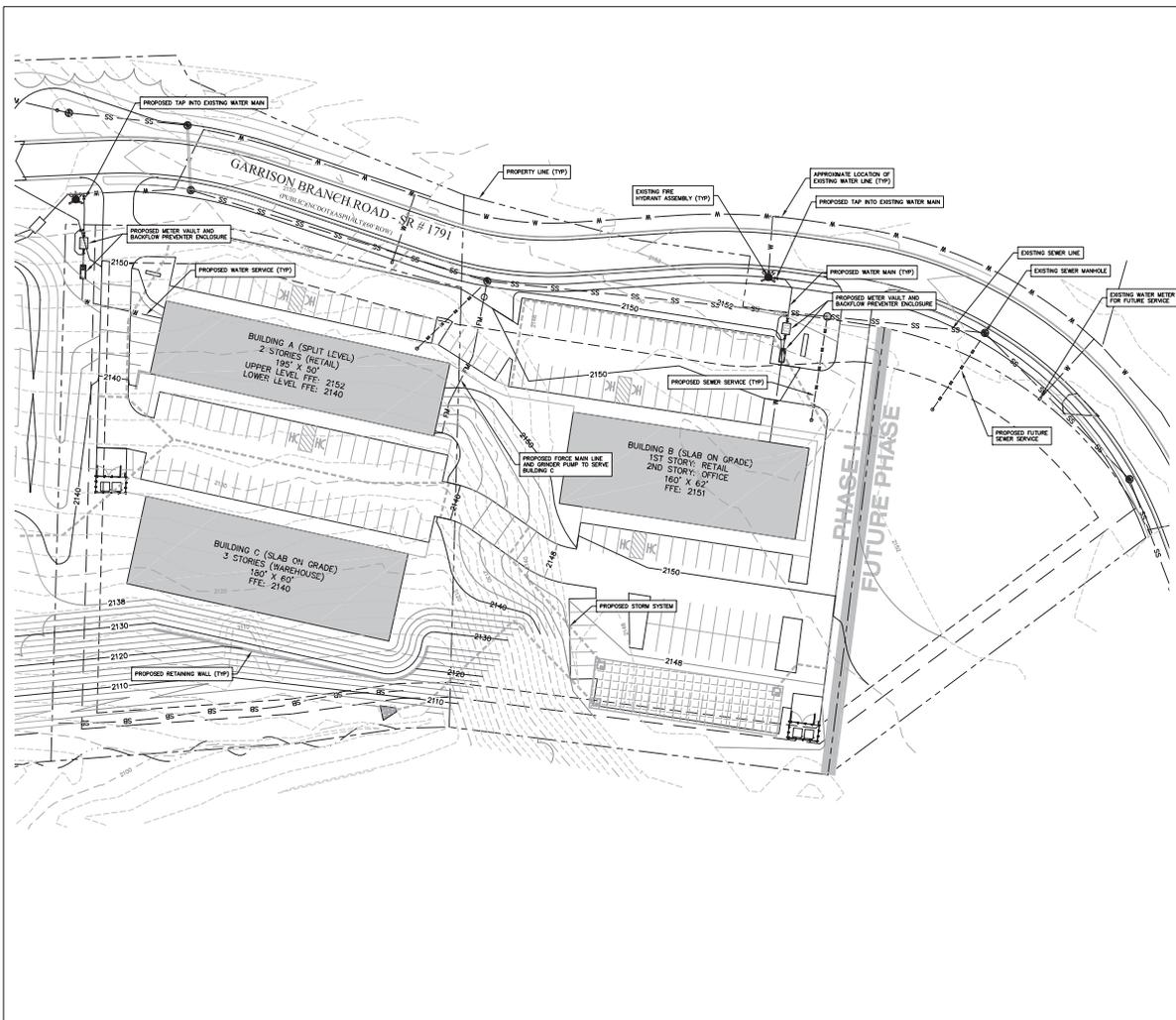
FOR REVIEW ONLY

PROHIBITED FOR CONSTRUCTION

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

GARRISON RESERVE
 GARRISON BRANCH ACQUISITION, LLC - WARRINGTON, NORTH CAROLINA

SHEET C201



DEVELOPMENT DATA

OWNER/DEVELOPER: GARRISON BRANCH ACQUISITION, LLC
 ADDRESS: 25 & 30 GARRISON BRANCH ROAD, ARLENVILLE, PA 18801
 CONTACT: (808) 301-4322

CIVIL ENGINEER: CHA. GRIFFIN CONSULTING, P.A.
 ADDRESS: 1000 W. 20TH STREET, WARRINGTON, PA 18880
 CONTACT: (808) 260-5588

ARCHITECT: BCA ARCHITECTURE AND DESIGN
 ADDRESS: 30 MOORE STREET, ARLENVILLE, PA 18801
 CONTACT: (808) 423-0301

PROJECT DATA

FIN: 9733-12-2161, 9733-12-0316
 ADDRESS: 25 & 30 GARRISON BRANCH ROAD, ARLENVILLE, PA 18801
 DEED BOOK/PAGE: 280/038-000-000
 SITE AREA: 4.88 ACRES
 ZONING: C-2 (GENERAL BUSINESS DISTRICT)

SETBACKS: FRONT: 25', SIDE: 30', REAR: 30'

DISTURBED AREA: 4.8 AC

PARKING CALCULATIONS

VEHICULAR: REQUIRED SPACES: 1,700 SF (TOTAL 29,700 SF) REQUIRED: 99
 OFFICE: 1,700 SF (TOTAL 8,000 SF) REQUIRED: 10
 WAREHOUSE: 1,700 SF (TOTAL 32,400 SF) REQUIRED: 10
 SPACES PROVIDED: 158 SPACES
 HANDICAPPED SPACES: 7 SPACES PROVIDED: 8

BUILDING DATA

BUILDING	DESCRIPTION	FLOOR	AREA
A	TWO STORY METAL	36'-0"	18,000 SF
B	TWO STORY METAL	36'-0"	17,360 SF
C	THREE STORY METAL	37'-0"	21,400 SF

CDC CONSULTING & DESIGN CONCEPTS, PA
 1000 W. 20TH STREET, WARRINGTON, PA 18880
 WWW.CDCCONSULTING.COM

DATE: _____

NO. _____

FOR REVIEW ONLY

PROHIBITED FROM REPRODUCTION

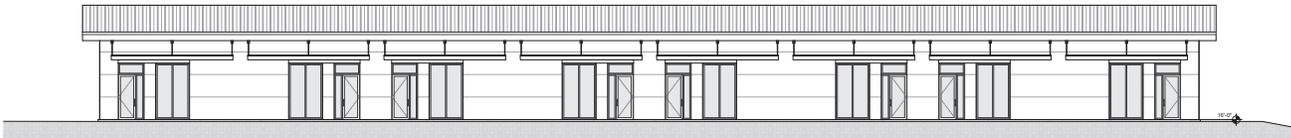
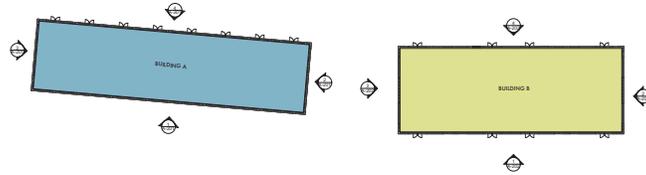
UTILITY PLAN FOR GARRISON RESERVE

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

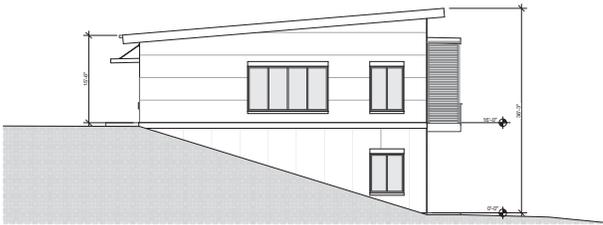
NORTH

UTILITY PLAN GRAPHIC SCALE
 1 inch = 30 ft

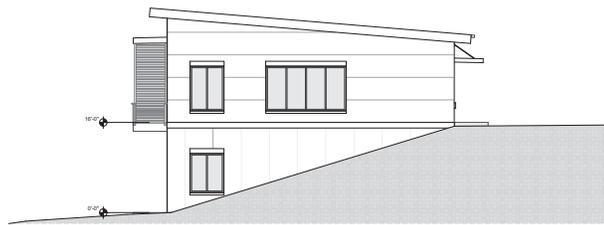
SHEET C601



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"



18 WOODWELL ST. ASHEVILLE, NC
770.289.7330 WWW.BCAVA.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: 1957
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



GARRISON BRANCH

WEAVERVILLE, NC

MASTER PLAN

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
WEAVERVILLE, NC

BUILDING A ELEVATIONS

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sitework
STUDIOS
FEBRUARY 7, 2020



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



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



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



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



GARRISON BRANCH
WEAVERVILLE, NC

BUILDING B ELEVATIONS

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BUILDING C (W)



BUILDING C (N)



BUILDING C ELEVATIONS

GARRISON BRANCH
WEAVERVILLE, NC

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sitework
STUDIOS
FEBRUARY 20, 2020



SECTION A



SECTION B



SECTION A AND B

GARRISON BRANCH
WEAVERVILLE, NC

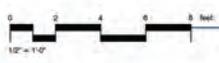
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SECTION C



SECTION D



SECTION C AND D

GARRISON BRANCH
WEAVERVILLE, NC

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RELIED UPON AS A COMPLETE, ACCURATE OR FINAL DESCRIPTION OF THE PROJECT.



MINUTES

**Town of Weaverville
State of North Carolina**

**Town Council Regular Meeting
Monday, April 27, 2020**

Remote Electronic Meeting

Zoom: <https://us02web.zoom.us/j/84711190168>

Meeting ID: 847 1119 0168

The Town Council for the Town of Weaverville met for its regularly monthly meeting on Monday, April 27, 2020, at 7:00 p.m. in Council Chambers within Weaverville Town Hall at 30 South Main Street, Weaverville, North Carolina and as an electronic video meeting via Zoom Meeting. Access to the meeting began at 6:50 p.m. and the meeting will start at 7:00 p.m.

Councilmembers present were: Mayor Al Root, Vice Mayor Doug Jackson, and Councilmember Andrew Nagle. Councilmembers Dottie Sherrill, Jeffrey McKenna, and Patrick Fitzsimmons were present remotely.

Staff present was: Town Manager Selena Coffey and Town Planner James Eller. Staff remotely present was: Town Attorney Jennifer Jackson, Town Clerk Derek Huninghake, Finance Officer Tonya Dozier, Police Chief Ron Davis, Fire Chief Ted Williams, Public Works Director Dale Pennell, and Water Treatment Supervisor Trent Duncan.

1. Call to Order

Mayor Al Root called the meeting to order at 7:00 p.m.

2. Approval/Adjustments to the Agenda

Councilmember Nagle made a motion to approve the agenda as presented. Councilmember McKenna seconded and all voted in favor of the motion.

3. Approval of Minutes

Mayor Root suggested a minor change to the January 27, 2020 Town Council Meeting minutes. Councilmember Nagle made the motion to approve the minutes from the January 27, 2020 Town Council Meeting as revised, and the minutes from February 24, 2020 Special Called Meeting, February 24, 2020 Town Council meeting, March 10, 2020 Town Council Joint Meeting with Planning and Zoning, and April 14, 2020 Town Council Workshop as presented. Vice Mayor Jackson seconded the motion and all voted in favor on the approval of the minutes.

4. General Public Comment

No Public Comment

5. Consent Agenda

Mayor Root moved Consent Agenda item I, July 4 Downtown Celebration Road Closure Ordinance, down to the first discussion and action item. Vice Mayor Jackson moved for the approval of the revised Consent Agenda. Councilmember Nagle seconded the motion and all voted unanimously to approve all action requested in the Consent Agenda.

- A. Monthly Tax Report – Information Only**
- B. Tax Releases & Refunds**– *Approved the tax release of personal property of David Foster at 212 North Main Street with PIN P3025190, valued at \$3,588, so that \$13.63 can be released from the 2018 levy and the tax release of personal property of Robert and Martha Hoyle at 68 Highland Street with PIN P753263, valued at \$22,057, so that \$87.44 can be released from the 2018 levy and refunded.*
- C. Resolution Approving Donation of Surplus Personal Property -Used Fire Hoses** – *Approved Resolution Declaring Used Fire Hoses and Supply Lines Surplus Personal Property and Approving Donation Pursuant to G.S. §160A-280*
- D. Approval of Preliminary Plat for Major Subdivision – Greenwood Park** – *Approved Preliminary Plat for Greenwood Park Major Subdivision*
- E. Annual Presentation of Town Manager Delegated Policies** – *Information Only*
- F. Minor Amendments to Personnel Policy**- *Adopted Resolution Amendment to the Town’s Personnel Policy*
- G. Ratification of Earth Day & Census Day Proclamations** – *Ratified the Attached Proclamations for Census Day and Earth Day*
- H. Revised Arbor Day Proclamation** – *Revised and Approved Arbor Day 2020 Proclamation for October 15, 2020*
- I. Budget Amendment: Police Department** – *Approved Budget Amendment*

6. Town Manager’s Report

Town Manager Coffey presented her Manager’s report to Council including 1) that her proposed budget will be presented to Town Council at the May 12 workshop. She noted that the budget process will be very difficult this year since we won’t have a full grasp on the pandemic’s impact on our revenue, 2) the fountain in front of Town Hall is almost complete. Public Works is waiting for the final slate to arrive for the top of the fountain walls, 3) Community Center construction has continued with contractors doing their grading work and digging and pouring footings, 4) the Weaverville Small-Town-Strong Initiative survey is going well and has had 30 business owners responses so far, and 5) as the May1 deadline comes near, we have received a number of applications to transfer private streets to the public system including Creekside Village, Fox’s Lair, several small sections of Weaver Village Way, Reems Creek Village, and Reems Creek Villas. Town Manger Coffey thanked Public Works Director Dale Pennell for working hard to receive a grant of \$30,000 for blue recycling trash carts and is working on another grant to supplement this for \$13,000. She also gave an update on the COVID-19 statistics in Buncombe County stating that the County has 54 cases and 4 deaths.

7. Discussion and Action Items

A. July 4 Downtown Celebration Road Closure Ordinance

Mayor Root noted that even though it seemed problematic, he had left the road closure ordinance related to the July 4th Downtown Celebration on the agenda. With the Governor’s new plan on how we can work our way out of the pandemic, even the optimistic version, the size of the gathering would not be allowed for our July 4 event. At this point the Mayor doesn’t see how we will be able to go forward with a July 4th celebration.

Vice Mayor Jackson wondered since we had to sign a contract for fireworks and music if we would be relieved of the commitment. Town Manager Coffey mentioned that is the goal, but the contract says no. She will be working with Pyrotecnico to see if they can come up with an alternative arrangement under the circumstances or if we can apply the funds to next year. Councilmember Nagle noted that if we aren’t going to get our funds back then maybe we can take the fireworks and use them at a different time like Labor Day or the grand opening of the community center.

Mayor Root noted that there was consensus from Town Council that we will not be holding a July 4th celebration this year and asked the Town Manager Coffey to take the next steps in that regard.

B. Downtown Parking Update & Amendment to Code Chapter 28

Town Manager Coffey let Town Council know that the Public Works Department has installed the two-hour parking signage and the Weaverville Police Department has their new citation book, so the Town is ready to proceed with

parking enforcement. She noted that they will be sensitive to the fact that the Town will be reopening the economy from the COVID 19 situation just as the timed parking requirements are going into effect.

Town Attorney Jennifer Jackson highlighted the revisions that were brought up at the January meeting. The revisions include using revenues from the violations to support the Town's parks and facilities, updating the operation of bicycles to abide by state law, specific operations on the sidewalks on Main Street between Brown street and Hamburg Mountain Road, and updated prohibited parking in certain places. She noted this is a police power ordinance so there is no public hearing requirement and the Planning and Zoning Board will be considering a few correlated issues related to parking and traffic.

Vice Mayor Jackson made a motion to adopt the Ordinance Repealing and Replacing Town Code Chapter 28 Concerning Traffic and Parking. Councilmember Fitzsimmons seconded the motion. The motion passed by a majority vote of Council. Motion carries 4-1. Councilmember Nagle voted nay.

C. ADA Transition Plan

Town Attorney Jennifer Jackson mentioned that she and Town Manager Coffey have been working on the Town's compliance with the Americans with Disabilities Act and the goal is for the ADA Transition Plan to be present at the June Town Council meeting. They recommend that Town Council adopt amendments to the Town's ADA Compliance Policy and Town's Grievance Policy and Procedures to clearly set out these policies and provide procedures to address issues that arise. The Town is required to receive public input from its citizens in order to discover any concerns on accessibility to Town programs and facilities. Staff plans to conduct a public comment period during the month of May and to host one or more public input sessions in order to receive comments on problem areas and allow adequate investigation of any issues that might be brought to the Town's attention.

Councilmember Nagle believes that the Town should be consistent and go above and beyond to make sure that we accommodate employees and citizens with disabilities, not just for undue hardship. Town Manager Coffey noted that we must implement this plan, so we might have some difficult issues regarding funding in this process.

Councilmember Nagle made a motion to adopt the Proposed Resolution Concerning the ADA Compliance Policy and the Grievance Policy and Procedures. Councilmember Sherrill seconded the motion. The motion passed by a majority vote of Council. Motion carries 5-0.

D. Civil Rights – Title VI Implementation Plan

Town Attorney Jennifer Jackson noted that Title VI of the Civil Rights Act specifically applies to local governments and the federal government is looking more closely at what cities and towns are doing to protect civil rights of its citizens from discrimination and to provide a clear way for a citizen to have complaints heard and resolved. Town Manager Coffey and her recommend that Town Council adopt the proposed Title VI Implementation Plan and the Title VI Civil Rights Compliance Policy. Town Attorney Jackson will be the Title VI Implementation Plan and Program Coordinator and would provide the training, public information, and any recommendations that need to be looked at by Town Manager Coffey.

Councilmember Nagle made a motion to adopt the Proposed Resolution Adopting the Title VI Implementation Plan and the Title VI Civil Rights Compliance Policy. Vice Mayor Jackson seconded the motion. The motion passed by a majority vote of Council. Motion carries 5-0.

E. Set Public Hearings:

Mayor Root noted that the package shows the public hearings would be held on May 25, 2020, but he imagines that it is a clerical error due to Memorial Day, and that they would be held on May 18, 2020 at 6:30pm.

1. Code Amendments to Chapters 25 & 36 on Streets, Parking, and Notices

Town Planner James Eller noted that the first public hearing is for a set of proposed text amendments regarding streets, traffic, and parking, which would ensure code consistency throughout the code.

2. Code Amendments to Chapter 36 on Mixed Use Development

Town Planner James Eller mentioned that before them is a proposed text amendment to achieve the stated goals of the comprehensive land use plan that would better accommodate mixed use developments and transition districts in R-12, C-1 and C-2 zoning districts. Planning and Zoning Board has review text amendments and offered a unanimous positive recommendation.

3. Conditional Zoning District for Garrison Reserve

Town Planner James Eller mentioned that staff is possession of a Conditional Zoning District application for properties commonly known as 10 and 30 Garrison Branch Road. The application calls for the establishment of a multi-tenant development of 25,000 square feet or more. Planning and Zoning Board has the application and offered a unanimous positive recommendation.

Councilmember Nagle made a motion to approve setting a Public Hearing for the Proposed Text Amendments Related to Parking, Streets, and Mandated Notices for the Zoning Board of Adjustment, a Public Hearing on Proposed Text Amendments to Permit Mixed Use Structures with Standards in the C-1, C-2 and R-12 Zoning Districts, and a Public Hearing on a Proposed Conditional Zoning District on the Property Commonly Known as Garrison Reserve at 10 and 30 Garrison Brand Road all on May 18, 2020 at 6:30 pm. Councilmember Sherrill seconded the motion. The motion passed by a majority vote of Council. Motion carries 5-0.

4. Fiscal Year 2020-2021 Proposed Budget

Town Manager Selena Coffey mentioned that in accordance with North Carolina’s Local Government Budget and Fiscal Control Act, G.S. § 159-12(b), Town Council must hold a public hearing.

Councilmember Nagle made a motion to schedule the Public Hearing on the Fiscal Year 2020-2021 budget for Tuesday, June 9, 2020 at 6:00 pm. Vice Mayor Jackson seconded the motion. The motion passed by a majority vote of Council. Motion carries 5-0.

F. Quarterly Report: Planning and Code Enforcement

Town Planner James Eller presented the Planning Department Quarterly Report from January – March 2020 and noted that 39 Zoning Permits were issued. Mr. Eller also gave a review of the Planning and Zoning Board and the Zoning Board of Adjustment activity during these months.

G. Quarterly Report: Public Works & Water Department (from March)

Public Works Director Dale Pennell presented the Public Works and Water Services Quarterly Report for November 2019 through February 2020. Some highlights were that the monthly unaccounted water decreased to 2.9%, since they were able to find and fix leaks and the Town’s water commitments for future developments has increased, due to the project on Garrison and Monticello Road. Mr. Pennell also noted that the total tons brought to the landfill has continued to stay up since Christmas and he imagines it will be double the amount on his next quarterly report.

8. Adjournment

Councilmember Nagle made the motion to adjourn; Councilmember McKenna seconded and all voted to adjourn the Council’s meeting at 8:20 p.m.

Derek K. Huninghake, Town Clerk

**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: May 18, 2020
SUBJECT: Monthly Tax Report
PRESENTER: Tax Collector
ATTACHMENTS: Monthly Tax Report

DESCRIPTION/SUMMARY OF REQUEST:

The Town Tax Collector provides the following monthly tax report as of May 11, 2020. This report is provided for information only.

No action is requested or required.

**Town of Weaverville
MONTHLY TAX REPORT
FY 2019-20**

5/11/2020

Real Property:	\$ 783,958,380	
Real Property Discoveries:	1,122,100	
Total Real Property:	\$ 785,080,480	
Personal:	73,730,921	
Personal Discoveries:	229,087	
Total Personal:	73,960,008	
Public Utilities:	5,406,640	
Exemption:	(9,473,150)	
Releases:	(2,792,494)	
Total Tax Value	\$ 852,181,484	

Tax Levy @.38 cents per \$100

Real Property:		2,983,306
Personal Property:		281,048
Public Utilities:	\$ 20,545	
Less Under \$5 Adjustment	(47)	
Total Public Utilities:	20,498	
Exemption:		(35,998)
Releases:		(10,611)
Total Levy (Total Billed)		\$ 3,238,243

Total Current Year Collections	\$	3,164,292
% Collected		97.72%

Total Left to be Collected:	\$	73,951
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Prior Years Paid	\$	4,560
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TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: Monday, May 18, 2020
Subject: Greenwood Park Final Plat, Phase One
Presenter: Planning Director
Attachments: Recommendation of the Planning and Zoning Board;
Greenwood Park Final Plat Phase One; TRC Report; Sec. 25-83(e)(1) Improvements Guarantee; Sewer Line Construction Estimate

Description:

On Tuesday, May 5, 2020 the Planning and Zoning Board reviewed the attached final plat as required by ordinance and passed along a unanimous recommendation that said plat be approved by Town Council contingent upon Town Council securing an improvement guarantee for sewer line construction as per Section 25-83(e)(1).

Action Requested:

Staff is requesting the approval of the aforementioned final plat with the requisite improvement guarantee and has found in conjunction with the Planning and Zoning Board and the TRC that the proposed subdivision is compliant with the ordinances of the Town.

Staff is requesting the improvement guarantee amount to be set at \$208,606.88. This value represents an amount equal to 125 percent of the cost of construction of the sewer line based upon the construction estimate furnished.



**Town of Weaverville
Planning and Zoning Board**

On Tuesday, May 05, 2020 the Planning and Zoning Board reviewed and unanimously recommended to Town Council the attached major subdivision final plat for Greenwood Park phase one. Said recommendation is contingent upon Town Council securing an improvement guarantee for a sewer line which has yet to be constructed as per the conditions set forth in Section 25-83(e)(1) Improvements Guarantee.

It has been found that the proposed major subdivision would not conflict with the Town's Comprehensive Land Use Plan or Subdivision and Zoning Ordinances. The Planning and Zoning Board Considers approval both reasonable and in the public interest due to the Town's technical review committee finding of compliance with municipal ordinance and relevant state and federal laws, rules and regulations.

A handwritten signature in blue ink that reads "Gary J. Burge". The signature is written in a cursive style and is positioned above a solid black horizontal line.

**Gary Burge
Chairman, Planning and Zoning Board**



TOWN OF WEAVERVILLE TECHNICAL REVIEW COMMITTEE REPORT II

Project: Major Subdivision Final Plat – Greenwood Park Phase 1

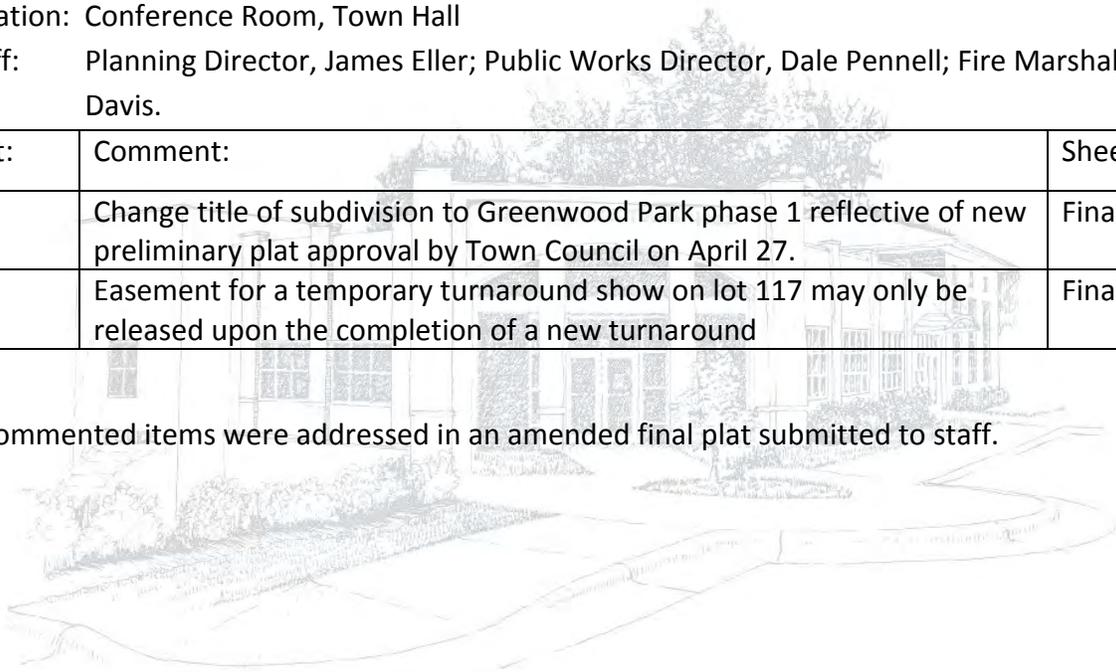
Date: Thursday, April 23, 2020; 1:30pm

Location: Conference Room, Town Hall

Staff: Planning Director, James Eller; Public Works Director, Dale Pennell; Fire Marshal Kile Davis.

Dept:	Comment:	Sheet #:
PLN	Change title of subdivision to Greenwood Park phase 1 reflective of new preliminary plat approval by Town Council on April 27.	Final Plat
FD	Easement for a temporary turnaround show on lot 117 may only be released upon the completion of a new turnaround	Final Plat

* Commented items were addressed in an amended final plat submitted to staff.



Sec. 25-83. - Plat requirements for major subdivisions.

(e) (1) *Improvements guarantee.*

- (A) Unless the construction of all improvements required by this chapter have been totally completed prior to the approval by the town council of a final plat and the recording of the same, the town shall, for the purpose of approving a final plat prior to the completion of construction, require an agreement to complete and a guarantee from the subdivider that construction of required or contemplated improvements will be completed according to the approved specifications of the town at the subdivided expense. Such guarantee may be in the form of: (i) an assignment by the subdivider to the town of a certificate of deposit at a federally insured financial institution; (ii) an official bank check of a federally insured financial institution drawn in favor of the town and deposited with the town clerk; or (iii) cash deposited with the town clerk; or (iv) an irrevocable letter of credit drawn on a federally insured financial institution. Such guarantee shall be in an amount equal to 125 percent of the cost of the construction of the required or contemplated improvements as estimated by the subdivider or his contractors and approved, as to the amount, by the town council. The town manager may allow up to 180 days from the date of the town council approval of the final plat for the subdivider to post the necessary performance guarantee in addition to all other necessary documents. If prior to the expiration of the 180 days, the developer requests a further extension, the town manager may, at his or her discretion, grant an additional 180 days to complete utilities and paving. If all documents and guarantees are not received by the town manager within the 180-day period, the town council's approval of the final plat shall become null and void. All guarantees shall be reviewed by the town attorney and shall be subject to town council approval. Performance guarantees shall be kept by the town until the town council determines that all public and private improvements as required by this chapter have been constructed in accordance with the approved plans except as provided below.



2/28/2020

RE: GREENWOOD PARK PHASE II

The following is our proposal for GREENWOOD PARK PHASE 2

Mobilization			<u>\$ 4,000.00</u>
8" PVC	1,827	\$ 36.50	\$66,685.50
8" PVC (10-12)	100	\$ 42.00	\$ 4,200.00
Manholes (0-6)	8	\$ 3,000.00	\$24,000.00
Manholes (6-8)	3	\$ 3,250.00	\$ 9,750.00
Manholes (8-10)	1	\$ 3,500.00	\$ 3,500.00
8" DI Drops	3	\$ 3,500.00	\$10,500.00
Tie to existing manhole	1	\$ 3,000.00	\$ 3,000.00
4" Services	13	\$ 650.00	\$ 8,450.00
6" Services	3	\$ 900.00	\$ 2,700.00
Pipe Bedding Stone			\$26,100.00
Seeding and matting			\$ 4,000.00
TOTAL			\$166,885.50

DOES NOT INCLUDE:

Survey/Layout of services and manholes

Clearing

Trench Rock if any \$200 CY

8" DI if required 52 feet

Should you have any questions please contact me.

With best regard,

Myron Steppe

Myron Steppe
President

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: May 18, 2020
Subject: Approval of FY 2019-2020 Audit Contract
Presenter: Town Finance Director
Attachments: Audit Contract with Gould Killian CPA Group

Description:

Attached you will find the engagement letter and contract between the Town of Weaverville and Gould Killian CPA Group for the Fiscal Year 2019-2020 Audit. A Request for Proposal for audit services was conducted in the spring of 2018, and Gould Killian was selected at that point. Accordingly, this is the third year of the three-year audit contract for this auditing firm. You will find that the total fee of \$22,400 is only a \$250 increase from the prior year. This \$22,400 includes \$18,150 for the audit and \$4,250 for the completion of the Comprehensive Annual Financial Report. This contract must be executed by the Town in order for the auditor to provide same to the Local Government Commission (LGC).

Council Action Requested:

The Town Manager recommends approval of this contract and direction to execute the document and forward same to Gould Killian CPA Group. The following is suggested as a motion to approve this contract:

I move that the attached audit contract with Gould Killian CPA Group be approved and that the Mayor and Town staff be authorized to execute the same.



**GOULD KILLIAN
CPA GROUP, P.A.**

MEMBERSHIP FIRM OF ACCREDITED

Charles E. Killian
G. Edward Towson, II
Harvey W. Jenkins
Shon P. Norris
Eric W. Michael
Daniel R. Mullinix

April 7, 2020

To the Town Council
And Members of Management
Town of Weaverville
30 South Main St.
Weaverville, NC 28787

Agreement to Provide Services

This agreement to provide services (the “Agreement”) is intended to describe the nature and scope of our services.

Objective and Scope of the Audit

As agreed, Gould Killian CPA Group, P.A. (“GK” or “we”) will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements, of Town of Weaverville as of and for the year ended June 30, 2020. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management’s discussion and analysis (MD&A), to supplement Town of Weaverville’s basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to Town of Weaverville’s RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management’s responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management’s Discussion and Analysis
2. Required schedules for Law Enforcement Officers’ Special Separation Allowance
3. Required schedules for the Local Government Employees’ Retirement System
4. Required schedules for Other Postemployment Benefits

We have also been engaged to report on supplementary information other than RSI that accompanies Town of Weaverville's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. We will provide an opinion on it in relation to the financial statements as a whole, in a separate written report accompanying our auditor's report on the financial statements:

1. Combining and individual fund statements, budgetary schedules, other schedules

The following other information accompanying the financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and our auditor's report will not provide an opinion or any assurance on that other information.

1. Introductory section
2. Statistical section

Audit Objectives

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. The objective also includes reporting on—

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The report will state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of accounting records and other procedures we consider necessary to enable us to express such opinions.

Since our audit in accordance with GAAS, those standards require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements are free from material misstatement, whether caused by error or fraud. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the basic financial statements, assessing the accounting principles used and significant estimates made by management, and evaluating the overall financial statement presentation. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to error or fraud. Our work will be based primarily upon selected tests of evidence supporting the amounts and disclosures in the financial statements and, therefore, will not include a detailed check of all of the Government's transactions for the period. Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an

unavoidable risk that some material misstatements may not be detected exists, even though the audit is properly planned and performed in accordance with GAAS.

We will issue written reports upon completion of our audit. Our reports will be addressed to the Town Council of Town of Weaverville. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested.

An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will bring these misstatements to your attention as proposed adjustments. At the conclusion of our audit we will communicate to those charged with governance (as defined below) all uncorrected misstatements. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

The term “those charged with governance” is defined as the person(s) with responsibility for overseeing the strategic direction of the Government and obligations related to the accountability of the Government, including overseeing the financial reporting process. For the Government, we agree that the Town Council meets that definition.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial

statements; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

Audit Procedures—Internal Control

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, and *Government Auditing Standards*.

Management Responsibilities

Our audit will be conducted on the basis that you (management) acknowledge and understand that you are responsible for (1) establishing and maintaining effective internal controls, including internal controls over federal awards, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations (including federal statutes) and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under *Government Audit Standards*, (3) additional information that we may request for the purpose of the audit, and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Management's responsibilities also include identifying and informing us of significant contractor relationships in which the contractor is responsible for program compliance and for the accuracy and completeness of that information.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements

aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse that we report.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to [include the audited financial statements with any presentation of the supplementary information that includes our report thereon OR make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon]. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

You agree to assume all management responsibilities relating to the financial statements and related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and related notes and that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Reproduction of Audit Report

If the Government plans any reproduction or publication of a document that includes our report, or any portion of it, and that is assembled differently from any paper or electronic version that we have previously reviewed (e.g., by the addition of financial statements and/or accompanying information that you have produced), a copy of the entire document in its final form should be submitted to us in sufficient time for our review and written approval before printing. You also agree to provide us with a copy of the final reproduced material for our written approval before it is distributed. If, in our professional judgment, the circumstances require, we may withhold our written approval.

Posting of Audit Report and Financial Statements on Your Website

You agree that, if you plan to post an electronic version of the financial statements and audit report on your website, you will ensure that there are no differences in content between the electronic version of the financial statements and audit report on your website and the signed version of the financial statements and audit report provided to management by GK. You also agree to indemnify the GK from any and all claims that may arise from any differences between the electronic and signed versions.

Review of Documents In Connection With Offering of Sale of Debt

The audited financial statements and our report thereon should not be provided or otherwise made available to lenders, other financial institutions or sources of financing, or others (including advisors to such parties) in connection with any document to be used in the process of obtaining capital, including, without limitation, by means of the sale of securities (including securities offerings on the Internet) without first submitting copies of the document to us in sufficient time for our review and written approval. If, in our professional judgment, the circumstances require, we may withhold or condition our written approval.

Availability of Records and Personnel

You agree that all records, documentation, and information we request in connection with our audit will be made available to us (including those pertaining to related parties), that all material information will be disclosed to us, and that we will have the full cooperation of, and unrestricted access to, your personnel during the course of the engagement.

You also agree to ensure that any third-party valuation reports that you provide to us to support amounts or disclosures in the financial statements (a) indicate the purpose for which they were intended, which is consistent with your actual use of such reports; and (b) do not contain any restrictive language that would preclude us from using such reports as audit evidence.

Assistance by Your Personnel

We also ask that your personnel prepare various schedules and analyses for our staff. However, except as otherwise noted by us, no personal information other than names related to Government employees and/or customers should be provided to us. In addition, we ask that you provide high-speed Internet access to our engagement team, if practicable, while working on the Government's premises. This assistance will serve to facilitate the progress of our work and minimize costs to you.

Peer Review Reports

Government Auditing Standards requires that we provide you with a copy of our most recent quality control review report. Our latest peer review report accompanies this letter.

Other Services

We are always available to meet with you and Town Council at various times throughout the year to discuss current business, operational, accounting, and auditing matters affecting the Government. Whenever you feel such meetings are desirable, please let us know. We are also prepared to provide services to assist you in any of these areas. We will also be pleased, at your request, to attend governing board meetings.

We will also assist in preparing the financial statements and related notes of Town of Weaverville in conformity with U.S. generally accepted accounting principles based on information provided by you. These non-audit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statement services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities

Independence

Professional and certain regulatory standards require us to be independent, in both fact and appearance, with respect to the Government in the performance of our services. Any discussions that you have with personnel of GK regarding employment could pose a threat to our independence. Therefore, we request that you inform us prior to any such discussions so that we can implement appropriate safeguards to maintain our independence.

In order for us to remain independent, professional standards require us to maintain certain respective roles and relationships with you with respect to the non-attest services described above. Prior to performing such services in conjunction with our audit, management must acknowledge its acceptance of certain responsibilities.

We will not perform management functions or make management decisions on behalf of the Government. However, we will provide advice and recommendations to assist management of the Government in performing its functions and fulfilling its responsibilities.

The Government agrees to perform the following functions in connection with our performance of the financial statement services:

- a. Make all management decisions and perform all management functions with respect to the financial statement services provided by us.
- b. Assign Tonya Dozier to oversee the financial statement services and evaluate the adequacy and results of the services.
- c. Accept responsibility for the results of the financial statement services.

The services are limited to those outlined above. We, in our professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as making management decisions or performing management functions. The Government must make all decisions with regard to our recommendations. By signing this Agreement, you acknowledge your acceptance of these responsibilities.

Engagement Administration, Fees, and Other

We will provide copies of our reports to the Town Council of Town of Weaverville; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

Many banks have engaged a third party to electronically process cash or debt audit confirmation requests, and certain of those banks have mandated the use of this service. Further, such third party confirmation processors also provide for the electronic (and manual) processing of other confirmation types (e.g., legal, accounts receivable, and accounts payable). To the extent applicable, the Government hereby authorizes GK to participate in such confirmation processes, including through the third party's website (e.g., by entering the Government's bank account information to initiate the process and then accessing the bank's confirmation response), and agrees that GK shall have no liability in connection therewith.

The audit documentation for this engagement is the property of Gould Killian CPA Group, P.A. and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to a federal or state agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Gould Killian CPA Group, P.A. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the federal or state oversight agency. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to begin our audit in June 2020 and to issue our reports no later than October 31, 2020. Daniel R. Mullinix is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them.

Our charges to the Government for the services described above are expected to be \$18,150 for the financial statement audit and \$4,250 for financial statement preparation. A fee of \$2,950 per major program will be charged should a federal or state single audit be necessary.

The fees are based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. We anticipate the time necessary to complete your audit will approximately 300 hours in total. If significant additional time is necessary (over 300 hours), we will discuss it with you and arrive at a new fee estimate before we incur the additional costs. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation.

Our fee structure for these services is as follows:

Financial audit - base fee	\$ 18,150
CAFR (financial statement) preparation	<u>4,250</u>
Base fee total	<u>\$ 22,400</u>

Fee for each major program (If required)	<u>\$ 2,950</u>
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This fee structure does not take into consideration effects that any future standards promulgated by the Governmental Accounting Standards Board and/or other professional bodies will have on our audit procedures. As we become aware of additional audit procedures resulting from these circumstances, we will notify you of the situation and the estimated additional cost.

We believe the foregoing correctly sets forth our understanding; however, if you have any questions, please let us know. If you find the foregoing arrangements acceptable, please acknowledge this by signing and returning to us a copy of this Agreement and retaining a copy for your files. We will forward the signed engagement letter and LGC contract to the Local Government Commission for their approval.

Very truly yours,



Daniel R. Mullinix
Certified Public Accountant

RESPONSE:

This letter correctly sets forth the understanding of Town of Weaverville.

Management signature: _____

Title: _____

Date: _____

Governance signature: _____

Title: _____

Date: _____

SHARRARD, MCGEE & Co., P.A.

CERTIFIED PUBLIC ACCOUNTANTS • CONSULTANTS

1321 LONG STREET • POST OFFICE BOX 5869 • HIGH POINT, NORTH CAROLINA 27262

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OFFICES
HIGH POINT
GREENSBORO

Report on the Firm's System of Quality Control

July 28, 2017

To the Owners of
Gould Killian CPA Group, P.A. and the
Peer Review Committee of the North Carolina Association of CPAs

We have reviewed the system of quality control for the accounting and auditing practice of Gould Killian CPA Group, P.A. (the firm) in effect for the year ended January 31, 2017. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including a compliance audit under the Single Audit Act, and an audit of an employee benefit plan.

As part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Gould Killian CPA Group, P.A. in effect for the year ended January 31, 2017, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Gould Killian CPA Group, P.A. has received a peer review rating of *pass*.

Shaward, McLean & Co, P.A.

The	Governing Board Town Council
of	Primary Government Unit (or charter holder) Town of Weaverville
and	Discretely Presented Component Unit (DPCU) (if applicable)

Primary Government Unit, together with DPCU (if applicable), hereinafter referred to as Governmental Unit(s)

and	Auditor Name Gould Killian CPA Group, P.A.
	Auditor Address 100 Coxe Ave, Asheville, NC 28801

Hereinafter referred to as Auditor

for	Fiscal Year Ending 06/30/20	Audit Report Due Date 10/31/20
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Must be within four months of FYE

hereby agree as follows:

1. The Auditor shall audit all statements and disclosures required by U.S. generally accepted auditing standards (GAAS) and additional required legal statements and disclosures of all funds and/or divisions of the Governmental Unit(s). The non-major combining, and individual fund statements and schedules shall be subjected to the auditing procedures applied in the audit of the basic financial statements and an opinion shall be rendered in relation to (as applicable) the governmental activities, the business-type activities, the aggregate DPCUs, each major governmental and enterprise fund, and the aggregate remaining fund information (non-major government and enterprise funds, the internal service fund type, and the fiduciary fund types).

2. At a minimum, the Auditor shall conduct his/her audit and render his/her report in accordance with GAAS. The Auditor shall perform the audit in accordance with *Government Auditing Standards* if required by the State Single Audit Implementation Act, as codified in G.S. 159-34. If required by OMB *Uniform Administration Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) and the State Single Audit Implementation Act, the Auditor shall perform a Single Audit. This audit and all associated audit documentation may be subject to review by Federal and State agencies in accordance with Federal and State laws, including the staffs of the Office of State Auditor (OSA) and the Local Government Commission (LGC). If the audit requires a federal single audit performed under the requirements found in Subpart F of the Uniform Guidance (§200.501), it is recommended that the Auditor and Governmental Unit(s) jointly agree, in advance of the execution of this contract, which party is responsible for submission of the audit and the accompanying data collection form to the Federal Audit Clearinghouse as required under the Uniform Guidance (§200.512).

If the audit and Auditor communication are found in this review to be substandard, the results of the review may be forwarded to the North Carolina State Board of CPA Examiners (NC State Board).

3. If an entity is determined to be a component of another government as defined by the group audit standards, the entity's auditor shall make a good faith effort to comply in a timely manner with the requests of the group auditor in accordance with AU-6 §600.41 - §600.42.
4. This contract contemplates an unmodified opinion being rendered. If during the process of conducting the audit, the Auditor determines that it will not be possible to render an unmodified opinion on the financial statements of the unit, the Auditor shall contact the LGC staff to discuss the circumstances leading to that conclusion as soon as is practical and before the final report is issued. The audit shall include such tests of the accounting records and such other auditing procedures as are considered by the Auditor to be necessary in the circumstances. Any limitations or restrictions in scope which would lead to a qualification should be fully explained in an attachment to this contract.
5. If this audit engagement is subject to the standards for audit as defined in *Government Auditing Standards*, 2018 revision, issued by the Comptroller General of the United States, then by accepting this engagement, the Auditor warrants that he/she has met the requirements for a peer review and continuing education as specified in *Government Auditing Standards*. The Auditor agrees to provide a copy of the most recent peer review report to the Governmental Unit(s) and the Secretary of the LGC prior to the execution of an audit contract. Subsequent submissions of the report are required only upon report expiration or upon auditor's receipt of an updated peer review report. If the audit firm received a peer review rating other than pass, the Auditor shall not contract with the Governmental Unit(s) without first contacting the Secretary of the LGC for a peer review analysis that may result in additional contractual requirements.

If the audit engagement is not subject to *Government Accounting Standards* or if financial statements are not prepared in accordance with U.S. generally accepted accounting principles (GAAP) and fail to include all disclosures required by GAAP, the Auditor shall provide an explanation as to why in an attachment to this contract or in an amendment.
6. It is agreed that time is of the essence in this contract. All audits are to be performed and the report of audit submitted to LGC staff within four months of fiscal year end. If it becomes necessary to amend this due date or the audit fee, an amended contract along with a written explanation of the delay shall be submitted to the Secretary of the LGC for approval.
7. It is agreed that GAAS include a review of the Governmental Unit's (Units') systems of internal control and accounting as same relate to accountability of funds and adherence to budget and law requirements applicable thereto; that the Auditor shall make a written report, which may or may not be a part of the written report of audit, to the Governing Board setting forth his/her findings, together with his recommendations for improvement. That written report shall include all matters defined as "significant deficiencies and material weaknesses" in AU-C 265 of the *AICPA Professional Standards (Clarified)*. The Auditor shall file a copy of that report with the Secretary of the LGC.
8. All local government and public authority contracts for audit or audit-related work require the approval of the Secretary of the LGC. This includes annual or special audits, agreed upon procedures related to internal controls, bookkeeping or other assistance necessary to prepare the Governmental Unit's (Units') records for audit, financial statement preparation, any finance-related investigations, or any other audit-related work in the State of North Carolina. Approval is not required on contracts and invoices for system improvements and similar services of a non-auditing nature.
9. Invoices for services rendered under these contracts shall not be paid by the Governmental Unit(s) until the invoice has been approved by the Secretary of the LGC. (This also includes any progress billings.) [G.S. 159-34 and 115C-447] All invoices for Audit work shall be submitted in PDF format to the Secretary of the LGC for approval. The invoice marked 'approved' with approval date shall be returned to

the Auditor to present to the Governmental Unit(s) for payment. This paragraph is not applicable to contracts for audits of hospitals.

10. In consideration of the satisfactory performance of the provisions of this contract, the Governmental Unit(s) shall pay to the Auditor, upon approval by the Secretary of the LGC if required, the fee, which includes any costs the Auditor may incur from work paper or peer reviews or any other quality assurance program required by third parties (federal and state grantor and oversight agencies or other organizations) as required under the Federal and State Single Audit Acts. This does not include fees for any pre-issuance reviews that may be required by the NC Association of CPAs (NCACPA) Peer Review Committee or NC State Board of CPA Examiners (see Item 13).

11. If the Governmental Unit(s) has/have outstanding revenue bonds, the Auditor shall submit to LGC staff, either in the notes to the audited financial statements or as a separate report, a calculation demonstrating compliance with the revenue bond rate covenant. Additionally, the Auditor shall submit to LGC staff simultaneously with the Governmental Unit's (Units') audited financial statements any other bond compliance statements or additional reports required by the authorizing bond documents, unless otherwise specified in the bond documents.

12. After completing the audit, the Auditor shall submit to the Governing Board a written report of audit. This report shall include, but not be limited to, the following information: (a) Management's Discussion and Analysis, (b) the financial statements and notes of the Governmental Unit(s) and all of its component units, prepared in accordance with GAAP, (c) supplementary information requested by the Governmental Unit(s) or required for full disclosure under the law, and (d) the Auditor's opinion on the material presented. The Auditor shall furnish the required number of copies of the report of audit to the Governing Board upon completion.

13. If the audit firm is required by the NC State Board, the NCACPA Peer Review Committee, or the Secretary of the LGC to have a pre-issuance review of its audit work, there shall be a statement in the engagement letter indicating the pre-issuance review requirement. There also shall be a statement that the Governmental Unit(s) shall not be billed for the pre-issuance review. The pre-issuance review shall be performed prior to the completed audit being submitted to LGC Staff. The pre-issuance review report shall accompany the audit report upon submission to LGC Staff.

14. The Auditor shall submit the report of audit in PDF format to LGC Staff. For audits of units other than hospitals, the audit report should be submitted when (or prior to) submitting the final invoice for services rendered. The report of audit, as filed with the Secretary of the LGC, becomes a matter of public record for inspection, review and copy in the offices of the LGC by any interested parties. Any subsequent revisions to these reports shall be sent to the Secretary of the LGC along with an Audit Report Reissued Form (available on the Department of State Treasurer website). These audited financial statements, excluding the Auditors' opinion, may be used in the preparation of official statements for debt offerings by municipal bond rating services to fulfill secondary market disclosure requirements of the Securities and Exchange Commission and for other lawful purposes of the Governmental Unit(s) without requiring consent of the Auditor. If the LGC Staff determines that corrections need to be made to the Governmental Unit's (Units') financial statements, those corrections shall be provided within three business days of notification unless another deadline is agreed to by LGC staff.

15. Should circumstances disclosed by the audit call for a more detailed investigation by the Auditor than necessary under ordinary circumstances, the Auditor shall inform the Governing Board in writing of the need for such additional investigation and the additional compensation required therefore. Upon approval by the

Secretary of the LGC, this contract may be modified or amended to include the increased time, compensation, or both as may be agreed upon by the Governing Board and the Auditor.

16. If an approved contract needs to be modified or amended for any reason, the change shall be made in writing, on the Amended LGC-205 contract form and pre-audited if the change includes a change in audit fee (pre-audit requirement does not apply to charter schools or hospitals). This amended contract shall be completed in full, including a written explanation of the change, signed and dated by all original parties to the contract. It shall then be submitted to the Secretary of the LGC for approval. No change to the audit contract shall be effective unless approved by the Secretary of the LGC, the Governing Board, and the Auditor.

17. A copy of the engagement letter, issued by the Auditor and signed by both the Auditor and the Governmental Unit(s), shall be attached to this contract, and except for fees, work, and terms not related to audit services, shall be incorporated by reference as if fully set forth herein as part of this contract. In case of conflict between the terms of the engagement letter and the terms of this contract, the terms of this contract shall take precedence. Engagement letter terms that conflict with the contract are deemed to be void unless the conflicting terms of this contract are specifically deleted in Item 28 of this contract. Engagement letters containing indemnification clauses shall not be accepted by LGC Staff.

18. Special provisions should be limited. Please list any special provisions in an attachment.

19. A separate contract should not be made for each division to be audited or report to be submitted. If a DPCU is subject to the audit requirements detailed in the Local Government Budget and Fiscal Control Act and a separate audit report is issued, a separate audit contract is required. If a separate report is not to be issued and the DPCU is included in the primary government audit, the DPCU shall be named along with the parent government on this audit contract. DPCU Board approval date, signatures from the DPCU Board chairman and finance officer also shall be included on this contract.

20. The contract shall be executed, pre-audited (pre-audit requirement does not apply to charter schools or hospitals), and physically signed by all parties including Governmental Unit(s) and the Auditor, then submitted in PDF format to the Secretary of the LGC.

21. The contract is not valid until it is approved by the Secretary of the LGC. The staff of the LGC shall notify the Governmental Unit and Auditor of contract approval by email. The audit should not be started before the contract is approved.

22. Retention of Client Records: Auditors are subject to the NC State Board of CPA Examiners' Retention of Client Records Rule 21 NCAC 08N .0305 as it relates to the provision of audit and other attest services, as well as non-attest services. Clients and former clients should be familiar with the requirements of this rule prior to requesting the return of records.

23. This contract may be terminated at any time by mutual consent and agreement of the Governmental Unit(s) and the Auditor, provided that (a) the consent to terminate is in writing and signed by both parties, (b) the parties have agreed on the fee amount which shall be paid to the Auditor (if applicable), and (c) no termination shall be effective until approved in writing by the Secretary of the LGC.

24. The Governmental Unit's (Units') failure or forbearance to enforce, or waiver of, any right or an event of breach or default on one occasion or instance shall not constitute the waiver of such right, breach or default on any subsequent occasion or instance.

25. There are no other agreements between the parties hereto and no other agreements relative hereto that shall be enforceable unless entered into in accordance with the procedure set out herein and approved by the Secretary of the LGC.

26. E-Verify. Auditor shall comply with the requirements of NCGS Chapter 64 Article 2. Further, if Auditor utilizes any subcontractor(s), Auditor shall require such subcontractor(s) to comply with the requirements of NCGS Chapter 64, Article 2.

27. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct and Governmental Auditing Standards, 2018 Revision (as applicable). Financial statement preparation assistance shall be deemed a "significant threat" requiring the Auditor to apply safeguards sufficient to reduce the threat to an acceptable level. If the Auditor cannot reduce the threats to an acceptable level, the Auditor cannot complete the audit. If the Auditor is able to reduce the threats to an acceptable level, the documentation of this determination, including the safeguards applied, must be included in the audit workpapers.

All non-attest service(s) being performed by the Auditor that are necessary to perform the audit must be identified and included in this contract. The Governmental Unit shall designate an individual with the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the services and accept responsibility for the results of the services performed. If the Auditor is able to identify an individual with the appropriate SKE, s/he must document and include in the audit workpapers how he/she reached that conclusion. If the Auditor determines that an individual with the appropriate SKE cannot be identified, the Auditor cannot perform both the non-attest service(s) and the audit. See "Fees for Audit Services" page of this contract to disclose the person identified as having the appropriate SKE for the Governmental Unit.

28. Applicable to charter school contracts only: No indebtedness of any kind incurred or created by the charter school shall constitute an indebtedness of the State or its political subdivisions, and no indebtedness of the charter school shall involve or be secured by the faith, credit, or taxing power of the State or its political subdivisions.

29. All of the above paragraphs are understood and shall apply to this contract, except the following numbered paragraphs shall be deleted (See Item 16 for clarification).

30. The process for submitting contracts, audit reports and invoices is subject to change. Auditors and units should use the submission process and instructions in effect at the time of submission. Refer to the N.C. Department of State Treasurer website at <https://www.nctreasurer.com/slg/Pages/Audit-Forms-and-Resources.aspx>.

31. All communications regarding audit contract requests for modification or official approvals will be sent to the email addresses provided on the signature pages that follow.

32. Modifications to the language and terms contained in this contract form (LGC-205) are not allowed.

FEES FOR AUDIT SERVICES

1. For all non-attest services, the Auditor shall adhere to the independence rules of the AICPA Professional Code of Conduct (as applicable) and *Governmental Auditing Standards, 2018 Revision*. Refer to Item 27 of this contract for specific requirements. The following information must be provided by the Auditor; contracts presented to the LGC without this information will not be approved.

Financial statements were prepared by: Auditor Governmental Unit Third Party

If applicable: Individual at Governmental Unit designated to have the suitable skills, knowledge, and/or experience (SKE) necessary to oversee the non-attest services and accept responsibility for the results of these services:

Name:	Title and Unit / Company:	Email Address:
Tonya Dozier	Fin Director, Town of Weaverville	tdozier@weavervillenc.org

2. Fees may not be included in this contract for work performed on Annual Financial Information Reports (AFIRs), Form 990s, or other services not associated with audit fees and costs. Such fees may be included in the engagement letter but may not be included in this contract or in any invoices requiring approval of the LGC. See Items 8 and 13 for details on other allowable and excluded fees.

3. Prior to submission of the completed audited financial report, applicable compliance reports and amended contract (if required) the Auditor may submit invoices for approval for services rendered, not to exceed 75% of the total of the stated fees below. If the current contracted fee is not fixed in total, invoices for services rendered may be approved for up to 75% of the prior year billings. Should the 75% cap provided below conflict with the cap calculated by LGC staff based on the prior year billings on file with the LGC, the LGC calculation prevails. All invoices for services rendered in an audit engagement as defined in 20 NCAC 3 .0503 shall be submitted to the Commission for approval before any payment is made. Payment before approval is a violation of law. (This paragraph not applicable to contracts and invoices associated with audits of hospitals).

PRIMARY GOVERNMENT FEES

Primary Government Unit	Town of Weaverville
Audit Fee	\$ 18,150
Additional Fees Not Included in Audit Fee:	
Fee per Major Program	\$ 2,950 per major program (if required)
Writing Financial Statements	\$ 4,250
All Other Non-Attest Services	\$
75% Cap for Interim Invoice Approval <i>(not applicable to hospital contracts)</i>	\$ 16,800.00

DPCU FEES (if applicable)

Discretely Presented Component Unit	
Audit Fee	\$
Additional Fees Not Included in Audit Fee:	
Fee per Major Program	\$
Writing Financial Statements	\$
All Other Non-Attest Services	\$
75% Cap for Interim Invoice Approval <i>(not applicable to hospital contracts)</i>	\$

SIGNATURE PAGE

AUDIT FIRM

Audit Firm* Gould Killian CPA Group, P.A.	
Authorized Firm Representative (typed or printed)* Daniel R. Mullinix	Signature* 
Date* 04/07/20	Email Address* dmullinix@gk-cpa.com

GOVERNMENTAL UNIT

Governmental Unit* Town of Weaverville	
Date Primary Government Unit Governing Board Approved Audit Contract* (G.S.159-34(a) or G.S.115C-447(a))	
Mayor/Chairperson (typed or printed)*	Signature*
Date	Email Address

Chair of Audit Committee (typed or printed, or "NA") N/A	Signature
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).
Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Primary Governmental Unit Finance Officer* (typed or printed)	Signature*
Date of Pre-Audit Certificate*	Email Address*

**SIGNATURE PAGE – DPCU
(complete only if applicable)**

DISCRETELY PRESENTED COMPONENT UNIT

DPCU*	
Date DPCU Governing Board Approved Audit Contract* (Ref: G.S. 159-34(a) or G.S. 115C-447(a))	
DPCU Chairperson (typed or printed)*	Signature*
Date*	Email Address*

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

DPCU – PRE-AUDIT CERTIFICATE

Required by G.S. 159-28(a1) or G.S. 115C-441(a1).
Not applicable to hospital contracts.

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

DPCU Finance Officer (typed or printed)*	Signature*
Date of Pre-Audit Certificate*	Email Address*

Remember to print this form, and obtain all required signatures prior to submission.

PRINT

**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: May 18, 2020
SUBJECT: Amendments to FY 2019-2020 Fee Schedule
PRESENTER: Town Manager
ATTACHMENTS: None

DESCRIPTION/SUMMARY OF REQUEST:

The Town Manager recommends the following additions to the current fee schedule:

Public Street Commitment Application Fee: \$200

Parking Violation Fees:

- Handicapped Zone – \$100
- Fire Lane - \$100
- Obstructing Traffic - \$100
- Within 25 Feet of Intersection - \$50
- In/Within 10 Feet of Crosswalk - \$50
- Within 25 Feet of Traffic Sign/Signal - \$50
- Blocking Private Driveway - \$50
- Double Parked - \$50
- Truck Traffic in Restricted Area - \$50
- Exceeding Time Limit - \$30
- Parked Across Lines - \$30
- Exceeding 12 Inches from Curb or Street Edge - \$30
- All Others Parking Violations - \$30

COUNCIL ACTION REQUESTED:

Town Council is asked to approve the recommended additions to the fee schedule. The following motion is proposed:

I move that we approve the recommended additions to the fee schedule as presented with an immediate effective date.

Town of Weaverville
Town Council Agenda Item

Date of Meeting: Monday, May 18, 2020
Subject: Town Manager's Monthly Report
Presenter: Town Manager
Attachments: Monthly Report

Description:
Attached please find this month's Town Manager report.

Action Requested:
No action requested.



Town Manager's Monthly Report

Selena D. Coffey, MPA, ICMA-CM

May 2020

- 1. Public Hearing on the FY 2020-2021 Budget:** As a reminder, the public hearing on the proposed budget is Tuesday, June 9 at 6pm.
- 2. June Summer Series Event Cancellation:** With the consent of Mayor Root and in continued efforts to keep our community safe, the June Summer Music Series event has been cancelled.
- 3. Citizens Academy Session Cancellations:** Unfortunately, we have now had to cancel three of the Citizens Academy sessions due to public health concerns. I continue to consider each of these on a case-by-case basis. I am now considering conducting at least a few of these sessions via Zoom if our participants wish to do so.
- 4. Bike-Ped Application:** We have started work on the Bike/Ped application and I have been in contact with Land of Sky Regional Council to give them a heads-up that we are applying. I will be bringing a resolution of support to Town Council for approval in the near future.

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: Monday, May 18, 2020

Subject: Public Street Commitment Applications

Presenter: Planning Director, Public Works Director

Attachments: Public Street Commitment Applications and Staff Reports for:
Weaver Village Way - Commercial – Aldi (p. 75)
Weaver Village Way – Commercial – Firehouse Subs, etc (p. 82)
Weaver Village Way – Residential (p. 92)
Fox Lair Crossing (p. 96)
Reems Creek Villages (p. 104)
Reems Creek Villas (p. 112)
Creekside Village (p. 115)

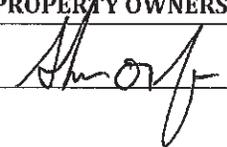
Description:

The attached public street commitment applications were received by the Town prior to May 1st and are on Town Council’s agenda for discussion and possible action. A staff report is included for each request and includes a recommendation.

Action Requested:

Action on public street commitment applications can be taken at tonight’s meeting in Town Council’s discretion.

**TOWN OF WEAVERVILLE
PUBLIC STREET COMMITMENT APPLICATION**

APPLICANT CONTACT INFORMATION	NAME	Aldi (N.C.) L.L.C.	
	ADDRESS	1597 Dry pond Rd., Jefferson, GA 30549	
	PHONE	706-387-7700	
	EMAIL	robert.ochs@aldi.us	
APPLICANT TYPE	<input checked="" type="checkbox"/> DEVELOPER / NAME: Aldi (N.C.) L.L.C. <input type="checkbox"/> HOA / NAME: <input type="checkbox"/> 50% OF PROPERTY OWNERS [COMPLETE 2ND PAGE]		
DEVELOPER/APPLICANT SIGNATURE: X 		DATE: 4/3/20	
HOA/APPLICANT SIGNATURE:		DATE:	
SUBDIVISION NAME	NA		
RECORDED PLAT	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES - BOOK: 5118 PAGE: 1079-1081		
STREETS LOCATED IN TOWN LIMITS	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES		
NAME OF LEGAL OWNER OF STREET(S)	Weaver Village Way		
MATERIALS SUBMITTED WITH APPLICATION	<input checked="" type="checkbox"/> Plat Showing Streets/Rights-of-Way <input type="checkbox"/> Construction Specifications and Drawings (including cross-sections and details) <input type="checkbox"/> No Materials Submitted		
SIDEWALKS?	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES		
STORM DRAINAGE?	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES		
THE FOLLOWING STREETS ARE PROPOSED FOR ACCEPTANCE:			
STREET NAME: Weaver Village Way		<input type="checkbox"/> ENTIRE STREET <input checked="" type="checkbox"/> PORTION (DESCRIBE)	
FROM INTERSECTION OF: Weaver Blvd.		TO INTERSECTION OF: NA	
LENGTH: 304.65'		NUMBER OF HOUSES/BUSINESSES: 1/Aldi Grocery	
<input checked="" type="checkbox"/> FEET <input type="checkbox"/> MILES			
STREET NAME:		<input type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE)	
FROM INTERSECTION OF:		TO INTERSECTION OF:	
LENGTH:		NUMBER OF HOUSES/BUSINESSES:	
<input type="checkbox"/> FEET <input type="checkbox"/> MILES			
STREET NAME:		<input type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE)	
FROM INTERSECTION OF:		TO INTERSECTION OF:	
LENGTH:		NUMBER OF HOUSES/BUSINESSES:	
<input type="checkbox"/> FEET <input type="checkbox"/> MILES			
STREET NAME:		<input type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE)	
FROM INTERSECTION OF:		TO INTERSECTION OF:	
LENGTH:		NUMBER OF HOUSES/BUSINESSES:	
<input type="checkbox"/> FEET <input type="checkbox"/> MILES			

ONLY STREETS LOCATED WITHIN TOWN LIMITS CAN BE CONSIDERED.

DECISIONS REGARDING THE ACCEPTANCE OF PRIVATE STREETS INTO THE TOWN'S PUBLIC STREET SYSTEM ARE MADE IN THE SOLE DISCRETION OF TOWN COUNCIL. ACCEPTANCE INTO THE STREET SYSTEM MAY BE SUBJECT TO CONDITIONS INCLUDING SUPPLEMENTAL TESTING AND INSPECTION TO DETERMINE WHETHER TOWN STREET CONSTRUCTION STANDARDS WERE COMPLIED WITH AND REPAIR WORK TO BRING STREETS UP TO TOWN PUBLIC STREET STANDARDS.

PROPERTY OWNER/APPLICANT SIGNATURE(S): [ATTACH ADDITIONAL PAGE(S) IF NECESSARY]	
NAME: Aldi (N.C) L.L.C. ADDRESS: 1597 Dry Pond Rd, Jefferson, GA 30549 CONTACT PHONE/EMAIL: Robert Ochs, 706-387-7700	SIGNATURE: <i>Shovf</i> DATE: 4/3/20
NAME: ADDRESS: CONTACT PHONE/EMAIL:	SIGNATURE: DATE:

OFFICIAL USE ONLY	SIGNATURE OF TOWN MANAGER/ADMINISTRATOR	DATE
APPLICATION RECEIVED		
STAFF REVIEW/RECOMMENDATION		
TOWN COUNCIL ACTION	<input type="checkbox"/> DENIED <input type="checkbox"/> APPROVED <input type="checkbox"/> WITH CONDITIONS	
COMMITMENT LETTER SENT		
CONDITIONS IMPOSED	SEE COMMITMENT LETTER ATTACHED	
TESTING/INSPECTION COMPLETE	DEADLINE:	
REPAIRS COMPLETE	DEADLINE:	
STAFF REPORT/RECOMMENDATION		
STREET PLAT PREPARED		
WARRANTY PRESENTED		
TOWN COUNCIL ACTION ON ACCEPTANCE		
GUARANTY PROVIDED		
DEED EXECUTED/RECORDED		
ACCEPTANCE COMPLETE		



Doc ID: 025484830003 Type: CRP
Recorded: 06/28/2013 at 01:11:13 PM
Fee Amt: \$2,185.00 Page 1 of 3
Revenue Tax: \$2,139.00
Workflow# 0000174461-0002
Buncombe County, NC
Drew Reisinger Register of Deeds
BK 5118 PG 1079-1081

There are no delinquent taxes that are a lien on the parcel(s) described in the deed which the Buncombe County Tax Collector is charged

with collecting.
6/28/13
Date

CCMB
Tax Collector Deputy

NORTH CAROLINA SPECIAL WARRANTY DEED

Revenue Stamp: \$2,139
Property Situs: off Weaver Boulevard
PIN: 9742-29-1595

Prepared by: Steven I. Goldstein
Box to: Patla, Straus/#35
Return: Steve & Christy PA

The Preparer is informed that the property conveyed does not include the primary residence of a Grantor.

This North Carolina Special Warranty Deed is made as of the 28 day of June, 2013, by and between Weaverville Partners, LLC, a North Carolina limited liability company, Grantor, whose address is 2 Walden Ridge Drive, Suite 70, Asheville, NC 28803 and Aldi (N.C.) L.L.C., a North Carolina limited liability company, Grantee, whose address is 1597 Dry Pond Road, Jefferson, GA 30549, Attn: Director of Real Estate. The designation "Grantor" and "Grantee" as used herein, shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

The Grantor, for valuable consideration received from Grantee, conveys to Grantee, in fee simple (unless otherwise stated below), the property described as follows (intending to and including all appurtenances thereto):

Being the same real property described on Exhibit A, which is attached hereto and incorporated herein by reference.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and that Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor (but no further), except for the following: Easements and rights of way of record or in place, the restrictions of record, the use provisions of any governmental ordinance affecting the above described property, and taxes for the year 2014 and all subsequent years.

In witness whereof, as of the above date, Grantor signed this deed, as the act of Grantor.

Weaverville Partners, LLC

By: [Signature]
Member/Manager

State of North Carolina - County of Buncombe

I, a Notary Public of said County and State, certify that Guy Phillips being personally known to me, came before me this 27 day of June, 2013, and acknowledged that he is a Member/Manager of Weaverville Partners, LLC, a North Carolina limited liability company, and being authorized to do so, executed the foregoing on behalf of the limited liability company, as its act and deed.

My Commission Expires: 9-16-13

[Signature]
Notary Public



EXHIBIT A

ALL THAT LOT, TRACT OR PARCEL OF LAND, SITUATE, LYING AND BEING IN THE STATE OF NORTH CAROLINA, COUNTY OF BUNCOMBE, TOWN OF WEAVERVILLE CONSISTING OF 1.60 ACRES, NOW OR FORMERLY OWNED BY WEAVERVILLE PARTNERS, LLC, AS DESCRIBED IN DEED BOOK 4874, PAGE 1931, AND SHOWN AS TRACT 1 ON THAT CERTAIN PLAT RECORDED AS PLAT BOOK 136, PAGE 145.

Together with all easements and other appurtenances benefitting the above described property, including, but not limited to, the following:

Together with all easements and other appurtenances benefitting the above described property as described in that certain CCR Agreement recorded in Book 4874 at Page 1934, First Modification to CCR Agreement recorded in Book 4919 at Page 304 and Second Modification to CCR Agreement recorded in Book 5111 at Page 1868.

Together with the access easement benefitting the above described property as described in Plat Book 136 at Page 117.

Together with all easements and other appurtenances benefitting or burdening, as applicable, the above described property as described in that certain Easement and Restriction Agreement recorded in Book 5118 at Page 1090.

For the purposes hereof the exclusive rights which Weaverville Properties, LLC has as a result of what was conveyed to it by Grantor in the deed recorded in Buncombe County Book 4919 at Page 325 is to be treated as a restriction, even though it is an exclusive right.



TOWN OF WEAVERVILLE

Public Street Commitment Application Report

Date: Wednesday, May 6, 2020

Road(s): Weaver Village Way

Location: Aldi

Staff: Planning Director, James Eller; Public Works Director, Dale Pennell

DEPARTMENT	COMMENT
Both	Based upon recorded plats furnished insufficient right-of-way exists for a public road. Forty five feet of right-of way is required and only 36 feet is shown.
PW	Originally intended to be private, public works did not inspect the road construction and cannot verify that the road was built to town standards.
PLN	The applicant owns the property approximately to the center line of Weaver Village Way. The town would need to obtain additional public street applications from neighboring properties and acquire additional right-of-way on both sides of the street.
Both	It has been a long standing policy of the town not to own and maintain roads, parking areas and any other common area within commercial developments.

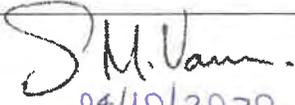
Recommendation: Based upon the aforementioned findings, staff recommends that this application be denied.

**TOWN OF WEAVERVILLE
PUBLIC STREET COMMITMENT APPLICATION**

APPLICANT CONTACT INFORMATION	NAME	S. MICHAEL VANN FDR HOOPERS CREEK STORAGE LLC	
	ADDRESS	58 WEAVER VILLAGE WAY	
	PHONE	(828) 551-0199	
	EMAIL	vann.property@outlook.com	
APPLICANT TYPE	<input type="checkbox"/> DEVELOPER / NAME: <input type="checkbox"/> HOA / NAME: <input checked="" type="checkbox"/> 50% OF PROPERTY OWNERS [COMPLETE 2 ND PAGE]		
DEVELOPER/APPLICANT SIGNATURE:			DATE:
HOA/APPLICANT SIGNATURE:			DATE:
SUBDIVISION NAME	WEAVER VILLAGE		
RECORDED PLAT	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES - BOOK: 0152 PAGE: 0031		
STREETS LOCATED IN TOWN LIMITS	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES		
NAME OF LEGAL OWNER OF STREET(S)			
MATERIALS SUBMITTED WITH APPLICATION	<input checked="" type="checkbox"/> Plat Showing Streets/Rights-of-Way <input checked="" type="checkbox"/> Construction Specifications and Drawings (including cross-sections and details) <input type="checkbox"/> No Materials Submitted		
SIDEWALKS?	<input type="checkbox"/> NO <input type="checkbox"/> YES		
STORM DRAINAGE?	<input type="checkbox"/> NO <input type="checkbox"/> YES		
THE FOLLOWING STREETS ARE PROPOSED FOR ACCEPTANCE:			
STREET NAME:	WEAVER VILLAGE WAY	<input checked="" type="checkbox"/> ENTIRE STREET	<input type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF	WEAVER BLVD.	TO INTERSECTION OF _____	
LENGTH:	<input type="checkbox"/> FEET <input type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES:	
STREET NAME:	_____	<input type="checkbox"/> ENTIRE STREET	<input type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF	_____	TO INTERSECTION OF _____	
LENGTH:	<input type="checkbox"/> FEET <input type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES:	
STREET NAME:	_____	<input type="checkbox"/> ENTIRE STREET	<input type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF	_____	TO INTERSECTION OF _____	
LENGTH:	<input type="checkbox"/> FEET <input type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES:	
STREET NAME:	_____	<input type="checkbox"/> ENTIRE STREET	<input type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF	_____	TO INTERSECTION OF _____	
LENGTH:	<input type="checkbox"/> FEET <input type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES:	
STREET NAME:	_____	<input type="checkbox"/> ENTIRE STREET	<input type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF	_____	TO INTERSECTION OF _____	
LENGTH:	<input type="checkbox"/> FEET <input type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES:	

ONLY STREETS LOCATED WITHIN TOWN LIMITS CAN BE CONSIDERED.

DECISIONS REGARDING THE ACCEPTANCE OF PRIVATE STREETS INTO THE TOWN'S PUBLIC STREET SYSTEM ARE MADE IN THE SOLE DISCRETION OF TOWN COUNCIL. ACCEPTANCE INTO THE STREET SYSTEM MAY BE SUBJECT TO CONDITIONS INCLUDING SUPPLEMENTAL TESTING AND INSPECTION TO DETERMINE WHETHER TOWN STREET CONSTRUCTION STANDARDS WERE COMPLIED WITH AND REPAIR WORK TO BRING STREETS UP TO TOWN PUBLIC STREET STANDARDS.

PROPERTY OWNER/APPLICANT SIGNATURE(S): [ATTACH ADDITIONAL PAGE(S) IF NECESSARY]	
NAME: HDOPERS CREEK STORAGE LLC ADDRESS: 58 WEAVER VILLAGE WAY CONTACT PHONE/EMAIL: vannpropertyoutlook.com	SIGNATURE:  DATE: 04/10/2020
NAME: ADDRESS: CONTACT PHONE/EMAIL:	SIGNATURE: DATE:

OFFICIAL USE ONLY	SIGNATURE OF TOWN MANAGER/ADMINISTRATOR	DATE
APPLICATION RECEIVED		
STAFF REVIEW/RECOMMENDATION		
TOWN COUNCIL ACTION	<input type="checkbox"/> DENIED <input type="checkbox"/> APPROVED <input type="checkbox"/> WITH CONDITIONS	
COMMITMENT LETTER SENT		
CONDITIONS IMPOSED	SEE COMMITMENT LETTER ATTACHED	
TESTING/INSPECTION COMPLETE	DEADLINE:	
REPAIRS COMPLETE	DEADLINE:	
STAFF REPORT/RECOMMENDATION		
STREET PLAT PREPARED		
WARRANTY PRESENTED		
TOWN COUNCIL ACTION ON ACCEPTANCE		
GUARANTY PROVIDED		
DEED EXECUTED/RECORDED		
ACCEPTANCE COMPLETE		

To: Selena Coffey, Town Manager
Town of Weaverville
30 Main Street
Weaverville, NC 28787

From: S. Michael Vann
Hoopers Creek Storage, LLC
58 Weaver Village Way
Weaverville, NC 28787

Date: April 29, 2020

Re: Public Street Commitment Application

Attached is the paperwork previously mailed on April 10, 2020. On April 28, 2020, we received an USPS envelope (with bits of the original mailing) that indicated our mail was destroyed by the USPS Mail Processing Center in Greenville, SC.

We hereby resubmit the application form.



County of Buncombe, North Carolina

Web Property Tax Notice

HOOPERS CREEK STORAGE LLC
55 Bowen Terra DR

Hendersonville NC 28791

Billing Information

Billing Date 8/7/2019
 Bill Number 0003019188-2019-2019-0000-00
 Tax Year 2019
 Parcel ID 974229342400000
 Acres 1.15
 Mortgage Company
 Description 58 WEAVER VILLAGE WAY LAND & STRUCTURES
 Location 58 104 WEAVER VILLAGE WAY WEAVERVILLE NC

Property Information

Real Estate 1,377,300
 Personal 00
 Deferred 00
 Exemptions 00
 Taxable Value 1,377,300

Taxing Districts	Rates per \$100 Value	Amount
BUNCOMBE COUNTY	\$0.5290	\$7,285.92

Property tax notice for real and/or personal property.

There are several ways to pay your tax bill:

By Mail: Mail using the address below.
(Be sure to include your bill # on your check)

In Person: Tax Collector's office:
94 Coxe Avenue, Asheville NC 28801

Credit Card by phone or online: See our web page for online payment options or call 1-877-690-3729 and follow the instructions. The jurisdiction code is 4301. There is a convenience fee for this service and you will be told how much before you finish the transaction.

E-check online: Follow the link on our web page to online payment options.

Bank Draft: Start early and have a set amount deducted from your checking/savings account each month using our preauthorized debit program. To set up the draft, call our office at the number below as soon as your bill arrives.

Payment Plans: Customized payment plans can be set up to ensure your bill is paid before interest begins. Call our office today.

We are here to serve you. If you have any questions or concerns, please contact us at the following phone number or website:

Telephone: (828) 250-4910 or www.buncombecounty.org

Late List Penalties \$0.00
 Interest Charges \$0.00
 Additional Cost \$0.00
 Interest Begins 1/7/2020

Total Amount Due \$0.00

Date Printed 4/10/2020
 Payments Posted Thru 4/9/2020
 Amount Good Thru 4/30/2020

Detach this portion and mail with your payment

County of Buncombe, North Carolina Web Property Tax Notice

Billing Number

PIN

Last day to pay
Before Interest Begins

4/10/2020

Total Amount Due

0003019188-2019-2019-0000-00

974229342400000

1/6/2020

\$0.00

To change your mailing address, please fill in your new address:

Address: _____

City: _____ State: _____ Zip: _____

Signature: _____

Owners: HOOPERS CREEK STORAGE LLC

Make check payable to:

Buncombe County Tax Collector

And mail to:

BUNCOMBE COUNTY TAX COLLECTOR
94 COXE AVENUE
ASHEVILLE, NC 28801



Buncombe County Assessment
Property Record Search

BUNCOMBE COUNTY ASSESSMENT PROPERTY RECORD SEARCH

974229342400000
58 104 WEAVER VILLAGE WAY

HOOPERS CREEK STORAGE LLC
55 Bowen Terra Dr, Hendersonville, NC

Total Appraised Value
\$1,377,300

Key Information

Zoning	R-1	Neighborhood	WVLW
Land Use Code	STRIP SHOP CENTR	Municipality	CWV
Fire District	-	Special District	-
Present Use	-	Appraisal Area	1
Exemption	-		
Legal Description	Deed Date:12/14/2018 Deed:5728-1803 SubDiv:WEAVERVILLE PARTNERS LLC Lot:3 Plat:0152-0031		

Assessment Details

Land Value	\$530,700
Building Value	\$843,500
Features	\$3,100
Total Appraised Value	\$1,377,300
Deferred Value	\$0
Exempt Value	\$0
Total Taxable Value	\$1,377,300

LAND INFORMATION

ZONING	LAND USE CODE	SIZE	NEIGHBORHOOD	ASSESSED VALUE	FLOODPLAIN
PRIMARY RESIDENTIAL	STRIP SHOP CENTR	1.15 acres	WVLW	\$530,700	NO

BUILDING INFORMATION

Building(s)

▼ Building (1)

Finished Area	9,792 sqft
Unfinished Area	0 sqft
Quality	AVG
Condition	NORMAL
Building Type	COM CLASS D
Year Built	2017
Full Baths	0
Half Baths	0
Fireplaces	0
Story	1.00
Heat Type	
Green Certification	
Style	COM CLASS D



Features

TYPE	YEAR BUILT	QUANTITY	SIZE	ASSESSED VALUE
DECK	2018	1	200 sqft	\$3,100

TRANSFER HISTORY

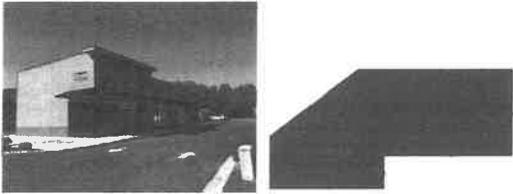
TRANSFER DATE	TRANSACTION PRICE	VALID SALE	BOOK / PAGE	DEED INSTRUMENT
2018-12-14	\$2,850,000	Qualified Sale	5728-1803	SWD
2016-09-01	\$550,000	Qualified Sale	5464-0224	WDT

VALUE CHANGE HISTORY

DATE OF VALUE CHANGE	EFFECTIVE TAX YEAR	REASON FOR CHANGE	NEW VALUE
2016-08-18	2016	NEW PARCEL RESULT OF SPLIT	\$38,200
2018-03-19	2018	GENERAL PARCEL REVIEW	\$1,374,200
2019-03-15	2019	GENERAL PARCEL REVIEW	\$1,377,300

RECENT PERMIT ACTIVITY

PERMIT DATE	PERMIT TYPE	PERMIT STATUS
11/08/2019	COMMERCIAL REPAIR OR UPFIT	CO ISSUED
01/24/2019	COMMERCIAL REPAIR OR UPFIT	CO ISSUED
05/03/2018	COMMERCIAL REPAIR OR UPFIT	CO ISSUED
01/08/2018	COMMERCIAL REPAIR OR UPFIT	CO ISSUED
12/29/2017	COMMERCIAL REPAIR OR UPFIT	CO ISSUED
11/01/2017	COMMERCIAL REPAIR OR UPFIT	PERMIT ISSUED
02/16/2017	COMMERCIAL NEW CONSTRUCTION	PERMIT ISSUED



Developed for Gwinnett County Assessment Property Record Georgia

Data last updated 04/10/2020



TOWN OF WEAVERVILLE

Public Street Commitment Application Report

Date: Wednesday, May 6, 2020

Road(s): Weaver Village Way

Location: 58 Weaver Village Way

Staff: Planning Director, James Eller; Public Works Director, Dale Pennell

DEPARTMENT	COMMENT
Both	Based upon recorded plats furnished insufficient right-of-way exists for a public road. Forty five feet of right-of way is required and only 36 feet is shown.
PW	Originally intended to be private, public works did not inspect the road construction and cannot verify that the road was built to town standards.
PLN	The applicant owns the property approximately to the center line of Weaver Village Way. The town would need to obtain additional public street applications from neighboring properties and acquire additional right-of-way on both sides of the street.
Both	It has been a long standing policy of the town not to own and maintain roads, parking areas and any other common area within commercial developments.

Recommendation: Based upon the aforementioned findings, staff recommends that this application be denied.

**TOWN OF WEAVERVILLE
PUBLIC STREET COMMITMENT APPLICATION**

APPLICANT CONTACT INFORMATION	NAME	WEAVER VILLAGE WALK RESIDENTIAL HOA	
	ADDRESS	74 WEAVER VILLAGE WAY	
	PHONE	828-713-6907	
	EMAIL	SPARBWVW@yahoo.com	
APPLICANT TYPE	<input type="checkbox"/> DEVELOPER / NAME: <input checked="" type="checkbox"/> HOA / NAME: <input type="checkbox"/> 50% OF PROPERTY OWNERS [COMPLETE 2 ND PAGE]		
DEVELOPER/APPLICANT SIGNATURE:		DATE: 3/23/20	
HOA/APPLICANT SIGNATURE:		DATE: 3/23/20	
SUBDIVISION NAME	WEAVER VILLAGE WALK RESIDENTIAL HOA		
RECORDED PLAT	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES - BOOK: 5506 PAGE: 0415		
STREETS LOCATED IN TOWN LIMITS	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES		
NAME OF LEGAL OWNER OF STREET(S)	WEAVER VILLAGE WALK HOA		
MATERIALS SUBMITTED WITH APPLICATION	<input checked="" type="checkbox"/> Plat Showing Streets/Rights-of-Way <input type="checkbox"/> Construction Specifications and Drawings (including cross-sections and details) <input checked="" type="checkbox"/> No Materials Submitted		
SIDEWALKS?	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES		
STORM DRAINAGE?	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES		
THE FOLLOWING STREETS ARE PROPOSED FOR ACCEPTANCE:			
STREET NAME:	WEAVER BLVD		<input type="checkbox"/> ENTIRE STREET <input checked="" type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF	_____		TO INTERSECTION OF _____
LENGTH:	<input type="checkbox"/> FEET <input type="checkbox"/> MILES		NUMBER OF HOUSES/BUSINESSES: 19
STREET NAME:	_____		<input type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF	_____		TO INTERSECTION OF _____
LENGTH:	<input type="checkbox"/> FEET <input type="checkbox"/> MILES		NUMBER OF HOUSES/BUSINESSES:
STREET NAME:	_____		<input type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF	_____		TO INTERSECTION OF _____
LENGTH:	<input type="checkbox"/> FEET <input type="checkbox"/> MILES		NUMBER OF HOUSES/BUSINESSES:
STREET NAME:	_____		<input type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF	_____		TO INTERSECTION OF _____
LENGTH:	<input type="checkbox"/> FEET <input type="checkbox"/> MILES		NUMBER OF HOUSES/BUSINESSES:
STREET NAME:	_____		<input type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF	_____		TO INTERSECTION OF _____
LENGTH:	<input type="checkbox"/> FEET <input type="checkbox"/> MILES		NUMBER OF HOUSES/BUSINESSES:

ONLY STREETS LOCATED WITHIN TOWN LIMITS CAN BE CONSIDERED.

DECISIONS REGARDING THE ACCEPTANCE OF PRIVATE STREETS INTO THE TOWN'S PUBLIC STREET SYSTEM ARE MADE IN THE SOLE DISCRETION OF TOWN COUNCIL. ACCEPTANCE INTO THE STREET SYSTEM MAY BE SUBJECT TO CONDITIONS INCLUDING SUPPLEMENTAL TESTING AND INSPECTION TO DETERMINE WHETHER TOWN STREET CONSTRUCTION STANDARDS WERE COMPLIED WITH AND REPAIR WORK TO BRING STREETS UP TO TOWN PUBLIC STREET STANDARDS.

PROPERTY OWNER/APPLICANT SIGNATURE(S): [ATTACH ADDITIONAL PAGE(S) IF NECESSARY]	
NAME: ADDRESS: CONTACT PHONE/EMAIL:	SIGNATURE: DATE:

OFFICIAL USE ONLY	SIGNATURE OF TOWN MANAGER/ADMINISTRATOR	DATE
APPLICATION RECEIVED		
STAFF REVIEW/RECOMMENDATION		
TOWN COUNCIL ACTION	<input type="checkbox"/> DENIED <input type="checkbox"/> APPROVED <input type="checkbox"/> WITH CONDITIONS	
COMMITMENT LETTER SENT		
CONDITIONS IMPOSED	SEE COMMITMENT LETTER ATTACHED	
TESTING/INSPECTION COMPLETE	DEADLINE:	
REPAIRS COMPLETE	DEADLINE:	
STAFF REPORT/RECOMMENDATION		
STREET PLAT PREPARED		
WARRANTY PRESENTED		
TOWN COUNCIL ACTION ON ACCEPTANCE		
GUARANTY PROVIDED		
DEED EXECUTED/RECORDED		
ACCEPTANCE COMPLETE		



WVW HOA
 c/o ANNA Riddle CPA
 PO BOX 254
 Fletcher NC
 28732

BUNCOMBE COUNTY ASSESSMENT PROPERTY RECORD SEARCH

974229425500000
 WALDEN RIDGE VILLAGE

WEAVER VILLAGE RESIDENTIAL ASSOCIATION INC
 2 WALDEN RIDGE DR STE 70, ASHEVILLE, NC

Total Appraised Value

\$100



Key Information

Zoning	R-1	Neighborhood	WVLR
Land Use Code	ROAD/STREET	Municipality	CWV
Fire District	-	Special District	-
Present Use	-	Appraisal Area	2
Exemption	-		
Legal Description	Deed Date:12/29/2016 Deed:5506-0415 SubDiv:WEAVER VILLAGE WALK Lot:ROAD R/W Plat:0132-0129		

Assessment Details

Land Value	\$100
Building Value	\$0
Features	\$0
Total Appraised Value	\$100
Deferred Value	\$0
Exempt Value	\$0
Total Taxable Value	\$100

LAND INFORMATION

ZONING	LAND USE CODE	SIZE	NEIGHBORHOOD	ASSESSED VALUE	FLOODPLAIN
PRIMARY RESIDENTIAL	ROAD/STREET	0.75 acres	WVLR	\$100	NO

BUILDING INFORMATION

Building(s)

No data to display

TRANSFER HISTORY

TRANSFER DATE	TRANSACTION PRICE	VALID SALE	BOOK / PAGE	DEED INSTRUMENT
2016-12-29	\$0	Not Qualified	5506-0415	SWD

VALUE CHANGE HISTORY

DATE OF VALUE CHANGE	EFFECTIVE TAX YEAR	REASON FOR CHANGE	NEW VALUE
2017-01-27	2017	RAPP REAPPRAISAL NOTICE	\$100

RECENT PERMIT ACTIVITY

No data to display





TOWN OF WEAVERVILLE

Public Street Commitment Application Report

Date: Wednesday, May 6, 2020

Road(s): Weaver Village Way

Location: Weaver Village Residential

Staff: Planning Director, James Eller; Public Works Director, Dale Pennell

DEPARTMENT	COMMENT
Both	Based upon recorded plats furnished insufficient right-of-way exists for a public road. Forty five feet of right-of way is required and only 36 feet is shown.
PW	Originally intended to be private, public works did not inspect the road construction and cannot verify that the road was built to town standards.
PW	Without obtaining the remainder of Weaver Village Way through the commercial portion of the development, the Town would own an island of municipal infrastructure only accessible through private road.

Recommendation: Based upon the aforementioned findings, staff recommends that this application be denied.

**TOWN OF WEAVERVILLE
PUBLIC STREET COMMITMENT APPLICATION**

APPLICANT CONTACT INFORMATION	NAME	Fox Lair Crossings Homeowners Association, Inc.	
	ADDRESS	P.O. Box 16, Weaverville, NC 28787	
	PHONE	832-453-8895	
	EMAIL	president.foxlaircrossingsHOA@gmail.com	
APPLICANT TYPE	<input type="checkbox"/> DEVELOPER / NAME: <input checked="" type="checkbox"/> HOA / NAME: Fox Lair Crossings <input type="checkbox"/> 50% OF PROPERTY OWNERS [COMPLETE 2ND PAGE]		
DEVELOPER/APPLICANT SIGNATURE:			DATE:
HOA/APPLICANT SIGNATURE: <i>Michael Jensen, PRESIDENT</i>			DATE: 4/27/20
SUBDIVISION NAME	Fox Lair Crossings		
RECORDED PLAT	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES - BOOK: 102 PAGE: 58-59		
STREETS LOCATED IN TOWN LIMITS	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES		
NAME OF LEGAL OWNER OF STREET(S)	Fox Lair Crossings Homeowners Association, Inc.		
MATERIALS SUBMITTED WITH APPLICATION	<input checked="" type="checkbox"/> Plat Showing Streets/Rights-of-Way <input type="checkbox"/> Construction Specifications and Drawings (including cross-sections and details) <input type="checkbox"/> No Materials Submitted		
SIDEWALKS?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		
STORM DRAINAGE?	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES		
THE FOLLOWING STREETS ARE PROPOSED FOR ACCEPTANCE:			
STREET NAME: CAMSYN DRIVE		<input checked="" type="checkbox"/> ENTIRE STREET	<input type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF _____		TO INTERSECTION OF _____	
LENGTH: 0.4	<input type="checkbox"/> FEET <input checked="" type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES:	
STREET NAME: CARDEN DRIVE		<input checked="" type="checkbox"/> ENTIRE STREET	<input type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF _____		TO INTERSECTION OF _____	
LENGTH: 0.2	<input type="checkbox"/> FEET <input checked="" type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES:	
STREET NAME:		<input type="checkbox"/> ENTIRE STREET	<input type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF _____		TO INTERSECTION OF _____	
LENGTH: _____	<input type="checkbox"/> FEET <input type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES:	
STREET NAME:		<input type="checkbox"/> ENTIRE STREET	<input type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF _____		TO INTERSECTION OF _____	
LENGTH: _____	<input type="checkbox"/> FEET <input type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES:	
STREET NAME:		<input type="checkbox"/> ENTIRE STREET	<input type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF _____		TO INTERSECTION OF _____	
LENGTH: _____	<input type="checkbox"/> FEET <input type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES:	

ONLY STREETS LOCATED WITHIN TOWN LIMITS CAN BE CONSIDERED.

DECISIONS REGARDING THE ACCEPTANCE OF PRIVATE STREETS INTO THE TOWN'S PUBLIC STREET SYSTEM ARE MADE IN THE SOLE DISCRETION OF TOWN COUNCIL. ACCEPTANCE INTO THE STREET SYSTEM MAY BE SUBJECT TO CONDITIONS INCLUDING SUPPLEMENTAL TESTING AND INSPECTION TO DETERMINE WHETHER TOWN STREET CONSTRUCTION STANDARDS WERE COMPLIED WITH AND REPAIR WORK TO BRING STREETS UP TO TOWN PUBLIC STREET STANDARDS.



Joc ID: 026430920002 Type: CRP
 Recorded: 07/07/2014 at 03:42:56 PM
 Fee Amt: \$26.00 Page 1 of 2
 Revenue Tax: \$0.00
 Jorkflow# 0000226303-0001
 Buncombe County, NC
 Drew Reisinger Registrar of Deeds
 BK 5223 PG 308-309

There are no other just taxes that are a lien on the parcel(s) described in the deed which the Buncombe County Tax Collector is charged with collecting.

7-7-2014
 Date

Melinda Stock
 Tax Collector

NORTH CAROLINA NON-WARRANTY DEED

Excise Tax: \$NTC

Parcel Identifier No. _____ Verified by _____ County on the ____ day of _____, 20____
 By: _____

Mail/Box to: Grantee

This instrument was prepared by: M. Jay DeVaney (without title examination)

Brief description for the Index: Lots in Fox Lair Crossing SD

THIS DEED made this _____ day of June, 2014, by and between

GRANTOR	GRANTEE
First Troy SPE, LLC 341 North Main Street Troy, NC 27371	Fox Lair Crossings Homeowners Association, Inc. ✓ a North Carolina limited liability company 19311 Gopher Trail Place Land O Lakes, Fla. 34638

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Weaverville, Reems Creek Township, Buncombe County, North Carolina and more particularly described as follows:

BEING all common areas, open space, and private roads in Fox Lair Crossing Subdivision Phase I, as shown on those plats recorded in Plat Book 102 at Pages 58 and 59 of the Buncombe County Register of Deeds. (PINs 975259673000000 and 975259125600000)

The property hereinabove described was acquired by Grantor by instrument recorded in Book 4890 page 1056.

All or a portion of the property herein conveyed ____ includes or does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book 102 Pages 58 and 59.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

The Grantor makes no warranty, express or implied, as to title to the property hereinabove described.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

First Troy SPE, LLC

By: Elizabeth B. Bostian
Elizabeth B. Bostian, Vice President

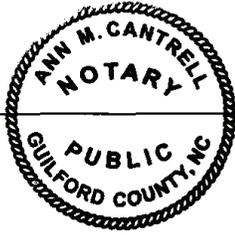
State of North Carolina - County of Guilford

I, the undersigned Notary Public of the County of Guilford and State aforesaid, certify that Elizabeth B. Bostian personally came before me this day and acknowledged that she is the Vice President of First Troy SPE, LLC, a North Carolina limited liability company, and that by authority duly given and as the act of such entity, she signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 23 day of June, 2014.

My Commission Expires: 7/8/16

Ann M Cantrell Notary Public
Ann M Cantrell Printed Name

(Affix Seal)





TOWN OF WEAVERVILLE

Public Street Commitment Application Report

Date: Wednesday, May 6, 2020

Road(s): Camsyn Drive, Carden Drive

Location: Fox Lair

Staff: Planning Director, James Eller; Public Works Director, Dale Pennell

DEPARTMENT	COMMENT
PW	Originally intended to be private, public works did not inspect the road construction and cannot verify that the road was built to town standards.
PLN	Approved within the Town’s subdivision review and approval process, sufficient right of way exists for a public road.
PW	A cursory inspection of the roads at surface level indicates many and several issues which need to be corrected. Efforts by public works staff to obtain the original road construction plans in order to assess the condition of construction have been unsuccessful.

Recommendation: Based upon the aforementioned findings, staff recommends that this application be denied.

PUBLIC STREET COMMITMENT APPLICATION

APPLICANT CONTACT INFORMATION	NAME	Tori Rector		
	ADDRESS	20 Penley Park Dr Weaverville NC 28787		
	PHONE	828-712-2684		
	EMAIL	trector@madisonk12.net		
APPLICANT TYPE	<input checked="" type="checkbox"/> DEVELOPER / NAME: Rabbit Ridge Properties LLC <input checked="" type="checkbox"/> HOA / NAME: Reems Creek Village Property Owners Association Inc <input type="checkbox"/> 50% OF PROPERTY OWNERS [COMPLETE 2 ND PAGE]			
DEVELOPER/APPLICANT SIGNATURE:				DATE: 3-11-20
HOA/APPLICANT SIGNATURE:				DATE:
SUBDIVISION NAME	Reems Creek Village 110/162 110/161 151/151 155/189			
RECORDED PLAT	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES - BOOK:		PAGE:	
STREETS LOCATED IN TOWN LIMITS	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES			
NAME OF LEGAL OWNER OF STREET(S)	Rabbit Ridge Properties LLC			
MATERIALS SUBMITTED WITH APPLICATION	<input type="checkbox"/> Plat Showing Streets/Rights-of-Way see bk/pg recorded <input type="checkbox"/> Construction Specifications and Drawings (including cross-sections and details) <input checked="" type="checkbox"/> No Materials Submitted			
SIDEWALKS?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES			
STORM DRAINAGE?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES			
THE FOLLOWING STREETS ARE PROPOSED FOR ACCEPTANCE:				
STREET NAME: Compass Park Dr		<input checked="" type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE)		
FROM INTERSECTION OF Penley Park Dr		TO INTERSECTION OF Gov Thomson Terrace		
LENGTH: 425	<input checked="" type="checkbox"/> FEET <input type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES: 2		
STREET NAME: Penley Park Dr		<input checked="" type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE)		
FROM INTERSECTION OF Al Dorf Dr		TO INTERSECTION OF Gov Thomson Terrace		
LENGTH: 1336	<input checked="" type="checkbox"/> FEET <input type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES: 15		
STREET NAME: Governor Thomson Terrace		<input checked="" type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE)		
FROM INTERSECTION OF gate at Hamburg Mtn Rd		TO INTERSECTION OF Compass Park Dr		
LENGTH: 3020	<input checked="" type="checkbox"/> FEET <input type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES: 22		
STREET NAME:		<input type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE)		
FROM INTERSECTION OF _____		TO INTERSECTION OF _____		
LENGTH: _____	<input type="checkbox"/> FEET <input type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES:		
STREET NAME:		<input type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE)		
FROM INTERSECTION OF _____		TO INTERSECTION OF _____		
LENGTH: _____	<input type="checkbox"/> FEET <input type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES:		
STREET NAME:		<input type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE)		
FROM INTERSECTION OF _____		TO INTERSECTION OF _____		
LENGTH: _____	<input type="checkbox"/> FEET <input type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES:		

ONLY STREETS LOCATED WITHIN TOWN LIMITS CAN BE CONSIDERED.

DECISIONS REGARDING THE ACCEPTANCE OF PRIVATE STREETS INTO THE TOWN'S PUBLIC STREET SYSTEM ARE MADE IN THE SOLE DISCRETION OF TOWN COUNCIL. ACCEPTANCE INTO THE STREET SYSTEM MAY BE SUBJECT TO CONDITIONS INCLUDING SUPPLEMENTAL TESTING AND INSPECTION TO DETERMINE WHETHER TOWN STREET CONSTRUCTION STANDARDS WERE COMPLIED WITH AND REPAIR WORK TO BRING STREETS UP TO TOWN PUBLIC STREET STANDARDS.

PROPERTY OWNER/APPLICANT SIGNATURE(S): [ATTACH ADDITIONAL PAGE(S) IF NECESSARY]	
NAME: <u>RASBEN, Joe & Kathleen</u> ADDRESS: <u>31 GOV. THOMSON TERRACE</u> CONTACT PHONE/EMAIL: <u>JTPOT44@gmail.com</u>	SIGNATURE: <u>Joe Rasben</u> DATE: <u>Kathleen M. Rasben 11 MAR 20</u>
NAME: <u>PHILLIPS, GEORGE & CATHY</u> ADDRESS: <u>25 GOVERNOR THOMSON TERR</u> CONTACT PHONE/EMAIL: <u>catphlips@gmail.com</u>	SIGNATURE: <u>Cathy R Phillips</u> DATE: <u>11/11/20</u>
NAME: <u>PAUL & PALE FOR LEMBA</u> ADDRESS: <u>VIANI 42 PENLEY PARK DRIVE</u> CONTACT PHONE/EMAIL: <u>PVIANI@MINUTEMANMAPPING.COM</u>	SIGNATURE: <u>Paul Vianini</u> DATE: <u>3/12/20</u>
NAME: <u>SUSAN T GENIE BECK</u> ADDRESS: <u>45 Penley Park Drive</u> CONTACT PHONE/EMAIL: <u>843-422-0141</u>	SIGNATURE: <u>Susan Beck</u> DATE: <u>3/12/20</u>
NAME: <u>Ann Ogden & Lynn Ogden</u> ADDRESS: <u>41 Penley Park</u> CONTACT PHONE/EMAIL: <u>505-829-9994</u>	SIGNATURE: <u>Ann Ogden</u> DATE: <u>3/12/20</u>
NAME: <u>Joseph & Margaret Smilek</u> ADDRESS: <u>45 Governor Thomson Terrace</u> CONTACT PHONE/EMAIL: <u>828-484-7066</u>	SIGNATURE: <u>Margaret Smilek</u> DATE: <u>3/13/20</u>
NAME: <u>Patrick & Kris Finnigan</u> ADDRESS: <u>41 Governor Thomson Terrace</u> CONTACT PHONE/EMAIL: <u>(803) 414-5321</u>	SIGNATURE: <u>Patrick Finnigan</u> DATE: <u>3/13/20</u>
NAME: <u>MUSIA</u> ADDRESS: <u>35 PENLEY PARK DR</u> CONTACT PHONE/EMAIL: <u>(919) 272 5710</u>	SIGNATURE: <u>Musia</u> DATE: <u>3/13/20</u>
NAME: <u>Arnell Forehand</u> ADDRESS: <u>85 Penley Park Rd</u> CONTACT PHONE/EMAIL: <u>828-484-7056</u>	SIGNATURE: <u>Arnell Forehand</u> DATE: <u>3/13/20</u>
NAME: <u>Karen King</u> ADDRESS: <u>62 Governor & Thomas Terrace</u> CONTACT PHONE/EMAIL: <u>862 812 1018</u>	SIGNATURE: <u>Karen King</u> DATE: <u>3/13/20</u>

OFFICIAL USE ONLY	SIGNATURE OF TOWN MANAGER/ADMINISTRATOR	DATE
APPLICATION RECEIVED		
STAFF REVIEW/RECOMMENDATION		
TOWN COUNCIL ACTION	<input type="checkbox"/> DENIED <input type="checkbox"/> APPROVED <input type="checkbox"/> WITH CONDITIONS	
COMMITMENT LETTER SENT		
CONDITIONS IMPOSED	SEE COMMITMENT LETTER ATTACHED	
TESTING/INSPECTION COMPLETE	DEADLINE:	
REPAIRS COMPLETE	DEADLINE:	
STAFF REPORT/RECOMMENDATION		
STREET PLAT PREPARED		
WARRANTY PRESENTED		
TOWN COUNCIL ACTION ON ACCEPTANCE		
GUARANTY PROVIDED		
DEED EXECUTED/RECORDED		
ACCEPTANCE COMPLETE		

PROPERTY OWNER/APPLICANT SIGNATURE(S):
 [ATTACH ADDITIONAL PAGE(S) IF NECESSARY]

NAME: Supernavage ADDRESS: 60 Governor Thomson Terr CONTACT PHONE/EMAIL: 828-645-8564	SIGNATURE: M. Supernavage DATE: 3/14/20 William Supernavage
NAME: Eileen Colton ADDRESS: 4 Governor Thomson Terrace CONTACT PHONE/EMAIL: 301-461-2557 ejcolton@gmail.com	SIGNATURE: E. Colton DATE: 3/14/20
NAME: Tom & Judy Gianni ADDRESS: 11 Compass Park Dr. CONTACT PHONE/EMAIL: 412-576-5372	SIGNATURE: Judy Gianni DATE: 3-14-2020
NAME: Schwaninger ADDRESS: 20 Gav Thronway CONTACT PHONE/EMAIL: 912-414-4664	SIGNATURE: Susan Schwaninger DATE: 3/14/20
NAME: Bill Brainer ADDRESS: 34 Penley Park Drive CONTACT PHONE/EMAIL: 330-289-2808	SIGNATURE: Bill Brainer DATE: 3-17-2020
NAME: Cindy Shikret ADDRESS: 28 Penley Park Dr CONTACT PHONE/EMAIL: 626-422-0946	SIGNATURE: Cindy Shikret DATE: 3-17-2020
NAME: Tori Rector ADDRESS: 20 Penley Park Dr. CONTACT PHONE/EMAIL: 828-298-4534 trector@madisonk2.com	SIGNATURE: Tori Rector DATE: 3-17-2020
NAME: GLEN REESE ADDRESS: 21 PENLEY PARK DR CONTACT PHONE/EMAIL: 828-658-9440	SIGNATURE: Glen Reese DATE: 3/17/20
NAME: John + Mary Malkasian ADDRESS: 5 Compass P 240705 2552 CONTACT PHONE/EMAIL: 705 860 705 2552	SIGNATURE: Mary Malkasian DATE: John Malkasian

OFFICIAL USE ONLY	SIGNATURE OF TOWN MANAGER/ADMINISTRATOR	DATE
APPLICATION RECEIVED		
STAFF REVIEW/RECOMMENDATION		
TOWN COUNCIL ACTION	<input type="checkbox"/> DENIED <input type="checkbox"/> APPROVED <input type="checkbox"/> WITH CONDITIONS	
COMMITMENT LETTER SENT		
CONDITIONS IMPOSED	SEE COMMITMENT LETTER ATTACHED	
TESTING/INSPECTION COMPLETE	DEADLINE:	
REPAIRS COMPLETE	DEADLINE:	
STAFF REPORT/RECOMMENDATION		
STREET PLAT PREPARED		
WARRANTY PRESENTED		
TOWN COUNCIL ACTION ON ACCEPTANCE		
GUARANTY PROVIDED		
DEED EXECUTED/RECORDED		
ACCEPTANCE COMPLETE		

PROPERTY OWNER/APPLICANT SIGNATURE(S):
 [ATTACH ADDITIONAL PAGE(S) IF NECESSARY]

NAME: MICHELE GALE ADDRESS: 38 PENNELL PARK DRIVE CONTACT PHONE/EMAIL: 43-44-5466	SIGNATURE: <i>Michele Gale</i> DATE: 3/17/2020
NAME: ADDRESS: CONTACT PHONE/EMAIL:	SIGNATURE: DATE:

OFFICIAL USE ONLY	SIGNATURE OF TOWN MANAGER/ADMINISTRATOR	DATE
APPLICATION RECEIVED		
STAFF REVIEW/RECOMMENDATION		
TOWN COUNCIL ACTION	<input type="checkbox"/> DENIED <input type="checkbox"/> APPROVED <input type="checkbox"/> WITH CONDITIONS	
COMMITMENT LETTER SENT		
CONDITIONS IMPOSED	SEE COMMITMENT LETTER ATTACHED	
TESTING/INSPECTION COMPLETE	DEADLINE:	
REPAIRS COMPLETE	DEADLINE:	
STAFF REPORT/RECOMMENDATION		
STREET PLAT PREPARED		
WARRANTY PRESENTED		
TOWN COUNCIL ACTION ON ACCEPTANCE		
GUARANTY PROVIDED		
DEED EXECUTED/RECORDED		
ACCEPTANCE COMPLETE		

From: Jennifer Jackson <jjackson@weavervillenc.org>

Date: Wed, Mar 11, 2020 at 10:34 AM

Subject: Reems Creek Village Streets

To: rcvpoa@gmail.com <rcvpoa@gmail.com>

Cc: Selena Coffey <scoffey@weavervillenc.org>, Dale Pennell <dale.pennell@weavervillenc.org>, James Eller <jeller@weavervillenc.org>

Your email dated February 23, 2020, in which you have requested that certain subdivision streets within Reems Creek Village be accepted into the Town's public street system has been forwarded to me. The Town has developed an application for this purpose. Please complete and return to us at your earliest convenience, but not later than May 1, 2020.

*Jennifer O. Jackson
Weaverville Town Attorney*

*30 South Main Street
Weaverville, NC 28787
(828) 442-1858*

To the Town of Weaverville in consideration of application for Reems Creek Village roads to become public:

The gate located on Governor Thomson Terrace approximately 550 feet from the intersection of Hamburg Mountain Road is to remain as a private drive entrance to Reems Creek Village. This gate serves to quiet and minimize through traffic. There is a public road access to Reems Creek Village at the intersection of Penley Park Drive and Union Chapel Road.

This Public Street Commitment Application converting Governor Thomson Terrace to a public road up to the gate includes that the community will provide for a turn around as per Appendix D (attached) using the acceptable alternative to 120' hammerhead. That turn is 150' east of the gate at the intersection of "future" Al Dorf Drive extension (as per the preliminary plat that is currently before the town council awaiting approval). A condition of approval of this application includes that the turn will be installed to satisfy the Fire Marshall.

Thank you for your consideration.

Respectfully,

Reems Creek Village Private Owners Association, Inc. (rcvpoa@gmail.com)
Tori Rector, President
20 Penley Park Drive
Weaverville, NC 28787

Rabbit Ridge Properties, LLC (as developer) (rcvpoa@gmail.com)
11 Rabbit Ridge Drive
Weaverville, NC 28787

APPENDIX D

FIRE APPARATUS ACCESS ROADS

The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

SECTION D101 GENERAL

D101.1 Scope. Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the *International Fire Code*.

SECTION D102 REQUIRED ACCESS

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34,050 kg).

SECTION D103 MINIMUM SPECIFICATIONS

D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm). See Figure D103.1.

D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade.

Exception: Grades steeper than 10 percent as approved by the fire chief.

D103.3 Turning radius. The minimum turning radius shall be determined by the fire code official.

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

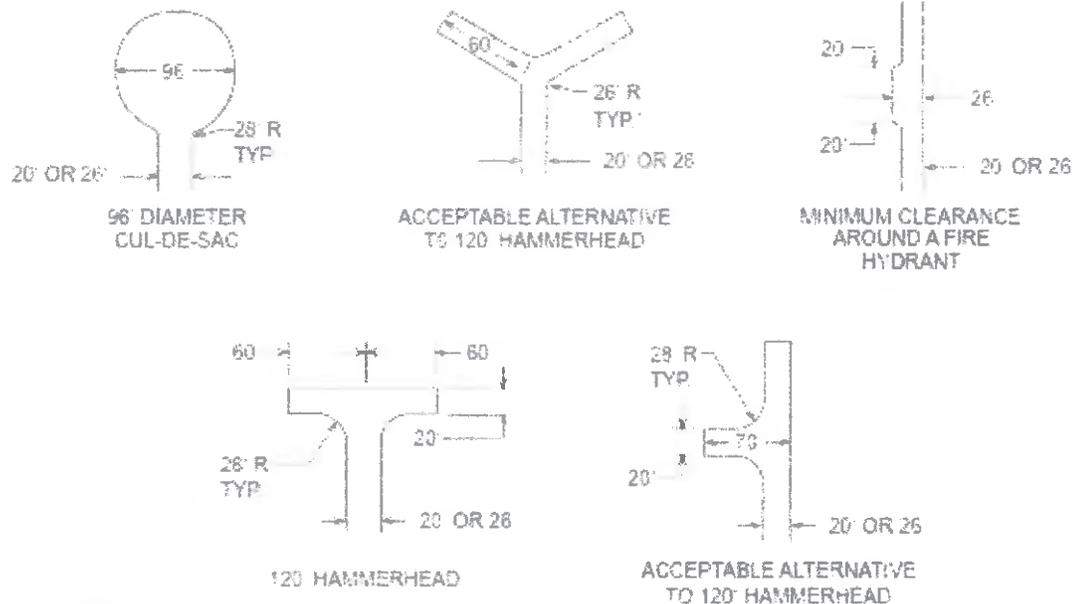
**TABLE D103.4
REQUIREMENTS FOR DEAD-END FIRE
APPARATUS ACCESS ROADS**

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
(1-150)	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
Over 750		Special approval required

For SI: 1 foot = 304.8 mm

D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. The minimum gate width shall be 20 feet (6096 mm).



For SI: 1 foot = 304.8 mm

**FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND**



TOWN OF WEAVERVILLE

Public Street Commitment Application Report

Date: Wednesday, May 6, 2020

Road(s): Penley Park Drive, Al Dorf Drive, Compass Park Drive, Governor Thomson Terrace

Location: Reems Creek Village

Staff: Planning Director, James Eller; Public Works Director, Dale Pennell

DEPARTMENT	COMMENT
Both	Staff has obtained approximately 150 pages of documents related to a previous road commitment request from the properties and developer in question in 2007. At that time it was determined that many and several improvements would need to be made prior to the town's consideration of ownership and maintenance of the roads. The property owner declined to undertake the improvements suggested by the town and On May 17, 2010 an attorney representing the property owner appeared before Town Council and indicated that the roads were to remain in private control.
PW	The town has no evidence that the improvements recommended with the previous commitment request were ever accomplished. While there has been no official survey of the condition of the roads since that time, it stands to reason that conditions have aged and may have gotten worse in the interim.
PLN	Approved within the Town's subdivision review and approval process, sufficient right of way exists for a public road.
Both	The application calls for a present gate on Governor Thomson Terrace to remain and the portion of Governor Thomson Terrace leading to said gate to remain private. State Powell Bill requires that public roads be truly open and accessible to the general public. Roads claimed by the town on the Powell Bill inventory must meet this requirement and the takeover of this particular road will open the town to the possibility of a Powell Bill audit and possible forfeiture of state funds.

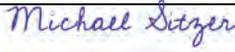
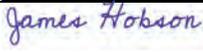
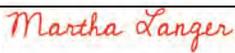
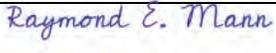
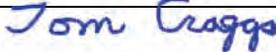
Recommendation: Based upon the aforementioned findings, staff recommends that this application be denied.

**TOWN OF WEAVERVILLE
PUBLIC STREET COMMITMENT APPLICATION**

APPLICANT CONTACT INFORMATION	NAME	
	ADDRESS	
	PHONE	
	EMAIL	
APPLICANT TYPE	<input type="checkbox"/> DEVELOPER / NAME: <input type="checkbox"/> HOA / NAME: <input checked="" type="checkbox"/> 50% OF PROPERTY OWNERS [COMPLETE 2 ND PAGE]	
DEVELOPER/APPLICANT SIGNATURE:		DATE:
HOA/APPLICANT SIGNATURE:		DATE:
SUBDIVISION NAME	Reems Creek Villas	
RECORDED PLAT	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES - BOOK: 66 PAGE:160	
STREETS LOCATED IN TOWN LIMITS	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	
NAME OF LEGAL OWNER OF STREET(S)	Individual lots	
MATERIALS SUBMITTED WITH APPLICATION	<input checked="" type="checkbox"/> Plat Showing Streets/Rights-of-Way <input type="checkbox"/> Construction Specifications and Drawings (including cross-sections and details) <input type="checkbox"/> No Materials Submitted	
SIDEWALKS?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	
STORM DRAINAGE?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	
THE FOLLOWING STREETS ARE PROPOSED FOR ACCEPTANCE:		
STREET NAME: Rabbit Ridge Drive	<input checked="" type="checkbox"/> ENTIRE STREET	<input type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF _____	TO INTERSECTION OF _____	
LENGTH: 860 <input checked="" type="checkbox"/> FEET <input type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES: 11	
STREET NAME: _____	<input type="checkbox"/> ENTIRE STREET	<input type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF _____	TO INTERSECTION OF _____	
LENGTH: <input type="checkbox"/> FEET <input type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES: _____	
STREET NAME: _____	<input type="checkbox"/> ENTIRE STREET	<input type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF _____	TO INTERSECTION OF _____	
LENGTH: <input type="checkbox"/> FEET <input type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES: _____	
STREET NAME: _____	<input type="checkbox"/> ENTIRE STREET	<input type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF _____	TO INTERSECTION OF _____	
LENGTH: <input type="checkbox"/> FEET <input type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES: _____	
STREET NAME: _____	<input type="checkbox"/> ENTIRE STREET	<input type="checkbox"/> PORTION (DESCRIBE)
FROM INTERSECTION OF _____	TO INTERSECTION OF _____	
LENGTH: <input type="checkbox"/> FEET <input type="checkbox"/> MILES	NUMBER OF HOUSES/BUSINESSES: _____	

ONLY STREETS LOCATED WITHIN TOWN LIMITS CAN BE CONSIDERED.

DECISIONS REGARDING THE ACCEPTANCE OF PRIVATE STREETS INTO THE TOWN'S PUBLIC STREET SYSTEM ARE MADE IN THE SOLE DISCRETION OF TOWN COUNCIL. ACCEPTANCE INTO THE STREET SYSTEM MAY BE SUBJECT TO CONDITIONS INCLUDING SUPPLEMENTAL TESTING AND INSPECTION TO DETERMINE WHETHER TOWN STREET CONSTRUCTION STANDARDS WERE COMPLIED WITH AND REPAIR WORK TO BRING STREETS UP TO TOWN PUBLIC STREET STANDARDS.

PROPERTY OWNER/APPLICANT SIGNATURE(S): [ATTACH ADDITIONAL PAGE(S) IF NECESSARY]	
NAME: Margaret M Smith ADDRESS: 23 Rabbit Ridge Drive Weaverville 28787 CONTACT PHONE/EMAIL: 8282730633	SIGNATURE:  DATE: 04/12/2020
NAME: Michael Sitzer ADDRESS: 38 Rabbit Ridge Drive, Weaverville 28787 CONTACT PHONE/EMAIL: 828-774-2662	SIGNATURE:  DATE: 04/12/2020
NAME: James Hobson ADDRESS: 19 Rabbit Ridge Dr, CONTACT PHONE/EMAIL: jrh9137@gmail.com	SIGNATURE:  DATE: 04/14/2020
NAME: Aaron M McNutt ADDRESS: 37 Rabbit Ridge Dr., Weaverville North Carolina, CONTACT PHONE/EMAIL: Aaronmcnu@gmail.com	SIGNATURE:  DATE: 04/14/2020
NAME: Martha Langer ADDRESS: 41 Rabbit Ridge Dr CONTACT PHONE/EMAIL: m.l.f.l.2132@gmail.com 612-834-2132	SIGNATURE:  DATE: 04/13/2020
NAME: Raymond E Mann ADDRESS: 42 Rabbit Ridge Dr CONTACT PHONE/EMAIL: 8283809832	SIGNATURE:  DATE: 04/12/2020
NAME: Michael Goodman ADDRESS: 9 Rabbit Ridge Drive CONTACT PHONE/EMAIL: 8286451543	SIGNATURE:  DATE: 04/12/2020
NAME: Thomas F Craggs ADDRESS: 34 Rabbit Ridge Dr. CONTACT PHONE/EMAIL: 828-484-9340/tomcraggs@mac.com	SIGNATURE:  DATE: 04/12/2020
NAME: ADDRESS: CONTACT PHONE/EMAIL:	SIGNATURE: DATE:
NAME: ADDRESS: CONTACT PHONE/EMAIL:	SIGNATURE: DATE:

OFFICIAL USE ONLY	SIGNATURE OF TOWN MANAGER/ADMINISTRATOR	DATE
APPLICATION RECEIVED		
STAFF REVIEW/RECOMMENDATION		
TOWN COUNCIL ACTION	<input type="checkbox"/> DENIED <input type="checkbox"/> APPROVED <input type="checkbox"/> WITH CONDITIONS	
COMMITMENT LETTER SENT		
CONDITIONS IMPOSED	SEE COMMITMENT LETTER ATTACHED	
TESTING/INSPECTION COMPLETE	DEADLINE:	
REPAIRS COMPLETE	DEADLINE:	
STAFF REPORT/RECOMMENDATION		
STREET PLAT PREPARED		
WARRANTY PRESENTED		
TOWN COUNCIL ACTION ON ACCEPTANCE		
GUARANTY PROVIDED		
DEED EXECUTED/RECORDED		
ACCEPTANCE COMPLETE		



TOWN OF WEAVERVILLE

Public Street Commitment Application Report

Date: Wednesday, May 6, 2020

Road(s): Rabbit Ridge Drive

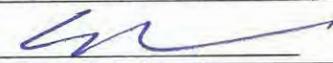
Location: Reems Creek Villas

Staff: Planning Director, James Eller; Public Works Director, Dale Pennell

DEPARTMENT	COMMENT
PW	Originally intended to be private, public works did not inspect the road construction and cannot verify that the road was built to town standards.
PW	Based upon the age of the roads, it is plausible that they may rise to the top of the improvement schedule immediately upon acceptance. A cursory inspection of the roads at surface level indicates many and several issues which need to be corrected.
PLN	Approved within the Town's subdivision review and approval process, sufficient right of way exists for a public road.
PLN	Access to neighboring lots within the subdivision is only achieved via a 20 foot private right-of-way.

Recommendation: Based upon the aforementioned findings, staff recommends that this application be denied.

**TOWN OF WEAVERVILLE
PUBLIC STREET COMMITMENT APPLICATION**

APPLICANT CONTACT INFORMATION	NAME	Serrus Creekside, LLC
	ADDRESS	2 Davis Keats Drive, Greenville, SC 29607
	PHONE	(864) 642-1647
	EMAIL	Steve.Mudge@serrus.com
APPLICANT TYPE	<input checked="" type="checkbox"/> DEVELOPER / NAME: Serrus Creekside, LLC <input type="checkbox"/> HOA / NAME: <input type="checkbox"/> 50% OF PROPERTY OWNERS [COMPLETE 2ND PAGE]	
DEVELOPER/APPLICANT SIGNATURE:		Serrus Creekside, LLC By: Serrus Capital Partners, Inc.
		DATE: 5-11-2020
		By:  Stephen Mudge, President
SUBDIVISION NAME	Creekside Village	
RECORDED PLAT	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES - BOOK: 199-69; 178-5; 160-63; 156-145; 144-106; 124-106	
STREETS LOCATED IN TOWN LIMITS	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES 126-37; 142-72; 124-179; 124-160; 124-101,104	
NAME OF LEGAL OWNER OF STREET(S)	Presently still titled in name of applicant developer named above	
MATERIALS SUBMITTED WITH APPLICATION	<input type="checkbox"/> Plat Showing Streets/Rights-of-Way <input type="checkbox"/> Construction Specifications and Drawings (including cross-sections and details) <input type="checkbox"/> No Materials Submitted Previously submitted - Town Attorney acknowledged submissions by email	
SIDEWALKS?	<input type="checkbox"/> NO <input type="checkbox"/> YES	
STORM DRAINAGE?	<input type="checkbox"/> NO <input type="checkbox"/> YES	
THE FOLLOWING STREETS ARE PROPOSED FOR ACCEPTANCE:		
STREET NAME:	Barnett Shoals	<input checked="" type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE)
STREET NAME:	Loftin Street	<input checked="" type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE)
STREET NAME:	Athena Avenue	<input checked="" type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE) 0
STREET NAME:	Dunchannon Street (aka Duncannon)	<input checked="" type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE)
STREET NAME:	Seneca Street	<input checked="" type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE)
STREET NAME:	Robin Roost Road	<input checked="" type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE)
STREET NAME:	Sandstone Drive	<input checked="" type="checkbox"/> ENTIRE STREET <input type="checkbox"/> PORTION (DESCRIBE)
Total Houses and Lots presently served all streets: 140 have been declared		

ONLY STREETS LOCATED WITHIN TOWN LIMITS CAN BE CONSIDERED.

DECISIONS REGARDING THE ACCEPTANCE OF PRIVATE STREETS INTO THE TOWN'S PUBLIC STREET SYSTEM ARE MADE IN THE SOLE DISCRETION OF TOWN COUNCIL. ACCEPTANCE INTO THE STREET SYSTEM MAY BE SUBJECT TO CONDITIONS INCLUDING SUPPLEMENTAL TESTING AND INSPECTION TO DETERMINE WHETHER TOWN STREET CONSTRUCTION STANDARDS WERE COMPLIED WITH AND REPAIR WORK TO BRING STREETS UP TO TOWN PUBLIC STREET STANDARDS., HOWEVER DEVELOPER RESERVES ITS LEGAL RIGHTS OF RELIANCE ON PAST REPRESENTATIONS MADE BY TOWN OFFICIALS AND AGENTS REGARDING CONSTRUCTION STANDARDS, TESTING AND ACCEPTANCE OF THE REFERENCED ROADS INTO THE TOWN'S PUBLIC STREET SYSTEM.

5/12/2020

PROPERTY OWNER/APPLICANT SIGNATURE(S): [ATTACH ADDITIONAL PAGE(S) IF NECESSARY]	
NAME: ADDRESS: CONTACT PHONE/EMAIL:	SIGNATURE: DATE:

OFFICIAL USE ONLY	SIGNATURE OF TOWN MANAGER/ADMINISTRATOR	DATE
APPLICATION RECEIVED		
STAFF REVIEW/RECOMMENDATION		
TOWN COUNCIL ACTION	<input type="checkbox"/> DENIED <input type="checkbox"/> APPROVED <input type="checkbox"/> WITH CONDITIONS	
COMMITMENT LETTER SENT		
CONDITIONS IMPOSED	SEE COMMITMENT LETTER ATTACHED	
TESTING/INSPECTION COMPLETE	DEADLINE:	
REPAIRS COMPLETE	DEADLINE:	
STAFF REPORT/RECOMMENDATION		
STREET PLAT PREPARED		
WARRANTY PRESENTED		
TOWN COUNCIL ACTION ON ACCEPTANCE		
GUARANTY PROVIDED		
DEED EXECUTED/RECORDED		
ACCEPTANCE COMPLETE		

SERRUS

CAPITAL PARTNERS

4 Davis Keats Drive · Greenville, SC 29607 · 864-642-1647 · www.serrus.com

May 11, 2020

Dear Creekside Village Homeowners:

Attached to this letter is a copy of a correspondence that Serrus Creekside, LLC ("Serrus") recently received from the Town of Weaverville ("Town") Town Manager, together with attachments (collectively, the "Letter"). As you are likely aware, Serrus has been negotiating with the Town for some time regarding consideration of acceptance of the Creekside roads and streets ("Roads") for inclusion in the Town of Weaverville Public Street System (and therefore subject to Town control and maintenance).

A few days after receipt of the Letter, we received notice through the Town Attorney that the Town will consider the application for acceptance of the Roads at a Town meeting to be held on May 18, 2020. Upon inquiry about a possible delay of this meeting due primarily to the present issues with the pandemic and the difficulties of travel for Serrus (as well as contractors and engineers), our legal counsel was informed that the Town considers that an application for Roads consideration has already been submitted, and that it will be considered along with consideration of other streets and roads located in other subdivisions in the Town, on that date. It was made clear that the Town would not consider delaying the hearing prior to the May 18, 2020 but could allow a further delay at that hearing.

Based solely upon Serrus' interpretation of the contents of the Letter, together with the subjective impressions of the conduct of negotiations over the past year in the opinion of the Project contractor, it is our belief that the Town will most likely, either: 1) reject the application for inclusion of the Roads into the Town Public Street System at its hearing on May 18, 2020, or 2) accept the Roads subject to (either or both): 1) extensive, and very costly and therefore prohibitive, testing as to the adequacy of the Roads for acceptance (which could have been performed much more efficiently and economically each step of the way during construction if these testing standards had been in place and required during construction), and/or 2) expensive changes to the Roads to meet a standard recently created, but not required back in 2014 when Serrus began to work with the Town as it regarded Creekside and its Roads.

Serrus hopes it is totally wrong about this belief. For the Town to take any of these possible actions, it would be ignoring the fact that our two engineers (which are two of the most respected engineers locally, and which have provided their expert service to many other communities locally as it regards streets and roads) have provided certifications that the Roads constructed by Serrus' contractor are complete, and meet applicable standards. These professionals have inspected the Roads throughout the process of construction. This extensive testing that is likely to now be required as a pre-requisite to Roads acceptance was never discussed with Serrus or its contractors when it undertook the Project, and would be an exorbitant waste of time and money given the regular monitoring of progress and final certifications of the engineers. Serrus will not therefore, under any circumstance, agree to undertake this additional testing.

Without restating everything expressed in our many correspondences with the Town over the past year regarding the Roads (which most of you probably already have copies of), Serrus' position is that the Roads have been constructed by its contractors in accordance with the requirements of the Town as conveyed by Town representatives to our contractors and design professionals beginning with Serrus acquisition of the undeveloped portions of Creekside in 2014 from the original developer (which was in financial distress at the time of our purchase). From that time, it has been the understanding of Serrus that our contractors and engineers had worked with the former Town Director of Public Works Tony Laughter (now retired) and his staff regarding the Roads. During the process of Phase II through Phase IV

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CAPITAL PARTNERS

4 Davis Keats Drive · Greenville, SC 29607 · 864-642-1647 · www.serrus.com

Roads construction, members of the Town Public Works Department were always invited to attend regular Roads inspections and to comment or instruct if they desired, regarding progress and/or remediation (if necessary). They were aware of these meetings and did attend. Unfortunately, the record keeping of any recommendations requested, or required, by Town officials in connection with any specific meetings (or shortly thereafter as follow up) were not delivered to Serrus or its contractor, and they are substantially and apparently not available for review at the present time. We believe that this is because they simply do not exist to any great degree, and until his retirement the Roads as they were being designed and constructed by our design professionals and contractor were in accord with Mr. Laughter's and his staff's expectations and satisfaction.

Unfortunately, in a recent phone conversation with the Town Manager when this fact was mentioned, the response given in no uncertain terms was that Serrus', or its contractor's or engineer's, reliance on Mr. Laughter's representations is not binding on the Town, that he was not authorized to make the representations he made, and only the Town Council has the authority to accept the Roads. Though it may be technically true that the Town Council has final authority, we believe that Mr. Laughter was the Town's agent, and could and did represent the standard that the Town expected when the Roads were being constructed, and what would be required upon completion. As a developer, Serrus relied to its detriment on these representations by the Town's agents to our contractors and engineers. Serrus believes that these Town agents spoke with authority for the Town.

As you may be aware, the Town has recently enacted new acceptance standards for newly developed subdivision roads. The Letter does not reference the newly adopted standards, however it still indicates the new Public Works Director desires to apply what is a new and different standard than originally relied upon by Serrus, and its contractors and engineers. The most recent letter attached, as well as the prior letter from May of 2019, requires extensive post construction testing in order for the Roads to be accepted. Apparently, ignoring the certifications of our engineers, the Town must be convinced the Roads meet acceptable standards, when they could have (all along) asked for progress reports and confirmation of the Roads status. Serrus believes this is unfair as it regards all Roads (that is, applying a new requirement of testing to Roads now substantially complete, and constructed under prior understandings and meetings with public officials who never raised any concern when they had ample opportunity).

As you can see, the Letter contains several pictures. Some of the pictures are without explanation. Most of the pictures are of Phase I roads installed by the original developer. One picture is a portion of Duncannon Street. As it regards the Letter and its pictures, there are a few points Serrus believes each homeowner should be aware of and understand:

First, the pictures overly stress issues related to Phase I roads. Serrus purchased the undeveloped subdivision real property after Phase I roads had been completed. Serrus never agreed to be responsible for the condition of Phase I roads, and we are advised that the provisions of the North Carolina Planned Community Act do not require that successor developers be responsible for the condition of common element issues created by the original developer.

Second, assuming Phase I roads contain deficiencies, and assuming it is fair for the Town to apply a different completion standard than we were under the impression they would apply from 2014 forward (neither assumption we agree with), we believe it is highly unlikely that the Town will accept Phase II through IV roads, and not the Phase I roads, in that the Phase II, III and IV roads are accessed through use of Phase I roads. Based upon the Letter, we feel that it is less likely that the Phase I roads will be accepted

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by the Town. Please understand we include the Phase I roads generally in this correspondence as a part of the Roads, however only with the understanding that they were constructed prior to Serrus involvement in Creekside, and the homeowners, Serrus and its contractors are all stuck with that portion of the Roads in their condition as constructed.

Third, the contractor has acknowledged to us that Duncannon Street has an issue that needs to be addressed. It is shown in one of the pictures. Specifically, Serrus is advised that there is an underground spring causing the problem shown in the picture. Our contractor understands and agrees that as in all other projects it has built, issues such as this which become apparent during construction will be remedied before the project is completed.

Fourth, even though current minor problems with the Roads exist (such as mentioned regarding Duncannon Street), this does not mean that Serrus is willing to pay the inordinate amount necessary to test the Roads to satisfy the Town as suggested in the Letter. Testing could have been done at much less cost while the project was proceeding. Those costs could have been budgeted in the overall project and would have naturally affected pricing. Application of this new requirement and standard to a Roads system that was largely complete at the time of creation of the standard is, we believe, entirely unfair. In any event, the Town seems to ignore the fact that the two engineers that have not only been involved, but actively engaged, in the process of monitoring the progress of Roads completion have certified they are complete and meet applicable standards.

Fifth, please understand that Serrus has never guaranteed to anyone that the Roads will be accepted by the Town. What Serrus has done is indicate on documentation, such as recorded plats, that the Roads are private rights of way. The original declaration of Creekside indicated that the streets in the community would be private "unless and until" dedicated to a governmental entity. The intention of Serrus and its contractor, was to construct Phase II through IV roads in accordance with Town requirements, so that the Town would accept the Roads. This was discussed by our contractor with Town Director of Public Works Tony Laughter from the outset, and it was informally understood that it was his intention to recommend that the Roads be accepted if Serrus and its contractors and engineers we performed in accordance with these original requirements. No extensive post-construction testing to prove compliance (and therefore prove the correctness of the certifications by our highly respected engineers) was ever mentioned. Our hope was thwarted by the Town changing the standard it would apply for acceptance, after the Roads had been substantially constructed.

Serrus is truly sorry that it appears the Town will not be accepting the Roads (or accepting subject to prohibitive requirements). Serrus, through its contractors, has done everything reasonable using best practices as it regards the Roads. We have employed the most qualified and experienced professional engineers available locally. These professionals do not believe that further post development testing is necessary. Please understand that we will not be performing the exorbitant post planning, and post development, testing the Town is now likely to insist upon as a condition of accepting the Roads. Because this is your community, and the Town of Weaverville is your town, we suggest you let your elected officials on the Town Council know how you feel about this matter, either now or at the May 18th meeting.

SERRUS Creekside, LLC
By Serrus Capital Partners, Inc.

By: 
Stephen H. Mudge, President

TOWN OF WEAVERVILLE

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

Phone: (828) 645-7116

Website: www.weavervillenc.org



OFFICE OF THE TOWN MANAGER

Selena D. Coffey, MPA, ICMA-CM
scoffey@weavervillenc.org

March 24, 2020

Stephen H. Mudge
Serrus Capital Partners, Inc.
2 Davis Keats Drive
Greenville, SC 29607

Re: Private Streets within Creekside

Dear Mr. Mudge,

As you are aware, representatives from the Town of Weaverville and Creekside met on February 5, 2020 at the Weaverville Town Hall to discuss the status of the private streets within your development and the requirements for consideration as public streets. This meeting followed other meetings in 2019 as well as my letter to you dated May 28, 2019 on this same issue (copy attached). As a follow-up to this meeting, the attendees agreed that your civil engineer, Jason Pass of CDC, and geotechnical engineer, Bernie Kessel of KEG, would arrange to meet with the Town's Public Works Director, Dale Pennell, to discuss a testing regimen to move the street discussion forward.

These individuals met on February 28, 2020 at the Public Works Facility. Various location maps and plan/profile sheets of the road system were brought to the meeting and reviewed. They further discussed the proposed testing procedure outlined in my May 28, 2019 letter in light of the February 5 meeting. At the conclusion of the meeting, Mr. Pennell agreed to review the new information and provide any revisions to the previous list of recommendations. The statements below reflect Mr. Pennell's response to the meetings and new information. The "required items" mentioned below reflect those actions that Mr. Pennell would need in order to reevaluate his recommendation towards a more favorable one.

1. The 14 steps outlined in my May 28, 2019 letter are still valid.
2. Comments made during the February 5 meeting and again at the February 28 meeting indicated that the existing asphalt thickness in all areas may not meet the minimum requirement of 2 inches. Our staff therefore continues to recommend the 100 foot spacing of core drilling and measurement of asphalt and stone base thickness on all roads.
3. Our staff visited the development on several occasions during February. A few pictures are attached, identified by street name, showing pavement distress, recent patching, failures, cracking, and settlement. These are being provided to document the current conditions within Creekside and to further support the Town's position on the original testing plan.

4. Based on the plan/profile road design drawings which you provided at the February 28 meeting, we have identified several fill areas that will require soil borings through the compacted fill down into original ground. Plan Sheet C101 dated 5/26/14 indicates the roads identified by name or letter designation. Since you did not provide any plan/profile sheets for any roads in Phase 1, including Athena Avenue, Barnett Shoals Drive, or Loftin Street, we are specifying additional random cores on these streets as shown below. The grading of the portion of Loftin Street in Phase II was inspected during construction by Public Works staff and was accepted; however, due to recent pavement damage in the cul-de-sac on Duncannon Street, we are calling for additional borings on this section of street. Boring locations for all streets are shown in the following table:

Road	Location or Station	Minimum Depth in feet
PHASE I		
Athena Avenue	100' from edge of Merrimon Avenue, center of inbound lane	20
Athena Avenue	200' from edge of Merrimon Avenue, center of inbound lane	20
Athena Avenue	300' from edge of Merrimon Avenue, center of outbound lane	20
Athena Avenue	400' from edge of Merrimon Avenue, center of outbound lane	20
Barnett Shoals Drive	100' from the end of pavement near the overflow parking toward Aiken Road, west lane	10
Barnett Shoals Drive	200' from the end of pavement near the overflow parking toward Aiken Road, west lane	15
Barnett Shoals Drive	300' from the end of pavement near the overflow parking toward Aiken Road, west lane	15
Barnett Shoals Drive	400' from the end of pavement near the overflow parking toward Aiken Road, west lane	20
Loftin Street	100' from edge of Aiken Road, center of outbound lane	10
Loftin Street	200' from edge of Aiken Road, center of outbound lane	10
Loftin Street	300' from edge of Aiken Road, center of outbound lane	10
Loftin Street	400' from edge of Aiken Road, center of outbound lane	10
Loftin Street	500' from edge of Aiken Road, centerline of road	10
Loftin Street	600' from edge of Aiken Road, centerline of road	10

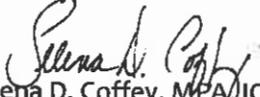
Loftin Street	700' from edge of Aiken Road, centerline of road	10
Phase II		
Loftin Street	Sta 20+75 on sheet C104 dated 5/26/14, center of road	8
Phase II per Engineer (shown as Phase III and IV on C101)		
Robin Roost Road (Road A)	Sta 10+50 on sheet C105 dated 5/26/14, center of road	25
Robin Roost Road (Road A)	Sta 11+00 on sheet C105 dated 5/26/14, center of road	35
Robin Roost Road (Road A)	Sta 11+50 on sheet C105 dated 5/26/14, center of road	45
Robin Roost Road (Road A)	Sta 12+00 on sheet C105 dated 5/26/14, center of road	20
Robin Roost Road (Road A)	Sta 17+75 on sheet C105 dated 5/26/14, center of road	4
Phase II		
Duncannon Street (Road E)	Sta 10+75 on sheet C106 dated 5/26/14, center of road	2
Duncannon Street (Road E)	Sta 11+25 on sheet C106 dated 5/26/14, center of road	3
Duncannon Street (Road E)	Sta 11+75 on sheet C106 dated 5/26/14, center of cul-de-sac	6
Phase III		
Sandstone Drive (Road C)	Sta 12+50 on sheet C106 dated 5/26/14, center of road	2
Sandstone Drive (Road C)	Sta 13+00 on sheet C106 dated 5/26/14, center of road	2
Sandstone Drive (Road C)	Sta 14+00 on sheet C106 dated 5/26/14, center of road	4
Sandstone Drive (Road C)	Sta 14+50 on sheet C106 dated 5/26/14, center of road	12
Sandstone Drive (Road C)	Sta 15+00 on sheet C106 dated 5/26/14, center of road	10
Sandstone Drive (Road C)	Sta 15+50 on sheet C106 dated 5/26/14, center of road	10
Sandstone Drive (Road C)	Sta 16+00 on sheet C106 dated 5/26/14, center of road	12
Sandstone Drive (Road C)	Sta 16+50 on sheet C106 dated 5/26/14, center of road	8
Sandstone Drive (Road C)	Sta 17+00 on sheet C106 dated 5/26/14, center of road	6
Sandstone Drive (Road C)	Sta 18+25 on sheet C106 dated 5/26/14, center of road	3
Sandstone Drive (Road C)	Sta 18+75 on sheet C106 dated 5/26/14, center of road	3

Sandstone Drive (Road C)	Sta 19+25 on sheet C106 dated 5/26/14, center of road	10
Sandstone Drive (Road C)	Sta 19+71 on sheet C106 dated 5/26/14, center of road	15
Phase IV per Engineer (shown as Phase III on C101)		
Seneca Street	Sta 12+25 on sheet C106 dated 5/26/14, center of road	6
Seneca Street	Sta 12+75 on sheet C106 dated 5/26/14, center of road	10
Seneca Street	Sta 13+25 on sheet C106 dated 5/26/14, center of road	6

As stated in my letter of May 28, 2019, if any of these steps are undertaken by the developer, including the borings shown above, those actions will be at the developer's own expense. The Town's staff time devoted to this project will be at no additional charge to the developer.

Please let me know how you wish to proceed with the streets in Creekside.

Sincerely,


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

Cc: Al Root, Mayor
 Dale Pennell, Public Works Director
 James Eller, Planning Director
 Jennifer Jackson, Town Attorney

The Town of
Weaverville
NORTH CAROLINA

May 28, 2019

Stephen H. Mudge
Serrus Capital Partners, Inc.
2 Davis Keats Drive
Greenville, SC 29607

Re: Private Streets within Creekside

Dear Mr. Mudge:

Thank you for your letter dated April 22, 2019.

Every private street that has been accepted by the Town has met the Town's street standards prior to acceptance. Town street standards were developed in order to yield a street and related infrastructure that will have a useful life of at least 20 years. Street construction is expensive and substandard streets that are accepted into the public system disrupt the Town's street improvement program and place unreasonable fiscal burdens on the Town which must then be paid for by the taxpayers.

Storm drainage is designed to work with street improvements, but can cause catastrophic and extremely costly damage in the event that it is not designed or constructed properly. Sink holes are usually the result of failing storm drainage infrastructure. When the Town takes over private streets it necessarily takes over the storm drainage infrastructure is within the street right-of-way, so extreme caution is needed to make sure that the Town isn't taking over a system that is likely to deplete Town funds unexpectedly. Likewise, the Town must be cautious about taking over sidewalks as the Town must not only provide for proper maintenance and repair as sidewalks age, but also monitor and maintain them with risk and liability in mind.

As indicated to you previously, it is important to know that *the decision on whether to take over private streets can only be made by Town Council* and, at this time, no such request has been submitted. If at any time you would like to be placed on Town Council's agenda for that purpose, please let me know and I will do so.

Concerning the private streets within Creekside, the Town stands behind its observations of the construction of the private streets and related infrastructure as outlined in previous correspondence referenced in your recent letter. If asked by Town Council, the Public Works Director will render a strong recommendation that the private streets within Creekside not be taken into the Town's public street system in their current condition without independent proof of compliance with Town standards.

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The Public Works Director does propose an inspection and testing plan that, if followed, may alter his recommendation in favor of Creekside. What he proposes is consistent with the handling of other infrequent but similar situations and may form the basis for a more formal departmental policy. This letter will outline the plan.

It is agreed that the streets and related infrastructure in Phase II were constructed to Town standards so no testing or inspection is proposed for this Phase. Since several inspections were not called for by the developer or resulted in noted deficiencies, the following steps should be taken at developer's expense to provide evidence that the streets and related infrastructure in Phases I, III, and IV comply with Town street standards:

- 1. Public Works, Planning Director, and Town Attorney to review all recorded plats showing width and location of reserved rights-of-way for streets, sidewalks, and storm drainage to confirm adequacy of right-of-way;**
- 2. Public Works to review live video feed of the entire length of the storm drainage system showing clear lines or identifying areas that need to be repaired by developer (see item 10 below concerning repairs);**
- 3. Public Works to review all engineering plans for all phases of construction of Creekside in order to determine fill areas so that Public Works can determine where core drill testing needs to be conducted;**
- 4. Developer to conduct core drill testing of concrete/asphalt, stone base, and soil subgrade for all sidewalks, curb and gutter, and pavement, at minimum 100-foot intervals at locations determined by Public Works;**
- 5. Testing lab, selected by Public Works, to determine compaction of asphalt, stone base, and soil subgrade, and strength of concrete, for all core drill samples and report findings to developer and Public Works;**
- 6. Public Works to review findings and determine if any problem areas exist;**
- 7. If problem areas are identified, Developer to conduct additional core drill testing in problem areas with testing to occur at closer intervals and at such locations as determined by Public Works;**
- 8. Testing lab, previously selected by Public Works, to determine compaction of asphalt, stone base, and soil subgrade, and strength of concrete, for all additional core drill samples and report findings to developer and Public Works;**
- 9. Based on the final testing results, Public Works to determine what repairs are necessary to bring streets and/or related infrastructure up to Town standards;**
- 10. For each repair that is required to be undertaken by developer, developer is to notify Public Works in advance so that Public Works can be present during the repair work;**

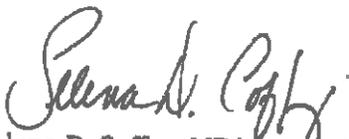
11. Once all required repair work, if any, is completed, developer to provide a proposed recordable plat showing the right-of-way to be deeded and all streets, sidewalk and storm drainage improvements to be conveyed;
12. Public Works and Town Attorney to review proposed plat to determine adequacy and appropriateness of recommendations to Town Council;
13. Town Council to consider acceptance of the street and related infrastructure into the Town's public street system;
14. If accepted and approved by Town Council, developer (or owner of the right-of-way) to record approved plat and convey deed to Town Council.

The developer must undertake each of the above steps at its own expense, except that Town staff time will not be charged to the developer.

The Town does wish to find a solution that will assist Creekside and its residents without unreasonably burdening the Town's taxpayers. I hope that we can continue to work toward that end.

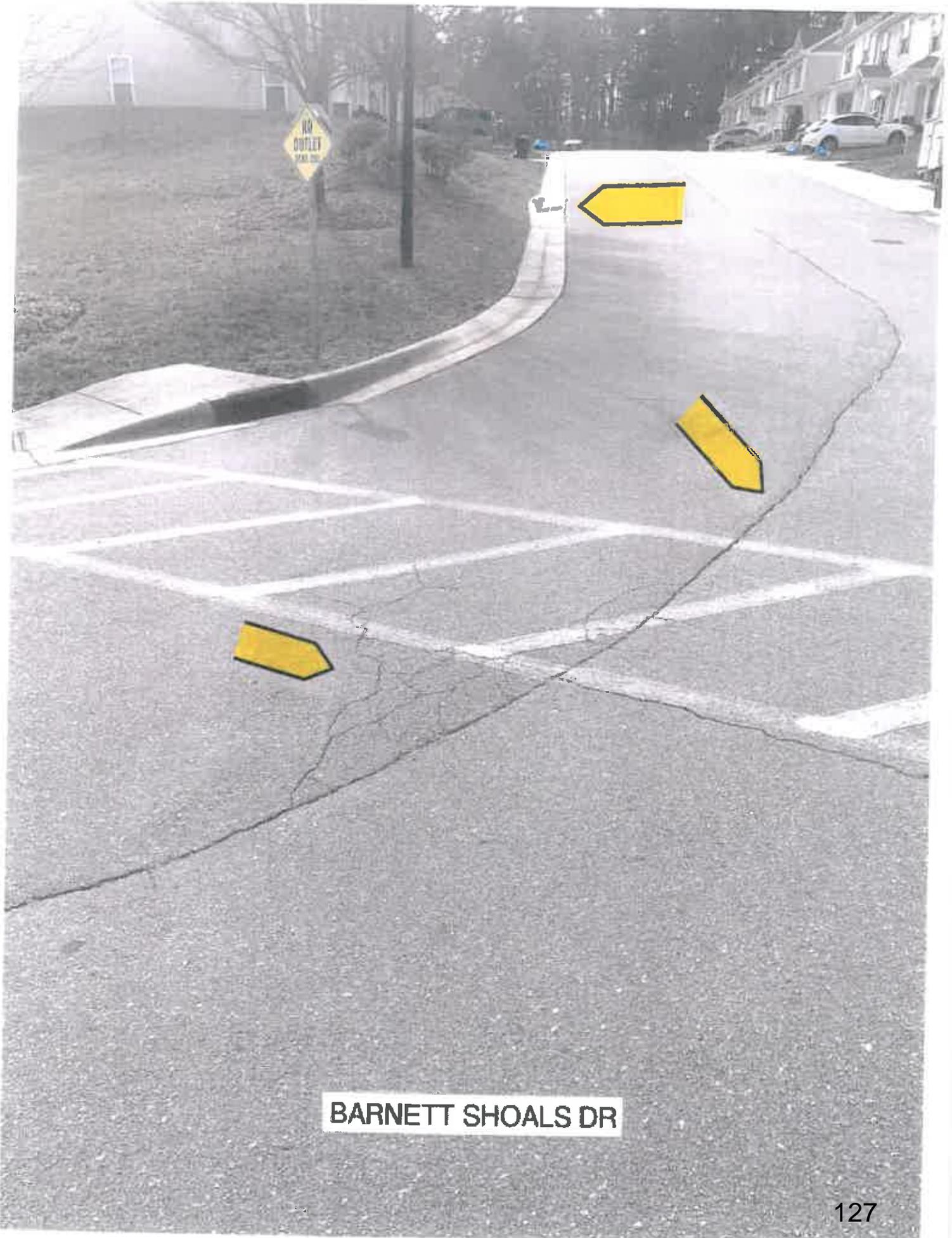
Please let me know how you wish to proceed.

Sincerely,

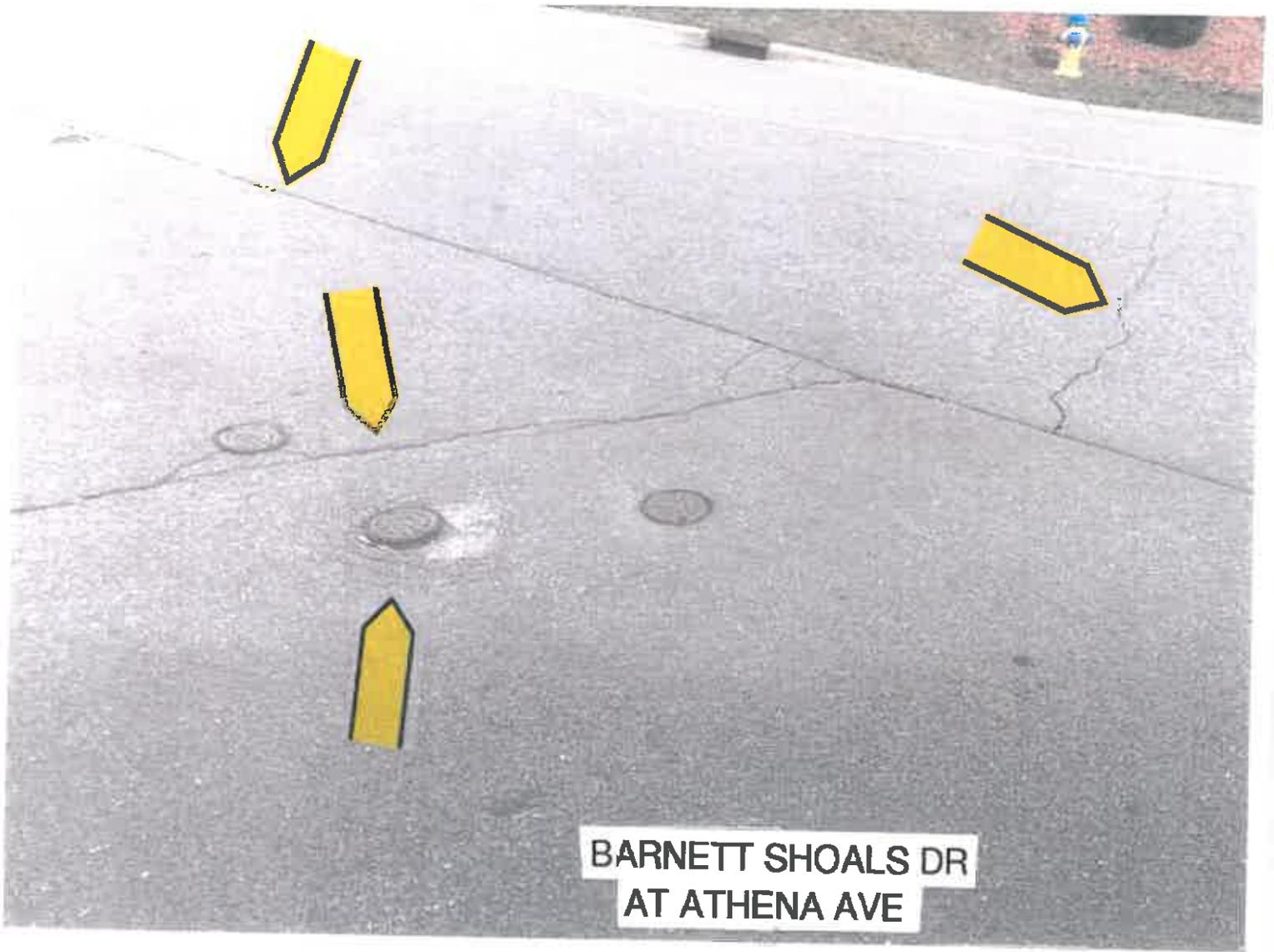


Selena D. Coffey, MPA, ICMA-CM
Town Manager

cc: Al Root, Mayor
Dale Pennell, Public Works Director
James Eller, Planning Director
Jennifer Jackson, Town Attorney



BARNETT SHOALS DR



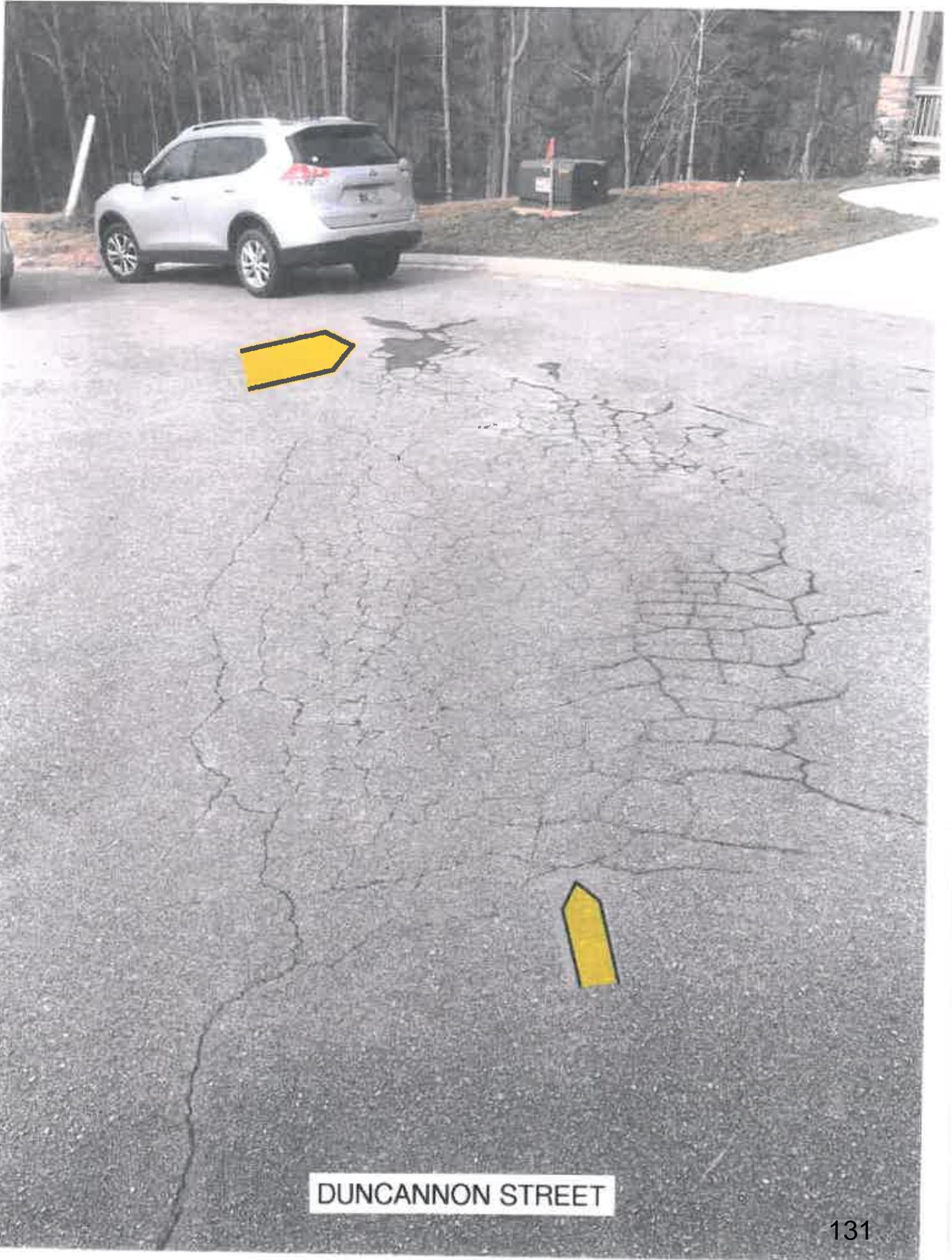
BARNETT SHOALS DR
AT ATHENA AVE



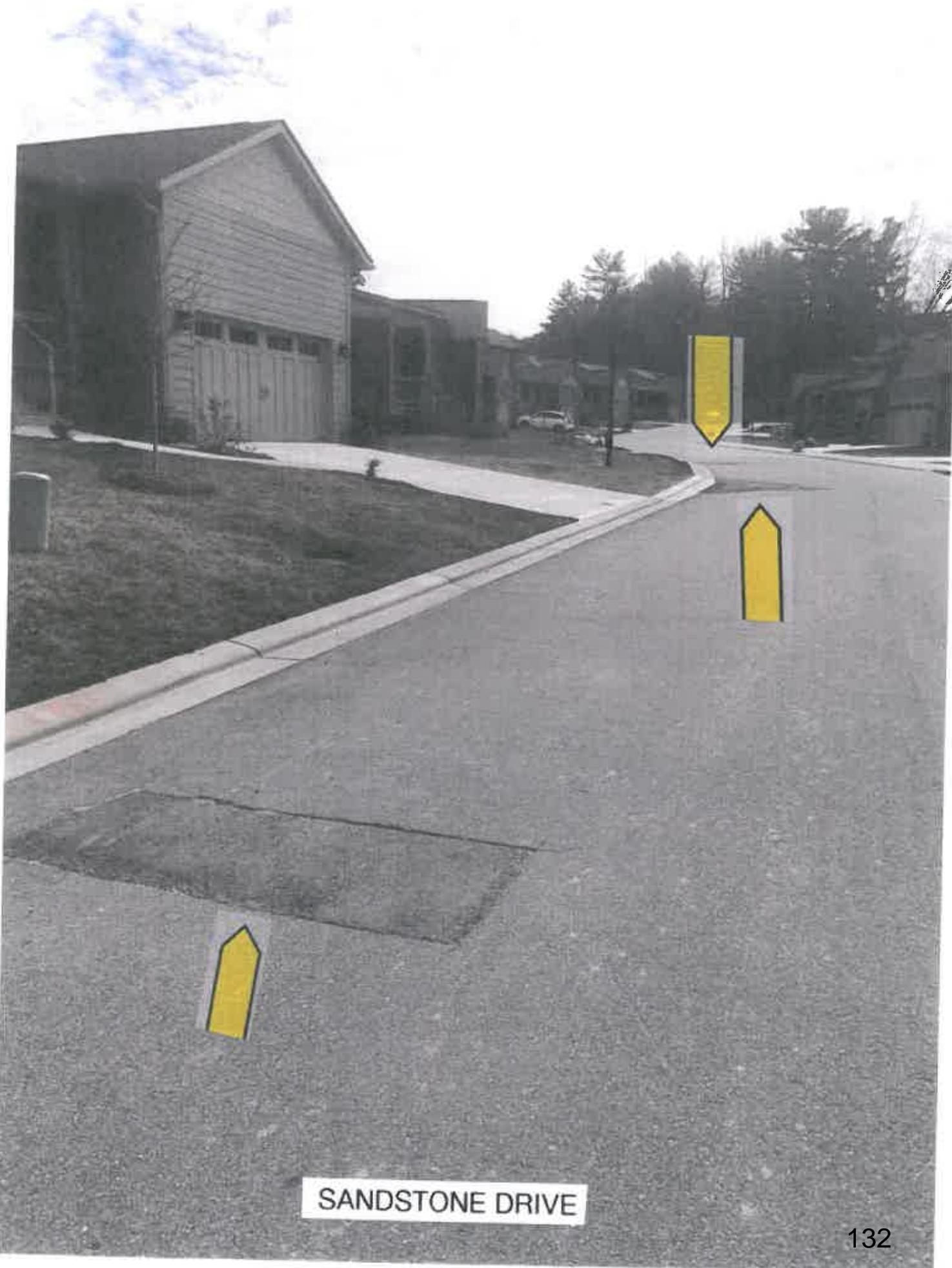
LOFTIN STREET

PHASE I/II

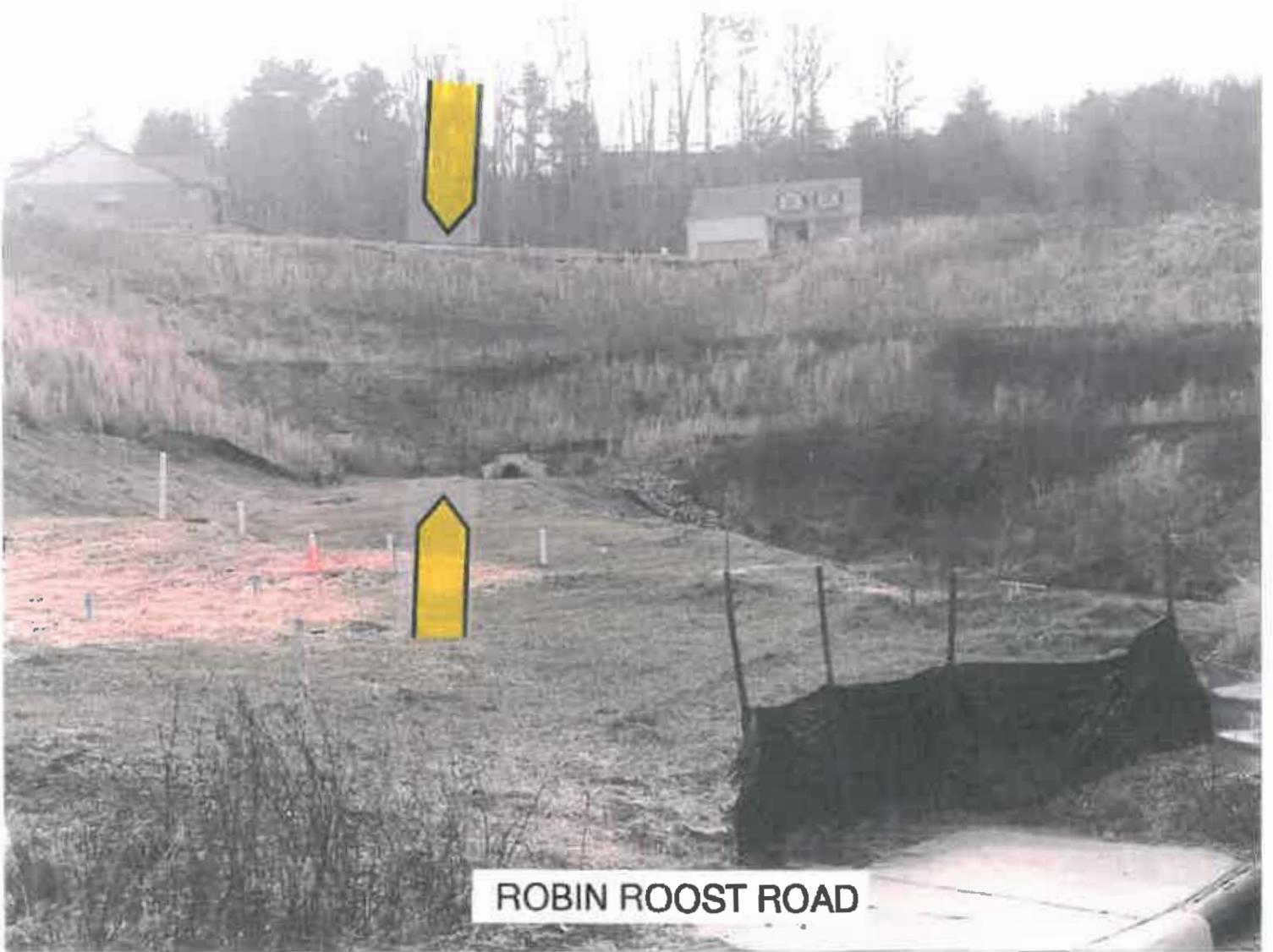


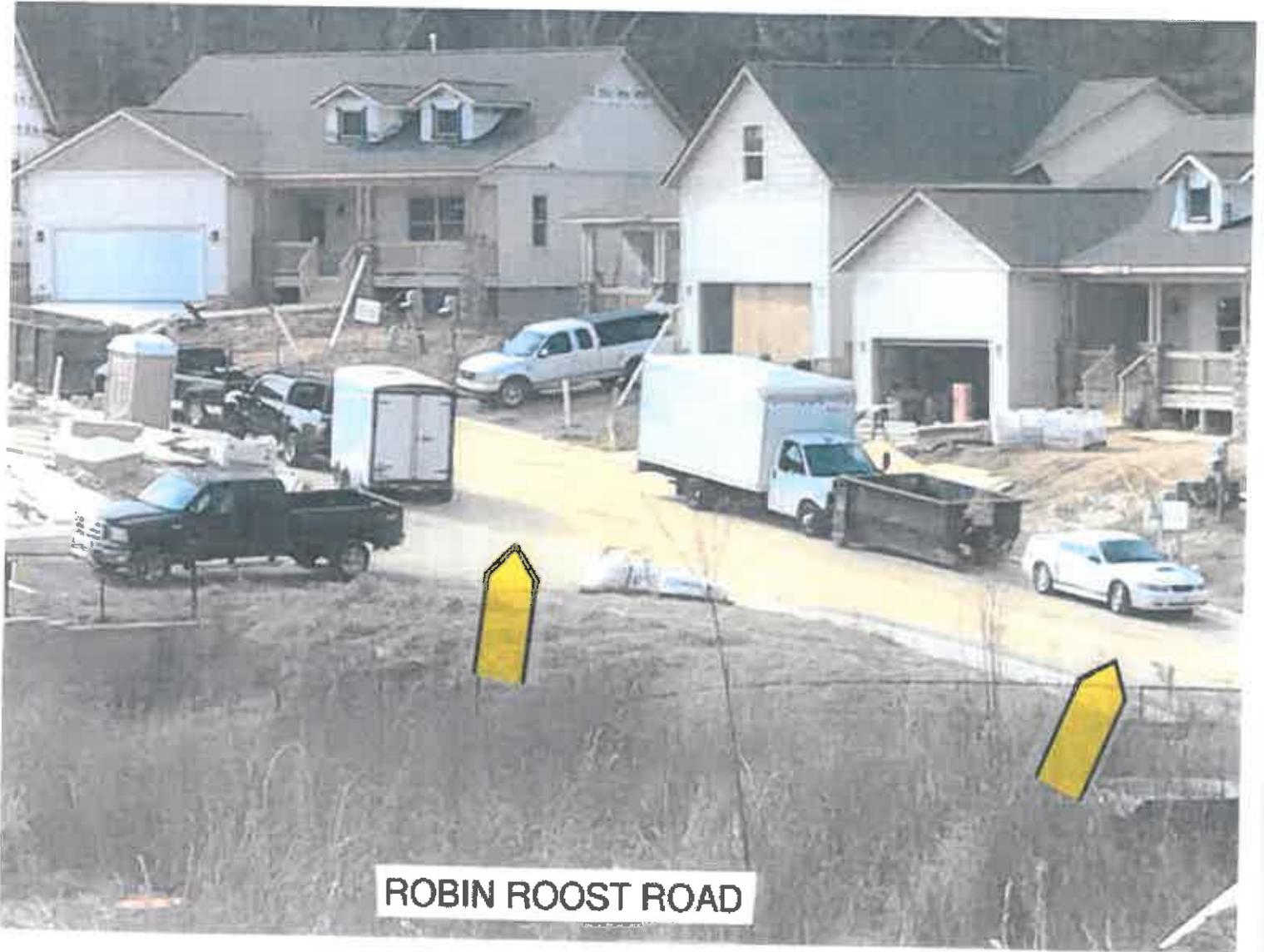


DUNCANNON STREET



SANDSTONE DRIVE





ROBIN ROOST ROAD



**SENECA STREET AT
ROBIN ROOST ROAD**



TOWN OF WEAVERVILLE

Public Street Commitment Application Report

Date: Wednesday, May 12, 2020

Road(s): Athena Avenue, Barnette Shoals Drive, Duncannon Street, Loftin Street, Robin Roost Road, Sandstone Drive, Seneca Street

Location: Creekside Village

Staff: Planning Director, James Eller; Public Works Director, Dale Pennell

DEPARTMENT	COMMENT
Both	With the application you will find the last correspondence between Town Manger Coffey and Stephen Mudge of Serrus Capital Partners the developer of Creekside Village. It is our understanding that the testing and corrections recommended by Public Works Director Pennell will not be undertaken.

Recommendation: Based upon the aforementioned findings, staff recommends that this application be denied.

**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: May 18, 2020
SUBJECT: Code Amendments – Chapter 24 - Streets
PRESENTER: Town Attorney
ATTACHMENTS: Proposed Ordinance Amending Town Code Chapter 24
Concerning Streets

DESCRIPTION/SUMMARY OF REQUEST:

At its meeting on January 27, 2020, Town Council reviewed some proposed amendments to Town Code Chapter 24 concerning streets. The purpose of the amendments were to provide a policy and procedures for public streets within the Town’s public street system.

The attached draft ordinance is consistent with Town Council’s action on January 27, 2020. Staff will be at tonight’s meeting to answer any questions that Town Council may have on what is proposed.

As these Code amendments will be enacted under the police power of the Town, and not land development authority, no public hearing is required prior to adoption. It should be noted that a public hearing is scheduled for 6:30 p.m. on May 18, 2020, for the related minor amendments that are proposed to the subdivision and zoning regulations in order to provide for consistency between Code regulations and to avoid any overlapping of regulations. Those Code amendments have received a unanimous Planning and Zoning Board recommendation and Town Council will be able to take action on those amendments any time after 6:30 p.m. on May 19th.

COUNCIL ACTION REQUESTED:

Town Council is asked to approve the amendments to Code Chapter 24 either as presented, or with such revisions as Town Council desires, through the adoption of an ordinance similar to the one attached. The following motion is proposed:

I move that we adopt the Ordinance Amending Town Code Chapter 24 Concerning Streets.

**ORDINANCE AMENDING WEAVERVILLE TOWN CODE
CHAPTER 24 CONCERNING STREETS**

WHEREAS, Town Council of the Town of Weaverville wishes to exercise its authority under N.C. Gen. Stat. § 160A-296 in order to establish regulations and procedures concerning the Town’s public street system; and

WHEREAS, Chapter 24 of the Weaverville Town Code contains the Town’s regulation of streets and sidewalks and it is the desire of Town Council to amend that Chapter to add new regulations;

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

1. Chapter 24 of the Weaverville Town Code of Ordinances is hereby amended to add the following as Article V:

CHAPTER 24 – STREETS AND SIDEWALKS

ARTICLE V. – STREET STANDARDS AND ACCEPTANCE OF PRIVATE STREETS AND RELATED INFRASTRUCTURE INTO PUBLIC STREET SYSTEM

Sec. 24-81. – Public Street System – Town Council Discretion

The Town of Weaverville maintains a public street system which includes streets and sidewalks that are publicly maintained and open for use by the public. The public street system also includes curbing and storm drainage systems that are connected or related to the streets.

In its sole discretion the Weaverville town council has the authority and right to determine the location and extent of its public street system and which streets and related infrastructure are to be publicly maintained by the town. Nothing contained in this article should be construed as a limitation on the absolute discretion of town council with regard to the town’s street system.

Regarding the town’s public street system, town council may consider, but is not limited to, the following factors:

general operational needs of the town, general fiscal needs and financial standing of the town, town strategic plans, comprehensive land use plans, economic development, traffic patterns, traffic or transportation plans, interconnectivity to other public streets, location of street, length and width of street and right-of-way area, topography and slope, number and types of uses along the street, affordable housing considerations, standards of construction of street and related infrastructure, anticipated cost of maintenance and repairs to the street, cost of maintenance of the public street system as a whole, any other factor found by town council to be reasonable.

Sec. 24-82. – All Streets are Private Unless Accepted into a Public Street System

All streets are private unless accepted into a public street system. The notation of a “public street” on a recorded plat serves only as an offer of dedication for that street for public use. A developer/owner cannot obligate the town to take over a street. The approval of a plat shall not be deemed to constitute or affect

the acceptance of the town or by the public of the dedication of any street or related infrastructure shown on the plat. Streets remain private until the town (or other public road system such as North Carolina Department of Transportation) formally accepts the street into its public street system.

Sec. 24-83. – Private Street Standards

The minimum streets standards for all private residential streets constructed within the town are the standards set forth in the North Carolina Department of Transportation Subdivision Road Minimum Construction Standards, as the same shall from time to time be amended.

Streets, including internal circulation streets within parking lots, serving multi-family residential, institutional, commercial and industrial uses and manufactured home parks, must be constructed in such a way as to allow reasonable access for the anticipated traffic associated with the specific use being served and for ease of emergency access.

For all private streets constructed within the town, the requirements of the North Carolina Fire Prevention Code as adopted by the Town of Weaverville and as the same may from time to time be amended, applicable for the specific use of the property served, must be complied with.

Sec. 24-84. – Public Street Standards

In order for a new street to be eligible for acceptance into the town's public street system, a street and its related infrastructure must be constructed in accordance with the town's adopted public street standards, as the same may from time to time be amended. In addition, the requirements of the North Carolina Fire Prevention Code as adopted by the Town of Weaverville and as the same may from time to time be amended, applicable for the specific use of the property served, must be complied with.

Site visits and observations by the public works department and town review of certain test results are required at the completion of certain critical phases of the street system construction including specifically the following:

- (a) On-site review of site clearing and grubbing prior to grading;
- (b) On-site review of grading and fill operations and review of compaction test results on all fill areas under the roadway;
- (c) On-site review of storm drainage system and review of compaction test results of the storm drainage trench;
- (d) Review of compaction test results for all utilities installed in the roadway;
- (e) On-site review of curb/curb and gutter, sidewalks, and drive entrances;
- (f) On-site review of proof-rolling of the sub-grade material;
- (g) On-site review of installation of the ABC stone base and review of compaction test results;
- (h) On-site review of proof-rolling of the stone base; and
- (i) On-site review of asphalt paving and review of compaction test results.

The developer/owner must notify the public works department at each of the above phases in order to allow the Town's public works department the opportunity to review the work. Failure on the part of the developer/owner to notify public works at each of these critical construction phases may disqualify a

street from eligibility for acceptance into the town's public street system or may cause work to have to be uncovered and redone at the expense of the developer/owner.

Sec. 24 - 85. – Streets Serving Multi-Family Residential, Institutional, Commercial and/or Industrial Uses or Manufactured Home Parks

All streets, including internal circulation streets within parking lots, serving multi-family residential, institutional, commercial or industrial uses or manufactured home parks, will remain private unless, in town council's discretion, such streets further a significant public interest.

Sec. 24-86. – Developer/Owner Declaration Concerning Residential Streets

Prior to development approval, developers/owners constructing new residential streets must declare whether they will be requesting that the new streets be accepted into the town's public street system or are to remain private. Requests for acceptance into the public street system must follow the procedures for a public street commitment as set out in this article and such commitment must be decided prior to development approval.

Residential streets that are declared to be private will not be observed by town representatives and will not be eligible for inclusion into the public street system.

Sec. 24-87. – Public Street Commitment

If a developer/owner wishes to have a street accepted into the town's public street system then the developer/owner must request a public street commitment letter in accordance with this section.

- (a) Application for public street commitment – A developer/owner that desires a public street commitment shall submit such request in writing on such forms and in such detail as prescribed by the town manager.
- (b) Processing fee – At the time of requesting a public street commitment letter, the applicant shall pay to the town a nonrefundable processing fee in the amount set forth in the town's adopted fee schedule.
- (c) Staff review and recommendation – Upon receipt of an application, town staff shall evaluate the request and make recommendations to town council, including any recommended conditions to be included in the commitment letter.
- (d) Town council action – Town council shall consider and take action to either decline acceptance or to issue a declaration of intent to accept streets upon condition that streets be constructed to Town standards with required periodic Town inspections, and/or other conditions as deemed necessary by town council.
- (e) Issuance of street commitment letter – Upon town council approval the town manager will issue a street commitment letter outlining the conditions imposed and requirements for town verification of compliance with conditions and requirements, and applicable time limits. The street commitment letter is transferable by the applicant, but is only valid for the original project and for streets and related infrastructure that are the same as or substantially similar to what was originally proposed.
- (f) Expiration, termination, and revocation of public street commitment letter –

- (1) A public street commitment is valid for one (1) year from its issuance but, upon request, may be extended for an additional one (1) year period by the town manager upon a showing of good reason for the delay.
- (2) Once construction of a street has begun the developer/owner must use reasonably diligent efforts to complete the construction of the street in a reasonable time. If more than one (1) year elapses from the commencement of construction without any work being done on the street, then the street shall be deemed abandoned and the commitment letter shall terminate.
- (3) If a developer/owner fails to call for on-site observation of critical construction phases by town representatives or conduct the required testing, or if town standards have not been met, then the public works director shall report such information to town council and the public street commitment letter is subject to revocation by town council.
- (4) The developer/owner will be given an opportunity to be heard by town council concerning termination or revocation of the public street commitment letter.

Sec. 24-88. – Existing Private Streets

Owners of existing private streets were provided an opportunity to request a public street commitment from January 27, 2020, through May 1, 2020. Unless a public street commitment application is in process prior to May 1, 2020, private streets are not eligible for acceptance into the town's street system.

Sec. 24-89. – Report and Recommendation of Public Works Director

Prior to town council's acceptance of any street and related infrastructure into the public street system, the public work's director shall submit a report and recommendation for town council's consideration. The report should address the developer/owner's compliance with any conditions or requirements stated in the public street commitment letter. The report should also include a recommendation as to the amount of a reasonable repair guaranty.

Sec. 24-90. – Warranty and Repair Guaranty.

As a condition of acceptance into the public street system, all streets and related infrastructure shall be warranted by the person, corporation or company making the improvements for a period of two (2) years from the date of final approval which warranty shall be in writing and include an indemnification clause, agreeing to indemnify and hold the town harmless from any such claims during the two-year warranty period. As a condition of acceptance into the public street system, the developer/owner shall be required to submit a repair guaranty in a reasonable amount set by town council for three (3) years following the warranty period.

Sec. 24-91. – Street Right-of-Way Plat.

Once the street and related infrastructure, or any required repair work, are completed and approved by the public works department, developer/owner shall provide to the public works department a proposed recordable plat showing the as-built streets and related infrastructure and the right-of-way to be conveyed.

The public works director, planning director, and town attorney are to review the proposed plat to determine its adequacy and provide recommendations as they deem appropriate to town council.

Sec. 24-92. – Formal Acceptance of Street and Related Infrastructure.

Once the street and all related infrastructure have been completed, the right-of-way plat has been prepared and approved by the public work’s director, planning director, and town attorney, and the public work’s director has prepared and submitted his/her report and recommendation, or at any other time requested by the developer/owner, the town manager will put the request for acceptance on the next available town council regular meeting agenda so that town council can consider the request.

Town council will be asked to consider acceptance of the street and related infrastructure into the Town’s public street system.

Sec. 24-93. – Post Acceptance Recordation.

If accepted and approved by town council, developer/owner must, at its expense, record the approved plat and convey the right-of-way by deed to the town in a form approved by the town attorney.

Sec. 24-94. – Limitation of Town Representative Responsibility.

Participation of town representatives in any on-site review or observation is for town purposes only and should not be relied upon by the developer/owner for engineering inspection and certification purposes.

Sec. 24-95. – Appeal of Administrative Decisions

Any administrative decision concerning the public street system is appealable to town council. Such an appeal must be submitted in writing to the town clerk within 30 days of the administrative decision and the writing must include the reasons for or basis of the appeal.

-
2. It is the intention of Town Council that the sections and paragraphs of this Ordinance are severable and if any section or paragraph of this Ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining paragraphs or sections of this Ordinance, since they would have been enacted by Town Council without the incorporation in this Ordinance of any such unconstitutional or invalid section or paragraph.
 3. These amendments shall be effective immediately upon adoption and immediately codified.

ADOPTED THIS the 18th day of May, 2020, by a vote of __ in favor and __ against.

ALLAN P. ROOT, Mayor

ATTESTED BY:

APPROVED AS TO FORM:

DEREK K. HUNINGHAKE, Town Clerk

JENNIFER O. JACKSON, Town Attorney

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: Monday, May 18, 2020

Subject: Action on Proposed Code Amendments regarding parking and streets, mandated notices for quasi-judicial matters, mixed use development in C-1, C-2 and R-12

Presenter: Planning Director, Public Works Director

Attachments: Proposed Ordinance

Description:

The attached proposed ordinance is presented for Town Council's review and discussion.

Due to the newly enacted laws concerning remote meetings and public hearing during the COVID-19 public health emergency, action cannot be taken until at least 24 hours after the public hearing which is to be held at 6:30 pm on May 18.

The Mayor proposes to recess tonight's meeting to Wednesday, May 20, 2020, at 6pm, in order for Town Council to legally take action on the proposed Code Amendments.

Action Requested:

Adoption of the proposed ordinance as presented, or as Town Council may wish to revise, at a recessed meeting of Town Council on Wednesday, May 20, 2020, at 6:00 pm.

**ORDINANCE AMENDING WEAVERVILLE TOWN CODE CHAPTERS 25 AND 36
CONCERNING TECHNICAL REVIEW COMMITTEES, MIXED USE DEVELOPMENT,
MANDATED NOTICES FOR BOARD OF ADJUSTMENT, STREETS AND PARKING**

WHEREAS, the Planning and Zoning Board has seen directly the positive value of a technical review committee in both subdivision applications and development applications under the Town’s zoning regulations, and, in its review on January 7, 2020, found the proposed Code amendments formalizing the technical review committee consistent with the Town’s comprehensive land use plan, reasonable, and in the best interest of the public in that such amendments formalize a multi-department professional review of proposed subdivisions and development, and voted unanimously to recommend such proposed amendments;

WHEREAS, the Planning and Zoning Board met on February 4, 2020, and discussed certain Code amendments concerning the regulations of mixed use development within the C-1, C-2 and R-12 zoning districts and found that the proposed Code amendments are consistent with the Town’s comprehensive land use plan and strategic plan in that a stated objective was to “consider a zoning district to serve as a transition between residential and commercial districts” and “consider mixed use development regulation as a means of expanding development in areas with geographic limitations,” and are reasonable and in the best interest of the public in that such amendments provide for a more expedited approval process and developmental certainty for mixed use development;

WHEREAS, after proper notice the Town Council held a public hearing on February 24, 2020, in order to receive input from the public on the amendments related to a technical review committee;

WHEREAS, the Planning and Zoning Board met on March 5, 2020, and discussed certain Code amendments concerning the provisions within the land development ordinances pertaining to streets, traffic, and parking and found (1) that the amendments proposed are consistent with the Town’s comprehensive land use plan in that the plan sets a goal of reviewing policies concerning standards for private streets and encourages review of regulations to ensure consistency with stated goals, and (2) that they are both reasonable and in the public interest in that they provide better clarity and remove inconsistencies in light of Town Council’s recent adoption of amendments to Chapter 24 concerning streets and Chapter 28 concerning traffic and parking;

WHEREAS, the Planning and Zoning Board met on March 5, 2020, and discussed certain Code amendments which would bring the notices requirements for matters before the Board of Adjustment into strict compliance with the provisions of North Carolina law and found that the amendments proposed are consistent with the Town’s comprehensive land use plan in that the plan sets a goal of reviewing its regulations for legal compliance and reasonable in light of the strict standards of standing in order to participate in matters before the Board of Adjustment;

WHEREAS, after proper notice the Town Council held a public hearing on May 18, 2020, at 6:30 p.m., and offer a public comment period from April 30, 2020, through May 19, 2020 at 6:30 p.m., in order to receive input from the public on the amendments related to mixed use development in the C-1, C-2, and R-12 zoning districts, mandated notices for quasi-judicial matters before the Board of Adjustment, and streets and parking provisions of the land development ordinances;

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

1. The findings and recommendations of the Planning and Zoning Board are hereby incorporated by reference and adopted by Town Council, including specifically a finding that the amendments approved herein are consistent with the Town's adopted comprehensive land use plan and in the public's interest.
2. Concerning a technical review committee for land development:

Code Section 25-78 is hereby amended as follows, with added language shown as underlined:

Sec. 25-78. - General procedures for review of major and minor subdivisions.

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 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. The planning director shall coordinate an evaluation of all applications for minor and major subdivisions with a technical review committee consisting of members of individual municipal departments, including but not limited to the Fire Marshal and Public Works Director or their designees, who may offer expertise on the proposed development. The technical review committee shall offer an opinion on the application for a minor or major subdivision to the Planning and Zoning Board and Town Council based upon the committee's findings or compliance with various sections of municipal ordinance and relevant federal and state laws, rules and regulations. 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.

Code Section 36-298 is hereby amended as follows, with added language shown as underlined:

Sec. 36-298. - Zoning permits required.

A zoning permit shall be obtained from the zoning administrator before beginning any construction on any lot within the town's zoning jurisdiction. No lot shall be graded so as to alter its contour and no building or other structure shall be erected, moved, added to, or structurally altered prior to the issuance of said zoning permit. In no event will the zoning administrator approve any permit for the grading of any lot or the construction or alteration of any building if such building, or its intended

use would be in violation of any of the provisions of this chapter, or if the contour of any lot would be altered or graded in violation of the screening and buffering requirements of this chapter.

- (1) *Application for permit.* All applications for zoning permits shall be accompanied by such information as the zoning administrator determines as needed for a full review of the request. Zoning administrator shall ensure that all applications are compliant with the applicable sections of this chapter prior to issuance of permit or transmittal to the decision-making board.
- (2) *Issuance of zoning permit.* Prior to issuing a zoning permit the zoning administrator shall first review the application and supporting documentation to determine compliance with all of the applicable requirements of this chapter. If the plans show that the proposed construction meets all of the requirements of this chapter the zoning administrator shall, prior to the issuance of the zoning permit, make an inspection of the site to determine that the actual location of all existing or proposed buildings or structures, parking areas, buffer strips etc. are located as shown on the plans. If the services of the town engineer or of a registered land surveyor are required to assure that the actual locations, on the ground, are as shown on the plans, the cost of this service shall be paid by the applicant prior to issuance of the zoning permit. Any such charges shall be in addition to the normal charges for such zoning permit. After the zoning administrator finds that the plans and on-site locations meet the requirements of this chapter, the administrator shall issue a zoning permit stating that the proposed construction, if built as located, meets the provisions of this chapter and that the applicant can apply for building and other permits. When reviewing proposed uses of land related to new commercial, industrial or multi-family residential development, or uses which require the issuance of or an amendment to a special use permit or the adoption of a conditional zoning district, the planning director shall coordinate an evaluation of the proposed development with a technical review committee consisting of members of individual municipal departments, including but not limited to the Fire Marshal and Public Works Director or their designees, who may offer expertise on the proposed development. The technical review committee shall offer an opinion on the proposed development to the Planning and Zoning Board and Town Council based upon the committee's findings or compliance with various sections of municipal ordinance and relevant federal and state laws, rules and regulations.

Explanatory note: While it may be obvious that a proposed building or structure to be located on a large tract of land meets the setback requirements by simple observation, actual field measurements would be required to determine compliance on a typical residential lot. All such measurements must be made from actual property or right-of-way lines using property corner or right-of-way markers. It may be assumed that the paved portion of any street or alley is in the center of the right-of-way for this purpose only if the right-of-way of record cannot be otherwise established by actual surveys.

- (3) *County permits required.* After the zoning permit is approved and issued, the applicant shall apply to the Buncombe County Permits and Inspections Department, or any successor thereto, for building, plumbing, electrical or other required permits. If such permits are not issued within 60 days after issuance of the zoning permit, the zoning permit shall become invalid.
- (4) *Construction progress.* If no substantial construction progress has been made within 180 calendar days of the date of the issuance of the zoning permit, or if work is suspended for 365 calendar days, the zoning permit shall become invalid; provided, however, the zoning administrator may extend the time for substantial construction progress to be made by up to 180 calendar days, for good cause shown. This provision shall not be applicable, however, for time periods for projects in conditional zoning districts, which shall be governed by subsection 36-84(e), or special use permits, which shall be governed by article IX.

3. Concerning mixed use development in the C-1, C-2, and R-12 zoning districts:

Code Section 36-105 is hereby amended as follows, with deleted language shown with strikethroughs and added language shown as underlined:

Sec. 36-105. - Table of uses.

USES	R-1	R-2	R-3	R-12	C-1	C-2	I-1
MISCELLANEOUS USES							
Mixed-Use Building or Structure	-	-	-	€ PS	€ PS	€ PS	-

Code Section 36-140 is hereby added:

Sec. 36-140. – Mixed-Use Building or Structure.

(a) Additional Standards applicable only within the R-12 zoning district for uses defined mixed use building or structure.

1. Dwelling units are only permissible on the second or higher floor of any structure where the ground floor or street level floor is occupied by a use or uses otherwise permitted by right or with additional standards or by a conditional zoning district in the C-1 or C-2 Zoning District.
2. The dimensional requirements for the R-12 zoning district and additional standards for the use defined as dwelling-multifamily (more than 4 units/per building are also fully applicable to the use defined mixed-use building or structure.
3. In no case shall the number of dwelling units exceed 12 units per acre.
4. Street lighting requirements made necessary by section 36-26 are fully applicable to the use of mixed use building or structure as defined in section 36-5 except that such requirements are hereby modified to provide the following:
 - a. All lighting on the property shall be mounted on posts no more than 16 feet tall.
 - b. Blocking, shielding and aiming of all exterior lighting shall be used to minimize light trespass on to adjoining residential properties.
 - c. The exterior lighting plan shall be subject to review and approval by the town's zoning administrator prior to installation.
5. The collection and disposal of garbage and household trash accumulated at mixed use buildings or structures shall be the responsibility of the owner of the land on which the building is located. Likewise, yard trash, tree and shrubbery trimmings and household appliances shall be collected and disposed of by the owner of the land.
6. All containment devices for trash and recyclables, including compactors, dumpsters, commercial roll-out bins, and areas for storing cardboard shall be placed in the side or rear yards only and located and designed so as not to be visible from the view of adjacent streets and properties. All containment areas shall meet the following standards:
 - a. All containment areas shall be enclosed to contain windblown litter.
 - b. Enclosures shall be at least as high as the highest point of the compactor or dumpster.
 - c. Enclosures shall be made of materials that are opaque at the time of installation (such as a fence, wall or mature opaque vegetation) and compatible with and/or similar to the design and materials of the principal building.
 - d. Compactors and dumpsters shall be placed on a concrete pad that is large enough to provide adequate support and allow for positive drainage, and conform to the Buncombe

County Health Department regulations governing compactor pads. A concrete apron shall also extend from the pad for support and access.

- e. Enclosures shall contain gates to allow for access and security.
- f. Dumpsters and compactors shall be located within the side or rear yard behind buildings and away from sidewalks or pedestrian circulation. Such locations should be accessible to service vehicles.
- g. Enclosures shall be landscaped in accordance with article VI of Chapter 36.

(b) Additional Standards applicable only within the C-1 zoning district for uses defined mixed use building or structure.

1. Dwelling units are only permissible on the second or higher floor of any structure where the ground floor or street level floor is occupied by a use or uses otherwise permitted by right or with additional standards or by a conditional zoning district in the C-1 Zoning District.
2. In no case shall the number of dwelling units exceed 4 units per building notwithstanding the latter permissible density bonus for additional off street parking places provided.
3. Street lighting requirements made necessary by section 36-26 are fully applicable to the use of mixed use building or structure as defined in section 36-5 except that such requirements are hereby modified to provide the following:
 - a. All lighting on the property shall be mounted on posts no more than 16 feet tall.
 - b. Blocking, shielding and aiming of all exterior lighting shall be used to minimize light trespass on to adjoining residential properties.
 - c. The exterior lighting plan shall be subject to review and approval by the town's zoning administrator prior to installation.
4. The collection and disposal of garbage and household trash accumulated at mixed use buildings or structures shall be the responsibility of the owner of the land on which the building is located. Likewise, yard trash, tree and shrubbery trimmings and household appliances shall be collected and disposed of by the owner of the land.
 - a. A waiver of the foregoing requirement may be achieved in writing from the Town Manager or their designee upon showing of good cause. Factors for consideration include but are not limited to available space on the subject property, or any variable related to the public health or safety.
5. All containment devices for trash and recyclables, including compactors, dumpsters, commercial roll-out bins, and areas for storing cardboard shall be placed in the side or rear yards only and located and designed so as not to be visible from the view of adjacent streets and properties. All containment areas shall meet the following standards:
 - b. All containment areas shall be enclosed to contain windblown litter.
 - c. Enclosures shall be at least as high as the highest point of the compactor or dumpster.
 - d. Enclosures shall be made of materials that are opaque at the time of installation (such as a fence, wall or mature opaque vegetation) and compatible with and/or similar to the design and materials of the principal building.
 - e. Compactors and dumpsters shall be placed on a concrete pad that is large enough to provide adequate support and allow for positive drainage, and conform to the Buncombe County Health Department regulations governing compactor pads. A concrete apron shall also extend from the pad for support and access. Enclosures shall contain gates to allow for access and security.
 - f. Enclosures shall contain gates to allow for access and security.
 - g. Dumpsters and compactors shall be located within the side or rear yard behind buildings and away from sidewalks or pedestrian circulation. Such locations should be accessible to service vehicles.
 - h. Enclosures shall be landscaped in accordance with article VI of Chapter 36.
6. Within the C-1 Zoning District additional dwelling units may be permitted up to a maximum of eight dwelling units per building provided the property owner provide off street parking in addition to those spaces required by Article VII of this Chapter at a ratio of two spaces per additional dwelling unit.

(c) Additional Standards applicable only within the C-2 zoning district for uses defined mixed use building or structure.

1. Dwelling units are only permissible on the second or higher floor of any structure where the ground floor or street level floor is occupied by a use or uses otherwise permitted by right or with additional standards or by a conditional zoning district in the C-1 or C-2 Zoning District.
2. The dimensional requirements for the C-2 zoning district and additional standards for the use defined as dwelling-multifamily (more than 4 units/per building are also fully applicable to the use defined mixed-use building or structure.
3. In no case shall the number of dwelling units exceed 8 units per acre.
4. Street lighting requirements made necessary by section 36-26 are fully applicable to the use of mixed use building or structure as defined in section 36-5 except that such requirements are hereby modified to provide the following:
 - a. All lighting on the property shall be mounted on posts no more than 16 feet tall.
 - b. Blocking, shielding and aiming of all exterior lighting shall be used to minimize light trespass on to adjoining residential properties.
 - c. The exterior lighting plan shall be subject to review and approval by the town's zoning administrator prior to installation.
5. The collection and disposal of garbage and household trash accumulated at mixed use buildings or structures shall be the responsibility of the owner of the land on which the building is located. Likewise, yard trash, tree and shrubbery trimmings and household appliances shall be collected and disposed of by the owner of the land.
6. All containment devices for trash and recyclables, including compactors, dumpsters, commercial roll-out bins, and areas for storing cardboard shall be placed in the side or rear yards only and located and designed so as not to be visible from the view of adjacent streets and properties. All containment areas shall meet the following standards:
 - a. All containment areas shall be enclosed to contain windblown litter.
 - b. Enclosures shall be at least as high as the highest point of the compactor or dumpster.
 - c. Enclosures shall be made of materials that are opaque at the time of installation (such as a fence, wall or mature opaque vegetation) and compatible with and/or similar to the design and materials of the principal building.
 - d. Compactors and dumpsters shall be placed on a concrete pad that is large enough to provide adequate support and allow for positive drainage, and conform to the Buncombe County Health Department regulations governing compactor pads. A concrete apron shall also extend from the pad for support and access. Enclosures shall contain gates to allow for access and security.
 - e. Enclosures shall contain gates to allow for access and security.
 - f. Dumpsters and compactors shall be located within the side or rear yard behind buildings and away from sidewalks or pedestrian circulation. Such locations should be accessible to service vehicles.
 - g. Enclosures shall be landscaped in accordance with article VI of Chapter 36.

4. Concerning mandated notices for quasi-judicial matters, Code Section 36-329 is hereby amended as follows, with deleted language shown with strikethroughs and added language shown as underlined:

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~~ 45 days after receipt by the town clerk of an application for a special use permit or variance or a notice of appeal, unless otherwise agreed to by the applicant. 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.

5. Concerning streets and parking:

Code Section 25-111 is hereby amended as follows, with deleted language shown with strikethroughs and added language shown as underlined:

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.~~

Code Section 36-176 is hereby amended as follows, with deleted language shown with strikethroughs and added language shown as underlined:

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.
6. It is the intention of Town Council that the sections and paragraphs of this Ordinance are severable and if any section or paragraph of this Ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining paragraphs or sections of this Ordinance, since they would have been enacted by Town Council without the incorporation in this Ordinance of any such unconstitutional or invalid section or paragraph.
7. These amendments shall be effective immediately upon adoption and immediately codified.

ADOPTED THIS the ____ day of ____, 2020, by a vote of __ in favor and __ against.

ALLAN P. ROOT, Mayor

ATTESTED BY:

APPROVED AS TO FORM:

DEREK K. HUNINGHAKE, Town Clerk

JENNIFER O. JACKSON, Town Attorney

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: Monday, May 18, 2020
Subject: Action on Proposed Conditional Zoning District for Multi-Tenant Development at 20 and 30 Garrison Branch Road
Presenter: Planning Director, Public Works Director
Attachments: Proposed Ordinance

Description:

The attached proposed ordinance is presented for Town Council's review and discussion.

Due to the newly enacted laws concerning remote meetings and public hearing during the COVID-19 public health emergency, action cannot be taken until at least 24 hours after the public hearing which is to be held at 6:30 pm on May 18.

The Mayor proposes to recess tonight's meeting to Wednesday, May 20, 2020, at 6pm, in order for Town Council to legally take action on the proposed Code Amendments.

Action Requested:

Adoption of the proposed ordinance as presented, or as Town Council may wish to revise, at a recessed meeting of Town Council on Wednesday, May 20, 2020, at 6:00 pm.

**ORDINANCE ESTABLISHING THE
CONDITIONAL ZONING DISTRICT DESIGNATED AS CZD-5
GARRISON RESERVE PROJECT ON PROPERTY LOCATED AT
10 AND 30 GARRISON BRANCH ROAD**

WHEREAS, on February 10, 2020, Garrison Branch Acquisitions LLC submitted an application for a conditional zoning district for a project to be known as “Garrison Reserve” on property located at 10 and 30 Garrison Branch Road, Weaverville, North Carolina; and

WHEREAS, the project consists of a multi-tenant commercial development consisting of three buildings housing a mix of retail, warehouse, and office spaces for a total square footage of approximately 70,000 square feet, and an outparcel for a future building and use; and

WHEREAS, the project is being developed on that 4.89 acre tract(s) located near the southwestern corner of the intersection of Monticello Road and US 25/70, described in Book 5806 at Page 498 and Book 5806 at Page 490, and bearing Buncombe County Parcel Identification Numbers 9733-72-2155 and 9733-72-0316, and shown as Parcels 1 and 2 on that plat recorded in Book 201 at Page 74, Buncombe County Registry;

WHEREAS, the property is currently zoned C-2 and a multi-tenant development exceeding 25,000 square feet requires a conditional zoning district; and

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

WHEREAS, 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, the Planning and Zoning Board of the Town of Weaverville has reviewed the project and submitted a unanimous favorable recommendation along with its statement finding the reasonableness of the project and consistency with the Comprehensive Land Use Plan; and

WHEREAS, this project is consistent with the Town’s Comprehensive Land Use Plan in that it is consistent with the future land use map which identifies the property as being within the mixed use area of Monticello Road, is consistent with the use and dimensional requirements of the Town’s underlying C-2 zoning district which was designed and implemented specifically to accommodate commercial uses, and, with the recommended conditions, can co-exist with the multifamily residential development that is occurring in the area; and

WHEREAS, a public involvement meeting was held on Thursday, May 14, 2020, after proper notice of same and [no negative comments were received] [comments were noted as follows: _____]; and

WHEREAS, a traffic analysis was not conducted as staff believes that the peak hour trips would not trigger the requirement stated in Town Code Section 36-25; and

WHEREAS, after proper notice required by law, Town Council held a public hearing on this application on May 18, 2020 at 6:30 pm, and held a public comment period from April 30, 2020 until May 19, 2020 at 6:30 p.m., in order to receive public input on this project;

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

1. The zoning classification of the real property described herein, including the outparcel, is changed from C-2 to Conditional Zoning District and is subject to compliance with the conditions set out herein. The official zoning map of the Town of Weaverville shall be amended to reflect this change upon the effective date of this ordinance.
2. The outparcel is specifically included in this conditional zoning district. Future development on the outparcel must be approved as a major modification to the conditional zoning district after full compliance with the conditional zoning district process and procedures established by Code Section 36-84.
3. The following conditions shall apply:
 - a. The project is to be constructed in substantial compliance with the following plans submitted by the applicant, copies of which are attached hereto and incorporated herein by reference:
 - i. Master plan – Sheet C200
 - ii. Site plan – Sheet C201
 - iii. Grading, erosion control and storm drainage plan – C301
 - iv. Utility plan – Sheet C601
 - v. Building elevations – Sheets A201, A202
 - vi. Building elevation renderings
 - b. The height of buildings constructed on the site may not exceed the height as indicated on the plans and elevations identified in subparagraph (a) above.
 - c. The exterior of the buildings must be substantially similar to the building elevations attached hereto and incorporated herein with the following construction materials: metal panels and fiber cement siding.
 - d. Sidewalks are required along all portions of the property, including the outparcel, which front Garrison Branch Road to provide access to the

apartment complex that is under construction on the property adjoining to the west.

- e. All driveways/streets within the project shall be private. Said private driveways/streets shall be constructed in such a way as to allow reasonable access for the anticipated traffic of the multi-tenant development proposed and for ease of emergency access, including full compliance with the North Carolina Fire Prevention Code. A driveway permit for the entrance onto Garrison Branch Road must be secured from the North Carolina Department of Transportation.
- f. A minimum of 159 off-street parking spaces, with a minimum size of 9 feet by 18 feet, must be provided and must be constructed and maintain in an all-weather condition.
- g. The warehousing that is proposed is for mini-warehouses, as that term is defined by Code Section 36-5, and is limited to interior storage in Building C only. Warehousing with exterior storage of any kind is expressly prohibited.
- h. One freestanding sign at the entrance of the project is allowed as long as it complies with the standards contained in Article VIII of Chapter 36 of the Town's Code of Ordinances.
- i. Any and all outdoor lighting that is to be installed must comply with Town Code Section 36-26, except as specifically provided in this paragraph. All outdoor lighting on the property shall be mounted on posts that are no more than 16 feet tall. Blocking, shielding and aiming of all outdoor lighting shall be used to minimize light trespass on to adjoining residential properties. The outdoor lighting plan must be submitted and approved in conjunction with a zoning permit application.
- j. Landscape buffers between the property and adjoining properties are required. Landscaping must comply with Article VI of Chapter 36 of the Town's Code of Ordinances. A landscaping plan must be submitted and approved in conjunction with a zoning permit application.
- k. Grading, sedimentation and erosion control, and storm drainage plans must be reviewed and permitted by Buncombe County.
- l. Construction related vehicles must be parked on the property and not on the public streets or the shoulders of those public streets. All dirt, mud, construction materials, or other debris deposited on the public streets as a result of construction activities must be removed by the contractor or owner on a daily basis, pursuant to Code Section 22-48.
- m. All construction must be completed within 36 months of the issuance of a Town of Weaverville zoning permit. Upon request of the owner/developer,

Town Council may, in its sole discretion, grant such extension as Town Council deems appropriate under the circumstances.

- n. Code Section 36-84 shall continue to govern the project including, but not limited, to those provisions regarding issuance of zoning permits, modifications, appeals, and final plat approval.
- 4. The Town Zoning Administrator is hereby authorized and directed to make the changes as herein enacted on the official zoning map with said Conditional Zoning District labeled as "CZD-5" and to issue zoning permits for the improvements that are to be made 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 contained within the Town's Code of Ordinance which are in conflict herewith, are hereby repealed to the extent of such conflict.
- 7. This ordinance and the regulations and conditions contained herein are subject to the consent of the property owner which is indicated below.
- 8. That this ordinance is effective immediately.

ADOPTED THIS the ____ day of ____, 2020, with a vote of __ for and __ against.

ALLAN P. ROOT, Mayor

DEREK K. HUNINGHAKE, Town Clerk

OWNER CONSENT TO CONDITIONS:

GARRISON BRANCH ACQUISITIONS LLC

_____, Manager

Date:

**TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM**

MEETING DATE: May 18, 2020
SUBJECT: COVID-19 Update
PRESENTER: Town Manager
ATTACHMENTS: None

DESCRIPTION/SUMMARY OF REQUEST:

The Mayor, Town Manager, and other staff will be available at tonight's meeting to give a brief update on the COVID-19 public health emergency and the Town's response.

COUNCIL ACTION REQUESTED:

Discussion and action in the discretion of Town Council.

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: May 18, 2020
Subject: Departmental Quarterly Report: Finance
Presenter: Town Finance Director
Attachments: Quarterly Report – 3rd Quarter FY 2020

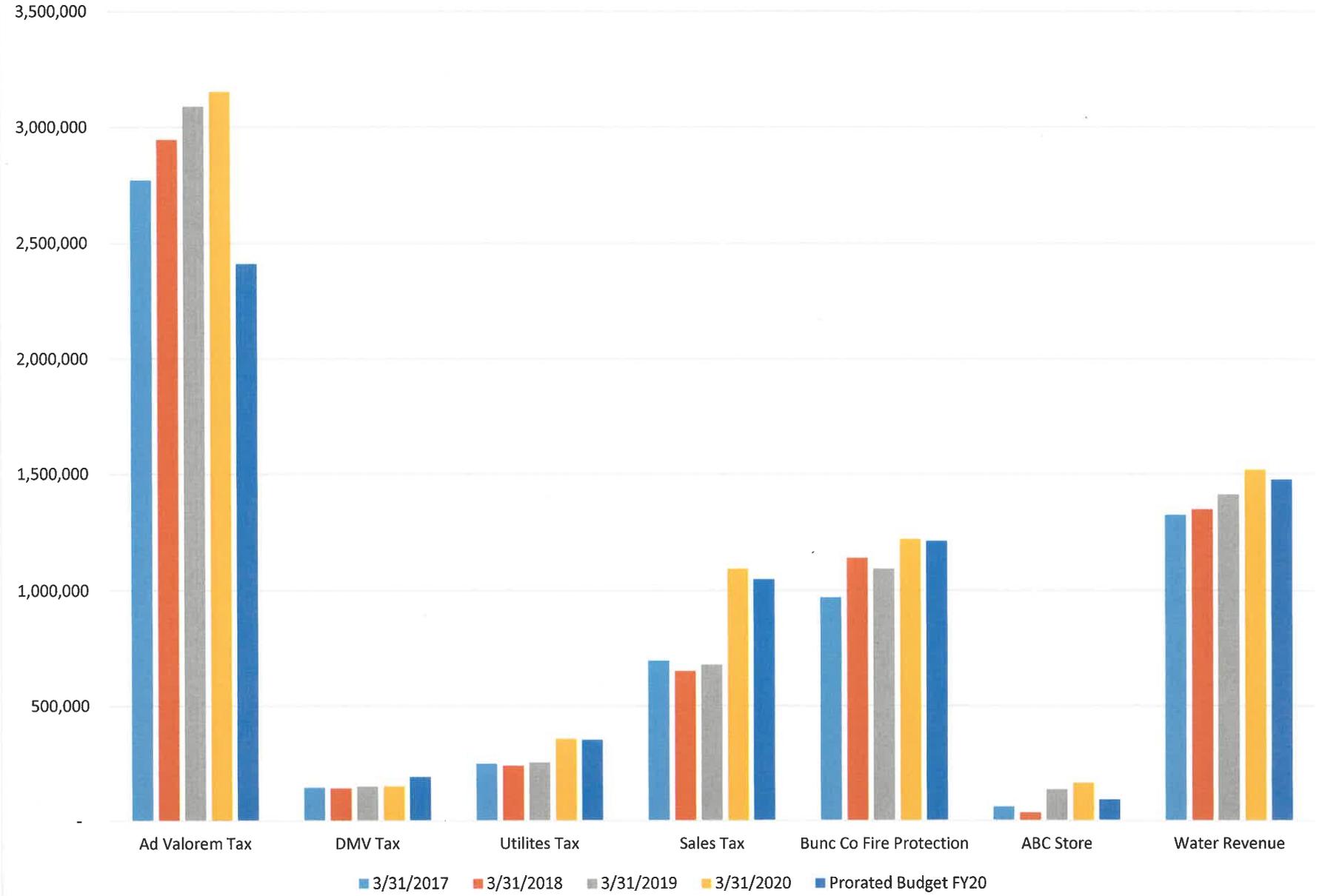
Description:

Attached please find the Finance Department’s quarterly report, with charts summarizing Revenues and Expenditures as of 03/31/2020, as well as an updated summary of the Waterline Extension Project, and the Community Center Project.

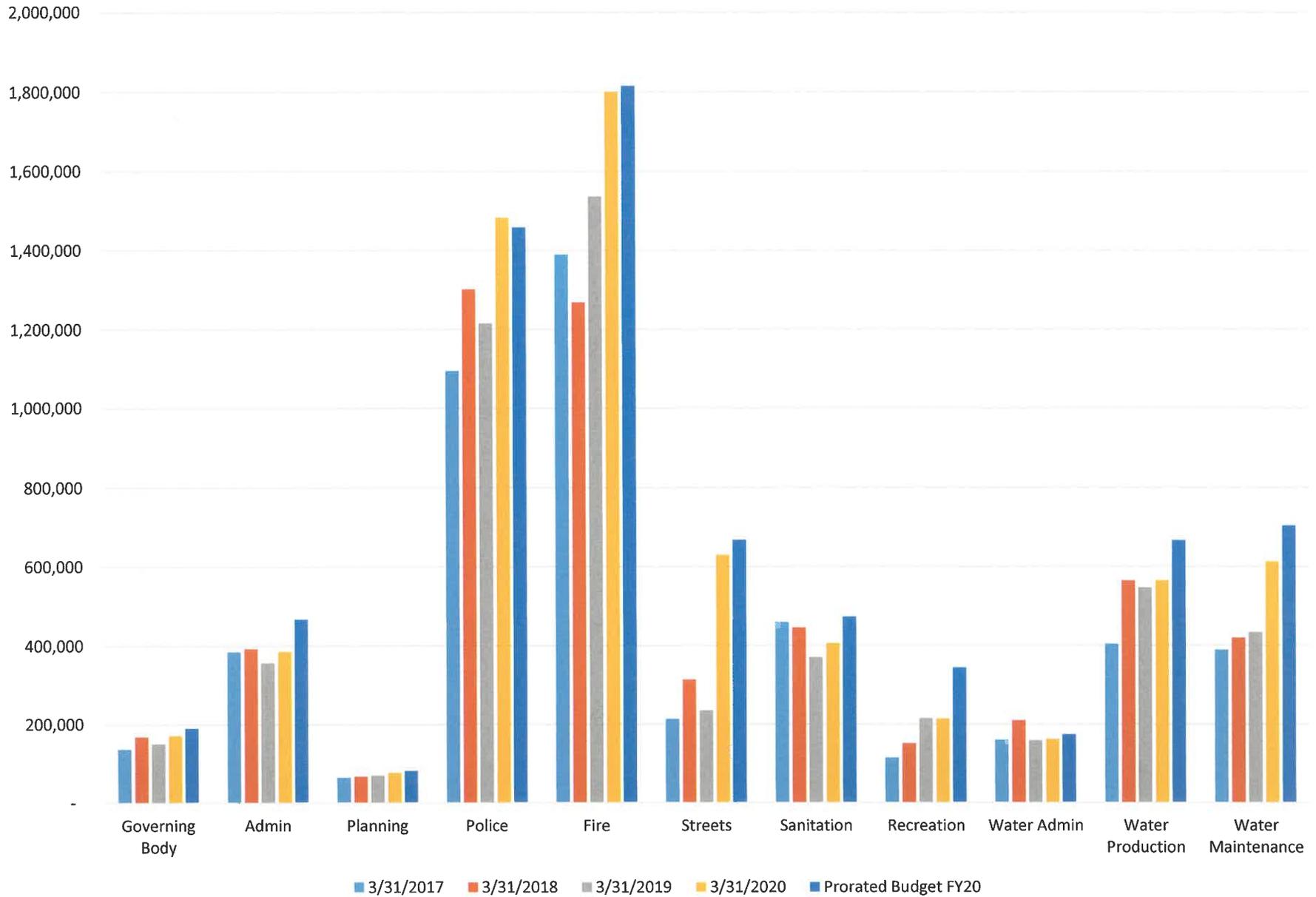
Council Action Requested:

No action requested.

YTD Revenue Analysis



YTD Expenditure Analysis



TOWN OF WEAVERVILLE
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2019-2020

01/01/2020 TO 03/31/2020

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
REVENUE:				
010-004-300-04010 PRIOR YEAR TAX REVE	135.47	4,529.34	1,000.00	-353
010-004-300-04020 AD VALOREM TAX REV.	674,419.05	3,154,049.34	3,215,563.61	2
010-004-300-04025 DMV TAX REVENUE	39,862.35	150,195.70	255,000.00	41
010-004-300-04030 TAX PENALTIES & INTE	3,961.94	4,703.51	4,000.00	-18
010-004-300-05010 UTILITIES TAX	117,042.52	357,841.29	470,000.00	24
010-004-300-05040 BEER & WINE TAX	0.00	15.00	17,000.00	100
010-004-300-05050 POWELL BILL DISTRIBU	0.00	103,879.04	106,000.00	2
010-004-300-05060 LOCAL GOVT SALES TA	376,556.95	1,094,105.95	1,396,000.00	22
010-004-300-06010 BUN CNTY FIRE PROTEC	420,304.63	1,222,225.52	1,616,629.00	24
010-004-300-06040 ABC STORE DISTRIBUTI	138,971.70	164,491.18	120,000.00	-37
010-004-300-06045 ABC STORE - ALCOHOL	5,682.47	9,653.05	3,970.58	-143
010-004-300-06050 ABC STORE - POLICE DE	4,058.91	6,895.03	2,836.12	-143
010-004-300-09015 CELL TOWER REVENUE	0.00	16,416.30	16,000.00	-3
010-004-300-09019 STATE DISTRIBUTION -	106.57	111.31	0.00	0
010-004-300-09020 MISCELLANEOUS REVE	1,360.56	7,557.75	5,000.00	-51
010-004-300-09028 COPS FOR KIDS	3.00	14,848.56	14,845.56	0
010-004-300-09029 PINK PATCH PROJECT	0.00	5,362.20	5,362.00	0
010-004-300-09030 INTEREST EARNED	21,821.49	78,221.16	115,500.00	32
010-004-300-09031 INTEREST EARNED POW	0.00	2,235.99	3,400.00	34
010-004-300-09040 PLANNING & ZONING FI	7,627.60	17,850.20	20,000.00	11
010-004-300-09045 FIRE INSPECTION FEES	0.00	0.00	500.00	100
010-004-300-09050 SALE OF PROPERTY	5,551.00	20,489.75	15,000.00	-37
010-004-310-09900 APPROPRIATED FUND B	0.00	0.00	445,909.36	100
030-004-300-08010 WATER REVENUE	488,510.94	1,519,403.15	1,968,750.00	23
030-004-300-08020 MISCELLANEOUS REVE	3,920.00	13,739.56	15,000.00	8
030-004-300-08030 WATER TAPS	6,300.00	16,800.00	42,000.00	60
030-004-300-08040 SYSTEM DEVELOPME	129,456.00	279,000.00	270,000.00	-3
030-004-300-08060 FEES FOR MSD COLLEC	15,555.05	45,440.20	55,000.00	17
030-004-300-09030 INTEREST EARNED	0.00	0.00	50,500.00	100
TOTAL REVENUE	2,461,208.20	8,310,060.08	10,250,766.23	19
AFTER TRANSFERS	2,461,208.20	8,310,060.08	10,250,766.23	

411 GOVERNING BODY

EXPENDITURE:				
010-410-411-12100 SALARIES & WAGES	24,992.34	67,400.03	84,477.00	20
010-410-411-18100 FICA	1,912.05	5,156.46	6,462.49	20
010-410-411-18200 RETIREMENT	1,833.44	4,812.38	5,811.20	17
010-410-411-18500 EMPLOYEE INCENTIVE	0.00	1,000.00	10,000.00	90
010-410-411-19000 PROFESSIONAL SERVICE	16,421.40	43,056.43	47,000.00	8
010-410-411-26000 SUPPLIES / MATERIALS	549.00	649.80	1,000.00	35
010-410-411-31000 TRAVEL & TRAINING	110.00	572.00	3,000.00	81
010-410-411-35100 BUILDING REPAIR / MAI	2,113.61	5,689.92	11,000.00	48
010-410-411-39100 ADVERTISING	0.00	1,753.00	2,000.00	12

TOWN OF WEAVERVILLE
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2019-2020

01/01/2020 TO 03/31/2020

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
010-410-411-39200 NEWS LETTERS	0.00	0.00	1,500.00	100
010-410-411-39300 PRINTING	0.00	400.00	1,000.00	60
010-410-411-39500 DUES & SUBSCRIPTIONS	896.15	896.15	800.00	-12
010-410-411-39510 COMMUNITY PROMOTION	12,784.47	40,434.80	65,500.00	38
010-410-411-39520 ELECTION EXPENSES	0.00	0.00	13,000.00	100
010-410-411-40450 INSURANCE	0.00	137.44	600.00	77
TOTAL EXPENDITURE	<u>61,612.46</u>	<u>171,958.41</u>	<u>253,150.69</u>	<u>32</u>
BEFORE TRANSFERS	<u>-61,612.46</u>	<u>-171,958.41</u>	<u>-253,150.69</u>	
AFTER TRANSFERS	<u>-61,612.46</u>	<u>-171,958.41</u>	<u>-253,150.69</u>	
412 ADMINISTRATION				
EXPENDITURE:				
010-410-412-12100 SALARIES & WAGES	73,750.92	214,339.88	308,305.49	30
010-410-412-18100 FICA	5,528.61	16,071.08	23,585.37	32
010-410-412-18200 RETIREMENT	6,696.56	19,449.58	27,994.14	31
010-410-412-18210 401-K MATCH	4,100.77	11,904.64	18,498.33	36
010-410-412-18300 HEALTH INSURANCE	7,277.67	24,010.25	38,439.83	38
010-410-412-18400 RETIREE HEALTH INSURANCE	1,630.98	5,259.44	8,566.00	39
010-410-412-19000 PROFESSIONAL SERVICES	6,005.45	20,568.68	67,000.00	69
010-410-412-25000 VEHICLE SUPPLIES	111.80	248.22	1,000.00	75
010-410-412-26000 SUPPLIES / MATERIALS	3,049.50	8,727.59	18,000.00	52
010-410-412-31000 TRAVEL & TRAINING	806.17	7,978.13	10,000.00	20
010-410-412-32100 TELEPHONE / INTERNET	2,905.52	8,868.13	14,000.00	37
010-410-412-32500 POSTAGE	1,150.68	2,120.76	5,000.00	58
010-410-412-33100 UTILITIES	1,311.55	3,137.19	5,000.00	37
010-410-412-35100 BUILDING REPAIR / MAINTENANCE	13,190.34	22,136.86	41,900.00	47
010-410-412-35200 EQUIPMENT MAINTENANCE	839.84	3,475.32	4,000.00	13
010-410-412-35300 VEHICLE MAINTENANCE	434.51	434.51	1,000.00	57
010-410-412-39100 ADVERTISING	54.91	108.40	1,000.00	89
010-410-412-39500 DUES & SUBSCRIPTIONS	160.00	1,836.00	1,000.00	-84
010-410-412-39600 BANK SERVICE CHARGES	1,227.27	3,561.99	6,000.00	41
010-410-412-39800 ESC REIMBURSEMENT	0.00	2,346.42	8,000.00	71
010-410-412-40450 INSURANCE	0.00	4,882.71	8,250.00	41
010-410-412-50100 SMALL EQUIPMENT	1,098.00	4,434.20	5,000.00	11
TOTAL EXPENDITURE	<u>131,331.05</u>	<u>385,899.98</u>	<u>621,539.16</u>	<u>38</u>
BEFORE TRANSFERS	<u>-131,331.05</u>	<u>-385,899.98</u>	<u>-621,539.16</u>	
AFTER TRANSFERS	<u>-131,331.05</u>	<u>-385,899.98</u>	<u>-621,539.16</u>	
413 PLANNING				
EXPENDITURE:				
010-410-413-12100 SALARIES & WAGES	18,595.24	53,501.31	72,711.44	26
010-410-413-18100 FICA	1,428.51	4,186.25	5,562.43	25
010-410-413-18200 RETIREMENT	1,688.46	4,948.77	6,602.20	25

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TOWN OF WEAVERVILLE
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2019-2020

01/01/2020 TO 03/31/2020

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
010-410-413-18210 401-K MATCH	1,115.72	3,270.10	4,362.69	25
010-410-413-18300 HEALTH INSURANCE	1,744.92	5,233.22	7,619.81	31
010-410-413-19000 PROFESSIONAL SERVICE	472.74	1,469.79	1,500.00	2
010-410-413-25000 VEHICLE SUPPLIES	75.18	152.72	500.00	69
010-410-413-26000 SUPPLIES / MATERIALS	83.32	432.80	1,000.00	57
010-410-413-31000 TRAVEL & TRAINING	642.20	1,102.20	2,500.00	56
010-410-413-32100 TELEPHONE / INTERNET	321.63	964.89	2,400.00	60
010-410-413-32500 POSTAGE	0.00	835.96	1,200.00	30
010-410-413-35300 VEHICLE MAINTENANC	30.00	30.00	500.00	94
010-410-413-39100 ADVERTISING	225.69	974.21	1,500.00	35
010-410-413-40450 INSURANCE	0.00	418.48	500.00	16
TOTAL EXPENDITURE	<u>26,423.61</u>	<u>77,520.70</u>	<u>108,458.57</u>	<u>29</u>
BEFORE TRANSFERS	<u>-26,423.61</u>	<u>-77,520.70</u>	<u>-108,458.57</u>	
AFTER TRANSFERS	<u>-26,423.61</u>	<u>-77,520.70</u>	<u>-108,458.57</u>	

431 POLICE

EXPENDITURE:

010-430-431-12100 SALARIES & WAGES	236,081.17	738,397.40	956,351.03	23
010-430-431-12500 SEPARATION ALLOWAN	16,102.31	46,006.60	62,800.00	27
010-430-431-18100 FICA	20,115.98	58,978.93	77,965.05	24
010-430-431-18200 RETIREMENT	25,160.12	73,623.13	92,766.05	21
010-430-431-18210 401-K MATCH	13,643.82	40,356.02	57,381.06	30
010-430-431-18300 HEALTH INSURANCE	33,051.69	99,680.50	147,686.17	33
010-430-431-18400 RETIREE HEALTH INSUR	4,892.94	14,678.82	23,698.00	38
010-430-431-19000 PROFESSIONAL SERVICE	11,157.20	40,221.07	87,000.00	54
010-430-431-25000 VEHICLE SUPPLIES	15,584.38	34,124.28	44,399.00	23
010-430-431-26000 SUPPLIES / MATERIALS	1,678.52	8,048.84	8,600.00	6
010-430-431-26200 CRIME PREVENTION	0.00	3,088.95	3,088.95	0
010-430-431-26400 ALCOHOL EDUCATION	38.97	980.97	5,909.93	83
010-430-431-26450 ABC LAW ENFORCEMENT	463.51	1,060.01	4,483.99	76
010-430-431-26608 COPS FOR KIDS	20,787.41	20,987.41	24,452.66	14
010-430-431-26609 PINK PATCH PROJECT	0.00	5,302.00	5,362.00	1
010-430-431-26900 UNIFORMS	3,893.38	8,818.00	9,700.00	9
010-430-431-31000 TRAVEL & TRAINING	2,957.28	9,141.13	9,200.00	1
010-430-431-32100 TELEPHONE / INTERNET	4,164.16	12,605.86	16,540.00	24
010-430-431-32500 POSTAGE	55.00	127.80	200.00	36
010-430-431-33100 UTILITIES	1,501.62	3,409.17	4,800.00	29
010-430-431-35100 BUILDING REPAIR / MAINT	442.13	1,812.10	5,500.00	67
010-430-431-35200 EQUIPMENT MAINTENANCE	1,497.00	3,592.53	3,600.00	0
010-430-431-35300 VEHICLE MAINTENANC	8,322.82	14,383.61	20,000.00	28
010-430-431-40450 INSURANCE	913.82	43,232.42	54,361.05	20
010-430-431-50100 SMALL EQUIPMENT	8,660.13	59,318.15	76,700.00	23
010-430-431-50500 CAPITAL EQUIPMENT	110,317.20	141,532.96	141,550.00	0
TOTAL EXPENDITURE	<u>541,482.56</u>	<u>1,483,508.66</u>	<u>1,944,094.94</u>	<u>24</u>

TOWN OF WEAVERVILLE
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2019-2020

01/01/2020 TO 03/31/2020

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
BEFORE TRANSFERS	-541,482.56	-1,483,508.66	-1,944,094.94	
AFTER TRANSFERS	-541,482.56	-1,483,508.66	-1,944,094.94	
434 FIRE				
EXPENDITURE:				
010-430-434-12100 SALARIES & WAGES	350,459.80	1,018,402.08	1,298,361.20	22
010-430-434-12110 OVERTIME	43,648.47	62,523.66	59,836.00	-4
010-430-434-12800 RELIEF PAY	27,520.50	52,491.00	106,000.00	50
010-430-434-18100 FICA	28,691.03	79,838.02	109,639.59	27
010-430-434-18200 RETIREMENT	34,245.03	95,969.54	123,324.31	22
010-430-434-18210 401-K MATCH	17,343.07	48,636.57	81,491.83	40
010-430-434-18300 HEALTH INSURANCE	49,105.63	148,424.14	205,282.38	28
010-430-434-18400 RETIREE HEALTH INSURANCE	2,474.32	6,297.61	7,566.00	17
010-430-434-19000 PROFESSIONAL SERVICES	2,481.90	7,004.36	11,320.00	38
010-430-434-25000 VEHICLE SUPPLIES	5,448.22	16,933.13	24,000.00	29
010-430-434-26000 SUPPLIES / MATERIALS	1,394.63	5,310.14	10,000.00	47
010-430-434-26100 MEDICAL VACCINATIONS	5,940.00	5,940.00	9,000.00	34
010-430-434-26150 PREVENTION SUPPLIES	1,298.70	2,913.71	6,000.00	51
010-430-434-26260 MEDICAL EQUIP & SUPPLIES	2,582.68	4,782.48	6,000.00	20
010-430-434-26600 CONTRIBUTORY EXPENSES	0.00	0.00	644.15	100
010-430-434-26900 UNIFORMS	770.21	4,728.75	11,000.00	57
010-430-434-31000 TRAVEL & TRAINING	1,883.43	5,724.82	11,000.00	48
010-430-434-32100 TELEPHONE / INTERNET	5,462.08	15,362.72	20,635.00	26
010-430-434-33100 UTILITIES	3,324.52	9,773.76	15,000.00	35
010-430-434-35100 BUILDING REPAIR / MAINTENANCE	3,408.06	7,680.68	15,000.00	49
010-430-434-35200 EQUIPMENT MAINTENANCE	4,151.88	8,057.49	20,000.00	60
010-430-434-35300 VEHICLE MAINTENANCE	3,948.63	14,187.63	30,000.00	53
010-430-434-39500 DUES & SUBSCRIPTIONS	1,927.00	7,757.60	8,500.00	9
010-430-434-40450 INSURANCE	500.00	64,355.89	94,300.00	32
010-430-434-50100 SMALL EQUIPMENT	64,200.20	70,253.46	92,137.89	24
010-430-434-50500 CAPITAL EQUIPMENT	36,849.14	36,849.14	44,000.00	16
TOTAL EXPENDITURE	699,059.13	1,800,198.38	2,420,038.35	26
BEFORE TRANSFERS	-699,059.13	-1,800,198.38	-2,420,038.35	
AFTER TRANSFERS	-699,059.13	-1,800,198.38	-2,420,038.35	
451 STREETS				
EXPENDITURE:				
010-450-451-12100 SALARIES & WAGES	40,795.43	119,574.60	159,897.00	25
010-450-451-18100 FICA	2,896.37	8,505.51	12,232.12	30
010-450-451-18200 RETIREMENT	3,704.21	10,857.36	14,518.65	25
010-450-451-18210 401-K MATCH	1,227.23	3,585.43	9,593.82	63
010-450-451-18300 HEALTH INSURANCE	5,236.77	18,009.27	27,690.56	35
010-450-451-19000 PROFESSIONAL SERVICES	1,007.57	1,700.39	5,900.00	71

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010-450-451-19500 CONTRACT LABOR	14,710.32	25,741.15	28,100.00	8
010-450-451-19900 CONTRACT WORK	1,857.40	3,121.80	30,500.00	90
010-450-451-25000 VEHICLE SUPPLIES	1,363.36	3,371.93	7,000.00	52
010-450-451-26000 SUPPLIES / MATERIALS	4,097.12	14,668.64	27,000.00	46
010-450-451-26500 SAFETY MATERIALS	322.13	758.67	2,300.00	67
010-450-451-26900 UNIFORMS	365.50	575.50	1,900.00	70
010-450-451-31000 TRAVEL & TRAINING	499.00	499.00	2,500.00	80
010-450-451-32100 TELEPHONE / INTERNET	-198.87	1,568.79	3,000.00	48
010-450-451-33100 UTILITIES	16,858.11	37,550.12	58,000.00	35
010-450-451-35100 BUILDING REPAIR / MAI	1,000.00	1,597.90	2,200.00	27
010-450-451-35200 EQUIPMENT MAINTENA	2,232.27	3,351.27	7,000.00	52
010-450-451-35300 VEHICLE MAINTENANC	394.75	748.20	4,500.00	83
010-450-451-40450 INSURANCE	0.00	8,761.23	10,890.00	20
010-450-451-50100 SMALL EQUIPMENT	0.00	0.00	2,400.00	100
010-450-451-50300 CAPITAL IMPROVEMEN	21,861.91	323,175.72	427,575.00	24
010-450-451-50500 CAPITAL EQUIPMENT	42,212.94	42,212.94	45,000.00	6
TOTAL EXPENDITURE	<u>162,443.52</u>	<u>629,935.42</u>	<u>889,697.15</u>	<u>29</u>
BEFORE TRANSFERS	<u>-162,443.52</u>	<u>-629,935.42</u>	<u>-889,697.15</u>	
AFTER TRANSFERS	<u><u>-162,443.52</u></u>	<u><u>-629,935.42</u></u>	<u><u>-889,697.15</u></u>	

459 POWELL BILL

EXPENDITURE:

010-450-459-12100 SALARIES & WAGES	2,498.07	7,256.20	9,247.88	22
010-450-459-18100 FICA	183.66	533.81	707.46	25
010-450-459-18200 RETIREMENT	226.83	658.88	839.71	22
010-450-459-18210 401-K MATCH	80.46	230.83	554.87	58
010-450-459-18300 HEALTH INSURANCE	210.45	686.33	1,106.40	38
010-450-459-50300 CAPITAL IMPROVEMEN	70,866.48	94,000.00	94,000.00	0
TOTAL EXPENDITURE	<u>74,065.95</u>	<u>103,366.05</u>	<u>106,456.32</u>	<u>3</u>
BEFORE TRANSFERS	<u>-74,065.95</u>	<u>-103,366.05</u>	<u>-106,456.32</u>	
AFTER TRANSFERS	<u><u>-74,065.95</u></u>	<u><u>-103,366.05</u></u>	<u><u>-106,456.32</u></u>	

471 SANITATION

EXPENDITURE:

010-470-471-12100 SALARIES & WAGES	59,974.38	172,876.07	282,813.77	39
010-470-471-18100 FICA	4,422.21	12,737.69	21,635.25	41
010-470-471-18200 RETIREMENT	5,445.73	15,697.20	25,679.49	39
010-470-471-18210 401-K MATCH	2,657.26	7,925.29	16,968.83	53
010-470-471-18300 HEALTH INSURANCE	9,618.70	28,869.77	52,038.76	45
010-470-471-18400 RETIREE HEALTH INSUR	815.49	3,561.49	4,283.00	17
010-470-471-19000 PROFESSIONAL SERVICE	236.36	2,319.41	2,000.00	-16
010-470-471-19500 CONTRACT LABOR	0.00	32,687.92	34,000.00	4
010-470-471-25000 VEHICLE SUPPLIES	3,549.44	12,756.10	22,000.00	42

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010-470-471-26000 SUPPLIES / MATERIALS	-155.11	3,995.34	8,500.00	53
010-470-471-26500 SAFETY MATERIALS	894.39	2,395.08	4,500.00	47
010-470-471-26900 UNIFORMS	541.78	1,088.25	5,100.00	79
010-470-471-32100 TELEPHONE / INTERNET	703.38	919.42	1,500.00	39
010-470-471-33100 UTILITIES	561.12	1,861.97	4,000.00	53
010-470-471-35100 BUILDING REPAIR / MAI	1,795.00	1,883.90	2,300.00	18
010-470-471-35200 EQUIPMENT MAINTENA	590.20	7,534.78	10,500.00	28
010-470-471-35300 VEHICLE MAINTENANC	9,104.42	19,685.87	16,500.00	-19
010-470-471-40100 TIPPING FEES	14,369.84	43,990.00	75,000.00	41
010-470-471-40450 INSURANCE	1,697.76	30,695.77	35,000.00	12
010-470-471-50100 SMALL EQUIPMENT	1,914.46	2,328.28	5,000.00	53
TOTAL EXPENDITURE	118,736.81	405,809.60	629,319.10	36
BEFORE TRANSFERS	-118,736.81	-405,809.60	-629,319.10	
AFTER TRANSFERS	-118,736.81	-405,809.60	-629,319.10	

612 RECREATION

EXPENDITURE:

010-600-612-12100 SALARIES & WAGES	31,477.32	94,810.72	123,677.35	23
010-600-612-18100 FICA	2,328.84	7,023.07	9,461.32	26
010-600-612-18200 RETIREMENT	2,858.16	8,608.82	11,229.90	23
010-600-612-18210 401-K MATCH	1,544.35	4,672.28	7,420.64	37
010-600-612-18300 HEALTH INSURANCE	4,340.53	13,332.26	19,639.56	32
010-600-612-19000 PROFESSIONAL SERVICI	1,616.36	5,042.82	1,500.00	-236
010-600-612-19500 CONTRACT LABOR	0.00	0.00	32,000.00	100
010-600-612-19900 CONTRACT WORK	865.00	4,108.50	9,600.00	57
010-600-612-25000 VEHICLE SUPPLIES	355.31	1,883.50	3,000.00	37
010-600-612-26000 SUPPLIES / MATERIALS	13,144.38	22,170.71	22,000.00	-1
010-600-612-26500 SAFETY MATERIALS	102.15	488.95	1,800.00	73
010-600-612-26900 UNIFORMS	0.00	200.00	1,900.00	89
010-600-612-32100 TELEPHONE / INTERNET	622.38	730.42	1,200.00	39
010-600-612-33100 UTILITIES	2,042.31	7,203.35	12,500.00	42
010-600-612-35100 BUILDING REPAIR / MAI	533.54	664.54	1,200.00	45
010-600-612-35200 EQUIPMENT MAINTENA	0.00	1,993.17	4,000.00	50
010-600-612-35300 VEHICLE MAINTENANC	0.00	215.98	1,300.00	83
010-600-612-40450 INSURANCE	0.00	4,551.24	7,200.00	37
010-600-612-50100 SMALL EQUIPMENT	0.00	0.00	1,800.00	100
010-600-612-50300 CAPITAL IMPROVEMEN	-100,714.56	0.00	140,000.00	100
010-600-612-50500 CAPITAL EQUIPMENT	0.00	36,121.00	45,000.00	20
TOTAL EXPENDITURE	-38,883.93	213,821.33	457,428.77	53
BEFORE TRANSFERS	38,883.93	-213,821.33	-457,428.77	
AFTER TRANSFERS	38,883.93	-213,821.33	-457,428.77	

711 WATER ADMINISTRATION

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EXPENDITURE:				
030-700-711-12100 SALARIES & WAGES	30,946.62	88,606.20	117,291.84	24
030-700-711-18100 FICA	2,342.12	6,705.83	8,972.83	25
030-700-711-18200 RETIREMENT	2,809.90	8,045.29	10,650.10	24
030-700-711-18210 401-K MATCH	1,828.03	5,266.94	7,037.51	25
030-700-711-18300 HEALTH INSURANCE	3,499.38	11,048.94	21,843.05	49
030-700-711-19000 PROFESSIONAL SERVIC]	8,273.72	17,603.93	25,000.00	30
030-700-711-25000 VEHICLE SUPPLIES	124.09	410.88	2,000.00	79
030-700-711-26000 SUPPLIES / MATERIALS	1,656.80	3,631.49	3,500.00	-4
030-700-711-26500 SAFETY MATERIALS	0.00	114.80	550.00	79
030-700-711-26900 UNIFORMS	218.04	218.04	400.00	45
030-700-711-31000 TRAVEL & TRAINING	311.92	741.82	2,000.00	63
030-700-711-32100 TELEPHONE / INTERNET	904.71	2,714.14	3,800.00	29
030-700-711-32500 POSTAGE	2,878.55	7,642.55	12,000.00	36
030-700-711-35300 VEHICLE MAINTENANC	0.00	0.00	1,500.00	100
030-700-711-40450 INSURANCE	0.00	8,221.02	12,500.00	34
030-700-711-50100 SMALL EQUIPMENT	549.00	549.00	1,800.00	70
TOTAL EXPENDITURE	<u>56,342.88</u>	<u>161,520.87</u>	<u>230,845.33</u>	<u>30</u>
BEFORE TRANSFERS	<u>-56,342.88</u>	<u>-161,520.87</u>	<u>-230,845.33</u>	
AFTER TRANSFERS	<u>-56,342.88</u>	<u>-161,520.87</u>	<u>-230,845.33</u>	

712 PRODUCTION

EXPENDITURE:				
030-700-712-12100 SALARIES & WAGES	75,491.84	217,654.99	307,721.50	29
030-700-712-18100 FICA	5,543.50	15,987.77	23,540.70	32
030-700-712-18200 RETIREMENT	6,854.73	19,763.21	27,941.11	29
030-700-712-18210 401-K MATCH	3,135.09	8,012.58	18,463.29	57
030-700-712-18300 HEALTH INSURANCE	12,095.00	32,802.31	42,340.26	23
030-700-712-18400 RETIREE HEALTH INSUR	2,446.47	8,454.42	11,850.00	29
030-700-712-19000 PROFESSIONAL SERVIC]	10,382.60	12,494.47	18,000.00	31
030-700-712-19600 WATER TESTING / MAIN	3,964.00	9,468.65	16,000.00	41
030-700-712-19900 CONTRACT WORK	3,071.04	5,338.04	10,000.00	47
030-700-712-20000 CHEMICALS	17,650.51	31,391.72	60,000.00	48
030-700-712-25000 VEHICLE SUPPLIES	423.01	1,338.88	4,500.00	70
030-700-712-26000 SUPPLIES / MATERIALS	1,807.89	3,689.76	10,000.00	63
030-700-712-26500 SAFETY MATERIALS	127.47	461.98	2,000.00	77
030-700-712-26900 UNIFORMS	0.00	733.46	2,300.00	68
030-700-712-27001 LAB SUPPLIES	3,605.78	11,783.15	17,500.00	33
030-700-712-31000 TRAVEL & TRAINING	1,360.00	1,723.90	4,500.00	62
030-700-712-32100 TELEPHONE / INTERNET	1,037.28	3,219.59	5,500.00	41
030-700-712-33100 UTILITIES	22,685.95	57,477.54	103,000.00	44
030-700-712-34000 SLUDGE REMOVAL	34,000.00	48,510.70	65,200.00	26
030-700-712-35100 BUILDING REPAIR / MAI	274.10	2,007.76	19,800.00	90
030-700-712-35200 EQUIPMENT MAINTENA	3,841.97	6,150.95	13,000.00	53
030-700-712-35300 VEHICLE MAINTENANC	80.95	80.95	3,000.00	97

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030-700-712-40450 INSURANCE	0.00	8,607.30	12,650.00	32
030-700-712-40900 WATER PURCHASES	0.00	0.00	6,000.00	100
030-700-712-50100 SMALL EQUIPMENT	57.48	1,477.28	3,800.00	61
030-700-712-50500 CAPITAL EQUIPMENT	19,814.61	56,331.67	80,000.00	30
TOTAL EXPENDITURE	<u>229,751.27</u>	<u>564,963.03</u>	<u>888,606.86</u>	<u>36</u>
BEFORE TRANSFERS	<u>-229,751.27</u>	<u>-564,963.03</u>	<u>-888,606.86</u>	
AFTER TRANSFERS	<u>-229,751.27</u>	<u>-564,963.03</u>	<u>-888,606.86</u>	

713 MAINTENANCE

EXPENDITURE:

030-700-713-12100 SALARIES & WAGES	76,075.34	227,700.37	318,838.92	29
030-700-713-18100 FICA	5,388.87	16,181.93	24,391.81	34
030-700-713-18200 RETIREMENT	6,907.68	20,675.32	28,950.57	29
030-700-713-18210 401-K MATCH	1,930.47	5,250.77	19,130.34	73
030-700-713-18300 HEALTH INSURANCE	10,616.05	36,691.46	52,689.83	30
030-700-713-19000 PROFESSIONAL SERVICE	2,970.21	6,966.30	9,000.00	23
030-700-713-19500 CONTRACT LABOR	0.00	2,000.00	3,000.00	33
030-700-713-19900 CONTRACT WORK	0.00	2,551.26	3,500.00	27
030-700-713-25000 VEHICLE SUPPLIES	2,319.43	6,212.20	9,900.00	37
030-700-713-26000 SUPPLIES / MATERIALS	13,561.22	35,185.72	44,000.00	20
030-700-713-26500 SAFETY MATERIALS	786.94	1,704.32	3,500.00	51
030-700-713-26900 UNIFORMS	493.80	693.80	4,000.00	83
030-700-713-31000 TRAVEL & TRAINING	376.22	1,635.26	3,800.00	57
030-700-713-32100 TELEPHONE / INTERNET	1,359.94	4,267.38	6,000.00	29
030-700-713-33100 UTILITIES	7,868.45	17,034.00	31,000.00	45
030-700-713-35100 BUILDING REPAIR / MAINTENANCE	1,190.00	3,925.47	4,800.00	18
030-700-713-35200 EQUIPMENT MAINTENANCE	1,466.67	5,402.10	8,800.00	39
030-700-713-35300 VEHICLE MAINTENANCE	382.64	6,473.91	6,900.00	6
030-700-713-39410 EQUIPMENTAL RENTAL	0.00	0.00	1,200.00	100
030-700-713-40450 INSURANCE	145.93	9,257.72	12,100.00	23
030-700-713-50100 SMALL EQUIPMENT	469.11	3,015.11	5,000.00	40
030-700-713-50300 CAPITAL IMPROVEMENT	2,000.00	119,212.94	204,525.00	42
030-700-713-50500 CAPITAL EQUIPMENT	14,985.00	80,665.00	133,000.00	39
TOTAL EXPENDITURE	<u>151,293.97</u>	<u>612,702.34</u>	<u>938,026.47</u>	<u>35</u>
BEFORE TRANSFERS	<u>-151,293.97</u>	<u>-612,702.34</u>	<u>-938,026.47</u>	
AFTER TRANSFERS	<u>-151,293.97</u>	<u>-612,702.34</u>	<u>-938,026.47</u>	

910 DEBT SERVICE

EXPENDITURE:

010-910-910-91061 LOAN PAYMENT-FIRE TAX	0.00	53,540.72	53,541.00	0
010-910-910-91063 LOAN PAYMENT - FIRE TAX	0.00	123,215.79	246,267.58	50
030-910-910-60030 RESERVE FOR BOND PAYMENT	0.00	20,486.70	203,974.00	90

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TOTAL EXPENDITURE	0.00	197,243.21	503,782.58	61
BEFORE TRANSFERS	0.00	-197,243.21	-503,782.58	
AFTER TRANSFERS	0.00	-197,243.21	-503,782.58	
999 OTHER FUNDING USES				
EXPENDITURE:				
010-005-999-90000 CONTINGENCY	0.00	0.00	20,000.00	100
030-005-999-90000 CONTINGENCY	0.00	0.00	15,000.00	100
TOTAL EXPENDITURE	0.00	0.00	35,000.00	100
BEFORE TRANSFERS	0.00	0.00	-35,000.00	
AFTER TRANSFERS	0.00	0.00	-35,000.00	

TOWN OF WEAVERVILLE
 CAPITAL PROJECT FUND
 WATERLINE EXTENSION PROJECT ESTABLISHED 2/25/19

	BUDGETED	PAID IN FY 2019	4/30/2020 YEAR-TO-DATE	CUMULATIVE TOTAL	REMAINING BALANCE	% BUDGET REMAINING	
EXPENDITURE:							
060-300-000-19005	CONSTRUCTION ADMIN	5,000.00	-	2,486.17	2,486.17	2,513.83	50%
060-300-000-19007	LEGAL SERVICES	15,000.00	10,000.00	-	10,000.00	5,000.00	33%
060-300-000-19008	ENGINEERING FEES	405,000.00	118,000.00	128,000.00	246,000.00	159,000.00	39%
060-300-000-19009	INTEREST ON INTERIM	90,000.00	0.00	0.00	-	90,000.00	100%
060-300-000-19900	CONSTRUCTION COST	1,954,143.00	0.00	0.00	-	1,954,143.00	100%
060-300-000-90000	CONTINGENCY	501,457.00	0.00	0.00	-	501,457.00	100%
TOTAL EXPENDITURE		2,970,600.00	128,000.00	130,486.17	258,486.17	2,712,113.83	91%
FINANCING SOURCE:							
060-000-300-60030	TRANSFER FROM WATER FUND	170,600.00	170,600.00	0.00	170,600.00	0.00	0%
060-000-300-60035	PROCEEDS FROM DEBT	2,800,000.00	0.00	0.00	0.00	2,800,000.00	100%
TOTAL FINANCING SOURCE		2,970,600.00	170,600.00	-	170,600.00	2,800,000.00	94%

TOWN OF WEAVERVILLE
 CAPITAL PROJECT FUND
 COMMUNITY CENTER PROJECT ESTABLISHED 1/27/2020

	BUDGETED	PAID IN FY 2019	4/30/2020 YEAR-TO-DATE	CUMULATIVE TOTAL	REMAINING BALANCE	% BUDGET REMAINING
EXPENDITURE:						
070-300-000-19900 CONSTRUCTION COST	2,779,000.00	-	69,350.00	69,350.00	2,709,650.00	98%
070-300-000-19002 ARCHITECTURAL FEES	238,555.00	66,954.17	151,870.14	218,824.31	19,730.69	8%
070-300-000-19008 ENGINEERING FEES	61,811.00	-	-	-	61,811.00	100%
070-300-000-19006 SURVEYS/GEOTECHNICAL ENGINEERING	31,150.00	-	-	-	31,150.00	100%
070-300-000-19003 FIXTURES & EQUIPMENT	92,074.00	-	1,680.00	1,680.00	90,394.00	98%
070-300-000-19005 CONSTRUCTION ADMIN	2,500.00	-	1,500.00	1,500.00	1,000.00	40%
070-300-000-90000 CONTINGENCY	138,950.00	-	-	-	138,950.00	100%
TOTAL EXPENDITURE	3,344,040.00	66,954.17	224,400.14	291,354.31	3,052,685.69	91%
FINANCING SOURCE:						
070-000-300-60010 TRANSFER FROM GENERAL FUND	3,344,040.00	66,954.17	224,400.14	291,354.31	3,052,685.69	91%
TOTAL FINANCING SOURCE	3,344,040.00	66,954.17	224,400.14	291,354.31	3,052,685.69	91%

Town of Weaverville
Town Council Agenda Item

Date of Meeting: Monday, May 18, 2020
Subject: Police Department Report for the 1st Quarter of 2020
Presenter: Chief of Police Ron Davis
Attachments: Police Department Reports – Q1 2020
Description:
Attached you will find a report for police activities, response times, crime reports and graphs.

Action Requested: None

WEAVERVILLE POLICE DEPARTMENT

QUARTERLY REPORT FEBRUARY-APRIL 2020

Activity in general is down: Officer initiated activities are down since the emergency orders and social distancing went into effect. Thus areas such as drug offenses, traffic violations, citations issued and arrests are all down.

Activity is up in other areas: After emergency orders went into effect, requests for extra business security checks increased 21% since stores have closed or modified hours. Alarm responses have also increased. Also health and welfare checks on citizens are up 24% etc.

Crime is down in most all categories in general: There were no reported violent crimes such as robberies, rape, assaults, arson etc., during this quarter. And the number of Breaking & Entering's, auto thefts etc., are also down.

Crime is up in a few categories: With an increased amount of foot traffic in stores, shoplifting, larceny of goods and trespassing are all trending upward.

WEAVERVILLE POLICE DEPARTMENT

QUARTERLY REPORT FEBRUARY-APRIL 2020

Activity: There were 2,302 calls for service/activities (minus business & residential checks) vs. 2,807 last year, reflecting a 18% decrease.

Arrests: There were 46 arrests last quarter vs. 53 arrests last year, reflecting a 13% decrease.

Accidents: There were 36 vehicle collisions with 1 injury vs. 52 collisions with 8 injuries last year reflecting a 31% decrease.

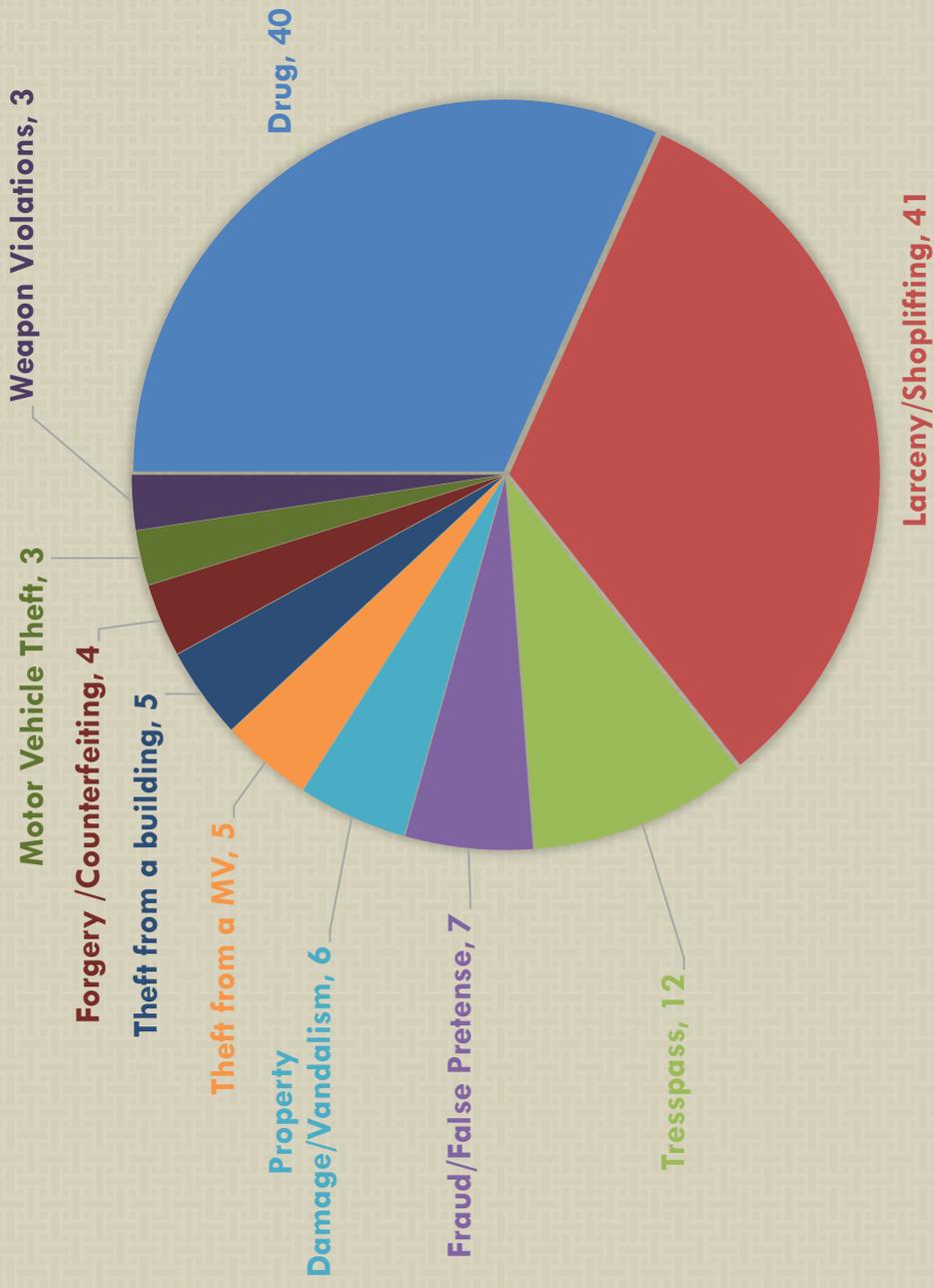
Total Reported Incident Summary:

- 213 Type “A” & “B” offenses this period.
- 241 Type “A” & “B” offense this period last year, reflecting an almost 12% decrease.

MONTHLY TRENDS EXAMPLES



TOP 10 REPORTED INCIDENTS



RESPONSE TIMES FEB-APR 2020 VS. 2019

High priority- average **3.22 vs. 3.84**

Average priority-average **4.38 vs. 5.55**

Low priority- average **2.71 vs. 2.98**

Note: *All response times are down for the first time in almost 18 months.*

High Priority Calls- Response to the is **urgent** (i.e. in progress, weapon calls etc.)

Average Priority Calls- Response to the scene is necessary but **not urgent**.

Low priority Calls- Action on this type of call is sometimes handled on the phone (i.e. someone just needs to speak to an officer) thus there is a shorter response time.

TOWN OF WEAVERVILLE
TOWN COUNCIL AGENDA ITEM

Date of Meeting: May 18, 2020
Subject: Quarterly Report-Fire Department
Presenter: Fire Chief
Attachments: Quarterly Report

Description:

Attached please find the quarterly report for the department

Council Action Requested:

No action needed.

Weaverville Fire Department Quarterly Report February 1, 2020 through April 30, 2020

Total Calls For The Quarter -		434
Call Breakdown by Category –		
Fire		19
Overpressure, Rupture, Explosion, Overheat		0
Emergency Medical		211
Hazardous Condition		13
Service Calls		73
Good Intent Calls		80
False Alarms		29
Severe Weather		9
Average response Time for all Calls- 6:28		
<p>Responded to 74.58% of all calls within the 8 minute industry standard. <i>The calls that make up the remaining percentage were mutual aid to neighboring departments or calls where we would be requested to stage away until law enforcement determined the scene was safe to enter. This number will also be impacted by calls for routine assistance which are calls identified within the Service Calls and Good Intent Calls categories.</i></p>		
Number of Overlapping Calls -		Percent of Overlapping Calls - 20.51%
Number of Calls Within Town Limits -		Number of Calls In NB District -
Automatic Aid Given – 25		Automatic Aid Received –
Total Fire Loss - \$44,500		Pre-incident Value - \$644,800
Percentage of Fire Loss – 6.9%		



WEAVERVILLE FIRE DEPARTMENT

**3 MONTICELLO RD.
WEAVERVILLE, NC 28787**

Celebrating 100 years of service to our community

Fire Marshals Office Stats. February 2020, March 2020 and April 2020.

SafeKids. Child Car Seat Installation.

February = 5 installations.

March = 1 installations.

April = 0 installations.

Fire Prevention and Education Classes.

February 3rd. - Fire Drill. Town Hall (15 employees)

February 4th. - Safety Committee Meeting. Town Hall.

February 5th. - Car Passenger Safety Committee Meeting. Reynolds Fire Department.

February 7th. - Fire Investigation Support Team Meeting.

March 24th. - Inspection of Radio system installation in Weaverville Primary School.

March 26th. - Inspection of Radio system installation in Weaverville Middle School.

April 14th. - Inspection of Radio system installation in North Windy Ridge Elementary School.

April 20th. - Inspection of Radio system installation in Weaverville Elementary School.

March and April - Project to scan all previous inspection reports into new software.

Commercial Business Inspections.

February = 18 inspections.

March = 8 inspections.

April = 5 inspections.

Kile R. Davis

Fire Marshal

Weaverville Fire Department