

## MINUTES

**Town of Weaverville  
State of North Carolina**

**Town Council Regular Workshop Meeting  
Tuesday November 14, 2023**

The Town Council for the Town of Weaverville held the regularly scheduled workshop meeting on Tuesday, November 14, 2023 at 6:00 p.m. in Council Chambers within Town Hall at 30 South Main Street, Weaverville, NC with remote access via zoom.

Councilmembers present: Vice Mayor Jeff McKenna and Councilmembers Doug Jackson, John Chase, Catherine Cordell, and Michele Wood.

Absent: Mayor Patrick Fitzsimmons and Councilmember Andrew Nagle

Staff members present: Town Manager Selena Coffey, Town Attorney Jennifer Jackson, Planning Director James Eller, and Town Clerk Tamara Mercer.

### **1. Call to Order**

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

### **2. Public Hearing: Annexation - Reems Creek Village Recombination Areas**

Vice Mayor McKenna declared the Public Hearing open concerning the annexation of the Reems Creek Village Recombination Areas and recognized Attorney Jackson who provided a review of the case and site layout of the parcels. Attorney Jackson explained that the areas to be annexed are the additional land that has been added to the Reems Creek Village lots that are already located within the Town's municipal jurisdiction and that the annexation would fix the split jurisdiction that occurred due to the recombination.

Attorney Jackson indicated that the Planning Board has heard the case and Planning Director Eller will review the Planning Board findings and zoning recommendations during the zoning Public Hearing. The Town Clerk has certified the sufficiency of the petition and pursuant to general statutes the advertisement and notifications to the public have been published and the matter is eligible for public hearings.

Vice Mayor McKenna noted that no one had signed up for the Reems Creek Village recombination and asked if anyone else in attendance or attending remotely via Zoom wished to provide comment regarding the annexation request. Town Clerk Mercer indicated that no written comments were received on-line via email.

Vice Mayor McKenna closed the public hearing; however, due to technical problems with the audio on the electronic Zoom meeting, by action taken later in the meeting, Town Council continued the public hearing on the annexation of the Reems Creek Village Recombination Areas to Monday, November 20, 2023 at 6:00 p.m. to the Town Council's regularly scheduled meeting.

### **3. Public Hearing: Initial R-2 Zoning request - Reems Creek Village Recombination Areas**

Vice Mayor McKenna declared the Public Hearing open for the R-2 zoning request of the Reems Creek Village subdivision.

Planning Director Eller reviewed the zoning request and stated that the request has been advertised in accordance with North Carolina general statute. The Planning Board recommendation for R-2 zoning is consistent with the Comprehensive Land Use Plan and is consistent for Growth Area 5 as referenced in the supporting letter from the Planning Board Chairman.

Vice Mayor McKenna noted that no one had signed up for the Reems Creek Village recombination zoning matter and asked if anyone else in attendance or attending remotely via Zoom wished to provide comment regarding the zoning request. No written comments were received on-line via email, stated Town Clerk Mercer.

Vice Mayor McKenna closed the public hearing; however, due to technical problems with the audio on the electronic Zoom meeting, by action taken later in the meeting, Town Council continued the public hearing on the initial zoning of the Reems Creek Village Recombination Areas to Monday, November 20, 2023 at 6:00 p.m. to the Town Council's regularly scheduled meeting.

### **4. Public Hearing: Annexation – 300 Hamburg Mountain Road**

Vice Mayor McKenna declared the Public Hearing open concerning the annexation petition for 300 Hamburg Mountain Road.

Attorney Jackson reviewed the annexation petition for +/- 9.488 acres located between Reems Creek Road and Hamburg Mountain Road. The purpose of the annexation request is to obtain town services including water to serve a 35-lot subdivision that is contemplated for the property. The Town Clerk has certified the sufficiency of the annexation petition and advertising meets North Carolina law for eligibility for the public hearing.

Richard Brachman of Weaverville said he was concerned that the subject site has no frontage on Hamburg Mountain Road and that traffic access from Reems Creek Road will be dangerous. He inquired about whether a traffic impact study was conducted and asked about roadway lighting and increased impacts to the schools. He questioned if the curvy road could support additional traffic and requested lighting be installed to prevent traffic accidents.

Curt Anderson of Weaverville commented that the shape of the land is unique. There will be more densely populated homes in the area as the subject property is narrow. Since the site is narrow, he was concerned that the development will create stormwater runoff issues to his property. He was concerned about increased traffic impacting his property. He noted that the surrounding area is farmland, and he did not think the request is consistent with farmland.

Kathryn Richie of Weaverville was concerned with over-development and noted that there are two new developments close to her property since she moved to the area.

Vice Mayor McKenna asked if anyone else in attendance or attending remotely via Zoom wished to provide comment regarding the annexation request. No written comments were received on-line via email, stated Town Clerk Mercer.

Vice Mayor McKenna closed the public hearing; however, due to technical problems with the audio on the electronic Zoom meeting, by action taken later in the meeting, Town Council continued the public hearing on this proposed annexation to Monday, November 20, 2023 at 6:00 p.m. to the Town Council's regularly scheduled meeting.

#### **5. Public Hearing: Initial R-3 Zoning – 300 Hamburg Mountain Road**

Vice Mayor McKenna declared the Public Hearing open for R-3 zoning request for 300 Hamburg Mountain Road property.

Planning Director Eller reviewed the R-3 zoning request that accompanied the annexation petition and the supporting documents included the Planning Board positive recommendation and findings that R-3 zoning is consistent with the Comprehensive Land Use Plan, is reasonable, and is consistent with the Town's adopted resolution related to growth areas for Growth Area 5.

Vice Mayor McKenna noted that those that had signed up for the 300 Hamburg Road Annexation had signed up for 'zoning' portion and when asked if they wished to provide additional comments during the zoning hearing. Brachman, Anderson and Richie declined to offer additional comments. Vice Mayor McKenna asked if anyone else in attendance or attending remotely via Zoom wished to provide comment regarding the zoning request. No written comments were received on-line via email, stated Town Clerk Mercer.

Vice Mayor McKenna closed the public hearing on the zoning; however, due to technical problems with the audio on the electronic Zoom meeting, by action taken later in the meeting, Town Council continued the public hearing on the initial R-3 zoning for this property to Monday, November 20, 2023 at 6:00 p.m. to the Town Council's regularly scheduled meeting.

#### **6. Public Hearing: Annexation – Northridge Farms**

Vice Mayor McKenna declared the Public Hearing open for the annexation request for the properties comprising the Northridge Farms project.

Attorney Jackson reviewed the case and supporting documents for the voluntary annexation request for the Northridge Farms project. She specifically noted that the petitioner is entitled to vested rights under the Buncombe County issued Special Use permit for 568 residential dwelling units shown on a master site plan, and that the certificate of sufficiency for the petition provided by the Town Clerk. The public hearing had been advertised in accordance with general statute law.

William Cheek of 42 Gill Branch Road said his home borders the proposed development and he is concerned with traffic from the development along Gill Branch Road and wants that limited to emergency services only. Cheek was opposed to the residents having access on Gil Branch Road.

Planning Director Eller said he had received comments from Tahani Sticpewich via email, and she has concerns with vehicle traffic from the Northridge Commons shopping center and the new development. Sticpewich also had questions regarding the Buncombe County special use permit, wherein the developer has claimed vested rights.

Vice Mayor McKenna asked if anyone else in attendance or attending remotely via Zoom wished to provide comment regarding the request. No written comments were received on-line via email, stated Town Clerk Mercer.

Due to technical problems with the audio on the electronic Zoom meeting, by action taken later in the meeting, Town Council continued the public hearing on the annexation for the Northridge Farms Project to Monday, November 20, 2023 at 6:00 p.m. to the Town Council's regularly scheduled meeting.

## **7. Public Hearing: Zoning – Northridge Farms**

Vice Mayor McKenna declared the Public Hearing open for zoning request for R-3 zoning for Northridge Farms.

Attorney Jackson reviewed and explained the vested rights at Northridge Farms and the two options for zoning being the creation of a conditional district which incorporates the SUP conditions or straight R-3 zoning.

There was discussion regarding the utility and sanitation services, R-3 density, and the proximity to Reems Creek, and a proposed connection between Northridge Commons and Northridge Farms to the Reems Creek greenway that is contemplated.

Vice Mayor McKenna asked if anyone else in attendance or attending remotely via Zoom wished to provide comment regarding the zoning public hearing. No written comments were received on-line via email, stated Town Clerk Mercer.

Due to technical problems with the audio on the Zoom meeting, by action taken later in the meeting, Town Council continued the public hearing on the proposed initial zoning for the Northridge Farms Project to Monday, November 20, 2023 at 6:00 p.m. to the Town Council's regularly scheduled meeting.

## **8. Public Hearing: Comprehensive Land Use Plan Update**

Vice Mayor McKenna declared the Public Hearing open for the proposed updates to the Comprehensive Land Use Plan and recognized Planning Director Eller who presented the topic.

Eller stated the Land Use Plan was adopted in 2019 and is reviewed annually with an emphasis on an updated Table of Stated Goals and Priorities. The Planning Board reviewed the proposed updates and recommended that they be adopted. The public hearing has been properly noticed and advertised per North Carolina General Statutes stated Eller.

Vice Mayor McKenna noted that no one signed up for Comprehensive Land Use Plan Update public hearing. Vice Mayor McKenna asked if anyone else in attendance or attending remotely via Zoom wished to provide comment regarding the zoning request. No written comments were received on-line via email, stated Town Clerk Mercer.

## 9. Continuation of All Public Hearings

Technical problems were experienced throughout the meeting by those attending the meeting remotely via Zoom. It was reported that people joining remotely were not able to hear the meeting or be heard and, therefore, were not able to provide comments for any of the public hearings held.

*Vice Mayor McKenna moved to continue all seven (7) Public Hearings, noted below, to Monday, November 20<sup>th</sup> to 6:00 p.m. at the Town Council regular meeting so that additional comments could be received by Town Council:*

- *Public Hearing: Annexation - Reems Creek Village Recombination Areas*
- *Public Hearing: Initial R-2 Zoning - Reems Creek Village Recomb. Areas*
- *Public Hearing: Annexation - 300 Hamburg Mtn Road*
- *Public Hearing: Initial R-3 Zoning - 300 Hamburg Mtn Road*
- *Public Hearing: Annexation - Northridge Farms*
- *Public Hearing: Initial Zoning - Northridge Farms*
- *Public Hearing: Comprehensive Land Use Plan Update*

*Motion carried unanimously. 5-0.*

## 9. Adjournment

*There being no further business and without objection Vice Mayor McKenna adjourned the meeting at 6:52 p.m.*



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Tamara Mercer, Town Clerk