



Town Council Regular Workshop - Minutes

Tuesday, January 21, 2025, at 6:00 PM

Town Council Chambers, Town Hall, 30 S. Main St. Weaverville, N.C.

The Town Council regularly scheduled workshop and public hearings on Tuesday, January 21, 2025, at 6:00 p.m. in the Town Council Chambers at Town Hall, 30 S. Main Street, Weaverville, N.C.

1. CALL TO ORDER - Mayor Fitzsimmons called the meeting to order at 6:00 p.m.

Councilmembers present: Mayor Patrick Fitzsimmons, Vice-Mayor John Chase, Councilmembers Doug Jackson, Catherine Cordell, Michele Wood, Peter McGuire, and Dee Lawrence.

Staff members present: Attorney Michael Frue, Interim Town Manager Scottie Harris, Planning Director James Eller, Planner Graham Crawford, Public Works Director Dale Pennell, Police Chief Somer Oberlin, Town Clerk Tamara Mercer, and A/V Coordinator Lauren Ward.

2. PUBLIC HEARING - ADVENTHEALTH VOLUNTARY ANNEXATION

Mayor Fitzsimmons opened the public hearing for the AdventHealth voluntary annexation request for two properties located at 24 and 24A Ollie Weaver Road, encompassing a total of +/- 7.41 acres bearing Buncombe County parcel identification numbers 9733-72-6639 and 9733-82-0659. It was noted that the hearing had been duly advertised in accordance with North Carolina law and Town Code of Ordinances.

Jan Blakely stated she was an Ollie Weaver Road resident adjacent to the proposed facility and said she had traffic concerns. Ms. Blakely requests signage at the intersection to not block the intersection for Ollie Weaver Road and the CVS drug store and noted that the developers said there would be a traffic study scheduled.

Stan Cross stated he was an Ollie Weaver Road resident, and he addressed the AdventHealth annexation and zoning request. Mr. Cross is concerned with increased traffic in the surrounding area and requested multiple points of entrance into the hospital from Highway 25/70 and not off Ollie Weaver Road. He encouraged usage of Highway 25/70 for all phases of construction for traffic flow, and after completion with an exception for emergency services off Ollie Weaver.

Attorney Frue stated that the Town received an online submission from Beatriz Lothrop, and her comments were that she was in favor of the AdventHealth Hospital facility annexation request.

After all present were given an opportunity to speak, Mayor Fitzsimmons closed the public hearing.

3. PUBLIC HEARING - ADVENTHEALTH CONDITIONAL DISTRICT ZONING

Mayor Fitzsimmons opened the public hearing for the zoning map amendment to designate the AdventHealth properties as a conditional district based on a site-specific plan that was presented and

incorporated into the district. It was noted that the hearing had been duly advertised in accordance with North Carolina law and Town Code of Ordinances.

After all present were given an opportunity to speak, Mayor Fitzsimmons closed the public hearing.

4. PUBLIC HEARING - 21 PARKER COVE ROAD VOLUNTARY ANNEXATION

Planning Director Eller reviewed the annexation request located at 21 Parker Cove Road.

Mayor Fitzsimmons opened the public hearing for the 21 Parker Cove voluntary annexation request for the property located at 21 Parker Cove Road, being +/- 9.385 acres bearing Buncombe County parcel identification number 9752-44-2568. It was noted that the hearing had been duly advertised in accordance with North Carolina law and Town Code of Ordinances.

Maria Bips said she lives on Philly Run Drive near 21 Parker Cove Road and is concerned with the preservation of nature in her rural area. Ms. Bips requested the subject site continue to be rural in nature with R-1 zoning.

Greg Jones said he lives on Philly Run Drive and he is the president of the HOA for Philly Run. Mr. Jones questioned the reasonableness of the plan and if the proposal was similar to the surrounding area. He disagreed with zero lot line development and does not support the annexation.

Eileen Poolus said she lives in the vicinity of the subject property and was concerned with safety and the inconsistency of the development. She discussed affordable housing and that the conditional district doesn't require any price points and disagreed with the high density.

After all present were given an opportunity to speak, Mayor Fitzsimmons closed the public hearing.

5. PUBLIC HEARING - 21 PARKER COVE ROAD CONDITIONAL DISTRICT ZONING AND TRADITIONAL R-2 ZONING

Mr. Eller reviewed conditional district zoning in general and the conditional district zoning request for the subject site including the site-specific plan that accompanied the conditional district application. He indicated that the Town of Weaverville has passed nine (9) Conditional District Zonings since the conditional districts were authorized.

Mr. Eller indicated that all conditions must be agreed to by the property owner and developer. In response to Mayor Fitzsimmon's inquiry regarding the dwelling units and setting an affordable price point on the houses for sale, Attorney Frue said there is no case law to set market price. Mr. Frue reviewed typical conditions set in a Conditional District Zoning such as open space and natural greenspace, traffic flow, and the structure of the site plan. If there are no conditions and it meets regulations, then a zoning district could be a traditional R-2 district. Mr. Eller agreed and noted that the Planning Board's recommendation was for traditional R-2 zoning and that there was a spit decision, 4 to 1, that the request is consistent with the Town's Comprehensive Land Use Plan.

There was further discussion regarding the Reems Creek corridor and the Comprehensive Land Use Plan, density and development, zero lot line construction, traditional zoning districts, required setbacks. Mr. Eller said density for R-2 allows for 6 units per area which does not take into account topography such as slope or floodplain. Mr. Eller reviewed and confirmed, and that North Carolina law allows agent authorization, and we have the agent authorization from the property owners on behalf of the developers.

Mayor Fitzsimmons opened the public hearing for the 21 Parker Cove conditional district zoning and traditional R-2 zoning. It was noted that the hearing had been duly advertised in accordance with North Carolina law and Town Code of Ordinances.

Becky Dickson, a Maple Trace resident, discussed the subject site, safety, wildlife, Reems Creek trout and animals. Ms. Dickson was opposed to the conditional district zoning.

Michael Harris, a Maple Trace resident, recounted his history living in North Carolina. He discussed the Lillie Farm subdivision and Planning Board meetings and agreed with R-2 zoning at the subject site.

Kim Kosa Harris, a Maple Trace resident, said she was concerned with wildlife, the natural area, and her neighbors. Ms. Kosa Harris was opposed to the conditional district zoning at the subject site.

Doug Curtis, of Fairway View Drive, said he was concerned with the community's traffic impacts.

William Crawford said he was from Tennessee and the executor of the James B. Robert estate and the trustee of the Blanche Roberts trust, representative of the sellers of the subject site. He recounted how the Roberts estate property was sold off, portions of the Roberts estate which became the Maple Trace subdivision. Mr. Crawford was asking for the same opportunities to develop the land at the subject site. He asked for Council's support in favor of approving the annexation and zoning request.

Attorney Frue stated that the Town received an online comment from Doug Murray, who requested that the proposed project be no denser than Maple Trace subdivision.

After all present were given an opportunity to speak, Mayor Fitzsimmons closed the public hearing.

6. PUBLIC HEARING - COMPREHENSIVE LAND USE PLAN UPDATE

Mayor Fitzsimmons opened the public hearing on the Comprehensive Land Use Plan update. It was noted that the hearing had been duly advertised in accordance with North Carolina law and Town Code of Ordinances.

Planning Director Eller presented the Planning Board's favorable recommendation on the updates, reviewed the packet and resolution concerning growth areas.

Mr. Eller reviewed the ETJ (extraterritorial jurisdiction) and county zoning, and the legal limitations of downzoning.

After all present were given an opportunity to speak, Mayor Fitzsimmons closed the public hearing.


After the closing of the public hearing, audience members spoke out and a general open discussion ensued but could not be documented since the podium and microphone were not used by those offering comments.

7. ADJOURNMENT

There being no further business for the Town Council and, without objection, Mayor Fitzsimmons adjourned the meeting at 6:51 p.m.



Patrick Fitzsimmons, Mayor



Tamara Mercer, Town Clerk