

**Mr. Paul Benson, Urban Planner II, said that this public hearing was advertised on April 17 and 27, 2001. He said that he has filed a certification of notification with the City Clerk, as follows: "(1) Buncombe County tax listings were obtained from the Buncombe County tax office on March 13, 2001; (2) on April 2, 2001, 39 letters, including a notice of property owner's rights, a map and description were mailed to property owners identified from said property tax listings of Buncombe County; (3) on or before April 23, 2001, one letter to the property owners was returned to his office; (4) on April 16, 2001, the returned letter was re-mailed by certified mail to either a new address provided by the Post Office on the returned envelope or to the same address; and (5) on April 24, 2001, letters were sent to the solid waste providers identified as being active in the affected area, with said letters including the Resolutions of Intent adopted by the City Council on March 13, 2001."**

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City Clerk Burleson filed a certification of notification as follows: "(1) on April 2, 2001, a statement of impact was delivered to the Clerk of the Buncombe County Board of Commissions; and (2) a published notification

in the Asheville Citizen-Times on April 17, 2001, and April 27, 2001, included a notice of property owner's rights, a map, and a description of the areas being considered for annexation. On March 26, 2001, a letter was received from the Enka-Candler Fire & Rescue Department Inc.; on March 29, 2001, a letter was received from the Skyland Fire Department; on April 18, 2001, a letter was received from the Reynolds Volunteer Fire Department Inc.; and on April 26, 2001, a letter was received from the Haw Creek Fire & Rescue, all requesting to receive a good faith offer from the City of Asheville for fire protection services." The maps of the proposed annexations, the Annexation Services Plan and the property owners list have been displayed in the Office of the City Clerk for public inspection beginning March 30, 2001.

Mr. Benson explained that purpose of this hearing is for the City to explain the plan for extending City services to the proposed annexation area, and to give all persons resident or owning property within the area, and all residents of the City the opportunity to be heard. The effective date of annexation will be June 30, 2002.

The Lowes area includes 74 acres, subdivided into 39 properties, there area 88 dwelling units with an estimated population of 181 persons. This area fills a notch in the existing corporate limits and makes a more consistent city boundary along the south side of Old Haywood Road.

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Mr. Benson then summarized the plan as follows: The Lowes area qualifies for annexation in that at least 60% of the lots are developed, and 60% of the acreage of properties that are either vacant or in residential use are subdivided into lots of 3 acres or less. It also qualifies in that it has an estimated population density of at least 2.3 persons per acre. Police protection is to be extended on effective date of annexation with no increase in personnel or equipment. Fire protection is to be contracted from the Enka-Candler Rural Fire Department (.06/9/6) and supplemented by the City to bring service up to City standards. Solid waste collection is to be extended on the effective date of annexation with no increase in personnel, or equipment. New customers would receive the automated collection service. Street maintenance services are not planned for the Lowes Area at this time. However, property owners located on private roads may petition for City maintenance provided that adequate public right-of-way is provided. Water distribution in the Lowes Area 2,000 linear feet of 6" and 4" water line are planned, along with 3 new fire hydrants. Construction is scheduled to be complete by June 30th, 2004. Sewer collection in the Lowes Area 1,250 linear feet of 8" sewer line is planned to be constructed by June 30, 2004. City Financial Impact - Annual Expenses = \$8,525; Annual Revenues = \$94,389; and Capital Expenditures = \$404,352.

Upon inquiry of Councilman Peterson, Mr. Benson said that the policy is basically to extend water lines to every occupied property and sewer lines to within 300 feet of every occupied property.

Mr. Fred English, resident in East Asheville, felt that City Council should take care of what they already have before bringing in more residents that don't even want to be annexed.

Mayor Sitnick closed the public hearing at 6:07 p.m.

Mayor Sitnick said that the ordinance to extend the corporate limits into this area will be considered by City Council on June 12, 2001.

### **C. PUBLIC HEARING TO CONSIDER THE ANNEXATION OF THE UPPER SONDLLEY AREA**

Mayor Sitnick opened the public hearing at 6:08 p.m.

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