CITY OF HENDERSONVILLE
CITY COUNCIL REGULAR MEETING
City Hall 2nd Floor Meeting Room | 160 6th Avenue E. | Hendersonville NC 28792
Thursday, November 07, 2024 – 5:45 PM

AGENDA

1. **CALL TO ORDER**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG**

3. **PUBLIC COMMENT** - *Up to 15 minutes is reserved for comments from the public not listed on the agenda.*

4. **CONSIDERATION OF AGENDA**

5. **CONSENT AGENDA** - *Items are considered routine, noncontroversial in nature and are considered approved by a single motion and vote.*

   A. Adoption of City Council Minutes - Jill Murray, City Clerk

      September 5, 2024 Regular Meeting (Amended)

      September 25, 2024 Second Monthly Meeting

      October 3, 2024 Regular Meeting

      October 29, 2024 Second Monthly Meeting

   B. Henderson County Tax Adjustments -*Amanda Lofton, Deputy Tax Collector*

   C. November 2024 Budget Amendments– *Jennifer Floyd, Budget & Management Analyst II*

   D. Hendersonville Police Department Performance and Wellness Grant from the North Carolina Association of Chiefs of Police #G2501 – *Adam Murr, Budget & Eval. Director*

   E. NC Forest Service & NC Urban Forestry Council Grant Opportunity - *Mark Stierwalt, Public Works Superintendent*

   F. Telecommuting Policy – *Jennifer Harrell, HR Director*

   G. Amending the Environmental Sustainability Board's Charter to Include a Permanent Student Member Seat -*Caitlyn Gendusa, Public Works Superintendent Sustainability Manager*

   H. Purchase of +/- 0.39 Acre Lot on Williams Street – *John Connet, City Manager*

6. **PRESENTATIONS**

   A. NCDOT Mobi Award for the Oklawaha Greenway – *John Connet, City Manager*

B. Quarterly MVP Recipients – *John Connet, City Manager*

7. PUBLIC HEARINGS

A. Annexation: Public Hearing- Lakeside Drive (Summerville) (C24-52-ANX)– *Tyler Morrow, Current Planning Manager*

B. Rezoning: Standard Rezoning – 7th Ave (Chariff) | P24-58-RZO – *Matthew Manley, Long-Range Planning Manager*

C. Rezoning: Standard Rezoning – 6th Avenue & Bearcat Loop (P24-65-RZO) – *Lew Holloway, Community Dervelopment Director*

8. UNFINISHED BUSINESS

A. Rezoning: Conditional Zoning District – First Ave Villas (P24-26-CZD) – *Matthew Manley, AICP – Long-Range Planning Manager*

9. NEW BUSINESS

A. Final Parks & Greenspace Master Plan - *Mark Stierwalt, Public Works Superintendent*

B. Tentative Construction Contract Award WWTF Thermal Dryer Project– *Adam Steurer, Utilities Director*

C. Helene Response and Recovery Project Ordinance and Reimbursement Resolution – *Adam Murr, Budget & Eval. Director*

D. Lead Water Service Line Inventory Update – *Adam Steurer, Utilities Director*

E. Resolution to Accept Grant Funds (#G2502) – *Jay Heatherly, IT Manager*

10. CITY MANAGER REPORT - John F. Connet, City Manager

A. October 2024 Contingency and Adjustment Report – *John Connet, City Manager*

B. City Manager Hurricane Helene Report Updates – *John Connet, City Manager*

11. CITY COUNCIL COMMENTS

12. CLOSED SESSION

A. Closed Session – *John Connet, City Manager*

13. ADJOURN

The City of Hendersonville is committed to providing accessible facilities, programs and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or an

accommodation for this meeting please contact the City Clerk no later than 24 hours prior to the meeting at 697-3005.

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Jill Murray, City Clerk **MEETING DATE:** 11/07/2024

AGENDA SECTION: CONSENT **DEPARTMENT:** ADMINISTRATION

TITLE OF ITEM: Approval of Amended September 5, 2024 Minutes

SUGGESTED MOTION(S):

I move to approve the minutes from September 5, 2024 as amended.

SUMMARY:

During the September 5, 2024 First Avenue Villas Public Hearing, the minutes reflect that the hearing was closed. However, after a short recess the Council Member Melinda Lowrance moved, seconded by Council Member Jeff Miller to continue the hearing to the October 3, 2024 City Council Meeting. The minutes have been corrected by the City Clerk to reflect this.

BUDGET IMPACT: $ TBD

Is this expenditure approved in the current fiscal year budget? NA

If no, describe how it will be funded. NA

ATTACHMENTS:

September 5, 2024 Minutes (Amended)

MINUTES

September 5, 2024

REGULAR MEETING OF THE CITY COUNCIL

CITY OPERATIONS CENTER | 305 WILLIAMS ST. | 5:45 p.m.

Present: Mayor Pro Tem Lyndsey Simpson and Council Members: Dr. Jennifer Hensley, Jeff Miller and Melinda Lowrance

Absent: Mayor Barbara G. Volk

Staff Present: City Manager John Connet, Assistant City Manager Brian Pahle, City Clerk Jill Murray, Staff Attorney Daniel Heyman, Budget & Evaluation Director Adam Murr, Communications Coordinator Brandy Heatherly and others

1. CALL TO ORDER

Mayor Pro Tem Simpson called the meeting to order at 5:48 p.m. and welcomed those in attendance. A quorum was established with all members in attendance.

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The City Council observed a moment of silence for prayer or reflection followed by the Pledge of Allegiance to the Flag.

3. PUBLIC COMMENT *Up to 15 minutes is reserved for comments from the public not listed on the agenda.*

In Person:

Virginia Tegel spoke in favor the rezoning of the Felicia Reeves home, the bird sanctuary in Crystal Cauley's name and spoke against having Color Us United speak at the last City Council meeting as they are not taxpayers and gave biased and erroneous information which now resides on the city's website via the video of the meeting and they do not represent my values or opinions. As a city resident and taxpayer, I fully support the city's Diversity, Equity & Inclusion process and the Diversity, Equity & Inclusion Committee.

Clifford Meek spoke about Transportation in Raleigh that had a train of about 2500 people going to the US Open Golf Tournament, I would like City Council to consider contacting Raleigh to speak with the Governor and the Secretary of Transportation to arrange a charter passenger rail service from Raleigh to Hendersonville for next years Apple Festival. I think we can beat 2500 people.

Leslie Carey spoke in favor of DEI and thanked City Council for having a DEI Board. The city has many examples in our community to make sure everyone belongs and I am thankful that the city has invested in its residents.

Colby Coren spoke against Color Us United and for DEI and believes that the city works to make sure everyone feels included and I am proud to call Hendersonville my home.

Gina Baxter spoke in favor of DEI and their effort towards DEI. While the presentation by Color Us United was a voice that deserved to be heard, it was wholly unrepresentative of the community of Hendersonville. I just wanted to give my unequivocal support for DEI.

Lynne Williams spoke in support of Mr. Meeks charter train trip. She again spoke about preserving farm land in the ETJ and getting the city and county to work together. Please save Berkley Park forest and pray for justice for Elijah Timmons III and his mother.

Digital Comments

Rial Fitch wrote: I have been a visitor to Hendersonville, NC for many years, starting in 1959. My wife and I love your town. We often comment that if we ever moved the only other place we could live would be Hendersonville. I was very disappointed to see that y'all are now charging for handicap parking. I do understand the need to increase revenue, but I wish this increase was not on the backs of handicapped persons.

Jay Carey wrote: My comment is in response to the Color Us United presentation. Mr. Xu said that white men felt discriminated against because of DEI. As a straight white male, and resident of Hendersonville, I can assure you that he does not speak for me or most of the other white men I know. In fact, what I love about living in Hendersonville is the variety of events and activities that are available for everyone to enjoy. I don't feel excluded because everything doesn't revolve around my interests. Thank you for using my tax dollars to hire a qualified consultant.

4. CONSIDERATION OF AGENDA

Council Member Melinda Lowrance moved that City Council approve the agenda as presented. A unanimous vote of the Council followed. Motion carried.

5. CONSENT AGENDA

Council Member Melinda Lowrance moved that City Council approve the consent agenda as presented. A unanimous vote of the Council followed. Motion carried.

A. Adoption of City Council Minutes – *Jill Murray, City Clerk*
August 1, 2024 Regular Meeting
August 28, 2024 Second Monthly Meeting

B. Ashe Street Neighborhood and 4th Avenue Water and Sewer Replacement Loan Acceptance – *Richard Shook, Civil Engineer III*

Resolution #R-24-72

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO ACCEPT LOAN OFFERS FOR THE CONSTRUCTION OF ASHE STREET NEIGHBORHOOD AND 4TH AVENUE WATER AND SEWER REPLACEMENT

WHEREAS, the Safe Drinking Water Act Amendments of 1996 and the North Carolina Water Infrastructure Fund have authorized the making of loans and/or grants, as applicable, to aid eligible, drinking-water system owners in financing the cost of construction for eligible, drinking-water infrastructure; and

WHEREAS, the North Carolina Department of Environmental Quality has offered State Revolving Fund loans in the amount of $4,514,929.00 for the construction of Ashe Street Neighborhood and 4th Ave Water and Sewer Replacement hereafter referred to as the "Project"; and

WHEREAS, the City of Hendersonville intends to construct said Project in accordance with engineering plans and specifications that have been or will have been approved by the North Carolina Public Water Supply Section.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that

1. That City of Hendersonville does hereby accept the State Revolving Fund Loan offers in the total amount of $4,514,929.00 and

2. That the City of Hendersonville does hereby give assurance to the North Carolina Department of Environmental Quality that they will adhere to all applicable items specified in the standard "Conditions" and "Assurances" of the Department's funding offer, awarded in the form of a Clean Water State Revolving Fund loan and a Drinking Water State Revolving Fund loan and

3. That Brendan Shanahan, City Engineer, and successors so titled, is hereby authorized and directed to furnish such information, as the appropriate State agency may request, in connection with such application or the Project; to make the Assurances as contained above; and to execute such other documents as may be

required in connection with the application; and

4. That the City of Hendersonville has complied substantially or will comply substantially with all Federal, State and local laws, rules, regulations, and ordinances applicable to the Project, and to Federal and State grants and loans pertaining thereto.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of September, 2024.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

C. Purchase of Biosolid Thermal Dryer Equipment – *Adam Steurer, Utilities Director*

Resolution #R-24-73

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO PURCHASE BIOSOLIDS THERMAL DRYER EQUIPMENT

WHEREAS, the proposed Wastewater Treatment Facility (WWTF) Biosolids Thermal Dryer project will produce a high-quality, thermally dried product that is safe for beneficial reuse through distribution or land application.; and

WHEREAS, the thermal dryer equipment, once operational after completion of the project, will reduce the utility's current solids hauling and disposal costs and reduce the utility's vulnerability on reliance of the volatile private hauling and landfills disposal markets.

WHEREAS, in accordance with NCGS 143-129(e), the Hendersonville City Council approved the sole-source purchase of the equipment at its August 1, 2024, regular meeting.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. The purchase of Biosolids Thermal Dryer Equipment, Model 1050 direct-fired medium-temperature belt dryer manufactured by Gryphon Environmental and provided by Interstate Utility Sales, Inc. is approved for the WWTF Biosolids Thermal Dryer Project.
2. The City Manager is authorized to execute the purchase contract in the amount of $3,646,000 and is authorized to approve change orders which cumulatively do not exceed 5% of the approved purchase amount, provided however that any necessary budget ordinance or project ordinance amendments mush be brought back to City Council for approval.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of September, 2024.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

D. Annexation: Certificate of Sufficiency – Lakeside Drive (Summerville) (C24-52-ANX) – *Tyler Morrow, Current Planning Manager*

Resolution #R-24-74

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Hendersonville, North Carolina that:

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held at the City Operations Center located at 305 William St. Hendersonville NC, 28792 at 5:45 p.m. October 3rd, 2024, or as soon thereafter as it may be heard.

Section 2. The area proposed for annexation is described as follows:

Being all of that real property consisting of PINs 9568-33-5111 and 9568-33-6042 described in the plat recorded in Book 2024- ____ [to be inserted at recording of the plat] of the Henderson County Registry, said PINs 9568-33-5111 and 9568-33-6042 being described by metes and bounds as follows:

Being all those pieces, parcels, or tracts of land situate in Henderson County, North Carolina, and being all of Lots 1R & 2R, "Lot Line Adjustment Peter & Rhonda Summerville" of the plat thereof as recorded as Plat Slide 15681, Register of Deeds of Henderson County (RODHC), North Carolina, and being more particularly described as follows:

Beginning at a new iron pin at the northeast corner of the lands now or formerly of Mary Willson as conveyed in Deed Book 706, Page 307 RODHC and show on aforesaid plat and the western right of way line of Lakeside Drive (SR 1144); thence with the lands of Mary Wilson the following three (3) courses to wit: (1) North 82°44'53" West for 42.04 feet to a found iron pin; (2) North 88°54'11" West for 68.57 feet to a point in a creek, passing a new iron pin at 62.62 feet; (3) South 27°59'10" West for 60.74 feet to a point in a creek on the northeastern line of the lands now or formerly of Meredith & Trevor Calhoun as conveyed in Deed Book 1542, Page 387, RODHC; thence with the lands of Meredith and Trevor Calhoun the following two (2) course to wit: (1) North 54°04'16" West for 69.97 feet to a found iron pin; (2) North 54°54'02" West for 161.25 feet to a found iron pipe at the southwest corner of the land now or formerly of Stephanie Whiteside as conveyed in Deed Book 1337, Page 722, RODHC; thence with the lands of Stephie Whiteside the following two (2) courses to wit: (1) North 17°09'26" East for 191.15 feet to a found iron pin with cap; (2) North 85°19'43" East for 27.74 feet to a point in a creek and southwestern line of the lands now of formerly of Robin Staton as conveying Deed Book 531, Page 411 RODHC; thence with the lands of Robin Staton the following five (5) courses to wit: (1) South 45°46'29" East for 33.32 feet to appoint in the creek; (2) South 25°10'20" East for 42.08 feet to a point in the creek; (3) South 45°16'58" East for 45.16 feet to a point in the creek; (4) South 69°36'16" East for 29.30 feet to a point in the creek; (5) South 67°21'32" East for 18.80 feet to a point in the creek and on the southwestern line of the lands now or formerly of Francis & Reid as conveyed in Book of Record 3254, Page 378, RODHC; thence with the lands of Francis & Reid the following four (4) course to wit: (1) South 38°18'11" East for 11.12 feet to a point in the creek; (2) South 18°11'22" West for 11.31 feet to a point in the creek; (3) leaving the creek South 10°22'13" West for 22.20 feet to a found iron pin; (4) South 86°29'46" East for 128.17 feet to a found iron pipe on the western right of way line of Lakeside Drive; thence with the western right of way line of Lakeside Drive the following two (2) course to wit: (1) South 06°06'38" West for 20.04 feet to a set iron pin; (2) South 05°43'52" West for 94.69 feet to a the Point of Beginning, containing 1.24 acres, more or less.

Re: Petition for Contiguous Annexation
Petitioner: Peter and Rhonda Summerville
File No. C24-52-ANX

Section 3. Notice of the public hearing shall be published once in The Hendersonville Times-News, a newspaper having general circulation in the City of Hendersonville, at least 10 days prior to the date of the public hearing.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of September, 2024.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

E. Resolution to Apply for Funding for the WWTF 6MGD Expansion and Improvements – *Adam Steurer, Utilities Director*

Resolution #R-24-75

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO APPLY FOR FUNDING FOR THE WASTEWATER TREATMENT FACILITY 6-MGD EXPANSION AND IMPROVEMENTS PROJECT

WHEREAS, the North Carolina Department of Environmental Quality Division of Water Infrastructure administers a funding program for investment in drinking water, wastewater, and stormwater systems; and

WHEREAS, The City of Hendersonville has need for and intends to construct a Wastewater Treatment Facility 6-mgd Expansion and Improvements project; and

WHEREAS, The City of Hendersonville intends to request State loan and/or grant assistance for the project; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. That City of Hendersonville, the Applicant, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.
2. That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.
3. That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

4. That the governing body of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Hendersonville to make scheduled repayment of the loan, to withhold from the City of Hendersonville any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.
5. That Adam Steurer, Utilities Director, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.
6. That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.
7. That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of September, 2024.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

F. Resolution to Accept Grant Funds (#C2501) – *Matthew Manley, AICP – Long Range Planning Manager*

Resolution #R-24-76

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL ACCEPTING A GRANT FROM BLUE RIDGE BICYCLE CLUB FOR THE PURPOSE OF SUPPLEMENTING EFFORTS TO IMPROVE SAFETY AND CONNECTIVITY FOR THOSE TRAVELING BY BICYCLE

WHEREAS, Blue Ridge Bicycle Club (BRBC) has established a grant for use by the local community to focus on the needs of people to safely move around the community on bicycles; and

WHEREAS, the Community Development Department applied for and was awarded a Community Challenge Grant from BRBC for this endeavor in the amount of $5,000 to match the $15,000 the Department received from AARP for a Community Challenge Grant; and

WHEREAS, the City of Hendersonville desires to accept the grant funds which will supplement the project earmarked for the AARP Community Challenge Grant; and

WHEREAS, the Grant acceptance provides that the City will undertake activities to promote the safer movement of people within the City including, but not limited to improving infrastructure, providing new facilities, and engaging with local;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. The City hereby accepts the $5,000 BRBC Grant to be used for the purposes as set out in the AARP Community Challenge Grant Agreement; and
2. The City Manager is authorized to execute the Grant Agreement, with such changes as he deems appropriate, provide they are consistent with the terms of this Resolution;
3. City Staff are authorized and directed to proceed with the performance and implementation of the BRBC Grant and AARP Community Challenge Grant as outlined in the AARP Grant Agreement.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of September, 2024.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

G. Contract Award for Construction of the Water Treatment Filter Expansion Project – *Adam Steurer, Utilities Director*

Resolution #R-24-77

RESOLUTION BY THE CITY OF HENDERSONVILLE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE CONSTRUCTION OF THE WATER TREATMENT FACLITY FILTER EXPANSION PROJECT

WHEREAS, the City owns and operates a water treatment facility (WTF) that has a permitted capacity of 12 million gallons per day (mgd) and intends to install additional dual media filters and associated piping, instrumentation, and appurtenances, which will increase the facility's permitted capacity to 15-mgd; and

WHEREAS, on August 20,2024, at 2:00pm am sealed formal bids were received for the Water Treatment Facility Filter Expansion project summarized below:

Cove Utility, LLC: $1,788,900.50

State Utility Contractors, Inc.: $2,687,000.00

Wharton-Smith, Inc. $3,377,000.00

WGK Construction, LLC: $2,037,500.00; and

WHEREAS, formal bids were reviewed by staff for completeness and accuracy. Cove Utility, LLC. was the lowest responsive, responsible bidder in the total bid amount of $1,788,900.50; and

WHEREAS, the project engineer and utility staff are recommending award of the WTF Filter Expansion Project to Cove Utility, LLC.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. The City Manager is authorized to award and execute a contract for the construction of the WTF Filter Expansion Project to Cove Utility, LLC the lowest responsive and responsible bidder in the total amount of $1,788,900.50.
2. The City Manager is authorized to approve change orders which cumulatively do not exceed 10% of the approved contract amount of $1,788,900.50, provided however that any necessary budget ordinance or project ordinance amendments must be brought back to the City Council for approval.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of September, 2024.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

H. Telecommuting Policy – *Jennifer Harrell, Human Resources Director*

I. FY25 Special Appropriations – *Adam Murr, Budget Manager*

Special Appropriation Requests - Discretionary Funding

City Manager Appropriation Target $ 143,500

Organization	FY25 Requests	Notes	Council Appropriation	Council Recommendations										Category
				N/A	Is there a conflict?	Lyndsey Simpson	Is there a conflict?	Barbara Volk	Is there a conflict?	Jennifer Hensley	Is there a conflict?	Jeff Miller	Is there a conflict?	
Appropriation Available (25% of Budget)	**35,875**		375	35,875		375		375		375		375		
Arts Council of Henderson County, Inc.	17,750	Provide arts ed. to 3500+ students, in Title I schools. Sending classroom space, pay art teachers & supplies.	2,250		No	-	Yes	3,000	No	3,000	No	3,000	No	Education, Arts, Culture, & Recreation
Blue Ridge Literacy Council- Literacy Connection	10,000	Provide training to adults learning materials books, workbooks	5,075		No	8,300	No	4,000	No	4,000	No	4,000	No	Education, Arts, Culture, & Recreation
Boys & Girls Club of Henderson County	7,000	Triple Play athletic program and equipment	2,825		No	-	No	1,300	No	5,000	No	5,000	No	Education, Arts, Culture, & Recreation
Flat Rock Playhouse (Vagabond School)	15,900	Funding for Black Box Series Production "The Mountaintop".	1,125		No	1,000	No	1,500	No	1,000	No	1,000	No	Education, Arts, Culture, & Recreation
Henderson County Education Foundation	8,547	Grants to HC Program providing leadership development opportunities for students, educators, and parents/guardians	3,625		No	4,000	No	3,500	No	3,500	No	3,500	No	Education, Arts, Culture, & Recreation
Hendersonville Community Theatre	9,690	Funding will be used for 2025 season productions	2,250		No	3,000	No	2,000	No	2,000	No	2,000	No	Education, Arts, Culture, & Recreation
Hendersonville Shuffleboard Club	1,200	Purchase equipment for recreational opportunities and maintain facilities	1,200		No	1,200	No	1,200	No	1,200	No	1,200	No	Education, Arts, Culture, & Recreation
Hendersonville Symphony - Second Series	5,000	Second 4th grade orchestra education concerts	1,500		No	1,500	No	1,500	No	1,500	No	1,500	No	Education, Arts, Culture, & Recreation
Hendersonville Symphony - Youth Education	5,000	Facility and production costs for orchestra grades 6-12.	1,500		No	1,500	No	1,500	No	1,500	No	1,500	No	Education, Arts, Culture, & Recreation
Mineral & Lapidary Museum	10,000	Educational materials for school tours of the museum and museum exhibits	2,375		No	2,500	No	3,000	No	2,000	No	2,000	No	Education, Arts, Culture, & Recreation
Team ECCO	6,000	Free admission for City residents, employees, and Southwood children with special learning needs. Educational video production**	3,000		No	3,000	No	3,000	No	3,000	No	3,000	No	Education, Arts, Culture, & Recreation
The Hope Center of Hendersonville	15,000	Will allow 3 counselors with nutritional and developmental disabilities to attend day program at no cost to the families.	3,525		No	2,500	No	6,000	No	2,800	No	2,800	No	Education, Arts, Culture, & Recreation
YMCA of Western North Carolina	7,000	Risk assessment, market analysis, site scouting, and capital campaign feasibility study for Hendersonville Facility	5,250		No	7,000	No	4,000	No	5,000	No	5,000	No	Education, Arts, Culture, & Recreation
Sub-Total	**118,087**		**35,500**			35,500		35,500		35,500		35,500		
Appropriation Available (75% of Budget)	**107,625**		(375)	107,625		1,125		1,125		1,125		1,125		
Agribusiness Henderson County (AgHC)	5,750	Promote economic growth in agribusiness through investment and retention.	3,750		No	5,000	No	5,000	No	2,500	No	2,500	No	Life Quality and Economic Services
Blue Ridge Community Health Services	10,000	Provide 60 medical visits and 50 behavioral health visits for those experiencing homelessness.	5,625		No	7,500	No	5,000	No	5,000	No	5,000	No	Life Quality and Economic Services
Blue Ridge Humane	10,000	Spay/neuter programming for residents of WTF, assists low-income families and refugees stray animal relocalities.	3,125		No	-	Yes	2,500	No	5,000	No	5,000	No	Life Quality and Economic Services
Children & Family Resource Center	10,000	Provide funding for developmental, hearing, and vision screenings for children ages 3-5.	3,000		No	3,500	No	2,500	No	3,000	No	3,000	No	Life Quality and Economic Services
Henderson County Council on Aging	19,950	Full funding would provide 10 city-resident home-delivered meals for an entire year. 10 Meals*1,000 meals = $10,950.	15,000		No	15,000	No	15,000	No	15,000	No	15,000	No	Life Quality and Economic Services
Henderson County Habitat for Humanity	95,000	Home repairs for 10 families in Hendersonville	25,000		No	25,000	No	25,000	No	25,000	No	25,000	No	Life Quality and Economic Services
Henderson County Young Leaders (Catmplify)	15,000	Funds will be used for a weeklong overnight summer camp for 150 youths 4th-9th grade and 12 Counselors in Training	2,000		No	2,000	No	2,000	No	2,000	No	2,000	No	Life Quality and Economic Services
Interfaith Assistance Ministry - Rent Asst.	56,000	Crisis Services - food and housing assistance	19,500		No	18,000	No	20,000	No	20,000	No	20,000	No	Life Quality and Economic Services
Medical Loan Closet of Henderson County	3,000	Preparation and maintenance on medical equipment offered to insured members of the community	1,250		No	1,000	No	1,000	No	1,500	No	1,500	No	Life Quality and Economic Services
Only Hope WNC	10,000	Support of homeless youth including food, clothing, and school supplies.	3,125		No	3,500	No	3,000	No	3,000	No	3,000	No	Life Quality and Economic Services
Pisgah Legal Services - Domestic Violence	10,000	Legal support for victims of domestic violence assisted by federal grant from the NC Governor's Crime Commission.	4,625		No	3,500	No	5,000	No	5,000	No	5,000	No	Life Quality and Economic Services
Safelight, Inc.	10,000	Full funding program for survivors of intimate partner violence for economic empowerment & independence.	3,000		No	3,000	No	3,000	No	3,000	No	3,000	No	Life Quality and Economic Services
St. Gerard House	6,000	Food support for special needs children and families, including meals, education, and childcare.	3,000		No	3,000	No	3,000	No	3,000	No	3,000	No	Life Quality and Economic Services
Star Lite	2,000	45 Housing bags and/or boots - contains either food or school supplies	2,000		No	2,000	No	-	No	-	No	-	No	Life Quality and Economic Services
The Mediation Center	3,000	Funding for Community Mediation Coordinator.	1,125		No	500	No	2,000	No	1,000	No	1,000	No	Life Quality and Economic Services
Thrive	10,000	Funds will support Coordinated Entry staff to aid residents at risk of losing housing	7,500		No	7,500	No	7,500	No	7,500	No	7,500	No	Life Quality and Economic Services
True Ridge	10,000	Expanding bilingual wraparound and outreach programs, increasing health access and education on Medicaid expansion, support cultural events, and training for legal translation services.	5,375		No	6,500	No	5,000	No	5,000	No	5,000	No	Life Quality and Economic Services
Sub-Total	**284,950**		108,000	-		106,500		106,500		106,500		106,500		
Total	**403,037**		**143,500**	$ -		$ 142,000		$ 142,000		$ 142,000		$ 142,000		

Special Appropriation Requests - Full Funding

Organization	FY25 Requests	Notes	Council Appropriation	N/A	Is there a conflict?	Lyndsey Simpson	Is there a conflict?	Barbara Volk	Is there a conflict?	Jennifer Hensley	Is there a conflict?	Jeff Miller	Is there a conflict?	Category
Henderson County Economic Investment Fund	50,000	Economic development support and programming.	50,000		No	50,000	No	50,000	No	50,000	No	50,000	No	Full Funding
Henderson County Partnership for Econ. Dev.	25,000	Economic development support and programming.	25,000		No	25,000	No	25,000	No	25,000	No	25,000	No	Full Funding
Henderson County Rescue Squad	15,000	Aid and assist in case of disaster or accident.	15,000		No	15,000	No	15,000	No	15,000	No	15,000	No	Full Funding
Interfaith Assistance Ministry	14,000	Water bills and water repairs	14,000		No	14,000	No	14,000	No	14,000	No	14,000	No	Full Funding
Merchant's and Business Association	2,500	To provide enhanced security patrols.	2,500		No	2,500	No	2,500	No	2,500	No	2,500	No	Full Funding
Mills River Partnership	70,000	Water quality efforts in the Mills River.	70,000		No	70,000	No	70,000	No	70,000	No	70,000	No	Full Funding
Total	**176,500**		**176,500**			$ 176,500		$ 176,500		$ 176,500		$ 176,500		

J. September 2024 Budget Amendments – *Jenny Floyd, Budget & Management Analyst*

TO MAYOR & COUNCIL **FISCAL YEAR 2025**
APPROVAL: September 05, 2024 **FORM: 09052024-01**

BUDGET AMENDMENT

FUND 010 | 199

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-0000-470900	Fund Balance Appropriated (ARP, FY25)	2,304,552	320,000	-	2,624,552
010-0000-598901	Transfer out (to 410, #00100)	915,365	320,000	-	1,235,365
FUND 010	TOTAL REVENUES	2,304,552	320,000	-	2,624,552
General Fund	TOTAL EXPENDITURES	915,365	320,000	-	1,235,365
199-0000-470100-00100	Transfer In (from 010)	-	320,000	-	320,000
199-0000-540001-00100	Special Appropriations (ARP - Pisgah Legal)	-	320,000	-	320,000
FUND 199	TOTAL REVENUES	-	320,000	-	320,000
Gov. Spc. Revenue	TOTAL EXPENDITURES	-	320,000	-	320,000

An amendment transferring $330,000 former ARP funding from the General Fund's fund balance to the Governmental Special Revenue Fund, ARP project for the City's contract with Pisgah Legal Services to assist vulnerable, at-risk, and/or un-housed community members.

The City Manager and City Clerk certify budget ordinance amendment 09052024-01 was approved by City Council on September 05, 2024.

TO MAYOR & COUNCIL **FISCAL YEAR 2025**
APPROVAL: September 05, 2024 **FORM: 09052024-02**

BUDGET AMENDMENT

FUND 301 | 459 | 460

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
301-0000-420050-G2204	Grant Revenue (NCDEQ 2022)	5,000,000	-	-	5,000,000
301-1002-598901-G2204	Transfer Out (to 460, #16023)	3,510,288	111,496	-	3,621,784
301-1002-598901-G2204	Transfer Out (to 460, #21045)	1,489,712	-	111,496	1,378,216
FUND 301, #G2204	TOTAL REVENUES	5,000,000	-	-	5,000,000
2022 NCDEQ Grant	TOTAL EXPENDITURES	5,000,000	111,496	111,496	5,000,000
459-0000-470900	Fund Balance Appropriated	133,780	-	133,780	-
459-0000-598901	Transfer Out (to 460, #21045)	133,780	-	133,780	-
FUND 459	TOTAL REVENUES	133,780	-	133,780	-
WS Capital Reserve Fund	TOTAL EXPENDITURES	133,780	-	133,780	-
460-0000-470100-21045	Transfer In (from 459)	133,780	-	133,780	-
460-0000-470100-21045	Transfer In (from #G2204)	1,489,712	-	111,496	1,378,216
460-1014-550103-21045	Capital Outlay CIP	1,623,492	-	245,276	1,378,216
FUND 460	TOTAL REVENUES	1,623,492	-	245,276	1,378,216
WWTP Aeration, #21045	TOTAL EXPENDITURES	1,623,492	-	245,276	1,378,216
460-0000-470100-16023	Transfer In (from'22 NCDEQ, #G2204)	3,510,288	111,496	-	3,621,784
460-0000-470100-16023	Transfer In (from 459)	400,000	-	-	400,000
460-1014-550103-16023	Capital Outlay CIP	3,510,288	111,496	-	3,621,784
460-1014-550102-16023	Capital Outlay Services and Fees	400,000	-	-	400,000
FUND 460	TOTAL REVENUES	3,910,288	111,496	-	4,021,784
WWTP UV Project, #16023	TOTAL EXPENDITURES	3,910,288	111,496	-	4,021,784

A budget amendment for the 2022 NCDEQ Grant Project (#G2204), the WWTP Aeration Basin Repair Project (#21045), the WWTP UV Improvement Project (#16023), and the Water and Sewer Capital Reserve Fund (fund 459). The amendment prepares for the close out of the WWTP Aeration Basin Project, #21045 by moving $111,496 available 2022 NCDEQ Grant, #G2204 budget to the WWTP UV Project, #16023. The amendment also transfers back $133,780 from the WWTP Aeration Basin Project to the

The City Manager and City Clerk certify budget ordinance amendment 09052024-02 was approved by City Council on September 05, 2024.

TO MAYOR & COUNCIL **FISCAL YEAR 2025**
APPROVAL: September 05, 2024 **FORM: 09052024-03**

BUDGET AMENDMENT

FUND 060

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
060-0000-470900	Fund Balance Appropriated	1,809,190	106,407	-	1,915,597
060-7055-519200	Transfer Out (to 460, #21045)	51,000	106,407	-	157,407
FUND 060	TOTAL REVENUES	1,809,190	106,407	-	1,915,597
W&S Operating Fund	TOTAL EXPENDITURES	51,000	106,407	-	157,407

An FY25 amendment appropriating W&S Fund Balance for the Water Distribution Master Plan Project completion, which carried over from FY24.

The City Manager and City Clerk certify budget ordinance amendment 09052024-03 was approved by City Council on September 05, 2024.

TO MAYOR & COUNCIL **FISCAL YEAR 2025**
APPROVAL: September 05, 2024 **FORM: 09052024-04**

BUDGET AMENDMENT

FUND 020

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
020-0000-470900	Fund Balance Appropriated	157,401	25,318	-	182,719
020-2102-534000	Non-Capital Equipment	-	25,318	-	25,318
FUND 010	TOTAL REVENUES	157,401	25,318	-	182,719
General Fund	TOTAL EXPENDITURES	-	25,318	-	25,318

An FY25 amendment appropriating Downtown Fund Balance for the payment of Wayfair Signage.

The City Manager and City Clerk certify budget ordinance amendment 09052024-04 was approved by City Council on September 05, 2024.

TO MAYOR & COUNCIL **FISCAL YEAR 2025**
APPROVAL: September 05, 2024 **FORM: 09052024-05**

BUDGET AMENDMENT

FUND 199

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
199-0000-460090-C2501	Contribution/Donation (Community Challenge)	15,000	5,000	-	20,000
199-1502-521001-C2501	Supplies & Materials	15,000	5,000	-	20,000
FUND 199 (#C2501)	TOTAL REVENUES	15,000	5,000	-	20,000
Community Challenge	TOTAL EXPENDITURES	15,000	5,000	-	20,000
Total Project Revenues (#C2501)					20,000
Total Project Expenditures (#C2501)					20,000

An amendment to the FY25 budget reflecting an anticipated $5,000 contribution to undertake activities to promote the safer movement of people and older adults within the City including, but not limited to improving infrastructure, providing new facilities, and engaging with local residents through the Henderson County Aging Coalition.

The City Manager and City Clerk certify budget ordinance amendment 09052024-05 was approved by City Council on September 05, 2024.

TO MAYOR & COUNCIL **FISCAL YEAR 2025**
APPROVAL: September 5, 2024 **FORM: 09052024-06**

BUDGET AMENDMENT

FUND 460

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
460-0000-470010-17141	Debt Proceeds ('23 Revenue Bond)	3,134,054	-	-	3,134,054
460-0000-450001-17141	Interest Income ('23 Revenue Bond Interest)	181,725	11,817	-	193,542
460-7150-550103-17141	Capital Outlay - CIP	3,134,054	13,066	-	3,147,120
460-7055-560900-17141	Cost of Issuance	95,167	26,083	-	121,250
460-0000-598901-17141	Transfer Out (to 460, #23019)	51,558	-	27,332	24,226
460-0000-598901-17141	Transfer Out (to 460, #21012)	35,000	-	-	35,000
FUND 460	TOTAL REVENUES	3,315,779	11,817	-	3,327,596
NCDOT I-26, #17141	TOTAL EXPENDITURES	3,315,779	39,149	27,332	3,327,596
459-0000-470900	Fund Balance Appropriation	-	27,332	-	27,332
459-0000-598901	Transfer Out (to 460, #23019)	-	27,332	-	27,332
FUND 459	TOTAL REVENUES	-	27,332	-	27,332
	TOTAL EXPENDITURES	-	27,332	-	27,332
460-0000-470100-23019	Transfer In (from 459)	13,560	27,332	-	40,892
460-0000-470100-23019	Transfer In (from 460, #19010)	44,882	-	-	44,882
460-0000-470100-23019	Transfer In (from 460, #17141)	51,558	-	27,332	24,226
460-7055-550103-23019	Capital Outlay - CIP	110,000	-	-	110,000
FUND 460	TOTAL REVENUES	110,000	27,332	27,332	110,000
WTP Thickener, #23019	TOTAL EXPENDITURES	110,000	-	-	110,000

An amendment changing the transfers related to the I-26 water and sewer project to more accurately reflect project closeout need. The amendment includes an increase in fund balance appropriation in Fund 459 and a transfer into project #23019.

6. PRESENTATIONS

A. Proclamation – National Recovery Month – *Lyndsey Simpson, Mayor Pro Tem*

Mayor Pro Tem Simpson read the proclamation aloud and presented it to Jodi Grabowski, Director, Department of Strategic Behavioral Health who leads the Substance Misuse Action Team.

Proclamation
National Recovery Month – September, 2024

WHEREAS according to Kaiser Family Foundation, two thirds of Americans report their lives have been impacted by substance use disorders and addiction, regardless of race, gender, age, or socioeconomic status; and

WHEREAS Henderson County Emergency Medical Services received more than 500 calls in 2023 for suspected overdose, with the Opioid Crisis transitioning to a Poly-substance Crisis in Henderson County; and

WHEREAS substance use disorders are preventable and treatable conditions; recovery is a process that transforms individuals and the communities in which they live by creating hope, health, and a sense of purpose; and

WHEREAS the focus of Recovery Month in September is to celebrate all people that make the journey of recovery; to increase awareness and understanding of substance use disorders; to show respect and support for those in recovery, as well as those who have helped them obtain treatment; to highlight the importance of evidence-based treatment and recovery practices; and

WHEREAS North Carolina is receiving $1.5 billion in opioid settlement funds over 16 years, of which Henderson County is receiving $16 million to bring resources to our community harmed by the opioid epidemic and to increase options for recovery treatment and support services; and

NOW, THEREFORE, BE IT PROCLAIMED we, Hendersonville City Council, do hereby proclaim September, 2024 as Recovery Month. As the governing body for the City of Hendersonville, North Carolina, we call upon the citizens, government agencies, public and private institutions, businesses, and schools to commit our community to work together to end the stigma of substance use disorders and addiction with increased awareness and understanding, and support those in their journey of recovery.

Henderson County Substance Misuse Action Team will have a community event dedicated to challenging substance use stigma and celebrate the journey of recovery on Tuesday, September 17th, 2024, from 5:30pm to 7:30pm at Grace Lutheran Church.

PROCLAIMED this 5th day of September, 2024.

B. Proclamation – World Suicide Prevention Day/National Suicide Prevention Month *– Lyndsey Simpson, Mayor Pro Tem*

Mayor Pro Tem Simpson read the proclamation aloud and presented it to Stacy Nash, Community Health Director for the Henderson County Department of Public Health.

Proclamation
World Suicide Prevention Day - September 10, 2024
National Suicide Prevention Month – September, 2024

WHEREAS, suicide is a significant public health problem, claiming the lives of 26 individuals in Henderson County in 2023 according to NC DETECT, the highest number since 2015, and contributing to a tragic national toll expected to surpass 50,000 deaths for the first time in 2023; and

WHEREAS, one person dies by suicide every 10.6 minutes in the United States, making it the 11th leading cause of death in the country and one of the most preventable causes; and

WHEREAS, men are four times more likely to die by suicide, with 22 out of the 26 suicide deaths in Henderson County in 2023 being men; and

WHEREAS, Henderson County is creating a Suicide Postvention Response Team to offer support to families and the community as they navigate the challenges of prolonged grief and loss, demonstrating our commitment to comprehensive suicide prevention and response efforts; and

WHEREAS, the Henderson County Department of Public Health, in collaboration with the Hope Coalition, is committed to implementing evidence-based suicide prevention strategies, including the launch of "Safe September," which promotes awareness that suicide is preventable and provides community members with life-saving resources such as gun locks and medicine lock pouches; and

WHEREAS, the public is invited to attend a Question, Persuade, Refer suicide prevention training event hosted by the Henderson County Department of Public Health on September 13, 2024, to further empower our community with the knowledge and tools necessary to prevent suicide and save lives; and

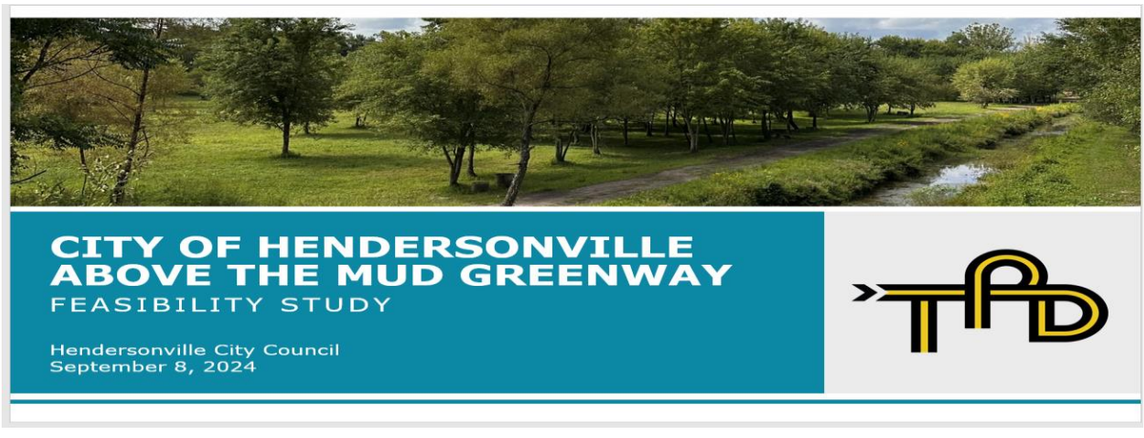
WHEREAS, World Suicide Prevention Day on September 10 and National Suicide Prevention Month in September provide an opportunity for Henderson County to join the global and national movements to raise awareness about suicide, honor those who have been affected by suicide, and promote the message that suicide is preventable.

NOW, THEREFORE, BE IT PROCLAIMED, we, the City of Hendersonville City Council, do hereby proclaim September 10, 2024, as World Suicide Prevention Day and September 2024 as National Suicide Prevention Month in the City of Hendersonville. We call upon all citizens, government agencies, public and private institutions, businesses, and schools in the City of Hendersonville to work together to prevent suicide, offer support to those who have lost loved ones, and promote hope, health, and safety for all.

PROCLAIMED this 5th day of September, 2024.

C. Above the Mud Greenway Feasibility Study Presentation and Adoption – *Kristy Carter, Senior Project Manager and Christy Staudt, Regional Manager, Traffic Planning and Design, Inc.*

Brent Detwiler introduced Kristy and Christy and they each presented the following PowerPoint presentation to Council.



CITY OF HENDERSONVILLE ABOVE THE MUD GREENWAY
FEASIBILITY STUDY

AGENDA

- Plan document summary
- Comments
- What does adoption look like?
- Next steps

CITY OF HENDERSONVILLE ABOVE THE MUD GREENWAY
FEASIBILITY STUDY

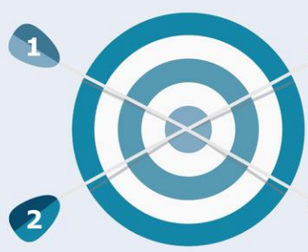
PROJECT SCHEDULE

we are here

EXISTING CONDITIONS	ROUTE ANALYSIS	STUDY RECOMMENDATIONS	IMPLEMENTATION + FINAL STUDY
June - Sept 2023	*Oct 2023 - Feb 2024*	*March - May 2024*	*June - Sept 2024*
Data Gathering	Route Alternatives	Typical Cross Sections	Draft Study + Refinement
Kickoff Meeting	Route Selection Criteria	Steering Committee Mtg.	Project Phasing + Cut Sheets
Site Visit + Field Work	Route Decision Matrix	Stakeholder Meetings	Action Plan
Mapping Analysis	Steering Committee Mtg.	Recommended Routes	Study Adoption

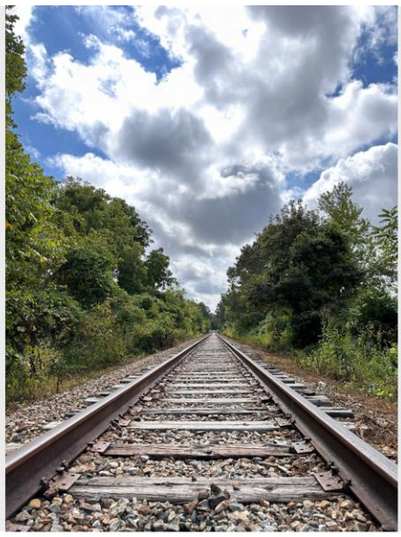
CITY OF HENDERSONVILLE ABOVE THE MUD GREENWAY
FEASIBILITY STUDY

PROJECT GOALS



1. ENHANCE SAFETY
2. EXPAND MOBILITY AND TRANSPORTATION CHOICES
3. ELEVATE EQUITY
4. ALLEVIATE TRAFFIC CONGESTION

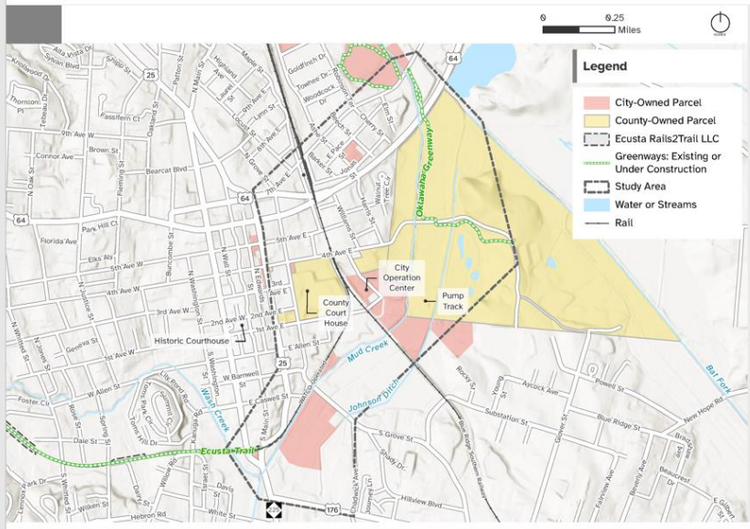
CITY OF HENDERSONVILLE ABOVE THE MUD GREENWAY
FEASIBILITY STUDY



PLAN DOCUMENT SUMMARY

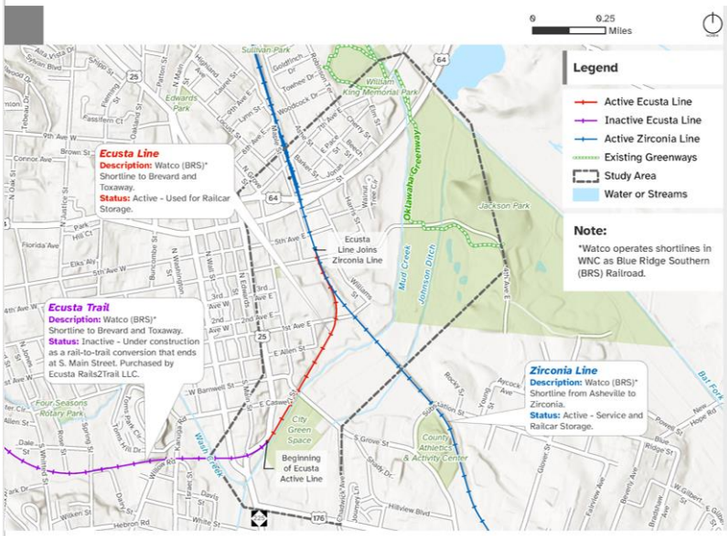
1. Study area overview
2. Alternatives development
3. Preferred alternative
4. Early action implementation

CITY OF HENDERSONVILLE ABOVE THE MUD GREENWAY
FEASIBILITY STUDY



STUDY AREA OVERVIEW

CITY OF HENDERSONVILLE ABOVE THE MUD GREENWAY
FEASIBILITY STUDY



POSSIBLE RAIL OUTCOMES

1. Rail-to-Trail Option Allowed
2. Rail-with-Trail Option Allowed
3. No Encroachment Allowed

CITY OF HENDERSONVILLE ABOVE THE MUD GREENWAY
FEASIBILITY STUDY

ALTERNATIVE DEVELOPMENT

1. Review study area conditions
2. Greenway segment analysis
3. Alternatives development and evaluation
4. Community engagement
5. Implementation plan

Alternative A

Alternative B

CITY OF HENDERSONVILLE ABOVE THE MUD GREENWAY
FEASIBILITY STUDY

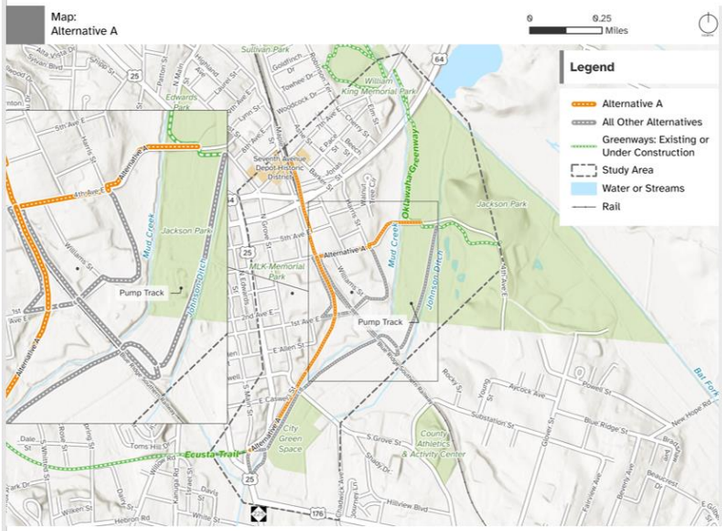
CRITERIA	ALTERNATIVE/ SCORE	
	ALT A	ALT B
Directness of connection to Jackson Park, Oklawaha Greenway (Hellbender Trail system), downtown and 7th Avenue Historic District	4	4
Ability to acquire environmental permits	4	3
Quality of user experience	4	4
Availability of right-of-way (anticipated property owner cooperation)	2	4
Secondary benefits	4	4
Separation from motorized vehicle conflicts	4	4
Ability to construct	4	4
Alignment with community goals	4	4
Cost effectiveness	4	3
Potential for funding	4	4
Potential for timely implementation	3	4
TOTAL	41	42

EVALUATION

Both alternatives are recommended for advancement to implementation.

CITY OF HENDERSONVILLE ABOVE THE MUD GREENWAY
FEASIBILITY STUDY

Map:
Alternative A



ALTERNATIVE A

Assumes the City of Hendersonville *can* acquire the remaining active Ecusta Line (owned by Watco) that extends from the Ecusta Trail (under construction) north to 4th Avenue East.

CITY OF HENDERSONVILLE ABOVE THE MUD GREENWAY
FEASIBILITY STUDY

ALTERNATIVE A

ECUSTA LINE EXTENSION ALIGNMENT:

1. A 12' greenway as a rail-to-trail conversion from South King Street to the Seventh Avenue Depot Historic District.
2. Along 4th Avenue East, the treatment is a 10' paved sidepath (12' where feasible) that parallels the roadway.
3. From 4th Avenue East to 7th Avenue East, the recommended treatment is a 10' rail-with-trail (12' where feasible).

PROJECT SNAPSHOT

Location: Extends the Ecusta Trail from the terminus at South Main Street up to 4th Avenue East and connects to Jackson Park along 4th Avenue East. Optional spur (pending Watco approval): Extension north to 7th Avenue East.

Facility Type(s): Conversion of rail line to paved greenway; Paved sidepath along 4th Avenue East; Optional spur (pending Watco approval): Paved greenway extension to 7th Avenue East.

Total Length: ~6,240 linear feet

Structures: One (1) greenway bridge over Mud Creek at 4th Avenue East

At-Grade Road Crossings: Five (5)

Greenway Connections: Oklawaha Greenway (Hellbender Trail system); Ecusta Trail

Destinations Served:

- Jackson Park
- City Operations Center
- 7th Avenue Historic Depot and commercial district

POTENTIAL REAL ESTATE ACQUISITION NEEDS

- Railroad right-of-way

POTENTIAL PERMITTING NEEDS

- Erosion and sedimentation control permit
- NCDOT encroachment agreement
- Optional 7th Avenue East extension requires Watco encroachment permit
- Floodway permits for Mud Creek crossings

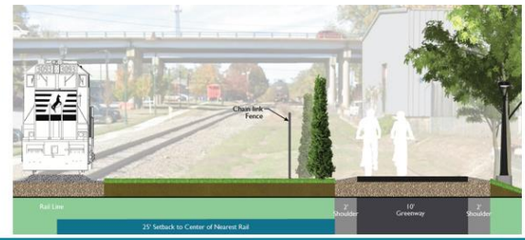
COST ESTIMATE

Baseline Construction	$3,000,000
Engineering Design & Inspection	$1,010,000
Utilities	$110,000
Right-of-Way	$600,000 *
Additional Contingency (20%)	$950,000
Total Estimated Budget	**$5,670,000**

See Cost Estimate Summary in Appendix for breakdown, assumptions, and exclusions.

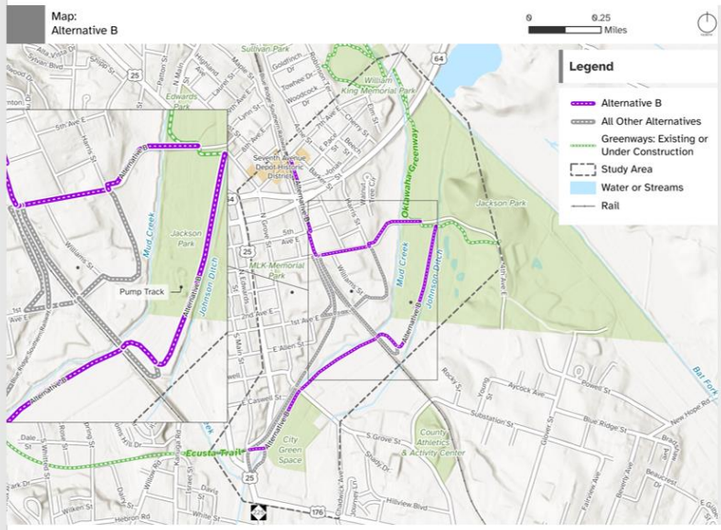
* Value is estimated pending negotiations with the rail corridor owner. Based on recent rail line acquisitions in the region, the purchase of the remaining 3,300 linear feet of the Ecusta line could range from $325,000 - $625,000.

NOTE: The segment from 4th Avenue East to 7th Avenue East is included in the cost estimate (approximately $1.4 million).



CITY OF HENDERSONVILLE ABOVE THE MUD GREENWAY
FEASIBILITY STUDY

Map:
Alternative B



ALTERNATIVE B

Assumes that it *is not* feasible to convert the remaining active Ecusta Line to a greenway.

CITY OF HENDERSONVILLE ABOVE THE MUD GREENWAY
FEASIBILITY STUDY

ALTERNATIVE B

FLOODPLAIN RESTORATION PROJECTS ALIGNMENT:

1. A 12' greenway connecting from South King Street to Jackson Park, traversing City-owned land and a proposed sewer easement.
2. Along 4th Avenue, the treatment is a 10' paved sidepath (12' where feasible) that parallels the roadway.
3. From 4th to 7th Avenue, the recommended treatment is a 10' rail-with-trail (12' where feasible).

PROJECT SNAPSHOT

Location: Connects to the Ecusta Trail terminus at South Main Street and crosses Mud Creek to south side to Jackson Park. Also includes sidepath on 4th Avenue East to downtown. Optional spur (pending Watco approval): Extension north to 7th Avenue East.

Facility Type(s): Paved off road greenway from Ecusta Trail to Jackson Park; Paved sidepath on 4th Avenue East; Optional spur (pending Watco approval): Paved greenway adjacent to rail line between 4th Avenue and 7th Avenue.

Total Length: ~8,045 linear feet

Structures: Two (2) greenway bridges over Mud Creek (one near South Main Street and one near 4th Avenue East)

At-Grade Road Crossings: Six (6)

Greenway Connections: Oklawaha Greenway (Hellbender Trail system); Ecusta Trail

Destinations Served:

- Downtown via 4th Avenue East
- Jackson Park
- City Operations Center
- 7th Avenue Historic Depot and commercial district

POTENTIAL REAL ESTATE ACQUISITION NEEDS

- Easements will be needed along 4th Avenue East

NOTE: The majority of this alternative is on current or planned City or County land as well as a planned sewer easement.

POTENTIAL PERMITTING NEEDS

- Erosion and sedimentation control permit
- NCDOT encroachment agreement
- Optional 7th Avenue East extension requires Watco encroachment permit
- Floodway permit[illegible]gs

Saved to T: Drive

COST ESTIMATE

Baseline Construction	$3,720,000
Engineering Design & Inspection	$1,250,000
Utilities	$110,000
Right-of-Way	$200,000
Additional Contingency (20%)	$1,060,000
Total Estimated Budget	**$6,340,000**

See Cost Estimate Summary in the Appendix for breakdown, assumptions, and exclusions.

NOTE: The segment from 4th Avenue East to 7th Avenue East is included in the cost estimate (approximately $1.4 million).

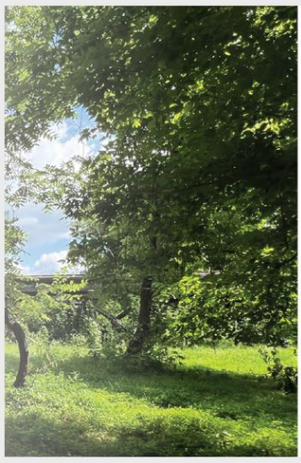
CITY OF HENDERSONVILLE ABOVE THE MUD GREENWAY
FEASIBILITY STUDY

EARLY ACTION IMPLEMENTATION IDEAS

1. Begin coordination with Watco.
2. Work with County: unified approach.
3. Seek grants for design and construction funding. Prioritize:
    1. Mud Creek Bridge.
    2. Alternative B segments that overlap with other City projects.
    3. Phase remaining segments as stand-alone.

CITY OF HENDERSONVILLE ABOVE THE MUD GREENWAY
FEASIBILITY STUDY

Your
COMMENTS



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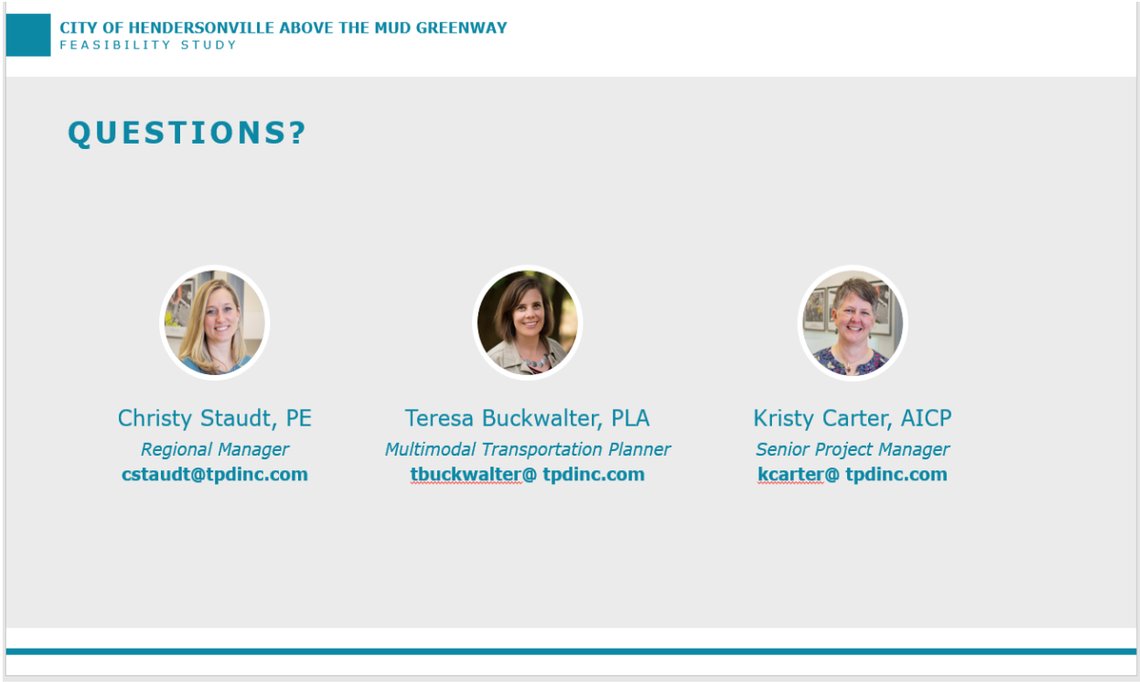
CITY OF HENDERSONVILLE ABOVE THE MUD GREENWAY
FEASIBILITY STUDY

NEXT STEPS

- Adoption
- Begin with Early Action Items



Council Member Jennifer Hensley moved that City Council adopt a Resolution by the City of Hendersonville City Council Above the Mud Greenway Feasibility Study as presented. A unanimous vote of the Council followed. Motion carried.

It was not on the agenda, however, Police Chief Blair Myhand asked if he could introduce the new social worker intern for the Police Department. Her name is Tori Doyle and she is Western Carolina graduate student in her second year and she is going to build the program for the Police Department. We are very excited to have her here.

Tori introduced herself and her daughter Eloise and said she is finishing her master's in social work at WCU. She has already met a ton resources and community stakeholders due to the buzz around this position.

7. PUBLIC HEARINGS

A. Rezoning: Conditional Zoning District – First Avenue Villas (P24-26-CZD) – *Matthew Manley, AICP Lone Range Planning Manager*

The City of Hendersonville received an application for a Conditional Zoning District from ARY Development LLC for the property located at 0 1st Ave W (PIN: 9568-77-1057). The current zoning of the property is CMU-CZD (Commercial Mixed Use Conditional Zoning District). The applicant is currently requesting to amend the current Conditional Zoning District for the construction of two three-story buildings comprised of 16 residential units on a .57 acre parcel. The current site plan depicts 18 parking spaces. There will be open space located at the front of the property. The parking is located at the center and rear of the property, and the entrance and exit to the units is located in the center of the property. There will be a landscape buffer on three sides of the property that border adjacent properties and street trees located along the frontage.

The project was initially reviewed by the Planning Board on July 11, 2024. The project was recommended for denial. The applicant has since adjusted their site plan to remove any portions that exceeded 3-stories with a max height of 38'. They adjusted the parking arrangement, the building materials and the roofline of the buildings.

Planning Board took up this item at their meeting on August 8th voting 5-0 to recommend approval with conditions.

The public hearing opened at 7:02 p.m.

Public Comments:

Ken Fitch spoke against the conditional rezoning.

Ed King spoke against the conditional rezoning, mainly because of one parking space per unit. Doesn't make any sense. If Hendersonville wants to grow, grow responsibly and get the parking off the street.

Lynne Williams spoke against the conditional rezoning for many reasons including displacement and gentrification, one ADA spot, one parking spot per home, artificial grass are replacing real flowers and grass.

Penny Gash Pearson spoke against the conditional rezoning due to gentrification to our historical neighborhood and these apartments they want to put are not historical. We already have issues with sinkholes so the infrastructure is already failing us.

Digital Comments:

Miia Alize wrote: I strongly believe that the proposed First Avenue Villas should be denied for several reasons. I live directly in the area where they are considering building these condos. The space they plan to use is where my children play, and where we host family gatherings and cookouts. It provides plenty of room for outdoor activities, and this development would take that away from us. Honestly, putting brand new condos dead in the center of old historical buildings and homes just does not look right. On top of that, you will be taking someone's parking spot because we don't have enough parking for everyone who lives in these apartments. And on top of that, you're taking all of our beautiful trees nobody wants to look out their back window and condos that I'm sure we can't even afford so that's just like rubbing it in our face! Additionally, I believe the area they want to use is far too small for luxury condos. Building them will make the space feel cluttered and overcrowded. The street they plan to build on is not meant for high traffic-it's mainly used by residents to access their homes. Adding a condo complex will significantly increase traffic, posing a safety risk to children, especially with drivers already speeding down the road. More traffic will only make the situation worse. For these reasons, I urge the committee to reconsider and deny the development of First Avenue Villas.

Joan Pack wrote: PLEASE DENY THIS.. 3 stories...NO.. out of sync with Historical district.. I understand building there but not something like this.

Jean-Jacques Benoist wrote: As a new permanent resident of 1st Ave West I can appreciate the project but am not happy with the size of the buildings and amount of units proposed. A smaller scale project would seem much more conducive to the avenue and surroundings. Vote no for the current size of the project.

~~The public hearing was closed at 7:40 p.m.~~ The public hearing was continued until the October 3, 2024 meeting.

After some back and forth discussion with Council, Mayor Pro Tem asked for a brief recess.

~Mayor Pro Tem Lyndsey Simpson briefly recessed the meeting for a short break at 7:49 p.m. and reconvened at 7:56 p.m.~

City Manager Connet asked Mike Huffman to comment on the condition of the stormwater infrastructure in the neighborhood. Mr. Huffman explained that the city does own and operate a stormwater system within our public right-of-ways and dedicated easements. Particularly in the historic district, there is a lot of private stormwater infrastructure that connects to the City's stormwater system. The majority of the issues that have been brought to the city have been related to the condition of the private infrastructure that was installed by homeowners and the people developing the private parcels and were piping creeks and ditches through their property 100 years ago when they built those homes. So that has been the majority of the issues that have been brought to the city.

Council Member Melinda Lowrance recommended that this hearing be continued to Council's October 3, 2024 meeting. Council Member Miller agreed that he needs clarification on some things. A unanimous vote of the Council followed. Motion carried.

B. Public Hearing to Consider the Submission of a Community Development Block Grant Application, Neighborhood Revitalization, for the FY24-25 Funding Cycle – *Angela Beeker, City Attorney*

The purpose of the public hearing is to consider the submission of a Community Development Block Grant Application for the FY 2024-25 funding cycle. The grant, a Neighborhood Revitalization Grant (CDBG-NR), is offered through the North Carolina Rural Economic Development Division of the Department of Commerce (REDD), and would be for the rehabilitation of up four (4) homes owned by low-to-moderate income households. Low to moderate households are those having a household income equal to or less than 80% of the area median income. The maximum application amount for the grant is $950,000, and has no local matching requirement. The application would be submitted in partnership with the Housing Assistance Corporation, who would serve as the subrecipient of the grant funds. HAC would manage the rehabilitation projects on the homes. The grant would be administered by Land of Sky Regional Council. A maximum of 10% of the grant amount would be used to cover the administrative costs of the grant. The public is invited to the September 5, 2024 to comment on the possible submission of a grant application, and to address generally the community, housing and economic development needs.

After this initial public hearing, the City and HAC will work to identify potential homes that would qualify for this grant program, and to determine feasibility of applying for and administering the grant for the FY 2024-25 funding cycle. If successful, HAC and the City in partnership with Land of Sky would put together the application for submittal to the REDD. Prior to submittal of the final application, a second public hearing would be held to allow the public to comment on the proposed application.

City Staff Attorney Daniel Heyman presented the following PowerPoint.

2020 CDBG-NR Application

- $750,000 - Application submitted August 25, 2020
  - Construct Sidewalks
  - Renovate Four Homes in the Seventh Street neighborhood (one complete, one underway)
- Was part of the larger 7th Avenue Revitalization Project
  - Public Water Upgrades
  - Public Sewer Upgrades
  - HAC Home Construction
    - 664 Beech
    - 674 Beech

HOUSING ASSISTANCE

Additional Project Components

- Public Water Upgrades
- Public Sewer Upgrades
- HAC Home Construction
  - 664 Beech
  - 674 Beech

HOUSING ASSISTANCE

620 Jonas Street - Before

HOUSING ASSISTANCE

620 Jonas Street - After

HOUSING ASSISTANCE

620 Jonas Street - After

HOUSING ASSISTANCE

620 Jonas Street Summary of Improvements

- New siding and insulation
- New roof
- New engineered support structure
- New back deck and front porch
- New central heat and air
- New flooring
- Kitchen and bathroom improvements

Total Cost: $122,024

HOUSING ASSISTANCE

647 Cherry - Before

HOUSING ASSISTANCE

647 Cherry - Before

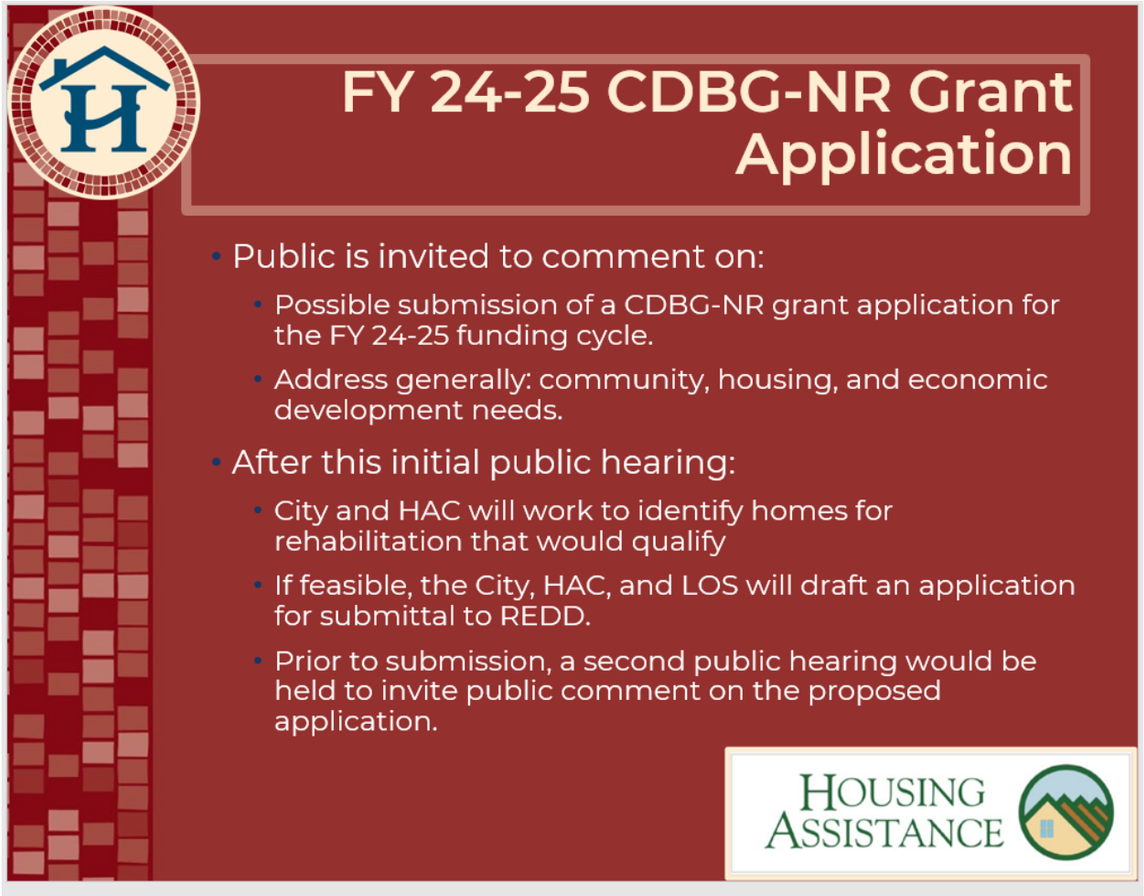
HOUSING ASSISTANCE

647 Cherry Street
Summary of Improvements

- New roof
- New back porch
- Drainage improvements
- Interior Painting
- Bathroom and kitchen improvements
- New insulation
- New HVAC

Total Cost (Est): $197,000

HOUSING ASSISTANCE



City Manager Connet added that this is just one program that we are doing in addition to the work that we're doing with affordable housing that will allow homeowners and residents in our community to continue to live in our community, continue to keep their homes safe and affordable housing using the Community Development Block Grant funds. I appreciate the partnership that we have with the Housing Assistance Corporation and what they're doing so I just wanted to say that because a lot of things get said when people are emotional and I just wanted to say that the city cares and that's why we're looking at these Community Development Block Grant programs so that we can support existing residents.

The public hearing opened at 8:05 p.m.

Public comments:

Alice Knaflich spoke in favor of the Community Development Block Grant.

The public hearing closed at 8:05 p.m.

Council Member Hensley spoke and said that she knows of other homes behind the hospital over on Oak and I wonder if the grant could also cover some of the other neighborhoods in the area that need some help.

Council Member Lowrance mentioned homes on 3rd Avenue that are basically not livable that need help too. So that was my question. Do we want to consider other areas in the future?

No motion was necessary for this public hearing.

8. UNFINISHED BUSINESS

A. Rezoning: Conditional Zoning District – Felicia Reeves Home (P24-24-CZD) – Tyler Morrow, Current Planning Manager

City Manager Connet said this hearing is for a conditional rezoning and we know that there are issues associated with the floodplain. That is an administrative issue. The decisions tonight regarding conditional use center around whether this is the proper use for this location.

Public Comments Cont'd

Alice Knaflich spoke in favor of the conditional rezoning and I hope the project goes through as it would be a great place for homeless female veterans.

Patricia Gearity spoke in favor of the conditional rezoning. I've known Alice for 10-15 years now and when the military talks about a mission its different than how us civilians thinks about a mission. There is a commitment to that mission. They don't give up and don't leave people in the field, they don't turn and run. They keep pushing and Alice will not give up. You have the opportunity to raise up our veterans and our neighborhood which deserves a beautiful building. We will stand behind her all the way.

The public hearing closed at 8:13 p.m.

Council Member Hensley explained that the people Alice talked to, all worked for the county, not the city.

City Manager said if council moves forward, we need to make sure that we have strong support for Alice and her team and make sure that we're talking to our building inspections department, code enforcement, floodplain administrators, zoning etc., Just want to set expectations that it won't be an easy process and not a cheap process and we need to know that you're prepared to move forward on this. Alice said that she is ready to move forward if Council approves this.

Council Member Melinda Lowrance moved that City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PIN: 9569-44-7296) from R-10, Medium Density Residential to R-10-CZD, Medium Density Residential Conditional Zoning District, for the adaptive reuse of an existing structure for the use of a residential care facility based on the master site plan and list of conditions submitted by and agreed to by the applicant, [revision dated 6-3-24] and presented at this meeting and subject to the following:

1. The development shall be consistent with the site plan, including the list of applicable conditions contained therein, and the following permitted uses

Permitted Uses:

1. **Adaptive Reuse**
    - **Residential Care Facility**

2. Permitted uses and applicable conditions presented on the site plan shall be amended to include:

3. The petition is found to be <u>consistent</u> with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:

> **The petition supports the City's 2030 Comprehensive Plan goals by adhering to the Preservation/Enhancement Area designation for the subject property. The proposal enhances and renovates a long-vacant and decaying structure without expanding it, promoting compatibility with the surrounding area.**

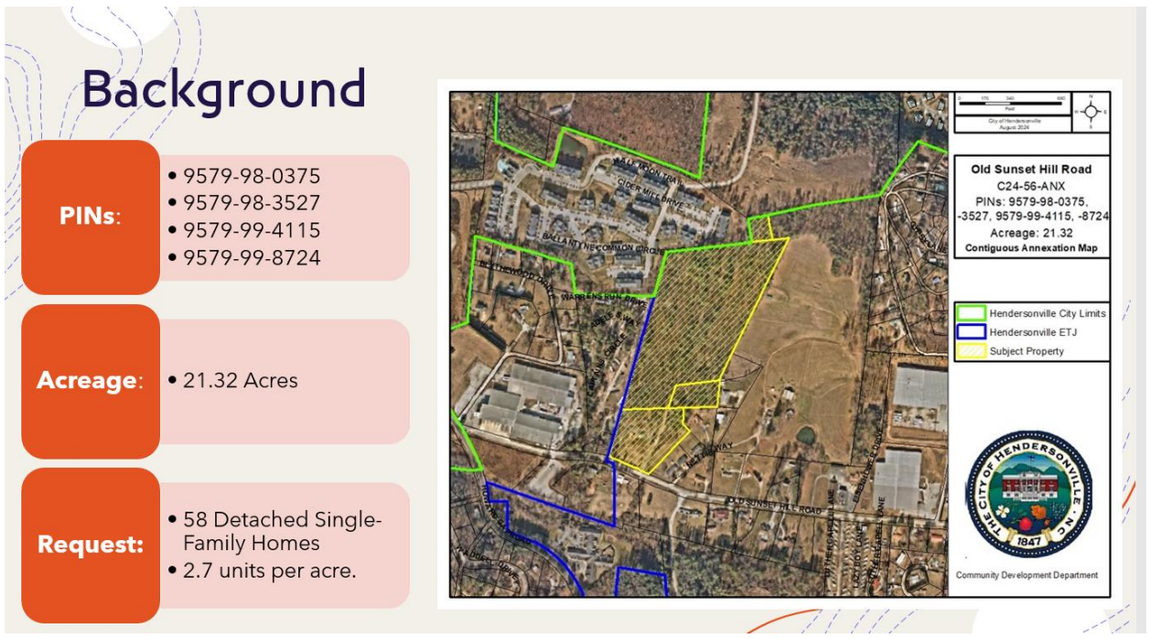
4. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

1. **The petition addresses a critical need for housing and services for local female veterans.**
2. **The petition proposes to renovate and repurpose an existing structure that has contributed to urban blight for the past decade.**
3. **The petition proposes to reduce the residential intensity of the previous use on the site (rest home).**
4. **Given the building's size and scale in the R-10 zoning district, there is no reasonable likelihood that the property will revert to a use permitted in the R-10 zoning district.**

9. <u>NEW BUSINESS</u>

A. Annexation: Analysis and Advisement – Old Sunset Hill Road (Taylor & Albea) (C24-56-ANX) *– Tyler Morrow, Current Planning Manager*

Mr. Morrow explained that the City of Hendersonville received a petition from Gregory Albea, Julianne Albea, Joseph Taylor, and Laura Taylor for contiguous annexation of PINs 9579-98-0375, 9579-98-3527, 9579-99-4115, and 9579-99-8724 and located on Old Sunset Hill Road that is approximately 21.32 acres.



Comprehensive Plan Analysis

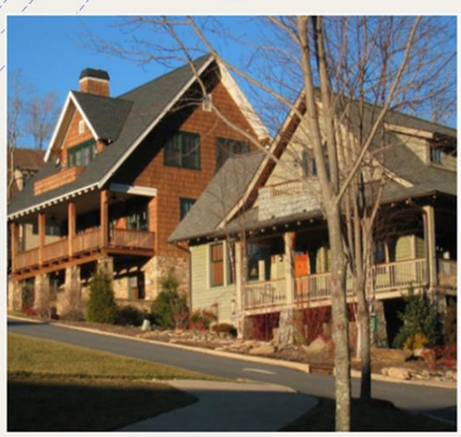
Infill Area

- Encourages a mix of housing types including single family detached residential.
- Calls out a maximum allowable density range of four to eight units per acre.
- States infill areas to be served by utilities.
- Infill areas should have an improved transportation network and accommodate a variety of home options.

Multi Generational Living

- Encourages a mix of housing types including single family detached residential.
- Does not specify specific densities, but the proposed density aligns with the vision portrayed. Likely could be denser.
- Improving the framework for providing water and sewer service is crucial to efficiency and quality of service to residents.
- Creating an interconnected street network isn't just about convenience; it's about relieving congestion, reducing travel times, and enhancing the provision of essential services.

Housing Type Examples



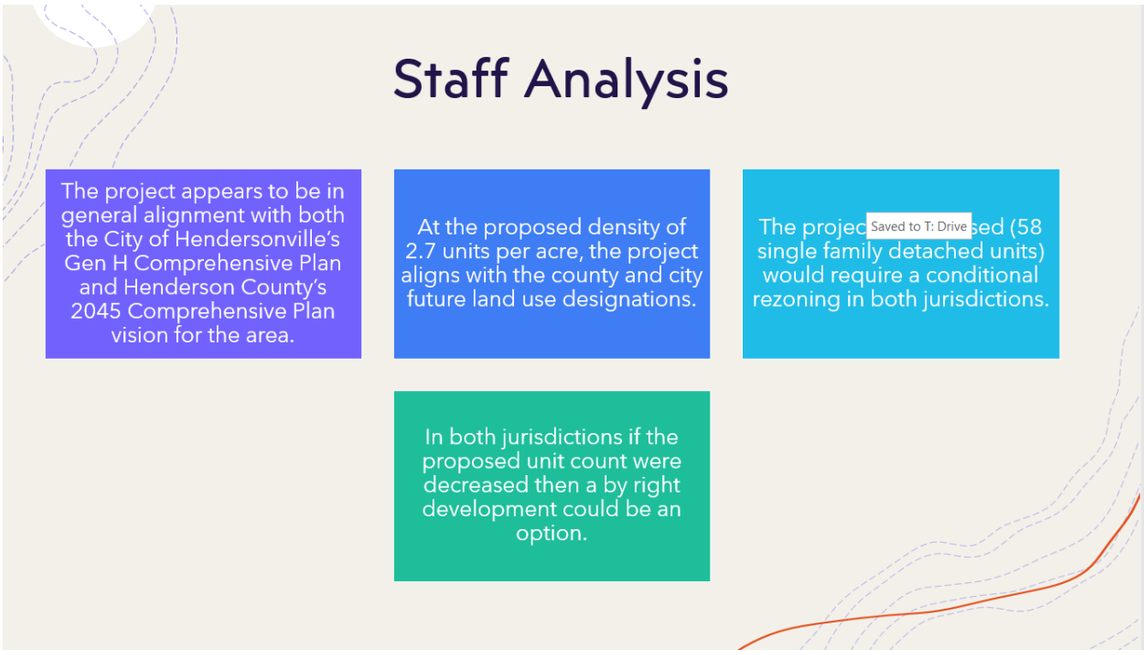
Zoning Analysis

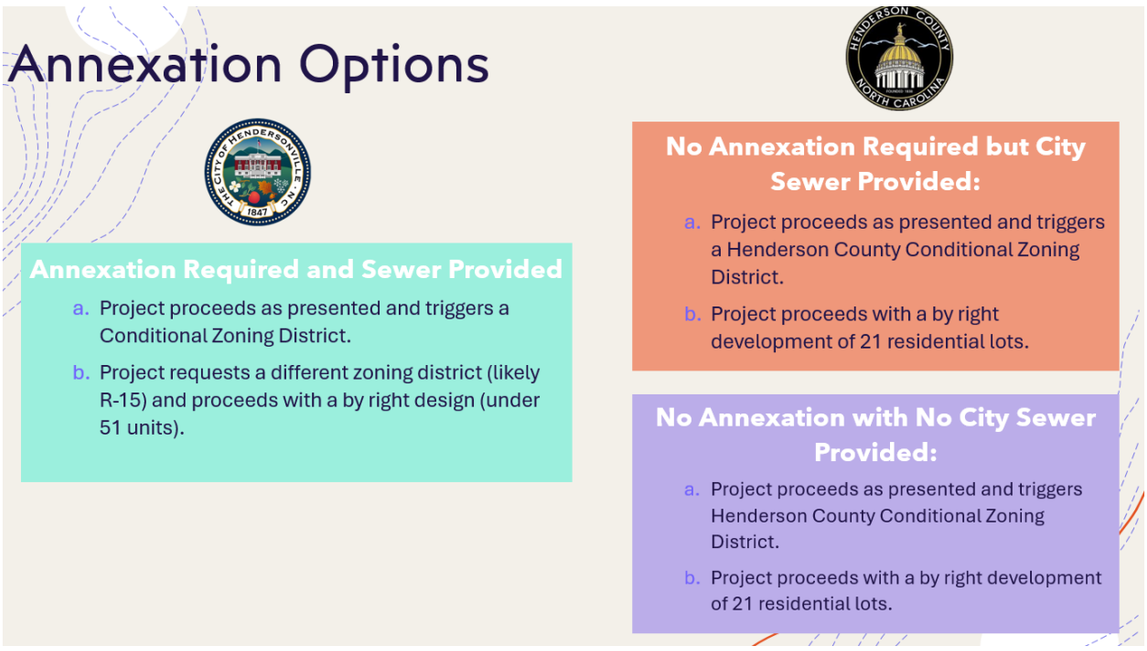
Residential Two Rural (R2R)

- With or without utilities-21 residential lots
  - A single-family dwelling or a duplex is permitted on each lot by right.
    - 21 to 42 dwelling units depending on mix of permitted types
- An increase in density would require a Conditional Zoning District.

PRD-CZD (Proposed by Applicant)

- Density is dependent on the base zoning district. However, 51 or more units automatically trigger a Conditional Zoning District.
- PRD-CZD
  - 10 units per acre.
  - This density can be further increased to 18 units per acre if the applicant follows the additional requirements and is granted a density bonus by City Council.
- The subject property is adjacent to R-15, Medium Density Residential. R-15 allows minor PRD as a permitted use with a density of 3.75 units per acre.





Council Member Jennifer Hensley moved that Council direct staff to move forward in reviewing the annexation petition submitted by Gregory Albea, Julianne Albea, Joseph Taylor, and Laura Taylor. A unanimous vote of the Council followed. Motion carried.

B. Establishment of the Brooklyn Bird Sanctuary – *John Connet, City Manager*

City Manager Connet explained that several groups have inquired about establishing a memorial honoring the contributions of Crystal Cauley. The Environmental Sustainability Board and staff would like to propose the dedication of the Brooklyn Bird Sanctuary in Sullivan Park in memory of Crystal.

Council Member Melinda Lowrance moved that the City Council authorize the dedication of the Brooklyn Bird Sanctuary in memory of Crystal Cauley. A unanimous vote of the Council followed. Motion carried.

C. Dogwood Grant Proposal – *John Connet, City Manager*

City Manager Connet asked that due to time, the Dogwood Grant Proposal be moved to the Workshop Meeting on September 25, 2024.

10. CITY MANAGER REPORT

A. August 2024 Contingency and Adjustment Report – *John Connet, City Manager*

City Manager Connet explained to Council that the August, 2024 Contingency and Adjustment Report was in their packet for review. He also congratulated staff on another successful Apple Festival this year.

In accordance with North Carolina General Statute (NCGS) 159-13(b) it is required that all expenditures resulting from a contingency appropriation budget be reported to the governing board at its next regular meeting and recorded in the minutes.

NCGS 159-15 permits the Budget Officer (City Manager), to transfer budget from one appropriation to another within the same fund, provided any such transfers are reported to the Governing Board. The City of Hendersonville refers to transfers of budget from one appropriation to another within the same fund as a "budget adjustment". City Council authorizes budget adjustments each year with the adoption of the annual budget ordinance (SECTION 4).

This agenda item serves to fulfill the reporting requirements of both NCGS 159-13(b) and 159-15 by providing City Council a summary of all amendments and adjustments occurring thus far in the fiscal year.

FISCAL YEAR 2023 - 2024 (FY24)
BUDGET AMENDMENTS

Completed
Proposed
Corrected
Denied

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION	APPROVED	TYPE	AMENDMENT NUMBER
060-7002-540001	Special Appropriations	50,000	-	35,000	15,000	Adjustment for AMI Drive By System- AS	yes	Adjustment	8/13/2024
060-7050-554001	Capital Outlay- Equip Other Than	-	35,000	-	35,000	Adjustment for AMI Drive By System- AS	yes	Adjustment	8/13/2024
060-7002-540001	Special Appropriations	15,000	-	10,000	5,000	Mills River Partnership Increase	yes	Adjustment	8/13/2024
060-1001-540001	Special Appropriations	149,000	10,000	-	159,000	Mills River Partnership Increase	yes	Adjustment	8/13/2024
010-1010-524020	R&M Equipment	5,000	-	2,300	2,700	CH Click Share	yes	Adjustment	8/14/2024
010-1010-534000	Non-Capital Equipment	85,000	2,300	-	87,300	CH Click Share	yes	Adjustment	8/14/2024
010-0000-534999	Contingency	167,750	-	17,345	150,405	Toro Mower Lease	yes	Adjustment	8/22/2024
010-1525-534000	Non-Capital Equipment	13,600	17,345	-	30,945	Toro Mower Lease	yes	Adjustment	8/22/2024

11. CITY COUNCIL COMMENTS - None

12. ADJOURN

There being no further business, the meeting adjourned at 8:38 p.m. upon unanimous assent of the Council.

_____
Lyndsey Simpson, Mayor Pro Tem

ATTEST: _____
Jill Murray, City Clerk

MINUTES

September 25, 2024

SECOND MONTHLY MEETING OF THE CITY COUNCIL

CITY OPERATIONS CENTER | 305 WILLIAMS ST. | 4:00 p.m.

Present: Mayor Pro Tem Lyndsey Simpson and Council Members: Jennifer Hensley and Melinda Lowrance

Late Arrival: Mayor Barbara Volk arrived at 4:20 p.m.
Council Member Jeff Miller arrived at 4:19 p.m.

Staff Present: City Manager John Connet, Assistant City Manager Brian Pahle, City Clerk Jill Murray, City Attorney Angela Beeker, Communications Manager Allison Justus, Budget & Evaluation Director Adam Murr, and others.

1. CALL TO ORDER

Mayor Pro Tem Lyndsey Simpson called the meeting to order at 4:05 p.m. and welcomed those in attendance. A quorum was established with all members in attendance.

2. CONSIDERATION OF AGENDA

Mayor Pro Tem asked to add City Manager Updates as item 4E to the agenda. Council Member Melinda Lowrance moved that City Council approve the agenda as amended. A unanimous vote of the Council followed. Motion carried.

3. CONSENT AGENDA

Council Member Melinda Lowrance moved that City Council approve the consent agenda as presented. A unanimous vote of the Council followed. Motion carried.

A. Resolution to Apply for Funding for the Sewer Collection System Asset Inventory Assessment Master Plan Update – *Adam Steurer, Utilities Director*

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO APPLY FOR FUNDING FOR THE SEWER COLLECTION SYSTEM ASSET INVENTORY ASSESSMENT MASTER PLAN UPDATE

WHEREAS, the North Carolina Department of Environmental Quality Division of Water Infrastructure administers a funding program for investment in drinking water, wastewater, and stormwater systems; and

WHEREAS, The City of Hendersonville has need for and intends to conduct a study in a project described as the sewer collection system asset inventory and assessment master plan update; and

WHEREAS, The City of Hendersonville intends to request State loan and/or grant assistance for the project; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. That City of Hendersonville, the Applicant, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.
2. That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.
3. That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.
4. That the governing body of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Hendersonville to make scheduled repayment of the loan, to withhold from the City of Hendersonville any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.
5. That Adam Steurer, Utilities Director, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

6. That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.
7. That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 7th day of November, 2024.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

B. Utility Extension Agreement for Apple Ridge Development – *Brendan Shanahan, Project Division Manager*

Resolution #R-24-93

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A UTILITY EXTENSION AGREEMENT WITH HOUSING ASSISTANCE CORPORATION FOR THE APPLE RIDGE DEVELOPMENT

WHEREAS, the City of Hendersonville owns, operates and maintains a water and sewer system to serve customers throughout Henderson County; and

WHEREAS, residential, commercial, and industrial developments often require public water service as a part of their development projects; and

WHEREAS, the Housing Assistance Corporation ("HAC") is constructing water and sewer infrastructure (the "New Infrastructure") to serve Apple Ridge Development, a development that will provide affordable housing to low to moderate income households;

WHEREAS, upon completion and acceptance, the New Infrastructure will be conveyed to the City to own, operate, and maintain, and to become a part of the water and sewer system of the City in exchange for a payment by the City of $800,000; and

WHEREAS, the City requires a Utility Extension Agreement to be executed to establish requirements of both the HAC and the City for the construction and conveyance of the New Infrastructure to the City; and

WHEREAS, a draft Utility Extension Agreement has been prepared for consideration by the City Council

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. The Utility Extension Agreement with "HAC" is approved as presented.
2. Payment of the sum of $800,000 for the conveyance of the New Infrastructure is approved.
3. City Manager is authorized to execute the Utility Extension Agreement, and to approve and execute amendments to the Utility Extension Agreement in the future provided such amendments do not impose a new financial obligation upon the City beyond that approved by this Resolution.
4. City Manager is authorized to acquire easements, rights-of-way, and other interests in real property consistent with the terms of the Utility Extension Agreement, provided that such acquisition does not impose a financial obligation upon the City beyond that approved by this Resolution.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 7th day of November, 2024.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

4. PRESENTATIONS

A. Dogwood Grant Proposal – *John Connet, City Manager*

Assistant City Manager Brian Pahle presented a proposal for the utilization of the Dogwood Health Funds previously allocated for the Connections Center. Any allocation of funds will have to be approved by the Dogwood Health Trust. A revised grant application will be submitted if the City Council accepts the proposal.

Unhoused and Housing Initiatives

Update – Dogwood Grant

City of Hendersonville

September 25, 2024

WORKSHOP OBJECTIVES

01

Review and update the City's approach to the unhoused population and housing opportunities.

02

Introduce an updated proposal for the Dogwood Grant Funds (current funding).

STRATEGIC PLAN – OUR GUIDE

Strategic Plan Impacts – Goals **PS**, **HP**, and **GCC**

- **25.PS.a – Enhance Downtown Safety Program**
- **25.PS.b – Explore Social Worker Co-Responder Models and Crisis Response**
- **25.PS.e – Expand Code Enforcement Capacity**
- **25.PS.f – Create Vacant Property Registry**
- **24.HP.a – Complete Strategic Housing Plan**
- **24.HP.c – More Affordable Housing**
- **24.HP.d – Workforce Housing**
- **25.GCC.i – Start Unified Development Ordinance Update**

INTERN PRESENTATION – OUR RESEARCH

Built for Zero Model & Other Strategies

Implementing the Built for Zero Model in Hendersonville

Create a Unified Team

- Leverage the Unhoused Resource Network to form a multi-agency team headed by the social worker
- Align stakeholders under the clear, measurable goal of functional zero
- Coordinate with the Region 2 Continuum of Care

Calibrate Policies Using Data

- Use GIS data from the Unhoused Data Gathering Initiative to fine tune city policy
- Identify hotspots and patterns to inform policy adjustment
- Address racial inequities by highlighting disproportionately affected areas

Promote Comprehensive Case Management

- Provide the social worker with access to user-friendly case management software
- Develop client files with detailed individual data
- Collaborate with local providers to provide wraparound services

Targeted Housing Solutions

- Council designates itself as a housing authority
  - Gain control over affordable housing projects
  - Leverage existing partnerships and best practices from successful models like Chapel Hill
- Implement a Vacant Housing Receivership Program
  - Utilize legal frameworks to rehabilitate vacant properties to increase affordable housing

CURRENT FUNDING – OUR APPROACH

Funding Sources

Dogwood Housing = $1.5m

- **$1m – Housing and Land (infrastructure support)**
- **$300k – Mental and Substance Abuse Support Programming**
- **$200k – Crisis Intervention & Housing Navigator Services**

Dogwood Housing Plan = $100k

- **$25k – Shane Phillips, Field Trip, Marketing, Logistics**
- **$66k – DFI Housing Inventory**
- **$25k – Facilitation Services**

ARPA for Public Safety = $680k

- **$284k – DT Police Officer (3 Years)**
- **$236k – Zoning Officer (3 Years)**
- **$150k – DT Safety Infrastructure**

FUTURE NEEDS – OUR PLAN

Multi-Faceted Approach

Do not bear the burden of attempting to solve everything

–

The City deals with many wicked issues that do not have easy answers or solutions. With most (if not all) of these issues, the City will play an important role in developing solutions. However, in many cases, City Council and staff are simply one piece of the solution.

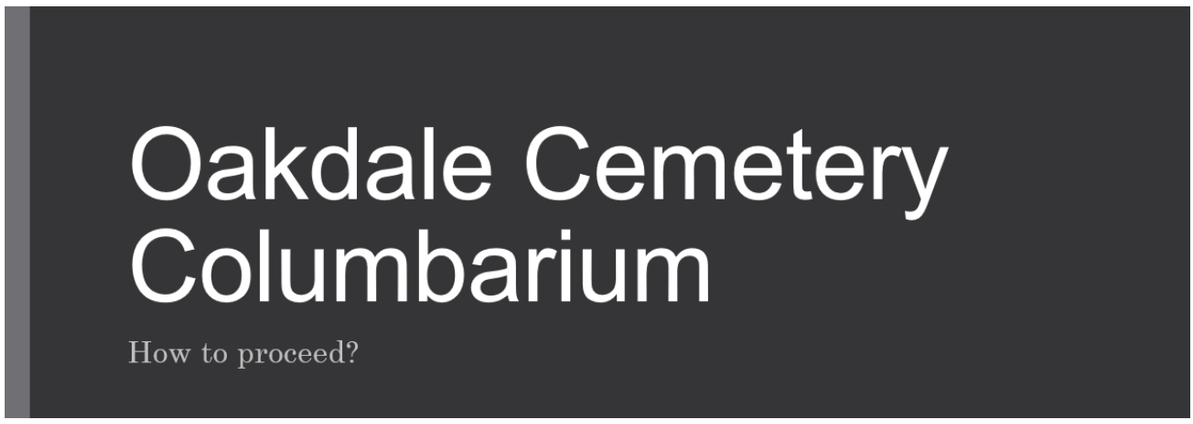
Council Member Jennifer Hensley moved that the City Council proceed with the development of a revised grant application based on the direction provided by the City Council at tonight's meeting.

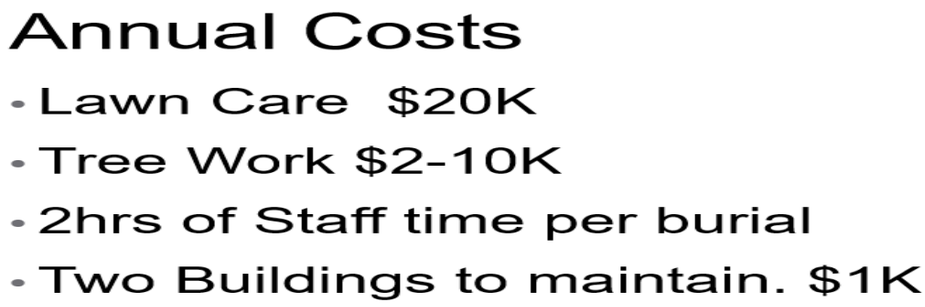
B. Proposed Revisions to Parks Master Plan – *John Connet, City Manager*

City Manager John Connet explained that the Parks Master Plan has been on our website and available for public comment to the public, as well as, City Council and we will be submitting that back to our consultant to make the changes and it will come back for approval at your October meeting. A couple of the most significant things. There is specific discussion in the plan as it relates to green gentrification and I just wanted to clarify that the Council and the City is very much aware of the concerns regarding green gentrification and gentrification in general. It's been Council's direction to move forward with the programs such as our Strategic Housing Program and also to be mindful that improved parks is a positive thing for everybody. Good quality of life supports all citizens within our community and that's what this plan is about. Improving quality of life for all of our citizens. So, council is giving staff the direction for this plan to continue to focus on good quality of life in parks and all areas of our community, provide access to greenspace and amenities, regardless of location and socioeconomic background. The second component is that you have to look at all of the work that City Council has asked us to do including the Strategic Housing Plan and the Minimum Housing Code to focus on an overall healthy community so I wanted to make sure that's clear. Also, we want the plan to be something that the entire community can support and the one significant change is going to be Chapter 5 which is currently titled "Equity". We know some of our community, the members don't support the term "Equity", however, the purpose of that section is really about providing good quality parks in all areas of the community so we are going to retitle that particular section as "Inclusion" because that's really what we're talking about including all of our citizens in our parks. We didn't want one word to distract from what the purpose of the parks and recreation plan is and what it's about. Quality of life and providing good parks for our citizens. I just wanted to be transparent about that so if people are reviewing then revised plan that will be on your agenda, those are really the significant changes.

C. Oakdale Cemetery Columbarium Plan Presentation – *Tom Wooten, Public Works Superintendent and Mark Stierwalt, Public Works Superintendent*

Mark Stierwalt, Superintendent of Public Works gave a PowerPoint presentation that explained that we are about full in our cemeteries' and need to come up with a plan.





Additional Costs

- Major Tree work
- Roads need to be repaved every 25 years
- Repairing/maintaining/straightening abandoned headstones $?
- Mausoleum

Upcoming Projects

- Renovate the historical roundhouse. Estimated $30K
- Repave Roads
- Renovate Mausoleum - Estimated $30K
- Educational Kiosk - $10-20K

Case for a Columbarium

There is no exit strategy.

We will run out of lots and our primary funding source for maintenance.

Perpetual care means forever.

How much Space is left?

- 300~ lots Available in Section Q
- 22 Spaces in the Mausoleum
- Some lots are by regulation "abandoned".
- North Side has sporadic spacing. We don't know how many without an investigation.

Local Cemetery Pricing

- Forest Lawn $1925 & $2495 perpetual care
- Blue Ridge Gardens in Pisgah Forest $1850 - $2150
- Riverside in Asheville $1625 or $1300 for City residents
- Pollack Memorial in Asheville $2000
- Woodland Memorial in Greenville SC range from $4000-$8000
- Average cost is $1906.00 - $2503.00

Local Columbarium Niche Comparisons

Blue Ridge Gardens
$2500 to 3500 per niche

Forest Lawn
$1695

Lewis Memorial Park - $2000

Recommendations

Preparing for the long haul.

Proposed rates:

$1600 per lot for city residents

$2000 per lot for all others

$5000 for mausoleums spaces

Start a fund to cover maintenance. Interest would cover/offset lawncare and maintenance in perpetuity.

NFDA NATIONAL FUNERAL DIRECTORS ASSOCIATION

Cremation vs. Burial

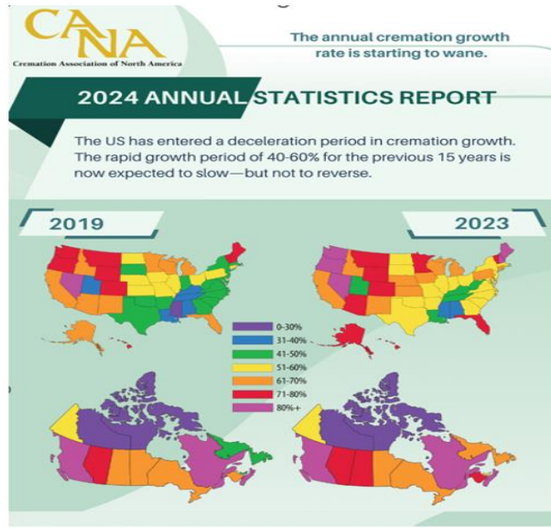
60.5% vs 34.5%

NFDA's 2023 cremation and burial report, the 2023 cremation rate is projected to be 60.5% and the burial rate is projected to be 34.5%.

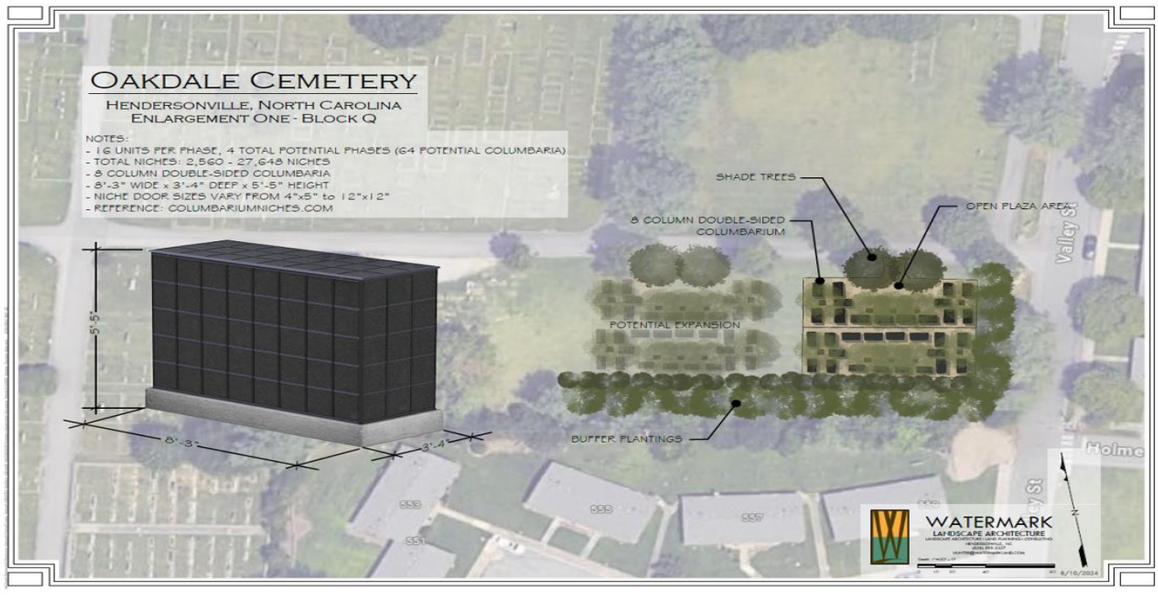
NFDA NATIONAL FUNERAL DIRECTORS ASSOCIATION

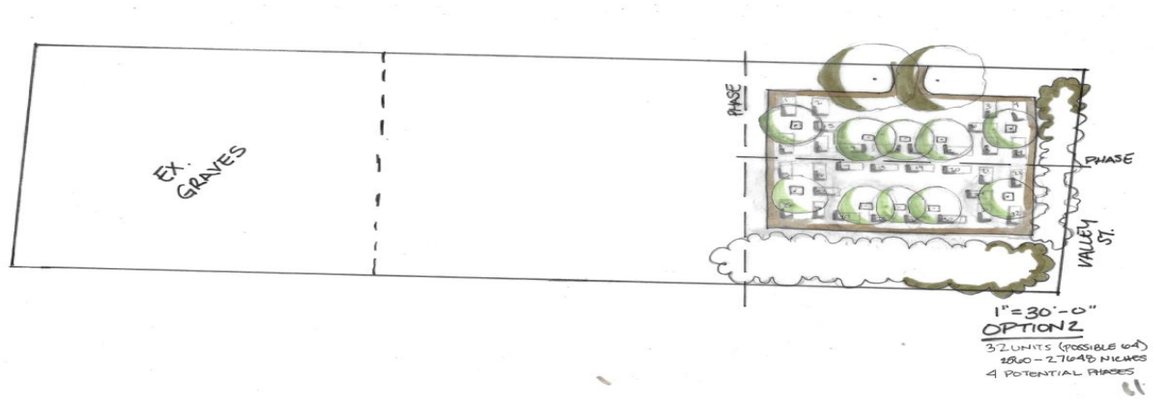
31.7%

NFDA's 2023 consumer awareness and preferences report, 31.7% would prefer to have their cremated remains buried or interred in a cemetery



Section Q





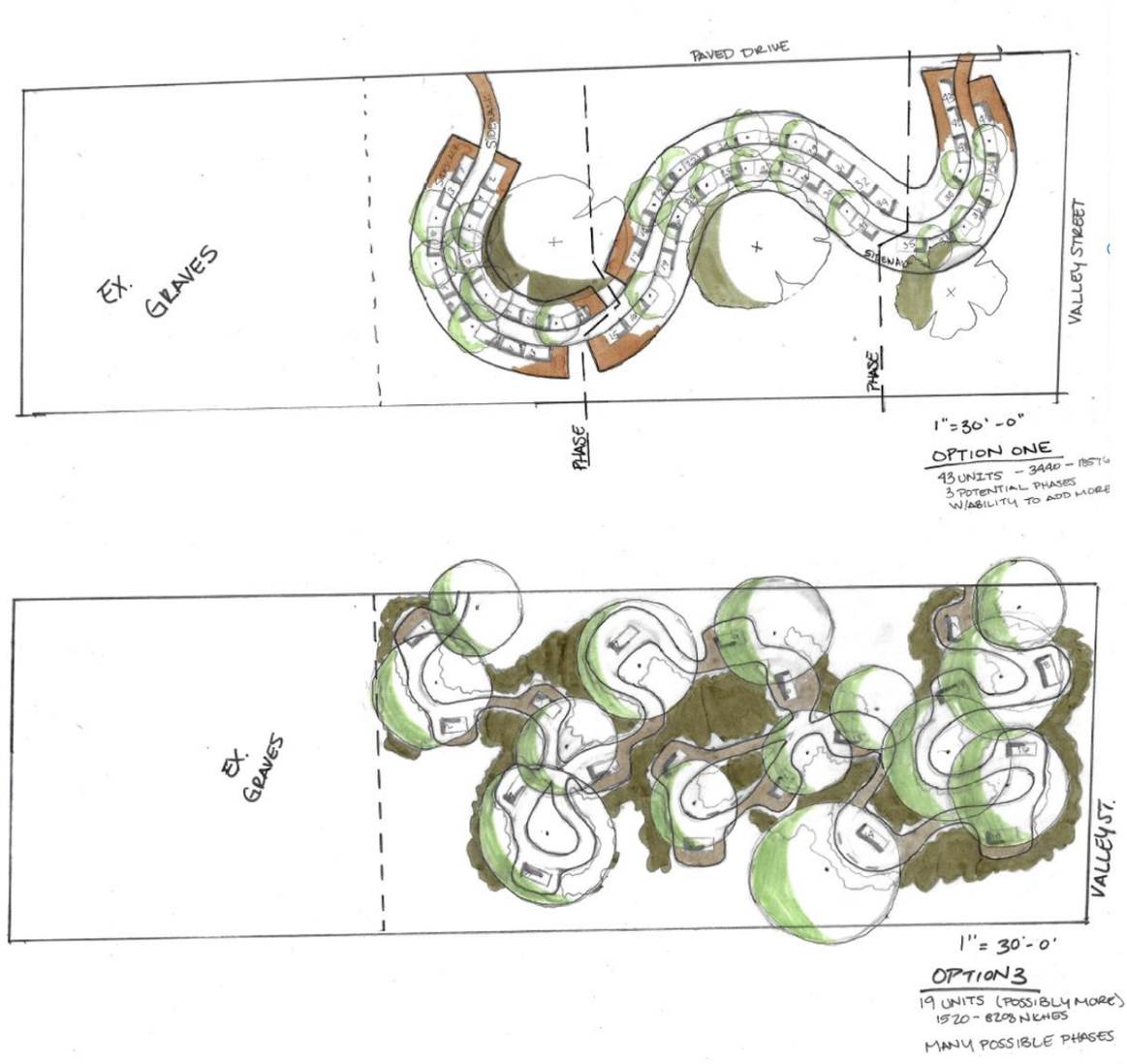
Question #1

Does staff proceed with a full scale design and construction plans?

Question #2

If the cemetery has currently has 300 graves available, when and how do we transition away from graves?

- Do we pick a date to stop sales?
- Or pick a point on the ground and we sell up to that point?



D. 7th Avenue Streetscape Update – *Brendan Shanahan, City Engineer*

City Engineer Brendan Shanahan gave the following PowerPoint presentation giving an update on the 7th Avenue Streetscape.

Project Update

Fall '24

7TH AVENUE DISTRICT

Project Scope

- Wider sidewalk design.
- Narrower travel lanes.
- Addition of amenities (trees, street lamps, landscaping, etc.).
- Replacement of utilities (water, sewer).
- Innovative stormwater treatments.
- Addition of brick crosswalks, accessible ramps.

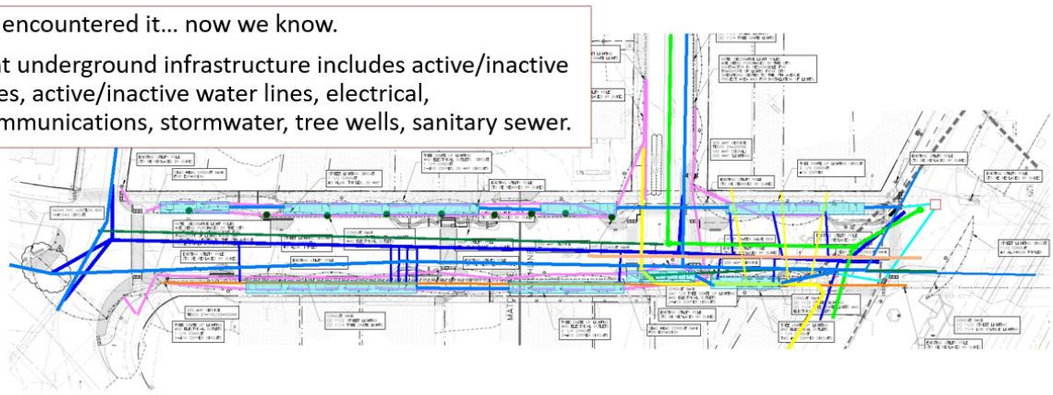
There have been challenges...

- Road closures have been in place for 8 months.
  - Resulting in detours and reduced parking
- Excavation yield surprises.
  - Unexpected conflicts, requiring change of grade/alignment.
  - Unknown utilities uncovered or severed by excavation.
  - Significant below ground soil cell work.
- Overhead utilities require extensive schedule coordination between other utilities (power, telecom) and GC, subs.
- We appreciate that the stakeholders have handled the challenges with grace and agility.
- We all have the same goal: This project must be an unmitigated success for the community.

There have been challenges…

We've encountered it… now we know.

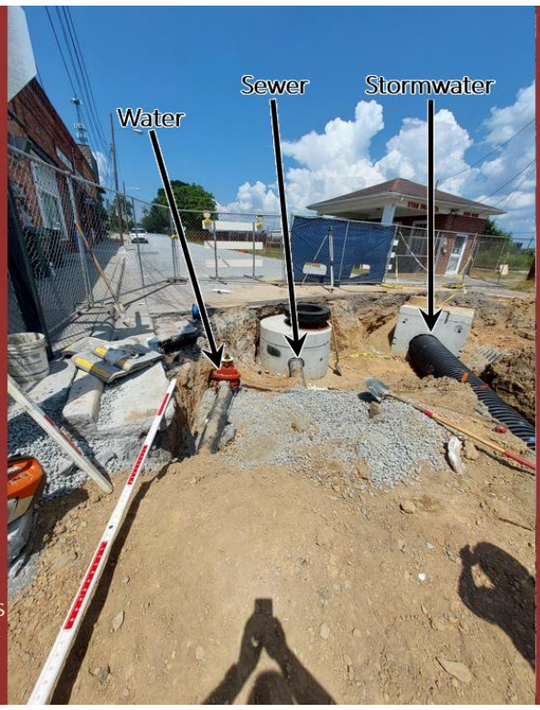
Current underground infrastructure includes active/inactive gas lines, active/inactive water lines, electrical, telecommunications, stormwater, tree wells, sanitary sewer.



There have been challenges…

Uncovering unexpected bends and elevations of existing utilities often required adjustment to planned alignments

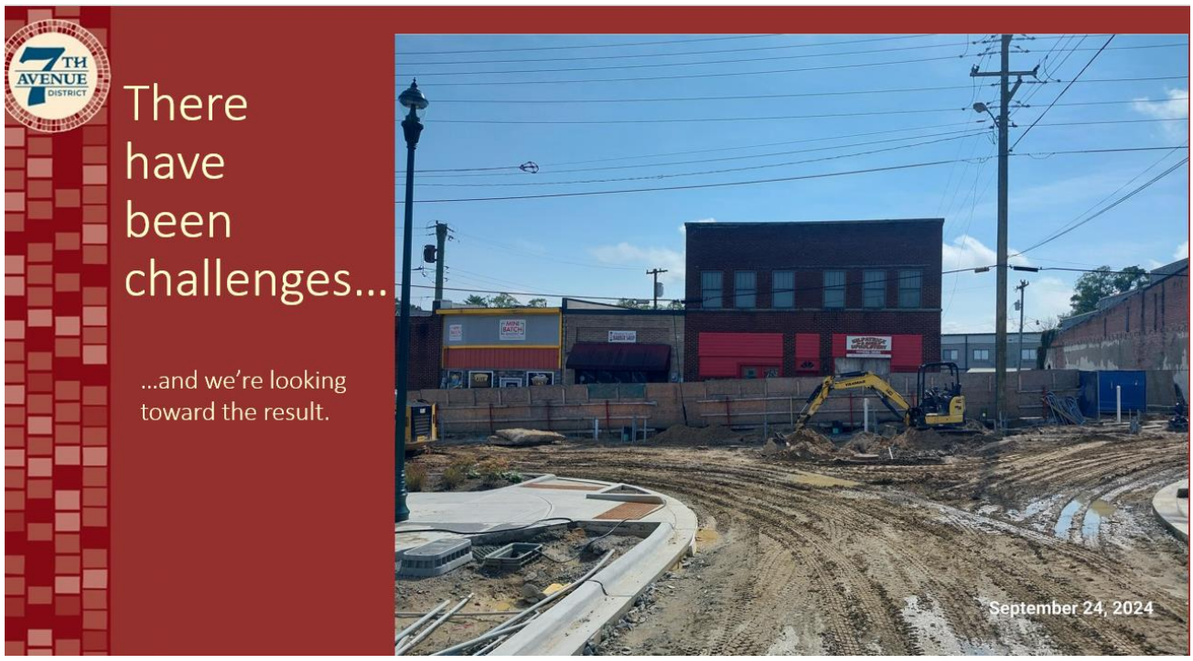
In addition to water, sanitary sewer and stormwater, the underground work navigated telecommunications lines, gas lines and mystery abandoned lines.

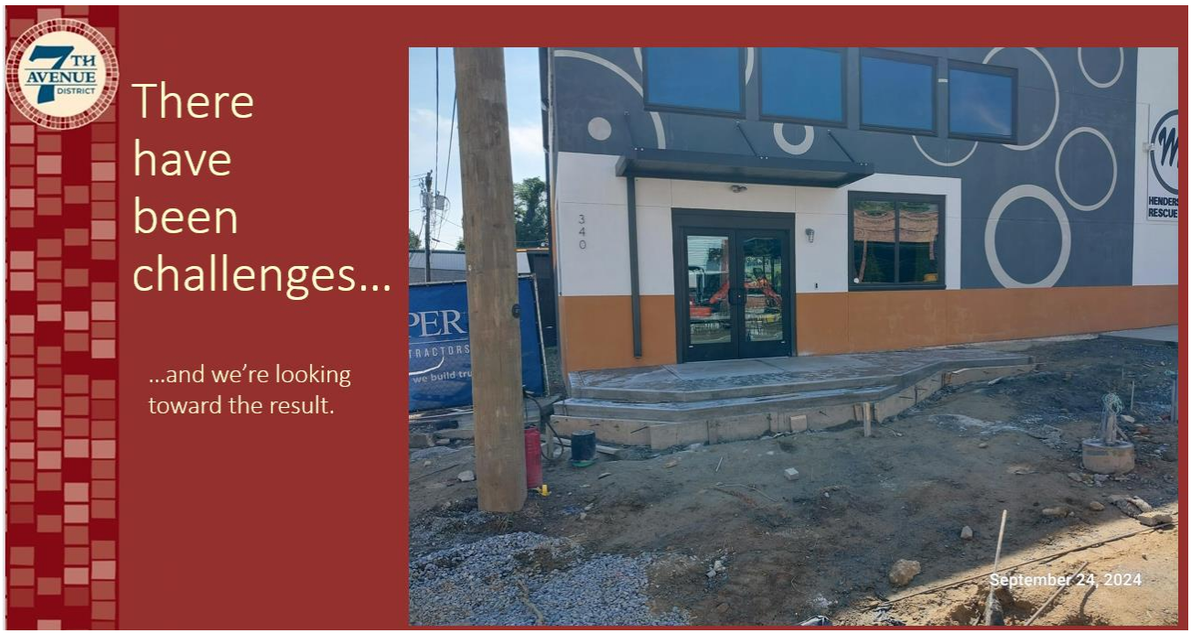


There have been challenges…

Improvements often look simpler in plan view…

… than they do in practice.


7TH AVENUE DISTRICT
There have been challenges...
...and we're looking toward the result.
September 24, 2024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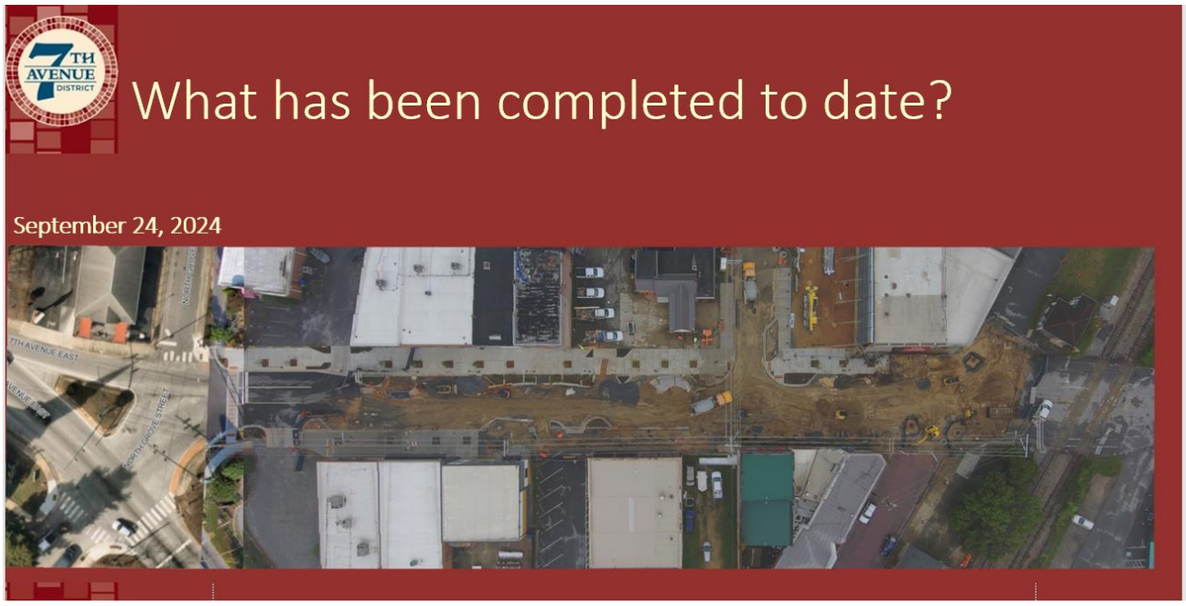
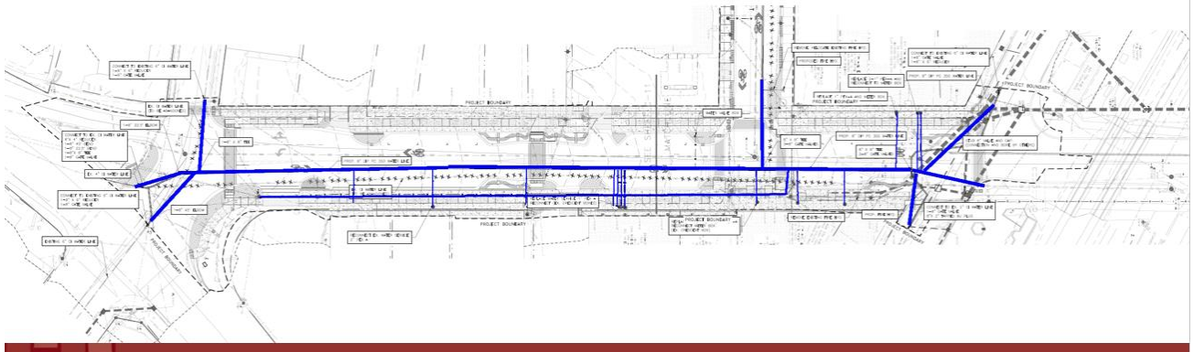

7TH AVENUE DISTRICT
What has been completed to date?
September 24, 2024

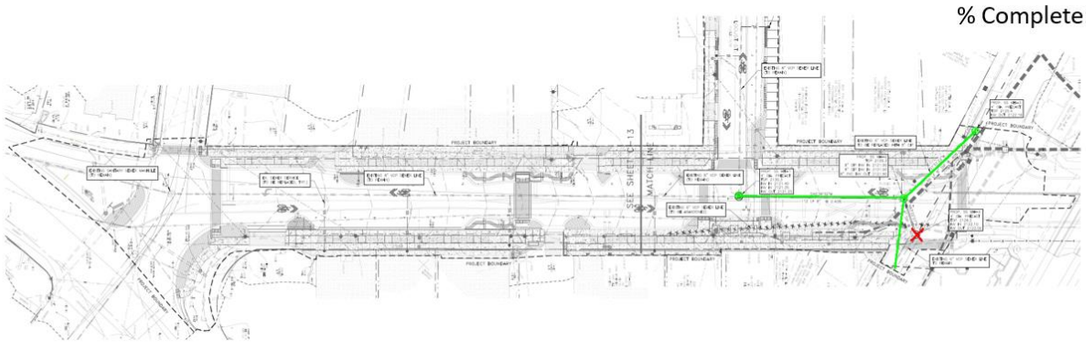
What has been completed to date?

Task: Water Utility
% Complete: 100



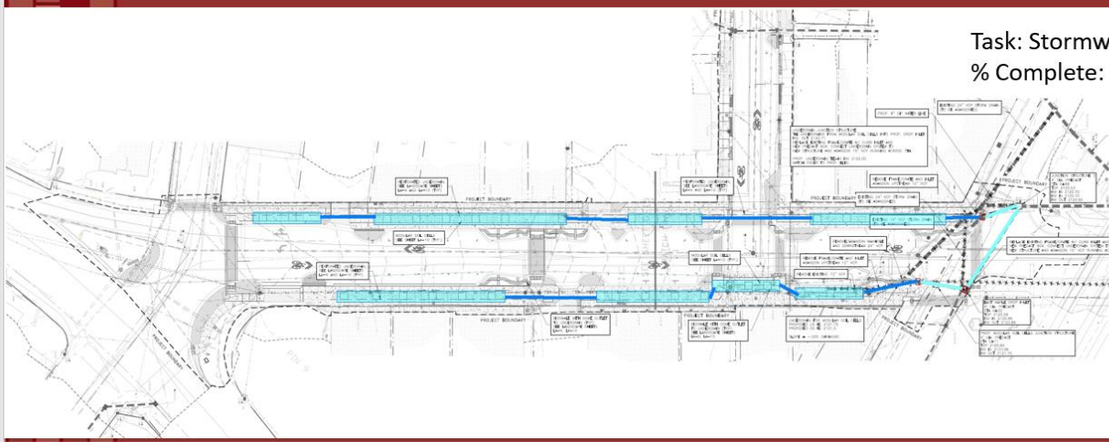
What has been completed to date?

Task: Sewer Utility
% Complete: 100



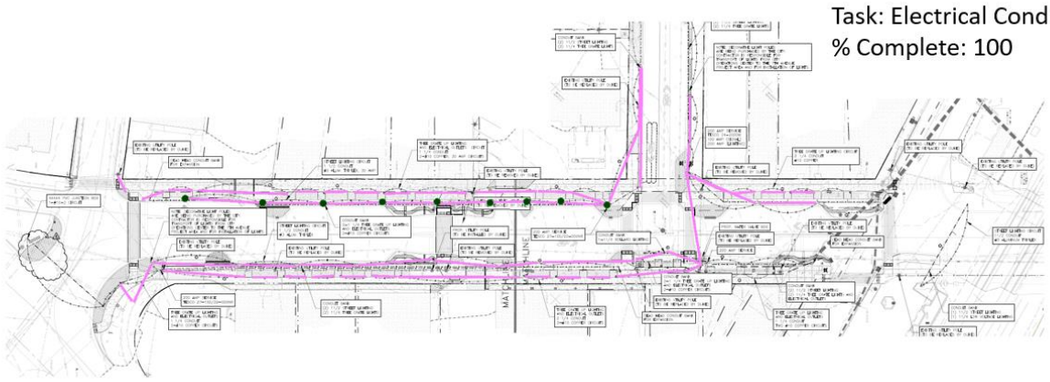
What has been completed to date?

Task: Stormwater
% Complete: 100



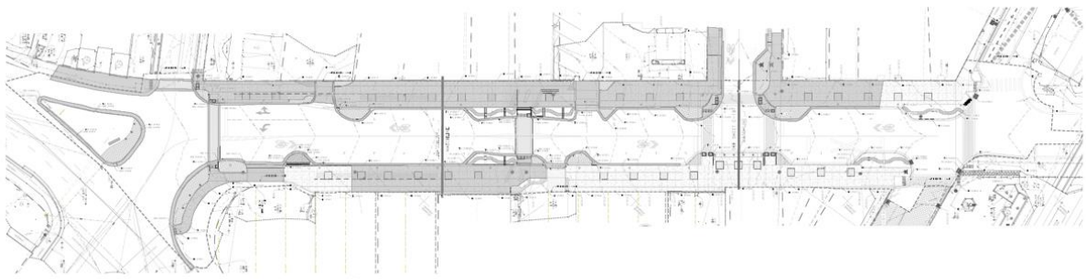
What has been completed to date?

Task: Electrical Conduit
% Complete: 100



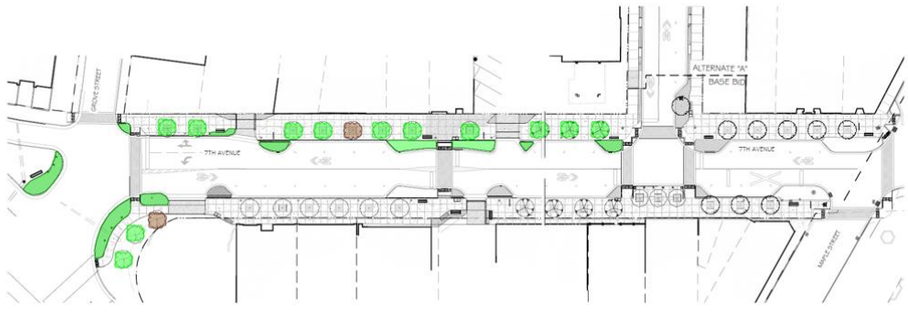
What has been completed to date?

Task: Concrete
% Complete: 75



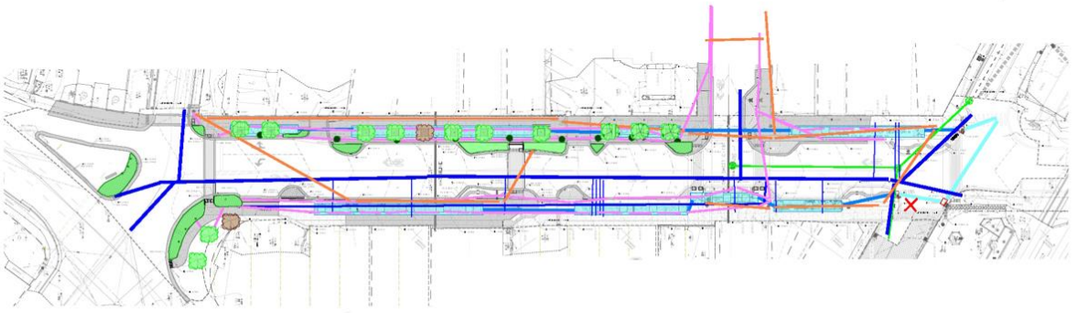
What has been completed to date?

Task: Landscaping
% Complete: 40



What has been completed to date?

Task: Overall Project
% Complete: >75*



*Based on work billed through August.

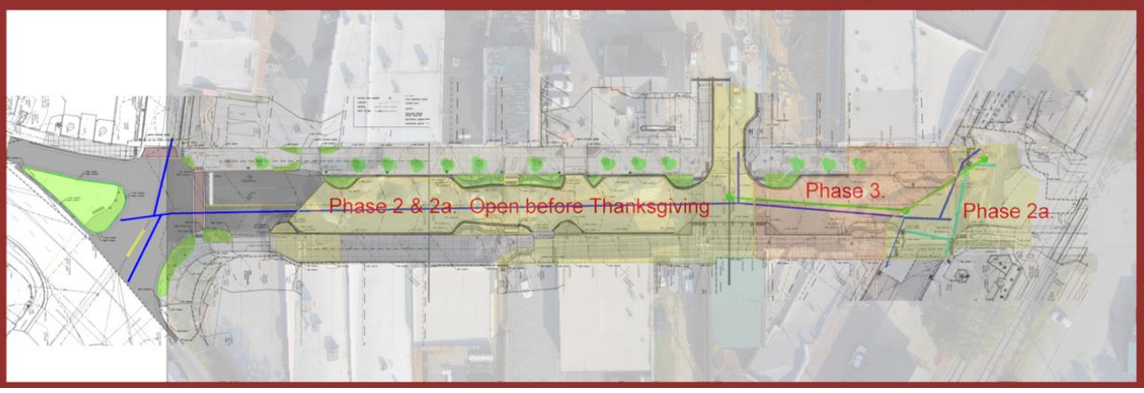
What Remains?

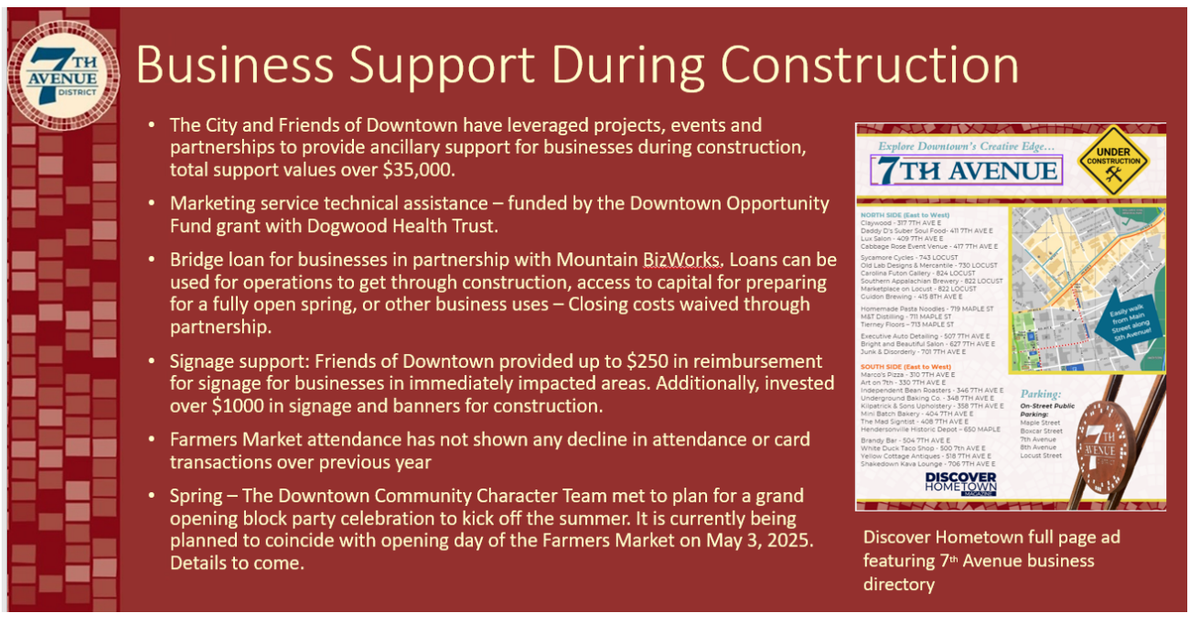
- Current Expectations are that *(with cooperation of the weather)* this project will be completed:
  - Within the contract period
  - Within the contract budget

What Remains?

Phases 2 & 2a are expected to be open by Thanksgiving

Phase 3 is expected to be open by Christmas





E. City Manager Update – *John Connet, City Manager*

City Manager John Connet said that we are aware that there is a new vape shop going in across from Hendersonville High School and there is nothing currently in our ordinance to stop it. If Council wishes to put in distance requirements, we can look into doing that. Mayor Pro Tem Simpson added that it would be nice to set up something in our ordinance, as well as, a proximity for protests across from the schools.

He added that our staff is preparing for Hurricane Helene and the Mayor signed a State of Emergency that goes into effect tomorrow morning at 8:00 a.m. We will be setting up our Emergency Operations Center at the new fire station and it will be staffed 24/7 beginning at 8:00 in the morning. All departments are preparing equipment, fueling, generators, everything that is necessary to prepare for a hurricane. We're asking people to prepare their homes today and tomorrow as needed for the storm. We're preparing for it to be a multi-day event because even when the rains stops, flooding will continue to be there for a period of time. We have the State of Emergency, we are revoking all special event permits for the week and we will stay in touch with the County Emergency Operations as well.

5. ADJOURN

There being no further business, the meeting was adjourned at 5:26 p.m. upon unanimous assent of the Council.

_____

Barbara Volk, Mayor

ATTEST:

_____

Jill Murray, City Clerk

MINUTES

October 3, 2024

REGULAR MEETING OF THE CITY COUNCIL

CITY HALL-2ND FLOOR MEETING ROOM | 160 6TH AVE. E. | 5:45 p.m.

Present: Mayor Barbara G. Volk, Mayor Pro Tem Lyndsey Simpson and Council Members: Dr. Jennifer Hensley, Jeff Miller and Melinda Lowrance

Staff Present: City Manager John Connet, Assistant City Manager Brian Pahle, City Clerk Jill Murray, City Attorney Angela Beeker, Budget & Evaluation Director Adam Murr, Communications Manager Allison Justus and others

1. CALL TO ORDER

Mayor Volk called the meeting to order at 5:45 p.m. and welcomed those in attendance. A quorum was established with all members in attendance.

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The City Council observed a moment of silence for prayer or reflection followed by the Pledge of Allegiance to the Flag. Mayor Volk said to please remember our whole community, all of those in need of assistance, have lost their homes, lost family members and for strength for everyone here in the community.

3. PUBLIC COMMENT *Up to 15 minutes is reserved for comments from the public not listed on the agenda.*

In Person:

Ken Fitch spoke about Hurricane Helene and said that the public wishes to thank everyone on scene and behind the scenes for everything they have been doing during this unprecedented crisis with a special shout out to the Fire Department, Police, Public Works, Water & Sewer whose constant interactive presence has provided much needed reassurance and the new fire station has been a beacon of hope in a dark time. The new fire station has many times over showed it's worth as the central location for gathering briefings and strategy sessions and throughout the city there have been collective and individual unforgettable moments of assistance during this time. When a group of us were trying to open an emergency path out of our downed tree blocked neighborhood to assist someone that was ill, we were equipped with chainsaws, clippers and rakes but then all of a sudden there was Captain Womack and his fire team to assist with heavy tools. Many a day we would see that master of emergency arboreal extrication, Alan Cliff with his brush truck working way after sundown. And, yes, a simple thing like a police car stationed at Five Points with its lights flashing managed to bring some order and patience to the growing line of traffic. Then yesterday when we saw Deon jump off of the recycling truck, we knew that things might be getting back to normal. Certainly an MVP recognition of the highest order must be conveyed to whoever made the decision to have power outlets on Main Street that for hundreds of residents have been a lifeline as the only source of power to charge their phones. Some say the outlets were installed for Christmas lights. Well we have been having twelve days of Christmas. We must commend the few local restaurants that on that first disastrous day were open, like Mezzaluna, Papa Johns and the Indian restaurant were offering free food but then it has been First Baptist Church and so many other churches, organizations, businesses and individuals who have been providing necessary food, water and supplies daily and once again we witness an experience, the importance of neighborhoods where so much positive interaction has occurred. We welcome this important meeting because there has been one major issue of concern. The communication breakdown has been and continues to be a problem. Going forward, how do we receive official information when technology fails? With unstable phone service and no internet and some of us can only get Asheville and distant radio stations but not WHKP or WTZQ so someone in the neighborhood is excited because they've heard Bill Moss on WTZQ. So we hope the situation can be remedied but we are grateful for this meeting, this important meeting and its broadcast. An example of a question that would come up. Do we remain on a boil water advisory or not and where would information like that be available going

forward? A physical posting might be an additional asset in a central location. Well, we are sure that Allison will come up with a some solution but it remains a concern. In the end, it all comes down to the strength of our community. The people who live and work here and together we can go forward.

4. CONSIDERATION OF AGENDA

City Manager Connet asked that two items be removed from the agenda.

- ***Item 9a New Grant Opportunity, Our State, Our Homes***
- ***Closed Session***

Council Member Lyndsey Simpson moved that City Council approve the agenda as amended. A unanimous vote of the Council followed. Motion carried.

5. CONSENT AGENDA

Council Member Melinda Lowrance moved that City Council approve the consent agenda as presented. A unanimous vote of the Council followed. Motion carried.

A. Adoption of City Council Minutes – *Jill Murray, City Clerk*
September 5, 2024 Regular Meeting
September 20, 2024 Fire Station 1 Grand Opening Celebration

B. Amendment 1 – Engineering Services to Support the WTF 15-MGD Filter Expansion Project – *Adam Steurer, Utilities Engineer*

Resolution #R-24-88

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO APPROVE AMENDMENT 1 OF THE CONTRACT FOR ENGINEERING SERVICES TO SUPPORT THE WTF 15-MGD FILTER EXPANSION PROJECT

WHEREAS, the City owns and operates a water treatment facility (WTF) that has a current permitted capacity of 12 million gallons per day (mgd); and

WHEREAS, the City intends to install one additional dual-media filter and associated piping, instrumentation, and appurtenances, which will increase the WTF's permitted capacity to 15 mgd; and

WHEREAS, the engineering services included in this Amendment 1 generally include construction administration, construction observation, and materials testing; and

WHEREAS, Hazen and Sawyer, D.P.C. was previous selected as most qualified to provide professional engineering services for the project, as recommended by Staff. The services in Amendment 1 are consistent with these professional services.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. Amendment 1 of the Contract for Engineering Services to Support the WTF Filter Expansion Project from Hazen and Sawyer, D.P.C is approved in the amount of $299,033.
2. The City Manager is authorized to execute Amendment 1 of the Contract with Hazen and Sawyer, D.P.C. consistent with the terms of this Resolution.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 3rd day of October, 2024.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

C. VC3 Contract Renewal – *Brian Pahle, Assistant City Manager*

D. October 2024 Budget Amendments – *Adam Murr, Budget & Evaluation Director*

TO MAYOR & COUNCIL **FISCAL YEAR 2025**
APPROVAL: October 3, 2024 **FORM: 10032024-01**

BUDGET AMENDMENT

FUND 460					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
460-0000-470100-19207	Debt Proceeds ('25 Rev. Bond)	2,131,500	332,900	-	2,464,400
460-7055-550103-19207	Capital Outlay - CIP	2,131,500	332,900	-	2,464,400
FUND 460 (#19207)	TOTAL REVENUES	-	332,900	-	2,464,400
15 MGD Expansion	TOTAL EXPENDITURES	-	332,900	-	2,464,400
An amendment increasing the capital project ordinance (CPO) for the 15 MGD Expansion Project (#19207) project.					

The City Manager and City Clerk certify budget ordinance amendment 10032024-01 was approved by City Council on October 3, 2024.

TO MAYOR & COUNCIL **FISCAL YEAR 2025**
APPROVAL: October 3, 2024 **FORM: 10032024-02**

BUDGET AMENDMENT

FUND 068					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
068-7855-501001	Salaries Regular	587,088	-	9,500	577,588
068-7855-502055	Retiree Insurance	-	9,500	-	9,500
FUND 068	TOTAL REVENUES	-	-	-	-
Env. Services Fund	TOTAL EXPENDITURES	587,088	9,500	9,500	587,088
An amendment increasing Retiree Insurance to cover the cost of a recently retired Environmental Services Employee.					

The City Manager and City Clerk certify budget ordinance amendment 10032024-02 was approved by City Council on October 3, 2024.

TO MAYOR & COUNCIL **FISCAL YEAR 2025**
APPROVAL: October 03, 2024 **FORM: 10032024-03**

BUDGET AMENDMENT

FUND 010 | 301 | 410					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
301-0000-470100-18007	Transfer in (from 010)	514,272	-	-	514,272
301-0000-470100-18007	Transfer in (from 032)	50,915	-	-	50,915
301-0000-_____-18007	Note Receivable	729,594	-	-	729,594
301-0000-420050-18007	Grant (NC Commerce)	500,000	-	-	500,000
301-0000-460110-18007	Reimbursements	40,000	-	-	40,000
301-0000-550103-18007	Capital Outlay CIP	799,166	-	-	799,166
301-0000-598600-18007	Loan to Outside Org (Developer)	500,000	-	-	500,000
301-0000-598901-18007	Transfer out (to 010)	535,615	-	75,025	460,590
301-0000-598901-18007	Transfer out (to 301, #18007)	-	75,025	-	75,025
FUND 301	TOTAL REVENUES	1,834,781	-	-	1,834,781
Grey Mill Project #18007	TOTAL EXPENDITURES	1,834,781	75,025	75,025	1,834,781
010-0000-470900	Fund Balance Appropriated (ARP)	130,000	-	-	130,000
010-0000-598901	Transfer out (to 410, #G2201)	130,000	-	-	130,000
FUND 010	TOTAL REVENUES	130,000	-	-	130,000
General Fund	TOTAL EXPENDITURES	130,000	-	-	130,000
410-0000-420050-G2201	Grant Revenue	750,000	-	-	750,000
410-0000-420050-G2201	Transfer in (from 010, ARP Funds)	-	130,000	-	130,000
410-0000-420050-G2201	Transfer in (from 301, #18007)	-	75,025	-	75,025
410-1014-550102-G2201	Capital Outlay- Fees and Services	750,000	205,025	-	955,025
FUND 410	TOTAL REVENUES	750,000	205,025	-	955,025
Ashe St. CDBG #G2201	TOTAL EXPENDITURES	750,000	205,025	-	955,025
An amendment transferring $130,000 from ARP Funds and $75,025 from the Grey Mill Project (fund 301, #18007) to the Governmental Capital Project Fund (410) for the completion of the Ashe St. CDBG Project (#G2201). The amendment increases the total appropriation for the Ashe St. Project to $955,025.					

The City Manager and City Clerk certify budget ordinance amendment 10032024-03 was approved by City Council on October 03, 2024.

TO MAYOR & COUNCIL **FISCAL YEAR 2025**
APPROVAL: October 03, 2024 **FORM: 10032024-04**

BUDGET AMENDMENT

FUND 410					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
410-0000-420050-24011	Grant Revenue (RAISE Grant)	-	75,000	-	75,000
410-1014-519200-24011	Contracted Services	-	75,000	-	75,000
FUND 410	TOTAL REVENUES	-	75,000	-	75,000
Above the Mud, #24011	TOTAL EXPENDITURES	-	75,000	-	75,000
An amendment reflecting the adoption of a project ordinance for the Above the Mud Greenway and Streetscape Project, #24011. The City intends to submit for a RAISE grant to fund the project.					

The City Manager and City Clerk certify budget ordinance amendment 10032024-04 was approved by City Council on October 03, 2024.

E. Above the Mud Greenway & Streetscape Project Capital Project Ordinance and Reimbursement Resolution - *Adam Murr, Budget & Evaluation Director*

Ordinance #O-24-36

CAPITAL PROJECT ORDINANCE FOR THE EXECUTION, ACQUISITION, CONSTRUCTION, AND INSTALLATION OF THE ABOVE THE MUD GREENWAY AND STREETSCAPE PROJECT, #24011

BE IT ORDAINED by the Governing Board of the City of Hendersonville, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1: The project authorized is a City project described as the Above the Mud Greenway and Streetscape Project, #24011.

Section 2: The following amounts are appropriated for the project(s):

Account Codes	Account Name	Total Budget

Fund	Dept.	Account	Project		
410	1014	519200	24011	Contracted Services	$75,000

Total Project Appropriation	**$75,000**

Section 3: The following revenues are anticipated to be available:

Account Codes				Account Name	Total Budget
Fund	Dept.	Account	Project		
410	0000	420050	24011	Grant Revenue (RAISE Grant)	($75,000)

Total Project Appropriation	**($75,000)**

Section 4: The Finance Director is hereby directed to maintain within the General Fund and Governmental Capital Project Fund sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable.

Section 5: Funds may be advanced from the General Fund and Governmental Capital Project Fund, as necessary for the purpose of making payments as due. Reimbursement requests shall be made in an orderly and timely manner.

Section 6: The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and Section 4.

Section 7: The Finance Director is further instructed to include a detailed analysis of past and future revenues and expenses during each annual budget submission made to the Governing Board.

Section 8: Copies of this capital project shall be furnished to the City Clerk, Finance Director, and City Manager for direction in carrying out this project.

Section 9: The City Manager, or designee, is authorized to declare the project completed, close the project ordinance, and distribute remaining project funds to the appropriate operating fund or reserve fund.

ADOPTED by the City Council of the City of Hendersonville, North Carolina, on this 3rd day of October, 2024.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

Resolution #R-24-90

HENDERSONVILLE, NORTH CAROLINA
DECLARATION OF OFFICIAL INTENT TO REIMBURSE

BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina, this declaration (the "Declaration") is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of HENDERSONVILLE, North Carolina (the "Issuer") with respect to the matters contained herein.

Expenditures to be Incurred. The Issuer anticipates incurring expenditures (the "Expenditures") for EXECUTION, ACQUISITION, CONSTRUCTION, AND INSTALLATION OF THE Above the Mud Greenway and Streetscape Project (#24011), ORDINANCE #O-24-36 (the "Projects").

Plan of Finance. The Issuer intends to finance the costs of the Project(s) with the debt proceeds to be issued by the Issuer (the "Borrowing"), the interest on which is to be excluded from gross income for Federal income tax purposes.

Maximum Principal Amount of Debt to be Issued. The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is $19,147,001.

Declaration of Official Intent to Reimburse. The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

ADOPTED by the City Council of the City of Hendersonville, North Carolina, on this 3rd day of October, 2024.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

6. PRESENTATIONS

A. Proclamation – American Pharmacists Month – *Barbara G. Volk, Mayor*

Since there was no one in attendance and to keep the meeting moving forward, Mayor Volk did not read the proclamation aloud, however, the City Clerk will make that the original gets delivered.

Proclamation
American Pharmacists Month

WHEREAS, Pharmacy is one of the oldest of the health professions concerned with the health and well-being of all people; and

WHEREAS, Today there are more than 300,000 pharmacists licensed in the United States providing services to ensure the safe and effective use of all medications; and

WHEREAS, The safe and effective use of medications, as a cost-effective alternative and a mechanism to avoid more expensive medical procedures, is a major force in moderating overall healthcare costs; and

WHEREAS, Today's powerful and complex medications require greater attention to the manner in which they are used by different population groups – both clinically and demographically; and

WHEREAS, It is important that all users of prescription and nonprescription medications, their families or their caregivers, be knowledgeable about and share responsibility for their own drug therapy; and

WHEREAS, Pharmacists have extensive education and expertise on drugs and medication therapy, making them ideally suited to work with patients and their health care team members to improve medication use and outcomes; and

WHEREAS, Pharmacists provide patients with expertise, knowledge and accessibility, all crucial factors to support improvement in our nation's public health and have helped to combat the COVID-19 pandemic over the past 4 years; and

WHEREAS, Pharmacists are utilized to the full capacity of their license with recent expansions in practice to include prescribing and providing oral contraceptives, long acting injectables, nicotine replacement products and continue to have a broadening role in improving access to high quality healthcare; and

WHEREAS, Pharmacists are best positioned to be the health care professionals to help patients improve their adherence to their medication and provide patient care services that ensure optimal medication therapy outcomes; and

WHEREAS, The City of Hendersonville is honored to have the students of the Wingate University School of Pharmacy as they enjoy the state of the art facility to further their education in Hendersonville, a place they can call home, and to express our appreciation for fulfilling their mission to give back and serve this community with both student pharmacists and pharmacy graduates.

NOW, THEREFORE, I, Barbara Volk, Mayor of the City of Hendersonville do hereby proclaim the month of October to be

"**American Pharmacist Month**"

in the City of Hendersonville and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

PROCLAIMED this 3rd day of October, 2024.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk

B. Proclamation – Fire Prevention Week 2023 – *Barbara G. Volk, Mayor*

Mayor Volk read the proclamation aloud and presented it to Fire Marshal Nate Young.

PROCLAMATION
City of Hendersonville

Fire Prevention Proclamation 2024

WHEREAS, the city of Hendersonville, North Carolina is committed to ensuring the safety and security of all those living in and visiting Hendersonville; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires caused 2,840 civilian deaths in the United States in 2021, according to the National Fire Protection Association® (NFPA®), and fire departments in the United States responded to 353,500 home fires; and

WHEREAS, smoke alarms sense smoke well before you can, alerting you to danger in the event of fire in which you may have as little as 2 minutes to escape safely; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; and

WHEREAS, the city of Hendersonville residents should be sure everyone in the home understands the sounds of the smoke alarms and knows how to respond; and

WHEREAS, the city of Hendersonville residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, the city of Hendersonville residents will make sure their smoke and carbon monoxide (CO) alarms meet the needs of all their family members, including those with sensory or physical disabilities; and

WHEREAS, the city of Hendersonville first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, the city of Hendersonville residents that are responsive to public education measures are better able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, the 2024 Fire Prevention WeekTM theme, "Smoke Alarms: Make Them Work For You!™" effectively serves to remind the city of Hendersonville it is important to have a home fire escape plan.

THEREFORE, I Barbara G. Volk, Mayor of Hendersonville, NC, do hereby proclaim October 6-12, 2024, as Fire Prevention Week throughout this city, and I urge all the people of Hendersonville to plan and practice a home fire escape for Fire Prevention Week 2024 and to support the many public safety activities and efforts of the city of Hendersonville's fire and emergency services.

PROCLAIMED this 3rd day of October, 2024.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk

C. Proclamation – GreaseBusters Day 2024 – *Barbara G. Volk, Mayor*

Mayor Volk read the proclamation aloud and presented it to Adam Steurer, Utilities Director

MAYORAL PROCLAMATION

GreaseBusters Day 2024

Fighting Hendersonville's Most Wanted- Fats, Oils, Grease, and Wipes!

Hendersonville Water Sewer

October 24, 2024

HENDERSONVILLE, NC MOUNTAINS ON TAP

WHEREAS, clean water is our most valuable natural resource; and

WHEREAS, Fats, oils, and grease (FOG) pollution discharge poses a serious risk to the integrity of our water systems, interferes with the ability to properly clean polluted waters; and

WHEREAS, proper treatment of polluted waters is essential for public health and welfare as well as a healthy natural environment; and

WHEREAS, the hard work performed by the entire water sector, surveying and repairing buried pipes, operators ensuring the safety and protection of the natural environment in which we all live, and ensuring compliance with pollution control requirements; and

WHEREAS, FOG buildup along with wipes in a collection system is a significant cause of sanitary sewer overflows; and

WHEREAS, we are all stewards of the water infrastructure upon which current and future generations depend; and

WHEREAS, the citizens of our city are called upon to help protect our critical water infrastructure by limiting the amount of FOG discharged into our water systems

NOW, THEREFORE, I, Barbara Volk, Mayor of the City of Hendersonville, do hereby proclaim October 24. 2024 to be GreaseBusters Day within the City of Hendersonville.

PROCLAIMED this 3rd day of October, 2024.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk

D. Proclamation – Duchene Muscular Dystrophy Awareness – *Barbara G. Volk, Mayor*

Mayor Volk read the proclamation aloud and presented it to Jessica Campbell and her son Javon, who has Duchene Muscular Dystrophy, and other members.

Proclamation

Duchenne Muscular Dystrophy Awareness

WHEREAS, Duchenne muscular dystrophy (DMD) is a genetic disorder characterized by progressive muscle degeneration and weakness, predominantly affecting young boys and rare girls, with an estimated incidence of 1 in every 3,500 male births worldwide; and

WHEREAS, Duchenne muscular dystrophy, though a rare disease, significantly impacts the lives of individuals and families, placing physical, emotional, and financial burdens on those affected and their communities; and

WHEREAS, significant advancements have been made in the research, treatment, and understanding of Duchenne muscular dystrophy, thanks to the efforts of medical professionals, scientists, and patient advocacy groups, yet there remains no cure for this devastating condition; and

WHEREAS, raising public awareness about Duchenne muscular dystrophy is essential in fostering understanding, generating support for research initiatives, and promoting policies that assist individuals and families living with this disease; and

WHEREAS, the strength, resilience, and determination of those living with Duchenne muscular dystrophy, their families, and caregivers deserve our recognition and support, as their efforts to raise awareness continue to inspire hope for a future where DMD is treatable and curable; and

WHEREAS, during Duchenne Muscular Dystrophy Awareness Month, we stand united in our commitment to bring attention to this disorder and advocate for the well-being of all individuals impacted by DMD, ensuring that they have access to the resources, care, and opportunities they need to thrive; and

WHEREAS, the Jett Foundation, a leading nonprofit organization, has been dedicated to increasing awareness, raising critical funds, and providing essential programs for individuals and families affected by Duchenne muscular dystrophy since its founding in 2001, working tirelessly to empower communities and improve the quality of life for those living with DMD through advocacy, research, and educational initiatives.

NOW, THEREFORE, I, Barbara Volk, Mayor of the City of Hendersonville, do hereby proclaim September, 2024 as

"**Duchenne Muscular Dystrophy Awareness Month**"

in the City of Hendersonville and call upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in our efforts to support families, thereby supporting early childhood programs and preventing child abuse and strengthening the communities in which we live.

PROCLAIMED this 3rd day of October, 2024.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk

7. PUBLIC HEARINGS - None

8. UNFINISHED BUSINESS - None

9. NEW BUSINESS

~~**A. New Grant Opportunity, Our State, Our Homes** – *Angela Beeker, City Attorney*~~

Removed from Agenda

10. CITY MANAGER REPORT

A. September 2024 Contingency and Adjustment Report – *John Connet, City Manager*

In accordance with North Carolina General Statute (NCGS) 159-13(b) it is required that all expenditures resulting from a contingency appropriation budget be reported to the governing board at its next regular meeting and recorded in the minutes.

NCGS 159-15 permits the Budget Officer (City Manager), to transfer budget from one appropriation to another within the same fund, provided any such transfers are reported to the Governing Board. The City of Hendersonville refers to transfers of budget from one appropriation to another within the same fund as a "budget adjustment". City Council authorizes budget adjustments each year with the adoption of the annual budget ordinance (SECTION 4).

This agenda item serves to fulfill the reporting requirements of both NCGS 159-13(b) and 159-15 by providing City Council a summary of all amendments and adjustments occurring thus far in the fiscal year.

FISCAL YEAR 2023 - 2024 (FY24)
BUDGET AMENDMENTS

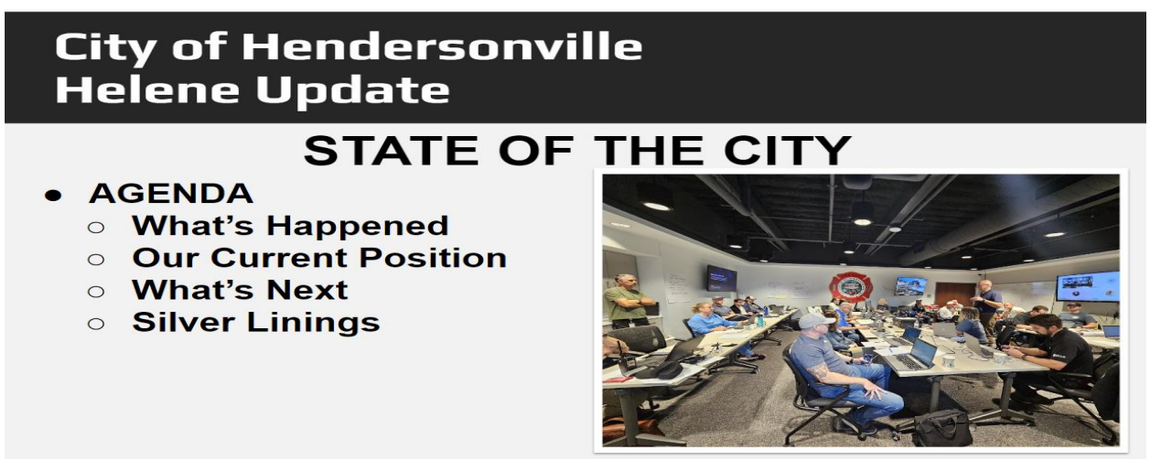
Completed
Proposed
Corrected
Denied

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION	APPROVED	TYPE	AMENDMENT NUMBER
010-1002-539005	Health and Welfare	97,744	-	10,170	87,574	Edwards Park Fence	yes	Adjustment	8/28/2024
010-1523-534000	Non-Capital Equipment	13,600	17,345	-	30,945	Edwards Park Fence	yes	Adjustment	8/28/2024
010-1523-519200	Contracted Services	200,000	-	32,040	167,960	Cleaning contract correction - move to admin buc	yes	adjustment	8/28/2024
010-1002-519200	Contracted Services	36,000	32,040	-	68,040	Cleaning contract correction - move to admin buc	yes	adjustment	8/28/2024
060-7002-519200	Contracted Services	117,600	-	30,056	87,544	Cleaning contract correction - move to admin buc	yes	adjustment	8/28/2024
060-1002-519200	Contracted Services	-	30,056	-	30,056	Cleaning contract correction - move to admin buc	yes	adjustment	8/28/2024
020-2102-519200	Contracted Services	195,566	-	9,068	186,498	Cleaning contract correction - move to admin buc	yes	adjustment	8/28/2024
020-1002-519200	Contracted Services	-	9,068	-	9,068	Cleaning contract correction - move to admin buc	yes	adjustment	8/28/2024
010-1523-519200	Contract Services	167,960	-	12,960	155,000	Achieve It - BP	yes	Adjustment	8/29/2024
010-1010-531210	Permits, License, Fees	179,016	12,960	-	191,976	Achieve It - BP	yes	Adjustment	8/29/2024
020-2102-519200	Contract Services	186,498	-	432	186,066	Achieve It - BP	yes	Adjustment	8/29/2024
020-1010-531210	Permits, License, Fees	2,232	432	-	2,664	Achieve It - BP	yes	Adjustment	8/29/2024
021-2202-521001	Supplies and Materials	15,000	-	432	14,568	Achieve It - BP	yes	Adjustment	8/29/2024
021-1010-531210	Permits, License, Fees	0	432	-	432	Achieve It - BP	yes	Adjustment	8/29/2024
060-7002-519200	Contract Services	87,544	-	1,944	85,600	Achieve It - BP	yes	Adjustment	8/29/2024
060-1010-531210	Permits, License, Fees	172,655	1,944	-	174,599	Achieve It - BP	yes	Adjustment	8/29/2024
064-7455-521001	Supplies and Materials	2,000	-	1,944	56	Achieve It - BP	yes	Adjustment	8/29/2024
064-1010-531210	Permits, License, Fees	0	1,944	-	1,944	Achieve It - BP	yes	Adjustment	8/29/2024
067-7555-531210	Permits, License, Fees	9,000	-	1,944	7,056	Achieve It - BP	yes	Adjustment	8/29/2024
067-1010-531210	Permits, License, Fees	6,700	1,944	-	8,644	Achieve It - BP	yes	Adjustment	8/29/2024
068-7855-534999	Contingency	3,772	-	1,944	1,828	Achieve It - BP	yes	Adjustment	8/29/2024
068-1010-531210	Permits, License, Fees	6,697	1,944	-	8,641	Achieve It - BP	yes	Adjustment	8/29/2024
010-1008-531255	Bank Services Charges	30,000	-	5,000	25,000	Office Furniture- JB	yes	adjustment	9/9/2024
010-1008-521010	Office Supplies	3,500	5,000	-	8,500	Office Furniture- JB	yes	adjustment	9/9/2024
060-1008-531255	Bank Services Charges	100,000	-	5,000	95,000	Office Furniture- JB	yes	adjustment	9/9/2024
060-1008-521010	Office Supplies	8,000	5,000	-	13,000	Office Furniture- JB	yes	adjustment	9/9/2024
064-7455-531260	Credit Card Processing Fees	58,242	-	1,230	57,012	Fourth Square	yes	adjustment	9/9/2024
060-1010-519200	Office Supplies	8,000	1,230	-	9,230	Fourth Square	yes	adjustment	9/9/2024

B. Tropical Storm Helene Update – *John Connet, City Manager*

City Manager Connet said that we discussed early in the week about whether we should have this meeting or not because of what our community has been going through but it quickly came to my mind and our teams' mind that having this meeting is critical. This team has not shut down, your Government has not shut down. We've been working and we needed to show the community that we're here and that we're going to return to normalcy and that we're going to get back to our daily lives. As you can see, most of our team has been working and for most of the week, we've been dressed down but Brian and I thought it was symbolic to dress in a coat and tie for this meeting to show that city government is functioning like it should.

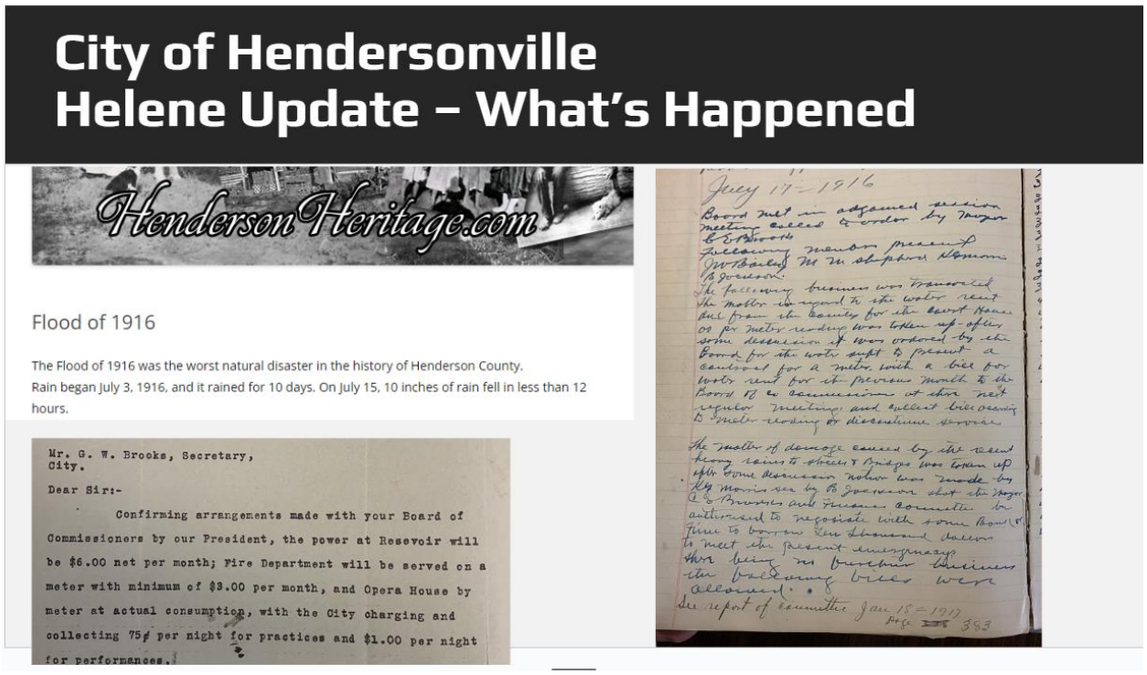
Assistant City Manager Pahle gave a PowerPoint presentation of the State of the City since the storm.



So, 108 years ago, about 2 months and 10 days was the flood of 1916. July 3, 1916, the rain began and continued for ten days. On July 15th, ten inches of rain fell in less than 12 hours. We found in some old minute books that on July 17th, two days after the event, City Council convened a session and they accomplished two things:

- Approved a water interconnect to the County; and
- Approved a loan of $10,000 to begin repairs on streets and critical infrastructures like water and sewer lines

Then, on August 3rd, they came back in session about 15 or so days later and issued something called "Authorities to Act" to building committees and water and sewer committees. They also instituted what looks to be somewhat of a curfew. They put in penalties for folks who operated street vehicles at night on roads so they kept everybody home. On October 5th, they got power to three critical facilities, the water reservoir, the fire station and City Hall. Three critical facilities that are still in use today.



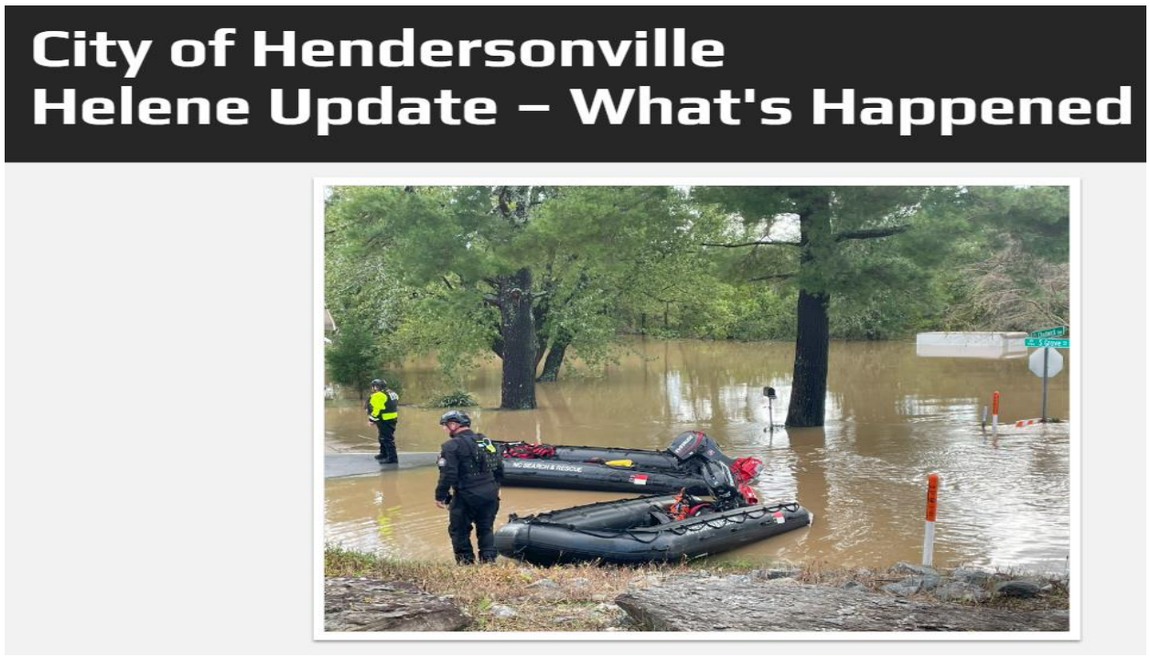
This is South Main Street. We kept picking different targets as our rising water and we started running out of things to count. That sign down there is about 7 feet high to the bottom of the 176 Highway sign. Mr. Connet added that they were watching live from the EOC and we set a camera on the flagpole at Honor Air Park so we could watch the rising waters. There's a fire hydrant in that picture that you cannot see.

Lots of trees and powerlines down.

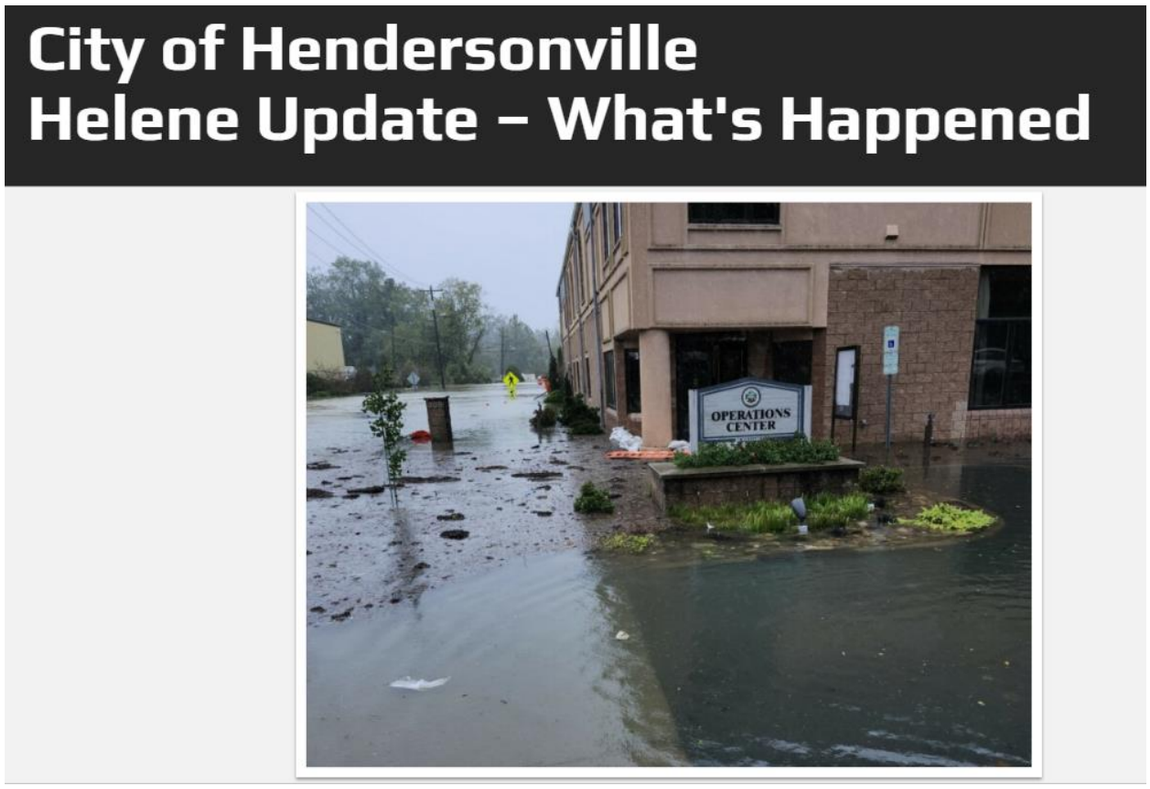
Critical issues with our quality of life. Our parks.

Critical issues with our utilities and infrastructure. Lots of washouts.

Plenty of rescue and loss of lives and property.



And many City assets were damaged, including our Operations Center, Water Treatment Plant, Mills River Intake, and the French Broad Intake. Many assets of the City have taken significant damage.



I just need to say that our staff has been absolutely top shelf throughout this. Caring and passionate individuals who are really at the top of their profession and they have been rocking and rolling. These slides have two or three bullet points on them but there is just so more than that but we can't convey them all at the meeting tonight.

City of Hendersonville Helene Update – Current Status

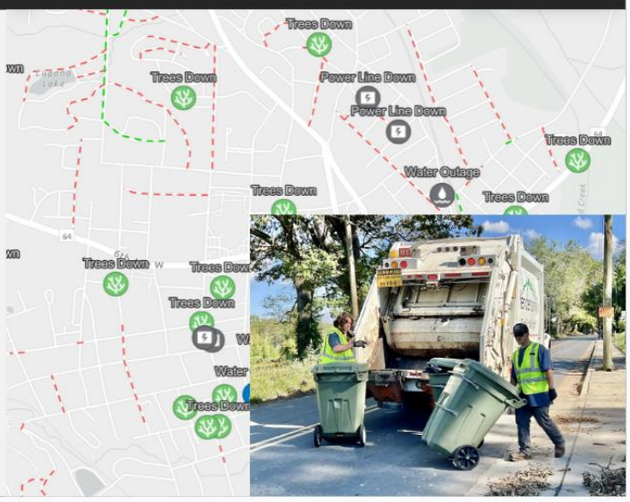
- POLICE
  - Security of Critical Infrastructure
  - Mutual Aid Secured
  - Traffic Control Plan
  - Long-term Mutual Aid

City of Hendersonville Helene Update – Current Status

- FIRE
  - Welfare Checks
  - Search & Rescue
  - Swift Water Rescue
  - Salvage/Support
  - Secure Vacant Buildings/Utilities
  - Clearing Trees

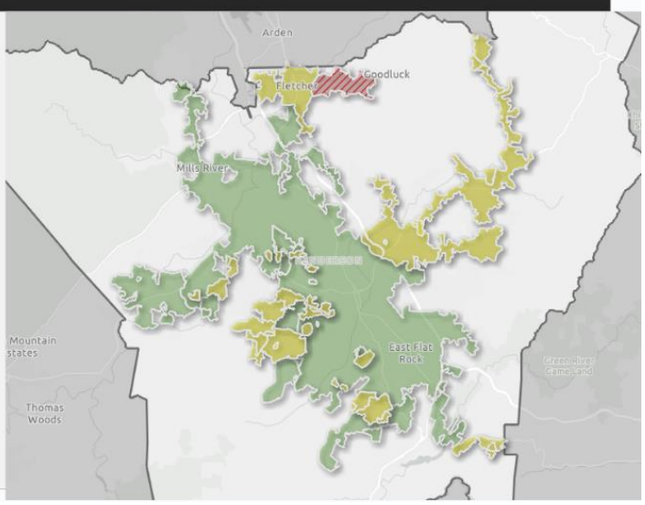
City of Hendersonville Helene Update – Current Status

- PUBLIC WORKS
  - Tree Removal (w/o power lines)
  - Running Solid Waste
  - Road Clearing
  - Sites For Debris Removal



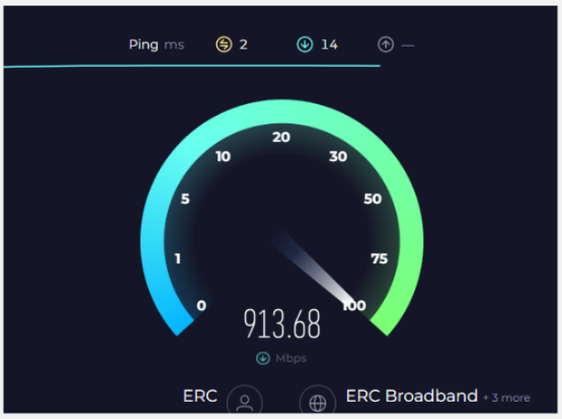
City of Hendersonville
Helene Update – Current Status

- WATER/SEWER
  - MR Intake Repair
  - Major Line Repair
  - Pressurize System
  - Notice Water Sampling
  - Temp. Fix for WWTP



City of Hendersonville
Helene Update – Current Status

- TECHNOLOGY
  - COWs
  - Starlinks
  - ERC Repaired
  - Phones Up
  - Call Center
  - EOC
  - Radios



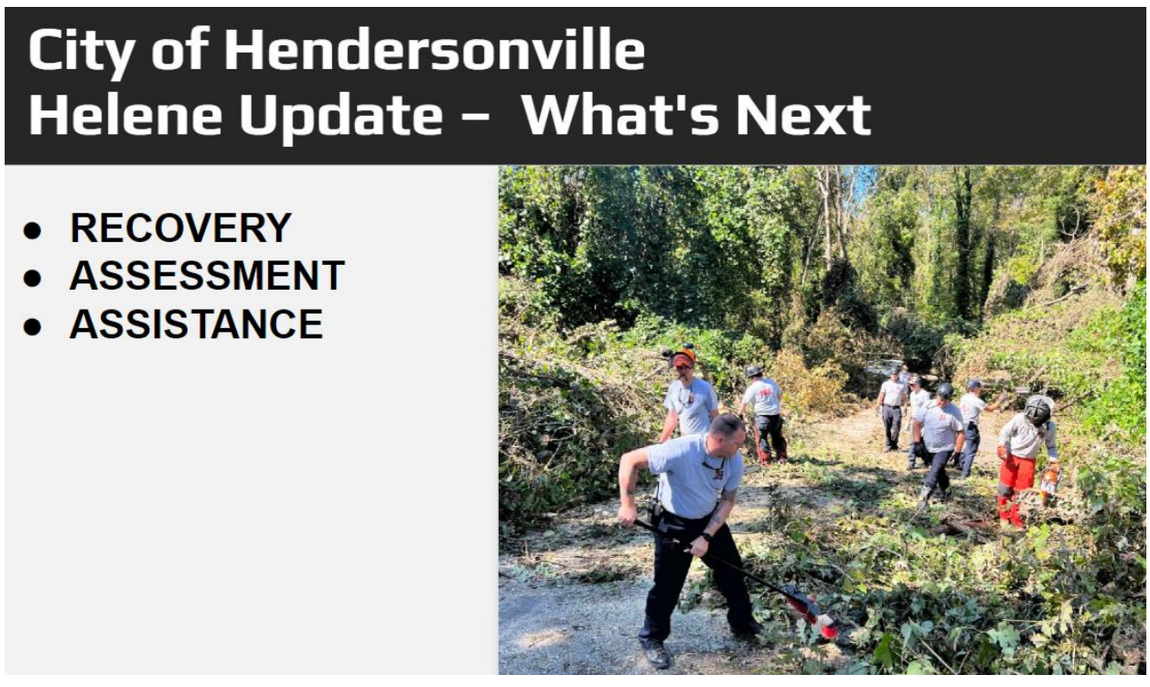
City of Hendersonville
Helene Update – Current Status

- PLANNING/LOGISTICS
  - Food
  - Fuel
  - Lodging
  - Peer Support
  - Assisting E'EEs
  - Materials/Supplies

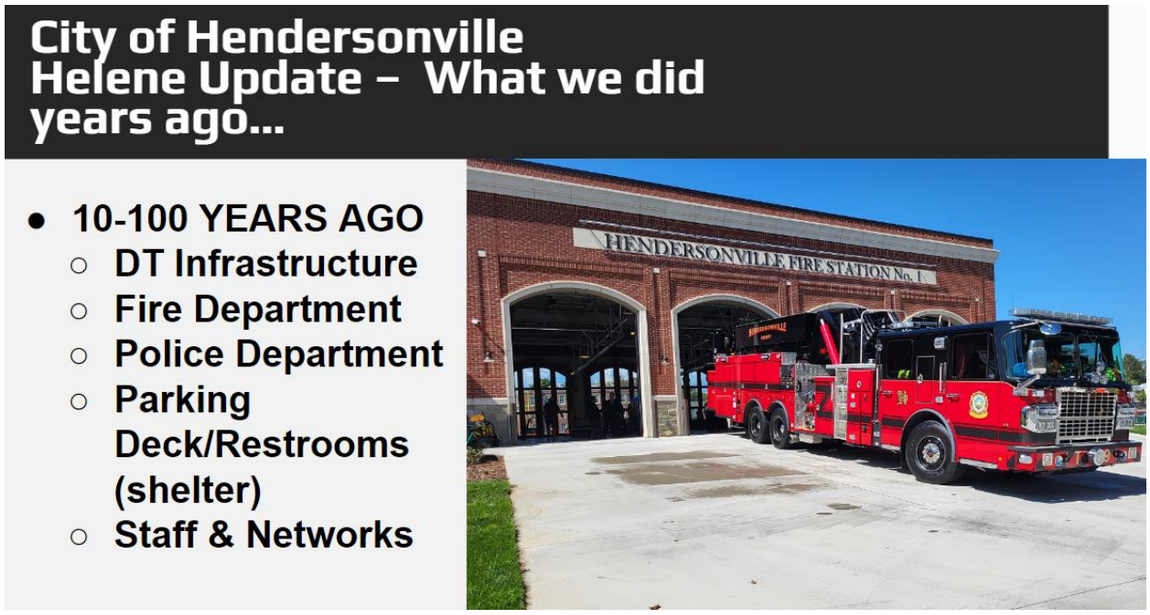
City Manager Connet said I can't say enough about the job Brian has done to keep our Emergency Operations Center (EOC) running. There's one thing I want to say about facilities. I want to thank this Board and past Board's willingness to invest in us. You invested in us and invested in the facilities. Two weeks ago tomorrow, we uncoupled a hose on Fire Station One and we had no idea that we would put it to use like we have. That facility has served this community well and its only two weeks old. We have turned that facility into a second home for many of us. We were able to operate our Emergency Operations Center out of their training room in the administrative wing and many of us slept there beginning Thursday night into Friday, spent time there, had our meals there and fire operations continued to happen on the residential side. It has worked well. We have been having meals in the bays but thanks to the team that designed that building and the construction of that building. It has served us well the last 8 days. Thanks to leadership in our Public Safety Departments, we've put the incident command system to work and it does work and Brian was the daily Operations Chief and Incident Commander when I've been running around dealing with community stuff and he's been making it work, so thank you very much.

So we are through the rescue and response phase and we are moving into recovery. This is going to be a marathon for the public. Recovery has begun with the return of water service, starting to clean up debris, getting our government back operating normally. You will see teams out doing assessment of damage on buildings and property to see if they're safe for people to reoccupy. We will partner with Henderson County for that. We are also assessing our facilities. The Operations Center, Wastewater Treatment Plant, Intakes, countless pump stations. Steve Alverson our Risk Manager is already in contact with our insurance company. We've already started demo over at our Operations Center.

Finally, Assistance. The assistance process through the federal government is going to be a long arduous process. It has also started. FEMA is just now getting here. We've said for years that during natural disasters that we are typically on our own for the first seven days and we have been on our own but FEMA will be arriving and setting up public assistance for local governments for us to help fill in the gap where our insurance doesn't cover but they will also be handling community assistance and trying to fill in the gaps where their own private insurance doesn't cover. Where the community has lost housing, FEMA will be working with the county to provide housing. We'll start with temporary housing and then work toward permanent housing. It will be a long process. I have been involved in this with other situations in my career and it's a long process and we just ask for your patience and as your local government, we will do everything we can to help facilitate. Bear with us and bear with the federal government. That is what's next. Debris management will be a huge part of the recovery. We are already scheduling other municipalities to come help us.

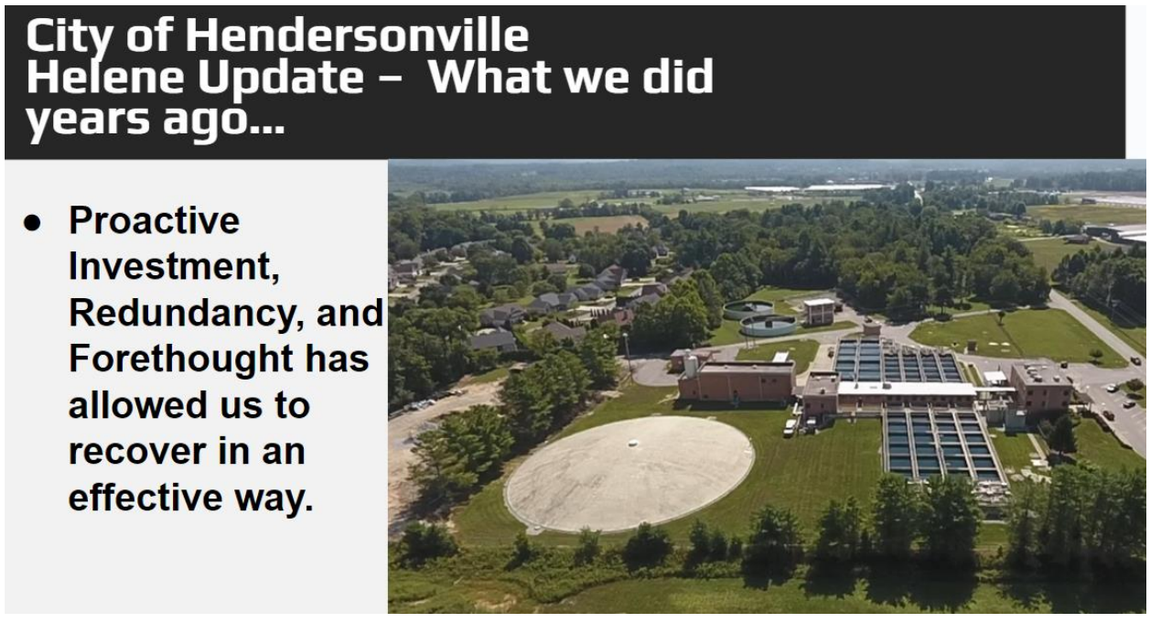


We didn't know it, but we've been preparing for this disaster for almost 100 years. Downtown has become a safe haven for a lot of people to go and charge their phones and have coffee. I understand there were people out there making coffee and handing it out so it really became the communities' living room and that's what we want. Our parking garage was open and ready for people to use as needed, our public restrooms were open and finally, you're number one investment has been our staff. I want to thank you. I've never worked with a more professional, more knowledgeable, more dedicated team. You see what they do here and you need to know that they have strong professional networks across this state and nation and I cannot believe what this team did. The reason we were able to get where we are so quickly is we've been able to pick up the phone and call our peers and our friends and say "hey can you come help us?" or "how would you do this?" That's why we have five managers ready to help and send five knuckle boom trucks to help Tom. Your investment in our staff and our ability to be a part of professional organizations is just valuable, so I just want to say thank you from the bottom of my heart what you've invested in us.



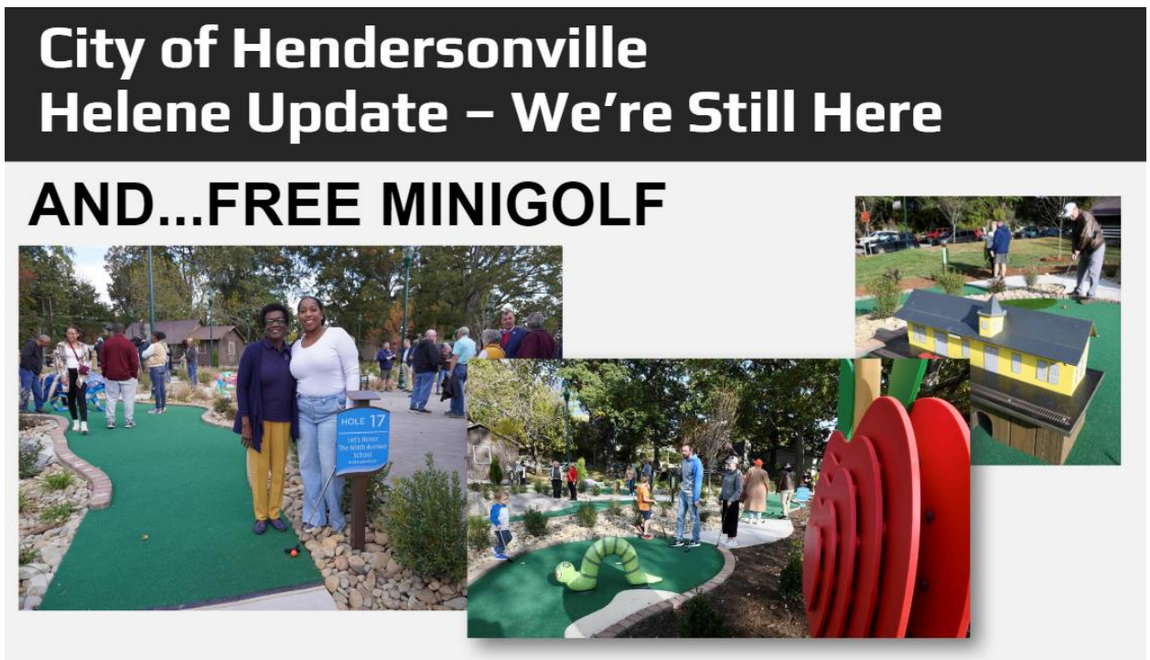
Investments we didn't know we were going to need. Upgrading the Water Treatment Plant Pumps. With your investment in Northside and Etowah, you should know that Etowah never lost water. The two, five million gallon reservoirs at Ewart Hill were constructed in the 1920's and I was out with our plant operator, Ricky Levi, to look at everything. We filled them up before the storm but about a year or so ago, one of those reservoirs had a leak and Ricky kept saying we need to replace it and so Brian and I talked and said do we really 10 million on that hill? But finally Ricky beat the drum loud enough and we decided we'd better fix it. We still had 5 millions gallons which is a lot but had he not done that, had he not pushed me, pushed the budget team and Adam pushed it too, we would have run out of water the first night of the storm. I told Ricky, thank you for beating the drum and thank you to Council as well. We have a great team.

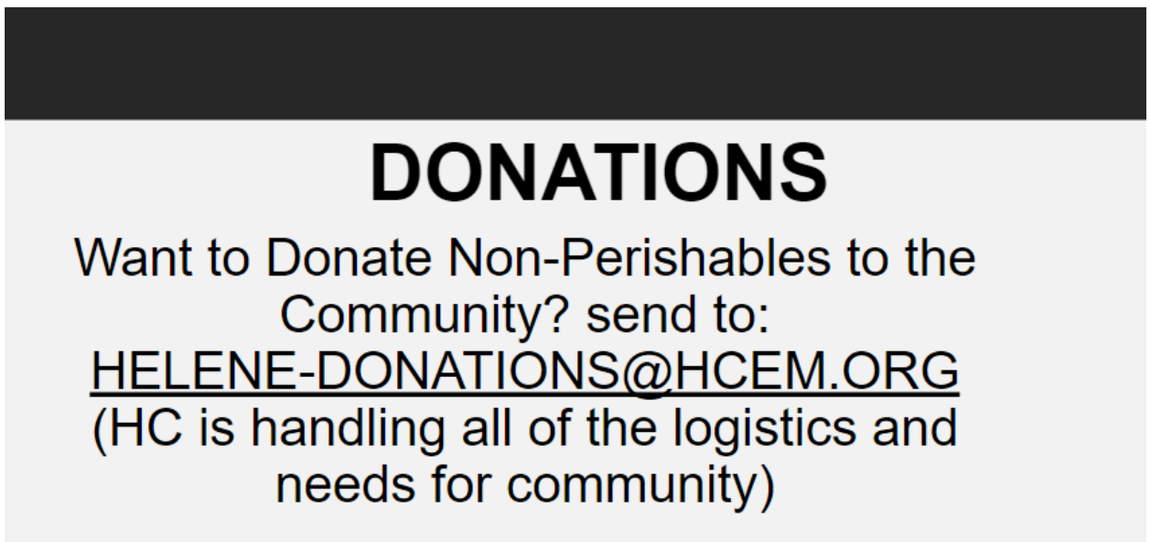
We are an oasis for the this region and that will bring its own challenges over the next few days and months but because of the proactive investment, redundancy and forethought, we will recover faster and better because of our team.



I want to end on a couple of high notes of pictures after the storm and our connection to the community.

WE HAVE FREE MINI GOLF! Saturday and Sunday we are opening it up for free and we have volunteers running it. This is Brian's brainchild to pay it forward.





City Attorney Beeker said before I get into my items, I just want to say that we owe a large debt of gratitude to that man right there (City Manager John Connet). I've worked with a lot of managers and he's the best. He's professional, a leader, he's selfless and we would be remiss if we didn't mention him.

She added, these are some items that will help us address things that come up from now until you meet next time and for future states of emergency. We're going to update a few policies if City Council is willing. The first is an ordinance to amend the city code to allow the City Manager to suspend our disconnection policy. It allows him to suspend our disconnection policy because money will be going out and people aren't going to have the money to pay and late fees for non-payment. You all as City Council have enacted this policy before. This allows your City Manager to do it in a State of Emergency. Also, as part of that as we make repairs on water and sewer it might become necessary to disconnect homes or businesses, so it gives them the authority to do that and to restore services as soon as they can as soon as the repair is done.

Council Member Melinda Lowrance moved that City Council adopt an Ordinance of the City of Hendersonville City Council to Amend Section 52-51 of the Code of Ordinances for the City of Hendersonville as presented. A unanimous vote of the Council followed. Motion carried.

Ordinance #O-24-37

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND SECTION 52-51 OF THE CODE OF ORDINANCES FOR THE CITY OF HENDERSONVILLE

WHEREAS, the City of Hendersonville is under a Federally, State and Locally declared State of Emergency due to the devastating impacts of Hurricane Helene; and

WHEREAS, City Council wishes to provide for the continuity of water and sewer service during such times of emergency, and there will likely be instances in which City Council may not be able to convene or meet due to the emergency;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HENDERSONVILLE, NORTH CAROLINA THAT:

SECTION 1. Section 52-51 of the Code of Ordinances for the City of Hendersonville shall be amended to read as follows:

"Sec. 52-51 – Disconnection of service for nonpayment <u>or during a state of emergency</u>.

(a) If any consumer of utility services furnished by the city does not pay the rates and charges on or before the due date for such rates and charges, the city shall have the authority to disconnect or terminate or cause to be disconnected or terminated all utility services furnished such consumer.

(b) <u>During any federally, state, or locally declared state of emergency applicable within the City of Hendersonville, the City Manager shall have the authority to suspend enforcement of the disconnection of utility services and suspend the imposition of late fees for nonpayment pursuant to this Section. Such suspension shall be in effect during the State of Emergency and for long thereafter as is determined reasonably necessary by the City Manager to provide for the continuity of utility services to customers, taking into account the impact of the emergency upon the local economy, and the reasonable ability of customers to pay.</u>

(c) <u>During any federally, state, or locally declared state of emergency, the City Manager or the Utilities Director shall have the authority to disconnect any customer from service where necessary to protect the public health, safety and welfare, prevent damage to property, or prevent or repair leaks or other damage to the system. Any service disconnected pursuant to the authority of this subparagraph (c) shall be restored as soon as is reasonably practicable after the circumstances giving rise to the disconnection have ended.</u>

SECTION 2. If any provision of this ordinance or its application is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provisions or application, and to this end the provisions of this ordinance are severable.

SECTION 3. It is the intention of the City Council and it is hereby ordained, that the provisions of this ordinance shall become and be made part of the Code of Ordinances, City of Hendersonville, North Carolina, and the sections of this ordinance may be renumbered to accomplish such intention.

SECTION 4. This Ordinance shall be effective upon its adoption.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 3rd day of October, 2024.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

City Attorney Beeker explained that the resolution is to update some administrative policies that we have in place.

- The first is the Leak Adjustment Policy. We know that with the storms, some peoples' water systems are going to leak and their meters are going to run and they're going to get a huge bill so this first amendment allows the City Manager to implement temporary leak adjustment policies in a State of Emergency without having to come back to City Council.
- The second is the Inclement Weather Policy. I do echo what the City Manager said and thank City Council for taking care of your employees. Its just a blessing to work for a Council that values it's employees like you all do. You all had the forethought several years ago to allow exempt employees to be paid when they go over and above. So, exempt employees are salaried and no matter how many hours they work, they get a salary. As part of the State of Emergency, we have people that have been working 12 & 15 hour days and so you all put in your policy that they could be paid time and a half overtime just like our hourly employees and by having that policy, it will allow us to apply to FEMA and then reimburse the City for those overtime hours. The policy left out department heads so they asked me to amend to allow department heads to be paid the same time and a half as well. So you'll notice that the amendment excludes the City Manager.

Council Member Lyndsey Simpson said I would like it to include the City Manager. I think he deserves it and I think it would be ridiculous to leave him out.

This amendment also allows the City Manager the authority to open and close facilities. It says the City Manager can close facilities and he might want to do a partial closing or partial opening. We might want to have normal operations and the other place closed. We've also learned that there are a lot of personnel who are stranded and who are not going to be able to make it to work so this says that the City Manager, in addition to having the power to close everything down, he can close any facility and expand any facility services regardless of whether there are normal city operations. So this allows him to do the following:

1. To close any City facility or suspend any City services, regardless of whether normal City operations have been closed or suspended.
2. To open or partially open any City facility for emergency operations and services.
3. To partially open or partially close any City facility for normal city operations.
4. NEW ONE: To provide inclement weather pay to any essential or non-essential personnel unable to report to work for their scheduled shift due to legitimate impacts of the declared State of Emergency.

- The Contract Management Policy extends the authority of the City Manager when we are under a State of Emergency to enter into contracts that he normally cannot enter into. State law requires that they be brought to you but this would allow us to make repairs or do other emergency operations that we need in between council meetings during a State of Emergency.

City Manager Connet added that two good examples of this are that we are going to be spending a lot of money getting the Wastewater Treatment Plan back online and waiting 30 days is not what we want to be doing. We also have a water line in the Hooper's Creek Region that we're going to spend a significant amount of money to get water in. This will just allow us to keep rolling. Ultimately these large contracts will come back to you for approval.

City Attorney Beeker assured Council that Mr. Connect would have to meet with her begore making any decisions. But, it also holds us harmless if we have to make a decision in a time like this.

Council Member Jennifer Hensley moved that City Council adopt a Resolution by the City of Hendersonville City Council to Provide for Amendments to Certain Administrative Policies During Federally, State and Locally Declared States of Emergency as amended. A unanimous vote of the Council followed. Motion carried.

City Manager Connet added that it's been nice that Angie has been there the whole time and its nice to have your attorney sitting in the room when we're asking questions about FEMA and getting contracts. We were able to get a contractor in here to start removing debris and cut trees and Angie is right there writing the contract.

Resolution #R-24-91

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO PROVIDE FOR AMENDMENTS TO CERTAIN ADMINISTRATIVE POLICIES DURING FEDERALLY, STATE AND LOCALLY DECLARED STATES OF EMERGENCY

WHEREAS, the City of Hendersonville is under a federally, state and locally declared state of emergency due to the devastating impacts of Hurricane Helene; and;

WHEREAS, it is necessary to amend certain administrative policies during such states of emergency to provide authority to the City Manager; and

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HENDERSONVILLE, NORTH CAROLINA that:

1. The Leak Adjustment Policy for the City of Hendersonville is amended to add the following provision:

   During any federally, state or locally declared state of emergency applicable within the City of Hendersonville, the City Manager shall have authority to implement a temporary leak adjustment policy to provide for the adjustment of utility bills for customers whose bills reflect increases due to impacts of the state of emergency.

2. The Inclement Weather Policy for the City of Hendersonville is amended to add the following provision:
   VI. States of Emergency Declarations –

   When a State of Emergency has been declared for the City of Hendersonville by the State or Federal Government or by the City of Hendersonville the City Manager, shall have the following additional authority, in addition to the authority granted hereinabove:

   5. To close any City facility or suspend any City services, regardless of whether normal City operations have been closed or suspended.
   6. To open or partially open any City facility for emergency operations and services.
   7. To partially open or partially close any City facility for normal city operations.
   8. To provide inclement weather pay to any essential or non-essential personnel unable to report to work for their scheduled shift due to legitimate impacts of the declared State of Emergency.

   The City Manager shall have the authority to extend these benefits for any essential or non-essential personnel who reside in an area outside of the City of Hendersonville for which a State of Emergency has been declared by Federal, State, or local authorities.

3. The Contract Management Policy for the City of Hendersonville shall be amended as follows:

   A new paragraph 3 shall be added to the Contract Management Policy to read as follows:

   3. States of Emergency. During any Federally, State or Locally declared State of Emergency that is applicable within the City of Hendersonville, the City Manager shall have the authority to enter into any contract or agreement on behalf of the City of Hendersonville reasonably required to provide for the restoration or continuation of City services during the State of Emergency, in consultation with the City Attorney; provided however that any such contract or agreement entered into by the City Manager pursuant to the authority of this paragraph which require the approval of City Council shall be presented back to the City Council for ratification as soon as is reasonably practicable. The City shall indemnify and hold harmless the City Manager and City Attorney for actions taken pursuant to the authority of this paragraph.

The remaining paragraphs of the Contract Management Policy shall be renumbered to accommodate this amendment.

4. The administrative amendment to the Inclement Weather Policy, implemented by the City Manager, is ratified. For the avoidance of doubt, the administrative amendment being ratified is as follows:

City Manager Administrative Amendment to the City of Hendersonville Personnel Policy

Preamble. On or about September 26, 2024 at 8am, a State of Emergency was declared by Mayor Barbara Volk in anticipation of Hurricane Helene. Hurricane Helene struck the City of Hendersonville with a vengeance, resulting in widespread devastation to the City. Recovering from the unusually severe impacts of Hurricane Helen, it will be necessary to leave the State of Emergency in place for an extended period of time to provide for the recovery and restoration of our community, and to maximize our utilization of State and Federal Resources. In recognition and appreciation of the tireless efforts and long hours, and dedication of our City Department Heads thus far, and in the future, pursuant to the authority granted to me as City Manager, I am making an administrative amendment to Section 13 of the City of Hendersonville Personnel Resolution.

Administrative Amendment.

Section 13, subparagraph 3) is hereby amended to read as follows:
3). Emergency Pay when a State of Emergency is declared by the Mayor during disaster situations. All essential exempt and non-exempt employees (~~excluding the City Manager~~ ~~and department heads~~) shall be compensated at a rate of one and one half (1 ½) hours for all hours worked above their normal work period. All employees on prior approved leave (vacation or sick) who do not work during the declared emergency will be unaffected by this policy, unless the employee's presence is deemed as essential and his/her vacation is cancelled by the department head/City Manager.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 3rd day of October, 2024.

Barbara G. Volk, Mayor
Attest: /s/Jill Murray, City Clerk
Approved as to form: /s/Angela S. Beeker, City Attorney

11. CITY COUNCIL COMMENTS

Jeff Miller said its been amazing to watch what has been happening and I've had the opportunity to go out and help, but John and Brian, the team that you guys have put together is flipping awesome. To watch how smooth it operates and how it problem solves and John and Brian can work together and they each have their specialties. The bottom line is I've lived a long life and I've never had the opportunity to make an investment in anything that's paid back like this has.

Lyndsey Simpson said I am beyond impressed with the team that we have here. There is no one here that can question the staff or Council's dedication to the city. It was a tough week for everybody, it was a tough week for our staff and residents and we all had damage to our homes and loved ones we were trying to get ahold of and not only were they managing their personal effects, they were also managing everything for the residents and they were doing it with a smile on their face for the most part. When we weren't smiling, we were usually crying, cracking up or just leaning on each other. I really could not be more proud of all of you guys.

Mayor Volk said thanks from Council and thanks to all the residents. I've been taking some phone calls and answering whatever questions people have and it's thank you for the work you are doing. Many of the people who called, closed the call with thank you.

Melinda Lowrance said I think that the City of Hendersonville is just like a palm tree. We bend and we bounce back. We're Hendo strong!

Lyndsey Simpson said I do think that we should give a standing ovation for everyone.

City Manager Connet said this Council has been working hard and has been out in the community helping however they can. They Mayor sat in a call center for 12 hours and I don't think she would have left unless we made her.

~~12. CLOSED SESSION~~

Removed from agenda

13. ADJOURN

There being no further business, the meeting adjourned at 6:50 p.m. upon unanimous assent of the Council.

_____
Barbara G. Volk, Mayor

ATTEST: _____
Jill Murray, City Clerk

MINUTES

October 29, 2024

SECOND MONTHLY MEETING OF THE CITY COUNCIL

CITY HALL - 2ND FLOOR MEETING ROOM | 160 6TH AVENUE E. | 4:00 p.m.

Present: Mayor Barbara G. Volk, Mayor Pro Tem Lyndsey Simpson and Council Members: Jennifer Hensley, Melinda Lowrance and Jeff Miller

Staff Present: City Manager John Connet, City Clerk Jill Murray, City Attorney Angela Beeker, Communications Manager Allison Justus, Budget & Evaluation Director Adam Murr, and others.

1. CALL TO ORDER

Mayor Barbara G. Volk called the meeting to order at 4:01 p.m. and welcomed those in attendance. A quorum was established with all members in attendance.

2. CONSIDERATION OF AGENDA

Council Member Jeff Miller moved that City Council approve the agenda as presented. A unanimous vote of the Council followed. Motion carried.

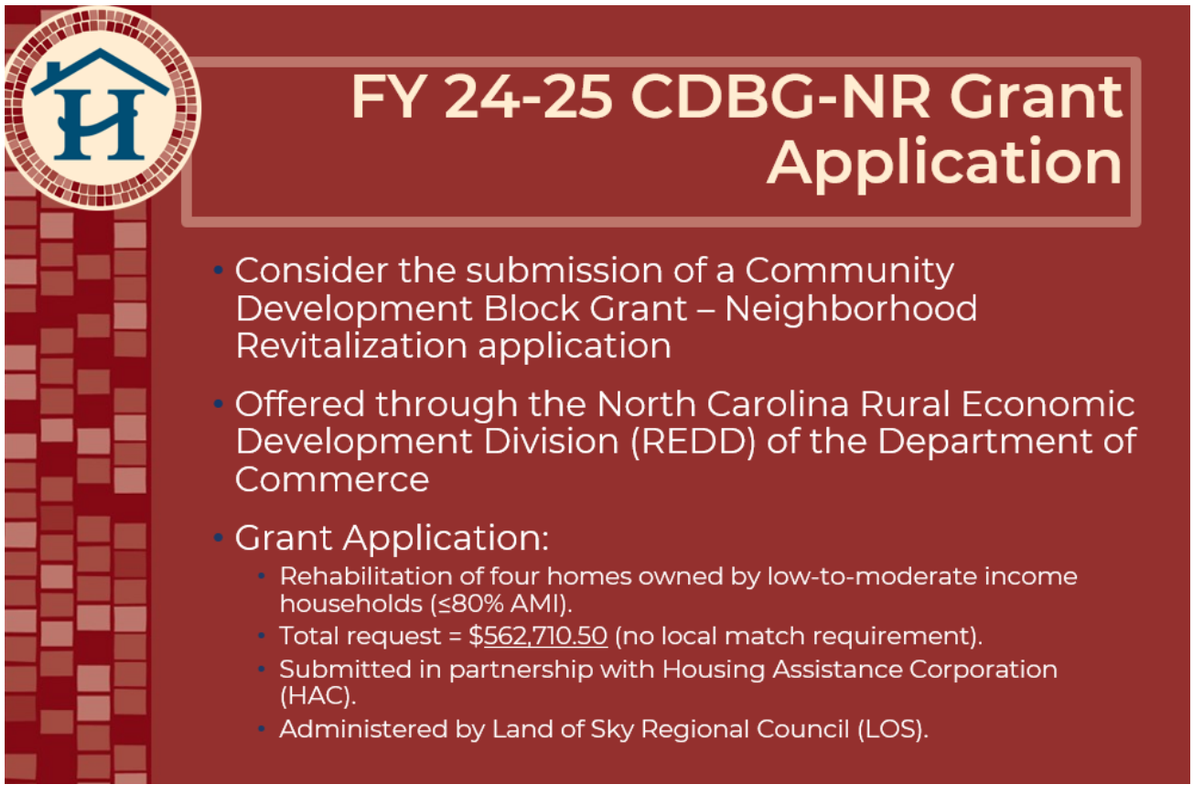
3. CONSENT AGENDA - None

4. PUBLIC HEARINGS

A. Second Public Hearing to Consider the Submission of a Community Development Block Grant Application, Neighborhood Revitalization, for the FY24-25 Funding Cycle – *Angela S. Beeker, City Attorney/Daniel Heyman, Staff Attorney*

City Attorney Daniel Heyman explained that the purpose of the public hearing is to consider the submission of a Community Development Block Grant Application for the FY 2024-25 funding cycle. The City Council held an initial public hearing at the September 5, 2024 regular meeting. Following the first public hearing, City staff, Housing Assistance Corporation (HAC) and Land of Sky Regional Council (LOSRC) developed a draft application. A second public hearing is required to allow comment on the draft application prior to submittal. The grant, a Neighborhood Revitalization Grant (CDBG-NR), is offered through the North Carolina Rural Economic Development Division of the Department of Commerce (REDD), and would be for the rehabilitation of four (4) homes owned by low-to-moderate income households located at the following addresses in the City of Hendersonville corporate limits: 221 Ashwood Road, 709 E Pace Street, 815 7th Avenue W, and 1739 Clairmont Drive. Low to moderate households are those having a household income equal to or less than 80% of the area median income. The total estimated cost of all activities included in the grant application is $562,710.50, which includes an estimated $511,555.00 for home rehabilitation and $51,155.50 for administration costs. The application would be submitted in partnership with HAC, who would serve as the subrecipient of the grant funds. HAC would manage the rehabilitation projects on the homes. The grant would be administered by LOSRC. The public is invited to the October 29, 2024 City Council meeting to comment on the draft application. After this second public hearing, and if the City Council votes to proceed with the grant application, the City, HAC, and LOSRC will finalize the application for submission to REDD for consideration. He also gave the following PowerPoint presentation.

CDBG FY 24-25
Funding Cycle
Public Hearing #2
HOUSING ASSISTANCE
U.S. Department of
Housing and Urban Development
LAND OF SKY
REGIONAL COUNCIL
CREATIVE REGIONAL SOLUTIONS
LANDOFSKY.ORG
NORTH CAROLINA
DEPARTMENT of
COMMERCE


FY 24-25 CDBG-NR Grant Application
• Consider the submission of a Community Development Block Grant – Neighborhood Revitalization application
• Offered through the North Carolina Rural Economic Development Division (REDD) of the Department of Commerce
• Grant Application:
  • Rehabilitation of four homes owned by low-to-moderate income households (≤80% AMI).
  • Total request = $562,710.50 (no local match requirement).
  • Submitted in partnership with Housing Assistance Corporation (HAC).
  • Administered by Land of Sky Regional Council (LOS).

FY24-25 CDBG-NR Application

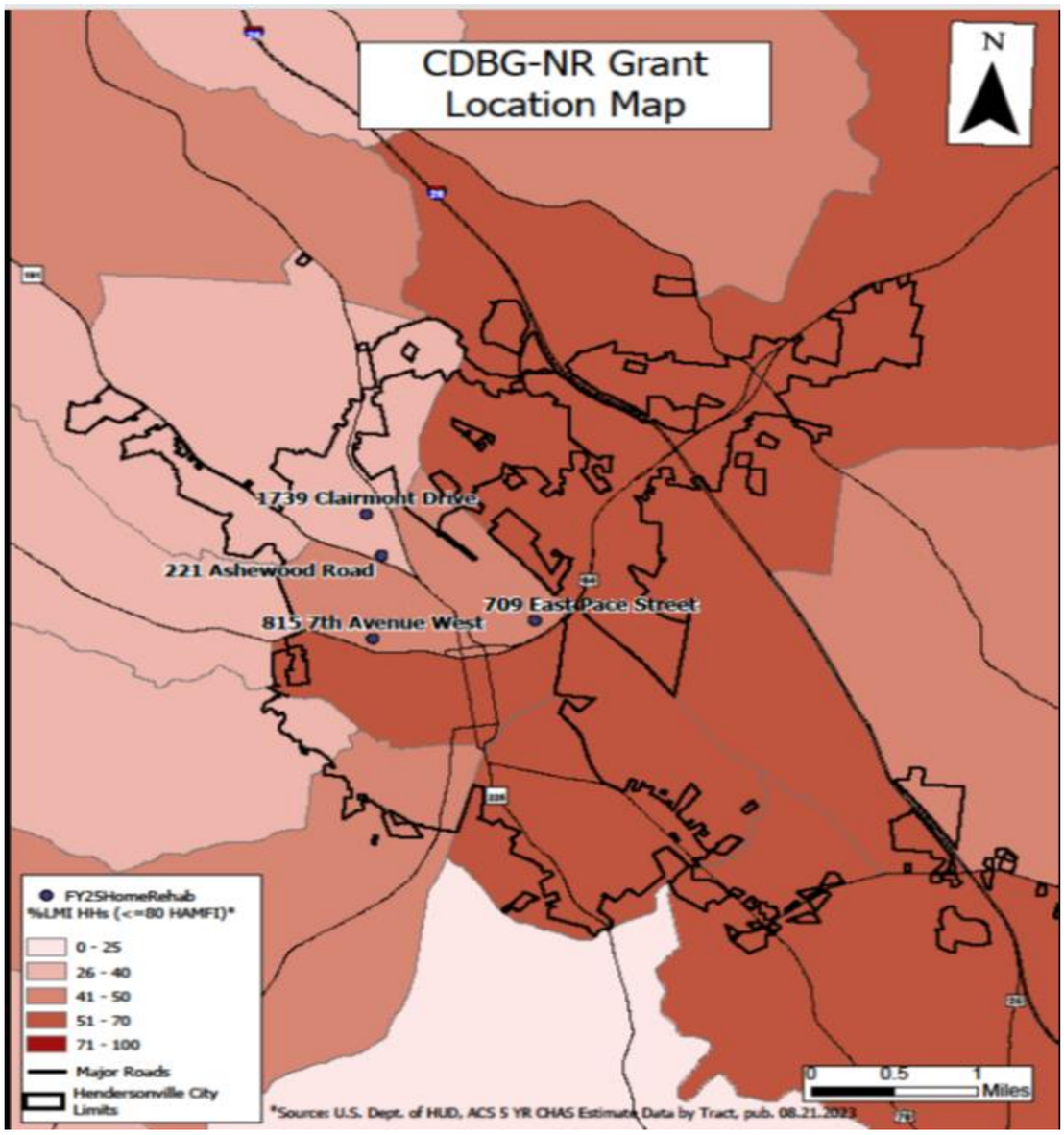
- Home Rehabilitation
  - Repair/rehab of housing conditions that post a threat to health and safety
  - Deferred forgivable loans
- Beneficiary Selection:
  - HAC pre-qualified ~15 potential beneficiaries
    - Income, location, condition of home, home ownership status, etc.
  - City reviewed pre-qualified list for ownership and outstanding liens
  - Housing Selection Committee considered beneficiaries
    - Ranked based on factors like: income, status (senior citizen, disabled) and presence of hazardous materials.

FY24-25 CDBG-NR Application

- Proposed Rehab Activities
  - HAC conducted cursory inspections and developed estimates for rehab/repair work
  - If awarded, more thorough inspections and work-write ups would be developed
  - Rehab work is competitively bid and completed by private contractors
  - Award is secured by a deferred forgivable loan

FY24-25 CDBG-NR Application

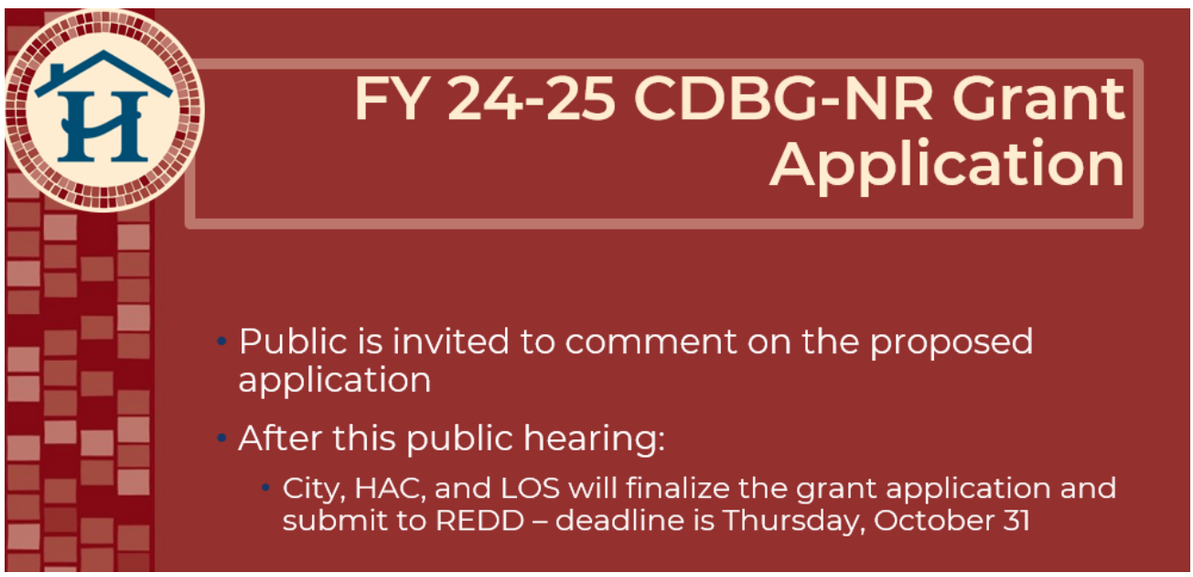
- $511,555.00 – Scattered site home rehabilitation
  - 221 Ashwood Road
  - 709 E Pace Street
  - 815 7th Avenue W
  - 1739 Clairmont Drive
- $51,155.50 – Grant administration costs
  - HAC and LOS admin fees for assisting with application and administration


CDBG-NR Grant
Location Map
N
1739 Clairmont Drive
221 Ashewood Road
709 East Pace Street
815 7th Avenue West
FY25HomeRehab
%LMI HHs (<=80 HAMFI)*
0 - 25
26 - 40
41 - 50
51 - 70
71 - 100
Major Roads
Hendersonville City Limits
0 0.5 1 Miles
*Source: U.S. Dept. of HUD, ACS 5 YR CHAS Estimate Data by Tract, pub. 08.21.2023

2020 CDBG-NR Award
620 Jonas Street - Before
HOUSING ASSISTANCE

620 Jonas Street - After
Murray, Jill (jmurray@hvlnc.gov) is signed in
HOUSING ASSISTANCE

620 Jonas Street - After
HOUSING ASSISTANCE



The public hearing opened at 4:09 p.m.

Public Comments:

Meg Lebeck, Executive Director of the Housing Assistance Corporation thanked the City Council for their interest in home repair as this is a huge piece of our mission in the community and it has been our great pleasure to work with you on the last CDBG and I am very excited for the opportunity to continue that work together.

The public hearing closed at 4:09 p.m.

Council Member Melinda Lowrance moved that City Council adopt the Resolution by the City of Hendersonville City Council Authorizing the Submittal of an Application for Community Development Block Grant Funding for the City of Hendersonville Housing Rehabilitation Assistance Program. A unanimous vote of the Council followed. Motion carried.

5. NEW BUSINESS

A. Amendments to Fee Schedule for Hurricane Helene – *Angela S. Beeker, City Attorney*

City Attorney Angela Beeker presented an amended fee schedule that proposes to clean up the zoning fees to zero while the Mayor declares a State of Emergency is in effect. The highlighted areas are the amended parts of the fee schedule. These are things that we thought could possibly come up and could be hurricane related. As you're aware, the legislator passed something similar but it was a lot more limited. These are not high dollar fees and this will be retroactive to September 26, 2024 except for delinquent account fees which will be only for the period of the State of Emergency. Council Member Jennifer Hensley asked about reconnect fees and City Manager Connet said that we will bring that back at the November 7th meeting since we did not have an answer tonight and need to speak with the Utilities Director.

CITY OF HENDERSONVILLE FIRST AMENDMENT FEE SCHEDULE
ADOPTED BY BUDGET ORDINANCE FOR FISCAL YEAR 2024-2025

Public Hearing required for items denoted with asterisk

DEPARTMENT / DESCRIPTION	COST / CHARGE / FEE
ADMINISTRATION	
General	
Clerk's Certification of Public Records	$3.00 per page (after first page)
Application for Certificate of Public Convenience & Necessity (taxicab)	$60.00
Horse-Drawn Carriage Permit	$60.00
Flash Drives:	
0-8 GB	$5.00 each
16-128 GB	$7.00 each
>/= 128 GB	$20.00 each
Copy Charges (per page)	
Black	$0.15
Color	$0.25
City Council Agenda Subscription	
Meeting Subscription & Printing	$16.00 per agenda packet
Annual Subscription & Printing	$180.00 per fiscal year
Special Event Fees	
Event Application Fee	$25.00 per application
Class A Special Event Closure (High-Impact full Main Street MSD Closure)	$700.00 per day
Class B Special event closure (moderate impact, full Main Street MSD Closure)	$450.00 per day
Class C Special Event Closure (Full Main Street with Avenues Open	$300.00 per day
Class D Special Event Closure (Closure of 2 blocks or less)	$75.00 per block, per day
Class E - Special Event Closure (Closure of parking spaces at Courthouse Plaza)	$50.00 per day
Multi-Day Food Vendors	$55.00 per day
COMMUNITY DEVELOPMENT	
FEES - For so long as the Mayor's Declared State of Emergency is in effect for Hurricane Helene, Community Development Fees marked with a "#" are reduced to "$0.00".	
General- Zoning Compliance	
Zoning Verification Letter #	$50.00
Non-Conforming Use Alteration Request (BOA Review) #	$100.00
Variance Request (BOA Review) #	$75.00
Certificate of Appropriateness (Minor work) #	$50.00
Certificate of Appropriateness (Major work) #	$75.00
Telecommunications Towers, Antennas and Equipment	
Small Wireless Facilities (first 5 facilities)	$100.00 each
Additional small wireless facilities on the same application	$50.00 each
Administrative Review	No Charge
General -Copy & Scan Charges Per Page	
Black	$0.15
Color	$0.25
~~Conditional Use~~	~~$200~~
Copy Charges (per page)	
Black	$0.15
Color	$0.25
General - Copy & Scan Charges Per Page	
Large Format Copy	$10.00
Large Format Scan	$5.00

Zoning Map	$5.00
Future Land Use Map Copy	$5.00
General - Code Enforcement	
Nuisance Fee (Admin. Cost Doubles for each Offense within a Year)	Cost + $100.00 Admin. Cost
Encroachment Permit	
Outdoor Dining Fee (Annual)	$0.50 per Sq. Ft.
Demolition	
Demolition Admin Fee #	$100.00
Payments in Lieu	
In Lieu - Sidewalks	$75.00 per Linear Ft.
In Lieu - Trees	$1.53 per Sq. Ft.
Rezoning Requests	
Zoning Ordinance Map Amendment (Standard Rezoning)	
Commercial or Industrial	$275.00
Residential < 3 acres	$175.00
Residential > 3 acres	$225.00
Zoning Map Amendment (Conditional Rezoning)	
Conditional Rezoning - Legislative Process	$100 per acre, $500 minimum
Final DRC Review	$500.00
Zoning Ordinance Text Amendments	$175.00
Site Plan Reviews & Amendments	
Commercial, Industrial or Institutional	
5,000 - 19,999 square feet in floor area	$300.00
20,000 - 50,000 square feet in floor area	$450.00
Residential Developments	
3 - 10 dwellings	$300.00
11 - 50 dwellings	$450.00
Traffic Impact Analysis Study (Administrative Review)	$1,000.00
Plat Review	
Subdivision Plats	$20.00 per lot
Street Closing Petition ($1,000 deposit)	$1,000.00
Annexation Petition & Plat Review	
Contiguous	$300.00
Satellite	$450.00
PERMITS	
General- Zoning Compliance	
Zoning Compliance Permit #	$50.00
Temporary Use Permit # (The fee shall be reduced to $0.00 for temporary residential uses only)	$60.00
Special Use Permit #	$200
Floodplain Development Permit #	$300.00
Telecommunications Towers, Antennas and Equipment	
Basic Permit (C-3, I-1)	$450.00
Special Use Permit1	$2,500.00
Sign Permits	
Sign Compliance Permit #	$75.00
~~Special Use Permit~~	~~$200~~
Note 1: Applicable only to applications required to meet the additional standards contained in Section 16-4-23.4.	
Note 2: Fees for towers proposed for siting in PCD or PID district are included in the fee for conditional use review.	
FIRE DEPARTMENT	

General	
FEES	
Construction Plans Review	
Commercial hood suppression systems	$100.00
Explosives and fireworks	$100.00
Petroleum tanks and appurtenances	$100.00
Sprinkler systems, fire alarm systems and Emergency Responder Radio Coverage Systems	
Minimum up to 1,000 square feet	$50.00
1,001 - 5,000 square feet	$100.00
5,001 - 10,000 square feet	$150.00
10,001 - 25,000 square feet	$200.00
25,001 - 50,000 square feet	$250.00
50,001 - 100,000 square feet	$300.00
100,001 - 200,000 square feet	$350.00
Over 200,000 square feet	$400.00
Work without a permit	$250.00
Fire Inspection Fees - Fire Inspection fees for inspections of facilities damaged by Hurricane Helene shall be $0.00.	
Minimum up to 1,000 square feet	$50.00
1,001 - 5,000 square feet	$100.00
5,001 - 10,000 square feet	$150.00
10,001 - 25,000 square feet	$200.00
25,001 - 50,000 square feet	$250.00
50,001 - 100,000 square feet	$300.00
100,001 - 200,000 square feet	$350.00
Over 200,000 square feet	$400.00
R-2 & S Occupancies (Apartment Complexes, Storage Units, etc.)	
1-20 Units	$50.00
21-50 Units	$100.00
51-100 Units	$150.00
101-150 Units	$200.00
151-200 Units	$250.00
201-250 Units	$300.00
251-300 Units	$350.00
Over 300 Units	$400.00
PENALTIES	
Re-inspection Fee (Follow-up) per re-inspection	$100.00
Annual Non-Compliant Inspection Fee	$250.00
Hazardous Material Response Fees	
Chief Officer - per officer (per hr.)	$75.00
Engine Company Response - per engine (per hr.)	$150.00
Fire Marshal/Deputy Fire Marshal - per person (per hr.)	$50.00
Ladder/Truck Response - per ladder/truck (per hr.)	$200.00
Materials/Supplies Used	Actual replacement cost
Off Duty/Call Back Personnel	Average hourly rate x 1.5
Site Assessment Fee	$50.00
PERMITS	
Operational Permits	
ABC License Fee	$50.00
Amusement Buildings	$50.00
Carnival and Fairs	$50.00
Combustible dust-producing operations	$100.00

Covered and Open Mall Buildings	$50.00
Exhibits and trade shows (per event)	$50.00
Explosives	$100.00
Flammable and Combustible Liquids	$100.00
Fumigation and thermal insecticide fogging	$100.00
Liquid or gas-fueled vehicles or equipment in assembly buildings	$100.00
Private Hydrants	$50.00
Pyrotechnic special effects material	$100.00
Spraying and Dipping	$100.00
Temporary membrane structures, tents, and canopies (excludes special events)	$50.00
Construction Permits	
Automatic fire extinguishing systems	$100.00
Battery systems	$100.00
Compressed gas	$100.00
Cryogenic fluids	$100.00
Emergency responder radio coverage system	$100.00
Fire alarm and detection systems and related equipment	$100.00
Fire pumps and related equipment	$100.00
Flammable and Combustible liquids	$100.00
Gates and barricades across fire apparatus access roads	$100.00
Hazardous Materials	$100.00
Industrial Ovens	$100.00
LP Gas	$100.00
Private fire hydrant	$100.00
Smoke control or smoke exhaust systems	$100.00
Solar photovoltaic power systems	$100.00
Spraying and Dipping	$100.00
Standpipe systems	$100.00
Temporary membrane structures, tents, canopies (per site, excludes special ever	$50.00
PENALTIES	
Illegal Burn Fee	$100.00
FINANCE	
General	
Beer License - On Premises	$15.00
Beer License - Off Premises	$5.00
Carnival Permit	$100/week + $5 per device
Delinquent Account Fee. Delinquent Account Fees shall not be assessed against accounts becoming delinquent during the period of time that the Mayoral declared State of Emergency for Hurricane Helene is in effect. Delinquent Account Fees for delinquencies predating the State of Emergency shall continue to be assessed. Delinquencies remaining after the termination of the Mayoral declared state of emergency shall be assessed from and after the date of termination of the state of emergency, but shall not be retroactively applied for the period of the state of emergency.	$40.00
Returned item fee	$25.00
Itinerant Merchant/Peddlers Permit	$100.00
Utility Application Fee	$10.00
Motor Vehicle Tag Fee	$15.00
Wholesale Dealers License - Beer Only	$37.50
Wholesale Dealers License - Wine Only	$37.50
Wholesale Dealers License - Beer & Wine	$62.50

Wine License - On Premises	$15.00
Wine License - Off Premises	$10.00

Note: In accordance with G.S. 105-113.77 and G.S. 105-113.79 If a business has multiple locations in one county or city, that business will need to obtain separate ABC licenses for each location. City beer and wine taxes must increase by 10% for each additional license of the same type issued to the same taxpayer for use at a separate location. Furthermore, G.S. 105-236 applies penalties for failure to pay for and obtain local beer and wine license taxes. Operating a business without the required privilege license triggers a monthly penalty of 5 % of the applicable privilege license tax, up to a total of 25 %. Failure to pay the required tax triggers a separate 10% penalty. These violations are also Class 1 misdemeanors.

POLICE	
FEES	
Fingerprinting	$10.00
Precious Metals Dealer Background Check	$75.00
PENALTIES	
Precious Metals Dealer Permit	$180.00

PARKING	
FEES	
Lost Ticket Fee (Parking Deck)	$20.00
Lost/Replacement/2nd Parking Deck Puck	$25.00
Monthly Parking Space - Deck Permit	$80.00
Monthly Parking Space - Exterior Lot Permit	$25.00
Monthly Parking Space - Interior Lot Permit	$60.00
Special Event Rate	$10.00 per session
Parking Meter - Main St. and Avenues	$0.50 per 15-minutes (5-hour max.)
Parking Meter - Surface Lots and Decks	$0.75 per 30-minutes ($10 max. per session)
PENALTIES	
Illicit Crosswalk Parking	$25.00
Illicit Fire Hydrant Parking	$100.00
Illicit Fire Lane Parking	$100.00
Habitual Parking Offender (3 Tickets or more in 30 days)	$100.00
Illicit Handicapped Parking	$250.00
Illicit Loading Zone Parking	$25.00
Overtime/Expired Meter Parking	$25.00
Penalty after 30 days additional	$50.00
Penalty after 60 days additional	$100.00
Construction parking permit (per day)	$15.00
All Other Parking Violations Chapter 50	$25.00

PUBLIC WORKS	
FEES	
Boyd Park Mini-Golf Admission	
Adults	$3.00
Children	$2.00
Course Rental (half day - with concessions) *At the discretion of the City	$300.00
Course Rental (half day - without concessions) *At the discretion of the City	$200.00
General	
Backhoe (per hour)	$125.00
Building Maintenance Fees (per hour)	$75.00
Bush Hogs/Tractor Mowing (per hour)	$80.00
Electrical Usage - 20 Amps or Less (at parks)	$25.00 per day
Electrical Usage - 21 Amps - 50 Amps (at parks)	$50.00 per day
Electrical Usage - over 50 Amps (at parks)	$100.00 per day
Fleet Maintenance Fees (per hour)	$100.00
Sidearm Mower Rental (per hour)	$125.00
Water/Flusher Truck (per load)	$100.00
Weed Eater/Hedge Trimmer (per hour)	$40.00
Asphalt Curb Installation - per linear foot	$15.00
Oakdale Cemetery	

City Resident (per grave space)	$1,000.00
Out of City Resident (per grave space)	$2,000.00
Mausoleum Space	$5,000.00
Temporary Grave Marker Not Installed - Fine[1]	$100.00
Operation Center Room Rental Rates	
Large Assembly Room (5 p.m. - 10 p.m.)	$100.00
Railroad Depot Room Rental Rate	
Meeting Room (8 a.m. - 5 p.m.)	$100.00
Meeting Room (5 p.m. - 10 p.m.)	$50.00
Park Usage	
Patton Park - Small Pavilion	$25.00 per half day
Patton Park - Large Pavilion (May through September)	$50.00 per half day
Patton Park - Field Usage for Organized Groups (per player per season)	$30.00
Patton Pool	
Daily Admittance Fee (adults)	$5.00
Daily Admittance Fee (children) (3yrs or younger will be free with adult)	$4.00
Lap Swim	$4.00
Paving Cut Repairs	
Mobilization/Base Fee (cuts less than or equal to 25square feet)	$600.00
Repair fee per square foot, greater than 25 square feet	$12.00/sqft
Concrete & Sidewalk Mobilization/Base Fee (cuts less than or equal to 25squar	$600.00
Concrete Curb and Sidewalk Replacement (W&S Cut Repairs per Sq ft over 25)	$25.00 / sqft
PERMITS	
Encroachment Permit Fee (asphalt & concrete cuts)	$100.00
Encroachment Permit Fee (temporary sidewalk and road closure)	$50.00
Encroachment Permit Violations - (Per Day) For Unrepaired Encroachments c	$50.00
Note 1: The City requires the installation of a temporary grave marker within 24 hours of a burial. Failure to install a temporary marker identifying the occupant of a grave site results in a $100.00 fine.	

ENVIRONMENTAL SERVICES	
FEES	
General	
Sanitation Service Deposit	$60.00
Small Special Load (collected with pickup truck and city staff)	$50.00
Medium Special Load (more than one pickup truck load and tipping fees added	$100.00
Large Special Loads (tipping fee added to special fee)	$150.00
Cart Switch Out Fee (large cart to small cart and small cart to large cart)	$30.00
Televisions/computer monitors - per item	$30.00
White Goods (washers, dryers, refrigerators, hot water heaters, etc.) - per item	$25.00
Special Event - Cart Delivery, Pickup, and Material Disposal - per cart fee	$20.00
Commercial Waste and Recycling	
Commercial Recycling (up to four 65gal. bins, collected once/week)	$15.00 per bin
Commercial Recycling (up to four 65gal. bins, collected twice/week)	$30.00 per bin
Commercial Waste (per 96gal. bin)	$30.00 per bin
Commercial Waste and Recycling (96gal. bin)	$30.00 per set of bins
Residential Waste and Recycling	
Residential Waste - 32gal.	$23.00 per bin
Residential Waste, Assisted - 32gal.	$23.00 per bin
Residential Waste and Recycling - 32gal.	$23.00 per set of bins
Residential Waste and Recycling, Assisted - 32gal.	$23.00 per set of bins
Residential Waste - 96gal.	$25.00 per bin
Residential Waste, Assisted - 96gal.	$25.00 per bin
Residential Waste and Recycling - 96gal.	$25.00 per set of bins
Residential Waste and Recycling, Assisted - 96gal.	$25.00 per set of bins
PENALTIES	

Utility Bill Late Fee. Late Fees shall not be assessed against accounts becoming delinquent during the period of time that the Mayoral declared State of Emergency for Hurricane Helene is in effect. Late fees for delinquencies predating the State of Emergency shall continue to be assessed. Delinquencies remaining after the termination of the Mayoral declared state of emergency shall be assessed from and after the date of termination of the state of emergency, but shall not be retroactively applied for the period of the state of emergency.	$10.00 or 5% of past due balance, whichever is greater
Stolen/Damaged Cart Replacement Fee	$100.00
Illegal Dumping Fee - Offense 1	Warning
Illegal Dumping Fee - Offense 2	$50.00
Illegal Dumping Fee - Offense 3	$100.00
Illegal Dumping Fee - Offense 4 (+)	$150.00
Note: 1 set of bins includes 1 waste and 1 recycling container.	

STORMWATER	
FEES	
Single-Family Residential Stormwater Fee	$7.00 per month
Multi-Unit Residential Stormwater Fee	$7.00 per unit, per month
Non-Residential Property Stormwater Fee, per ERU[1]	$7.00 per month
Non-Residential Property Stormwater Fee Cap[2]	$350.00 per month
OR	
Non-Residential Property Stormwater 50% Credit (if < $350.00)[2]	50% Credit
Stormwater Service Charge Credit Application Fee	$50.00
Post-Construction Stormwater Management Review Fee	$500.00
Note 1: 1 Equivalent Residential Unit (ERU) = 3,000sqft.	
Note 2: Non-Residential properties are eligible for either a cap or a credit, not both.	

WATER & SEWER	
WATER	
FEE	
Inside City Limits	
Base Charge by Meter Size	
3/4"	$10.76
1"	$13.09
1.5"	$18.91
2"	$25.89
3"	$48.00
4"	$77.09
6"	$164.36
8"	$193.45
Volumetric Charges	
Residential	
0 to 3,000 gallons	$4.06 per 1000 gallons
3,000 to 6,000 gallons	$5.41 per 1000 gallons
6,000 to 14,000 gallons	$6.76 per 1000 gallons
14,000 gallons and greater	$8.12 per 1000 gallons
Commercial/Industrial	
0 to 40,000 gallons	$5.41 per 1000 gallons
40,000 to 200,000 gallons	$5.41 per 1000 gallons
200,000 gallons and greater	$5.41 per 1000 gallons
Irrigation	
0 to 40,000 gallons	$10.82 per 1000 gallons
40,000 gallons and greater	$11.36 per 1000 gallons
Outside City Limits	
Base Charge by Meter Size	
3/4"	$13.45
1"	$16.36

1.5"	$23.63
2"	$32.36
3"	$60.00
4"	$96.36
6"	$205.45
8"	$241.82
Volumetric Charges	
Residential	
0 to 3,000 gallons	$5.07 per 1000 gallons
3,000 to 6,000 gallons	$6.76 per 1000 gallons
6,000 to 14,000 gallons	$8.46 per 1000 gallons
14,000 gallons and greater	$10.15 per 1000 gallons
Commercial/Industrial	
0 to 40,000 gallons	$6.76 per 1000 gallons
40,000 to 200,000 gallons	$6.76 per 1000 gallons
200,000 gallons and greater	$6.76 per 1000 gallons
Irrigation	
0 to 40,000 gallons	$13.53 per 1000 gallons
40,000 gallons and greater	$14.21 per 1000 gallons
Wholesale	
Base Charge by Meter Size	
3/4"	$13.45
1"	$16.36
1.5"	$23.63
2"	$32.36
3"	$60.00
4"	$96.36
6"	$205.45
8"	$241.82
Volumetric Charges	
Wholesale	
All Usage	$5.41 per 1000 gallons
Bulk Water	
All Usage	$10.15 per 1000 gallons
Public Schools	
Base Charge per Account	$10.76
All Usage	$5.41 per 1000 gallons
Water System Development Fees (effective January 1, 2025)	
Residential Single-Family Dwelling (per unit, Heated Sq. Ft.)	
<1000 sq ft	$312.00
1,000 - 1,500 sq ft	$333.00
1,501 - 2,000 sq ft	$340.00
2,001 - 2,500 sq ft	$361.00
2,501 - 3,000 sq ft	$375.00
3,001 - 3,500 sq ft	$403.00
3,501 - 4,000 sq ft	$431.00
4,000+ sq ft	$498.00
Multi-Family Master Meter (per unit)	$224.00
Mobile Home Park (per unit)	$350.00
Non-Residential	
3/4" meter	$624.00
1" meter	$1,039.00
1.5" meter	$2,078.00
2" meter	$3,325.00
3" meter	$7,273.00
4" meter	$13,092.00
6" meter	$27,016.00
8" meter	$58,187.00

10" meter	$87,281.00
Taps & Connections	
Water Main Tap and Service, 3/4" Meter	$1,625.00
Water Main Tap and Service, 1" Meter	$1,700.00
Water Main Tap and Service, 1.5" and 2" Meter	Cost
Water Service - Stub Out, 3/4" (install meter box and meter)	$975.00
Water Service - Stub Out, 1" (install meter box and meter)	$1,050.00
Water Service - Drop Meter, 3/4" (install meter only)	$350.00
Water Service - Drop Meter, 1" (install meter only)	$425.00
Water Service - Drop Meter, >1" (install meter and MXU only)	
1.5" Meter and Set-up	$1,960.00
2" Meter and Set-up	$2,125.00
3" Meter and Set-up	$2,720.00
4" Meter and Set-up	$4,474.00
6" Meter and Set-up	$7,500.00
8" Meter and Set-up	$11,620.00
Irrigation Tee, 3/4" (install meter box and meter)	$975.00
Irrigation Tee, 1" (install meter box and meter)	$1,050.00
Water Service and Meter Relocation/Reconnection Charge (Residential Only)	Cost, Not to Exceed New Tap Fee
Meters	
Turn On/Off/Set Meter During Business Hours	$47.00
Turn On/Off/Set Meter After Business Hours	$117.50
Test Meter, at customer's request (<1-in.); if meter faulty - No Charge	$45.00
Test Meter, at customer's request (>1-in.); if meter faulty - No Charge	Cost
Miscellaneous Water Fees	
Hydrant Flow/Pressure Test	$175.00
Chemical Analysis of Water	Cost
Drill Water Main for Tap	$650.00
Water System Shutdown for Connection	$600.00
Fire Hydrant Installation	Cost
Small Meter Box Access Training Program Permit Fee (per Company)	$75.00 per training
Small Meter Box Access Key, each	$20.00
Premise Visit	$40.00
Water Conservation Incentives Program Rebates	
Customer-Side Shut-Off Valve - Limit one per account	up to $300.00
Weather-Based Irrigation System Controller - Limit one per account	50% of purchase price or $200, whichever is less
Residential High Efficiency Toilet - Limit 2 per account	$50 per toilet
Commercial High Efficiency Toilet- Limit 4 per account	$50 per toilet
EnergyStar High Efficiency Dishwasher - Limit one per account	$75
EnergyStar High Efficiency Washing Machine - Limit one per account	$100
*Note: Limited numberof rebates offered annually *Toilets must be 1.1 gpf or less*	
PENALTIES	
Utility Bill Late Fee. Late Fees shall not be assessed against accounts becoming delinquent during the period of time that the Mayoral declared State of Emergency for Hurricane Helene is in effect. Late fees for delinquencies predating the State of Emergency shall continue to be assessed. Delinquencies remaining after the termination of the Mayoral declared state of emergency shall be assessed from and after the date of termination of the state of emergency, but shall not be retroactively applied for the period of the state of emergency.	$10.00 or 5% of past due balance, whichever is greater
SEWER	
FEE	
Inside City Limits	
Base Charge by Meter Size	
3/4"	$12.16
1"	$14.75
1.5"	$21.22
2"	$28.98

3"	$53.56
4"	$86.90
6"	$182.93
8"	$215.27
Volumetric Charges	
All Usage	$7.50 per 1000 gallons
Sewer Only-Flat Rate	$40.66 per month
Outside City Limits	
Base Charge by Meter Size	
3/4"	$18.24
1"	$22.13
1.5"	$31.83
2"	$43.47
3"	$80.34
4"	$128.85
6"	$274.39
8"	$322.91
Volumetric Charges	
All Usage	$11.25 per 1000 gallons
Sewer Only-Flat Rate	$60.99 per month
Wholesale	
Base Charge by Meter Size	
3/4"	$18.24
1"	$22.13
1.5"	$31.83
2"	$43.47
3"	$80.34
4"	$128.85
6"	$274.39
8"	$322.91
Volumetric Charges	
All Usage	$11.25 per 1000 gallons
Public Schools	
Base Charge per Account	$12.16
All Usage	$7.50 per 1000 gallons
MSD Sewer	
Base Charge per Account	See Wholesale Charges
All Usage	$11.25 per 1000 gallons
Sewer System Development Fees (effective January 1, 2025)	
Residential Single-Family Dwelling (per unit, Heated Sq. Ft.)	
<1000 sq ft	$512.00
1,000 - 1,500 sq ft	$547.00
1,501 - 2,000 sq ft	$558.00
2,001 - 2,500 sq ft	$593.00
2,501 - 3,000 sq ft	$616.00
3,001 - 3,500 sq ft	$663.00
3,501 - 4,000 sq ft	$708.00
4,000+ sq ft	$818.00
Multi-Family Master Meter (per unit)	$367.00
Mobile Home Park (per unit)	$575.00
Non-Residential	
3/4" meter	$1,024.00
1" meter	$1,707.00
1.5" meter	$3,414.00
2" meter	$5,463.00
3" meter	$11,950.00
4" meter	$21,509.00
6" meter	$44,384.00

8" meter	$95,596.00
10" meter	$143,394.00
Taps and Connections	
4" Gravity Sewer Service Installation	$1,600.00
6" Gravity Sewer Service Installation	$2,000.00
8" Gravity Sewer Service Installation	$2,400.00
Surcharges	
Biochemical Oxygen Demand (BOD), per lb. in excess of 250-mg/l	$0.31
Total Suspended Solids (TSS), per lb. in excess of 250-mg/l	$0.19
Ammonia Nitrogen, per lb. in excess of 30-mg/l	$1.85
Miscellaneous Fees	
Food Services Sewer Connection Application Fee	$75.00
Septic Tank Waste Disposal, per 1000-gallons	$60.00
Industrial Pretreatment Program	Cost
GENERAL / OTHER	
Residential Water & Sewer Deposit	
Tier 1 - Based on Credit Risk	$0.00
Tier 2 - Based on Credit Risk	$80.00
Tier 3 - Based on Credit Risk	$120.00
Customer unable to perform utility credit check - Residential	$240.00
Residential - Rental Water & Sewer Deposit	
Tier 1 - Based on Credit Risk	$60.00
Tier 2 - Based on Credit Risk	$80.00
Tier 3 - Based on Credit Risk	$120.00
Customer unable to perform utility credit check - Residential Rental	$240.00
Non-Residential Water & Sewer Deposit	
Tier 1 - Based on Credit Risk	$125.00
Tier 2 - Based on Credit Risk	$175.00
Tier 3 - Based on Credit Risk	$250.00
Customer unable to perform utility credit check - Non-Residential	$500.00
Engineering Review Fees	
Availability Approval Fee	$100.00
Extension Project Review Fee (water or sewer)	$400.00
Extension Project Review Fee - Cost per sheet	$15.00 per sheet
Extension Project Re-submittal fee (second re-submittal)	$200.00
Extension Project Re-submittal fee (fourth re-submittal)	$200.00
Extension Project Re-submittal fee (sixth re-submittal)	$200.00
Water Line Inspections ($100 min)	$3.00 per linear foot
Sewer Line Inspections ($100 min)	$6.00 per linear foot
Sewer Line CCTV Re-inspection	$3.00 per linear foot (per re-inspection)
Recording Fees for First UEA, Deed of Dedication, or Easement:	
Up to 15 pages	$30 per instrument
Each additional page	$4.10
Subsequent recording fees for UEA, Deed of Dedication, or Easement	$60 per instrument
Nonstandard document fee	$26 per nonstandard instrument
Equipment Usage (hourly rates)	
Rubber-Tired Backhoe, Small	$49.41
Rubber-Tired Backhoe, Large	$58.73
Excavator, 8,000-lb, <40hp	$48.97
Excavator, 12,000-lb, 40-89hp	$96.16
Excavator, 30,000-lb, 90-143hp	$100.52
Vac Truck	$95.06
Dump Truck (single-axle), Small	$55.98
Dump Truck (single-axle), Large	$74.83
Dump Truck (dual axle)	$94.94
Dump Truck (triaxle)	$96.03
Pick-Up Truck	$16.68

	Sewer Jetter/Harben	$32.81
	Camera Truck	$104.82
	Air Compressor	$20.32
	Air Hammer/Pusher	$1.40
	Soil Tamp	$43.36
PERMITS		
	Non-discharge Permit Fee	$300.00
	Septic Tank Waste Disposal Permit	$75.00
PENALTIES		
	Utility Bill Late Fee Late Fees shall not be assessed against accounts becoming delinquent during the period of time that the Mayoral declared State of Emergency for Hurricane Helene is in effect. Late fees for delinquencies predating the State of Emergency shall continue to be assessed. Delinquencies remaining after the termination of the Mayoral declared state of emergency shall be assessed from and after the date of termination of the state of emergency, but shall not be retroactively applied for the period of the state of emergency.	$10.00 or 5% of past due balance, whichever is greater
	Failure to Install Backflow Assembly, 1st Notice	$400.00
	Failure to Install Backflow Assembly, 2nd Notice	$500.00
	Failure to Test Backflow Assembly Annually	$100.00
	Failure to Replace/Repair Backflow Assembly	$500.00
	Falsifying Records Regarding the Testing of Backflow Assemblies	$500.00
	Illegal Use of Fire Hydrant	$500.00 + Damages
***schedule of costs and rates maintained on file with the Utilities Department**		

Council Member Jennifer Hensley moved that City Council adopt an Ordinance of the City of Hendersonville City Council to Amend the Budget Ordinance by Adopting an Amended Fee Schedule Due to the Impacts of Hurricane Helene as presented. A unanimous vote of the Council followed. Motion carried.

B. Consideration of Amendment to City Council Regular Meeting Agenda – *Jill Murray, City Clerk*

City Manager Connet explained that due to the impact of Hurricane Helene on the City's Operations Center, the Council meetings for October, November and December need to be moved to the City Hall Meeting Room on the 2nd Floor so the address has been changed. Another proposed change is to cancel the November workshop meeting on November 27th as that is the day before the Thanksgiving holiday.

Council Member Lyndsey Simpson moved that City Council approve the City Council Regular Meeting Agenda as amended. A unanimous vote of the Council followed. Motion carried.

C. Ratification of Contracts Entered for Helene – *Angela S. Beeker, City Attorney*

City Attorney Beeker explained that at your last meeting you authorized the city manager to enter into contracts and then if they needed to be ratified, we would bring those back. We have two such agreements related to debris removal. As you know, NCDOT controls many of the streets in the city so if the city wants to arrange for debris to be picked up on NCDOT streets, we have to enter into an agreement where they give the city the authority to do that and it makes us responsible for it. It's a 5-year term but its terminable with a 30-day notice. The way we perform that function is the second agreement which is the Interlocal Agreement with the County because the County activated that agreement that was put in place before the storms for debris removal so then they assume the responsibility to do debris removal county-wide. Then we enter into an interlocal agreement with the county and they will do that on our behalf. So, these agreements are being presented today for ratification.

1. NCDOT Disaster Related Debris Removal Agreement
2. Interlocal Agreement for Debris Removal

Council Member Melinda Lowrance moved that City Council approve and ratify the contracts and agreements as presented by the City Manager or City Attorney. A unanimous vote of the Council followed. Motion carried.

D. Consideration of Amendments to City Policies as Necessary to Support Hurricane Helene Recovery Item Title As It Appears On The Agenda – *John Connet, City Manager*

City Attorney Angela Beeker explained that at the last meeting City Council authorized that certain administrative policy adjustments be made. One of those was to allow department heads and city manager to be paid for overtime, even though they are exempt. There is another provision in the

personnel policy that allows the city manager to make administrative amendments and he did so by cutting off overtime for exempt employees and everybody after the first two weeks. So, we are just asking that City Council ratify that as a formal change to that inclement weather policy. It's limited to Helene that city department heads and city manager and other exempt employees would no longer accrue overtime. The second one is the Leak Adjustment Policy and you also authorized the city manager to put in place a Leak Adjustment Policy to make Helene related leaks easier to be adjusted. Normally there is a limit on how many times you can ask for an adjustment and it's limited to $1,000 dollars and this removes those limitations with respect to hurricane Helene.

We are asking City Council to ratify these policy amendments:

1. Administrative Policy Amendment – Discontinue Overtime for Exempt Employees during Helene
2. Leak Adjustment Policy

Council Member Jeff Miller moved that City Council approve and ratify the amendments to City policies as presented by the City Manager or City Attorney. A unanimous vote of the Council followed. Motion carried.

E. City Manager Hurricane Helene Report Updates – *John Connet, City Manager*

City Manager John Connet gave the following update:

- We continue to be in a State of Emergency, although there are no restrictions, we continue to work with FEMA. FEMA is in town and we have met with them on a couple of occasions and they have met with the Mayor. At this point, we continue to gather our documentation and we will be assigned a project manager who will help us submit FEMA documentation to the Federal Government for reimbursement.
- We are also working with our insurance carrier for damaged buildings. There is a lot of behind-the-scenes work that we are trying to do. Our mission is two parallel paths. One is recovery and dealing with the storm but also we are slowly returning to normal activities and priorities of city council that occurred prior to the storm. So we are trying to work in a way that we can recover but continue to move forward.
- We continue to meet regularly as a team. Previous to this week we were meeting on Mondays and Fridays as what we call a Continuity of Operations Team. Going forward, we are just going to do that one day a week on Mondays. In addition to that we have set up four Functional Team meetings focused on Community Development, Public Safety, Economic Recovery, Public Works and Facility Repair & Replacement.

  Public Safety – The Police Department and Fire Department have basically returned to normal operations; however, we are seeing increasing issues with motor vehicle accidents and traffic control. We've seen about a 25% increase in calls for service on the police and fire side, basically because we've seen an increase in the number of folks in our community. No burn ban yet from State or County government. Of course, you can't burn in the city anyway. We have a number of folks living in hotels. As of this week, we have 212 vouchers for hotels. Two-thirds of those vouchers are folks living outside of the county but we do have a number of folks staying at our local hotels who may or may not be using FEMA. With Police and Fire, I'm also trying to monitor any price gauging issues because I know Council Member Lowrance has gotten a couple of complaints and I'll pass those on to the County. Ultimately it will go to the Attorney General's office and the Attorney General will be responsible for investigating price gauging.

  Community Development – We are evaluating all of the remaining special events for the remainder of the year trying to evaluate the cost benefit as it relates to getting things back to normal but also being mindful of our staff time and having staff to deal with the special events and we are moving some things around and requesting assistance but Halloween is going on as planned. "Treat Street" is going on this Thursday as well as we will be providing "Walking on 4th Avenue" for the private trick-or-treating that's going on. As far as future events, we have postponed or canceled several of our Farmer's Market dates but there are pop-up markets going on with local vendors that will continue. We'll also have our regular Holiday Market on the first Saturday in December. Turkey Trot is being planned and other holiday events such as the tree lighting and Christmas parade are going as planned. As part of the recovery process we've purchased sixty-four new barricades, as we lost a bunch during

the storm. Thirty-two of the sixty-four are located on Bearcat and these are going to be less labor intensive and less water intensive so we're trying those out. So thirty-two originally came in as loners. Thirty-two more will arrive this week that have reflective lighting on them so you can see them at night and they will come with a trailer that hopefully be easier to move than some of our water barricades. We will be using a combination until we have a sufficient number. Extra expenses are reimbursed by FEMA but we will have to justify the expenditure. Honestly, we had planned to buy these new type of barricades anyway but we made the decision to go ahead and buy them now because they will be used as part of recovery so we hope they will be reimbursed. We have completed damage assessment. Mike Huffman has been out doing damage assessment in the hundred year floodplain so he has identified buildings that have had substantial damage. Commercial buildings that have to be built back will have to be brought into compliance. We have also done our residential assessments and those numbers were turned into the county so if you look at the county numbers, our numbers are included with those. We also did complimentary fire code inspections. We met with folks that are rebuilding and reminding them that they need to get permits and need to make sure they're in compliance as they rebuild so we don't have fires and other emergencies down the road. There will continue to be challenges as we go forward. For example, debris removal has been a major topic. We have whole mobile homes that we have to dispose of and have to figure out how to do that and we have lots of vegetative debris and we'll talk more about that. We're working through temporary housing. Lew has met with the county regarding temporary housing. FEMA is currently looking for existing residential units to use. If we can't find enough existing residential units, they'll look for opportunities to provide housing either on private property whether that be manufactured housing or recreational vehicles on private property or in existing mobile home parks or where they may ultimately build new parks. Still to be determined. May require some zoning ordinance amendments down the road but we're working toward that.

Economic Recovery – Trying to get things back to normal. We're having our November Planning Board meeting and they will have some items that will come to your December meeting. We will not have a December Planning Board meeting to try to put some spacing in there as we move into the new year but building permits have resumed and new construction has resumed. The downtown group is involved in establishing an Economic Recovery Fund. Also, working on the Small Business Center or incubator we have on 5th Avenue. We are also putting together a "We Are Open For Business" video with the Partnership for Economic Development, TDA, Chamber of Commerce, Small Business Center etc., trying to let people know that we are open for business. You'll see an industrial project on your agenda at your November meeting next week. The TDA is anticipating a 20%-30% loss for hotel revenue based on previous storms.

Public Works – As you can imagine, the number one thing has been debris. We have been collecting vegetative debris using our own forces and mutual aid. The county has exercised a state contract. Those contractors are in and are slowly getting up to speed as it relates to vegetative debris. My understanding is that currently they have thirty trucks in the entire county so we'll continue to use mutual aid in the city to try to speed that up for city folks but you'll also see the state contractor in the city. For our forces and mutual aid, we will have to submit reimbursement to FEMA as it relates to that. We are focused on heavy debris areas first and then we will move on all over the city. Building debris is the one thing that has not been removed yet. The county has four debris sites and all of this storm debris has to be taken to one of these four permitted sites. For vegetative, we have a fifth site at our own wastewater plant and that's where we're taking our debris, but the city vehicles cannot go to the four county debris sites. They have one on 191, Blue Ridge Community College, the landfill and at the Ag Center. I do not believe the building debris has been permitted yet so that's still on the side of the road and there is currently no easy way of getting rid of that debris. We just ask our residents to be patient with us as its going to take us some time to deal with that. Also, Public Works has started repairing our parks and getting them back open and running. The greenway is open. We do have debris along it but the greenway is open. We will ultimately have to do some stream restoration in the long term as well. Patton Park remains closed. We are cleaning up and putting priority on opening up the basketball courts and the skate park, opening the fields, opening the pavilions and opening the walking paths so our crews are working on that for the very near term. The playground and the pool will be much longer term. We will have to get someone to come assess the pool and assess those buildings around the pool. Whitmire remains temporarily closed. That was also

flooded. We have to remove sheetrock and floor tile from there and are assessing the damage there. Sullivan Park is a priority to get back open. We will open everything up this week with the exception of the bathrooms. The bathrooms are typically winterized this time of year, so we're going to clean them, winterize them and do any repairs but the playground will be open. We removed all of the mulch and have to put new mulch down and we removed the damaged piece of playground equipment but the other equipment will be cleaned and sanitized to get that park open. MLK Park is open. King Park is temporarily closed but we'll work with the school system to determine baseball at King Park. Rotary Park will be good to open. At the dog park we have to work on some fence damage. The cemetery is open and regular maintenance is occurring there. Lennox Park, we will get that open. There's some fence down at other places and we are working with a contractor to get some bids on them. The bathrooms at Patton Park, we'll get those repaired in the short term and get those opened and same for Sullivan Park. Edwards Park is in good shape and the downtown bathrooms are fine. We will also do street and bridge assessment. We have to evaluate all of our bridges for damage. We didn't have any obvious damage except for a couple of places as it relates to streets, so we need to do a full assessment and we're working on getting engineers to do that. Also, the same on stormwater drainage infrastructure.

Facility Repair & Replacement Group – Priority repairs are at City Hall. We have some repairs to do on the stairwells and the second floor bathroom, so it's a priority to get this building back into tip top shape. Also the Operations Center is a priority particularly as it relates to the assembly room and the lobby so we can get back to having our meetings there. We're working on getting proposals and bids to do the work there. Patton Park, as I mentioned, we will be getting an assessment on the pool. The admin building at Patton Park which is where the Literary Connections is held was flooded and our recommendation is instead of rebuilding a modular building, we recommend that we just go ahead and demolish the building and get it out of there. It's been flooded underneath many times. Whitmire, we're going to get some architectural assessments, look at the long-term use of that building as it relates to the community center which was part of your parks and recreation master plan. Lots of repairs going on with water and sewer utility, I won't dare go through that but your utility department is going through constant review of those and making repairs throughout the utility system. The Mills River Intake is fully operational and they continue to make some additional repairs to return it to 100%. The French Broad River Intake has been looked at and I think its in pretty good shape. Public Services Director Brent Detwiler added that there are some minor electrical repairs to do. Similar repairs going on at the Wastewater Treatment Plant. The Fletcher Pump Station is back up and running. King Park and Sullivan Park we have some work to do. So, we are working with insurance companies to get those repaired. We have yet to get any insurance reimbursement. We had a number of vehicles that were also flooded adding up to about $600,000. Our Fleet Manager has been able to find some slightly used vehicles that we will be replacing those damaged vehicles with. Some of those vehicles have been delivered, others are on order and we will be putting those back in service. Again, we are waiting on insurance and FEMA reimbursements. We continue to meet at least once a week and are slowly moving back to normal activity. We'll have more up-to-date stuff as we go along. I do have one positive thing that I'd like to say here, that we have created a "Love Hendo Business Recovery Fund" to support local businesses affected by Hurricane Helene. The fund will provide much needed financial relief to businesses impacted by the storm addressing physical damage and economic loss that may lead to deterioration of the area. A transparent way for businesses to reach critical short term support as part of the broader economic recovery in Henderson County. So, people can donate money but its already a strong foundation of money that's been established from public and private sectors to help with recovery efforts. The first round of applications are due November 8th and they will also receive applications after that deadline. The Chamber of Commerce is directly involved, as well as, the Small Business Center, Blue Ridge Community College, Chamber of Commerce, TDA, Henderson County Partnership for Economic Development and Friends of Downtown. I think there is at least seed money of $100,000 to provide a recovery fund to local businesses.

Council Member Hensley added that the Dogwood Community Health Fund has a very large grant program and they're going to start the application process tomorrow, it should be posted on Dogwood's website and it's a $25,000 grant for businesses under $1,000,000,000 so those little things can help businesses now until the Federal Government decides to go back to work and fund the SBA.

Council Member Lowrance asked about public housing and if anything has been said about that. Budget & Management Analyst Jenny Floyd said that she hasn't heard much but that they're doing intake right now and they're trying to figure out what's being repaired. Community Development Director Lew Holloway said that he spoke with the Executive Director of the Housing Authority, Connie Stewart, last week and she said they are in the very early stages but have been in touch with HUD and CDBG. Mr. Connet said they will reach back out to Connie and see what the update is and get back to Council.

Finally, Council Member Jennifer Hensley added that she has a patient who lives in Bat Cave and who had to be Medevac'd from their home. They had to leave their home, and their home was fine, it just had mudslides around it. They expressed to the Bat Cave Fire Department that they were worried about the food in their fridge and the mess and wanted to see it. They got a chance for about 30 minutes to go see their home and get belongings and things and they said when they got there, their entire refrigerator was cleaned out and all of the drawers and cabinets in the refrigerator had been washed and were drying on their deck and all the trash was removed from their home. These firefighters went in and did that on their own which I thought was amazing and we just have amazing people in this community that take care of each other and I just wanted to make sure that people heard that. I'm sure we all hear stories like that every day but that stuff means a lot so thank you to them.

F. Closed Session – *John Connet, City Manager*

Council Member Lyndsey Simpson moved that City Council enter closed session pursuant to NCGS § 143-318.11 (a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

5. ADJOURN

City Council came went into closed session at 5:03 p.m.

City Council came out of closed session at 5:10 p.m.

There being no further business, the meeting was adjourned at 5:10 p.m. upon unanimous assent of the Council.

_____
Barbara Volk, Mayor

ATTEST:

_____
Jill Murray, City Clerk

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Amanda Lofton **MEETING DATE:** 11/07/2024

AGENDA SECTION: CONSENT **DEPARTMENT:** Finance

TITLE OF ITEM, Presenter Name, Title: Henderson County Tax Adjustments -*Amanda Lofton, Deputy Tax Collector*

SUGGESTED MOTION(S): I move that City Council resolve to direct and authorize the tax releases submitted by Henderson County Tax Collector as presented and relieve the Henderson County Tax Collector and the Deputy Tax Collectors of the charges owed.

SUMMARY:

The Deputy Tax Collector, Amanda Lofton, would like to submit for your approval the tax bill adjustments occurring between September 1, 2024 and September 30, 2024. These adjustments include all Discoveries, Releases, Refunds, and Forgiven Interest. These adjustments were provided by Henderson County Tax Department. Documentation is available in the Tax Office.

BUDGET IMPACT: $ 0.00

Is this expenditure approved in the current fiscal year budget? YES

If no, describe how it will be funded.

PROJECT NUMBER: N/A **PETITION NUMBER:** N/A

ADDITIONAL PETITION NUMBER: N/A

PETITIONER NAME: N/A

ATTACHMENTS:

Summary Total of Tax Adjustments

NCPTS Pending Release/Refund Report. Wednesday, September 25, 2024*

TAX DISTRICT	OWNER	ABSTRACT	NOTE	VALUE CHANGE	ADJ. NUMBER	DISTRICT CODE	LEVY TYPE	BILLED	PAID	RELEASE
CITY OF HENDERSONVILLE	CAPALBO, ROSEMARY SUSAN	0000630390-2024-2024-0000	VOIDED PER APPEAL- NEW OWNER PER STARS TRANSFER DATE 10/3/2023. NEW ABSTRACT #3116317	($16,141)	9140	JURSC10	TAX	$83.93	$0.00	$83.93
							LATE LIST FEE	$8.39	$0.00	$8.39
							TOTAL:			$92.32
									ABSTRACT TOTAL:	$92.32
		OWNER TOTAL:		**$0**						**$92.32**
	ELLIE NAVARRO PHOTOGRAPHY, LLC	0003097801-2024-2024-0000	VOIDED ABSTRACT, BUSINESS CLOSED 12/2023	($10,382)	9119	JURSC10	TAX	$53.99	$0.00	$53.99
							LATE LIST FEE	$5.40	$0.00	$5.40
							TOTAL:			$59.39
									ABSTRACT TOTAL:	$59.39
		OWNER TOTAL:		**$0**						**$59.39**
	DISTRICT TOTAL:			**($26,523)**						**$151.71**

*Adjustments submitted for approval on or before

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Jennifer Floyd **MEETING DATE:** 11/07/2024

AGENDA SECTION: CONSENT **DEPARTMENT:** Administration

TITLE OF ITEM: November 2024 Budget Amendments– *Jennifer Floyd, Budget & Management Analyst II*

SUGGESTED MOTION(S):

I move City Council adopt budget amendments 11072024-01, 11072024-02, 11012024-03, 11072024-04, and 11072024-05 as presented.

SUMMARY:

11072024-01: An amendment transferring $130,000 from ARP Funds and $75,025 from the Grey Mill Project (fund 301, #18007) to the Governmental Capital Project Fund (410) for the completion of the Ashe St. CDBG Project (#G2201). The amendment increases the total appropriation for the Ashe St. Project to $955,025.
11072024-02: An amendment increasing the #VE025 Project in both funds 410 and 460 to purchase replacement vehicles for Police and Water& Sewer departments due to damage caused by Hurricane Helene.
11072024-03: An amendment reflecting a project ordinance and reimbursement resolution for the PD NCACP Performance and Wellness Project, #G2501.
11072024:04: An amendment increasing the budget for project #23021 to cover the cost of painting City Hall 3rd Floor.
11072024-05: An amendment reflecting a project ordinance and reimbursement resolution for the Helene Response and Recovery Project, #H2024.

BUDGET IMPACT: Summarized above.

Is this expenditure approved in the current fiscal year budget? N/A

If no, describe how it will be funded. N/A

ATTACHMENTS:

1. Budget Amendments 11072024-01 through 11072024-05

TO MAYOR & COUNCIL
APPROVAL: November 07, 2024

FISCAL YEAR 2025
FORM: 11072024-01

BUDGET AMENDMENT

FUND 010 | 301 | 410

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
301-0000-470100-18007	Transfer in (from 010)	514,272	-	-	514,272
301-0000-470100-18007	Transfer in (from 032)	50,915	-	-	50,915
301-0000-_____-18007	Note Receivable	729,594	-	-	729,594
301-0000-420050-18007	Grant (NC Commerce)	500,000	-	-	500,000
301-0000-460110-18007	Reimbursements	40,000	-	-	40,000
301-0000-550103-18007	Capital Outlay CIP	799,166	-	-	799,166
301-0000-598600-18007	Loan to Outside Org (Developer)	500,000	-	-	500,000
301-0000-598901-18007	Transfer out (to 010)	535,615	-	75,025	460,590
301-0000-598901-18007	Transfer out (to 301, #18007)	-	75,025	-	75,025
FUND 301 Grey Mill Project #18007	TOTAL REVENUES	1,834,781	-	-	1,834,781
	TOTAL EXPENDITURES	1,834,781	75,025	75,025	1,834,781
010-0000-470900	Fund Balance Appropriated (ARP)	130,000	-	-	130,000
010-0000-598901	Transfer out (to 410, #G2201)	130,000	-	-	130,000
FUND 010 General Fund	TOTAL REVENUES	130,000	-	-	130,000
	TOTAL EXPENDITURES	130,000	-	-	130,000
410-0000-420050-G2201	Grant Revenue	750,000	-	-	750,000
410-0000-420050-G2201	Transfer in (from 010, ARP Funds)	-	130,000	-	130,000
410-0000-420050-G2201	Transfer in (from 301, #18007)	-	75,025	-	75,025
410-1014-550102-G2201	Capital Outlay- Fees and Services	750,000	205,025	-	955,025
FUND 410 Ashe St. CDBG #G2201	TOTAL REVENUES	750,000	205,025	-	955,025
	TOTAL EXPENDITURES	750,000	205,025	-	955,025

An amendment transferring $130,000 from ARP Funds and $75,025 from the Grey Mill Project (fund 301, #18007) to the Governmental Capital Project Fund (410) for the completion of the Ashe St. CDBG Project (#G2201). The amendment increases the total appropriation for the Ashe St. Project to $955,025.

The City Manager and City Clerk certify budget ordinance amendment 11072024-01 was approved by City Council on November 07, 2024.

City Manager

Date

City Clerk

Date

TO MAYOR & COUNCIL
APPROVAL: November 7, 2024

FISCAL YEAR 2025
FORM: 11072024-02

BUDGET AMENDMENT

FUND 410/060/460					
ACCOUNT NUMBER	**ACCOUNT DESCRIPTION**	**EXISTING BUDGET**	**INCREASE**	**DECREASE**	**REVISED BUDGET**
410-0000-470030-VE025	Insurance Proceeds	-	34,300	-	34,300
410-1300-554002-VE025	Vehicles	-	34,300	-	34,300
FUND 410	TOTAL REVENUES	-	34,300	-	34,300
VE025	TOTAL EXPENDITURES	-	34,300	-	34,300
060-0000-470028	Fund Balance Appropriation	1,927,657	106,840	-	2,034,497
060-0000-598901	Transfer Out (to 460)	715,000	106,840	-	821,840
FUND 60	TOTAL REVENUES	1,927,657	106,840	-	2,034,497
VE025	TOTAL EXPENDITURES	715,000	106,840	-	821,840
460-0000-470030-VE025	Insurance Proceeds	-	400,000	-	400,000
460-0000-470100-VE025	Transfer In (from 060)	530,000	106,840	-	636,840
460-7002-554001-VE025	Capital Outlay - Equipment	325,000	-	133,588	191,412
460-7002-554002-VE025	Capital Outlay - Vehicles	205,000	640,428	-	845,428
FUND 460	TOTAL REVENUES	530,000	506,840	-	1,036,840
VE025	TOTAL EXPENDITURES	530,000	640,428	133,588	1,036,840

An amendment increasing the #VE025 Project in both funds 410 and 460 to purchase replacement vehicles for Police and Water& Sewer departments due to damage caused by Hurricane Helene.

The City Manager and City Clerk certify budget ordinance amendment 11072024-02 was approved by City Council on November 7, 2024.

City Manager _____ Date _____

City Clerk _____ Date _____

TO MAYOR & COUNCIL **FISCAL YEAR 2025**
APPROVAL: November 7, 2024 **FORM: 11072024-03**

BUDGET AMENDMENT

FUND 410/460					
ACCOUNT NUMBER	**ACCOUNT DESCRIPTION**	**EXISTING BUDGET**	**INCREASE**	**DECREASE**	**REVISED BUDGET**
310-0000-420050-G2501	Grant Revenue	-	5,116	-	5,116
310-1300-519200-G2501	Contracted Services	-	5,116	-	5,116
FUND 010	TOTAL REVENUES	-	5,116	-	5,116
	TOTAL EXPENDITURES	-	5,116	-	5,116

An amendment to reflect a grant received from the North Carolina Association of Police Chiefs to reimburse expenses for Emergency Personnel software costs.

The City Manager and City Clerk certify budget ordinance amendment was approved by City Council on .

City Manager Date

City Clerk Date

TO MAYOR & COUNCIL **FISCAL YEAR 2025**

APPROVAL: November 7, 2024 **FORM: 11072024-04**

BUDGET AMENDMENT

FUND 010/410					
ACCOUNT NUMBER	**ACCOUNT DESCRIPTION**	**EXISTING BUDGET**	**INCREASE**	**DECREASE**	**REVISED BUDGET**
010-0000-534999	Contingency	150,405	-	12,880	137,525
010-0000-598901	Transfer Out (410)	1,335,365	12,880	-	1,348,245
FUND 010	TOTAL REVENUES	-	-	-	137,525
	TOTAL EXPENDITURES	1,485,770	12,880	12,880	1,485,770
ACCOUNT NUMBER	**ACCOUNT DESCRIPTION**	**EXISTING BUDGET**	**INCREASE**	**DECREASE**	**REVISED BUDGET**
410-0000-470100-23021	Transfer In (From 010)	150,000	12,880	-	162,880
410-1002-550103-23021	Capital Outlay- CIP	150,000	12,880	-	162,880
FUND 010	TOTAL REVENUES	150,000	12,880	-	162,880
	TOTAL EXPENDITURES	150,000	12,880	-	162,880
An amendment increasing the budget for project #23021 to cover the cost of painting City Hall 3rd Floor.					

The City Manager and City Clerk certify budget ordinance amendment was approved by City Council on .

City Manager Date

City Clerk Date

TO MAYOR & COUNCIL **FISCAL YEAR 2025**

APPROVAL: November 7, 2024 **FORM: 11072024-05**

BUDGET AMENDMENT

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
310-0000-420050-H2404	Grant Revenue (FEMA - Helene 2024)	-	5,000,000	-	5,000,000
310-H2024	FEMA Reimbursment	-	5,000,000	-	5,000,000
FUND 310	TOTAL REVENUES	-	5,000,000	-	5,000,000
	TOTAL EXPENDITURES	-	5,000,000	-	5,000,000

An amendment to reflect anticipated FEMA reimbursements for Helene Distaster Response and Recovery costs.

The City Manager and City Clerk certify budget ordinance amendment was approved by City Council on .

City Manager Date

City Clerk Date

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Adam Murr **MEETING DATE:** 11/07/2024

AGENDA SECTION: CONSENT **DEPARTMENT:** Administration

TITLE OF ITEM: Hendersonville Police Department Performance and Wellness Grant from the North Carolina Association of Chiefs of Police, #G2501 – *Adam Murr, Budget & Eval. Director*

SUGGESTED MOTION(S):

I move City Council adopt the Project Ordinance and Reimbursement Resolution for the PD NCACP Performance and Wellness Grant Project, #G2501 as presented.

SUMMARY:

General Statute 159-13.2 provides North Carolina local governments the power to grant and maintain capital and grant project ordinances (CPOs and GPOs).

PD NCACP Performance and Wellness Grant, #G2501. A grant project ordinance and reimbursement resolution for the Hendersonville Police Department's (PD) Grant from the North Carolina Association of Chiefs of Police (NCACP) to support performance and wellness programs within HPD.

BUDGET IMPACT: Attached Project Ordinance and Reimbursement Resolution.

Is this expenditure approved in the current fiscal year budget? N/A

If no, describe how it will be funded. N/A

ATTACHMENTS:

1. Grant Project Ordinance #G2501.
2. Reimbursement Resolution #G2501.

Resolution #_____

HENDERSONVILLE, NORTH CAROLINA
DECLARATION OF OFFICIAL INTENT TO REIMBURSE

BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina, this declaration (the "Declaration") is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of HENDERSONVILLE, North Carolina (the "Issuer") with respect to the matters contained herein.

Expenditures to be Incurred. The Issuer anticipates incurring expenditures (the "Expenditures") for EXECUTION, ACQUISITION, CONSTRUCTION, AND INSTALLATION OF THE PD NCACP PERFORMANCE AND WELLNESS GRANT PROJECT (#G2501), ORDINANCE #_____ (the "Projects").

Plan of Finance. The Issuer intends to finance the costs of the Project(s) with the grant revenue to be issued by the Issuer (the "Borrowing"), the interest on which is to be excluded from gross income for Federal income tax purposes.

Maximum Principal Amount of Debt to be Issued. The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is $5,116.

Declaration of Official Intent to Reimburse. The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

ADOPTED by the City Council of the City of Hendersonville, North Carolina, on this 7th day of November 2024.

Attest: _____
Barbara G. Volk, Mayor, City of Hendersonville

_____
Jill Murray, City Clerk

Approved as to form:

_____
Angela S. Beeker, City Attorney

Ordinance #_____

**GRANT PROJECT ORDINANCE FOR
THE DESIGN, ACQUISITION, CONSTRUCTION, AND INSTALLATION OF THE
PD NCACP PERFORMANCE AND WELLNESS GRANT, #G2501**

BE IT ORDAINED by the Governing Board of the City of Hendersonville, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

SECTION 1: The project authorized is a City project described as the PD NCACP Performance and Wellness Grant, (#G2501).

SECTION 2: The following amounts are appropriated for the project:

Account Codes				Account Name	Total Budget
Fund	**Dept.**	**Account**	**Project**		
301	0000	519200	G2501	Contracted Services	$5,116
				Total Project Appropriation	**$5,116**

SECTION 3: The following revenues are anticipated to be available for the project:

Account Codes				Account Name	Total Budget
Fund	**Dept.**	**Account**	**Project**		
301	0000	420050	G2501	Grant Revenue	($5,116)
				Total Project Appropriation	**($5,116)**

SECTION 4: The Finance Director is hereby directed to maintain within the Grant Project Fund (301) sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable.

SECTION 5: Funds may be advanced from the General Fund (010) as necessary for the purpose of making payments as due. Reimbursement requests shall be made in an orderly and timely manner.

SECTION 6: The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and Section 4.

SECTION 7: The Finance Director is further instructed to include a detailed analysis of past and future revenues and expenses during each annual budget submission made to the Governing Board.

SECTION 8: Copies of this grant project shall be furnished to the City Clerk, Finance Director and City Manager for direction in carrying out this project.

ADOPTED by the City Council of the City of Hendersonville, North Carolina, on this 7th day of November 2024.

Attest:

_____
Barbara G. Volk, Mayor, City of Hendersonville

_____
Jill Murray, City Clerk

Approved as to form:

_____
Angela S. Beeker, City Attorney

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Mark Stierwalt, Public Works Superintendent

MEETING DATE: 11/07/2024

AGENDA SECTION: CONSENT AGENDA

DEPARTMENT: Public Works

TITLE OF ITEM: NC Forest Service and NC Urban Forestry Council Grant Opportunity – *Mark Stierwalt, Public Works Superintendent*

SUGGESTED MOTION(S):

I move that City Council authorize the Tree Board to pursue a grant with the NC Forest Service and the NC Urban Forestry Council for $157,000 to conduct a Tree Survey within all City Properties, along City-owned road ride of ways and water courses.

SUMMARY:

The Tree Board is interested in pursuing a grant with the NC Forest Service and the NC Urban Forestry Council for $157,000 to conduct a Tree Survey within all City Properties, along City-owned road ride of ways and water courses. The Tree Board requests approval to pursue this grant. The grant match for this project is $0.00 and is part of a larger three-phased grant that will be applied for, approved, and dispersed at one phase per year. Each phase is a stand-alone grant. Year two would pay for an arborist to treat all trees identified as needing care in the tree survey. Year three would be a large-scale planting grant.

BUDGET IMPACT: TBD

Is this expenditure approved in the current fiscal year budget? NA

If no, describe how it will be funded. NA

ATTACHMENTS:

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Jennifer Harrell **MEETING DATE:** November 7,2024

AGENDA SECTION: CONSENT **DEPARTMENT:** Human Resources

TITLE OF ITEM: Telecommuting Policy – *Jennifer Harrell, HR Director*

SUGGESTED MOTION(S):

I move City Council approve and ratify the amendments to the Telecommuting Policy as presented.

SUMMARY:

Since the approval of the Telecommuting policy staff has determined that it may become necessary for some employees to temporarily telecommute in the event of extenuating circumstances. The policy was modified during Hurricane Helene by the City Manager to add verbiage outlining temporary telecommuting and a clause added that the policy may be modified by the City Manager as needed and ratified by the City Council at their first monthly meeting. City Council is asked to approve and ratify the policy.

BUDGET IMPACT: $0.00

Is this expenditure approved in the current fiscal year budget?

If no, describe how it will be funded.

ATTACHMENTS: Telecommuting Policy

	CITY OF HENDERSONVILLE		
Policy Name:	Telecommuting Policy	Approved:	October 10,2024

Purpose

The City of Hendersonville recognizes that Telecommuting is both a management tool and a work site alternative that may be used to increase productivity and morale of employees, attract and retain highly qualified workforce, boost efficiency, lessen the environmental impact of vehicle travel, and aid in business continuity planning. Telecommuting is defined as a non-standard work arrangement whereby an employee works at home or in a satellite location outside of the traditional centralized worksite. Employees are expected to perform the same quantity and quality of work that they would perform in the centralized worksite. Telecommuting arrangements may be established for long-term or short-term periods.

The City of Hendersonville supports Telecommuting where feasible. Some positions, by the nature of their expectations and responsibilities, lend themselves to the possibility of telecommuting; others do not. In all cases, the needs of the City and service to the citizens and internal customers take precedence in decisions about telecommuting. Telecommuting does not change the basic terms and conditions of employment with the City and employees are subject to all City policies that apply when working at a City facility.

Telecommuting will be approved on a case-by-case basis by the Department Head. This policy outlines the process, rules, and procedures for employees who wish to Telecommute and supersedes any previous guidance (written or otherwise) pertaining to this subject. Violation of any provision of this policy shall be subject to appropriate disciplinary action up to and including termination.

The purpose of this guidance is to provide a consistent, fair, and equitable application of Telecommuting practices across City Departments. This guidance outlines the process to be followed if an employee wishes to Telecommute.

This guidance covers all employees who have enrolled in a Telecommuting arrangement as described. Any employee may attempt to enroll in a Telecommuting arrangement, but enrollment shall always be approved by the Department Head. In no instance shall the City be obligated to accept any employee's request to Telecommute. Telecommuting is not a benefit or entitlement for any position and participation in a Telecommuting arrangement may be terminated at any time by the employee, the appropriate supervisor(s), Department Head, or the City Manager.

	CITY OF HENDERSONVILLE		
Policy Name:	Telecommuting Policy	Approved:	October 10,2024

Eligibility & Enrollment Procedures

To successfully enroll in a Telecommuting arrangement, the employee must first meet all eligibility requirements listed below. Only when the appropriate supervisor(s) determines that the employee meets all eligibility criteria may the employee enroll in a Telecommuting arrangement as described in this section below. Supervisors will determine employee Telecommuting eligibility, enroll employees in Telecommuting arrangements, and monitor employee Telecommuting performance.

Eligibility Requirements

1. All employees who wish to Telecommute must be employed with the City for at least six (6) months in a regular, continual, on-site capacity before requesting a Telecommuting arrangement and shall not be within their probationary period.
2. All employees who wish to Telecommute must possess a satisfactory performance record when they have exhibited the following in their work, as determined by their supervisor:
    a. Demonstrated dependability and responsibility.
    b. Effective communication with supervisors and coworkers.
    c. Demonstrated motivation.
    d. The ability to work independently.
    e. A consistently high rate of productivity.
    f. A high level of skill and knowledge of the job duties.
    g. The ability to prioritize work effectively.
    h. Good organizational and time management skills.
3. All employees who wish to Telecommute shall demonstrate that their job duties can be performed effectively at home or in a satellite location by discussing their job responsibilities with their supervisor. In general, an employee's position may be suitable for Telecommuting when the job duties:
    a. Are independent in nature and can be accomplished without detrimental impact on the work group productivity.
    b. Are primarily knowledge-based.
    c. Lend themselves to measurable deliverables.
    d. Do not require frequent in-person interactions at the regular site with supervisors, colleagues, clients, or the public.
    e. Do not require the employee's immediate presence at the regular workspace to address unscheduled events unless alternative arrangements for coverage are possible.
    f. Are not essential for on-site workflow or business operations.

	CITY OF HENDERSONVILLE		
Policy Name:	Telecommuting Policy	Approved:	October 10,2024

4. The supervisor shall determine if Telecommuting is suitable and shall only render a positive suitability determination if the supervisor assesses that service delivery quality will not be compromised as a result of the employee's shift to Telecommuting. This suitability determination shall be delivered to the employee in writing.

Enrollment Procedures

1. Upon a finding by the employee's supervisor that the employee is eligible to Telecommute (in other words, after a positive suitability determination has been rendered as described above), the employee may begin the Telecommuting enrollment process as described.
2. The employee shall request a Telecommuting enrollment conference with their supervisor. The purpose of the Telecommuting enrollment conference is for the employee and the supervisor to discuss the details of the employee's specific Telecommuting arrangement.
3. At the Telecommuting enrollment conference, the employee and the supervisor shall discuss the terms and conditions of the employee's Telecommuting arrangement. At a minimum, the employee and the supervisor shall discuss and reach agreement on the following terms and conditions:
    a. The length of time for which the Telecommuting arrangement shall apply.
    b. The number of days each week and which specific days of the week if applicable that the employee will Telecommute. Note that long-term Telecommuting shall be limited to 2 days per 40-hour work week. Daily work hours while Telecommuting shall remain consistent with in-office work hours so that staff are available for coworker questions and/or requests.
    c. In the event of extenuating circumstances where an employee cannot report to their office, the Department Head may approve temporary Telecommuting on a case-by-case basis for an extended period, if the position is conducive to such work. These arrangements shall be monitored by the Department Head or Supervisor and will cease once the employee is able to return to in-office work or perform work under the normal long-term Telecommuting Policy. These agreements should be documented and sent to the Human Resources department.
    d. The steps the employee will take to maintain a safe work environment at the Telecommuting site, protect any City property or equipment in the employee's possession, and safeguard any confidential work-related materials in the employee's possession.

	CITY OF HENDERSONVILLE		
Policy Name:	Telecommuting Policy	Approved:	October 10,2024

e. The frequency and manner by which the employee shall be expected to communicate with their supervisor(s). Mutually preferred communication channels such as Microsoft Teams, Outlook, and telephone communication shall be discussed and determined.
f. The agreed upon performance indicators to measure the productivity of the employee while Telecommuting.

4. Upon successful agreement on these provisions, the employee shall complete a written Telecommuting Agreement outlining the terms and conditions of the employee's Telecommuting arrangement. The employee, the supervisor, and the appropriate Department Head-shall review and sign this agreement and a copy of such agreement shall be retained by the employee, the supervisor, the Department Head, and the City's Human Resources department.

Department Responsibilities:

1. The Department shall adhere to all provisions of this policy. All supervisors involved in the application of this policy are responsible for reading, reviewing, and understanding all provisions of this policy.
2. All supervisors shall render suitability determinations as described in this guidance in a timely manner. All supervisors shall be available to answer any questions or respond to any concerns posed by employees.
3. The Department is under no obligation to accept any employee's request to Telecommute.
4. Supervisors may render negative suitability determinations if the supervisor determines that approving an employee's request to Telecommute would result in a reduction in service delivery quality as a result of the employee's shift from on-site work to Telecommuting.
5. At the Telecommuting enrollment conference described above, all supervisors shall negotiate the terms and conditions of the employee's written telecommuting agreement in good faith and shall endeavor to be flexible and accommodating of the employee's desires as they relate to the employee's proposed telecommuting arrangement.
6. The appropriate supervisor(s) or the City Manager may terminate an employee's Telecommuting arrangement at any time.
7. Telecommuting agreements will be reviewed at least annually to ensure the agreement continues to serve the best interests of the employee and City operations.

	CITY OF HENDERSONVILLE		
Policy Name:	Telecommuting Policy	Approved:	October 10,2024

Employee Responsibilities:

1. While working remotely, all Telecommuting employees shall apply themselves to their work in the same manner as they would if working from the centralized worksite. Employees shall display the same level of professionalism and commitment to their job when working remotely as they do while working from the centralized worksite.
2. All Telecommuting employees shall abide by the terms and conditions outlined in the written Telecommuting agreement.
3. Violation of any provision of the written Telecommuting agreement shall be subject to appropriate disciplinary action up to and including termination.
4. If, at any point, a Telecommuting employee wishes to modify the terms and conditions of the written Telecommuting agreement, the employee shall submit a written request to their supervisor(s). The supervisor shall either approve or deny the request after determining whether the request is reasonable and in alignment with the provisions of this policy.
5. Any Telecommuting employee may terminate the Telecommuting arrangement at any time.
6. All Telecommuting employees shall abide by all City rules, policies, and procedures while working remotely. All Telecommuting employees are responsible for reading, reviewing, and understanding all provisions of this guidance.
7. All Telecommuting employees shall be responsible for maintaining a safe work environment at the Telecommute site, protecting any City property or equipment in their possession, and safeguarding any confidential work-related materials in their possession.
8. Employees working remotely may not engage in outside employment during the scheduled work hours.
9. If a job related injury occurs while working remotely, the employee must report the incident as soon as possible and follow all of the established procedures for reporting and investigating workplace incidents. The City is not responsible for injuries to third parties that occur in employees' homes or other remote locations.

Technology:

1. Employees shall at all times adhere to the instructions and direction from City information technology staff. Employees shall direct all technology-related questions or concerns to City information technology staff.
2. Employees shall only use devices approved by the City. Employees shall avoid using personal PCs whenever possible. If employees must use a personal PC, employees must ensure that they are working within the VOA environment.

	CITY OF HENDERSONVILLE		
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3. Employees shall use virtual private networks (VPNs) only when necessary. VPNs, which provide secure direct connections to the City's computer network, may be necessary when accessing files, working with sensitive information, or using certain websites. However, employees shall only use VPNs as needed and shall disconnect as soon as they have completed the work requiring VPN use.
4. Employees shall only connect to trusted Wi-Fi networks and shall avoid public hotspots.
5. If employees are working from home on their home network (on work or personal devices), employees shall ensure that their home router is properly secured. Employees shall first make sure they change the router's factory-preset password. Failing to change the router's factory-preset password is ill-advised and leaves the employee's home network vulnerable to cybersecurity-related risks. Employees shall set their router encryption to WPA2 or WPA3. WEP is not sufficient.
6. Employees shall ensure that updates to all devices are being installed regularly. Patches for security vulnerabilities are essential for both work and personal devices. Employees shall set these updates to run automatically during non-working hours whenever possible.

	CITY OF HENDERSONVILLE		
Policy Name:	Telecommuting Policy	Approved:	October 10,2024

Telecommuting Agreement

Telecommuting is a work arrangement available to City employees by agreement of the employee and management. It is not an employee benefit or entitlement. The City may change the requirements to telecommute at any time. You as the employee, referenced as "the employee" throughout this document, remain obligated to comply with all City of Hendersonville policies, rules, practices, instructions and this Acknowledgement.

To participate in Telecommuting as described in the latest version of the Telecommuting Policy, the employee agrees to the following terms:

- I will comply with all of the terms of the Telecommuting Policy.
- I understand that this Acknowledgement shall become effective on the date it is approved by the appropriate Supervisor and Department Head and shall remain in full force and in effect, as long as the employee is participating in Telecommuting.
- I understand that if I am approved to temporarily Telecommute due to extenuating circumstances where I cannot report to my office, temporary Telecommuting shall cease once I am able to able to return to in-office work or perform work under the normal long term Telecommuting Policy.
- I understand that participation in Telecommuting may be ended at any time by either the employee or the City of Hendersonville.
- I understand that if the following changes occur: the employee moved to a different organizational unit or was placed in a different position and/or a supervisor change occurred, the existing Telecommuting Agreement is cancelled. The employee must follow the existing process to submit a new Telecommuting request.
- I understand that the employee's compensation, benefits, work status and work responsibilities will not change due to participation in Telecommuting. The amount of time the employee is expected to work per day or pay period will not change as a result of participation in Telecommuting.
- I understand that the Fair Labor Standards Act in addition to the City of Hendersonville policies concerning overtime work apply to Telecommuting. Nonexempt employees must

	CITY OF HENDERSONVILLE		
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not work in excess of their scheduled hours without first obtaining supervisor approval and record all work time accurately.

- I understand that employee's Telecommuting hours will conform to a schedule agreed upon by the employee and their supervisor. If such a schedule has not been agreed upon, the employee's work hours will be assumed to be the same as before the employee began Telecommuting.

- I understand that employee's Telecommuting work location must allow the employee to respond to issues that may require the employee to be present in the centralized office worksite within a reasonable amount of time.

- I understand that the City will only provide limited, specific equipment for the employee to perform current duties and the employee must follow the Telecommuting Policy when working remotely.

- I understand that the use of equipment, software, data supplies and furniture, when provided by the City, is for use at the remote work location and is limited to authorized persons and for purposes relating to City business only. The City will provide for repairs to City equipment.

- I understand and agree to not disclose confidential or private files, records, materials, or information, and will not allow access to City networks or databases to anyone who is not authorized to have access.

- I understand that the City will not provide internet service and it will be the employee's responsibility to procure and pay for internet service if it is needed in order to work productively from a workspace.

- I understand that the equipment and supplies provided by Employer will include the minimum required equipment and supplies to enable the employee to Telecommute. Out-of- pocket expenses for other supplies will not be reimbursed unless by prior approval of the employee's manager.

- I understand that the employee shall designate a workspace within the remote work location for placement and installation of equipment to be used while Telecommuting.

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The employee shall maintain this workspace in a safe condition, free from hazards and other dangers to the employee and equipment.

- I understand that I must return all of the City's equipment to the City when my Telecommuting ends. I am responsible for any equipment that is lost while I am Telecommuting. I also understand that the City will exercise all of its legal rights if I fail to return equipment. I understand that if legal action is required to regain possession of City-owned equipment, software, or supplies, the City may pursue claims against me to the fullest extent allowed by law.

- I understand that the employee is a covered worker under the Workers' Compensation Act and the City provides coverage as detailed in the Act.

- I understand that the City is not liable for loss, destruction, or injury that may occur in or to the employee's designated workspace. This includes family members, visitors, or others that may become injured within or around the employee's designated workspace.

- I understand that it will be the employee's responsibility to determine any income tax implications of maintaining a home office area. The City will not provide tax guidance, nor will the City assume any additional tax liabilities.

- I understand that the employee must be available by phone, email and/or IT supported technology (i.e. MS Teams, etc.) during agreed upon working hours and will be available for staff meetings and other meetings deemed necessary by management.

- I understand and agree to participate in all studies, surveys, inquiries, reports and analyses relating to this program.

- I understand that the employee shall be subject to appropriate disciplinary action up to and including termination for any violation of any provision of this policy.

Employee_____**Date**_____

Supervisor_____**Date**_____

Department Head_____**Date** _____

	CITY OF HENDERSONVILLE		
Policy Name:	Telecommuting Policy	Approved:	October 10,2024

Approved by:

John F. Connet, City Manager

10/28/24

Date

This policy may be modified by the City Manager as needed and ratified by the City Council at their first monthly meeting.

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Caitlyn Gendusa **MEETING DATE:** 11/7/2024

AGENDA SECTION: New Business **DEPARTMENT:** Public Works

TITLE OF ITEM: Amending the Environmental Sustainability Board's charter to include a permanent student member seat.

SUGGESTED MOTION(S):

I move to approve changing the charter of the Environmental Sustainability Board to include a permanent student member seat.

SUMMARY:

The Environmental Sustainability Board is requesting to amend the charter to include a permanent student member seat. As the next generation of environmental advocates, the Board feels it is important to lift up the voices of young leaders in our community.

BUDGET IMPACT: None

Is this expenditure approved in the current fiscal year budget? N/A

If no, describe how it will be funded.

ATTACHMENTS: N/A

ENVIRONMENTAL SUSTAINABILITY BOARD

CHARTER AND RULES OF PROCEDURE

The Board shall provide input and guidance for the City Council's strategic objective to preserving the City's natural resources subject to such limitations as may be imposed by state law or by ordinances of the city. The terms of the charter shall govern the activities of the Board. However, to the extent that this Charter conflicts with North Carolina Law, North Carolina shall control.

ARTICLE I. NAME. Environmental Sustainability Board

ARTICLE II. PURPOSE. The purpose of this Board is to serve in an advisory role to the City Council in matters pertaining to policies and practices regarding environmental sustainability in the City of Hendersonville and shall be embodied for the following purposes:

- Advise, deliberate and make recommendations to the City Council to help facilitate the implementation of the Comprehensive Plan as it relates to environmental sustainability in the city.
- Recommend to City Council an overall policy for continued sustainability and assist with citizen-led efforts in furtherance thereof.
- Provide City Council with representative community participation in preparing and implementing plans and reports concerning environmental sustainability in the City of Hendersonville.
- Promote, facilitate, and act as liaison to educate citizens on environmental sustainability issues affecting the City of Hendersonville. Activities may include the following:
    - Recommend requirements and procedures for waste reduction and other sustainable practices at festivals and/or special events
    - Assist staff in researching effectiveness and costs of sustainable practices and make reports to City Council of any recommendations.
    - Review programs and activities other communities have implemented that would be effective in Hendersonville.
    - Participate in community outreach at public events to educate citizens on environmental issues and related City programs.
    - Collect feedback from citizens on new or proposed efforts to determine effectiveness.

ARTICLE III. JURISDICTION. The Board shall exercise its purpose with regards to matters and issues within the corporate limits of the City of Hendersonville.

ARTICLE IV. MEMBERSHIP AND DUTIES

Section 1. Membership and Appointment. All appointments shall be made by the City of Hendersonville City Council. The Board shall consist of nine (9) members and with a City Council Member serving as liaison. The City Council liaison is not considered a member for purposes of quorum or voting. The City Manager shall appoint a staff liaison to the Board who shall assist the Board with carrying out their duties and responsibilities. The Chairman shall be chosen annually by the Board from among those members who are residents of the City of Hendersonville.

Membership shall be composed from the following membership categories:

(5) Residents of the City of Hendersonville.

(3) At-Large Members

(1) At-Large Member (***seat to be filled by an individual, principal or other significant representative of an organization or business that demonstrates a commitment to an environmentally sustainable future, as determined by the City Council. This term shall be un-expiring.)*** **Amended by City Council 7-7-22**

(1) City Council Liaison – Non-voting.

Staff Liaison The City Manager shall appoint a staff liaison to the Committee who shall assist the Committee with carrying out their duties and responsibilities. The Staff Liaison shall act as the Secretary and liaison between the Board, City Departments, and the City Council and shall have the charge of correspondence, minutes, notifying members of meetings, and other information.

Section 2. Terms of Service. Board members shall be appointed to staggered three-year terms by the City Council annually in June. No member shall serve more than two consecutive full three-year terms unless otherwise specified in this charter. Members shall serve without compensation. At the end of a member's term, they must take a one-year hiatus before seeking reappointment to the Board.

Upon adoption of this Charter revision, any Board members seeking reappointment will be considered as new members for purposes of term limits and will begin any term appointment as a new member. At initial appointment for this Board, City Council shall hereby implement staggered terms for members, meaning that three (3) Regular Members of the Board membership shall be appointed for an initial term to run from July 1, 2021 to June 30, 2024, two (2) Regular Members of the Board membership shall be appointed for an initial term to run from July 1, 2021 to June 30, 2023, two (2) At-Large Members of the Board membership shall be appointed for an initial term to run from July 1, 2021 to June 30, 2024, and two (2) At-Large Members of the Board membership shall be appointed for an initial term to run from July 1, 2021 to June 30, 2023. Thereafter appointments shall be for 3-year terms unless filling an unexpired term. Initial term appointments shall not count toward term limits. City Council will appoint the City Council Liaison to this Board. The City Council Liaison shall not be considered for purposes of determining quorum and is not a voting member.

Section 3. Attendance. Any member who misses more than three consecutive regular meetings or more than one-half the regular meetings actually held in a calendar year shall cease to be a Board member.

Section 4. Vacancies and Reasons for Dismissal. All members serve at the pleasure of the City of Hendersonville City Council. Members may be dismissed for any reason, with or without cause. Vacancies shall be filled at the earliest convenience of the City Council. A vacancy of the chair or vice chair shall be elected by a majority of the Board at the next regularly scheduled meeting. Notwithstanding the foregoing, at any meeting where both the Chair and Vice Chair are absent, the Board shall elect from those members present a member to preside at that meeting.

Section 5. Resignations. Any member who feels they can no longer serve or otherwise fulfil the duties of a member may resign from the Board. Such resignation must be in writing and delivered to the secretary. The secretary shall promptly send a copy of the written resignation to the City Clerk.

ARTICLE V. MEETINGS

Section 1. Meetings to Be Open to the Public. All meetings of the Board shall be open to the public, and any person may attend its meetings. Except as permitted below, all meetings of the Board shall be open to the public and any person may attend its meetings. For purposes of these rules, a meeting of the Board occurs whenever a majority of the Board's members gather, either in person or simultaneously by electronic means, to conduct hearings, deliberate, vote, or otherwise transact public business within the Board's real or apparent jurisdiction. The term "majority" as used here and elsewhere in these rules means, unless otherwise specified, a simple majority, that is, more than half. No meeting shall occur except as part of a duly called and advertised meeting. For the avoidance of doubt informal gatherings of a majority of the members where business of the Board is discussed are strictly prohibited.

Section 2. Regularly Scheduled Meetings. The Board shall hold regular meetings monthly. The Board shall annually adopt a regular meeting schedule showing the dates, times, and places of its regular meetings for the year.

a) Notice of Regular Meeting Schedule. The Board shall ensure that a copy of its current regular meeting schedule, complete with the date, time, and place of each regular meeting, is filed with the City Clerk and posted on the City's website, and the Board's webpage if they have one.

b) Change to Regular Meeting Schedule. The Board may revise its regular meeting schedule to change the date, time or place of a particular regular meeting or all regular meetings within a specified period. The Board shall ensure that the revised regular meeting schedule is filed with the City Clerk at least seven (7) consecutive calendar days before the first meeting held pursuant to the revised schedule. The Board shall also have the revised schedule posted on the City's website and the Board's webpage if they have one.

Section 3. Special Meetings. The chair or the majority of the members of the Board may at any time call a special meeting of the Board by signing a notice stating the date, time and place of the special meeting and the subjects to be considered. Alternatively, a special meeting may be called by vote of the Board in open session during a regular meeting or another duly called special meeting if on the special meeting agenda.

1) **Notice to the public.** At least 48 hours before a special meeting, the Board shall cause written notice of the meetings date, time, place and purpose(s) to be:

    i Posted on the Board's principal bulletin Board or, if the Board has no such bulletin Board, at the door of the Board's usual meeting room.

    ii Mailed or delivered to each newspaper, wire service, radio station and television station and person who has filed a written request for notice with the secretary;

2) **Notice to Board Members**. For all meetings called by the chair, or a majority of the members, notice of the meeting date, time, place and purpose(s) shall be mailed, emailed, or delivered to all members of the Board at least 48 hours before the meeting. If the special meeting was called at another duly held meeting of the Board, and one or more members were absent, the chair shall ensure that notice of the meeting's date, time, place, and purpose(s) is mailed, emailed, or delivered to any absent member(s) a minimum of forty-eight hours in advance of the special meeting.

3) **Business Conducted at a Special Meeting**. Only the business that is specified in the notice of the meeting may be transacted during a special meeting.

Section 4. <u>Organizational Meeting.</u> On the date and at the time of the regular meeting in July or as soon thereafter as possible, the Board shall elect a chair and vice chair as its first order of business. The second order of business shall be to adopt an annual scheduled of meetings for the upcoming calendar year.

Section 5. <u>Electronic Board Meetings and Member Participation.</u> No member who is not physically present may participate in a meeting of the Board by electronic means except in accordance with this rule.

1) **Electronic Meetings Generally**. Provided a quorum is present, in person, at a meeting, Board members may participate in a meeting electronically provided. Any member wishing to participate electronically in a meeting shall be required to give the Chair and the Secretary at least thirty-six (36) Hours before the start of the meeting. When one or more members are participating remotely, the following rules shall apply:

    (a) *Member Identification*. Each member who attends by electronic means shall identify himself or herself in each of the following situations:

        i when roll is taken or the meeting begins;

        ii before taking part in deliberations, including making any motions, proposing any amendments, or raising any points of order; and

iii before voting.

(b) *Method of Electronic Participation*. Any member who attends electronically shall use a means of communication that enables the member

i to hear what is said by other Board members and any person who addresses the Board and

ii to be heard by other Board members.

(c) *Voting*. The Board shall conduct all votes by roll call. It may not vote by secret or written ballots. The votes of any member who attends by electronic means shall be counted as if the member were physically present, but only while the Board maintains electronic communication with that member.

(d) *Minutes*. The minutes shall which members took part electronically, and when such members joined or left the electronic meeting.

2) **Electronic Meetings During a State of Emergency Declared by the Governor or General Assembly.** During any state of emergency declared by the Governor or General Assembly pursuant to G.S. 166A-19.20, a meeting of the Board shall comply with the requirements of this paragraph if the Board falls within the emergency area and at least one Board member attends the meeting by conference call, conference video, or other electronic means.

(a) *Notice*. The public notice for any regular, special, emergency, or recessed meeting that is subject to this paragraph shall specify how the public can access the electronic meeting in real time.

(b) *Member Identification*. Each member who attends by electronic means shall identify himself or herself in each of the following situations:

i when roll is taken or the meeting begins;

ii before taking part in deliberations, including making any motions, proposing any amendments, or raising any points of order; and

iii before voting.

(c) *Meeting Materials*. All documents considered during the meeting shall be furnished to each Board member.

(d) *Method of Electronic Participation*. Any member who attends electronically shall use a means of communication that enables the member

i to hear what is said by other Board members and any person who addresses the Board and

ii to be heard by other Board members.

(e) *Quorum*. A member who attends by electronic means counts as present for quorum purposes, but only while the Board maintains electronic communication with that member.

(f) *Voting*. The Board shall conduct all votes by roll call. It may not vote by secret or written ballots. The votes of any member who attends by electronic means shall be counted as if the member were physically present, but only while the Board maintains electronic communication with that member.

(g) *Acting by Reference*. The Board shall not deliberate, vote, or otherwise take action on any matter by reference to the agenda or any other document unless copies of the agenda or document are available for public inspection at the meeting and so worded that persons in attendance can understand what is being deliberated or acted upon.

(h) *Minutes*. The minutes shall indicate that the meeting was conducted by electronic means, which members took part electronically, and when such members joined or left the electronic meeting.

(i) *Live Streaming*. The meeting shall be streamed live online so that live audio (and video, if any) are available to the public. If the Board meets by conference call, the public shall have an opportunity to dial in or stream the audio live and listen to the electronic meeting.

(j) *Public Hearings*. Although it may conduct any public hearing mandated or permitted by law, the Board shall allow the public to submit written comments on the hearing's subject matter between the publication of any required notice and twenty-four hours after the hearing.

Section 6. Cancellation of Meetings. Whenever there is no business for the Board the chair may cancel a meeting by giving reasonable notice to all members before the time set for the meeting. However, in the case of a special meeting called by a majority of the Board, the chair may cancel the meeting only upon the concurrence of a majority of the Board. The majority concurring in the cancellation need not be the same majority that called the special meeting.

Section 7. Recessed Meetings

(a) Calling Recessed Meetings. When conducting a properly called regular, special, or emergency meeting, the Board may recess the meeting to another date, time, or place by a procedural motion made and adopted in open session, as provided in Article XI, Section 5 (Motion 3). The motion shall state the time (including the date, if the meeting will resume on a different day) and place at which the meeting will resume.

(b) Notice of Recessed Meetings. If the Board's website is maintained by one or more Board employees, notice of the recessed meeting's date, time, and place shall appear on the website prior to the meeting. No further notice of a properly called recessed meeting is required.

Section 8. Order of Business Items shall be placed on a regular-meeting agenda according to the order of business. The usual order of business for each regular meeting shall be as follows:

- adoption of the agenda,
- approval of the previous meeting minutes,
- public comment,
- public hearings,
- administrative reports,
- Board reports,
- unfinished business, and
- new business.

Without objection, the chair may call agenda items in any order most convenient for the dispatch of business.

Section 9. Agenda

(a) Proposed Agenda. The Secretary shall prepare a proposed agenda for each meeting. A request to have an item of business placed on the agenda must be received at least two working days before the meeting. Any Board member may, by a timely request, have an item placed on the proposed agenda. Each Board member shall receive a copy of the proposed agenda and any attachments, and they shall be available for public inspection and/or distribution when they are distributed to the Board members.

(b) Adoption of Agenda. As its first order of business at each meeting, the Board shall, as specified in Article 8, discuss, and revise the proposed agenda and adopt an agenda for the meeting. The Board may by majority vote add items to or subtract items from the proposed agenda, except that the Board may not add items to the agenda of a special meeting unless (1) all members are present and (2) the Board determines in good faith at the meeting that it is essential to discuss or act on the item immediately. If items are proposed to be added to the agenda, the Board may, by majority vote, require that written copies of particular documents connected with the items be made available at the meeting to all Board members.

The Board may designate certain agenda items "for discussion and possible action." Such designation means that the Board intends to discuss the general subject area of that agenda item before making any motion concerning that item.

Section 10. Meeting Minutes. Minutes Required for All Meetings. The Board shall keep full and accurate minutes of its meetings, including any closed sessions. To be "full and accurate," the minutes must record all actions taken by the Board, as well as the Board's compliance with any applicable procedural requirements. The minutes should set out the precise wording of each motion and make it possible to determine the number of votes cast for and against each motion. The minutes need not record Board member discussions, though the Board in its discretion may decide to incorporate such details into the minutes.

a) Record of "Ayes" and "Noes." At the request of any member, the minutes shall indicate how each member voted by name on a particular matter.

Section 11. Public Input. Public input at all Board meetings shall have a three-minute limit per speaker. The Chair reserves the right to alert time limits for public comment periods.

Section 12. Broadcasting and Recording Meetings. Any person may photograph, film, tape-record, or otherwise reproduce any part of a Board meeting that must take place in open session. Except as provided in paragraph (c) of this rule, any radio or television station may broadcast any such part of a Board meeting.

a) Advance Notice. Any radio or television station that plans to broadcast any portion of a Board meeting shall so notify the secretary no later than twenty-four hours before the meeting. The failure to provide notice is not, by itself, grounds for preventing the broadcast of a Board meeting.

b) Equipment Placement. The Board chair or an appropriate staff member may regulate the placement and use of camera or recording equipment in order to prevent undue interference with a Board meeting, so long as he or she allows the equipment to be placed where it can carry out its intended function. If the Board chair or staff member determines in good faith that the equipment and personnel necessary to broadcast, photograph, or record the meeting cannot be accommodated without undue interference to the meeting, and an adequate alternative meeting room is not readily available, the chair or staff member may require the pooling of the equipment and the personnel operating it.

c) Alternative Meeting Site. If the news media request an alternative meeting site to accommodate news coverage, and the Board grants the request, the news media making the request shall pay the costs incurred by the local government unit in securing an alternative meeting site.

ARTICLE VI. VOTING

a) Duty to vote. It is the duty of each member, including the chair, to vote unless otherwise excused. The Board may excuse members from voting on any matter involving their own financial interest, official conduct, or when a member has indicated an inability to be impartial in any matter before the Board.

b) Abstentions. Should a member fail to vote on any matter before the Board, without having been excused from such vote, such abstention will count as an affirmative vote.

ARTICLE VII. REQUIRED OFFICERS

Section 1. Presiding Officer. The presiding officer of each meeting of the Board shall be the chair of the Board. In situations where the chair is unavailable or unable to participate in the meeting or any particular matter before the Board, the vice chair shall preside. In the event that neither the chair nor the vice chair is available, the members of the Board, by affirmative vote of the majority, may appoint an acting chair who shall have all powers of the chair while acting as presiding officer.

Section 2. Selection of the Chair and Vice Chair. The chair shall be a resident of the City of Hendersonville and shall be selected by majority vote of the Board unless the City Council indicates to the Board that the City Council will appoint said chair, in which case the appointment shall be made by the City Council. The vice chair shall be elected by a majority vote of the Board. In situations where the chair is unavailable or unable to participate in the meeting or any particular matter before the Board, the vice chair shall preside. In the event that neither the chair nor the vice chair is available, the members of the Board, by affirmative vote of the majority, may appoint an acting chair who shall have all powers of the chair while acting as presiding officer.

Section 3. Powers and Duties of the Chair and Vice Chair. The chair shall preside at all meetings of the Board but shall also have the right to engage in discussion and vote on any matter before the Board unless otherwise excused. The chair shall have the power to call a special meeting, rule on procedural matters during a meeting, call a brief recess of a meeting at any time, and adjourn a meeting in an emergency. At any other time, adjournment shall be by motion, duly approved. The vice chair shall have all powers and perform all the duties of the chair in his or her absence.

Section 4. Duties of the Chair.

(a) Presiding Officer. The chair shall preside at meetings of the Board.

(b) Voting by the Chair. The chair has the same duty to vote as other members, though in no event may the chair break a tie on a motion on which he or she has already voted.

(c) Recognition of Members. A member must be recognized by the chair (or other presiding officer) in order to address the Board.

(d) Powers as Presiding Officer. As presiding officer, the chair is to enforce these rules and maintain order and decorum during Board meetings. To that end, the chair may

(1) rule on points of parliamentary procedure, to include ruling out of order any motion clearly offered for obstructive or dilatory purposes;

(2) determine whether a member or other speaker has gone beyond reasonable standards of courtesy in his or her remarks and entertain and rule on objections from other members on this ground;

(3) entertain and answer questions of parliamentary procedure;

(4) call a brief recess at any time; and

(5) adjourn in an emergency.

Section 5. Duties of the Secretary. The City Manager shall assign a staff person to the Board who shall serve as the secretary of the Board and shall perform the following:

a) The secretary shall ensure that all meetings of the Board are properly noticed.

b) The secretary shall maintain the sunshine list that is a list of those persons or entities that have filed a written request indicating a desire to receive notice of all special meetings of the Board.

c) The secretary shall take and record the actions of the Board and draft minutes of the meetings accordingly. Minutes shall be sent to Board members prior to their next regularly scheduled meeting. The secretary shall also forward a copy of the minutes as they are approved to the Clerk to the City Council and post on the City's website

d) The secretary shall be responsible for maintaining an accurate list of members of the Board, submitting to the City Clerk a quarterly attendance report for its members and notifying the City Clerk of any resignations of any of its members, or any other change in membership of the Board.

Section 6. Schedule for Elections. Election of the Chair, and Vice-Chair shall take place annually at the organizational meeting of the Board.

ARTICLE VIII. REFERENCE TO ROBERT'S RULES OF ORDER NEWLY REVISED. The Board shall refer to *Robert's Rules of Order Newly Revised* for guidance when confronted with a procedural issue not covered by these rules or state law. Having consulted *Robert's*, the presiding officer shall make a ruling on the issue subject to appeal to the Board under Article XI, Section 5 (Motion 1).

ARTICLE IX. REPORTS

Section 1. Annual Report. The Board shall make a report to the City of Hendersonville City Council at least annual. This report must be submitted no later than May31st of each year.

Section 2. Public Records Law. The Board shall abide by North Carolina Public Records Law N.C.G.S. Chapter 132.

ARTICLE X. ACTION BY THE BOARD.

Section 1. Quorum. A majority of the members shall constitute a quorum. No action of the Board may be taken at any meeting where less than the required quorum is present, except to adjourn the meeting. The City Council liaison shall not be considered for purposes of determining a quorum.

Section 2. Motions and Voting. Action of the Board may be taken upon a motion made by any member, including the chair, without the need for a second. A motion shall be adopted if approved by the affirmative vote of a majority of the members present and not excused after full discussion of the motion by the members. The City Council liaison shall not be considered a voting member.

Section 3. Withdrawal of Motion The member who introduces a motion may withdraw the motion unless the motion has been amended or put to a vote.

Section 4. Substantive (or Main) Motions A substantive motion is not in order when any other motion is pending. Once the Board disposes of a substantive motion, it may not take up a motion that presents essentially the same issue at the same meeting unless it first adopts a motion to reconsider pursuant to Article XI, Section 5 (Motion 13).

Section 5. Procedural Motions

(a) Certain Motions Allowed. The Board may consider only those procedural motions listed in this rule. Unless otherwise noted, each procedural motion may be debated and amended and requires a majority of votes cast, a quorum being present, for adoption.

(b) Priority of Motions. The procedural motions set out in this paragraph are listed in order of priority. A procedural motion is not in order so long as another procedural motion of higher priority is pending, except that

- any procedural motion other than an appeal under Motion 1 is subject to amendment as provided in Motion 11 and
- a motion to call the question (end debate) may be made with regard to any procedural motion in accordance with Motion 8.

When several procedural motions are pending, voting shall begin with the procedural motion highest in priority, except that a motion to amend or end debate on the highest-priority motion shall be voted on first.

Motion 1. To Appeal a Ruling of the Presiding Officer. Any member may appeal the presiding officer's ruling on whether a motion is in order or on whether a speaker has violated reasonable standards of courtesy. The presiding officer's response to a question of parliamentary procedure may also be appealed by any member. An appeal is in order immediately after the disputed ruling or parliamentary response and at no other time. The member who moves to appeal need not be recognized by the presiding officer, and if timely made, the motion may not be ruled out of order.

Motion 2. To Adjourn. This motion may be used to close a meeting. It is not in order if the Board is in closed session.

Motion 3. To Recess to a Time and Place Certain. This motion may be used to call a recessed meeting as permitted under Article V Section 8. The motion must state the time (including the date, if the meeting will reconvene on a different day) and place at which the meeting will resume. The motion is not in order if the Board is in closed session.

Motion 4. To Take a Brief Recess.

Motion 5. To Follow the Agenda. This motion must be made at the time an item of business that deviates from the agenda is considered; otherwise, the motion is out of order as to that item.

Motion 6. To Suspend the Rules. To be adopted, a motion to suspend the rules must receive affirmative votes equal to two-thirds of the Board's actual membership, excluding any vacant seats. The Board may not suspend provisions in these rules that restate state law requirements.

Motion 7. To Defer Consideration. The Board may defer its consideration of a substantive motion, and any proposed amendments thereto, to an unspecified time. A motion that has been deferred expires unless the Board votes to revive it pursuant to Motion 12 within 100 days of deferral. A new motion having the same effect as a deferred motion may not be introduced until the latter has expired.

Motion 8. To End Debate (Call the Previous Question). If adopted, this motion terminates debate on a pending motion, thereby bringing it to an immediate vote. This motion is not in order until every member has had an opportunity to speak once on the pending motion.

Motion 9. To Postpone to a Certain Time. This motion may be employed to delay the Board's consideration of a substantive motion, and any proposed amendments thereto, until a designated day, meeting, or hour. During the period of postponement, the Board may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6.

Motion 10. To Refer a Motion to a Board. The Board may vote to refer a substantive motion to a Board for study and recommendations. While the substantive motion is pending before the Board, the Board may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6. If the Board fails to report on the motion within sixty days of the referral date, the Board shall take up the motion if asked to do so by the member who introduced it.

Motion 11. To Amend

(a) Germaneness. A motion to amend must concern the same subject matter as the motion it seeks to alter.

(b) Limit on Number of Motions to Amend. When a motion to amend is under consideration, a motion to amend the amendment may be made; however, no more than one motion to amend and one motion to amend the amendment may be pending at the same time.

Motion 12. To Revive Consideration. The Board may vote to revive consideration of any substantive motion that has been deferred pursuant to Motion 7, provided it does so within 100 days of its vote to defer consideration.

Motion 13. To Reconsider. The Board may vote to reconsider its action on a matter, provided the motion to reconsider is made (1) at the same meeting during which the action to be reconsidered took place and (2) by a member who voted with the prevailing side. For purposes of this motion, "the same meeting" includes any continuation of a meeting through a motion to recess to a certain time and place (Motion 3). The motion is not in order if it interrupts the Board's deliberation on a pending matter.

Motion 14. To Rescind. The Board may vote to rescind an action taken at a prior meeting, provided rescission is not forbidden by law.

Motion 15. To Prevent Reintroduction for Six Months. This motion may be used to prevent the reintroduction of a failed substantive motion for a time, but it is in order only when made immediately following the substantive motion's defeat. To be adopted, this motion must receive affirmative votes equal to at least two-thirds of the Board's total membership, excluding vacant seats. If this motion is adopted, the ban on reintroduction remains in effect for six months or until the Board's next organizational meeting, whichever occurs first.

Section 6. <u>Debate</u>

The presiding officer shall state the motion and then open the floor to debate, presiding over the debate according to the principles listed below.

- The maker of the motion is entitled to speak first.
- A member who has not spoken on the issue shall be recognized before a member who has already spoken.

- To the extent practicable, debate shall alternate between proponents and opponents of the measure.

Section 7. Adoption by Majority Vote

A motion is adopted if supported by a simple majority of the votes cast, a quorum being present, except when a larger majority is required by these rules or state law.

Section 8. Changing a Vote

A member may change the member's vote on a motion at any time before the presiding officer announces whether the motion has passed or failed. Once the presiding officer announces the result, a member may not change a vote without the unanimous consent of the remaining members present. A member's request for unanimous consent to change a vote is not in order unless made immediately following the presiding officer's announcement of the result.

Section 10. Appointing Sub Committees. Subcommittees may only be appointed by vote of the Board members at a regular meeting. The Board by vote shall also establish the purpose of which subcommittees are established and the subcommittees should only conduct business that is within the purpose so adopted. All meetings of subcommittees shall be considered special meetings and shall be conducted in accordance with Article 5, Section 3. Special Meetings.

ARTICLE XI. ANNUAL REPORT

The Board shall make a report to the City of Hendersonville City Council at least annual. This report must be submitted no later than May 31st of each year.

ARTICLE XII. REFERENCE TO ROBERT'S RULES OF ORDER

Boards shall refer to the current edition of *Robert's Rules of Order Newly Revised (RONR*), to answer procedural questions not resolved in these rules, so long as RONR does not conflict with North Carolina law or with the spirit of these rules.

ARTICLE XII. AMENDMENTS. The Board may amend these bylaws by action of the Board; provided however, that amendments shall not be effective until they are approved by the Hendersonville City Council.

Originally adopted by City Council on September 2nd, 2010.

Amended by the City Council on: 7/1/2021; 7/7/2022

s/Barbara G. Volk, Mayor, City of Hendersonville
s/Attest/ Angela L. Reece, City Clerk Approved as to form/ Angela S. Beeker, City Attorney

ENVIRONMENTAL SUSTAINABILITY BOARD

CHARTER AND RULES OF PROCEDURE

The Board shall provide input and guidance for the City Council's strategic objective to preserving the City's natural resources subject to such limitations as may be imposed by state law or by ordinances of the city. The terms of the charter shall govern the activities of the Board. However, to the extent that this Charter conflicts with North Carolina Law, North Carolina shall control.

ARTICLE I. NAME. Environmental Sustainability Board

ARTICLE II. PURPOSE. The purpose of this Board is to serve in an advisory role to the City Council in matters pertaining to policies and practices regarding environmental sustainability in the City of Hendersonville and shall be embodied for the following purposes:

- Advise, deliberate and make recommendations to the City Council to help facilitate the implementation of the Comprehensive Plan as it relates to environmental sustainability in the city.
- Recommend to City Council an overall policy for continued sustainability and assist with citizen-led efforts in furtherance thereof.
- Provide City Council with representative community participation in preparing and implementing plans and reports concerning environmental sustainability in the City of Hendersonville.
- Promote, facilitate, and act as liaison to educate citizens on environmental sustainability issues affecting the City of Hendersonville. Activities may include the following:
    - Recommend requirements and procedures for waste reduction and other sustainable practices at festivals and/or special events
    - Assist staff in researching effectiveness and costs of sustainable practices and make reports to City Council of any recommendations.
    - Review programs and activities other communities have implemented that would be effective in Hendersonville.
    - Participate in community outreach at public events to educate citizens on environmental issues and related City programs.
    - Collect feedback from citizens on new or proposed efforts to determine effectiveness.

ARTICLE III. JURISDICTION. The Board shall exercise its purpose with regards to matters and issues within the corporate limits of the City of Hendersonville.

ARTICLE IV. MEMBERSHIP AND DUTIES

Section 1. Membership and Appointment. All appointments shall be made by the City of Hendersonville City Council. The Board shall consist of ten (10) ~~nine (9)~~ members and with a City Council Member serving as liaison. The City Council liaison is not considered a member for purposes of quorum or voting. The City Manager shall appoint a staff liaison to the Board who shall assist the Board with carrying out their duties and responsibilities. The Chairman shall be chosen annually by the Board from among those members who are residents of the City of Hendersonville. The Student Member shall be either a resident of the City of Hendersonville or Henderson County and be a ninth-twelfth grade student.

Membership shall be composed from the following membership categories:

(5) Residents of the City of Hendersonville.
(3) At-Large Members
(1) Student member
(1) At-Large Member (***seat to be filled by an individual, principal or other significant representative of an organization or business that demonstrates a commitment to an environmentally sustainable future, as determined by the City Council. This term shall be un-expiring.)*** **Amended by City Council 7-7-22**
(1) City Council Liaison – Non-voting.

Staff Liaison The City Manager shall appoint a staff liaison to the Committee who shall assist the Committee with carrying out their duties and responsibilities. The Staff Liaison shall act as the Secretary and liaison between the Board, City Departments, and the City Council and shall have the charge of correspondence, minutes, notifying members of meetings, and other information.

Section 2. Terms of Service. Board members shall be appointed to staggered three-year terms by the City Council annually in June. No member shall serve more than two consecutive full three-year terms unless otherwise specified in this charter. Members shall serve without compensation. At the end of a member's term, they must take a one-year hiatus before seeking reappointment to the Board.

Upon adoption of this Charter revision, any Board members seeking reappointment will be considered as new members for purposes of term limits and will begin any term appointment as a new member. At initial appointment for this Board, City Council shall hereby implement staggered terms for members, meaning that three (3) Regular Members of the Board membership shall be appointed for an initial term to run from July 1, 2021 to June 30, 2024, two (2) Regular Members of the Board membership shall be appointed for an initial term to run from July 1, 2021 to June 30, 2023, two (2) At-Large Members of the Board membership shall be appointed for an initial term to run from July 1, 2021 to June 30, 2024, and two (2) At-Large Members of the Board membership shall be appointed for an initial term to run from July 1, 2021 to June 30, 2023. Thereafter appointments shall be for 3-year terms unless filling an unexpired term. Initial term appointments shall not count toward term limits. City Council will appoint the City Council Liaison to this Board. The City Council Liaison shall not be considered for purposes of determining quorum and is not a voting member.

Section 3. Attendance. Any member who misses more than three consecutive regular meetings or more than one-half the regular meetings actually held in a calendar year shall cease to be a Board member.

Section 4. Vacancies and Reasons for Dismissal. All members serve at the pleasure of the City of Hendersonville City Council. Members may be dismissed for any reason, with or without cause. Vacancies shall be filled at the earliest convenience of the City Council. A vacancy of the chair or vice chair shall be elected by a majority of the Board at the next regularly scheduled meeting. Notwithstanding the foregoing, at any meeting where both the Chair and Vice Chair are absent, the Board shall elect from those members present a member to preside at that meeting.

Section 5. Resignations. Any member who feels they can no longer serve or otherwise fulfil the duties of a member may resign from the Board. Such resignation must be in writing and delivered to the secretary. The secretary shall promptly send a copy of the written resignation to the City Clerk.

ARTICLE V. MEETINGS

Section 1. Meetings to Be Open to the Public. All meetings of the Board shall be open to the public, and any person may attend its meetings. Except as permitted below, all meetings of the Board shall be open to the public and any person may attend its meetings. For purposes of these rules, a meeting of the Board occurs whenever a majority of the Board's members gather, either in person or simultaneously by electronic means, to conduct hearings, deliberate, vote, or otherwise transact public business within the Board's real or apparent jurisdiction. The term "majority" as used here and elsewhere in these rules means, unless otherwise specified, a simple majority, that is, more than half. No meeting shall occur except as part of a duly called and advertised meeting. For the avoidance of doubt informal gatherings of a majority of the members where business of the Board is discussed are strictly prohibited.

Section 2. Regularly Scheduled Meetings. The Board shall hold regular meetings monthly. The Board shall annually adopt a regular meeting schedule showing the dates, times, and places of its regular meetings for the year.

a) Notice of Regular Meeting Schedule. The Board shall ensure that a copy of its current regular meeting schedule, complete with the date, time, and place of each regular meeting, is filed with the City Clerk and posted on the City's website, and the Board's webpage if they have one.

b) Change to Regular Meeting Schedule. The Board may revise its regular meeting schedule to change the date, time or place of a particular regular meeting or all regular meetings within a specified period. The Board shall ensure that the revised regular meeting schedule is filed with the City Clerk at least seven (7) consecutive calendar days before the first meeting held pursuant to the revised schedule. The Board shall also have the revised schedule posted on the City's website and the Board's webpage if they have one.

Section 3. Special Meetings. The chair or the majority of the members of the Board may at any time call a special meeting of the Board by signing a notice stating the date, time and place of the special meeting and the subjects to be considered. Alternatively, a special meeting may be called by vote of the Board in open session during a regular meeting or another duly called special meeting if on the special meeting agenda.

1) **Notice to the public.** At least 48 hours before a special meeting, the Board shall cause written notice of the meetings date, time, place and purpose(s) to be:

    i Posted on the Board's principal bulletin Board or, if the Board has no such bulletin Board, at the door of the Board's usual meeting room.

    ii Mailed or delivered to each newspaper, wire service, radio station and television station and person who has filed a written request for notice with the secretary;

2) **Notice to Board Members**. For all meetings called by the chair, or a majority of the members, notice of the meeting date, time, place and purpose(s) shall be mailed, emailed, or delivered to all members of the Board at least 48 hours before the meeting. If the special meeting was called at another duly held meeting of the Board, and one or more members were absent, the chair shall ensure that notice of the meeting's date, time, place, and purpose(s) is mailed, emailed, or delivered to any absent member(s) a minimum of forty-eight hours in advance of the special meeting.

3) **Business Conducted at a Special Meeting**. Only the business that is specified in the notice of the meeting may be transacted during a special meeting.

Section 4. <u>Organizational Meeting.</u> On the date and at the time of the regular meeting in July or as soon thereafter as possible, the Board shall elect a chair and vice chair as its first order of business. The second order of business shall be to adopt an annual scheduled of meetings for the upcoming calendar year.

Section 5. <u>Electronic Board Meetings and Member Participation.</u> No member who is not physically present may participate in a meeting of the Board by electronic means except in accordance with this rule.

1) **Electronic Meetings Generally**. Provided a quorum is present, in person, at a meeting, Board members may participate in a meeting electronically provided. Any member wishing to participate electronically in a meeting shall be required to give the Chair and the Secretary at least thirty-six (36) Hours before the start of the meeting. When one or more members are participating remotely, the following rules shall apply:

    (a) *Member Identification*. Each member who attends by electronic means shall identify himself or herself in each of the following situations:

        i when roll is taken or the meeting begins;

        ii before taking part in deliberations, including making any motions, proposing any amendments, or raising any points of order; and

iii before voting.

(b) *Method of Electronic Participation*. Any member who attends electronically shall use a means of communication that enables the member

i to hear what is said by other Board members and any person who addresses the Board and

ii to be heard by other Board members.

(c) *Voting*. The Board shall conduct all votes by roll call. It may not vote by secret or written ballots. The votes of any member who attends by electronic means shall be counted as if the member were physically present, but only while the Board maintains electronic communication with that member.

(d) *Minutes*. The minutes shall which members took part electronically, and when such members joined or left the electronic meeting.

2) **Electronic Meetings During a State of Emergency Declared by the Governor or General Assembly.** During any state of emergency declared by the Governor or General Assembly pursuant to G.S. 166A-19.20, a meeting of the Board shall comply with the requirements of this paragraph if the Board falls within the emergency area and at least one Board member attends the meeting by conference call, conference video, or other electronic means.

(a) *Notice*. The public notice for any regular, special, emergency, or recessed meeting that is subject to this paragraph shall specify how the public can access the electronic meeting in real time.

(b) *Member Identification*. Each member who attends by electronic means shall identify himself or herself in each of the following situations:

i when roll is taken or the meeting begins;

ii before taking part in deliberations, including making any motions, proposing any amendments, or raising any points of order; and

iii before voting.

(c) *Meeting Materials*. All documents considered during the meeting shall be furnished to each Board member.

(d) *Method of Electronic Participation*. Any member who attends electronically shall use a means of communication that enables the member

i to hear what is said by other Board members and any person who addresses the Board and

ii to be heard by other Board members.

(e) *Quorum*. A member who attends by electronic means counts as present for quorum purposes, but only while the Board maintains electronic communication with that member.

(f) *Voting*. The Board shall conduct all votes by roll call. It may not vote by secret or written ballots. The votes of any member who attends by electronic means shall be counted as if the member were physically present, but only while the Board maintains electronic communication with that member.

(g) *Acting by Reference*. The Board shall not deliberate, vote, or otherwise take action on any matter by reference to the agenda or any other document unless copies of the agenda or document are available for public inspection at the meeting and so worded that persons in attendance can understand what is being deliberated or acted upon.

(h) *Minutes*. The minutes shall indicate that the meeting was conducted by electronic means, which members took part electronically, and when such members joined or left the electronic meeting.

(i) *Live Streaming*. The meeting shall be streamed live online so that live audio (and video, if any) are available to the public. If the Board meets by conference call, the public shall have an opportunity to dial in or stream the audio live and listen to the electronic meeting.

(j) *Public Hearings*. Although it may conduct any public hearing mandated or permitted by law, the Board shall allow the public to submit written comments on the hearing's subject matter between the publication of any required notice and twenty-four hours after the hearing.

Section 6. Cancellation of Meetings. Whenever there is no business for the Board the chair may cancel a meeting by giving reasonable notice to all members before the time set for the meeting. However, in the case of a special meeting called by a majority of the Board, the chair may cancel the meeting only upon the concurrence of a majority of the Board. The majority concurring in the cancellation need not be the same majority that called the special meeting.

Section 7. Recessed Meetings

(a) Calling Recessed Meetings. When conducting a properly called regular, special, or emergency meeting, the Board may recess the meeting to another date, time, or place by a procedural motion made and adopted in open session, as provided in Article XI, Section 5 (Motion 3). The motion shall state the time (including the date, if the meeting will resume on a different day) and place at which the meeting will resume.

(b) Notice of Recessed Meetings. If the Board's website is maintained by one or more Board employees, notice of the recessed meeting's date, time, and place shall appear on the website prior to the meeting. No further notice of a properly called recessed meeting is required.

Section 8. Order of Business Items shall be placed on a regular-meeting agenda according to the order of business. The usual order of business for each regular meeting shall be as follows:

- adoption of the agenda,
- approval of the previous meeting minutes,
- public comment,
- public hearings,
- administrative reports,
- Board reports,
- unfinished business, and
- new business.

Without objection, the chair may call agenda items in any order most convenient for the dispatch of business.

Section 9. Agenda

(a) Proposed Agenda. The Secretary shall prepare a proposed agenda for each meeting. A request to have an item of business placed on the agenda must be received at least two working days before the meeting. Any Board member may, by a timely request, have an item placed on the proposed agenda. Each Board member shall receive a copy of the proposed agenda and any attachments, and they shall be available for public inspection and/or distribution when they are distributed to the Board members.

(b) Adoption of Agenda. As its first order of business at each meeting, the Board shall, as specified in Article 8, discuss, and revise the proposed agenda and adopt an agenda for the meeting. The Board may by majority vote add items to or subtract items from the proposed agenda, except that the Board may not add items to the agenda of a special meeting unless (1) all members are present and (2) the Board determines in good faith at the meeting that it is essential to discuss or act on the item immediately. If items are proposed to be added to the agenda, the Board may, by majority vote, require that written copies of particular documents connected with the items be made available at the meeting to all Board members.

The Board may designate certain agenda items "for discussion and possible action." Such designation means that the Board intends to discuss the general subject area of that agenda item before making any motion concerning that item.

Section 10. Meeting Minutes. Minutes Required for All Meetings. The Board shall keep full and accurate minutes of its meetings, including any closed sessions. To be “full and accurate,” the minutes must record all actions taken by the Board, as well as the Board’s compliance with any applicable procedural requirements. The minutes should set out the precise wording of each motion and make it possible to determine the number of votes cast for and against each motion. The minutes need not record Board member discussions, though the Board in its discretion may decide to incorporate such details into the minutes.

a) Record of “Ayes” and “Noes.” At the request of any member, the minutes shall indicate how each member voted by name on a particular matter.

Section 11. Public Input. Public input at all Board meetings shall have a three-minute limit per speaker. The Chair reserves the right to alert time limits for public comment periods.

Section 12. Broadcasting and Recording Meetings. Any person may photograph, film, tape-record, or otherwise reproduce any part of a Board meeting that must take place in open session. Except as provided in paragraph (c) of this rule, any radio or television station may broadcast any such part of a Board meeting.

a) Advance Notice. Any radio or television station that plans to broadcast any portion of a Board meeting shall so notify the secretary no later than twenty-four hours before the meeting. The failure to provide notice is not, by itself, grounds for preventing the broadcast of a Board meeting.

b) Equipment Placement. The Board chair or an appropriate staff member may regulate the placement and use of camera or recording equipment in order to prevent undue interference with a Board meeting, so long as he or she allows the equipment to be placed where it can carry out its intended function. If the Board chair or staff member determines in good faith that the equipment and personnel necessary to broadcast, photograph, or record the meeting cannot be accommodated without undue interference to the meeting, and an adequate alternative meeting room is not readily available, the chair or staff member may require the pooling of the equipment and the personnel operating it.

c) Alternative Meeting Site. If the news media request an alternative meeting site to accommodate news coverage, and the Board grants the request, the news media making the request shall pay the costs incurred by the local government unit in securing an alternative meeting site.

ARTICLE VI. VOTING

a) Duty to vote. It is the duty of each member, including the chair, to vote unless otherwise excused. The Board may excuse members from voting on any matter involving their own financial interest, official conduct, or when a member has indicated an inability to be impartial in any matter before the Board.

b) Abstentions. Should a member fail to vote on any matter before the Board, without having been excused from such vote, such abstention will count as an affirmative vote.

ARTICLE VII. REQUIRED OFFICERS

Section 1. Presiding Officer. The presiding officer of each meeting of the Board shall be the chair of the Board. In situations where the chair is unavailable or unable to participate in the meeting or any particular matter before the Board, the vice chair shall preside. In the event that neither the chair nor the vice chair is available, the members of the Board, by affirmative vote of the majority, may appoint an acting chair who shall have all powers of the chair while acting as presiding officer.

Section 2. Selection of the Chair and Vice Chair. The chair shall be a resident of the City of Hendersonville and shall be selected by majority vote of the Board unless the City Council indicates to the Board that the City Council will appoint said chair, in which case the appointment shall be made by the City Council. The vice chair shall be elected by a majority vote of the Board. In situations where the chair is unavailable or unable to participate in the meeting or any particular matter before the Board, the vice chair shall preside. In the event that neither the chair nor the vice chair is available, the members of the Board, by affirmative vote of the majority, may appoint an acting chair who shall have all powers of the chair while acting as presiding officer.

Section 3. Powers and Duties of the Chair and Vice Chair. The chair shall preside at all meetings of the Board but shall also have the right to engage in discussion and vote on any matter before the Board unless otherwise excused. The chair shall have the power to call a special meeting, rule on procedural matters during a meeting, call a brief recess of a meeting at any time, and adjourn a meeting in an emergency. At any other time, adjournment shall be by motion, duly approved. The vice chair shall have all powers and perform all the duties of the chair in his or her absence.

Section 4. Duties of the Chair.

(a) Presiding Officer. The chair shall preside at meetings of the Board.

(b) Voting by the Chair. The chair has the same duty to vote as other members, though in no event may the chair break a tie on a motion on which he or she has already voted.

(c) Recognition of Members. A member must be recognized by the chair (or other presiding officer) in order to address the Board.

(d) Powers as Presiding Officer. As presiding officer, the chair is to enforce these rules and maintain order and decorum during Board meetings. To that end, the chair may

(1) rule on points of parliamentary procedure, to include ruling out of order any motion clearly offered for obstructive or dilatory purposes;

(2) determine whether a member or other speaker has gone beyond reasonable standards of courtesy in his or her remarks and entertain and rule on objections from other members on this ground;

(3) entertain and answer questions of parliamentary procedure;

(4) call a brief recess at any time; and

(5) adjourn in an emergency.

Section 5. Duties of the Secretary. The City Manager shall assign a staff person to the Board who shall serve as the secretary of the Board and shall perform the following:

a) The secretary shall ensure that all meetings of the Board are properly noticed.

b) The secretary shall maintain the sunshine list that is a list of those persons or entities that have filed a written request indicating a desire to receive notice of all special meetings of the Board.

c) The secretary shall take and record the actions of the Board and draft minutes of the meetings accordingly. Minutes shall be sent to Board members prior to their next regularly scheduled meeting. The secretary shall also forward a copy of the minutes as they are approved to the Clerk to the City Council and post on the City's website

d) The secretary shall be responsible for maintaining an accurate list of members of the Board, submitting to the City Clerk a quarterly attendance report for its members and notifying the City Clerk of any resignations of any of its members, or any other change in membership of the Board.

Section 6. Schedule for Elections. Election of the Chair, and Vice-Chair shall take place annually at the organizational meeting of the Board.

ARTICLE VIII. REFERENCE TO ROBERT'S RULES OF ORDER NEWLY REVISED. The Board shall refer to *Robert's Rules of Order Newly Revised* for guidance when confronted with a procedural issue not covered by these rules or state law. Having consulted *Robert's*, the presiding officer shall make a ruling on the issue subject to appeal to the Board under Article XI, Section 5 (Motion 1).

ARTICLE IX. REPORTS

Section 1. Annual Report. The Board shall make a report to the City of Hendersonville City Council at least annual. This report must be submitted no later than May31st of each year.

Section 2. Public Records Law. The Board shall abide by North Carolina Public Records Law N.C.G.S. Chapter 132.

ARTICLE X. ACTION BY THE BOARD.

Section 1. Quorum. A majority of the members shall constitute a quorum. No action of the Board may be taken at any meeting where less than the required quorum is present, except to adjourn the meeting. The City Council liaison shall not be considered for purposes of determining a quorum.

Section 2. Motions and Voting. Action of the Board may be taken upon a motion made by any member, including the chair, without the need for a second. A motion shall be adopted if approved by the affirmative vote of a majority of the members present and not excused after full discussion of the motion by the members. The City Council liaison shall not be considered a voting member.

Section 3. Withdrawal of Motion The member who introduces a motion may withdraw the motion unless the motion has been amended or put to a vote.

Section 4. Substantive (or Main) Motions A substantive motion is not in order when any other motion is pending. Once the Board disposes of a substantive motion, it may not take up a motion that presents essentially the same issue at the same meeting unless it first adopts a motion to reconsider pursuant to Article XI, Section 5 (Motion 13).

Section 5. Procedural Motions

(a) Certain Motions Allowed. The Board may consider only those procedural motions listed in this rule. Unless otherwise noted, each procedural motion may be debated and amended and requires a majority of votes cast, a quorum being present, for adoption.

(b) Priority of Motions. The procedural motions set out in this paragraph are listed in order of priority. A procedural motion is not in order so long as another procedural motion of higher priority is pending, except that

- any procedural motion other than an appeal under Motion 1 is subject to amendment as provided in Motion 11 and
- a motion to call the question (end debate) may be made with regard to any procedural motion in accordance with Motion 8.

When several procedural motions are pending, voting shall begin with the procedural motion highest in priority, except that a motion to amend or end debate on the highest-priority motion shall be voted on first.

Motion 1. To Appeal a Ruling of the Presiding Officer. Any member may appeal the presiding officer's ruling on whether a motion is in order or on whether a speaker has violated reasonable standards of courtesy. The presiding officer's response to a question of parliamentary procedure may also be appealed by any member. An appeal is in order immediately after the disputed ruling or parliamentary response and at no other time. The member who moves to appeal need not be recognized by the presiding officer, and if timely made, the motion may not be ruled out of order.

Motion 2. To Adjourn. This motion may be used to close a meeting. It is not in order if the Board is in closed session.

Motion 3. To Recess to a Time and Place Certain. This motion may be used to call a recessed meeting as permitted under Article V Section 8. The motion must state the time (including the date, if the meeting will reconvene on a different day) and place at which the meeting will resume. The motion is not in order if the Board is in closed session.

Motion 4. To Take a Brief Recess.

Motion 5. To Follow the Agenda. This motion must be made at the time an item of business that deviates from the agenda is considered; otherwise, the motion is out of order as to that item.

Motion 6. To Suspend the Rules. To be adopted, a motion to suspend the rules must receive affirmative votes equal to two-thirds of the Board's actual membership, excluding any vacant seats. The Board may not suspend provisions in these rules that restate state law requirements.

Motion 7. To Defer Consideration. The Board may defer its consideration of a substantive motion, and any proposed amendments thereto, to an unspecified time. A motion that has been deferred expires unless the Board votes to revive it pursuant to Motion 12 within 100 days of deferral. A new motion having the same effect as a deferred motion may not be introduced until the latter has expired.

Motion 8. To End Debate (Call the Previous Question). If adopted, this motion terminates debate on a pending motion, thereby bringing it to an immediate vote. This motion is not in order until every member has had an opportunity to speak once on the pending motion.

Motion 9. To Postpone to a Certain Time. This motion may be employed to delay the Board's consideration of a substantive motion, and any proposed amendments thereto, until a designated day, meeting, or hour. During the period of postponement, the Board may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6.

Motion 10. To Refer a Motion to a Board. The Board may vote to refer a substantive motion to a Board for study and recommendations. While the substantive motion is pending before the Board, the Board may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6. If the Board fails to report on the motion within sixty days of the referral date, the Board shall take up the motion if asked to do so by the member who introduced it.

Motion 11. To Amend

(a) Germaneness. A motion to amend must concern the same subject matter as the motion it seeks to alter.

(b) Limit on Number of Motions to Amend. When a motion to amend is under consideration, a motion to amend the amendment may be made; however, no more than one motion to amend and one motion to amend the amendment may be pending at the same time.

Motion 12. To Revive Consideration. The Board may vote to revive consideration of any substantive motion that has been deferred pursuant to Motion 7, provided it does so within 100 days of its vote to defer consideration.

Motion 13. To Reconsider. The Board may vote to reconsider its action on a matter, provided the motion to reconsider is made (1) at the same meeting during which the action to be reconsidered took place and (2) by a member who voted with the prevailing side. For purposes of this motion, "the same meeting" includes any continuation of a meeting through a motion to recess to a certain time and place (Motion 3). The motion is not in order if it interrupts the Board's deliberation on a pending matter.

Motion 14. To Rescind. The Board may vote to rescind an action taken at a prior meeting, provided rescission is not forbidden by law.

Motion 15. To Prevent Reintroduction for Six Months. This motion may be used to prevent the reintroduction of a failed substantive motion for a time, but it is in order only when made immediately following the substantive motion's defeat. To be adopted, this motion must receive affirmative votes equal to at least two-thirds of the Board's total membership, excluding vacant seats. If this motion is adopted, the ban on reintroduction remains in effect for six months or until the Board's next organizational meeting, whichever occurs first.

Section 6. <u>Debate</u>

The presiding officer shall state the motion and then open the floor to debate, presiding over the debate according to the principles listed below.

- The maker of the motion is entitled to speak first.
- A member who has not spoken on the issue shall be recognized before a member who has already spoken.

- To the extent practicable, debate shall alternate between proponents and opponents of the measure.

Section 7. Adoption by Majority Vote

A motion is adopted if supported by a simple majority of the votes cast, a quorum being present, except when a larger majority is required by these rules or state law.

Section 8. Changing a Vote

A member may change the member's vote on a motion at any time before the presiding officer announces whether the motion has passed or failed. Once the presiding officer announces the result, a member may not change a vote without the unanimous consent of the remaining members present. A member's request for unanimous consent to change a vote is not in order unless made immediately following the presiding officer's announcement of the result.

Section 10. Appointing Sub Committees. Subcommittees may only be appointed by vote of the Board members at a regular meeting. The Board by vote shall also establish the purpose of which subcommittees are established and the subcommittees should only conduct business that is within the purpose so adopted. All meetings of subcommittees shall be considered special meetings and shall be conducted in accordance with Article 5, Section 3. Special Meetings.

ARTICLE XI. ANNUAL REPORT

The Board shall make a report to the City of Hendersonville City Council at least annual. This report must be submitted no later than May 31st of each year.

ARTICLE XII. REFERENCE TO ROBERT'S RULES OF ORDER

Boards shall refer to the current edition of *Robert's Rules of Order Newly Revised (RONR*), to answer procedural questions not resolved in these rules, so long as RONR does not conflict with North Carolina law or with the spirit of these rules.

ARTICLE XII. AMENDMENTS. The Board may amend these bylaws by action of the Board; provided however, that amendments shall not be effective until they are approved by the Hendersonville City Council.

Originally adopted by City Council on September 2nd, 2010.

Amended by the City Council on: 7/1/2021; 7/7/2022

s/Barbara G. Volk, Mayor, City of Hendersonville
s/Attest/ Angela L. Reece, City Clerk Approved as to form/ Angela S. Beeker, City Attorney

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: John Connet, City Manager **MEETING DATE:** November 7, 2024

AGENDA SECTION: CONSENT **DEPARTMENT:** Administration

TITLE OF ITEM: Purchase of +/- 0.39 Acre Lot on Williams Street – *John Connet, City Manager*

SUGGESTED MOTION(S):

I move City Council to adopt the *Resolution By The City Of Hendersonville City Council To Authorize The City Manager To Enter Into A Contract For The Purchase Of +/- 0.39 Tract On Williams Street* as presented.

SUMMARY:

City Council is requested to approve the attached Contract for Purchase and Sale of Real Property for a lot or parcel of land in the City of Hendersonville consisting of +/- 0.39 acres, having and address of 110 Williams St., Hendersonville, NC, and being more particularly described in that deed recorded in Deed Book 1191 at page 124 of the Henderson County Registry, having Tax Parcel ID# 9568-97-8675, and any appurtenances thereto (collectively the "Property"). The Property is located next to the City Operations Center and will serve as a much needed expansion of the City Operations tract. The tax value of the Property is $476,700, and Sellers have agreed to sell it to the City for $250,000 due to its flooding during Hurricane Helene.

A Resolution approving the purchase is attached for City Council's consideration.

ATTACHMENTS:

Resolution

Contract for Purchase and Sale of Real Property

Tax Parcel Report

Resolution #22-____

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF +/- 0.92 TRACT ON WILLIAMS STREET

WHEREAS, the City is desirous of purchasing property, being a lot or parcel of land in the City of Hendersonville consisting of +/- 0.39 acres, having and address of 110 Williams St., Hendersonville, NC, and being more particularly described in that deed recorded in Deed Book 1191 at page 124 fo the Henderson County Registry, having Tax Parcel ID# 9568-97-8675, and any appurtenances thereto (collectively the "Property"), and more specifically described in Exhibit "A", which is attached hereto and incorporated herein by reference; and

WHEREAS, the Property has a tax value of $476,700 , but was flooded by Hurricane Helene, and the City has made an offer to purchase the Property $250,000; and

WHEREAS, the Seller, Caporoma Properties, LLC, a North Carolina limited liability company, has agreed to sell the Property to the City upon the terms and conditions set forth in a draft Contract for Purchase and Sale of Real Property;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. The Contract for Purchase and Sale of Real Property between the City of Hendersonville and Caporoma Properties, LLC, for the Property, having as the sale price the sum of $250,000.00, is hereby approved as presented.
2. The City Manager is authorized to enter execute the contract, with such changes as he deems appropriate, in consultation with the City Attorney, provided such changes do not place any financial obligation on the City beyond that contemplated by the terms of the Contract as presented.
3. The Mayor, City Manager and City Attorney are authorized to execute such other contracts, and deeds and any and all other documents, and to take any and all actions, reasonably necessary to carry out the terms of the approved Contract, including but not limited to making conveyances and reasonable expenditures for costs and expenses for the purposes stated herein.

Adopted by the City Council of the City of Hendersonville, North Carolina on this _____ day of _____ 20____.

_____

Attest: Barbara G. Volk, Mayor, City of Hendersonville

_____

Jill Murray, City Clerk

Approved as to form: _____ Angela S. Beeker, City Attorney

EXHIBIT A

PROPERTY DESCRIPTION

BEGINNING at a ½ inch pipe located in the Western margin of the right of way of Williams Street, said point also being located in the Northernmost corner of the Caporoma Tract as described in deed recorded in Deed Book 1166, at Page 33, Henderson County Registry; thence, from said beginning point, running partially with the Southwestern margin of the right of way of Williams Street, South 31 degrees 01 minutes 05 seconds East 102.93 feet to a rebar located in the boundary of the Anders Tract as described in deed recorded in Deed Book 440 at Page 625, Henderson County Registry, thence with the boundary of the aforereferenced Anders Tract, South 59 degrees 00 minutes 00 seconds West 168.01 feet to a ½ inch rebar located in the boundary of The City of Hendersonville Tract as described in deed recorded in Deed Book 431, at Page 695, Henderson County Registry; thence, with the boundary of same, North 30 degrees 59 minutes 50 seconds West 100 feet to a new iron pin located in the Southern boundary of The City of Hendersonville Tract as described in deed recorded in Deed Book 1054, at Page 51, Henderson County Registry; thence, with the Southern boundary of same, North 58 degrees 00 minutes 05 seconds East 167.99 feet to a mag nail set;thence, North 57 degrees 59 minutes 41 seconds East 2.17 feet ***TO THE POINT AND PLACE OF BEGINNING*** and being 0.39 acre, more or less, as shown on a survey prepared by David C. Huntley, PLS, entitled Survey For Caporoma Properties, LLC, dated February 17, 2004, and being Drawing Number H-4843, reference to which is hereby made and incorporated herein.

AND BEING all of that property as described in deed recorded in Deed Book 1166, at Page 33, of the Henderson County Registry.

CONTRACT FOR PURCHASE AND SALE OF REAL PROPERTY

THIS CONTRACT to sell and purchase real property (this "Contract") is made and entered into as of the _____day of _____, 2022, by and between Caporoma, LLC, a North Carolina limited liability company (hereafter "Seller" or "Nelson"), and the City of Hendersonville, a North Carolina Municipal Corporation (hereafter "City" or "Buyer").

WITNESSETH

WHEREAS, Seller is the owner of a lot or parcel of land in the City of Hendersonville consisting of +/- 0.39 acres, having and address of 110 Williams St., Hendersonville, NC, and being more particularly described in that deed recorded in Deed Book 1191 at page 124 fo the Henderson County Registry, having Tax Parcel ID# 9568-97-8675, and any appurtenances thereto (collectively the "Property"), and more specifically described in Exhibit "A", which is attached hereto and incorporated herein by reference; and

WHEREAS, the City has requested and Seller has agreed to sell the Property to the City upon the terms and conditions hereinafter set forth.

AGREEMENT

For the considerations hereafter set forth, Seller agree to sell and City agrees to buy the property hereinafter described on the following terms and conditions:

1. PROPERTY. As used herein, "Property" refers to all of that parcel of land (including improvements if any) described on Exhibit A, having an address of 110 Williams Street, Hendersonville North Carolina, with a Tax Parcel ID# 9568-97-8675. All of the parcel and interest to be conveyed is collectively hereafter referred to as the "Property."

2. PURCHASE PRICE OF PROPERTY. The total purchase price of the Property shall be Two Hundred Fifty Thousand and no/100s Dollars ($250,000.00), which shall be paid as follows:

(a) An Earnest Money Deposit in the total amount of Five Thousand and no/100s Dollars ($5,000.00), which shall be paid to Sherri Brewer, Esq., with the law firm of Hogan & Brewer, as Escrow Agent ("Escrow Agent") within five (5) business days after the Effective Date, and held in escrow and credited to the purchase price at closing, or disbursed as hereafter provided;

(b) The balance shall be paid at closing to the Seller by wire transfer of funds, or other means acceptable to such Seller.

3. EFFECTIVE DATE. The Effective Date of this Contract shall be the date of the last to occur of the following: 1) Date of the last party to sign this Agreement; or Approval by the City of Hendersonville City Council in open session, as provided in Paragraph 12 hereafter.

4. **CLOSING DATE.** Closing of the transfer of the Property shall occur on or December 20, 2024 at the law offices of Hogan & Brewer, Hendersonville, North Carolina, or such other place, or in such other manner as may be mutually acceptable to the parties.

5. RESERVED.

6. TRANSFER OF TITLE TO PROPERTY. At closing, Seller shall deliver to Buyer a General Warranty Deed conveying fee simple marketable title to the Property, subject only to specific instruments on the public record at the Effective Date agreed to by Buyer (not objected to by Buyer prior to the end of the Examination Period, zoning and other land use laws and ordinances and the lien of the then current year's *ad valorem* taxes which shall be pro-rated as of the date of closing (the "Permitted Exceptions").

7. EXAMINATION PERIOD. As used in this Contract, "Examination Period" shall mean that period of time after the Effective Date to a date which is thirty (30) days after the Effective Date. Buyer shall have the right to terminate this Agreement during the Examination period for any reason (by delivering written Notice to the Seller prior to its expiration). If the due diligence examination conducted by Buyer during the Examination Period indicates a presence of contaminated soils and Buyer terminates this Agreement based upon such finding, Buyer shall receive a refund of the Earnest Money, less $2,000 which shall be retained by the Seller. If, however, Buyer terminates for any other reason, or for no reason, during the Examination Period, Buyer shall not receive a refund of any portion of the Earnest Money. In any event, whether Seller is entitled to retain $2,000 or $5,000 under the terms of this paragraph, such amount retained by Seller shall be Seller's full and complete compensation for the Buyer's cancellation during the Examination Period, including any and all extensions of the Examination Period.

8. TITLE EXAMINATION. After the Effective Date, City shall, at its expense, cause a title examination to be made of the Property before the end of the Examination Period. In the event such title examination shall reveal that Seller's title is not fee simple marketable and insurable at regular rates, subject only the Permitted Exceptions, then City shall promptly notify Seller in writing of such title defects and exceptions. Seller shall then have thirty (30) days to cure the defect (provided that if such objection or defect is of an established monetary amount, then it may be cured by withholding and disbursing the necessary amounts at closing). Closing shall be extended for the time reasonably necessary to cure the defect; however, if Seller is unable or unwilling to cure the defect, the City shall have the option of terminating this Contract receiving a full refund of its Earnest Money Deposit ($5,000), or taking title to the Property in its then condition without reduction of the purchase price (except for those defects that can be cured by withholding an established monetary amount), as its sole and exclusive remedies. Within fourteen (14) days after the Effective Date, Seller shall deliver to City copies of any title insurance policies it has in its possession affecting the Property or any portion thereof as well as any leases of the Property or any portion thereof.

DRAFT

9. INSPECTIONS. During the Examination Period, separate and apart from the title examination, the City, its agents or representatives, at City's expense, shall have the right to enter upon the Property for the purpose of examining the physical condition of the Property by inspecting, examining, performing soil borings, environmental and other testing and conducting any surveys it deems appropriate (collectively, "Inspections"). Buyer shall conduct all such Inspections in a good and workmanlike manner and shall repair any damage to the Property caused by City's entry. Inspections shall occur during reasonable hours so as to not interfere with Seller's use of the Property or the use of the Property by any tenant of the Seller. Seller shall deliver to City any studies, reports, inspections, or surveys that Seller has in its possession affecting, or relating to the Property, including without limitation any environmental studies. Seller represents that neither Seller, nor Seller's members, officers or employees, have any knowledge of any adverse environmental conditions or contamination of the Property. City shall keep as confidential any such matters furnished to it by Seller, or the result of any Inspection performed by City, to the extent permitted under Public Records laws of North Carolina. All inspections shall be completed during the Examination Period (subject to any extension granted by Seller), and if any physical conditions are not objected to within that time (as extended) the physical condition of the Property shall be deemed accepted by Buyer, except for matters occurring after that time.

10. POSSESSION. Seller can and will deliver unencumbered possession of the Property to City as of the Closing Date. The Property shall be vacant and unoccupied prior to the Closing Date.

11. PROPERTY CONVEYED "AS IS." Except as otherwise provided herein, the Property and improvements are conveyed and accepted "as is" with all faults. Seller makes no representations or warranties as to the condition of the Property, or suitability for any purpose, including for its Intended Use, except as otherwise provided herein; however, that except for normal wear and tear, Seller will deliver the Property to the Buyer in substantially the same condition as of the Effective Date of this Agreement. Prior to Closing, any risk of loss shall be upon Seller.

12. NOT WITHSTANDING ANY EXECUTION OF THIS CONTRACT, IT IS UNDERSTAOOD AND AGREED BY SELLER THAT THIS CONTRACT IS SUBJECT TO APPROVAL BY CITY COUNCIL IN OPEN SESSION AS REQUIRED BY NORTH CAROLINA LAW, AND THAT THIS CONTRACT IS NOT BINDING UNTIL SUCH APPROVAL IS GIVEN AND THE CONTRACT HAS BEEN PREAUDITED AS REQUIRED BY THE NORTH CAROLINA LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT.

13. RISK OF LOSS. Prior to closing, risk of loss with respect to the property shall be upon the Seller.

DRAFT

14. CLOSING COSTS. Seller shall pay for deed preparation and any other documents necessary to perform Seller's obligations under this Contract, for excise tax or other conveyance tax, any deferred tax, and all costs necessary to convey clear title. Buyer shall pay for recording costs, costs of title search, title insurance, survey (if Buyer chooses to procure a survey), and any inspection costs. Each party shall pay its own attorney's and consultant's fees.

15. PRO-RATIONS. Ad Valorem taxes for the Property shall be pro-rated between the parties on a calendar year basis as of the Closing Date. If the Seller's share for that year has not been paid, the Seller's share will be withheld from the Purchase Price and paid by the Buyer. If the taxes have been paid, Buyer shall reimburse Seller for Buyer's share at closing. If the then current year's taxes have not been determined, pro-rations shall be estimated based on the prior year's taxes (or other best available information as to value), withheld from Seller and paid by Buyer.

16. BROKERAGE COMMISSION. The parties represent to each other that no real estate brokers have been engaged with respect to this transaction. Each party agrees to indemnify and hold harmless the other parties from and against any and all claims, demands and costs arising out of undisclosed or alleged brokerage commissions, if any.

17. DEFAULT. If City shall default in the performance of any of its obligations hereunder, Seller shall be entitled to cancel this Contract and receive the Earnest Money Deposit as liquidated damages. Such liquidated damages shall be Seller's sole and exclusive remedy. Unless otherwise limited herein, if Seller should default City may pursue any remedies it has in law or equity, including specific performance.

18. NOTICES. Unless otherwise provided herein, all notices and communications required to be given shall be in writing and be deemed given (i) when received if personally delivered with written acknowledgment of receipt, (ii) when deposited in the United States mail, postage prepaid, certified or register mail, return receipt requested, or (iii) when sent by a nationally recognized overnight courier, to the following address (provided that either party may change its notice address by notice to the other):

IF TO BUYER: City of Hendersonville
Attn: John Connet, City Manager
160 6th Avenue East
Hendersonville, North Carolina 28792

IF TO SELLER: Caporoma, LLC
Attn: Mary Kay White

_____ [Address]

DRAFT

_____[Address Line 2]

19. APPLICABLE LAW. This Contract shall be governed by and construed in accordance with the laws of the State of North Carolina. The sole venue for any litigation hereunder shall be a State or Federal court having jurisdiction in Henderson County, North Carolina.

20. ENTIRE AGREEMENT. This Contract contains the entire understanding and agreement between the parties, and supersedes all prior oral or written agreements between the parties. No amendment to this Contract shall be effective unless the same is in writing and signed by the parties hereto.

21. BINDING EFFECT. This Contract shall be binding upon and shall inure to the benefit of the parties hereto, and their respective successors and assigns.

22. TIME IS OF THE ESSENCE. Time is of the essence with respect to all time periods and dates for performance of this Contract.

23. COUNTERPARTS. This contract may be executed in one or more counterparts. Signed facsimiles shall constitute originals.

24. AUTHORITY. Seller and Buyer represent to each other that each is authorized to enter into and perform its obligations under this Contract, subject only to approval of this Contract by the City Council in open session.

IN WITNESS WHEREOF, the parties have caused this Contract to be executed effective as of the date set forth above.

Caporoma Properties, LLC, SELLER

Dated Signed: _____ _____(SEAL)
James Anderson, Member

Dated Signed: _____ _____(SEAL)
Margaret Foley Ross, Member

Dated Signed: _____ _____(SEAL)
Mary Kay White, Member

Dated Signed: _____ _____(SEAL)
Carol Stiles Barthel

DRAFT

Dated Signed: _____

_____(SEAL)
Ricardo C. Bierrenbach DeCastro, Member

CITY OF HENDERSONVILLE

ATTEST:

_____
City Clerk
(SEAL)

By: _____
John Connet, City Manager
Date Signed: _____

APPROVED AS TO FORM:

_____
Angela Beeker, City Attorney

THIS INSTRUMENT HAS BEEN PREAUDITED IN THE MANNER REQUIRED BY THE LOCAL GOVERNMENT BUDGET AND FISCAL CONTROL ACT: NOT TO BE SIGNED UNTIL CITY COUNCIL HAS APPROVED.

_____
John Buchanan, Finance Director

DRAFT

Acknowledgement of Escrow Agent

The undersigned, Sherri Brewer, Esquire, as Escrow Agent, agrees to hold the Earnest Money Deposit and to disburse the same according to the terms of the Agreement.

This _____day of _____, 2024.

_____

Sherri Brewer, Esquire
Escrow Agent

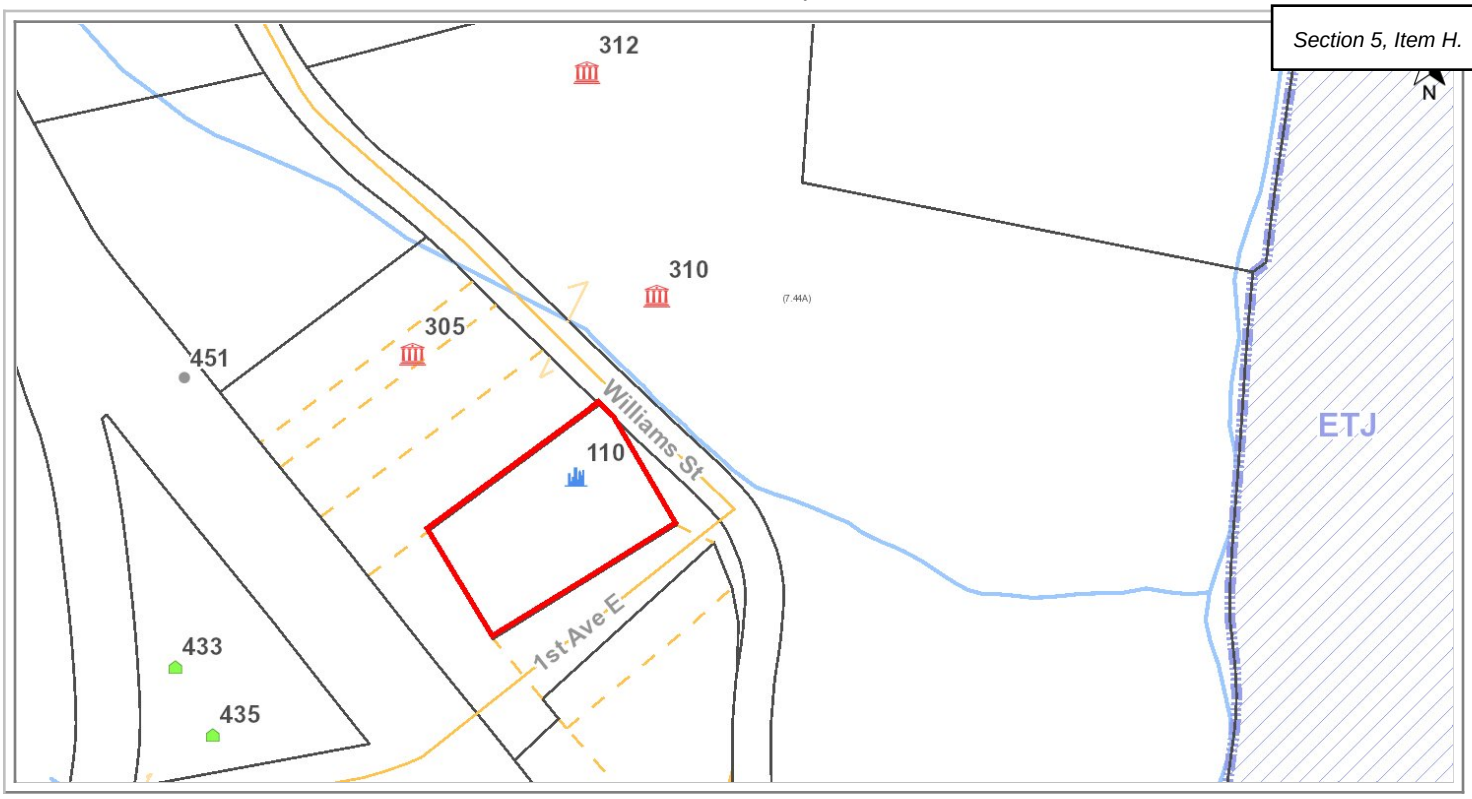
DRAFT

EXHIBIT A

PROPERTY DESCRIPTION

BEGINNING at a ½ inch pipe located in the Western margin of the right of way of Williams Street, said point also being located in the Northernmost corner of the Caporoma Tract as described in deed recorded in Deed Book 1166, at Page 33, Henderson County Registry; thence, from said beginning point, running partially with the Southwestern margin of the right of way of Williams Street, South 31 degrees 01 minutes 05 seconds East 102.93 feet to a rebar located in the boundary of the Anders Tract as described in deed recorded in Deed Book 440 at Page 625, Henderson County Registry, thence with the boundary of the aforereferenced Anders Tract, South 59 degrees 00 minutes 00 seconds West 168.01 feet to a ½ inch rebar located in the boundary of The City of Hendersonville Tract as described in deed recorded in Deed Book 431, at Page 695, Henderson County Registry; thence, with the boundary of same, North 30 degrees 59 minutes 50 seconds West 100 feet to a new iron pin located in the Southern boundary of The City of Hendersonville Tract as described in deed recorded in Deed Book 1054, at Page 51, Henderson County Registry; thence, with the Southern boundary of same, North 58 degrees 00 minutes 05 seconds East 167.99 feet to a mag nail set;thence, North 57 degrees 59 minutes 41 seconds East 2.17 feet ***TO THE POINT AND PLACE OF BEGINNING*** and being 0.39 acre, more or less, as shown on a survey prepared by David C. Huntley, PLS, entitled Survey For Caporoma Properties, LLC, dated February 17, 2004, and being Drawing Number H-4843, reference to which is hereby made and incorporated herein.

AND BEING all of that property as described in deed recorded in Deed Book 1166, at Page 33, of the Henderson County Registry.



WARNING: THIS IS NOT A SURVEY

Parcel Information

REID:	100277	**Pin:**	9568978675
Listed to:	CAPOROMA PROPERTIES LLC	**Neighborhood:**	HENDERSONVILLE CITY
Mailing Address:	110 WILLIAMS ST	**Township:**	Hendersonville
Mailing City, State, Zip:	HENDERSONVILLE, NC 28792	**Municipality:**	HENDERSONVILLE
Physical Address:	110 WILLIAMS ST	**Tax District:**	
Deed:	001191/00124	**Plat:**	Not Available
Date Recorded:	2004-07-22 00:02:00.0	**Elementary School District:**	BRUCE DRYSDALE
Revenue Stamps:	0	**Middle School District:**	HENDERSONVILLE MIDDLE
County Zoning:	Cities	**High School District:**	HENDERSONVILLE HIGH
Property Description:	FIRST AVE EAST OFF	**Soil:**	
Map Sheet:	9568.08	**Voting Precinct:**	Hendersonville 2
Assessed Acreage:	0.41000000	**Commissioner District**	2
Building Value:	$399,000.00	**Agricultural District**	None Found
Land Value:	$77,700.00	**North Carolina House District**	117
Value To Be Billed:	$476,700.00	**U.S. House District**	11
North Carolina Senate District	48	**Flood Zone:**	Zone X, Not Shaded (Areas outside of the floodplain)

Henderson County
Geographic Information Systems (GIS)
200 North Grove Street
Hendersonville, NC 28792
P: (828) 698-5124
F: (828) 698-5122

THIS IS NOT A SURVEY.

All information or data provided, whether subscribed, purchased or otherwise distributed, whether in hard copy or digital media, shall be at the userâ€™s own risk. Henderson County makes no warranties or guarantees, including the warranties of merchantability or of fitness for a particular purpose. Map data is not appropriate for, and is not to be used as, a geodetic, legal, or engineering base system. The data is not intended as a substitute for surveyed locations such as can be determined by a registered Public Land Surveyor, and does not meet the minimum accuracy standards of a Land Information System/Geographic Information System Survey in North Carolina (21 NCAC 56.1608).

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Allison Justus **MEETING DATE:** November 7, 2024

AGENDA SECTION: PRESENTATIONS **DEPARTMENT:** Administration

TITLE OF ITEM: NCDOT Mobi Award for the Oklawaha Greenway – *John Connet, City Manager*

SUGGESTED MOTION(S):

N/A

SUMMARY: The City of Hendersonville has been honored with NCDOT Mobi ("Mobility") Awards for its Oklawaha Greenway Phase III project, recognizing the greenway's contribution to multimodal transportation and community connectivity.

The City of Hendersonville received the following awards from NCDOT:
First Place – Small Urban Category
First Place – Most Voted Project
Second Place – Innovation Category

Staff were unable to attend the Mobi Awards Ceremony in Raleigh on October 11th due to Helene recovery efforts, but NCDOT provided the awards to be presented during a City Council meeting. In addition to the project recognition, The City of Hendersonville Public Works team worked diligently to reopen the Oklawaha Greenway on Friday, October 4, to a community with a deep need for outdoor recreation opportunities, relaxation, and a return to some semblance of normalcy, following unprecedented storm impacts.

Award nomination information: Completed in July 2019, the Oklawaha Greenway Phase III project enhances the area's active transportation system by expanding the Oklawaha Greenway an additional 1.5 miles and completing a city-wide network that connects four parks in Hendersonville. The 10-foot-wide asphalt, multi-use path provides an inviting place for visitors to exercise in nature. The North Main Street sidewalk portion of the project creates a half-mile of sidewalk along a busy corridor where no walkway previously existed. A beautiful, 70-foot pedestrian bridge provides safe passage over Mud Creek and gives the Oklawaha Village direct greenway access.

Mobi award website: https://connect.ncdot.gov/events/Pages/mobi-awards.aspx
Oklawaha Greenway award video: https://vimeo.com/1014445209

BUDGET IMPACT: N/A

Is this expenditure approved in the current fiscal year budget? N/A

If so, describe how it will be funded. N/A

ATTACHMENTS:

None

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Lu Ann Welter **MEETING DATE:** November 7, 2024

AGENDA SECTION: Presentation Only **DEPARTMENT:** Human Resources

TITLE OF ITEM, Presenter Name, Title: Quarterly MVP Recipients – *John Connet, City Manager*

SUGGESTED MOTION(S): None

SUMMARY:

The Service Excellence Design Team voted these employees as the MVPs for the July through September 2024

BUDGET IMPACT: $

Is this expenditure approved in the current fiscal year budget? No

If no, describe how it will be funded.

PROJECT NUMBER: N/A **PETITION NUMBER:** N/A

ADDITIONAL PETITION NUMBER: N/A

PETITIONER NAME: N/A

ATTACHMENTS:

PowerPoint Presentation

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Tyler Morrow

MEETING DATE: November 7th 2024

AGENDA SECTION: Public Hearing

DEPARTMENT: Community Development

TITLE OF ITEM: Annexation: Public Hearing- Lakeside Drive (Summerville) (C24-52-ANX)– *Tyler Morrow, Current Planning Manager*

SUGGESTED MOTION(S):

For Approval:	**For Denial:**
I move City Council adopt an ordinance of the City of Hendersonville to extend the Corporate Limits of the City as a contiguous annexation, to annex that property owned by Peter and Rhonda Summerville, identified as PINs 9568-33-5111, and 9568-33-6042, finding that the standards established by North Carolina General Statute 160A-31 have been satisfied and that the annexation is in the best interest of the City.	I move that City Council deny the petition received from Peter and Rhonda Summerville, requesting the annexation of that property having PINs 9568-33-5111, and 9568-33-6042.

SUMMARY:

File # C24-52-ANX

The City of Hendersonville has received a petition from Peter and Rhonda Summerville for contiguous annexation of PINs 9568-33-5111, and 9568-33-6042 located on Lakeside Drive that is approximately 1.24 acres. Please refer to the attached maps for additional information.

On September 5th, 2024, City Council accepted the City Clerk's Certificate of Sufficiency for the petition submitted by Peter and Rhonda Summerville and set October 3rd 2024, as the date for the public hearing. The October 3rd City Council meeting was amended due to Hurricane Helene. No votes or public hearings were held at that meeting. The public hearing will be held on November 7th 2024 and was noticed in accordance with state law.

PROJECT/PETITIONER NUMBER:	• C24-52-ANX
PETITIONER NAME:	• Peter and Rhonda Summerville

ATTACHMENTS:	1. Ordinance 2. Signed Certificate of Sufficiency 3. Signed Resolution setting public hearing 4. Annexation Plat 5. Typed legal description 6. GIS map 7. Deed 8. Annexation Application

Ordinance #___-____

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO EXTEND THE CORPORATE LIMITS OF THE CITY AS A CONTIGUOUS ANNEXATION

IN RE: Petition for Contiguous Annexation
Petitioner: Peter and Rhonda Summerville
File No. C24-52-ANX

WHEREAS, The City of Hendersonville has been petitioned by Peter and Rhonda Summerville, pursuant to North Carolina General Statutes (NCGS) 160A-31, as amended, to annex the area described herein below; and

WHEREAS, the City Clerk has investigated and certified the sufficiency of said petition; and,

WHEREAS, a public hearing on the question of this annexation was held at 160 6th Ave E (City Hall), Hendersonville, NC at 5:45 pm, on the 7th day of November 2024, after due notice by publication as provided by law on October 27th, 2024; and

WHEREAS, the City Council further finds the areas described therein meets the standards of N.C. G.S. 160A-31.

WHEREAS, the City further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the City further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina that:

1: By virtue of the authority granted by N.C.G.S. 160A-31, as amended, the following described contiguous area is hereby annexed and made part of the City of Hendersonville as of the 7th day of November 2024.

Being all of that real property consisting of PINs 9568-33-5111, and 9568-33-6042 described in the plat recorded in Book 2024- ____ [to be inserted at recording of the plat] of the Henderson County Registry, said PINs 9568-33-5111, and 9568-33-6042 being described by metes and bounds as follows:

Being all those pieces, parcels, or tracts of land situate in Henderson County, North Carolina, and being all of Lots 1R & 2R, "Lot Line Adjustment Peter & Rhonda Summerville" of the plat thereof as recorded as Plat Slide 15681, Register of Deeds of Henderson County (RODHC), North Carolina, and being more particularly described as follows:

Beginning at a new iron pin at the northeast corner of the lands now or formerly of Mary Willson as conveyed in Deed Book 706, Page 307 RODHC and show on aforesaid plat and the western right of way line of Lakeside Drive (SR 1144); thence with the lands of Mary Wilson the following three (3) courses to wit: (1) North 82°44'53" West for 42.04 feet to a found iron pin; (2) North 88°54'11" West for 68.57 feet to a point in a creek, passing a new iron pin at 62.62 feet; (3) South 27°59'10" West for 60.74 feet to a point in a creek on the northeastern line of the lands now or formerly of Meredith & Trevor Calhoun as conveyed in Deed Book 1542, Page 387, RODHC; thence with the lands of Meredith and Trevor Calhoun the following two (2) course to wit: (1) North 54°04'16" West for 69.97 feet to a found iron pin; (2) North 54°54'02" West for 161.25 feet to a found iron pipe at the southwest corner of the land now or formerly of Stephanie Whiteside as conveyed in Deed Book 1337, Page 722, RODHC; thence with the lands of Stephie Whiteside the following two (2) courses to wit: (1) North 17°09'26" East for 191.15 feet to a found iron pin with cap; (2) North 85°19'43" East for 27.74 feet to a point in a creek and southwestern line of the lands now of formerly of Robin Staton as conveying Deed Book 531, Page 411 RODHC; thence with the lands of Robin Staton the following five (5) courses to wit: (1) South 45°46'29" East for 33.32 feet to appoint in the creek; (2) South 25°10'20" East for 42.08 feet to a point in the creek; (3) South 45°16'58" East for 45.16 feet to a point in the creek; (4) South 69°36'16" East for 29.30 feet to a point in the creek; (5) South 67°21'32" East for 18.80 feet to a point in the creek and on the southwestern line of the lands now or formerly of Francis & Reid as conveyed in Book of Record 3254, Page 378, RODHC; thence with the lands of Francis & Reid the following four (4) course to wit: (1) South 38°18'11" East for 11.12 feet to a point in the creek; (2) South 18°11'22" West for 11.31 feet to a point in the creek; (3) leaving the creek South 10°22'13" West for 22.20 feet to a found iron pin; (4) South 86°29'46" East for 128.17 feet to a found iron pipe on the western right of way line of Lakeside Drive; thence with the western right of way line of Lakeside Drive the following two (2) course to wit: (1) South 06°06'38" West for 20.04 feet to a set iron pin; (2) South 05°43'52" West for 94.69 feet to a the Point of Beginning, containing 1.24 acres, more or less.

2: Upon and after the 7th day of November 2024, the above-described territory, and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Hendersonville and shall be entitled to the same privileges and benefits as other parts of the City

of Hendersonville. Said territory shall be subject to municipal taxes according to NCGS 160A-58.10, as amended.

3. The Mayor of the City of Hendersonville shall cause to be recorded in the office of the Register of Deeds of Henderson County and at the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1, above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Henderson County Board of Elections, as required by G. S. 163-288.1.

Adopted by the City Council of the City of Hendersonville, North Carolina on this ____ day of _____ 20___.

Attest: _____
Barbara G. Volk, Mayor, City of Hendersonville

_____
Jill Murray, City Clerk

Approved as to form:

_____
Angela S. Beeker, City Attorney

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

I, _____, a Notary Public in Henderson County, State of North Carolina, do hereby certify that Barbara G. Volk in her capacity of Mayor of the City of Hendersonville, and Jill Murray, in her capacity of City Clerk personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this _____ day of _____, 2024.

My commission expires: _____

CERTIFICATE OF SUFFICIENCY

Re: Petition for Contiguous Annexation
Petitioner: Peter and Rhonda Summerville
File No. C24-52-ANX

To the Honorable Mayor and members of the City Council of Hendersonville, North Carolina:
I, Jill Murray, City Clerk, being first duly sworn, hereby certify that:

1. A petition has been received for contiguous annexation of property consisting of +/- 1.24 acres located on Lakeside Drive in Hendersonville, NC, being tax parcels PINs 9568-33-5111, and 9568-33-6042 and being more particularly described on Exhibit A, attached hereto and incorporated by reference, hereinafter "Petition."

2. An investigation has been completed as required by N.C.G.S. § 160A-31 of the Petition for compliance with the requirements of N.C.G.S. § 160A-31.

Based upon this investigation, I find that

1. The Petition includes the names and addresses and signatures of all owners of real property lying in the area described therein.
2. The Petition was prepared in substantially the form prescribed by 160A-31(b).
3. The area described in the petition is contiguous to the City of Hendersonville's primary corporate limits, as defined by N.C.G.S. 160A-31(f).
4. The area for annexation meets all other requirements defined in NC 160A-31 regarding the character of the area to be annexed.

Having made the findings stated above, I hereby certify the Petition appears to be valid.

In witness hereof, I have set my hand and the City Seal on this the 6th day of September, 2024.

(City Seal)

Jill Murray, City Clerk

EXHIBIT A
LEGAL DESCRIPTION

Being all of that real property consisting of PINs 9568-33-5111, and 9568-33-6042 described in the plat recorded in Book 2024- ____ [to be inserted at recording of the plat] of the Henderson County Registry, said PINs 9568-33-5111, and 9568-33-6042 being described by metes and bounds as follows:

Being all those pieces, parcels, or tracts of land situate in Henderson County, North Carolina, and being all of Lots 1R & 2R, "Lot Line Adjustment Peter & Rhonda Summerville" of the plat thereof as recorded as Plat Slide 15681, Register of Deeds of Henderson County (RODHC), North Carolina, and being more particularly described as follows:

Beginning at a new iron pin at the northeast corner of the lands now or formerly of Mary Willson as conveyed in Deed Book 706, Page 307 RODHC and show on aforesaid plat and the western right of way line of Lakeside Drive (SR 1144); thence with the lands of Mary Wilson the following three (3) courses to wit: (1) North 82°44'53" West for 42.04 feet to a found iron pin; (2) North 88°54'11" West for 68.57 feet to a point in a creek, passing a new iron pin at 62.62 feet; (3) South 27°59'10" West for 60.74 feet to a point in a creek on the northeastern line of the lands now or formerly of Meredith & Trevor Calhoun as conveyed in Deed Book 1542, Page 387, RODHC; thence with the lands of Meredith and Trevor Calhoun the following two (2) course to wit: (1) North 54°04'16" West for 69.97 feet to a found iron pin; (2) North 54°54'02" West for 161.25 feet to a found iron pipe at the southwest corner of the land now or formerly of Stephanie Whiteside as conveyed in Deed Book 1337, Page 722, RODHC; thence with the lands of Stephie Whiteside the following two (2) courses to wit: (1) North 17°09'26" East for 191.15 feet to a found iron pin with cap; (2) North 85°19'43" East for 27.74 feet to a point in a creek and southwestern line of the lands now of formerly of Robin Staton as conveying Deed Book 531, Page 411 RODHC; thence with the lands of Robin Staton the following five (5) courses to wit: (1) South 45°46'29" East for 33.32 feet to appoint in the creek; (2) South 25°10'20" East for 42.08 feet to a point in the creek; (3) South 45°16'58" East for 45.16 feet to a point in the creek; (4) South 69°36'16" East for 29.30 feet to a point in the creek; (5) South 67°21'32" East for 18.80 feet to a point in the creek and on the southwestern line of the lands now or formerly of Francis & Reid as conveyed in Book of Record 3254, Page 378, RODHC; thence with the lands of Francis & Reid the following four (4) course to wit: (1) South 38°18'11" East for 11.12 feet to a point in the creek; (2) South 18°11'22" West for 11.31 feet to a point in the creek; (3) leaving the creek South 10°22'13" West for 22.20 feet to a found iron pin; (4) South 86°29'46" East for 128.17 feet to a found iron pipe on the western right of way line of Lakeside Drive; thence with the western right of way line of Lakeside Drive the following two (2) course to wit: (1) South 06°06'38" West for 20.04 feet to a set iron pin; (2) South 05°43'52" West for 94.69 feet to a the Point of Beginning, containing 1.24 acres, more or less.

Resolution #R-24-74

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Hendersonville, North Carolina that:

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held at the City Operations Center located at 305 William St. Hendersonville NC, 28792 at 5:45 p.m. October 3rd, 2024, or as soon thereafter as it may be heard.

Section 2. The area proposed for annexation is described as follows:

Being all of that real property consisting of PINs 9568-33-5111 and 9568-33-6042 described in the plat recorded in Book 2024- ____ [to be inserted at recording of the plat] of the Henderson County Registry, said PINs 9568-33-5111 and 9568-33-6042 being described by metes and bounds as follows:

Being all those pieces, parcels, or tracts of land situate in Henderson County, North Carolina, and being all of Lots 1R & 2R, "Lot Line Adjustment Peter & Rhonda Summerville" of the plat thereof as recorded as Plat Slide 15681, Register of Deeds of Henderson County (RODHC), North Carolina, and being more particularly described as follows:

Beginning at a new iron pin at the northeast corner of the lands now or formerly of Mary Willson as conveyed in Deed Book 706, Page 307 RODHC and show on aforesaid plat and the western right of way line of Lakeside Drive (SR 1144); thence with the lands of Mary Wilson the following three (3) courses to wit: (1) North 82°44'53" West for 42.04 feet to a found iron pin; (2) North 88°54'11" West for 68.57 feet to a point in a creek, passing a new iron pin at 62.62 feet; (3) South 27°59'10" West for 60.74 feet to a point in a creek on the northeastern line of the lands now or formerly of Meredith & Trevor Calhoun as conveyed in Deed Book 1542, Page 387, RODHC; thence with the lands of Meredith and Trevor Calhoun the following two (2) course to wit: (1) North 54°04'16" West for 69.97 feet to a found iron pin; (2) North 54°54'02" West for 161.25 feet to a found iron pipe at the southwest corner of the land now or formerly of Stephanie Whiteside as conveyed in Deed Book 1337, Page 722, RODHC; thence with the lands of Stephie Whiteside the following two (2) courses to wit: (1) North 17°09'26" East for 191.15 feet to a found iron pin with cap; (2) North 85°19'43" East for 27.74 feet to a point in a creek and southwestern line of the lands now of formerly of Robin Staton as conveying Deed Book 531, Page 411 RODHC; thence with the lands of Robin Staton the following five (5) courses to wit: (1) South 45°46'29" East for 33.32 feet to appoint in the creek; (2) South 25°10'20" East for 42.08 feet to a point in the creek; (3) South

45°16'58" East for 45.16 feet to a point in the creek; (4) South 69°36'16" East for 29.30 feet to a point in the creek; (5) South 67°21'32" East for 18.80 feet to a point in the creek and on the southwestern line of the lands now or formerly of Francis & Reid as conveyed in Book of Record 3254, Page 378, RODHC; thence with the lands of Francis & Reid the following four (4) course to wit: (1) South 38°18'11" East for 11.12 feet to a point in the creek; (2) South 18°11'22" West for 11.31 feet to a point in the creek; (3) leaving the creek South 10°22'13" West for 22.20 feet to a found iron pin; (4) South 86°29'46" East for 128.17 feet to a found iron pipe on the western right of way line of Lakeside Drive; thence with the western right of way line of Lakeside Drive the following two (2) course to wit: (1) South 06°06'38" West for 20.04 feet to a set iron pin; (2) South 05°43'52" West for 94.69 feet to a the Point of Beginning, containing 1.24 acres, more or less.

Re: Petition for Contiguous Annexation
Petitioner: Peter and Rhonda Summerville
File No. C24-52-ANX

Section 3. Notice of the public hearing shall be published once in The Hendersonville Times-News, a newspaper having general circulation in the City of Hendersonville, at least 10 days prior to the date of the public hearing.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of September, 2024.

Barbara G. Volk

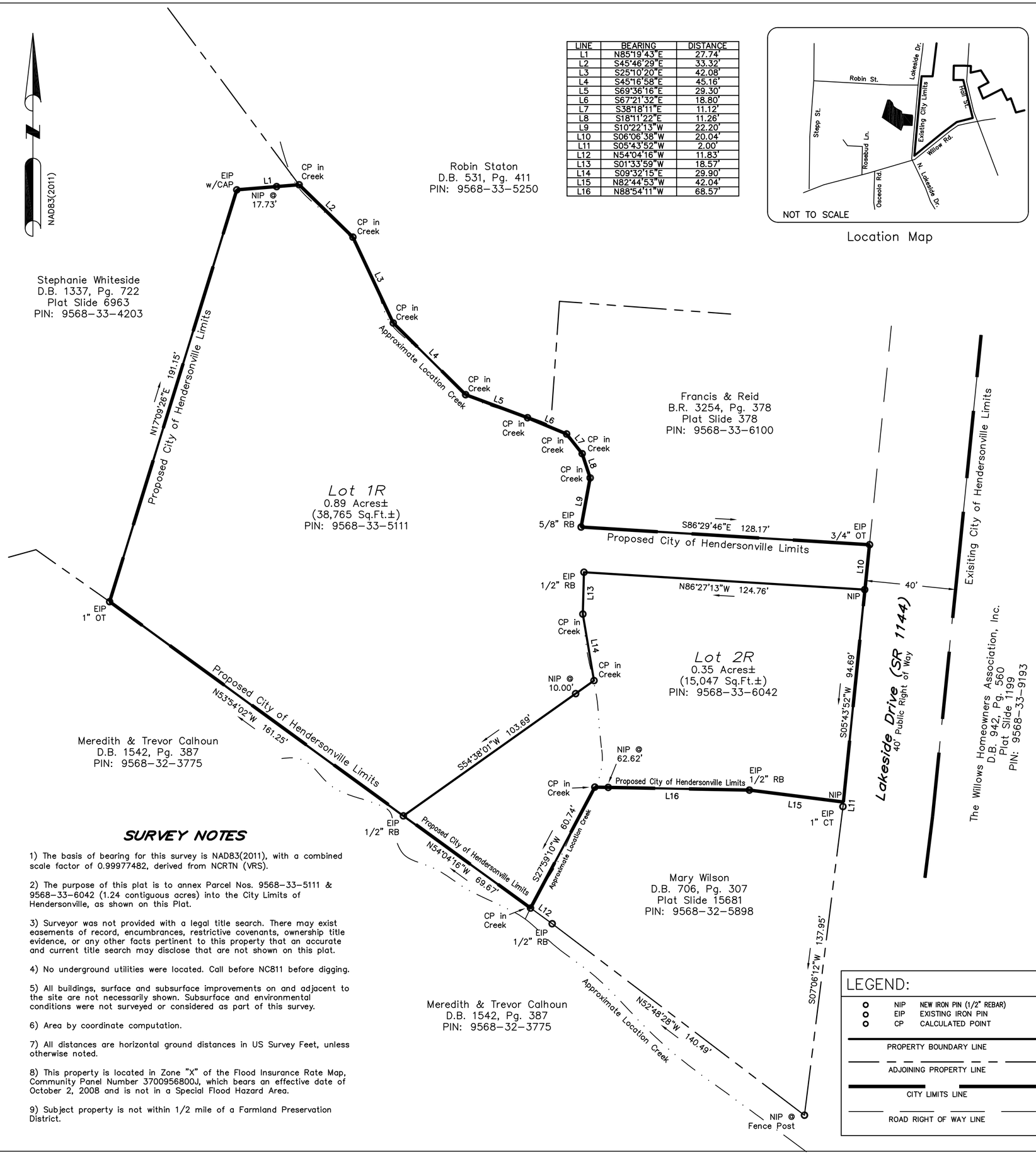
Attest: Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney



LINE	BEARING	DISTANCE
L1	N85°19'43"E	27.74'
L2	S45°46'29"E	33.32'
L3	S25°10'20"E	42.08'
L4	S45°16'58"E	45.16'
L5	S69°36'16"E	29.30'
L6	S67°21'32"E	18.80'
L7	S38°18'11"E	11.12'
L8	S18°11'22"E	11.26'
L9	S10°22'13"W	22.20'
L10	S06°06'38"W	20.04'
L11	S05°43'52"W	2.00'
L12	N54°04'16"W	11.83'
L13	S01°33'59"W	18.57'
L14	S09°32'15"E	29.90'
L15	N82°44'53"W	42.04'
L16	N88°54'11"W	68.57'

Location Map

SURVEY NOTES

1) The basis of bearing for this survey is NAD83(2011), with a combined scale factor of 0.99977482, derived from NCRTN (VRS).

2) The purpose of this plat is to annex Parcel Nos. 9568-33-5111 & 9568-33-6042 (1.24 contiguous acres) into the City Limits of Hendersonville, as shown on this Plat.

3) Surveyor was not provided with a legal title search. There may exist easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts pertinent to this property that an accurate and current title search may disclose that are not shown on this plat.

4) No underground utilities were located. Call before NC811 before digging.

5) All buildings, surface and subsurface improvements on and adjacent to the site are not necessarily shown. Subsurface and environmental conditions were not surveyed or considered as part of this survey.

6) Area by coordinate computation.

7) All distances are horizontal ground distances in US Survey Feet, unless otherwise noted.

8) This property is located in Zone "X" of the Flood Insurance Rate Map, Community Panel Number 3700956800J, which bears an effective date of October 2, 2008 and is not in a Special Flood Hazard Area.

9) Subject property is not within 1/2 mile of a Farmland Preservation District.

LEGEND:

o	NIP	NEW IRON PIN (1/2" REBAR)
o	EIP	EXISTING IRON PIN
o	CP	CALCULATED POINT

PROPERTY BOUNDARY LINE

ADJOINING PROPERTY LINE

CITY LIMITS LINE

ROAD RIGHT OF WAY LINE

I, Fulton V. Clinkscales, Jr., certify that this plat was drawn under my supervision from an actual survey made under my supervision (Deed description recorded in Book 3237, page 1, etc.) that the boundaries not surveyed are clearly indicated as drawn from information found in Book _____, Page _____; that the ratio of precision as calculated is 1:10,000; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this 19th day of April, 2024, A.D.

G.S. 47-30(f)(11)(c)(1) This survey is of an existing parcel or parcels of land or one or more existing easements and does not create a new street or change an existing street.

Fulton V. Clinkscales, Jr.
L-2614

NORTH CAROLINA PROFESSIONAL SEAL L2614 LAND SURVEYOR FULTON V. CLINKSCALES, Jr.

This plat represents the area being annexed to the City of Hendersonville, NC pursuant to NCGS 160A-31, by Ordinance duly adopted (Annexation Ordinance _____).

This the _____ day of _____, _____

_____ _____
Jill Murray, City Clerk Date

State of North Carolina
Henderson County

I, _____, Review Officer of Henderson County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

_____ _____
Review Officer Date

ANNEXATION PLAT FOR THE

City of Hendersonville

Tax Parcels: 9568-33-5111 & 9568-33-6042

Peter & Rhonda Summerville

(Owners)
352 Lakeside Drive
Hendersonville Township
Henderson County
State of North Carolina
Lots 1 & 2, Heirs of Carroll D. Halford

0 30 60

SCALE 1" = 30'

FREELAND - CLINKSCALES & ASSOCIATES, INC. of NC
Engineers * Land Surveyors
201 2nd AVE. EAST
HENDERSONVILLE, N.C. 28792
(828) 697-6539
info@fcaofnc.com

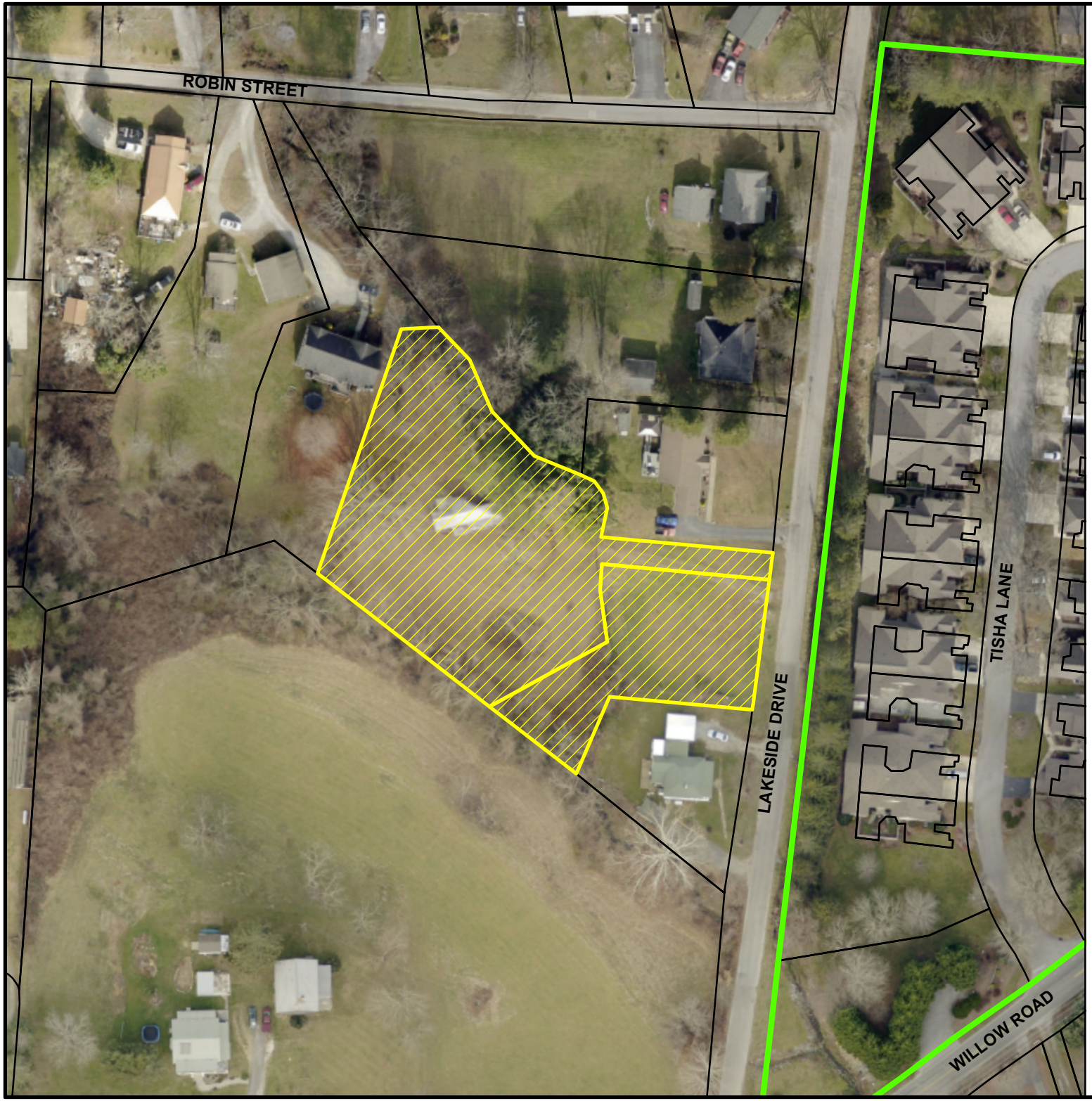
REF. PLAT CAB.	15681
REF. DEED BOOK	3237/1
TAX MAP	Various
PARTY CHIEF	TEC
DRAWN	TEC
DATE	July 17, 2024
DWG.NO.	H44108(ann

RLS: F. V. CLINKSCALES JR., P.E.
NO: L-2614 Firm No. C-1562

325 Lakeside Drive Annexation Description

Being all those pieces, parcels, or tracts of land situate in Henderson County, North Carolina, and being all of Lots 1R & 2R, “Lot Line Adjustment Peter & Rhonda Summerville” of the plat thereof as recorded as Plat Slide 15681, Register of Deeds of Henderson County (RODHC), North Carolina, and being more particularly described as follows:

Beginning at a new iron pin at the northeast corner of the lands now or formerly of Mary Willson as conveyed in Deed Book 706, Page 307 RODHC and show on aforesaid plat and the western right of way line of Lakeside Drive (SR 1144); thence with the lands of Mary Wilson the following three (3) courses to wit: (1) North 82°44’53” West for 42.04 feet to a found iron pin; (2) North 88°54’11” West for 68.57 feet to a point in a creek, passing a new iron pin at 62.62 feet; (3) South 27°59’10” West for 60.74 feet to a point in a creek on the northeastern line of the lands now or formerly of Meredith & Trevor Calhoun as conveyed in Deed Book 1542, Page 387, RODHC; thence with the lands of Meredith and Trevor Calhoun the following two (2) course to wit: (1) North 54°04’16” West for 69.97 feet to a found iron pin; (2) North 54°54’02” West for 161.25 feet to a found iron pipe at the southwest corner of the land now or formerly of Stephanie Whiteside as conveyed in Deed Book 1337, Page 722, RODHC; thence with the lands of Stephie Whiteside the following two (2) courses to wit: (1) North 17°09’26” East for 191.15 feet to a found iron pin with cap; (2) North 85°19’43” East for 27.74 feet to a point in a creek and southwestern line of the lands now of formerly of Robin Staton as conveying Deed Book 531, Page 411 RODHC; thence with the lands of Robin Staton the following five (5) courses to wit: (1) South 45°46’29” East for 33.32 feet to appoint in the creek; (2) South 25°10’20” East for 42.08 feet to a point in the creek; (3) South 45°16’58” East for 45.16 feet to a point in the creek; (4) South 69°36’16” East for 29.30 feet to a point in the creek; (5) South 67°21’32” East for 18.80 feet to a point in the creek and on the southwestern line of the lands now or formerly of Francis & Reid as conveyed in Book of Record 3254, Page 378, RODHC; thence with the lands of Francis & Reid the following four (4) course to wit: (1) South 38°18’11” East for 11.12 feet to a point in the creek; (2) South 18°11’22” West for 11.31 feet to a point in the creek; (3) leaving the creek South 10°22’13” West for 22.20 feet to a found iron pin; (4) South 86°29’46” East for 128.17 feet to a found iron pipe on the western right of way line of Lakeside Drive; thence with the western right of way line of Lakeside Drive the following two (2) course to wit: (1) South 06°06’38” West for 20.04 feet to a set iron pin; (2) South 05°43’52” West for 94.69 feet to a the Point of Beginning, containing 1.24 acres, more or less.



0 40 80 160
Feet

N
E
S

City of Hendersonville
August 2024

325 Lakeside Drive

C24-52-ANX

PINs: 9568-33-5111, and -6042

Acreage: 1.24

Contiguous Annexation Map

Subject Property

Hendersonville City Limits

THE CITY OF HENDERSONVILLE · N.C. · 1847

BOOK 3237 PAGE 1 (8)

889178

This document presented and filed:
08/17/2018 12:43:16 PM

W B

WILLIAM LEE KING, Henderson COUNTY, NC
Transfer Tax: $5.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: $ 5.00

Parcel Identifier No. **105113; 105107 & 105109 - To be combined & divided into TWO Tracts**
By: _____

Mail/Box to: C. Page Collie – 1645 Asheville Highway, Hendersonville, NC 28791

This instrument was prepared by: C. Page Collie (Deed Preparation Only – No Title Search Performed)

Brief description for the Index: Tract I - 0.90 acres +/- & Tract II - 1,5054 Sq. Ft. - both on Plat Slide 11277

THIS DEED made this 17th day of August, 2018, by and between

GRANTOR	GRANTEE
RHONDA H. SUMMERVILLE and husband, PETER SUMMERVILLE & ROXANNE H. GLOVER and husband, MARVIN GLOVER & KELSI R. McMURRAY, unmarried & ASHLEY N. HOFER, unmarried & LINDSEY R. HOFER, unmarried	**RHONDA H. SUMMERVILLE and husband, PETER SUMMERVILLE**
Address: 310 Alabama Avenue Hendersonville, NC 28739	**Address: 310 Alabama Avenue Hendersonville, NC 28739**

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 Hendersonville Township, Henderson County, North Carolina and more particularly described as follows:

TRACT I

BEING all of that 0.90 acres +/- shown as Lot 1 on the Plat of Survey recorded in Book 2018 at Page 11277, Henderson County Registry, which was prepared by Hill and Associates Surveyors, P.A. on June 14, 2018 as Drawing 2018045 and is entitled "Plat of Survey for The Heirs of Carroll D. Halford".

TOGETHER WITH and SUBJECT TO easements, rights of way and all other such matters as shown on the above-referenced plat and further of record in the Henderson County Registry.

TRACT II

BEING all of that 15054 Sq. Ft. +/- shown as Lot 2 on the Plat of Survey recorded in Book 2018 at Page 11277, Henderson County Registry, which was prepared by Hill and Associates Surveyors, P.A. on June 14, 2018 as Drawing 2018045 and is entitled "Plat of Survey for The Heirs of Carroll D. Halford".

There is an additional 455 Sq. Ft. +/- area shown on the above referenced Plat as "Area of Possession Overlap". As to this 455 Sq. Ft. +/- area the below named Grantors Quitclaim any ownership interest they may have, but they do not offer any Warranties of Ownership.

TOGETHER WITH and SUBJECT TO easements, rights of way and all other such matters as shown on the above-referenced plat and further of record in the Henderson County Registry.

The above two tracts being a recombination of those parcels originally acquired by David Pressley Halford and wife Vauda Ann Halford by those deeds recorded on June 21, 1963 in Book 413 at Page 73; on July 2, 1964 in Book 422 at Page 479; and on December 2, 1976 in Book 548 at Page 381, all of the Henderson County Registry.

Vauda Ann Halford acquired sole title to the above described property by operation of law upon the passing of David Pressley Halford on September 17, 1979 in Henderson County, North Carolina.

Vauda Ann Halford passed on November 24, 2001 in Henderson County, North Carolina and pursuant to the terms of her Last Will and Testament, as the same was probated in the Henderson County Clerk

of Court's Office as File 1 E 795, left the above described property to Carrol D. Halford.

Carrol D. Halford passed on May 23, 2016 and his estate was probated in the Henderson County Clerk of Court's Office as File 16 E 690. Pursuant to the terms of his Last Will and Testament, the above described property was left to Rhonda H. Summerville, Roxanne H. Glover, Kelsi R. McMurray, Ashley N. Hofer and Lindsey R. Hofer.

IT IS THE INTENTION OF THE PARTIES HERETO THAT THE EXISTING TAX REID'S 105113; 105107 & 105109 BE RECOMBINED AND THEN SPLIT INTO TWO SEPARATE TRACTS AS SHOWN ON THE ABOVE REFERENCE PLAT.

The property being transferred by this Deed does not include the primary residence of any of the Grantors. (Per N.C.G.S. §105-317.2).

The property hereinabove described was acquired by Grantor by instrument recorded in Book **413** at Page **73,** Book **422** at Page **479,** and Book **548** at Page **381**, all in the Henderson County, North Carolina Register of Deeds Office.

A map showing the above described property is recorded in Plat Book **2018** at Page **11277**, Henderson County, North Carolina Register of Deeds Office.

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.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

Henderson County ad valorem taxes for 2018, and subsequent years, which are a lien, but not yet due and payable, easements, rights of way and restrictions of record.

THE REMAINING PORTION OF THIS PAGE LEFT BLANK INTENTIONALLY

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

Rhonda H. Summerville (SEAL)
RHONDA H. SUMMERVILLE

Peter Summerville (SEAL)
PETER SUMMERVILLE

SEAL-STAMP

C. PAGE COLLIE NOTARY PUBLIC HENDERSON COUNTY, NC

State of North Carolina – County of Henderson

I, C. Page Collie, the undersigned Notary Public of the County and State aforesaid, certify that **RHONDA H. SUMMERVILLE and husband, PETER SUMMERVILLE**, Grantors, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 23rd day of July, 2018.

My Commission Expires:
05/06/2022

C. Page Collie, Notary Public

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

Roxanne H. Glover (SEAL)
ROXANNE H. GLOVER

Marvin Glover (SEAL)
MARVIN GLOVER

SEAL-STAMP

State of South Carolina – County of Charleston

I, DEIRDRE K NELSON the undersigned Notary Public of the County and State aforesaid, certify that **ROXANNE H. GLOVER and husband, MARVIN GLOVER**, Grantors, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 31 day of July, 2018.

My Commission Expires:
MY COMMISSION EXPIRES JUNE 22,2026

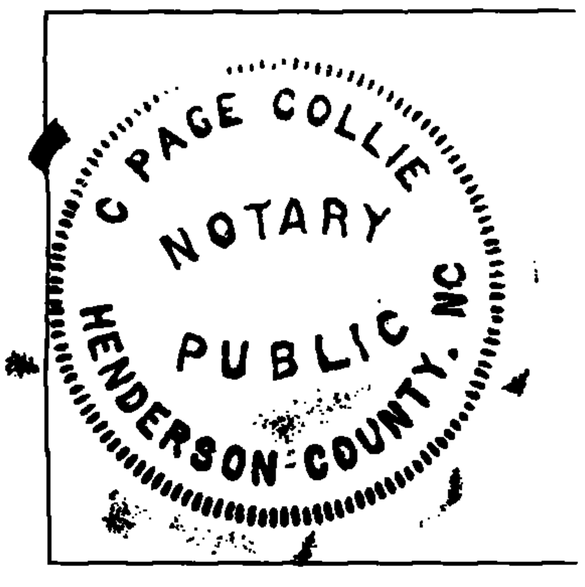
Deirdre K Nelson, Notary Public

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

Kelsi R. McMurray (SEAL)
KELSI R. McMURRAY

SEAL-STAMP

State of North Carolina – County of Henderson



I, C. Page Collie, the undersigned Notary Public of the County and State aforesaid, certify that **KELSI R. McMURRAY**, Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 23rd day of July, 2018.

My Commission Expires:
05/06/2022

C. Page Collie, Notary Public

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

_____(SEAL)
ASHLEY N. HOFER

SEAL-STAMP

State of ~~Tennessee~~ North Caroline – County of Buncombe

TINA H. WATSON
Notary Public, North Carolina
Buncombe County
My Commission Expires
June 28, 2020

I, Tina H. Watson, the undersigned Notary Public of the County and State aforesaid, certify that **ASHLEY N. HOFER**, Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 2 day of August, 2018.

My Commission Expires:
June 28, 2020

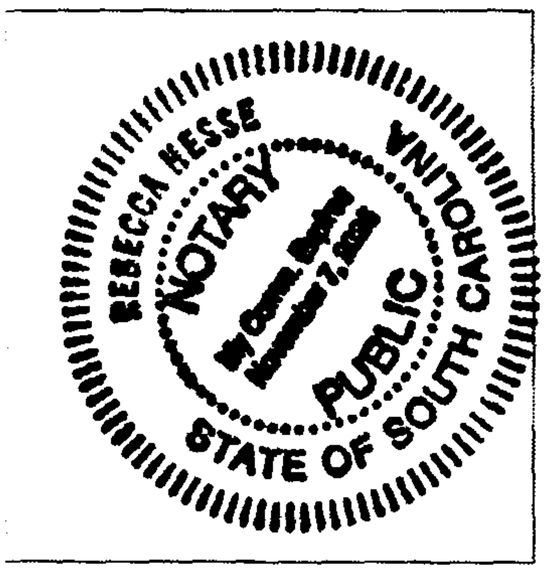
_____, Notary Public

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

Lindsey Hofer (SEAL)
LINDSEY R. HOFER

SEAL-STAMP

State of South Carolina – County of Charleston



I, Lindsey Hofer, the undersigned Notary Public of the County and State aforesaid, certify that **LINDSEY R. HOFER**, Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 8th day of August, 2018.

My Commission Expires:
November 7 2026

Rebecca Hesse, Notary Public

CITY OF HENDERSONVILLE
COMMUNITY DEVELOPMENT DEPARTMENT
100 N. King Street, Hendersonville, NC 28792
Phone (828) 697-3010|Fax (828) 698-6185
www.hendersonvillenc.gov

Petition Requesting Annexation

The following are the **required** submittals for a complete application for a Voluntary Annexation. Staff will not review applications until each item has been submitted and determined complete. By placing a check mark by each of the following items, you are certifying that you have performed that task.

- ☐ 1. Completed Application Form
- ☐ 2. A copy of the deed indicating ownership of the property.
- ☐ 3. A Survey Plat of the property prepared by a registered surveyor licensed to practice in the state of North Carolina.
- ☐ 4. A typed boundary description of the property.

A. Property Information

PIN(s): 9568-33-6042 & 9568-33-5111

Address(es) / Location of Property: 325 Lakeside Drive, Hendersonville, NC 28739

Does this property adjoin the present City Limits? X **Yes** ___ **No**

Is the property within the ETJ? X **Yes** ___ **No**

Reason for Annexation:

Would like to tie into City Sanitary Sewer

Office Use:
Date Received: _____ **By:** _____ **Fee Received? Y/N**

B. Property Owner Contact Information

Peter Summerville — 8-22-24

* Printed Applicant Name — Date

Printed Company Name (if applicable)

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership

☐ Other: _____

Property Owner Signature

Property Owner Title (if applicable)

310 Alabama Avenue

Address of Property Owner

Hendersonville, NC 28739

City, State, and Zip Code

828-674-9414

Telephone

summervilleconstruction1@yahoo.com

Email

C. Additional Property Owner Contact Information

Rhonda Summerville — 8/22/24

* Printed Applicant Name — Date

Printed Company Name (if applicable)

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership

☐ Other:

Rhonda L. Summerville

Property Owner Signature

Property Owner Title (if applicable)

310 Alabama Avenue

Address of Property Owner

Hendersonville, NC 28739

City, State, and Zip Code

828-674-9414

Telephone

summervilleconstruction1@yahoo.com

Email

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY
PLANNING DIVISION

SUBMITTER:	Matthew Manley	**MEETING DATE:**	November 7, 2024
AGENDA SECTION:	Public Hearing	**DEPARTMENT:**	Community Development

TITLE OF ITEM: Rezoning: Standard Rezoning – 7th Ave (Chariff) | P24-58-RZO – *Matthew Manley, Long-Range Planning Manager*

SUGGESTED MOTION(S):

For Recommending Approval:
I move City Council **adopt** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINs: 9568-89-7788, 9568-89-7766, 9568-89-8708, 9568-89-7871, 9568-89-7873, 9568-89-7865, 9568-89-7940, 9568-89-6855, 9568-89-6891) from C-2 Secondary Business, to CMU, Central Mixed Use, based on the following:

1. The petition is found to be consistent with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and because:

The proposed zoning of Central Mixed Use (CMU) aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for 'Downtown'.

2. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

1. CMU zoning would be extended to align with adjacent zoning.
2. The permitted uses and development standards of the CMU zoning aligns with the existing character of the subject properties.
3. CMU standards will allow for new infill development designed to complement the surrounding 7th Ave area in a way that C-2 zoning will not.

[DISCUSS & VOTE]

For Recommending Denial:
I move City Council **deny** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINs: 9568-89-7788, 9568-89-7766, 9568-89-8708, 9568-89-7871, 9568-89-7873, 9568-89-7865, 9568-89-7940, 9568-89-6855, 9568-89-6891) from C-2 Secondary Business, to CMU, Central Mixed Use, based on the following:

1. The petition is found to be consistent with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and because:

The proposed zoning of Central Mixed Use (CMU) aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for 'Downtown'.

2. We do not find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

1. CMU zoning is out of character with the surrounding area

[DISCUSS & VOTE]

SUMMARY: *The City of Hendersonville is in receipt of a Zoning Map Amendment application from Lyle Chariff of 407 NC Holdings, LLC (owner) for 9 parcels (PINs listed on left) totaling .77 Acres located along 7th Ave at Locust St, Maple St and Track St in/adjacent to the 7th Ave Depot National Register Historic District. The properties are currently zoned C-2 Secondary Business. The petitioner is requesting that the full city block be rezoned to CMU to align with other properties in the 7th Ave Depot Historic District.*

Development/redevelopment under the C-2 zoning is restricted by a 15'/20' front setback and a minimum lot width at the building line of 50'. The CMU zoning offers greater flexibility with a 12' front setback measured from the back of the curb rather than from the property line and no minimum lot width. CMU zoning also offers standards related to site development and design considerations which the C-2 zoning district does not contain.

If rezoned, there will not be a binding site plan, list of uses or conditions placed on the site. All permitted uses within the CMU district would be allowed on the site in accordance with the development standards. The City of Hendersonville Zoning Ordinance states that, during a standard rezoning process, an applicant is prohibited from discussing the specific manner in which they intend to develop or use a site.

Planning Board voted unanimously to recommend approval of the rezoning at their meeting on September 12th.

PROJECT/PETITIONER NUMBER:	P24-58-RZO
PETITIONER NAME:	o Lyle Chariff, 407 NC Holdings, LLC [Applicant/Owner]
ATTACHMENTS:	1. Staff Report 2. Planning Board Summary 3. District Comparison 4. Comprehensive Plan Consistency & Criteria Evaluation Worksheet 5. Draft Ordinance 6. Zoning Map Amendment Application 7. Proposed Zoning Map

STANDARD REZONING: 7th AVE C-2 to CMU - LYLE CHARIFF (P24-58-RZO)
CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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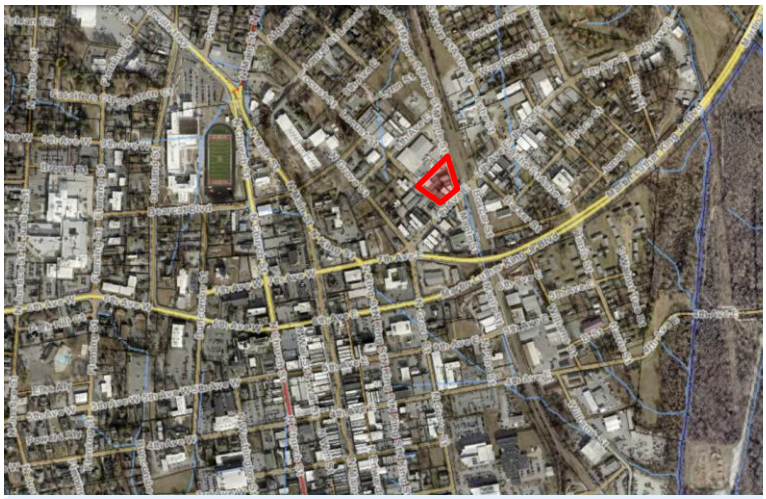
PROJECT SUMMARY

- Project Name & Case #:
  - 7th Ave C-2 to CMU (Lyle Chariff)
  - P24-58-RZO
- Applicant & Property Owner:
  - Lyle Chariff, 407 NC Holdings, LLC [Applicant / Owner]
- Property Address:
  - 407, 409, 411, 417 7th Ave
  - 709, 711, 713, 719 Maple St
  - 730 Locust St
- Project Acreage:
  - .77 Acres
- Parcel Identification (PINS):
  - 9568-89-7788
  - 9568-89-7766
  - 9568-89-8708
  - 9568-89-7871
  - 9568-89-7873
  - 9568-89-7865
  - 9568-89-7940
  - 9568-89-6855
  - 9568-89-6891
- Current Parcel Zoning:
  - C-2 Secondary Business
- Proposed Zoning District:
  - CMU - Central Mixed Use
- Future Land Use Designation:
  - Downtown



SITE VICINITY MAP

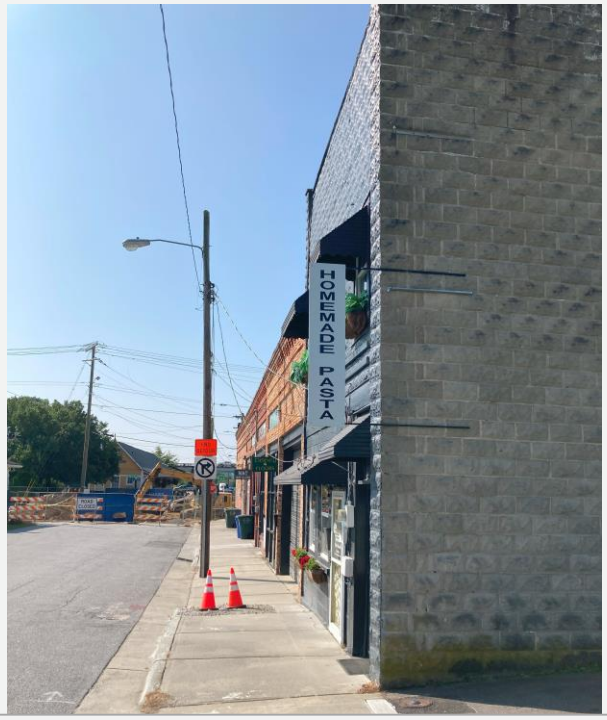
The City of Hendersonville is in receipt of a Zoning Map Amendment application from Lyle Chariff of 407 NC Holdings, LLC (owner) for 9 parcels (PINs listed on left) totaling .77 Acres located along 7th Ave at Locust St, Maple St and Track St in/adjacent to the 7th Ave Depot National Register Historic District. The properties are currently zoned C-2 Secondary Business. The petitioner is requesting that the full city block be rezoned to CMU to align with other properties in the 7th Ave Depot Historic District.

Development/redevelopment under the C-2 zoning is restricted by a 15'/20' front setback and a minimum lot width at the building line of 50'. The CMU zoning offers greater flexibility with a 12' front setback measured from the back of the curb rather than from the property line and no minimum lot width. CMU zoning also offers standards related to site development and design considerations which the C-2 zoning district does not contain.

If rezoned, there will not be a binding site plan, list of uses or conditions placed on the site. All permitted uses within the CMU district would be allowed on the site. The City of Hendersonville Zoning Ordinance states that, during a standard rezoning process, an applicant is prohibited from discussing the specific manner in which they intend to develop or use a site.

SITE IMAGES

View from north looking south at corner of Maple St and Track St



View facing south along Maple St towards 7th Ave

SITE IMAGES

View along 7th Ave facing southwest

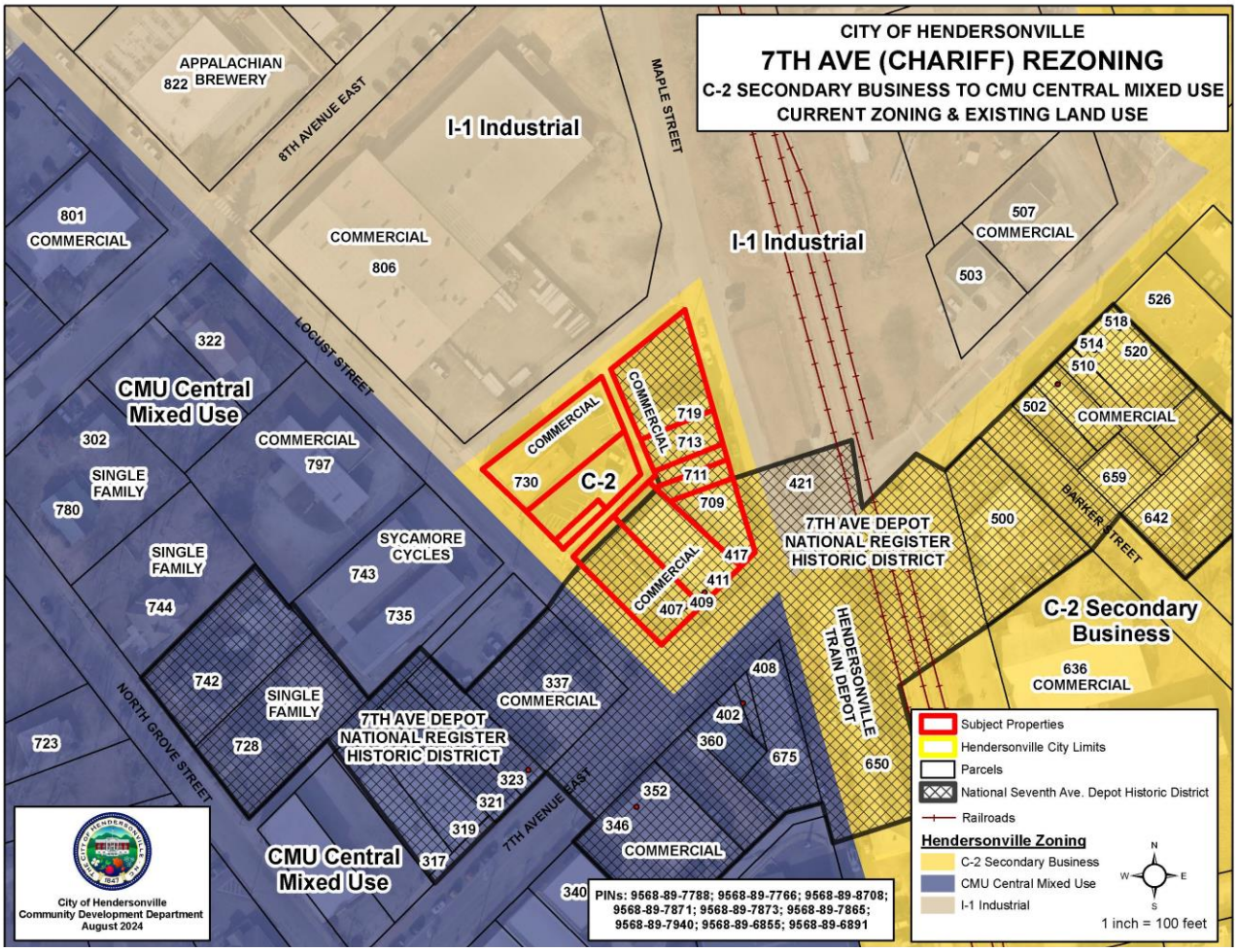
View of corner of 7th Ave and Locust St - empty lot where existing building was recently demolished.

SITE IMAGES

View facing southeast from alley - rear of empty lot at corner of 7th Ave and Locust St

View facing east near corner of Track St and Locust St. Vacant lot and 7th Ave in the background

EXISTING ZONING & LAND USE



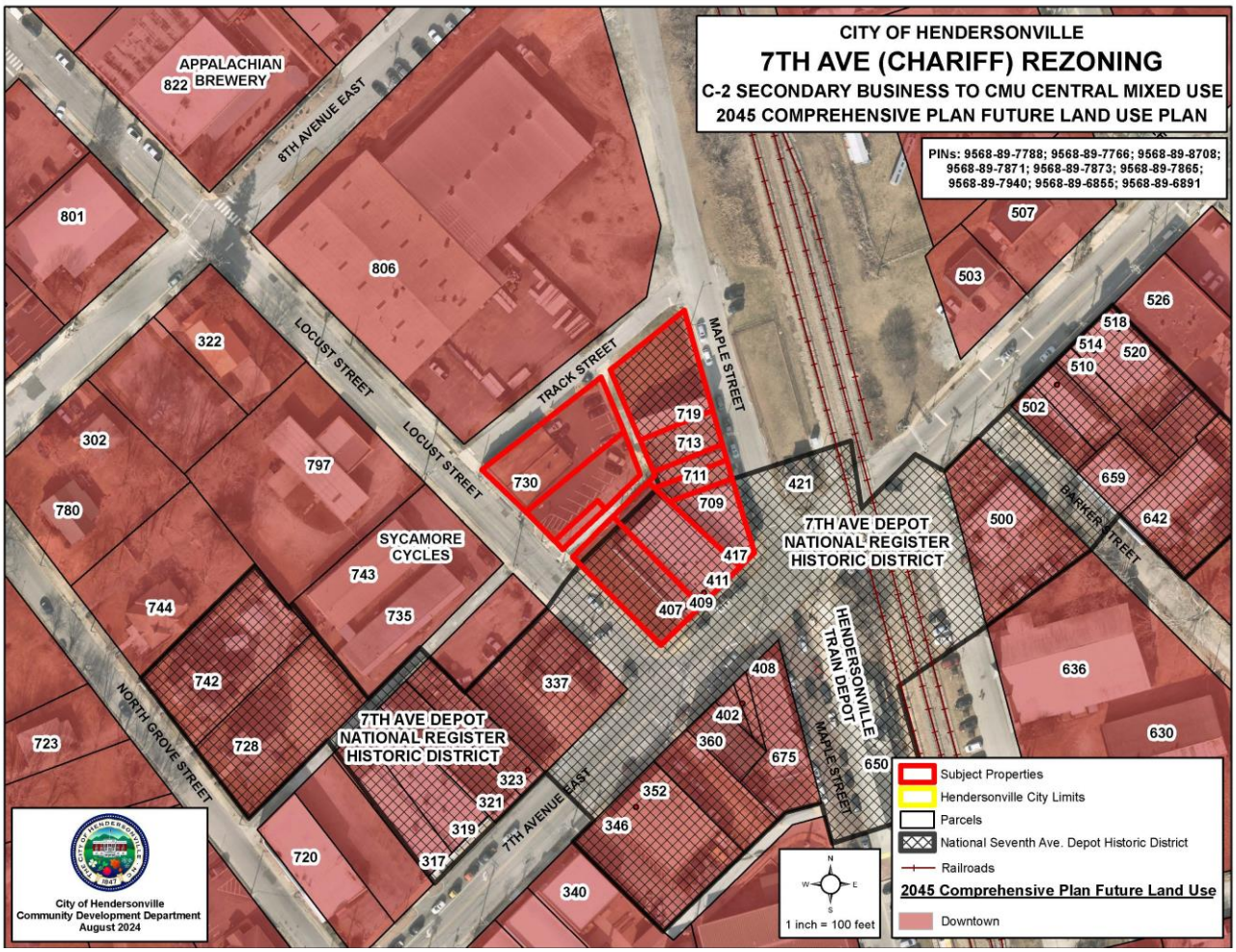
Existing Zoning & Current Land Use Map

The subject property is currently in the municipal limits and zoned C-2 Secondary Business. The property is made up of 9 lots with 6 buildings, 2 vacant lots, a parking lot and a right-of-way. This block of properties are the only properties zoned C-2 on 7th Ave west of the railroad tracks. The remainder of the area along 7th Ave west of the railroad tracks is zoned CMU (Central Mixed Use). North of the subject property, along Locust St, Maple St and the railroad tracks, property is zoned I-1 (Industrial). East of the railroad tracks, the properties along 7th Ave are zoned C-2.

The subject properties and other properties in close proximity are located in the 7th Ave Depot National Register Historic District.

The land uses in this area are typical of a downtown with retail and restaurants being the primary uses. The built environment is typical of a downtown urban environment with a mix of 1-story & 2-story buildings brought directly up to the back of the sidewalk and where highly transparent storefronts and primary business entrances are the norm.

FUTURE LAND USE



Future Land Use & Conservation Map

The City's Gen H 2045 Comprehensive Plan designates the subject property as "Downtown" in the Future Land Use & Conservation Map. The surrounding properties, including frontage along 7th Ave and nearby blocks along Locust St, are also designated as "Downtown". The Character Area description for this area is as follows:

> *This is the heart of the community and center of civic activities. In addition to governmental uses, it includes a mix of retail, restaurant, service, office, and civic uses. A variety of residential housing types complement the nonresidential uses and ensure a vibrant center with a 24/7 population. The mix of uses can be horizontal or vertical, with changes between floors of the same building. Buildings of two or more stories are common, and streets feature short block lengths and pedestrian facilities. Open spaces include plazas and formal greens.*

REZONING STANDARDS (ARTICLE 11-4)

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
1) COMPREHENSIVE PLAN CONSISTENCY	**LAND SUPPLY, SUITABILITY & INTENSITY** The subject property is located on a vacant or underutilized property in the Land Supply Map. It ranks as "Highly Suitable" for residential development in the Suitability Assessment. The subject property is located in an area designated as "Highest" for Development Intensity. The subject property is located in the 7th Ave Focus Area. The subject property is not in a Focused Intensity Node but is located in the Downtown Area - which is an area designated for intense development.
	FUTURE LAND USE & CONSERVATION MAP **Character Area Designation:** Downtown **Character Area Description:** Consistent **Zoning Crosswalk:** Consistent **Focus Area Map:** Consistent
2) COMPATIBILITY	***Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property***
	In addition to a general analysis of the existing conditions, staff has utilized the Gen H Comprehensive Plan as a guide for further evaluating issues related to "compatibility". The analysis below includes an assessment of how the project aligns with the overall Goals and overarching Guiding Principles found in Chapter IV of the Gen H Plan. Additionally, because this project is located within the boundaries of the Downtown Master Plan, staff evaluated the project according to the Design Guidelines found in Chapter V of the Gen H Plan.
	EXISTING CONDITIONS The subject property is a full city micro-block containing 6 buildings which share common walls in a truly traditional urban form. There is one additional standalone building, two vacant lots, a parking area and a narrow alley that runs at the rear of the buildings facing 7th Ave and Maple St. The properties are part of the 7th Ave Depot National Register Historic District. The land uses in the area are a variety of retail and restaurants with opportunities for residential development on upper-floors. These uses align with the mixed-use character of the CMU zoning district. The zoning districts in this area vary. To the west and south, in the core of the 7th Ave NR Historic District, the zoning is Central Mixed Use (CMU). Cattycorner to the east the zoning transitions to Secondary Business (C-2) which was the zoning district surrounding C-1 prior to the creation of CMU. The C-2 zoning continues along 7th Ave toward Mud Creek and the Oklawaha Greenway. North of

	the subject property and along the railroad tracks to the east, the zoning is Industrial, I-1.
	GEN H COMPREHENSIVE PLAN GOALS (Chapter IV) **Vibrant Neighborhoods**: Consistent **Abundant Housing Choices**: Consistent **Healthy and Accessible Natural Environment**: Consistent **Authentic Community Character**: Consistent **Safe Streets and Trails**: Consistent **Reliable & Accessible Utility Services**: Consistent **Satisfying Work Opportunities**: Consistent **Welcoming & Inclusive Community**: Consistent **Accessible & Available Community Uses and Services**: N/A **Resilient Community**: N/A
	GEN H COMPREHENSIVE PLAN GUIDING PRINCIPLES (Chapter IV) **Mix of Uses:** Consistent **Compact Development:** Consistent **Sense of Place:** Consistent **Conserved & Integrated Open Spaces:** Consistent **Desirable & Affordable Housing**: Consistent **Connectivity**: Consistent **Efficient & Accessible Infrastructure:** Consistent
	DESIGN GUIDELINES ASSESSMENT (Chapter V) **Public Realm** - Consistent **Site Design** - Consistent **Building Design** - Consistent
3) **Changed Conditions**	**Whether and the extent to which there are changed conditions, trends or facts that require an amendment -**
	The City is currently constructing an enhanced Streetscape and Utility project serving the subject properties. One of the subject properties recently had a building demolished due to it being structurally unsound. This building was located near the corner of Locust St and 7th Ave where another vacant lot was located. Combined, these two now vacant lots present an opportunity for infill development. The current C-2 zoning would not permit by-right development that would conform to the existing character of the 7th Ave Depot NR Historic District.
4) **Public Interest**	**Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare -**
	Providing opportunities for compatible infill development presents opportunities for economic development which compliments the City's investment in improved streetscapes along 7th Ave.

5) **Public Facilities**	**Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment**
	The subject property will be served by City of Hendersonville services. The subject property is located within the City's existing interconnected street grid, which facilitates the disbursement of additional automobile traffic. The subject property is located in the heart of the burgeoning 7th Ave District and is in close proximity to the Oklawaha Greenway, and less than a 5-minute walk to historic Main St.
6) **Effect on Natural Environment**	**Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife -**
	There is no immediate development proposed on the subject properties. There are no existing trees nor environmentally-sensitive areas within the area proposed for rezoning.

REZONING STANDARDS ANALYSIS & CONDITIONS

Staff Analysis

1) Comprehensive Plan Consistency - Staff finds the petition and site plan to be fully consistent with the Gen H Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description.
2) Compatibility - The CMU Zoning District permitted mix of uses and development standards support the goals and guiding principles and design guidelines outlined in the City's Gen H Comprehensive Plan. Staff finds that the general location of the rezoning and the mix of land uses in vicinity to it are compatible with the city's overall growth strategies.
3) Changed Conditions - Staff finds that the changed conditions related to opportunities for infill development in this historic district require that the C-2 zoning district be replaced.
4) Public Interest - Staff finds that the opportunities for additional economic development will compliment the new 7th Ave Streetscape project.
5) Public Facilities - Staff finds that the proposed development would efficiently utilize existing services and infrastructure. Staff would highlight that the existing interconnected street grid, pedestrian facilities and nearby off-street trails combine to create opportunities to disperse automobile traffic and reduce vehicular trips.
6) Effect on Natural Environment - N/A

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT

The petition is found to be **consistent** with the City of Hendersonville Gen H Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The proposed zoning of Central Mixed Use (CMU) aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for 'Downtown'.

We **[find/do not find]** this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

DRAFT [Rationale for Approval]

- *CMU zoning would be extended to align with adjacent zoning*
- *The permitted uses and development standards of the CMU zoning aligns with the existing character of the subject properties*
- *CMU standards will allow for new infill development designed to compliment the surrounding 7th Ave area in a way that C-2 zoning will not*

DRAFT [Rational for Denial]

- *CMU zoning is out of character with the surrounding area*

PLANNING BOARD RECOMMENDATION
PROJECT #: P24-58-RZO
MEETING DATE: September 12, 2024

PETITION REQUEST: 7th Ave – Chariff (CMU to CMU)

APPLICANT/PETITIONER: Lyle Chariff, 407 NC Holdings, LLC (Owner/Applicant)

PLANNING BOARD ACTION SUMMARY:

Staff gave a 10-minute presentation on the requested development - reviewing the petition in light of guidance from the Gen H Comprehensive Plan and the criteria for considering a rezoning. The Planning Board asked questions pertaining the impact of the National Register Historic District. In total Planning Board considered this item for 20 minutes.

APPLICANT PRESENTATION:

The applicant was present and spoke briefly on behalf of the petition and expressed his support for historically sensitive development in the 7th Ave area.

PUBLIC COMMENT:

- Lynne Williams, Chadwick Ave – expressed concerns in regards to gentrification and displacement in the 7th Ave area.

DELIBERATION:

- The Planning Board deliberated about the importance of opportunities for the appropriate redevelopment in 7th Ave as afforded by the CMU zoning. Staff also offered clarification on the difference between a local historic district (regulated) and a National Register Historic District (not regulated)

MOTION:

- Chauncey Whiting moved that the Planning Board recommend approval providing the following:

COMPREHENSIVE PLAN CONSISTENCY STATEMENT:

The proposed zoning of Central Mixed Use (CMU) aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for 'Downtown'.

REASONABLENESS STATEMENT:

[Rationale for Approval]

1. CMU zoning would be extended to align with adjacent zoning.
2. The permitted uses and development standards of the CMU zoning aligns with the existing character of the subject properties.
3. CMU standards will allow for new infill development designed to complement the surrounding 7th Ave area in a way that C-2 zoning will not.

BOARD ACTION

- **Motion/Second**: Whiting / Gilgis
- **Yeas**: Peacock (Vice Chair), Hanley, Waters, Whiting, Gilgis
- **Nays**: N/A
- **Absent**: B. Robertson, J. Robertson (Chair), B. Johnson, L. Flores
- **Recused**: N/A

PERMITTED & SPECIAL USES	
C-2 Secondary Business (Current) Same in both districts Different from proposed district	**CMU Central Mixed Use (Proposed)** Same in both districts Different from current district
Permitted Uses: • Accessory dwelling units subject to supplementary standards contained in section 16-4, below • Accessory uses and structures • Adult care centers registered with the NC Department of Health and Human Services (DHSS) • Animal hospitals and clinics so long as the use contains no outdoor kennels • Automobile car washes • Automobile sales & service establishments • Banks and other financial institutions • Bed and breakfast facilities • Business services • Congregate care facilities, subject to supplementary standards contained in section 16-4, below • Construction trades facilities so long as the storage of equipment and materials is screened from view from public rights-of-way • Convenience stores with or without gasoline sales • Cultural arts buildings • Dance and fitness facilities • Dry cleaning and laundry establishments containing less than 6,000 square feet of floor area • Farm equipment sales and service • Food pantries, subject to the supplementary standards contained in section 16-4, below • Funeral homes • Golf driving ranges and par three golf courses • Greenhouses and nurseries, commercial • Home occupations • Hotels and motels • Laundries, coin-operated	**Permitted Uses:** • Accessory dwelling units • Accessory uses & structures • Adult care centers registered with the NC Department of Health and Human Services (DHSS) • Adult care homes • Animal hospitals so long as they are totally enclosed • Automobile car washes • Banks & other financial institutions • Bed & breakfast facilities • Bus stations • Business services • Child care homes • Congregate care facilities, subject to supplementary standards contained in section 16-4, below • Construction trades facilities • Convenience stores with or without gasoline sales • Cultural art buildings • Dance & fitness facilities • Dry cleaning & laundry establishments containing less than 2,000 square feet of floor space • Funeral homes • Garage apartments • Home occupations • Hotels & motels • Laundries, coin-operated • Microbreweries, micro-distilleries, micro-cideries, and micro-wineries, subject to supplementary standards contained in section 16-4, below • Mobile food vendors, subject to supplementary standards contained in section 16-4, below • Music & art studios • Newspapers and printing companies

- Microbreweries, micro-distilleries, micro-cideries, and micro-wineries, subject to supplementary standards contained in section 16-4, below
- Mobile food vendors, subject to supplementary standards contained in section 16-4, below
- Music and art studios
- Neighborhood community centers
- Newspaper offices and printing establishments
- Nursing homes subject to supplementary standards contained in section 16-4, below
- Offices, business, professional and public
- Parking lots and parking garages
- Parks
- Personal services
- Planned residential developments (minor), subject to the requirements of article VII, below
- Private clubs
- Progressive care facilities subject to supplementary standards contained in section 16-4, below
- Public and semi-public buildings
- Recreational facilities, indoors
- Recreational facilities, outdoors, commercial
- Religious institutions
- Repair services, miscellaneous
- Residential care facilities
- Residential dwellings, single-family
- Residential dwellings, two-family
- Residential dwellings, multi-family, subject to supplementary standards contained in section 16-4, below
- Rest homes, subject to supplementary standards contained in section 16-4, below
- Restaurants
- Retail stores
- Schools, post-secondary, business, technical and vocational
- Schools, primary and secondary
- Service stations
- Signs, subject to the provisions of article XIII
- Nursing homes, subject to supplementary standards contained in section 16-4, below
- Offices, business, professional and public
- Parking lots & parking garages
- Parks
- Personal services
- Planned residential developments (minor), subject to the requirements of article VII, below
- Private clubs
- Progressive care facilities, subject to supplementary standards contained in section 16-4 below
- Public & semi-public buildings
- Recreational facilities, indoors
- Religious institutions
- Repair services, miscellaneous
- Residential dwellings, single family
- Residential dwellings, multi-family
- Residential dwellings, two-family
- Rest homes, subject to supplementary standards contained in section 16-4, below
- Restaurants
- Retail stores
- Schools, post-secondary, business, technical and vocational
- Schools, elementary & secondary
- Signs, subject to the provisions of article XIII, below
- Small scale manufacturing, subject to the supplementary standards contained in section 16-4, below
- Telecommunications antennas, subject to supplementary standards contained in section 16-4, below
- Theaters, indoors.

Special Uses:

- Child care centers
- Civic clubs & fraternal organizations
- Public utility facilities
- Vehicle repair & service, without outdoor operations

• Small scale manufacturing, subject to the supplementary standards contained in section 16-4, below • Telecommunications antennas, subject to supplementary standards contained in section 16-4, below • Theaters, indoor • Wholesale businesses **Special Uses:** • Animal kennels • Automotive paint and body work • Bus stations • Child care centers • Civic clubs and fraternal organizations • Light manufacturing • Public utility facilities	

DIMENSIONAL STANDARDS

C-2 Secondary Business Same in both districts Different from current district	**CMU Central Mixed Use** Same in both districts Different from proposed district
Dimensional Requirements: Minimum Lot Area in Square Feet: 8,000 (6,000 for residential) Lot Area per Dwelling Unit in Square Feet: 6,000; 4,000 (for one additional dwelling unit) Minimum Lot Width at Building Line in Feet: 0 Minimum Lot Width (residential only): 50 Minimum Yard Requirements in Feet: Principal Structure: Front: 15 (20 for Res) Side: 0 or 5. 10' on Corner Lots Rear: 0 / 10 when abutting Res District (15 for Res) Accessory Structures: Front: N/A Side: N/A Rear: N/A Maximum Height in Feet: 48	**Dimensional Requirements:** Minimum Lot Area in Square Feet: 8,000 Lot Area per Dwelling Unit in Square Feet: 0 Minimum Lot Width at Building Line in Feet: 0 Minimum Yard Requirements in Feet: Principal Structure: Front: 12 from back of curb Side: 12 from back of curb or 0' or 5' Rear: 12 from back of curb or 0' or 5' Accessory Structures: Front: N/A Side: N/A Rear: N/A Maximum Height in Feet: 36 to 64

7th Ave - C-2 to CMU (Chariff) | P24-58-RZO		
Chapter 4 - The Vision for the Future	**Consistent**	**Inconsistent**
SUPPLY, SUITABILITY, & INTENSITY		
LAND SUPPLY MAP (Pg. 81, Figure 4.4)	Consistent	
LAND SUITABILITY MAP (Pg. 84-86, Figure 4.5-4.7)	Consistent	
DEVELOPMENT INTENSITY MAP (Pg. 89, Figure 4.9)	Consistent	
FUTURE LAND USE & CONSERVATION MAP		
Future Land Use and Conservation Map (Note classification here, Pg. 117, Figure 4.12)	**Downtown**	
Character Area Description (Pg. 122-131)	Consistent	
Zoning Crosswalk (Pg. 132-133, Figure 4.18)	Consistent	
Focus Area Map (Pg. 134-159)	Consistent	

7th Ave - C-2 to CMU (Chariff) | P24-58-RZO		
Chapter 4 - The Vision for the Future	**Consistent**	**Inconsistent**
GOALS		
Vibrant Neighborhoods (Pg. 93)		
Promote lively neighborhoods that increase local safety.	Consistent	
Enable well-maintained homes, streets, and public spaces.	Consistent	
Promote diversity of ages (stage of life), income levels, and a range of interests.	Consistent	
The design allows people to connect to nearby destinations, amenities, and services.	Consistent	
Abundant Housing Choices (Pg. 93)		
Housing provided meets the need of current and future residents.	Consistent	
Range of housing types provided to help maintain affordability in Hendersonville.	Consistent	
Housing condition/quality exceeds minimum standards citywide	Consistent	
Healthy and Accessible Natural Environment (Pg. 94)		
Recreational (active and passive) open spaces are incorporated into the development.	Consistent	
Water quality is improved with the conservation of natural areas that serve as filters and soil stabilizers.	N/A	N/A
Natural system capacity (floodplains for stormwater; habitats to support flora/fauna; tree canopy for air quality, stormwater management, and microclimate) is maintained.	Consistent	
Development is compact (infill/redevelopment) to minimize the ecological footprint.	Consistent	
New development respects working landscapes (e.g., orchards, managed forests), minimizing encroachment.	N/A	NA
Authentic Community Character (Pg. 94)		
Downtown remains the heart of the community and the focal point of civic activity	Consistent	
A development near a gateway sets the tone, presenting the image/brand of the community.	Consistent	
Historic preservation is utilized to maintain the city's identity.	Consistent	
City Centers and neighborhoods are preserved through quality development.	Consistent	
Safe Streets and Trails (Pg. 95)		
Interconnectivity is promoted between existing neighborhoods through the building out of street networks, including retrofits and interconnectivity of new developments.	Consistent	
Access is increased for all residents through the provision of facilities that promote safe walking, biking, transit, automobile, ride share, and bike share.	Consistent	
Design embraces the principles of walkable development.	Consistent	
Reliable & Accessible Utility Services		

Wastewater treatment (service and capacity) adequately serves existing and future development	N/A	N/A
adequately serves existing and future development.	Consistent	
Satisfying Work Opportunities (pg. 96)		
The development promotes quality job options.	Consistent	
The lives of residents are enriched with opportunities to learn, build skills, and grow professionally.	Consistent	
Welcoming & Inclusive Community		
Accessibility exceeds minimum standards of ADA, fostering residents' and visitors' sense of belonging.	Consistent	
An inviting public realm (i.e., parks, public buildings) reflects the attitudes of city residents and leaders, and helps residents develop a sense of place and attachment to Hendersonville.	Consistent	
Accessible & Available Community Uses and Services (Pg. 97)		
Private development is plentiful, meeting the demands of current and future populations.	N/A	N/A
Resilient Community		
N/A		
GUIDING PRINCIPALS (pg. 98)		
Mix of Uses (Pg. 98)		
Revitalization of Outdated Commercial Areas	Consistent	
New business and office space promotes creative hubs.	Consistent	
Compact Development (Pg. 100)		
Development is consistent with efforts in the area to establish 15-minute neighborhoods.	Consistent	
The infill project is context sensitive [Small Infill Site].	Consistent	
Sense of Place (Pg. 102)		
The development contributes to Hendersonville's character and the creation of a sense of place through its architecture and landscape elements. [Placekeeping and Placemaking and 3rd Places]	Consistent	
Conserved & Integrated Open Spaces (Pg. 106)		
A diverse range of open space elements are incorporated into the development.	Consistent	
Desirable & Affordable Housing (Pg. 108)		
Missing middle housing concepts are used in the development.	Consistent	
Connectivity (Pg. 112)		
The development encourages multimodal design solutions to enhance mobility.	Consistent	
Efficient & Accessible Infrastructure (Pg. 114)		
The development utilizes existing infrastructure	Consistent	

7th Ave - C-2 to CMU (Chariff) | P24-58-RZO		
Chapter 5 - Downtown Design Guidelines	**Consistent**	**Inconsistent**
PUBLIC REALM		
Blocks (Pg. 212)		
Provide vehicle access to nearby buildings via alleyways or shared driveways.	Consistent	
Utilize smaller curb radii to shorten crossing distances for pedestrians.	N/A	
Extend the historic downtown block pattern throughout the entirety of the downtown character districts.	Consistent	
Implement interior pedestrian cut throughs as necessary to achieve the ideal block size (300-500').	Consistent	
Main Street & Downtown Edge Character Districts (Pg. 213)		
Any future development or redevelopment within the Main Street and Downtown Edge character districts should maintain consistent with the existing block size and grid layout along Main Street and in the downtown core.	Consistent	
New connector streets and alleys should be considered where appropriate to increase better access and circulation.	NA	NA
Streetscape Character (Pg. 218-222)		
The streetscape character matches the street classification the development is located on. (Pg. 218-219)	Consistent	
The streetscape zones are sufficient for the street classification. (Pg. 224-234)	Consistent	
Pedestrian & Bike Infrastructure (Pg. 238-243)		
Sidewalks (Pg. 238)		
Internal sidewalk connections should be provided between buildings and from buildings to all on-site facilities including parking areas, bicycle facilities, open spaces, and amenities.	Consistent	
External sidewalks should be provided from all buildings onsite to the existing or proposed sidewalk system and to abutting multi-use trails, parks, and greenways.	Consistent	
Greenways & Trails (Pg. 238)		
Expand and improve greenway and trail networks to create connections between neighborhoods, parks, and destinations.	NA	NA
On-Road Facilities		
Sidewalks (Pg. 240)		
Expand existing sidewalk network to fill gaps in connectivity. Downtown sidewalks, where feasible, should be a minimum of 10' in width to promote walkability.	Consistent	

Incorporate buffer zones, such as landscaped areas or street furniture, between sidewalks and vehicular traffic	Consistent	
SITE DESIGN (Pg. 254-265)		
Frontage Types (Pg. 254)		
Identify which Frontage Type the development is and write in cell to the right.	Primary: Downtown, Festival | Non-Primary: Alley	
Building Placement & Setback Character (Pg. 254-255)		
Orientation (Pg. 254-255)		
Building faces the street and is accessible from the sidewalk.	Consistent	
Site layout shall prioritize placing buildings towards the front of the lot, with parking situated to the side and/or rear of the building	Consistent	
Buildings located on a corner should have one of the following architectural features: Two entrances, one primary and one secondary, located on each frontage. Architecturally prominent corner entry with vertical emphasis through building height or architectural elements like porches, colonnades, etc.	Consistent	
Setback Line (Pg. 255)		
The setback line is based off of the future back of curb - based on Frontage Type (Pg. 256, refer to Figure 5.26)	Consistent	
Build-To-Zone		
The Build-to-Zone begins at the required Frontage Type setback line (Pg. 256, refer to Figure 5.26)	Consistent	
Build-To-Percentage		
The Build-To-Percentage refers to the proportion of a lot's frontage that must be occupied by the building façade. (Pg. 256, refer to Figure 5.26)	Consistent	
Setback Exceptions (Pg. 255)		
Refer to this section for setback exceptions for Primary and Primary-Other classification. (Pg. 255)	NA	NA
Building Height		
Story (Pg. 257)		
New downtown buildings must be at least two stories tall, with exceptions for certain accessory structures like retail kiosks or public restrooms	Consistent	
Building Height by District		
The permitted building height varies according to the specific character district. Refer to Figure 5.28	Consistent	
The building height is appropriate based off of the maximum heights set by the Building Heights Map (Figure 5.31, Pg. 259).	Consistent	

Rear and Side Setbacks for Development		
Character District Transitions (Pg. 260)		
When development is located next to a district with a lower height restriction, the development should be no more than one-story differential for the first 50 feet of building width.	Consistent	
Residential Transitions (Pg. 260)		
Development adjacent to residentially zoned land and/or historic structure should be no more than one-story differential for the first 50 feet of building width.	N/A	
Greenway & Trail Frontage (Pg. 260)		
When future development is planned along a proposed trail as outlined on any adopted plans, it is the responsibility of the development to construct the portion of the trail along the development frontage.	NA	NA
Connections to Parks and Greenways (Pg. 261)		
When a development abuts an existing or future greenway, park, or open space area, pedestrian/bicycle accessways must be provided at a minimum of every 1000 feet when feasible as determined by City staff.	NA	NA
Landscape (Pg. 261)		
Design landscaping, fencing, and retaining walls to be integrated into the site and its architecture.	Consistent	
Screen service areas, utilities, and parking areas with trees, shrubs, and other landscaping.	Consistent	
Install pedestrian bulbouts at street intersections within the downtown districts to reduce pedestrian crossing distance and expand public space. Integrate plantings, monumentation, public art, and seating within these spaces	NA	NA
Stormwater Management (Pg. 261)		
Underground stormwater detention should be utilized within the downtown districts versus surface detention facilities.	NA	NA
Low impact stormwater management methods such as pervious paving, bioretention, and vegetated landscape islands shall be utilized in surface parking lots.	N/A	
Utilize innovative stormwater management methods such as the use of bioretention in planting strips along nonprimary streets.	NA	NA
Parking (Pg. 262)		
Surface parking lots shall not be a principal use in any character district	Consistent	
For commercial and institutional/semi-public uses within the character districts, 5% of the total parking spaces should allow for public use during offpeak business hours.	NA	NA
Shared parking is encouraged.	Consistent	
Structured Parking (Pg. 262)		

Parking structures are encouraged within the downtown districts to reduce the footprint of surface lots.	NA	NA
Developments requiring 200 vehicular parking spaces or more must build structured parking.	NA	NA
Parking structures may be a principal use in the character districts.	NA	NA
Parking structures should be wrapped with liner buildings and follow these design duidelines: When adjacent to a frontage, parking structures shall include active uses along 80% of the primary frontage and 60% of the ground floor building length along any seconding frontage, excluding areas of required vehicular and pedestrian egress, and utility rooms. Vertical and horizontal architectural elements should be designed in a manner to approximate the window openings on adjacent habitated portions of the building. 60% of all openings on or visible from a frontage shall be screened with architectural louvers and/or panels.	NA	NA
Parking Requirements (Pg. 262-263)		
Within the Main Street character district, parking requirements are optional with the provision of a fee in lieu of.	NA	NA
Within the Downtown Edge, 7th Avenue, and Lower Trailhead character districts, minimum parking requirements are per the underlying zoning district.	Consistent	
The following parking maximums apply to properties within each of the character districts regardless of the underlying zoning designation (Figure 5.33, Pg. 263).	Consistent	
Trailhead Parking (Pg. 263)		
Surface lots for trailhead parking are allowed within the 7th Avenue and Lower Trailhead character districts.	NA	NA
Trailhead parking lots must be spaced a minimum ½ mile from each other.	NA	NA
These parking lots shall hold 10 spaces or fewer, including ADA spaces.	NA	NA
Trailhead parking lots may incorporate amenities such as restrooms, water fountains, trash/recycling receptacles, and benches.	NA	NA
Parking lots must be screened from the trail and the public street utilizing landscaping at a minimum width of a 10' landscape buffer.	NA	NA
On-Site Open Space (Pg. 264)		
All proposed developments are required to provide onsite open space except for developments on parcels onefourth acre or less in size.	Consistent	
Developments shall provide a minimum of on-site open space in accordance with the following: Main Street: 5%, Downtown Edge: 10%, 7th Avenue: 10%, Lower Trailhead: 15%	Consistent	
Public On-Site Open Space (Pg. 264)		
Public on-site open space should be provided in accordance with Table 5.34 on Pg. 264.	Consistent	
On-Site Open Space Types (Pg. 264)		

Appropriate on-site open space is provided in accordance with Figure 5.36 Pg. 265.	Consistent	
BUILDING DESIGN		
Architectural Character (Pg. 266)		
Development design fits into the existing architectural character of the character district its located in.	Somewhat Consistent	
Façade Articulationa and Massing (Pg. 268-269)		
For buildings 150 feet in length or longer: Façades shall be divided into shorter segments by means of modulation; such modulation shall occur at intervals of no more than 60 feet and shall be no less than 2 feet in depth. A courtyard, with a minimum width and depth of 60 feet, shall be visible from the street on primary frontages spaced no more than 150 feet.	Consistent	
Ground-floor designs such as arcades, galleries, colonnades, outdoor plazas, or outdoor dining areas shall be incorporated into the building façade and are considered in meeting required build-to percentages. The first two floors above the street grade shall be distinguished from the remainder of the building with an emphasis on providing design elements that will enhance pedestrian environment. Special interest to the base shall be provided by incorporating elements such as corbeling, molding, stringcourses, ornamentation, changes in material or color, recessing, architectural lighting, and other sculpturing of the base. Buildings on a corner or at an axial terminus should be designed with additional height or architectural embellishment. Examples include: Chamfered or rounded corners. Projecting and recessed balconies and entrances. Enhanced window designs	Somewhat Consistent	
Building Elements (Pg. 270-275)		
Entry		
The main pedestrian entry shall be a prominent entrance on the primary frontage	Consistent	
For corner buildings with two frontages, the main pedestrian entry can be located on the corner.	Consistent	NA
Enhance the design of entry areas with materials, as well as architectural and landscape features, that will naturally guide pedestrians	Somewhat Consistent	
Windows		
Shopfront windows shall not be lower than 2 feet from the ground plane except where architectural elements like floor or ceiling glass curtain walls or glass roll up doors are utilized.	Somewhat Consistent	
Windows should comprise more than 60% of the building façade in the Main Street and Downtown Edge districts.	N/A	
Windows should comprise more than 40% of the building façade in the 7th Avenue and Lower Trailhead districts.	Consistent	
Windows shall be set back 4-6 inches from the façade rather than flush.	Somewhat Consistent	
Roof		

Infill development in the Main Street district shall have flat roofs to match the existing architecture of Main Street.	Somewhat Consistent	
Pitched roofs are permitted in the Downtown Edge, 7th Avenue, and Lower Trailhead districts.	Consistent	
Recessed Doorways		
Recessed doorways are encouraged with 5 feet as the maximum distance of recess from the front wall.	Consistent	
No glass shall be positioned lower than two feet above ground level.	Consistent	
Doors are not permitted to swing into the sidewalk/ pedestrian zone	Consistent	
Activated Ground Floor		
Ground floor façades should be composed primarily of glass to allow views of the use and activity within the buildings	Consistent	
Within the Main Street and Downtown Edge districts, the ground floor shall be composed of commercial uses.	Consistent	
Private residences are prohibited on primary frontages within Main Street and Downtown Edge districts.	Consistent	
Primary residence entries, including those for townhomes and brownstones, should incorporate features such as stoops, porches, etc.	Somewhat Consistent	
Ground floor design should incorporate elements such as retail displays, planters, art, and canopy coverings to encourage pedestrian activity.	Somewhat Consistent	
Materiality		
Materials chosen for building façades, balconies, windows, or roof should be compatible with the surrounding context of the district but should not be identical as to not allow for any diversity.	Consistent	
All façades visible from a primary frontage shall utilize high-quality finish materials such as: brick, wood, stone, concrete-based stucco, horizontal wood siding, architectural metal panel, or wood shingle.	Consistent	
Within the Main Street and Downtown Edge districts, brick shall be the primary building material. Predominant shall mean more than (50%) of the non-glasses wall surface	N/A	
The following materials are prohibited within any of the downtown districts: EFIS, concrete board, concrete block, pre-engineered corrugated metal panels, and vinyl.	Somewhat Consistent	
Franchise Architecture		
Franchise architecture, a standardized architectural building style used as part of a standardized program to promote brand identity through visual recognition, is not permitted within the character districts.	Consistent	
Franchise architecture should be modified as necessary to be in line with the existing character district in which it is proposed.	Consistent	
Franchise architecture must conform with all Downtown Design Guidelines.	Consistent	

Drive-Throughs		
Drive-through facilities or services are not permitted within the Main Street, Downtown Edge, or 7th Avenue districts. • This applies to any type of drive-through facility or service including restaurants and financial institutions. Walk-up service windows are the preferred service window in a downtown pedestrian-oriented district	Consistent	
Within the Lower Trailhead District, drive-throughs are permitted but cannot be along the primary frontage. They shall be located to the rear of the building.	NA	
Signs		
Landmark signs may include historic painted wall signs on a building façade; even if that business or product is no longer on site, the sign adds character to the area, and should be considered a landmark sign.	NA	NA

Ordinance #___-____

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR CERTAIN PARCELS (POSSESSING PIN NUMBERS 9568-89-7788, 9568-89-7766, 9568-89-8708, 9568-89-7871, 9568-89-7873, 9568-89-7865, 9568-89-7940, 9568-89-6855, 9568-89-6891) BY CHANGING THE ZONING DESIGNATION FROM C-2 SECONDARY BUSINESS, TO CMU, CENTRAL MIXED USE

IN RE: Parcel Numbers: 9568-89-7788, 9568-89-7766, 9568-89-8708, 9568-89-7871, 9568-89-7873, 9568-89-7865, 9568-89-7940, 9568-89-6855, 9568-89-6891
7th Ave (Chariff) | File # P24-58-RZO

WHEREAS, the Planning Board took up this application at its regular meeting on September 12th, 2024; voting 5-0 to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on November 7, 2024, and

WHEREAS, City Council has found that this zoning map amendment is consistent with the City's comprehensive plan, and that it is reasonable and in the public interest for the reasons stated, and

WHEREAS, City Council has conducted a public hearing as required by the North Carolina General Statutes on November 7, 2024,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Numbers: 9568-89-7788, 9568-89-7766, 9568-89-8708, 9568-89-7871, 9568-89-7873, 9568-89-7865, 9568-89-7940, 9568-89-6855, 9568-89-6891, By Changing the zoning designation from C-2 Secondary Business, to CMU, Central Mixed Use

2. Any development of this parcel shall occur in accordance with the Zoning Ordinance of the City of Hendersonville, North Carolina.

3. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 7th day of November 2024.

_____

Attest: Barbara G. Volk, Mayor, City of Hendersonville

_____
Jill Murray, City Clerk

Approved as to form:

_____
Angela S. Beeker, City Attorney

Entry #: 13 - 8/2/2024 **Status:** Submitted **Submitted:** 8/2/2024 3:09 PM

Date:
8/2/2024

Address/Location of Property:
407 7th Ave E. Hendersonville NC

Current Zoning:
C-2

Proposed Zoning:
CMU

List the adjacent property parcel numbers and uses.

PIN or PID #
NA

Adjacent Property Use:
NA

PIN or PID #
NA

Adjacent Property Use:
NA

PIN or PID #
NA

Adjacent Property Use:
NA

PIN or PID #
NA

Adjacent Property Use:
NA

Applicant Name:
407 NC Holdings LLC .

Address
5801 Biscayne Blvd, Miami, Florida 33137

Phone
(305) 776-7600

Email
lyle@chariff.com

Property Owner Name:
407 NC Holdings LLC .

Address
5801 Biscayne Blvd, Miami, Florida 33137

PIN or PID #

9568897788
9568897766
9568898708
9568897871
9568897873
9568897865
9568897940
9568896855
9568896891

Signature

Lyle Chariff MGR

Printed Name:

Lyle Chariff

Official Use Only:

Date Recieved:

Received By:

Fee Received:

Section 11-4 Standards: The advisability of amending the text of thei Zoning Ordinance or the Official Zoning Map is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt or disapprove the proposed amendment to the text of this Ordinance or the Official Zoning Map, the City Council shall consider the following factors among others:

a) Comprehensive Plan Consistency. Consistency with the Comprehensive Plan and amendments thereto.

The zoning aligns with the recently adopted Comprehensive Plan, also known as Gen H, and the character area of "Downtown" as described therein.

b) Compatibility with surrounding uses. Whether and the extent to which the proposed amendment is compatible with exisiting and proposed uses surrounding the subject property.

Properties adjacent to the west and south are already zoned CMU, while properties to the north and east are zoned I1.

c) Changed Conditions. Whether and the extent to which there are changed conditions, trends or facts that require an amendment.

A structure deemed unsafe by a structural engineer was removed. A zoning change is needed to reconstruct it in a manner that matches the neighborhood characteristics.

d) Public Interest. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare.

The proposed zoning change will support economic development and protect the district's character by encouraging investment and ensuring any new developments match the existing architectural styles and community aesthetics.

e) Public facilities. Whether and to the extent which adequate public facilities and services such as water wastewater treatment, fire and police protection and transportation are available to support the proposed amendment.

All new facilities are being installed per the city's 7th Ave District plan, ensuring this property is supported with newly updated services.

f) Effect on natural environment. Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, stormwater managment, streams, vegetation, wetlands and wildlife.

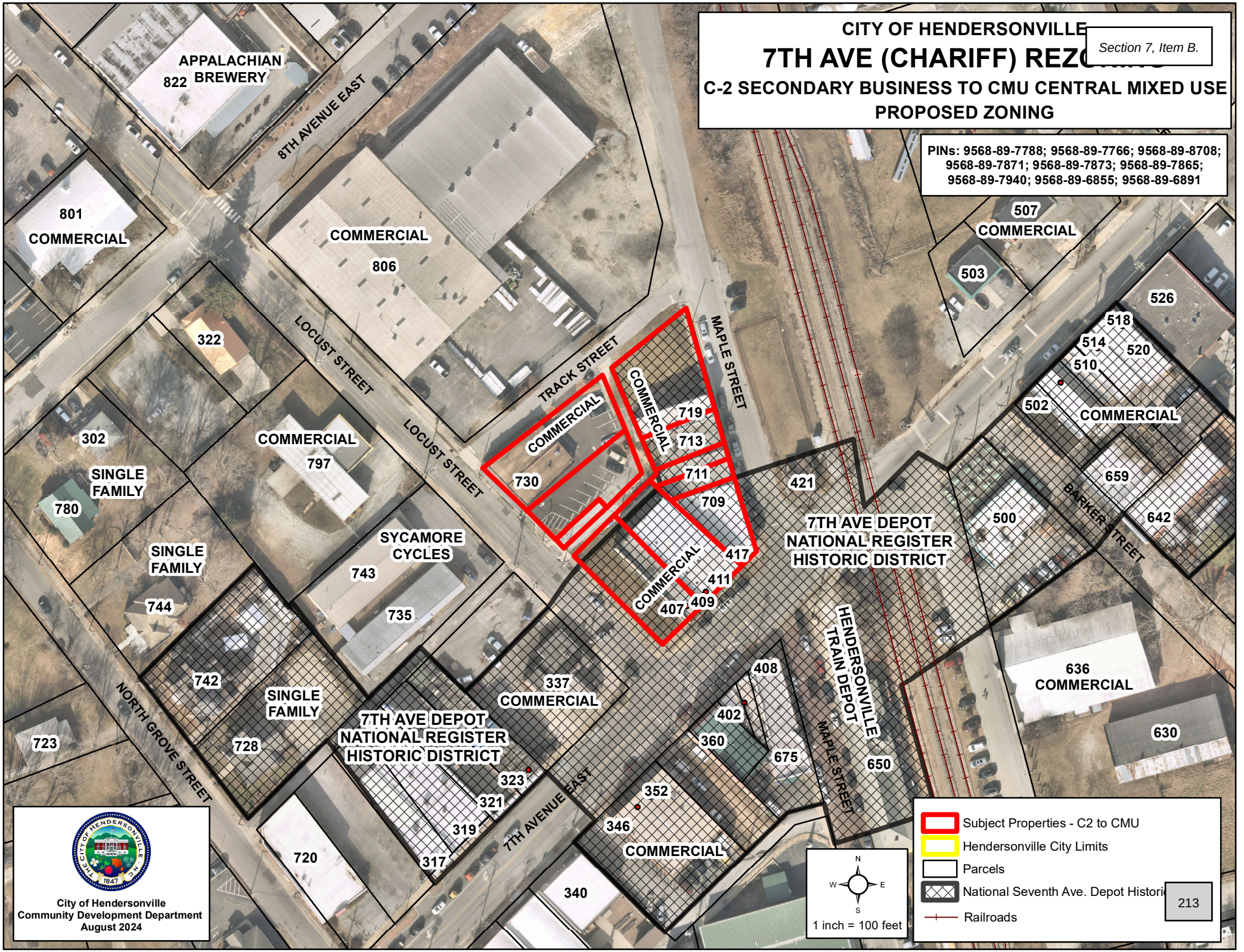
NA

CITY OF HENDERSONVILLE

7TH AVE (CHARIFF) REZONING

C-2 SECONDARY BUSINESS TO CMU CENTRAL MIXED USE PROPOSED ZONING

PINs: 9568-89-7788; 9568-89-7766; 9568-89-8708; 9568-89-7871; 9568-89-7873; 9568-89-7865; 9568-89-7940; 9568-89-6855; 9568-89-6891



City of Hendersonville
Community Development Department
August 2024

N
W E
S
1 inch = 100 feet

- Subject Properties - C2 to CMU
- Hendersonville City Limits
- Parcels
- National Seventh Ave. Depot Historic
- Railroads

213

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY
PLANNING DIVISION

SUBMITTER:	Lew Holloway	**MEETING DATE:**	September 12, 2024
AGENDA SECTION:	New Business	**DEPARTMENT:**	Community Development

TITLE OF ITEM: Rezoning: Standard Rezoning – 6th Avenue & Bearcat Loop (P24-65-RZO) – *Lew Holloway, Community Dervelopment Director*

SUGGESTED MOTION(S):

For Recommending Approval:
I move Planning Board recommend City Council **adopt** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property, PINs: 9568-39-3793 from Medical, Institutional and Cultural – Conditional Zoning District to Medical, Institutional and Cultural Zoning District based on the following:

1. The petition is found to be consistent with the City of Hendersonville GenH Comprehensive Plan based on the information from the staff analysis and because:

The proposed zoning district, Medical, Institutional and Cultural (MIC), aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for 'Institutional'.

2. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

1. The zoning standards for this parcel do not change with the removal of the Conditional Zoning District designation.
2. The permitted uses and development standards of the MIC zoning aligns with existing character of the 6th Avenue corridor.
3. The rezoning allows for a diminutive vacant parcel to be used in combination with surrounding MIC parcels in a productive fashion.

[DISCUSS & VOTE]

For Recommending Denial:
I move Planning Board recommend City Council **deny** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property, PINs: 9577-89-7580; 9577-89-6187; 9577-89-6236; 9577-89-5289; 9577-89-6416) from Henderson County CC, Community Commercial to City of Hendersonville CHMU (Commercial Highway Mixed Use) and PIN 9577-89-8138 from County R1, Residential 1 to City R-6, High Density Residential based on the following:

1. **The petition is found to be consistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:**

   The proposed zoning district, Medical, Institutional and Cultural (MIC), aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for 'Institutional'.

2. **We do not find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:** (Staff are not recommending any rational for denial at this time.)

[DISCUSS & VOTE]

SUMMARY: *The City of Hendersonville has initiated a standard rezoning to address a parcel created by the construction of Bearcat Loop. The parcel still retains the MIC-CZD designation that was applied to the Grace Lutheran Site when a major site amendment was completed in 2009. Originally a part of this larger site, the CZD designation remains, although it is no longer pertinent to this particular parcel.*

The property is proposed to be rezoned from the current MIC-CZD Medical, Institutional and Cultural Conditional Zoning to the base MIC Medical, Institutional and Cultural district.

Development/redevelopment of the 0.05 acre parcel will likely require its recombination with the adjacent 0.79 acre parcel to the north currently zoned MIC. Development standards will remain the same as the underlying zoning district is not proposed to be changed.

If rezoned, there will not be a binding site plan, list of uses or conditions placed on the site. All permitted uses within the MIC district would be allowed on the site subject to compliance with all applicable zoning standards. The City of Hendersonville Zoning Ordinance states that, during a standard rezoning process, an applicant is prohibited from discussing the specific manner in which they intend to develop or use a site.

PROJECT/PETITIONER NUMBER:	P24-65-RZO
PETITIONER NAME:	City of Hendersonville [applicant]
ATTACHMENTS:	1. Staff Report 2. Draft Ordinance 3. Proposed Zoning Map

STANDARD REZONING: 6th AVE & BEARCAT MIC-CZD to MIC – STAFF INITIATED (P24-65-RZO)

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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SITE IMAGES ..... **Error! Bookmark not defined.**
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EXISTING ZONING & LAND USE ..... **Error! Bookmark not defined.**
FUTURE LAND USE 5
REZONING STANDARDS (ARTICLE 11-4) 6
REZONING STANDARDS ANALYSIS & CONDITIONS 8
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PROJECT SUMMARY

- Project Name & Case #:
  - 6th Ave & Bearcat Loop MIC-CZD to MIC (Staff Initiated)
  - P24-65-RZO
- Applicant & Property Owner:
  - Stuart & Staci Blatt, Living Trust [Owner]
- Property Address:
  - No Address Assigned; Northeast Corner of 6th Avenue and Bearcat Loop.
- Project Acreage:
  - 0.05 Acres
- Parcel Identification (PINS):
  - 9568-39-3793
- Current Parcel Zoning:
  - MIC-CZD Medical, Institutional and Cultural-Conditional Zoning District
- Proposed Zoning District:
  - MIC – Medical, Institutional and Cultural
- Future Land Use Designation:
  - Institutional

SITE VICINITY MAP

The City of Hendersonville has initiated a standard rezoning to address a parcel created by the construction of Bearcat Loop. The parcel still retains the MIC-CZD designation that was applied to the Grace Lutheran Site when a major site amendment was completed in 2009. Originally a part of this larger site, the CZD designation remains, although it is no longer pertinent to this particular parcel.

The property is proposed to be rezoned from the current MIC-CZD Medical, Institutional and Cultural Conditional Zoning to the base MIC Medical, Institutional and Cultural district.

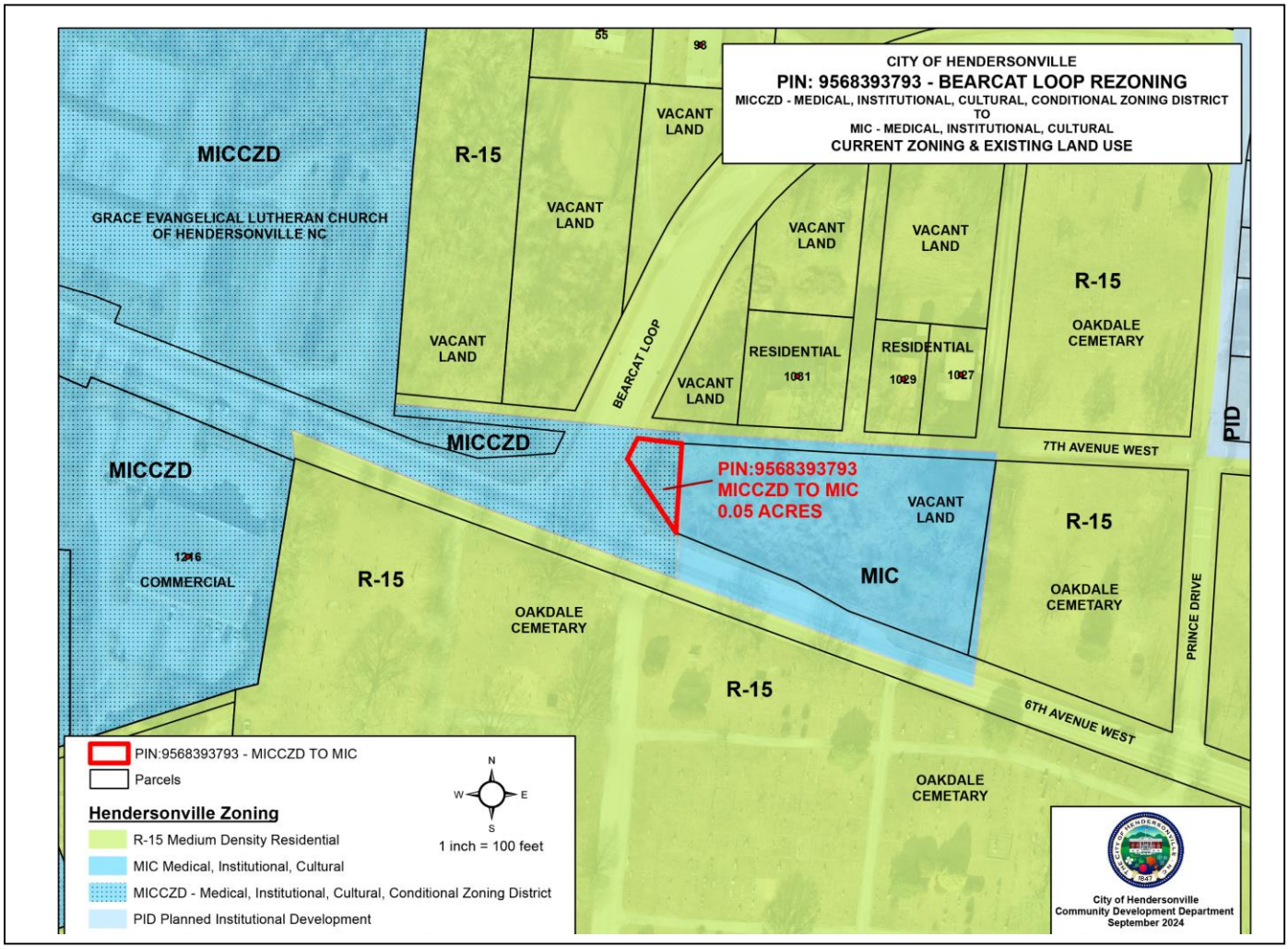
Development/redevelopment of the 0.05 acre parcel will likely require its recombination with the adjacent 0.79 acre parcel to the north currently zoned MIC. Development standards will remain the same as the underlying zoning district is not proposed to be changed.

If rezoned, there will not be a binding site plan, list of uses or conditions placed on the site. All permitted uses within the MIC district would be allowed on the site subject to compliance with all applicable zoning standards. The City of Hendersonville Zoning Ordinance states that, during a standard rezoning process, an applicant is prohibited from discussing the specific manner in which they intend to develop or use a site.

SITE IMAGES

View from east looking west at corner of 6th Avenue and Bearcat Loop

View facing north-east along 6th Avenue towards Oakdale Cemetery



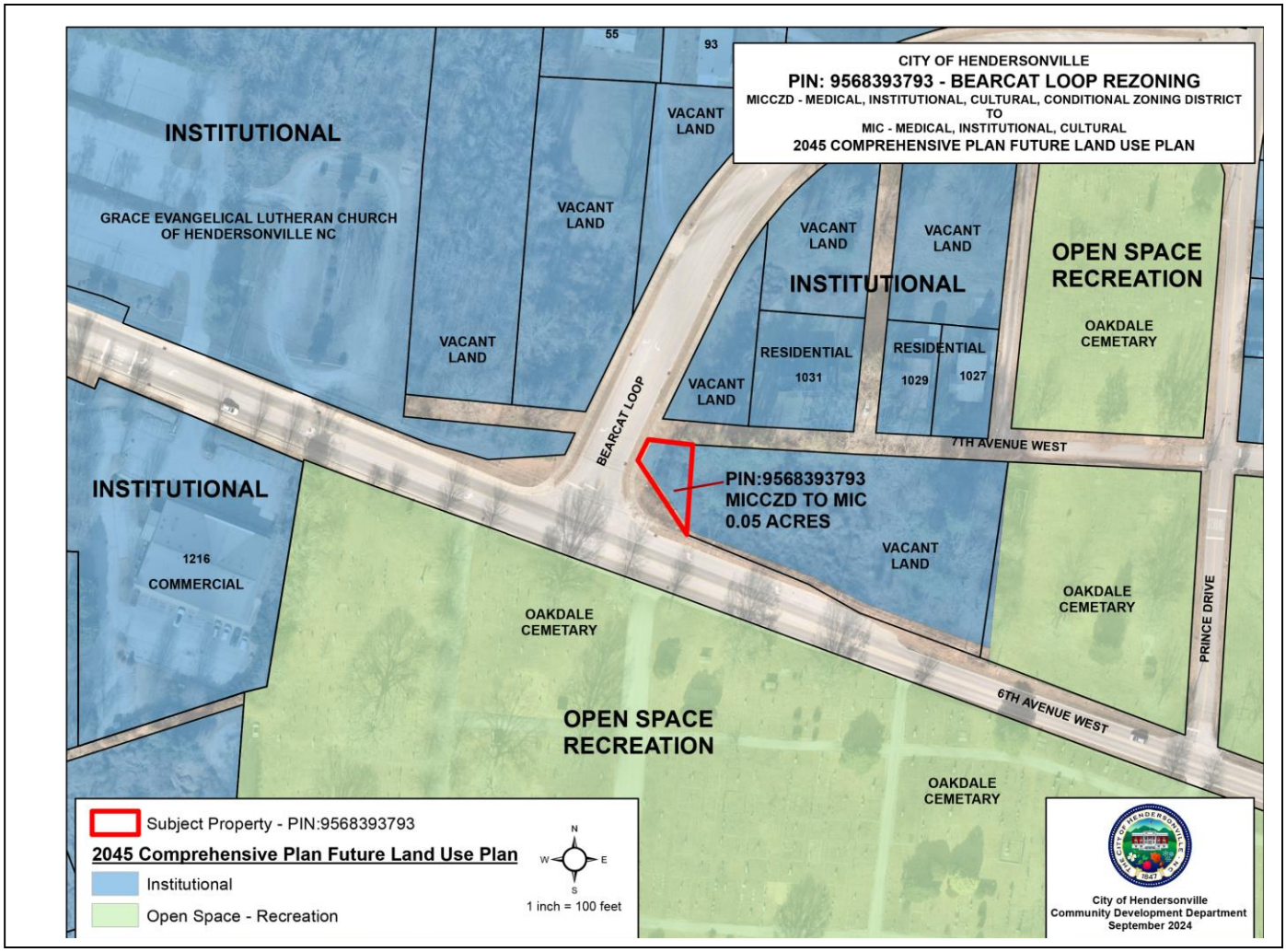
Existing Zoning & Current Land Use Map

The subject property is currently in the municipal limits. The property fronts on 6th Avenue with Bearcat Loop immediately to the west and a vacant 0.79 acre lot to the east. There are three residential lots to the north of this adjacent vacant lot. The lot in questions is border on the other three sides by ROW. Land obtained for the turn lane for the vacant lot to the east was swapped with this parcel to accommodate the construction of Bearcat Loop.

Properties to the north are zoned R-15 and include vacant and residential uses. Properties to the south are also zoned R-15 and consist of Oakdale Cemetery. Properties to the immediate west are zoned MIC-CZD and are a part of the Grace Lutheran campus while, as noted the parcel to the east is also zoned MIC and is currently vacant.

The land uses, with institutional mixing with residential is typical of 6th Ave as you travel from downtown towards the City Limit at Blythe Street.

FUTURE LAND USE



Future Land Use & Conservation Map

The City's Gen H 2045 Comprehensive Plan designates the subject property as "Institutional" in the Future Land Use & Conservation Map. The surrounding properties are primarily designated as "Institutional" with Oakdale Cemetery to the east and south being designated Open Space - Recreation. The Character Area description for this area is as follows:

> *Institutional areas are a type of mixed-use center with buildings in buildings with multiple stories serving related purposes like education, healthcare, or public facilities such as courthouses and local government offices. Often part of master planned campuses, they may also include restaurants, retail, offices, and multifamily residential units. Institutional areas feature green spaces connected by pedestrian paths, clustered parking, and minimized vehicular access.*

REZONING STANDARDS (ARTICLE 11-4)

GENERAL REZONING STANDARDS: COMPREHENSIVE PLAN CONSISTENCY	
1) COMPREHENSIVE PLAN CONSISTENCY	**LAND SUPPLY, SUITABILITY & INTENSITY** The subject property is located on a vacant or underutilized property in the Land Supply Map. It ranks as suitable for residential development and moderately suitable for commercial development in the Suitability Assessment. The subject property is located in an area designated for the second highest level (of 5 levels) for Development Intensity. The subject property is not in a Focused Intensity Node. **FUTURE LAND USE & CONSERVATION MAP** **Character Area Designation:** Institutional **Character Area Description:** Consistent **Zoning Crosswalk:** Consistent
2) COMPATIBILITY	***Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property*** The analysis below includes an assessment of how the project aligns with the overall Goals and overarching Guiding Principles found in Chapter IV of the Gen H Plan. **EXISTING CONDITIONS** The subject property is a very small remnant parcel that appears to have been a part of a property swap for the right hand turn lane when Bearcat Loop was originally created. The property is vacant. The land uses in the area are a variety of commercial, institutional and residential, with properties fronting on 6th Avenue primarily consisting of commercial and institutional uses until the Blythe Street intersection. Permitted uses within the MIC zoning district, in addition to existing areas zoned for Medical, Institutional and Cultural in the immediate area suggest this would be provide for compatible future development at this location. **GEN H COMPREHENSIVE PLAN GOALS** (Chapter IV) **Vibrant Neighborhoods**: Consistent **Abundant Housing Choices**: Consistent **Healthy and Accessible Natural Environment**: Consistent **Authentic Community Character**: Consistent **Safe Streets and Trails**: Consistent **Reliable & Accessible Utility Services**: Consistent **Satisfying Work Opportunities**: Consistent **Welcoming & Inclusive Community**: Consistent **Accessible & Available Community Uses and Services**: Consistent **Resilient Community**: N/A

	GEN H COMPREHENSIVE PLAN GUIDING PRINCIPLES (Chapter IV) **Mix of Uses:** Consistent **Compact Development:** Consistent **Sense of Place:** Consistent **Conserved & Integrated Open Spaces:** Somewhat Consistent **Desirable & Affordable Housing**: Consistent **Connectivity**: Consistent **Efficient & Accessible Infrastructure:** Consistent
3) **Changed Conditions**	**Whether and the extent to which there are changed conditions, trends or facts that require an amendment -** The property's original inclusion in a larger development plan and subsequent removal from that larger parcel require that the remnant parcel be rezoned to allow for future use.
4) **Public Interest**	**Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare -** Existing underlying zoning is Medical, Institutional and Cultural. Application of these same zoning requirements would occur with any future development. The parcel will be unusable and remain vacant along a key entry corridor otherwise.
5) **Public Facilities**	**Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment** The subject property will be served by City of Hendersonville services. Adequate utility access and infrastructure is available.
6) **Effect on Natural Environment**	**Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife -** There is no immediate development proposed on the subject property. Existing vegetation on the site would be subject to City of Hendersonville landscaping ordinance requirements as applicable. The subject parcel is too small on its own to trigger these requirements.

REZONING STANDARDS ANALYSIS & CONDITIONS

Staff Analysis

1) Comprehensive Plan Consistency - Staff finds the petition and site plan to be fully consistent with the Gen H Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description.
2) Compatibility - The MIC Zoning District permitted mix of uses and development standards support the goals and guiding principles and design guidelines outlined in the City's Gen H Comprehensive Plan. Staff finds that the general location of the rezoning and the mix of land uses in vicinity to it are compatible with the city's overall growth strategies.
3) Changed Conditions – The removal of the parcel in question from a direct connection with the original Conditional Zoning Site Plan necessitates the rezones.
4) Public Interest - Staff finds that the opportunities for additional economic development will complement the 6th Avenue corridor.
5) Public Facilities - Staff finds that the proposed development would efficiently utilize existing services and infrastructure.
6) Effect on Natural Environment – Future development will have to comply with all relevant environmentally relevant zoning standards.

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT

The petition is found to be **consistent** with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The proposed zoning district, Medical, Institutional and Cultural (MIC), aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for 'Institutional'.

We **[find/do not find]** this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

DRAFT [Rationale for Approval]

- *The zoning standards for this parcel do not change with the removal of the Conditional Zoning District designation.*
- *The permitted uses and development standards of the MIC zoning aligns with existing character of the 6th Avenue corridor.*
- *The rezoning allows for a diminutive vacant parcel to be used in combination with surrounding MIC parcels in a productive fashion.*

DRAFT [Rational for Denial] - Staff are not recommending any rational for denial at this time.

Ordinance #___-____

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR CERTAIN PARCELS (POSSESSING PIN NUMBERS 9568-39-3793) BY CHANGING THE ZONING DESIGNATION FROM MIC-CZD MEDICAL, INSTITUTIONAL AND CULTURAL-CONDITIONAL ZONING DISTRICT, TO MIC MEDICAL, INSTITUTIONAL AND CULTURAL

IN RE: Parcel Numbers: 9568-39-3793 | File # P24-65-RZO

WHEREAS, the Planning Board took up this application at its regular meeting on September 12th, 2024; voting ___ to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on October 3rd, 2024, and

WHEREAS, City Council has found that this zoning map amendment is consistent with the City's comprehensive plan, and that it is reasonable and in the public interest for the reasons stated, and

WHEREAS, City Council has conducted a public hearing as required by the North Carolina General Statutes on October 3rd, 2024,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Numbers: 9568-39-3793 By Changing the zoning designation from MIC-CZD Medical, Institutional and Cultural-Conditional Zoning District, to MIC Medical, Institutional and Cultural

2. Any development of this parcel shall occur in accordance with the Zoning Ordinance of the City of Hendersonville, North Carolina.

3. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 3rd day of October 2024.

Attest: _____ Barbara G. Volk, Mayor, City of Hendersonville

_____
Jill Murray, City Clerk

Approved as to form:

_____
Angela S. Beeker, City Attorney

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY
PLANNING DIVISION

SUBMITTER: Matthew Manley, Long-Range Planning Manager

MEETING DATE: November 7, 2024

AGENDA SECTION: Unfinished Business

DEPARTMENT: Community Development

TITLE OF ITEM: Rezoning: Conditional Zoning District – First Ave Villas (P24-26-CZD) – *Matthew Manley, AICP – Long-Range Planning Manager*

SUGGESTED MOTION(S):

For Recommending Approval:

I move City Council **adopt** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning -designation of the subject property (PIN: 9568-77-1057) from CMU-CZD (Central Mixed Use Conditional Zoning District) to CMU-CZD (Central Mixed Use - Conditional Zoning District) based on the site plan and list of conditions submitted by and agreed to by the applicant, [dated September 20, 2024] and presented at this meeting and subject to the following:

1. The development shall be consistent with the site plan, including the list of applicable conditions contained therein, and the following permitted uses:

a) Residential, Multi-Family
- 16 - 2 Bedroom Units

[for amendments to uses or conditions discussed and agreed upon in the meeting (between City & Developer) and not yet represented on the site plan, please use the following language. Disregard #2 if not needed.

2. Permitted uses and applicable conditions presented on the site plan shall be amended to include:
1.
2.

For Recommending Denial:

I move City Council **deny** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PIN: 9568-77-1057) from CMU-CZD (Central Mixed Use Conditional Zoning District) to CMU-CZD (Central Mixed Use - Conditional Zoning District) based on the following:

1. The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan, based on the information from the staff analysis and the public hearing, and because:

The petition is consistent with a range of Goals, Guiding Principles and the Future Land Use Designation of Chapter IV of the Gen H Comprehensive Plan.

2. We do not find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:

1. The petition proposes a development that is incompatible with the existing neighborhood due to height, scale, and architectural design.
2. The petition proposes a density that is out of character with the surrounding neighborhood
3. The petition would generate excessive traffic, noise and light in an existing residential neighborhood.
4. The petition would cause an unreasonable loss of privacy

3(2). The petition is found to be <u>consistent</u> with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and because: The petition is consistent with a range of Goals, Guiding Principles and the Future Land Use Designation of Chapter IV of the Gen H Comprehensive Plan. **4(3). We find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:** 1. The petition incorporate a mix of housing types into an existing urban neighborhood 2. The petition provides an efficient use of property in the core of the city 3. The petition would place residents within an area of existing city services and infrastructure 4. The petition would place residents within walkable / bikeable proximity of a range of destinations including employment, shopping, and recreation. 5. The petition provides walkable neighborhood design characteristics 6. The petition proposes to have a vibrant interface with the public realm 7. The petition limits the unreasonable loss of privacy on adjacent properties **[DISCUSS & VOTE]**	**[DISCUSS & VOTE]**

SUMMARY: *The City of Hendersonville is in receipt of an application for a Conditional Zoning District from ARY Development LLC for the property located at 0 1st Ave W (PIN: 9568-77-1057). The current zoning of the property is CMU-CZD (Commercial Mixed Use Conditional Zoning District). The applicant is currently requesting to amend the current Conditional Zoning District for the construction of two three-story buildings comprised of 16 residential units on a .57 acre parcel. The current site plan depicts 18 parking spaces.*

There will be open space located at the front of the property. The parking is located at the center and rear of the property, and the entrance and exit to the units is located in the center of the property. There will be a landscape buffer on three sides of the property that border adjacent properties and street trees located along the frontage.

The project was initially reviewed by Planning Board on July 11, 2024. The project was recommended for denial. The applicant has since adjusted their site plan to remove any portions that exceeded 3-stories with a max height of 38'. They adjusted parking

arrangement, the building materials and the roofline of the buildings.

Planning Board took up this item at their meeting on August 8th voting 5-0 to recommend approval with conditions.

The City Council took up this item at their meeting on September 5th and deferred the decision to their next regular meeting.

PROJECT/PETITIONER NUMBER:	P24-026-CZD
PETITIONER NAME:	Sarah McCormick [applicant] Rafique Charania of ARY Development LLC [owner]
ATTACHMENTS:	1. Staff Report 2. Planning Board Summary 3. Comprehensive Plan & FLUM Consistency Worksheet 4. Goals & Guiding Principles Evaluation Worksheet 5. Downtown Design Guidelines Evaluation Worksheet 6. Proposed Site Plan 7. Neighborhood Compatibility Summary 8. Draft Ordinance 9. Proposed Zoning Map 10. Application / Owner Signature Addendum / LLC Record

REZONING: CONDITIONAL REZONING – FIRST AVE VILLAS (P24-026-CZD)

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT STAFF REPORT

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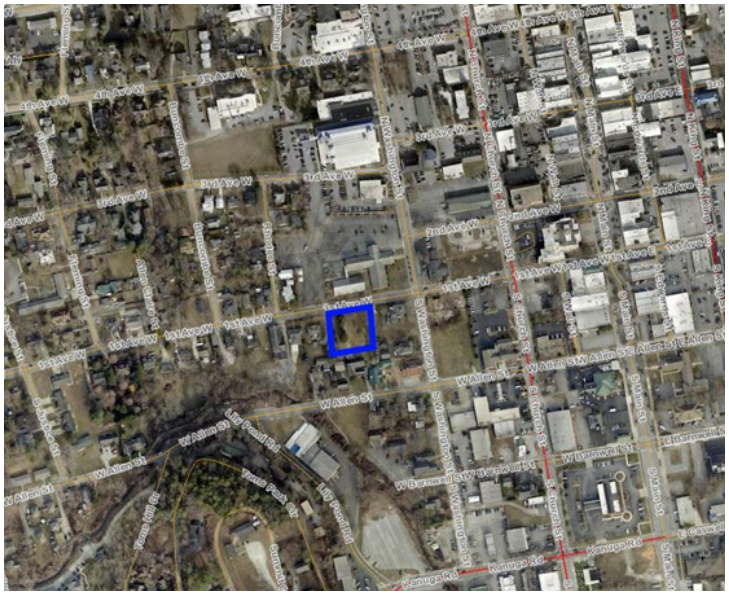
PROJECT SUMMARY

- Project Name & Case #:
  - First Ave Villas
  - P24-026-CZD
- Applicant & Property Owner:
  - Sarah McCormick [applicant]
  - Rafique Charania of ARY Development LLC [Owner]
- Property Address:
  - 320 1st Ave W, Hendersonville, NC 28792
- Project Acreage:
  - 0.57 Acres
- Parcel Identification (PIN):
  - 9568-77-1057
- Current Parcel Zoning:
  - CMU-CZD - Central Mixed Use Conditional Zoning District
- Requested Zoning:
  - CMU-CZD – Central Mixed Use Conditional Zoning District
- Future Land Use Designation:
  - Downtown
- Neighborhood Compatibility Meeting:
  - June 6, 2024



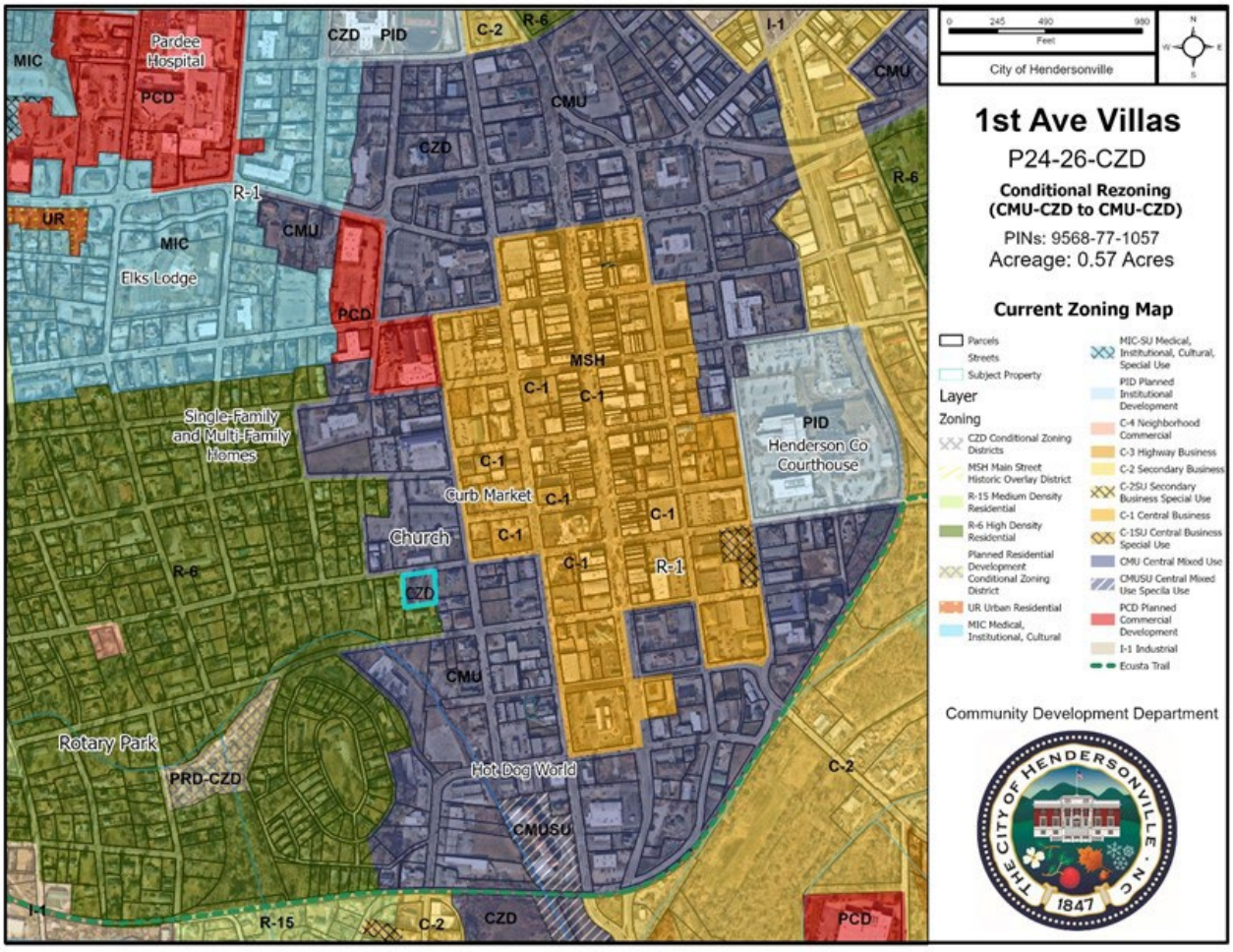
SITE VICINITY MAP

The City of Hendersonville is in receipt of a Conditional Zoning District application from ARY Development, LLC for the property located at 0 1st Ave W (PIN: 9568-77-1057). The current zoning of the property is CMU-CZD (Commercial Mixed Use Conditional Zoning District). The applicant is currently requesting to amend the existing CZD for the construction of 2 three-story buildings comprised of 16 residential units on a .57 acre parcel.

There will be open space located at the front of the property. The 18 parking spaces are located at the center and rear of the property while the entrance and exit to the units is located in the center of the property. There will be a landscape buffer on three sides of the property that border adjacent properties and street trees located along the frontage.

The project was initially reviewed by Planning Board on July 11, 2024. The project was recommended for denial. The applicant has since adjusted their site plan to remove any portions that exceeded 3-stories; now reflecting a max height of 38'. The developer reduced the total unit count by 2 which reduced the overall density from 31.5 to 28 units/acre. They also adjusted the parking arrangement, the building materials and the roofline of the buildings. Planning Board unanimously recommended approval on August 8, 2024

EXISTING ZONING & LAND USE



City of Hendersonville Current Zoning & Land Use Map

The subject property is currently zoned CMU - CZD and is located within city limits. The property is on the edge of the CMU zoning, which is located around the periphery of downtown. The CMU zoning is immediately adjacent to the east and north of the subject property. The CMU zoned property to the north of 1st Ave is the location of the 1st Church of the Nazarene. The property to the east at the corner of Washington St is an historic single-family home constructed circa 1882. A small portion of the lot at the very southeast corner is shared by another historic single-family home constructed in 1902. The adjacent parcels to the immediate south and west are zoned R-6. The R-6 property to the south is a multi-family property featuring 5 residential units. The R-6 property to the west is single-family structure built in 1910.

SITE IMAGES

View of subject property from First Avenue W (facing south). The building visible at the back of the property is a multi-family unit located on an adjacent property.

Mature trees located on subject property (view from First Avenue W facing southeast).

SITE IMAGES

View of adjacent property to the west.

Tree buffer to adjacent property (facing east).

SITE IMAGES

View of right of way looking east.

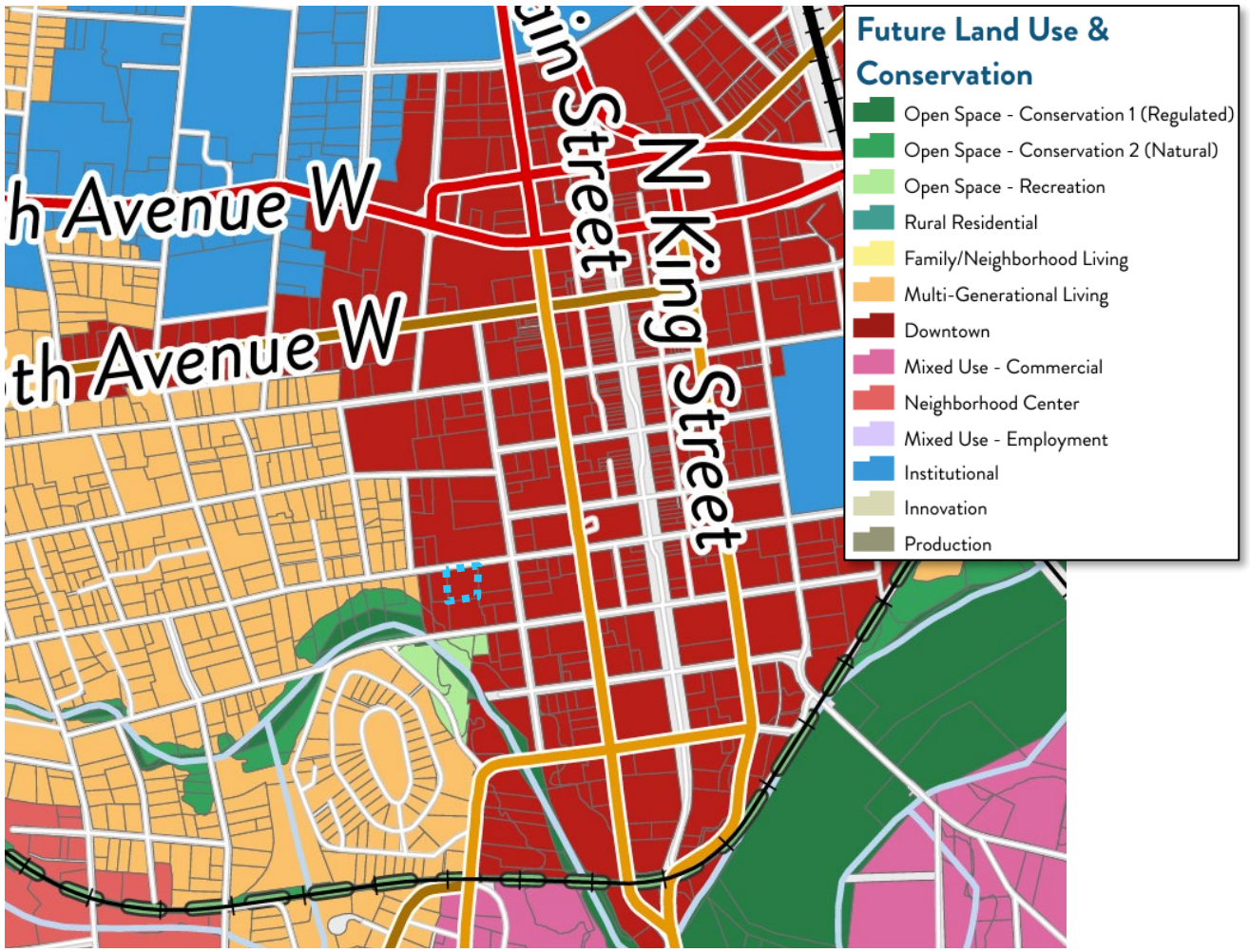
View of right of way looking west.

SITE IMAGES

Existing driveway running through property.

View of 1st Church of the Nazarene and 1st Ave from frontage of subject property

FUTURE LAND USE



City of Hendersonville Future Land Use Map

The subject property is designated a "Downtown" in the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map. The Downtown Character Area encompasses all of the properties to the east of the subject parcel. The first two parcels to the west of the subject property are designated as Downtown. The designation then transitions to Multi-Generational Living as you move westward. Open Space – Conservation 1 (Regulated) is to the south of the subject property following the Wash Creek floodplain.

West Ave Villas Proposal Timeline:

August 2020 – Conditional Rezoning (R-6 to CMU-CZD) - 10 Units (Two 1,742 Sq Ft Buildings +Two Garage Apts) – APPROVED
August 2021 – Conditional Rezoning (CMU-CZD Amended) - 11 UNITS (Two – 1,742 Sq Ft Buildings + Three Garage Apts) 340 Sq Ft Total Increase – APPROVED

Note:

With the adoption of the new Gen H Comprehensive Plan, the future land use for this property is now considered Downtown.

Full Minutes from City Council Meeting:

August 2020 Adoption of CMU-CZD Rezoning:
https://mccmeetings.blob.core.usgovcloudapi.net/hvlnc-pubu/MEET-Minutes-742cc7de0f094b0f9d6754d8941c3eeb.pdf

August 2021 Update to CZD:

https://mccmeetings.blob.core.usgovcloudapi.net/hvlnc-pubu/MEET-Minutes-3cb3462df8a840ff9b290d0d871faa1d.pdf

STAFF SITE PLAN REVIEW – SUMMARY COMMENTS

PROPOSED REQUEST DETAILS

Site Plan Summary:

- Proposed Use: Residential, multi-family
- Total Dwelling Units: 16
- Site: .57 Acres
- Density: 28 Units / Acre
- Buildings:
  - Building 1 - 2,432 Sq Ft (footprint)
  - Building 2 - 2,432 Sq Ft (footprint)
  - Gross Floor Area - 18,832 Sq Ft
  - Height:
    - Mid-point of gable between ridge and eaves (height by definition) = 44'
    - Height of Ridge for 3-Story portion = 40'
    - Height of Ridge for 4-Story portion = 48' (highest point)
- Open Space: 1,181 Sq Ft of Urban Open Space
- Impervious Paver Area: 3,861 Sq Ft
- Transportation:
  - 1 centrally located vehicular access point off of 1st Ave
  - The projected Average AM Peak Trips = 9.18 (Threshold for TIA = 100)
  - The projected Average PM Peak Trips = 11.16 (Threshold for TIA = 100)
  - The projected Daily Trips = 118 (Threshold for TIA = 1,000)
- Sidewalks:
  - Staff is proposing that a Fee-in-Lieu of sidewalk be provided given the existing continuous sidewalk on the north side of 1st Ave and the right-of-way limitations for providing a continuous sidewalk on the south side of 1st Ave.
- Lighting:
  - All site lighting will be required to conform to the City's lighting standards for multi-family developments. The lighting plan is a component of the final site plan review.
- Parking:
  - Off-Street Parking
    - Required: 1 per unit (1&2-bedroom units) = 16 spaces
    - Provided: 18 spaces
      - 1 ADA
  - On-Street Parking
    - 12 -13 on-street parallel parking spaces provided on north side of

Ave to alleviate concerns of under parking and to provide buffer for pedestrians.

- Drive Aisles
  - The center drive aisle is 26' wide.
  - The parking lot drive aisle is 24' 9"

- Landscaping:
  - This development will be required to provide:
    - Vehicular Use Landscaping
      - Interior parking lot plantings (Sec. 15-9 a))
      - Planting strip to buffer from rear property (Sec. 15-9 b))
    - Street Trees (Sec. 15-15)
    - Urban Open Space landscaping (Sec. 5-19-3.3 f) 3))
    - A detailed Landscaping Plan will be provided at final site plan

- Building Design:
  - 3-Story design with a 4-Story step-up on portion of building furthest from the street
  - Building Materials - Additional Information needed
    - Some heavier stone materials placed on lower portion of 1st story
  - Balconies proposed for 2nd and 3rd floors on front façade
  - Balconies and patios proposed for all floors on side facades
  - Roof line features a variety of gables and false gables

- Floodplain: N/A

- Stream Buffer: N/A

DEVELOPER PROPOSED CONDITIONS: None

OUTSTANDING ISSUES & CITY-PROPOSED CONDITIONS:

COMMUNITY DEVELOPMENT:

Site Plan Comments:

- The site plan accompanying this petition meets the standards established by the Zoning Ordinance for CMU-CZD with the following exceptions [Resolved / Unresolved]:
  - Loading Zone partially encumbers Sidewalk - Developer-Proposed Condition Needed [Unresolved]
  - Additional information needed on Building Materials [Resolved]
  - Update Land Disturbance delineation. Appears to encompass entire parcel. [Resolved]
  - Provide calculations for landscaping requirements. In table form, provide the area or length of required buffers, vehicular use area, urban space, etc, and provide the planting calculations required based on the zoning standards, provide the total plantings for each planting

requirement. Consider separate preliminary landscaping plan on separate sheet [Resolved]
- Type A Buffer Plantings as depicted are insufficient on west side property boundary. Alternative Compliance may be achieved on east property boundary at Final Site Plan. [Resolved]
- Placement of 38' tall buildings located 8' from the property lines of adjacent single-family homes, could be considered "unreasonable loss of privacy" as is referenced in Section 18-6-1 and revisited under Sec 18-6-4.4. Further, it would have impacts to the existing neighborhood as is given consideration under Chapter 8 of the 2030 Comprehensive Plan under LU-3.5 "Minimize negative impacts from growth and land use changes on existing land uses" [Resolved with Conditions]

- The following comments need to be addressed to improve clarity or improve site design and function [Resolved/Unresolved]:
  - Provide Building Dimensions and Parking Area Dimensions [Unresolved]
  - Discrepancies exist between square footage totals shown on site plan for each building vs those shown in the "Site Statistics" table [Resolved].
  - Clarity is needed on potential discrepancies between footprint square footage and gross floor area [Resolved]
  - Provide canopy area and indicate trees to be removed vs trees to be preserved on the "tree survey". [Resolved]
  - Parking Spots 14 and 7 appear encumbered by building columns [Resolved]
  - Parking Spot 11 is encumbered by a proposed tree to be preserved [Resolved]
  - Loading Zone appears difficult to access / limited in use [Resolved]
  - Improve clarity of building footprint where surface level parking is provided under the 2nd floor [Resolved]
  - Add note that this will meet the screening requirements of 5-19-3.3 c). [Resolved]
  - Dumpster location appears difficult to access for trash removal [Resolved]

Proposed City-Initiated Conditions [Zoning Compliance]:

- In order to reduce unreasonable loss of privacy, the existing vegetation on the east property edge should be fully preserved. [Developer has agreed - Finalize Details]
- In order to reduce unreasonable loss of privacy, provide increased screening on west side of project
  - Developer Response: Will provide vegetated screening on 2nd & 3rd Floor Balconies and increase new tree plantings in buffer on west side of project. [Developer has agreed]

DEVELOPMENT REVIEW COMMITTEE COMMENTS:

The Development Review Committee consist of the following Departments/Divisions and Agencies: Engineering, Water/Sewer, Fire Marshal, Stormwater Administration, Floodplain Administration, Public Works, NCDOT, Henderson County Soil & Erosion Control and the City's Traffic Consultant. While all pertinent members of the DRC reviewed this project, staff has provided only the relevant/outstanding comments / conditions below:

FIRE MARSHAL

Site Plan Comments:

- Please make sure that this surface shall be capable of supporting the imposed load of a fire apparatus weighing at least 75,000 pounds. [Resolve at Final Site Plan]

Proposed City-Initiated Conditions:

- None

PUBLIC WORKS

Site Plan Comments:

- For on-street parking:
  - Add dimensions showing the width of the road [Resolve at Final Site Plan]
  - Remove the mid-block crosswalk [Resolved]
  - Close the 17' 10" gap in the parking spaces [Resolved]
  - Show the drive entrance on the west end of the building as well to make sure we have the setback from that entrance/exit. [Resolve at Final Site Plan]

Proposed City-Initiated Conditions:

- None

TRANSPORTATION

Staff Comments:

- A TIA was not required for this project due to the low expected trip generation. The City's triggers of 100 Peak Hour Trips and 1,000 Daily Trips were not met.
- The trip generation for this project is 28 AM Peak Hour Trips, 28 PM Peak Hour Trips and 191 Daily Trips

Proposed Condition:

- None

REZONING ANALYSIS – COMPREHENSIVE PLAN CONSISTENCY (ARTICLE 11-4)

GENERAL REZONING STANDARDS	
1) COMPREHENSIVE PLAN CONSISTENCY	**LAND SUPPLY, SUITABILITY & INTENSITY** The subject property is located on a vacant or underutilized property in the Land Supply Map. It ranks as "Highly Suitable" for residential development in the Suitability Assessment. The subject property is in a Focused Intensity Node centered at the intersection of Greenville Hwy & Spartanburg Hwy.
	FUTURE LAND USE & CONSERVATION MAP **Designation:** Downtown **Character Area Description:** Consistent **Zoning Crosswalk:** Consistent **Focus Area Map:** N/A
	LONG-RANGE PLANNING COMMITTEE RECOMMENDATION The Long-Range Planning Committee reviewed the proposal for Comprehensive Plan Consistency at their meeting held on July 30, 2024. The LRPC supported the staff analysis for comprehensive plan consistency and concurred that the proposed conditions for Rezoning Criteria found below would alleviate areas of inconsistency.
2) COMPATIBILITY	**Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property –**
	In addition to a general analysis of the existing conditions, staff has utilized the Gen H Comprehensive Plan as a guide for further evaluating issues related to "compatibility". The analysis below includes an assessment of how the project aligns with the overall Goals and overarching Guiding Principles found in Chapter IV of the Gen H Plan. Additionally, because this project is located within the boundaries of the Downtown Master Plan, staff evaluated the project according to the Design Guidelines found in Chapter V of the Gen H Plan.
	EXISTING CONDITIONS The subject property is currently vacant. It is surrounded by single-family and multi-family residential homes. Directly across 1st Avenue from the subject property is Hendersonville First Church of Nazarene. To the northwest of the property is the West End National Register Historic District, which primarily consists of single-family homes on varying sized lots. There are also a mix of multi-family units in small apartment buildings or in homes that have been converted into multi-family. To the east of the property is Downtown - the city's core commercial business district.
	GEN H COMPREHENSIVE PLAN GOALS (Chapter IV) **Vibrant Neighborhoods**: Consistent **Abundant Housing Choices**: Consistent **Healthy and Accessible Natural Environment**: Somewhat Consistent **Authentic Community Character**: Somewhat Consistent **Safe Streets and Trails**: Consistent

	Reliable & Accessible Utility Services: Consistent **Satisfying Work Opportunities**: N/A **Welcoming & Inclusive Community**: Consistent **Accessible & Available Community Uses and Services**: N/A **Resilient Community**: N/A
	GEN H COMPREHENSIVE PLAN GUIDING PRINCIPLES (Chapter IV) **Mix of Uses:** Consistent **Compact Development:** Somewhat Consistent **Sense of Place:** Somewhat Consistent **Conserved & Integrated Open Spaces:** Somewhat Consistent **Desirable & Affordable Housing**: Consistent **Connectivity**: Consistent **Efficient & Accessible Infrastructure:** Consistent
	DESIGN GUIDELINES ASSESSMENT (Chapter V) Key compatibility concerns for an infill development of this scale can be addressed through the application of design guidelines such as those found in Chapter 5 of the Comprehensive Plan. Primary areas of concern for compatibility are site design, building height and architectural design. Site Design - Many aspects of the site plan align with the Design Guidelines in Chapter 5 of the Comprehensive Plan including: building placement, landscaping, parking and on-site open space. One area of concern is the buildings do not parallel the street edge. Height - the applicant has revised the proposal to reduce the overall height to 38' which aligns with the Downtown Design Guidelines in Chapter 5 of the Comprehensive Plan for both maximum height and residential transitions. It is also not out of scale with existing adjacent residential structures. Architectural Design - while many aspects of the building design align with the design guidelines, notable shortcomings involve the activation of the ground-floor through the provision of functioning stoops/porches and pedestrian entries on primary frontage.
3) Changed Conditions	**Whether and the extent to which there are changed conditions, trends or facts that require an amendment -**
	The property has previously been rezoned to accommodate 11 units on the property. Additionally, the Ecusta trail, which will be partially completed by the end of this year, is a new transportation and recreation facility located less than 1/2 mile from the subject property.
4) Public Interest	**Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare -**
	The status of the region's affordable housing crisis is well documented from reports such as the Bown Study. The City of Hendersonville is currently engaged in a Strategic Housing Plan to further address this issue.
	The provision of 16 additional housing units on a relatively small, infill parcel will put residents within close proximity to employment, shopping, recreation, etc. The proposed development would utilize existing infrastructure and city services.

5) Public Facilities	**Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment**
	The subject property will be served by City of Hendersonville services. The subject property is located within the City's existing interconnected street grid, which facilitates the disbursement of additional automobile traffic, and is in close proximity to the Ecusta trail, and less than a 5-minute walk to historic Main St, both of which facilitate a reduction in typical per household vehicular miles traveled.
6) Effect on Natural Environment	**Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife -**
	Mature Trees: There are a number of mature trees and vegetation around the subject property. Tree canopy in the center of the property is proposed to be removed. Some of the trees on the east side of the property are proposed to be removed while others will be preserved and incorporated into the required buffer. **Stormwater**: Stormwater management standards are not triggered by this development due to the disturbed area being less than 1 acre. The developer proposes to utilize pervious pavers for the center drive aisle and parking area.

REZONING CRITERIA STAFF ANALYSIS & CONDITIONS

Staff Analysis

1) Comprehensive Plan Consistency - Staff finds the petition and site plan to be generally consistent with the Gen H Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description.
2) Compatibility - Staff finds that the general location of the project and its proximity to a mix of land uses is compatible with the city's overall growth strategies. Areas of inconsistencies arise when considering the compatibility of the design of the project through the lens of the Goals, Guiding Principles and Design Guidelines found in Chapter IV & V of the Gen H Plan. The compatibility issues relate to design elements of the proposed structures and how they interface with the street frontage. These inconsistencies are addressed by the conditions proposed by staff outlined below.
3) Changed Conditions - Staff finds that the changed conditions related to construction of the nearby Ecusta Trail supports increased density in areas located in close, walkable proximity to off-street trails.
4) Public Interest - Staff finds that the provision of additional higher density housing facilitates the provision of increased housing stock.
5) Public Facilities - Staff finds that the proposed development would efficiently utilize existing services and infrastructure. Staff would highlight that the existing interconnected street grid, pedestrian facilities and nearby off-street trails combine to create opportunities to disperse automobile traffic and reduce vehicular trips.
6) Effect on Natural Environment - While some tree removal and an overall reduction in pervious area is proposed, the proposal does include the preservation of some mature trees and shrubs and proposes to utilize pervious pavers to reduce the overall use of

impervious materials.

Proposed City-Initiated Conditions [Rezoning Criteria]:

- Provide fully functioning upper-floor balconies and first-floor patios on front façade with front entrances connected to right-of-way. [Developer Agreed]
- Provide sidewalk connection to street edge from first-floor units and from sidewalks which flank center-drive aisle. [Developer Agreed]
- Provide fenestration on front facing façade of rear elevator/stairwell [Developer Agreed]
- Enclose the rear and front stairwells in order to better blend with surrounding neighborhood. At a minimum use fenestration on street-facing sides to provide light and design consistency. Fenestration on front, street-facing façades should align horizontally throughout the development - i.e. windows on elevator/stairwell should align with windows on residential units. [Developer Agreed]
- Provide delineated on-street parking on north side of 1st Ave to address parking concerns expressed at NCM, to help buffer the sidewalks and to help achieve Strategy LU-6.4 and Action PH-3.1.1 of the 2030 Comp Plan and Sec. 5-19-3.3 of the Zoning Code - [Developer Agreed]

Proposed Planning Board-Initiated Conditions [Rezoning Criteria]:

- Utilize pervious material throughout the parking and drive area [Developer Agreed to expand pervious area]

DRAFT COMPREHENSIVE PLAN CONSISTENCY AND REZONING REASONABLENESS STATEMENT

The petition is found to be ***consistent*** with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The petition is consistent with the Future Land Use and Conservation Map Designation of 'Downtown' and the corresponding Character Area Description found in Chapter IV of the Gen H Comprehensive Plan.

We **[find/do not find]** this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

Planning Board [Rationale for Approval]:

- *The petition incorporate a mix of housing types into an existing urban neighborhood*
- *The petition provides an efficient use of property in the core of the city*
- *The petition would place residents within an area of existing city services and infrastructure*
- *The petition would place residents within walkable / bikeable proximity of a range of destinations including employment, shopping, and recreation.*
- *The petition provides walkable neighborhood design characteristics*
- *The petition proposes to have a vibrant interface with the public realm*
- *The petition limits the unreasonable loss of privacy on adjacent properties*

DRAFT [Rational for Denial]

- *The petition proposes a development that is incompatible with the existing neighborhood due to height, scale, and architectural design.*
- *The petition proposes a density that is out of character with the surrounding neighborhood*
- *The petition would generate excessive traffic, noise and light in an existing residential neighborhood.*
- *The petition would cause an unreasonable loss of privacy*

PLANNING BOARD RECOMMENDATION
PROJECT #: P24-26-CZD
MEETING DATE: August 8, 2024

PETITION REQUEST: 1st Ave Villas (CMU to CMU)

APPLICANT/PETITIONER: Rafique Charania, ARY Development (owner)
Sarah McCormick, Peacock Architects (applicant)

PLANNING BOARD ACTION SUMMARY:

Staff gave a 33-minute presentation on the requested development - reviewing the site plan in light of guidance from the Gen H Comprehensive Plan and the criteria for considering a rezoning. Staff also presented a range of staff-proposed conditions. The Planning Board asked questions pertaining to the recusal of a member of the Planning Board who's client is the property owner, the proposed parking for the project, the use of pervious materials and potential solutions for loss of privacy. In total Planning Board considered this item for 1 hour and 44 minutes.

APPLICANT PRESENTATION:

The property owner was represented by legal and architectural professionals. The legal representative reviewed aspects of the Gen H Comprehensive Plan and zoning code references. The architect presented renderings of the site. During the presentation the applicant agreed to the several of the staff-proposed conditions including the following:

- In order to reduce unreasonable loss of privacy, the existing vegetation on the east property edge should be fully preserved.
- Provide fully functioning upper-floor balconies and first-floor patios on front façade with front entrances connected to right-of-way.
- Provide sidewalk connection to street edge from first-floor units and from sidewalks which flank center-drive aisle.
- Provide fenestration on front facing façade of rear elevator/stairwell
- Enclose the rear and front stairwells in order to better blend with surrounding neighborhood. At a minimum use fenestration on street-facing sides to provide light and design consistency. Fenestration on front, street-facing façades should align horizontally throughout the development - i.e. windows on elevator/stairwell should align with windows on residential units.
- Provide delineated on-street parking on north side of 1st Ave to address parking concerns expressed at NCM and to help buffer the sidewalks.

The developer did not agree to two staff-proposed conditions: 1) aligning the building edge with the street edge and 2) shifting the balconies to the interior of the site. The developer is reviewing two additional Planning Board proposed conditions: 1) address unreasonable loss of privacy on west side in order to achieve zoning code compliance and 2) utilize pervious material throughout the parking and drive area.

PUBLIC COMMENT:

Limited to 3 minutes per person.

- Ken Fitch, 1046 Patton St - brought up issues related to size of the parcel, the perspective of the renderings, buildings out of character with the neighborhood, parking, safety, traffic and the removal of trees.
- Lynne Williams, Chadwick Ave - took issue with Tamara Peacock being in the room during the deliberation and staff speaking with the applicant's attorney. She brought up issues related to impacts to buffers, expansion of front balconies, location of dumpsters, the number of meetings on this project, gentrification/affordability, and incompatibility of the character of buildings.
- Katy Gash, 705 Ciccone Drive - church is located just a couple parcels to the west, has some concerns with potential impacts. However, she felt as though the developer is making a good faith effort to address concerns heard at the previous Planning Board meeting. She expressed that the project aligned with the Gen H Comprehensive Plan and the developer should not be faulted for aligning their plans with the City's plans. Still has concerns related to gentrification.
- Alfred King, 105 Fleming St - long-time resident. He saw parking as the biggest concern. Pointed out that the verbally referenced Parking Agreement with 1st Church of the Nazarene would potentially go away if the Church ultimately needs to utilize that space. It is not an affordable project. It doesn't match the neighborhood. And there is not enough parking.

DELIBERATION:

The Planning Board deliberated about "unreasonable loss of privacy", reviewed the various conditions and proceeded with a motion that included addressing privacy concerns on the west side and expanding the pervious vehicular use area proposed by the developer to cover the entire parking lot rather than just the center drive, loading zone and parallel parking spaces.

MOTION:

Peter Hanley moved that the Planning Board recommend approval providing the following:

COMPREHENSIVE PLAN CONSISTENCY STATEMENT:

The petition is consistent with a range of Goals, Guiding Principles and the Future Land Use Designation of Chapter IV of the Gen H Comprehensive Plan.

REASONABLENESS STATEMENT:

[Rationale for Approval]

1. The petition incorporate a mix of housing types into an existing urban neighborhood
2. The petition provides an efficient use of property in the core of the city
3. The petition would place residents within an area of existing city services and infrastructure
4. The petition would place residents within walkable / bikeable proximity of a range of destinations including employment, shopping, and recreation.
5. The petition provides walkable neighborhood design characteristics
6. The petition proposes to have a vibrant interface with the public realm
7. The petition limits the unreasonable loss of privacy on adjacent properties

BOARD ACTION

- **Motion/Second**: Hanley / Johnson
- **Yeas**: J. Robertson (Chair), Hanley, Flores, Waters, Johnson
- **Nays**: N/A
- **Absent**: Cromar, B. Robertson, Gilgis, Whiting
- **Recused**: Peacock (started the meeting on the dais but recused prior to this action item)

Chapter 4 - The Vision for the Future	Consistent	Inconsistent
SUPPLY, SUITABILITY, & INTENSITY		
LAND SUPPLY MAP (Pg. 81, Figure 4.4)	Consistent	
LAND SUITABILITY MAP (Pg. 84-86, Figure 4.5-4.7)	Consistent	
DEVELOPMENT INTENSITY MAP (Pg. 89, Figure 4.9)	Consistent	
FUTURE LAND USE & CONSERVATION MAP		
Future Land Use and Conservation Map (Note classification here, Pg. 117, Figure 4.12)	**Downtown**	
Character Area Description (Pg. 122-131)	Consistent	
Zoning Crosswalk (Pg. 132-133, Figure 4.18)	Consistent	
Focus Area Map (Pg. 134-159)	NA	NA

Chapter 4 - The Vision for the Future	Consistent	Inconsistent
GOALS		
VIBRANT NEIGHBORHOODS (Pg. 93)		
Promote lively neighborhoods that increase local safety.	Consistent	
Enable well-maintained homes, streets, and public spaces.	Consistent	
Promote diversity of ages (stage of life), income levels, and a range of interests.	Consistent	
The design allows people to connect to nearby destinations, amenities, and services.	Consistent	
Abundant Housing Choices (Pg. 93)		
Housing provided meets the need of current and future residents.	Consistent	
Range of housing types provided to help maintain affordability in Hendersonville.	Consistent	
Housing condition/quality exceeds minimum standards citywide	Consistent	
Healthy and Accessible Natural Environment (Pg. 94)		
Recreational (active and passive) open spaces are incorporated into the development.	Consistent	
Water quality is improved with the conservation of natural areas that serve as filters and soil stabilizers.	Somewhat Consistent	
Natural system capacity (floodplains for stormwater; habitats to support flora/fauna; tree canopy for air quality, stormwater management, and microclimate) is maintained.	Somewhat Consistent	
Development is compact (infill/redevelopment) to minimize the ecological footprint.	Consistent	
New development respects working landscapes (e.g., orchards, managed forests), minimizing encroachment.	NA	NA
Authentic Community Character (Pg. 94)		
Downtown remains the heart of the community and the focal point of civic activity	Consistent	
A development near a gateway sets the tone, presenting the image/brand of the community.	NA	NA
Historic preservation is utilized to maintain the city's identity.		Inconsistent
A development is considered a quality development that preserves the city center or neighborhood.	Somewhat Consistent	
Safe Streets and Trails (Pg. 95)		
Interconnectivity is promoted between existing neighborhoods through the building out of street networks, including retrofits and interconnectivity of new developments.	Consistent	
Access is increased for all residents through the provision of facilities that promote safe walking, biking, transit, automobile, ride share, and bike share.	Consistent	
Design embraces the principles of walkable development.	Somewhat Consistent	
Reliable & Accessible Utility Services		
A compact service area (infill, redevelopment) maximizes the utilization of existing infrastructure and feasible service delivery.	Consistent	

Satisfying Work Opportunities (pg. 96)		
The development promotes quality job options.	NA	NA
Welcoming & Inclusive Community		
Accessibility exceeds minimum standards of ADA, fostering residents' and visitors' sense of belonging.	Consistent	
Accessible & Available Community Uses and Services (Pg. 97)		
Private development is plentiful, meeting the demands of current and future populations.	N/A	N/A
Resilient Community		
N/A		
GUIDING PRINCIPALS (pg. 98)		
Mix of Uses (Pg. 98)		
Revitalization of Outdated Commercial Areas	Consistent	
New business and office space promotes creative hubs.	NA	NA
Compact Development (Pg. 100)		
Development is consistent with efforts in the area to establish 15-minute neighborhoods.	Consistent	
The infill project is context sensitive.	Somewhat Consistent	
Sense of Place (Pg. 102)		
The development contributes to Hendersonville's character and the creation of a sense of place through its architecture and landscape elements.	Somewhat Consistent	
Conserved & Integrated Open Spaces (Pg. 106)		
A diverse range of open space elements are incorporated into the development.	Somewhat Consistent	
Desirable & Affordable Housing (Pg. 108)		
Missing middle housing concepts are used in the development.	Consistent	
Connectivity (Pg. 112)		
The development encourages multimodal design solutions to enhance mobility.	Consistent	
Efficient & Accessible Infrastructure (Pg. 114)		
The development utilizes existing infrastructure	Consistent	

Chapter 5 - Downtown Design Guidelines	Consistent	Inconsistent
PUBLIC REALM		
Blocks (Pg. 212)		
Provide vehicle access to nearby buildings via alleyways or shared driveways.	Consistent	
Utilize smaller curb radii to shorten crossing distances for pedestrians.		Inconsistent
Extend the historic downtown block pattern throughout the entirety of the downtown character districts.	Consistent	
Implement interior pedestrian cut throughs as necessary to achieve the ideal block size (300-500').	Consistent	
Main Street & Downtown Edge Character Districts (Pg. 213)		
Any future development or redevelopment within the Main Street and Downtown Edge character districts should maintain consistent with the existing block size and grid layout along Main Street and in the downtown core.	Consistent	
New connector streets and alleys should be considered where appropriate to increase better access and circulation.	NA	NA
Streetscape Character (Pg. 218-222)		
The streetscape character matches the street classification the development is located on. (Pg. 218-219)	Consistent	
The streetscape zones are sufficient for the street classification. (Pg. 224-234)	Consistent	
Pedestrian & Bike Infrastructure (Pg. 238-243)		
Sidewalks (Pg. 238)		
Internal sidewalk connections should be provided between buildings and from buildings to all on-site facilities including parking areas, bicycle facilities, open spaces, and amenities.	Consistent	
External sidewalks should be provided from all buildings onsite to the existing or proposed sidewalk system and to abutting multi-use trails, parks, and greenways.		Inconsistent
Greenways & Trails (Pg. 238)		
Expand and improve greenway and trail networks to create connections between neighborhoods, parks, and destinations.	NA	NA
On-Road Facilities		
Sidewalks (Pg. 240)		
Expand existing sidewalk network to fill gaps in connectivity. Downtown sidewalks, where feasible, should be a minimum of 10' in width to promote walkability.	Consistent	
Incorporate buffer zones, such as landscaped areas or street furniture, between sidewalks and vehicular traffic	Consistent	
SITE DESIGN (Pg. 254-265)		
Frontage Types (Pg. 254)		
Identify which Frontage Type the development is and write in cell to the right.	Secondary	

Building Placement & Setback Character (Pg. 254-255)		
Orientation (Pg. 254-255)		
Building faces the street and is accessible from the sidewalk.	Somewhat Consistent	
Site layout shall prioritize placing buildings towards the front of the lot, with parking situated to the side and/or rear of the building	Consistent	
Buildings located on a corner should have one of the following architectural features: Two entrances, one primary and one secondary, located on each frontage. Architecturally prominent corner entry with vertical emphasis through building height or architectural elements like porches, colonnades, etc.	NA	NA
Setback Line (Pg. 255)		
The setback line is based off of the future back of curb - based on Frontage Type (Pg. 256, refer to Figure 5.26)	Consistent	
Build-To-Zone		
The Build-to-Zone begins at the required Frontage Type setback line (Pg. 256, refer to Figure 5.26)	Consistent	
Build-To-Percentage		
The Build-To-Percentage refers to the proportion of a lot's frontage that must be occupied by the building façade. (Pg. 256, refer to Figure 5.26)	Consistent	
Setback Exceptions (Pg. 255)		
Refer to this section for setback exceptions for Primary and Primary-Other classification. (Pg. 255)	NA	NA
Building Height		
Story (Pg. 257)		
New downtown buildings must be at least two stories tall, with exceptions for certain accessory structures like retail kiosks or public restrooms	Consistent	
Building Height by District		
The permitted building height varies according to the specific character district. Refer to Figure 5.28	Consistent	
The building height is appropriate based off of the maximum heights set by the Building Heights Map (Figure 5.31, Pg. 259).	Consistent	
Rear and Side Setbacks for Development		
Character District Transitions (Pg. 260)		
When development is located next to a district with a lower height restriction, the development should be no more than one-story differential for the first 50 feet of building width.	Consistent	
Residential Transitions (Pg. 260)		
Development adjacent to residentially zoned land and/or historic structure should be no more than one-story differential for the first 50 feet of building width.	Consistent	

Greenway & Trail Frontage (Pg. 260)		
When future development is planned along a proposed trail as outlined on any adopted plans, it is the responsibility of the development to construct the portion of the trail along the development frontage.	NA	NA
Connections to Parks and Greenways (Pg. 261)		
When a development abuts an existing or future greenway, park, or open space area, pedestrian/bicycle accessways must be provided at a minimum of every 1000 feet when feasible as determined by City staff.	NA	NA
Landscape (Pg. 261)		
Design landscaping, fencing, and retaining walls to be integrated into the site and its architecture.	Consistent	
Screen service areas, utilities, and parking areas with trees, shrubs, and other landscaping.	Consistent	
Install pedestrian bulbouts at street intersections within the downtown districts to reduce pedestrian crossing distance and expand public space. Integrate plantings, monumentation, public art, and seating within these spaces	NA	NA
Stormwater Management (Pg. 261)		
Underground stormwater detention should be utilized within the downtown districts versus surface detention facilities.	NA	NA
Low impact stormwater management methods such as pervious paving, bioretention, and vegetated landscape islands shall be utilized in surface parking lots.	Consistent	
Utilize innovative stormwater management methods such as the use of bioretention in planting strips along nonprimary streets.	NA	NA
Parking (Pg. 262)		
Surface parking lots shall not be a principal use in any character district	Consistent	
For commercial and institutional/semi-public uses within the character districts, 5% of the total parking spaces should allow for public use during offpeak business hours.	NA	NA
Shared parking is encouraged.	Consistent	
Structured Parking (Pg. 262)		
Parking structures are encouraged within the downtown districts to reduce the footprint of surface lots.	NA	NA
Developments requiring 200 vehicular parking spaces or more must build structured parking.	NA	NA
Parking structures may be a principal use in the character districts.	NA	NA

Parking structures should be wrapped with liner buildings and follow these design duidelines: When adjacent to a frontage, parking structures shall include active uses along 80% of the primary frontage and 60% of the ground floor building length along any seconding frontage, excluding areas of required vehicular and pedestrian egress, and utility rooms. Vertical and horizontal architectural elements should be designed in a manner to approximate the window openings on adjacent habitated portions of the building. 60% of all openings on or visible from a frontage shall be screened with architectural louvers and/or panels.	NA	NA
Parking Requirements (Pg. 262-263)		
Within the Main Street character district, parking requirements are optional with the provision of a fee in lieu of.	NA	NA
Within the Downtown Edge, 7th Avenue, and Lower Trailhead character districts, minimum parking requirements are per the underlying zoning district.	Consistent	
The following parking maximums apply to properties within each of the character districts regardless of the underlying zoning designation (Figure 5.33, Pg. 263).	Consistent	
Trailhead Parking (Pg. 263)		
Surface lots for trailhead parking are allowed within the 7th Avenue and Lower Trailhead character districts.	NA	NA
Trailhead parking lots must be spaced a minimum ½ mile from each other.	NA	NA
These parking lots shall hold 10 spaces or fewer, including ADA spaces.	NA	NA
Trailhead parking lots may incorporate amenities such as restrooms, water fountains, trash/recycling receptacles, and benches.	NA	NA
Parking lots must be screened from the trail and the public street utilizing landscaping at a minimum width of a 10' landscape buffer.	NA	NA
On-Site Open Space (Pg. 264)		
All proposed developments are required to provide onsite open space except for developments on parcels onefourth acre or less in size.	Consistent	
Developments shall provide a minimum of on-site open space in accordance with the following: Main Street: 5%, Downtown Edge: 10%, 7th Avenue: 10%, Lower Trailhead: 15%	Consistent	
Public On-Site Open Space (Pg. 264)		
Public on-site open space should be provided in accordance with Table 5.34 on Pg. 264.	Consistent	
On-Site Open Space Types (Pg. 264)		
Appropriate on-site open space is provided in accordance with Figure 5.36 Pg. 265.	Consistent	
BUILDING DESIGN		
Architectural Character (Pg. 266)		
Development design fits into the existing architectural character of the character district its located in.	Somewhat Consistent	

Façade Articulationa and Massing (Pg. 268-269)		
For buildings 150 feet in length or longer: Façades shall be divided into shorter segments by means of modulation; such modulation shall occur at intervals of no more than 60 feet and shall be no less than 2 feet in depth. A courtyard, with a minimum width and depth of 60 feet, shall be visible from the street on primary frontages spaced no more than 150 feet.	Consistent	
Ground-floor designs such as arcades, galleries, colonnades, outdoor plazas, or outdoor dining areas shall be incorporated into the building façade and are considered in meeting required build-to percentages. The first two floors above the street grade shall be distinguished from the remainder of the building with an emphasis on providing design elements that will enhance pedestrian environment. Special interest to the base shall be provided by incorporating elements such as corbeling, molding, stringcourses, ornamentation, changes in material or color, recessing, architectural lighting, and other sculpturing of the base. Buildings on a corner or at an axial terminus should be designed with additional height or architectural embellishment. Examples include: Chamfered or rounded corners. Projecting and recessed balconies and entrances. Enhanced window designs	Somewhat Consistent	
Building Elements (Pg. 270-275)		
Entry		
The main pedestrian entry shall be a prominent entrance on the primary frontage		Inconsistent
For corner buildings with two frontages, the main pedestrian entry can be located on the corner.	NA	NA
Enhance the design of entry areas with materials, as well as architectural and landscape features, that will naturally guide pedestrians	Somewhat Consistent	
Windows		
Shopfront windows shall not be lower than 2 feet from the ground plane except where architectural elements like floor or ceiling glass curtain walls or glass roll up doors are utilized.	NA	NA
Windows should comprise more than 60% of the building façade in the Main Street and Downtown Edge districts.		Inconsistent
Windows should comprise more than 40% of the building façade in the 7th Avenue and Lower Trailhead districts.	NA	NA
Windows shall be set back 4-6 inches from the façade rather than flush.		Inconsistent
Roof		
Infill development in the Main Street district shall have flat roofs to match the existing architecture of Main Street.	NA	NA
Pitched roofs are permitted in the Downtown Edge, 7th Avenue, and Lower Trailhead districts.	Consistent	
Recessed Doorways		
Recessed doorways are encouraged with 5 feet as the maximum distance of recess from the front wall.	Consistent	
No glass shall be positioned lower than two feet above ground level.	Consistent	
Doors are not permitted to swing into the sidewalk/ pedestrian zone	Consistent	

Activated Ground Floor		
Ground floor façades should be composed primarily of glass to allow views of the use and activity within the buildings	Somewhat Consistent	
Within the Main Street and Downtown Edge districts, the ground floor shall be composed of commercial uses.	Consistent	
Private residences are prohibited on primary frontages within Main Street and Downtown Edge districts.	Consistent	
Primary residence entries, including those for townhomes and brownstones, should incorporate features such as stoops, porches, etc.		Inconsistent
Ground floor design should incorporate elements such as retail displays, planters, art, and canopy coverings to encourage pedestrian activity.	Somewhat Consistent	
Materiality		
Materials chosen for building façades, balconies, windows, or roof should be compatible with the surrounding context of the district but should not be identical as to not allow for any diversity.	Consistent	
All façades visible from a primary frontage shall utilize high-quality finish materials such as: brick, wood, stone, concrete-based stucco, horizontal wood siding, architectural metal panel, or wood shingle.	Consistent	
Within the Main Street and Downtown Edge districts, brick shall be the primary building material. Predominant shall mean more than (50%) of the non-glasses wall surface		Inconsistent
The following materials are prohibited within any of the downtown districts: EFIS, concrete board, concrete block, pre-engineered corrugated metal panels, and vinyl.	Consistent	
Franchise Architecture		
Franchise architecture, a standardized architectural building style used as part of a standardized program to promote brand identity through visual recognition, is not permitted within the character districts.	NA	NA
Franchise architecture should be modified as necessary to be in line with the existing character district in which it is proposed.	NA	NA
Franchise architecture must conform with all Downtown Design Guidelines.	NA	NA
Drive-Throughs		
Drive-through facilities or services are not permitted within the Main Street, Downtown Edge, or 7th Avenue districts. • This applies to any type of drive-through facility or service including restaurants and financial institutions. Walk-up service windows are the preferred service window in a downtown pedestrian-oriented district	NA	NA
Within the Lower Trailhead District, drive-throughs are permitted but cannot be along the primary frontage. They shall be located to the rear of the building.	NA	NA
Signs		

Landmark signs may include historic painted wall signs on a building façade; even if that business or product is no longer on site, the sign adds character to the area, and should be considered a landmark sign.	NA	NA

OWNER

ARY Development LLC
17 OLDE EASTWOOD VILLAGE BLVD
ASHEVILLE NC, 28803

DEVELOPER

ARY Development LLC
17 OLDE EASTWOOD VILLAGE BLVD
ASHEVILLE NC, 28803

CONTRACTOR

TBD
ADDRESS

PHONE
CONTACT NAME

ARCHITECT

PEACOCK ARCHITECTS
129 3RD AVE W
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TAMARA PEACOCK
ARCHITECT

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ARDEN, NC 28704
828.696.0807

TYLER WAGNER
TWAGNER@FEICONSULTING.COM
PROJECT MANAGER

ARY Development LLC

FIRST AVE VILLAS

Hendersonville, NC

BUILDING STATISTICS

BUILDING TYPE:	IIIB
SF:	1ST 4,830 SF
OCCUPANCY TYPE:	R-1
ALLOWABLE AREA (SM)	R-1: 16,000
SPRINKLERED:	NONE
SEPARATED USE:	NA
SEPARATION REQUIRED:	1 HR
INCIDENTAL USE:	NONE
OCCUPANCY LOAD:	R-1:12
PLUMBING REQUIREMENTS:	1 SINK, 1 TOILET, 1 SHOWER PER UNIT
PLUMBING PROPOSED	1 SINK, 1 TOILET, 1 SHOWER PER UNIT
LIFE SAFETY REQUIREMENTS:	SEE A005

SITE STATISTICS

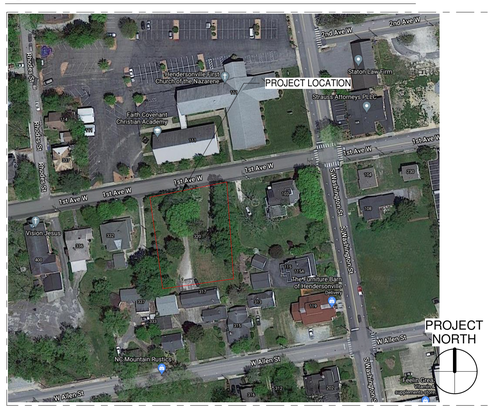
	PROVIDED	REQUIRED
PROP LOC:	**320 FIRST AVE. W.**	
BLOCK:	**--**	
PIN:	**9568771057**	
OWNER:	**ARY Development LLC**	
ZONING:	**CMU-CZD**	
ACREAGE:	**0.57 ACRES**	
IMPERVIOUS %:	**60%**	**80% MAX**
PROPOSED USE:	**16 MULTI-FAMILY UNITS**	
FLOOD DISTRICT:	**N**	
DOMESTIC WASTEWATER:	**PUBLIC SEWER**	
WATER:	**PUBLIC**	
ADA PARKING:	**1 ADA**	**1 ADA**
PARKING:	**18 SPACES**	**16 SPACES**
TREES TO BE REMOVED:	**12**	
NEW TREES TO BE PLANTED:	**25 EVERGREEN**	
TREES IN OPEN SPACE AREA:	**4**	**3**
FRONT SETBACK (FIRST AVE)	**12' 0" FROM CURB**	**12' 0" FROM CURB**
SIDE SETBACK (CMU)	**8' 0"**	**8' 0"**
REAR SETBACK	**5' 0"**	**0' 0"**
SIDE SETBACK (R-6)	**8' 0"**	**8' 0"**
LANDSCAPE BUFFER	**5' 0"**	**5' 0"**
BIKE RACKS	**4**	**0**

1 A001 **3D Cover Sheet View - Large**

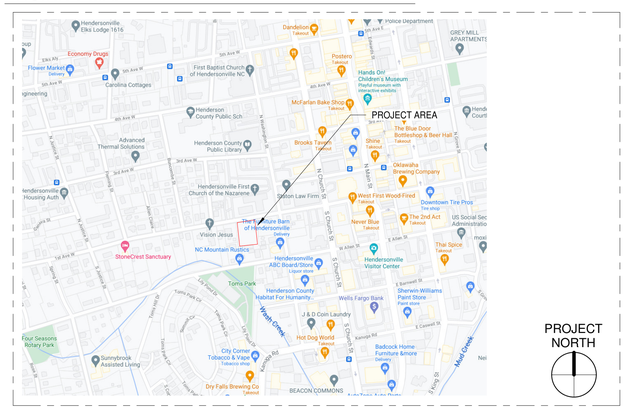
SCOPE OF WORK:

FIRST AVE UNITS:
1. 2 NEW CONDO BUILDINGS WITH 8 NEW UNITS EACH

SITE MAP



VICINITY MAP



Sheet List	
Sheet Number	Sheet Name
A001	COVER SHEET
G-17-300	SITE SURVEY
H4D054	TREE SURVEY
SP 101	OVERALL SITE PLAN
SP102	DETAILS
C-101	LANDSCAPING PLAN
MEP101	WATER AND SEWER PLAN
A104	SECOND LEVEL FLOOR PLAN
A401	EXTERIOR ELEVATIONS
A402	EXTERIOR ELEVATIONS

PEACOCK ARCHITECTS

PROJECT DESIGN TEAM:

THE TAMARA PEACOCK CO. ARCHITECTS
129 3RD AVE W
HENDERSONVILLE, NC 28792
PHONE: 828.696.4000
LICENSE #12289

OWNER:

PROJECT NAME:
FIRST AVE VILLAS

320 1ST AVE W HENDERSONVILLE, NC 28792

ARY DEVELOPMENT
DESTINATION LIVING

TAMARA PEACOCK, R.A.
REGISTRATION NO. 12289

ISSUED FOR:

DATE:

SHEET NAME:
COVER SHEET

REVISIONS:

THIS DOCUMENT IS PROPERTY OF TAMARA PEACOCK COMPANY AND NO PART HEREIN SHALL BE USED EXCEPT FOR THE SPECIFIC PROJECT WITHOUT CONSENT OF THE TAMARA PEACOCK COMPANY.
THIS DOCUMENT WAS PREPARED BY THE TAMARA PEACOCK COMPANY ACCORDING TO THE TERMS OF GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION.
THIS DOCUMENT DOES NOT EITHER IN WHOLE OR IN PART CONSTITUTE ANY DIRECTION OR INSTRUCTION TO ANY CONTRACTOR WITH REGARDS TO CONSTRUCTION MEANS, METHODS OR TECHNIQUES. BY THIS DOCUMENT THE ARCHITECT DOES NOT INTEND TO EXPRESS ANY OPINION, DIRECTION OR INSTRUCTION OF ANY KIND WHATSOEVER AS TO THE MANNER IN WHICH THE CONSTRUCTION WORK IS TO BE ACCOMPLISHED.

DATE: 8/15/2024 1:33:34 PM
PROJ. NO.: CHECKER
DRAWN BY: AUTHOR
PROJ MNGR.: DESIGNER
REVISED BY: CHECKER
CAPT.: APPROVER

SHEET NO.:
A001

NORTH CAROLINA
HENDERSON COUNTY

I, Sharon M. McCall, REVIEW OFFICER OF HENDERSON COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Sharon M. McCall 2/12/19
REVIEW OFFICER DATE

NORTH CAROLINA
HENDERSON COUNTY

THIS INSTRUMENT WAS FILED FOR REGISTRATION THIS THE 12TH DAY OF FEBRUARY, 2019 AT 2:13 PM O'CLOCK
IN PLAT SLIDE NUMBER 11633

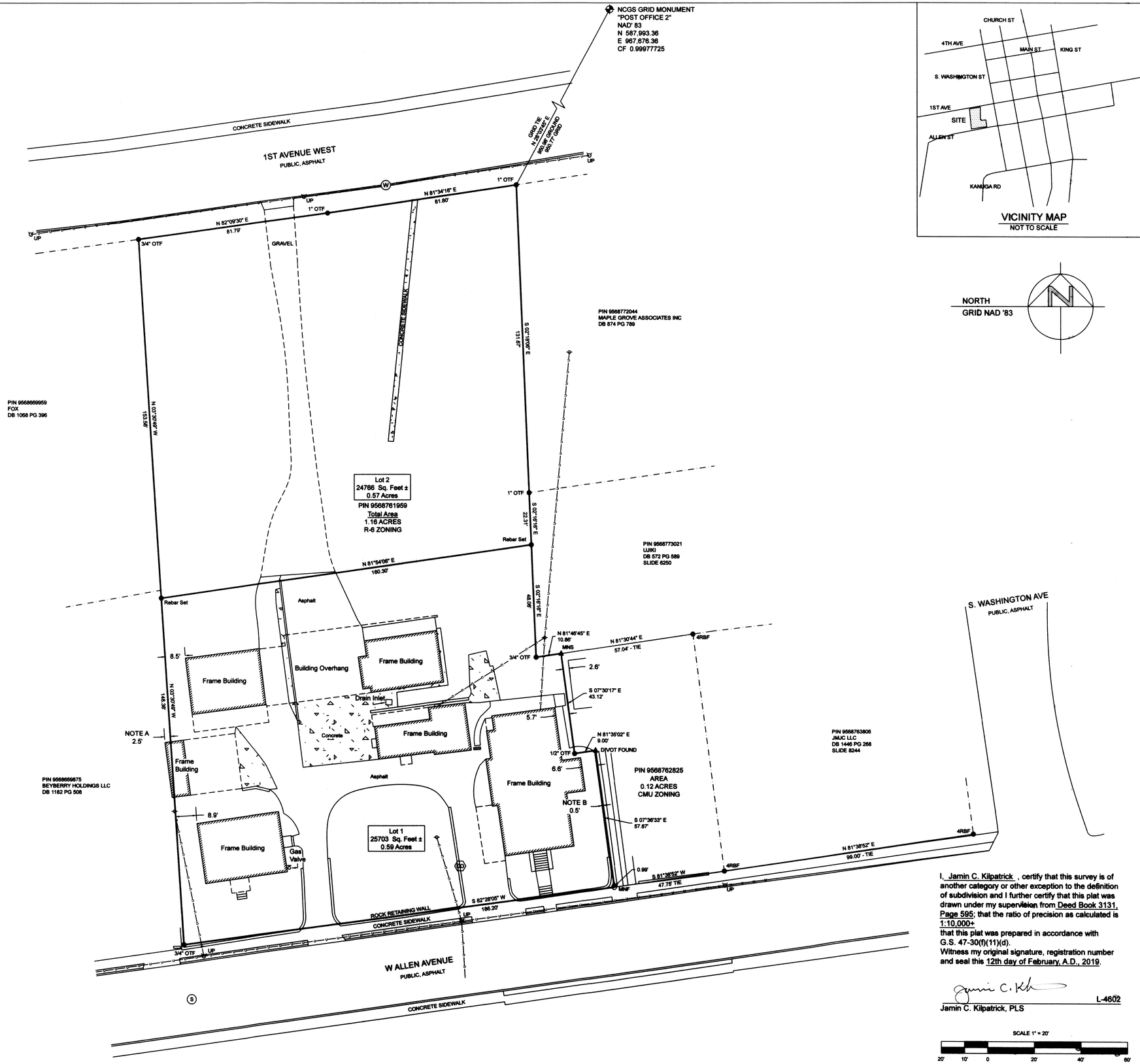
C. William Lee IV
REGISTER OF DEEDS

BY: C. William Lee IV ~~DEPUTY~~

BOOK 2019 PAGE 11633 (1)
898307

This document presented and filed:
02/12/2019 02:13:50 PM
WLK
WILLIAM LEE KING, Henderson COUNTY, NC

SLIDE 11633



VICINITY MAP
NOT TO SCALE

NORTH
GRID NAD '83

LEGEND

DB . . DEED BOOK
PG . . PAGE
MNS . . MAG NAIL SET
RBF . . REBAR FOUND
OTF . . OPEN TOP PIPE FOUND
UP . . UTILITY POLE
W . . WATER METER
CO . . CLEAN OUT
S . . SEWER MANHOLE
● . . IRON FOUND OR SET AS NOTED
O . . CALCULATED POINT - NOT SET

REFERENCES

DB 3131 PG 595
DB 1086 PG 492
DB 1459 PG 198
SLIDE - 6250
SLIDE - 8244
DB 572 PG 589
DB 1068 PG 396
DB 1182 PG 508
DB 874 PG 789

NOTES

SUBJECT PROPERTY TIED TO NC GRID NAD '83 (2011) BY GPS OBSERVATION.

ORIGINAL BOUNDARY SURVEY COMPLETED ON MARCH 6, 2017. THIS SURVEY IS TO SUBDIVIDE PARENT TRACT.

THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

SURVEYOR WAS NOT PROVIDED WITH A LEGAL TITLE SEARCH. THERE MAY EXIST EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS PERTINENT TO THIS PROPERTY THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE THAT ARE NOT SHOWN ON THIS SURVEY.

THE LOCATIONS OF UNDERGROUND UTILITIES ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED THE SURVEYOR. LOCATIONS OF OTHER UNDERGROUND UTILITIES/STRUCTURES MAY BE PRESENT AND NOT SHOWN. PROPERTY SUBJECT TO ALL RIGHTS-OF-WAY AND EASEMENTS OF RECORD, INCLUDING, BUT NOT LIMITED TO, THOSE SHOWN HEREON.

NO UNDERGROUND UTILITIES WERE LOCATED. CALL 1-800-632-4949 BEFORE DIGGING.

ALL BUILDINGS, SURFACE AND SUBSURFACE IMPROVEMENTS ON AND ADJACENT TO THE SITE ARE NOT NECESSARILY SHOWN. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR CONSIDERED AS PART OF THIS SURVEY.

NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS, CONTAINERS, OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.

AREA BY COORDINATE COMPUTATION.

PROPERTY LINES SHOWED AS DASHED WERE NOT FIELD SURVEYED. THEY WERE PLOTTED FROM RECORD DOCUMENTS.

THERE IS A POSSIBLE 2.5' BUILDING ENCROACHMENT, SHOWN HEREIN AS "NOTE A."
THERE IS A POSSIBLE 0.5' DRIVEWAY ENCROACHMENT, SHOWN HEREIN AS "NOTE B."

PIN 9568761959 CURRENTLY ZONED R-6 BY THE CITY OF HENDERSONVILLE.
SETBACKS: FRONT - 20' REAR - 10' SIDE - 8'.

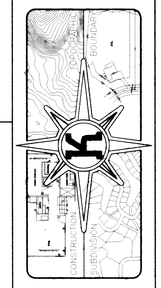
ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.

I, Jamin C. Kilpatrick, certify that this survey is of another category or other exception to the definition of subdivision and I further certify that this plat was drawn under my supervision from Deed Book 3131, Page 595; that the ratio of precision as calculated is 1:10,000+
that this plat was prepared in accordance with G.S. 47-30(f)(11)(d).
Witness my original signature, registration number and seal this 12th day of February, A.D., 2019.

Jamin C. Kilpatrick
L-4602
Jamin C. Kilpatrick, PLS

SCALE 1" = 20'
20' 10' 0 20' 40' 60'

KILPATRICK
LAND SURVEYING
PLLC
PO BOX 2705, HENDERSONVILLE, NC 28793
828-606-4797 www.klspllc.com P-0508



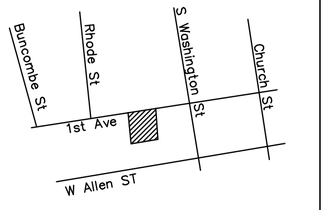
SUBDIVISION OF PROPERTY FOR:
RIDDLE DEVELOPMENT, LLC
City of Hendersonville, Hendersonville Township
Henderson County, North Carolina
PIN 9568761959

CURRENT OWNER:
RIDDLE DEVELOPMENT LLC

NORTH CAROLINA PROFESSIONAL SEAL L-4602 LAND SURVEYOR JAMIN C. KILPATRICK

Date	6 MARCH 2017
Drawn By	JCK
Scale	1" = 20'
Revision	02-12-19
Dwg No.	G-17-300

LOCATION MAP



LEGEND:

○	NIP	NEW IRON PIN
●	EIP	EXISTING IRON PIN
⊙	CP	CALCULATED POINT ONLY
		POWER POLE
		LIGHT POLE
		WATER VALVE
		GAS VALVE
		WATER METER
		FIRE HYDRANT
		SANITARY SEWER MANHOLE
		STORM DRAIN MANHOLE
		CATCH BASIN
		CLEANOUT
		CURB INLET
		TRANSFORMER
—ohp—		OVERHEAD POWER
—X—X—X—		FENCE LINE

1st Avenue West

EIP
1/2 RB

N82°00'54"E
95.26'

EIP
3/4 OT

N82°14'28"E 81.91'

EIP
3/4 OT

Basis of Bearings

N81°34'15"E
81.71'

EIP
3/4 OT

Gravel Drive

0.57
Acres±

N03°31'52"W
153.69'

S02°17'58"E
153.98'

N/F
Maple Grove Assoc.
D.B. 874/789

N/F
John and Harriett Fox
D.B. 1068/396

EIP
@131.61

P.B. 2019/11633

CP

S81°54'06"W
160.30'

CP

N/F
Matthew Stockton Johnes
D.B. 3300/129

Note: Trees as shown, have diameters of 12" or greater.
Total of 24 trees.

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 inch = 20 ft.

NORTH CAROLINA PROFESSIONAL SEAL 2814 LAND SURVEYOR CLINKSCALES JR. FULTON

LB C-1562

PRELIMINARY

Not valid without the signature
and the original seal of a North Carolina
licensed land surveyor.

Plat of Boundary Survey for

Andrew Riddle

1st Avenue West

Hendersonville Township, Henderson County, N.C.

Not For Recordation

The original drawing and/or all copies of it are not transferable to any future owner(s) of the platted property and shall not be used or relied upon by future owner(s) and/or their representatives for any reason without written release by the professional surveyor.

This is to certify that the property shown on this plat was surveyed under my direct supervision. Property lines and improvements are located correctly and that no visible encroachments exist unless otherwise shown.

FREELAND – CLINKSCALES
&ASSOCIATES, INC. OF N.C.
*ENGINEERS * LAND SURVEYORS*
201 2nd AVE. EAST
HENDERSONVILLE, N.C. 28792
fcaofnc@outlook.com
(828) 697-6539
Fax (828)-697-4195
Firm No. C-1562

REF. PLAT BOOK	2019/11633
REF. DEED. BOOK	3131/595
TAX MAP	9568-77-1057
PARTY CHIEF	FVC
DRAWN	BLB
DATE	January 27, 2020
DWG.NO.	H40054

Sheet No. 1 of 1

SITE STATISTICS CONT.

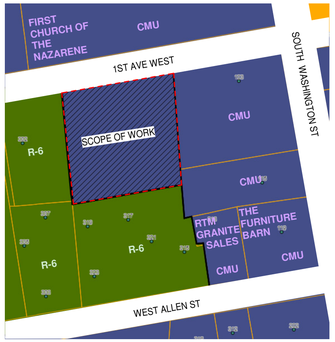
SITE COVERAGE :	
BUILDING FOOTPRINT	**BUILDING 1) 2,432 SF**
	BUILDING 2) 2,432 SF
STREETS AND PARKING	**6,491 SF**
GROSS FLOOR AREA	**18,832 SF**
COMMON OPEN SPACE	**1,362 SF (1032.3 SF REQ'D - 5%)**
PHASING	**TO BE COMPLETED IN ONE PHASE**
PROPOSED AREA OF LAND DISTURBANCE	**19,127 SF**

SITE STATISTICS

	PROVIDED	REQUIRED
PROP LOC:	**320 FIRST AVE. W.**	
BLOCK:	**--**	
PIN:	**9568771057**	
OWNER:	**ARY Development LLC**	
ZONING:	**CMU-CZD**	
ACREAGE:	**0.57 ACRES**	
IMPERVIOUS %:	**60%**	**80% MAX**
PROPOSED USE:	**16 MULTI-FAMILY UNITS**	
FLOOD DISTRICT:	**N**	
DOMESTIC WASTEWATER:	**PUBLIC SEWER**	
WATER:	**PUBLIC**	
ADA PARKING:	**1 ADA**	**1 ADA**
PARKING:	**18 SPACES**	**16 SPACES**
TREES TO BE REMOVED:	**12**	
NEW TREES TO BE PLANTED:	**25 EVERGREEN**	
TREES IN OPEN SPACE AREA:	**4**	**3**
FRONT SETBACK (FIRST AVE)	**12' 0" FROM CURB**	**12' 0" FROM CURB**
SIDE SETBACK (CMU)	**8' 0"**	**8' 0"**
REAR SETBACK	**5' 0"**	**0' 0"**
SIDE SETBACK (R-6)	**8' 0"**	**8' 0"**
LANDSCAPE BUFFER	**5' 0"**	**5' 0"**
BIKE RACKS	**4**	**0**

NOTES:

- **SITE LIGHTING WILL BE ADDRESSED AT FINAL SITE PLAN AND WILL BE COMPLIANT WITH SECTION 6-19 OF THE ZONING CODE**
- **HOA WILL BE RESPONSIBLE FOR MAINTENENCE OF URBAN OPEN SPACE AND COMMON AREAS**
- **SEE PRELIMINARY LANDSCAPING PLAN ATTACHED. DETAILS ON TREE PRESERVATION TO BE PROVIDED BY AN ARBORIST AT A LATER DATE**
- **DUMPSTER AND RECYCLING AREA TO MEET THE SCREENING REQUIREMENTS OF 15-19-3.3c**

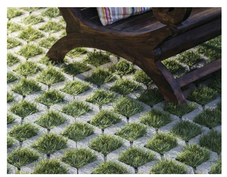


ZONING MAP
1" = 100'-0"

N

MATERIAL LEGEND

TURFSTONE PERMEABLE PAVERS WITH ARTIFICAL TURF



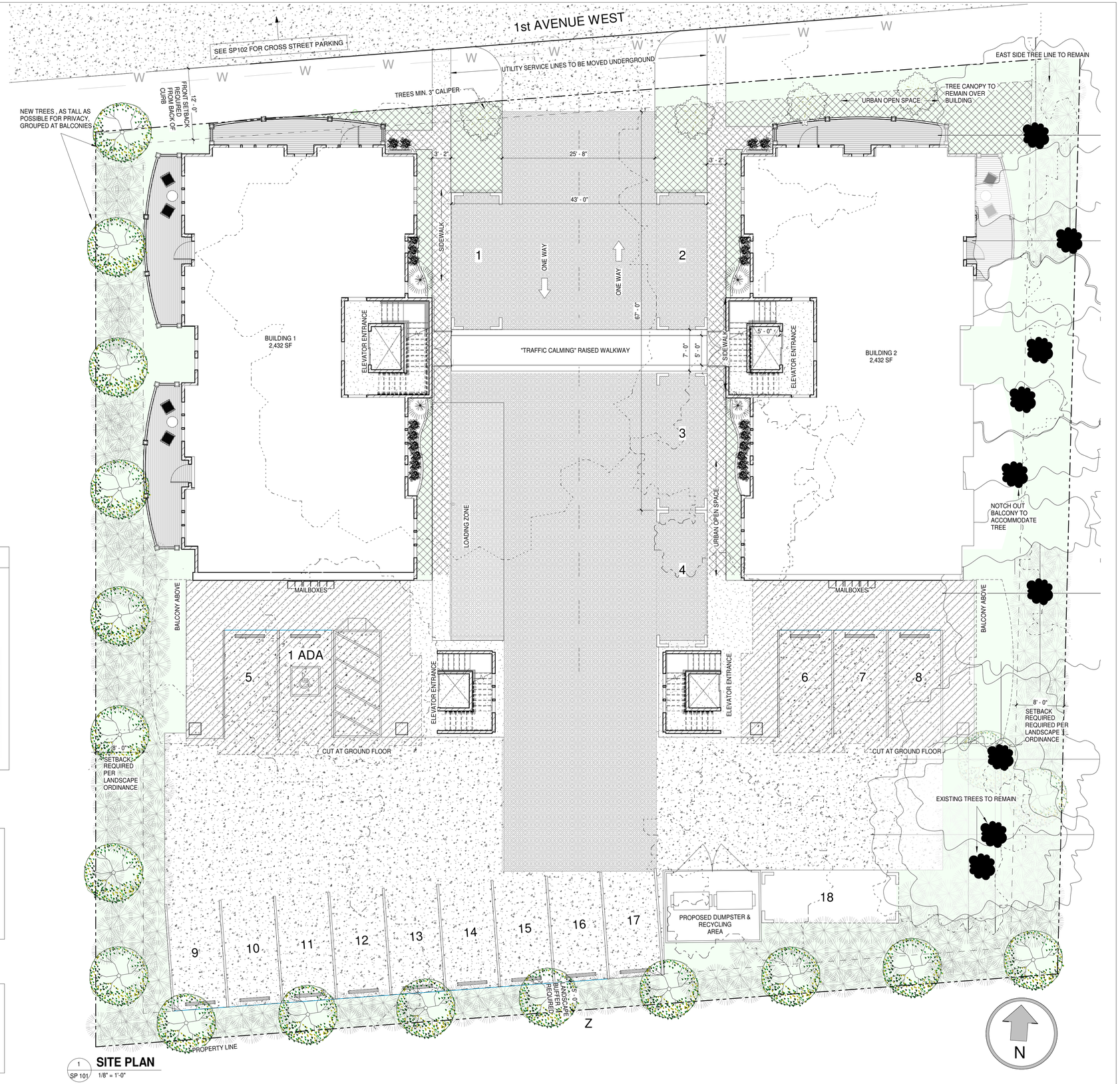
ADJACENT PROPERTIES:

ADJACENCY	ADDRESS	ZONING	PROPERTY OWNER
NORTH	111 N WASHINGTON ST	CMU	FIRST CHURCH OF THE NAZARENE
EAST	103 S WASHINGTON ST	CMU	MAPLE GROVE ASSOC INC
EAST	115 S WASHINGTON ST	CMU	NENON L. UJIKI
SOUTHEAST	119 S WASHINGTON ST	CMU	JMJC, LLC
SOUTHEAST	313 W ALLEN ST	CMU	MATT JOHNES, LLC
SOUTH	315 W ALLEN ST	R-6	MATT JOHNES, LLC
SOUTHWEST	337 W ALLEN ST	R-6	BEYBERRY HOLDINGS, LLC
WEST	332 1ST AVE W	R-6	JOHN E. FOX, HARRIETT W. FOX

EXISTING TREE LEGEND

EXISTING TREE TO REMAIN

EXISTING TREE CANOPY (13,932.8 SF)



1 SP 101 **SITE PLAN**
1/8" = 1'-0"

PEACOCK ARCHITECTS

PROJECT DESIGN TEAM:

THE TAMARA PEACOCK CO. ARCHITECTS
129 3RD AVE W
HENDERSONVILLE, NC 28792
PHONE: 828.696.4000
LICENSE #12289

OWNER:

PROJECT NAME:

FIRST AVE VILLAS

320 1ST AVE W HENDERSONVILLE, NC 28792

ARY DEVELOPMENT
DESTINATION LIVING

TAMARA PEACOCK, R.A
REGISTRATION NO.12289

ISSUED FOR:

DATE:

SHEET NAME:

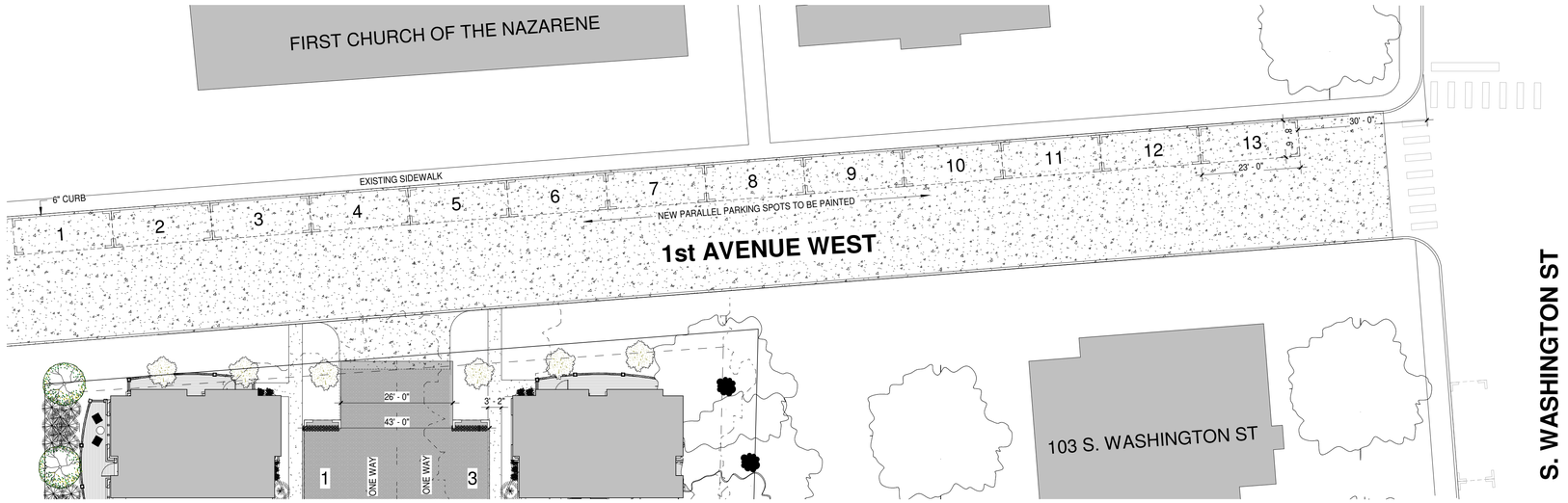
OVERALL SITE PLAN

REVISIONS:

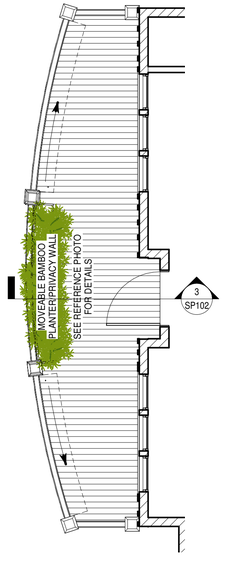
THIS DOCUMENT IS PROPERTY OF TAMARA PEACOCK COMPANY AND NO PART HEREIN SHALL BE USED EXCEPT FOR THE SPECIFIC PROJECT WITHOUT CONSENT OF THE TAMARA PEACOCK COMPANY.
THIS DOCUMENT WAS PREPARED BY THE TAMARA PEACOCK COMPANY ACCORDING TO THE TERMS OF GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION.
THIS DOCUMENT DOES NOT EITHER IN WHOLE OR IN PART CONSTITUTE ANY DIRECTION OR INSTRUCTION TO ANY CONTRACTOR WITH REGARDS TO CONSTRUCTION MEANS, METHODS OR TECHNIQUES. BY THIS DOCUMENT THE ARCHITECT DOES NOT INTEND TO EXPRESS ANY OPINION, DIRECTION OR INSTRUCTION OF ANY KIND WHATSOEVER AS TO THE MANNER IN WHICH THE CONSTRUCTION WORK IS TO BE ACCOMPLISHED.

DATE: 8/15/2024 1:40:17 PM
PROJ. NO.: CHECKER
DRAWN BY: AUTHOR | PROJ MNGR: DESIGNER
REVISED BY: CHECKER | CAPT.: APPROVER

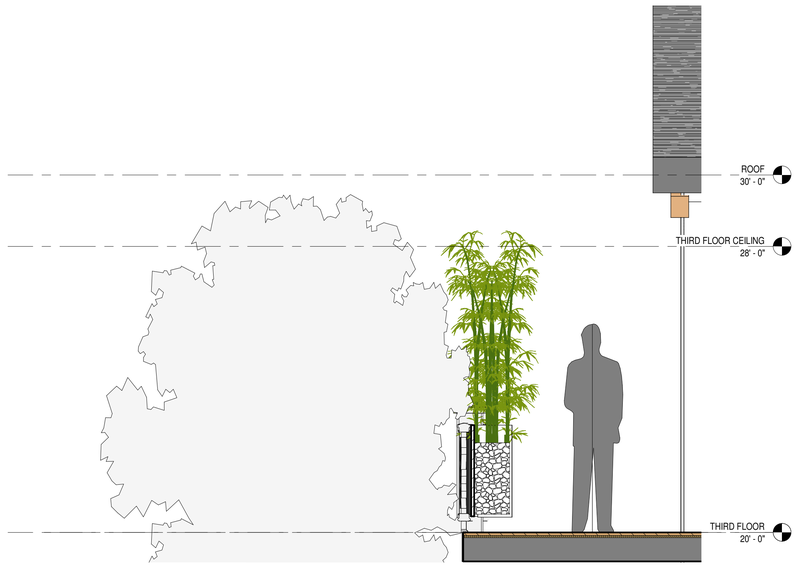
SHEET NO.: **SP 101**



1 SP102 **STREET PARKING**
1/16" = 1'-0"



2 SP102 **THIRD FLOOR BALCONY**
1/4" = 1'-0"



3 SP102 **THIRD FLOOR BALCONY - WEST FACING**
1/2" = 1'-0"

BAMBOO PRIVACY SCREEN
12" = 1'-0"

PEACOCK ARCHITECTS

PROJECT DESIGN TEAM:

THE TAMARA PEACOCK CO. ARCHITECTS
129 3RD AVE W
HENDERSONVILLE, NC 28792
PHONE: 828.696.4000
LICENSE #12289

OWNER:

PROJECT NAME:
FIRST AVE VILLAS

320 1ST AVE W HENDERSONVILLE, NC 28792

ARY DEVELOPMENT
DESTINATION LIVING

TAMARA PEACOCK, R.A
REGISTRATION NO.:12289

ISSUED FOR:

DATE:

SHEET NAME:
DETAILS

REVISIONS:

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DATE: 8/15/2024 1:38:53 PM
PROJ. NO.: CHECKER
DRAWN BY: AUTHOR | PROJ MNGR.: DESIGNER
REVISED BY: CHECKER | CAPT.: APPROVER

SHEET NO.:
SP102

LARGE EVERGREEN TREES - TOTAL COUNT: 25					
KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS (ALL PLANTS TO MEET ANSI Z60.1 STNDS.)
SO	25	Gleditsia triacanthos	Honey Locust	2" CALIPER, 12' HEIGHT	B&B, SINGLE STRAIGHT LEADER

EVERGREEN SHRUBS - TOTAL COUNT: 143					
KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS (ALL PLANTS TO MEET ANSI Z60.1 STNDS.)
LB	143	Ilex crenata 'Convexa'	Convexa Japanese Holly	3 GALLON, 18" HEIGHT	FULL PLANT

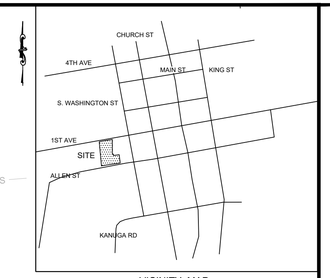
FLOWERING SHRUBS - TOTAL COUNT: 185					
KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS (ALL PLANTS TO MEET ANSI Z60.1 STNDS.)
WS	185	Rhododendrons	Rhododendron spp.	3 GALLON, 18" HEIGHT	FULL PLANT

TOTAL LANDSCAPING CALCULATIONS:

- VEHICULAR USE AREA → 1 TREE & 2 SHRUBS PER 4,000 SF
  10,175.38 SF / 4,000 SF = 2.55 → x3 = 3 TREES & 6 SHRUBS REQUIRED
  3 TREES (1 PROPOSED & 2 EXISTING), 3 EVERGREEN SHRUBS & 3 FLOWERING SHRUBS PROVIDED

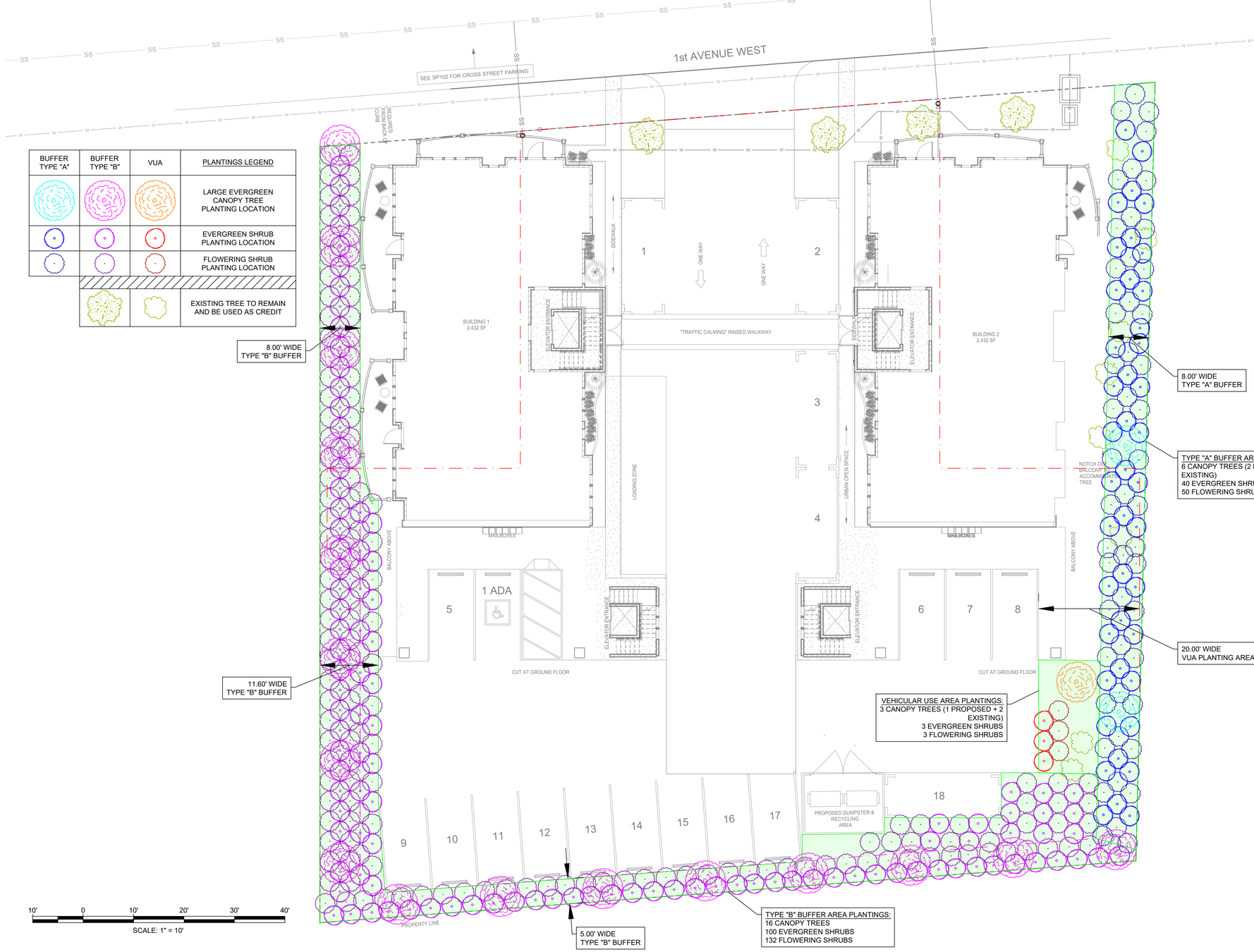
- TYPE "A" BUFFER AREA → 3 CANOPY TREES, 20 EVERGREEN SHRUBS AND 25 FLOWERING SHRUBS PER 100 LF
  154.37 LF / 100 LF = 1.54 → x2 = 6 TREES, 40 EVERGREEN SHRUBS & 50 FLOWERING SHRUBS REQUIRED
  6 (2 PROPOSED & 4 EXISTING) TREES, 40 EVERGREEN SHRUBS & 50 FLOWERING SHRUBS PROVIDED

- TYPE "B" BUFFER AREA → 4 CANOPY TREES, 25 EVERGREEN SHRUBS AND 33 FLOWERING SHRUBS PER 100 LF
  315.98 LF / 100 LF = 3.16 → x4 = 16 TREES, 100 EVERGREEN SHRUBS & 132 FLOWERING SHRUBS REQUIRED
  16 TREES, 100 EVERGREEN SHRUBS & 132 FLOWERING SHRUBS PROVIDED



VICINITY MAP
1"=2000'

BUFFER TYPE "A"	BUFFER TYPE "B"	VUA	PLANTINGS LEGEND
			LARGE EVERGREEN CANOPY TREE PLANTING LOCATION
			EVERGREEN SHRUB PLANTING LOCATION
			FLOWERING SHRUB PLANTING LOCATION
			EXISTING TREE TO REMAIN AND BE USED AS CREDIT



10' 0 10' 20' 30' 40'
SCALE: 1" = 10'

SITE DATA:
OWNER: ARY DEVELOPMENT LLC
SITE ADDRESS: 320 FIRST AVE. W.
SITE PIN: 9568771057

NOTES:
1. THE SITE LAYOUT HAS BEEN PREPARED BY PEACOCK ARCHITECTS AND HAS BEEN UTILIZED AS A DESIGN BASIS FOR THE PROPOSED LANDSCAPING IMPROVEMENTS.

2.THIS PLAN IS FOR REVIEW PURPOSES ONLY AND SHOULD NOT BE USED FOR CONSTRUCTION.

Civil Engineers and Land Surveyors
7 Glenn Bridge Rd. Suite H
Arden, NC 28704
(828) 676-0807
www.feiconsulting.com
License No. C-0950

FIRST AVE VILLAS

LANDSCAPING PLAN

DEVELOPER INFORMATION:
ARY DEVELOPMENT LLC
17 OLDE EASTWOOD VILLAGE BLVD
ASHEVILLE NC, 28803

PROJECT LOCATION:
CITY: HENDERSONVILLE
COUNTY: HENDERSON
STATE: NORTH CAROLINA

NO	DATE	REVISION NOTE
1	6-21-2024	REVISED PER CITY COMMENTS
2	8-14-2024	REVISED PER CITY COMMENTS

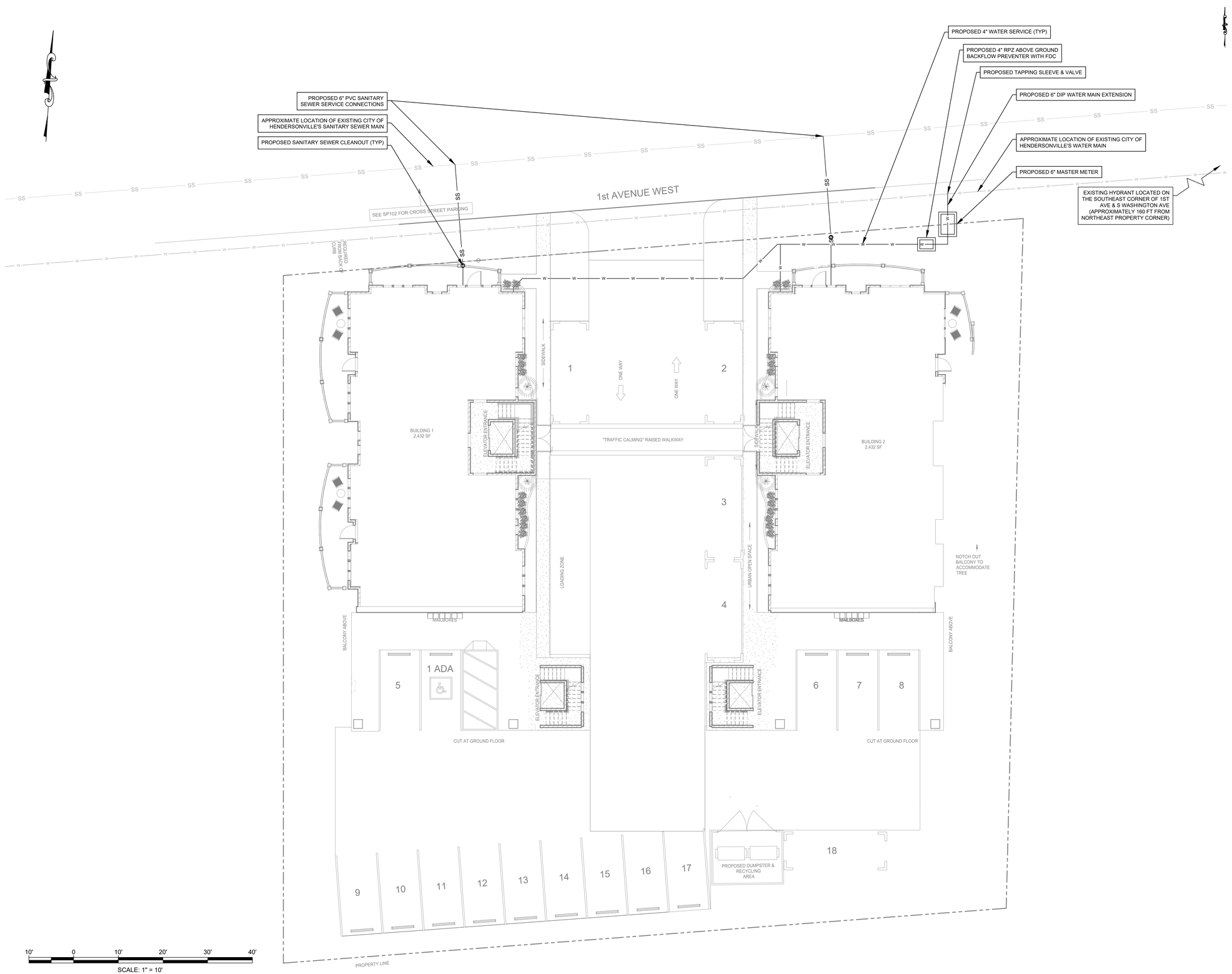
C:\Drawings_&_Projects\PROJECTS\2023\23-001 First Avenue Villas\Drawings\Sheets

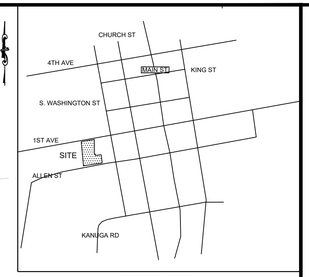
DRAWN BY: LBC/MRP
CHECKED BY: TJW
DATE: 06/13/2024
PROJECT NO.: 01039.001
REF. NO.:
SCALE: 1"=10'

NORTH CAROLINA PROFESSIONAL SEAL 052211 ENGINEER TYLER J. WAGNER

PRELIMINARY NOT FOR CONSTRUCTION

SHEET
C-101





VICINITY MAP
1"=2000'

SITE DATA:
OWNER: ARY DEVELOPMENT LLC
SITE ADDRESS: 320 FIRST AVE. W.
SITE PIN: 9568771057

NOTES:
1. THE PROPOSED DEVELOPMENT IS ANTICIPATED TO BE SERVED BY CITY OF HENDERSONVILLE'S SEWER & WATER.

2. THE SITE LAYOUT HAS BEEN PREPARED BY PEACOCK ARCHITECTS AND HAS BEEN UTILIZED AS A DESIGN BASIS FOR THE PROPOSED UTILITY IMPROVEMENTS.

3. UTILITY INFORMATION SHOWN HEREIN HAS BEEN PREPARED BY FEI AND IS SUBJECT TO CHANGE. ALL LOCATIONS ARE APPROXIMATE.

4. ALL PROPOSED UTILITY SERVICE LINES WILL BE LOCATED UNDERGROUND.

5.THIS PLAN IS FOR REVIEW PURPOSES ONLY AND SHOULD NOT BE USED FOR CONSTRUCTION.

Civil Engineers and Land Surveyors
7 Glenn Bridge Rd, Suite H
Arden, NC 28704
(828) 676-0807
www.feiconsulting.com
License No. C-0950

FIRST AVE VILLAS

UTILITY PLAN

DEVELOPER INFORMATION:
ARY DEVELOPMENT LLC
17 OLDE EASTWOOD VILLAGE BLVD
ASHEVILLE NC, 28803

PROJECT LOCATION
CITY: HENDERSONVILLE
COUNTY: HENDERSON
STATE: NORTH CAROLINA

NO	DATE	REVISION NOTE
1	6-21-2024	REVISED PER CITY COMMENTS
2	8-14-2024	REVISED PER CITY COMMENTS

E:\Drawings_&_Projects\PROJ\01039.001 First Avenue Villas\Drawing\Sheets

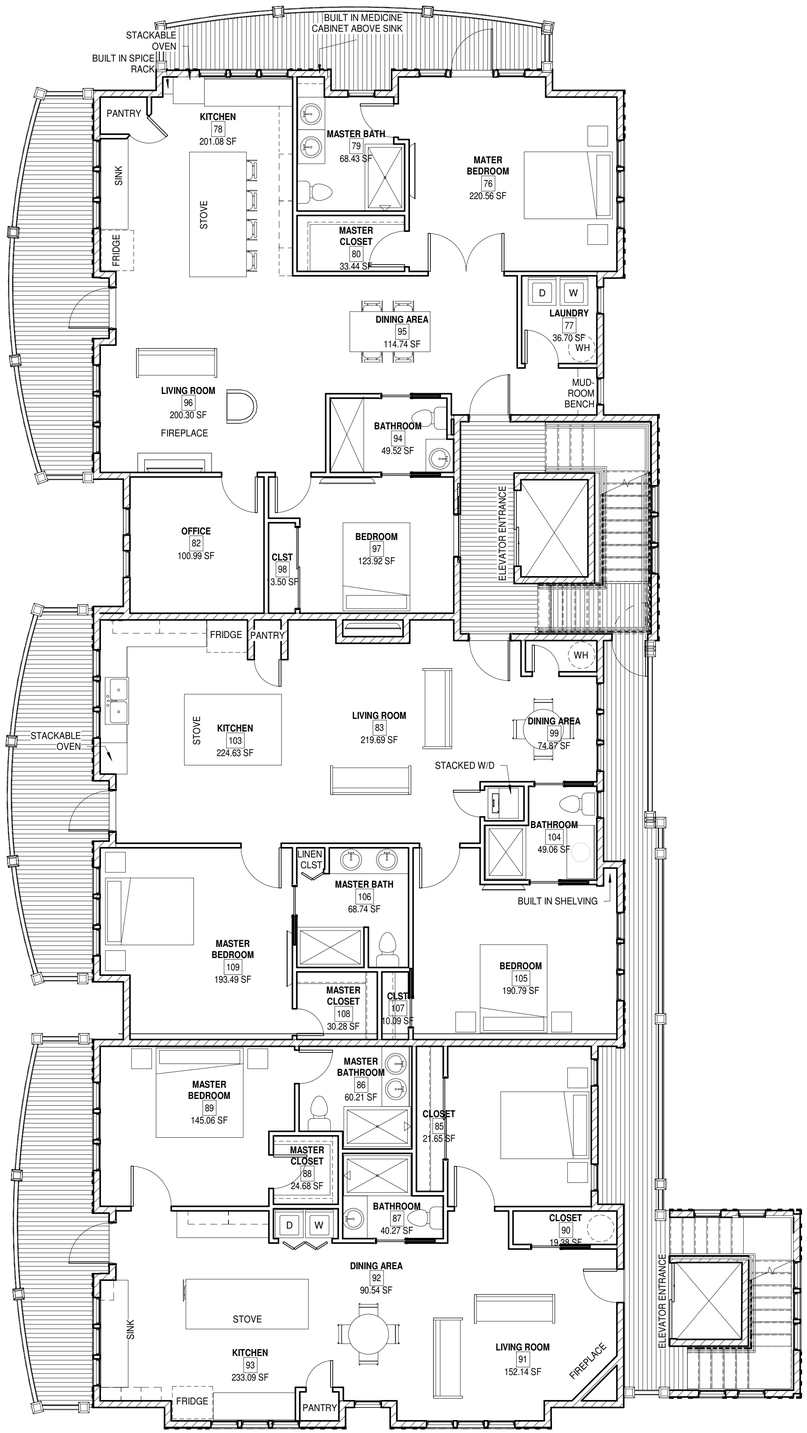
DRAWN BY: LBC/MRP
CHECKED BY: TJW
DATE: 06/13/2024
PROJECT NO.: 01039.001
REF. NO.:
SCALE: 1"=10'

NORTH CAROLINA PROFESSIONAL SEAL 052211 ENGINEER TYLER J. WAGNER

PRELIMINARY NOT FOR CONSTRUCTION

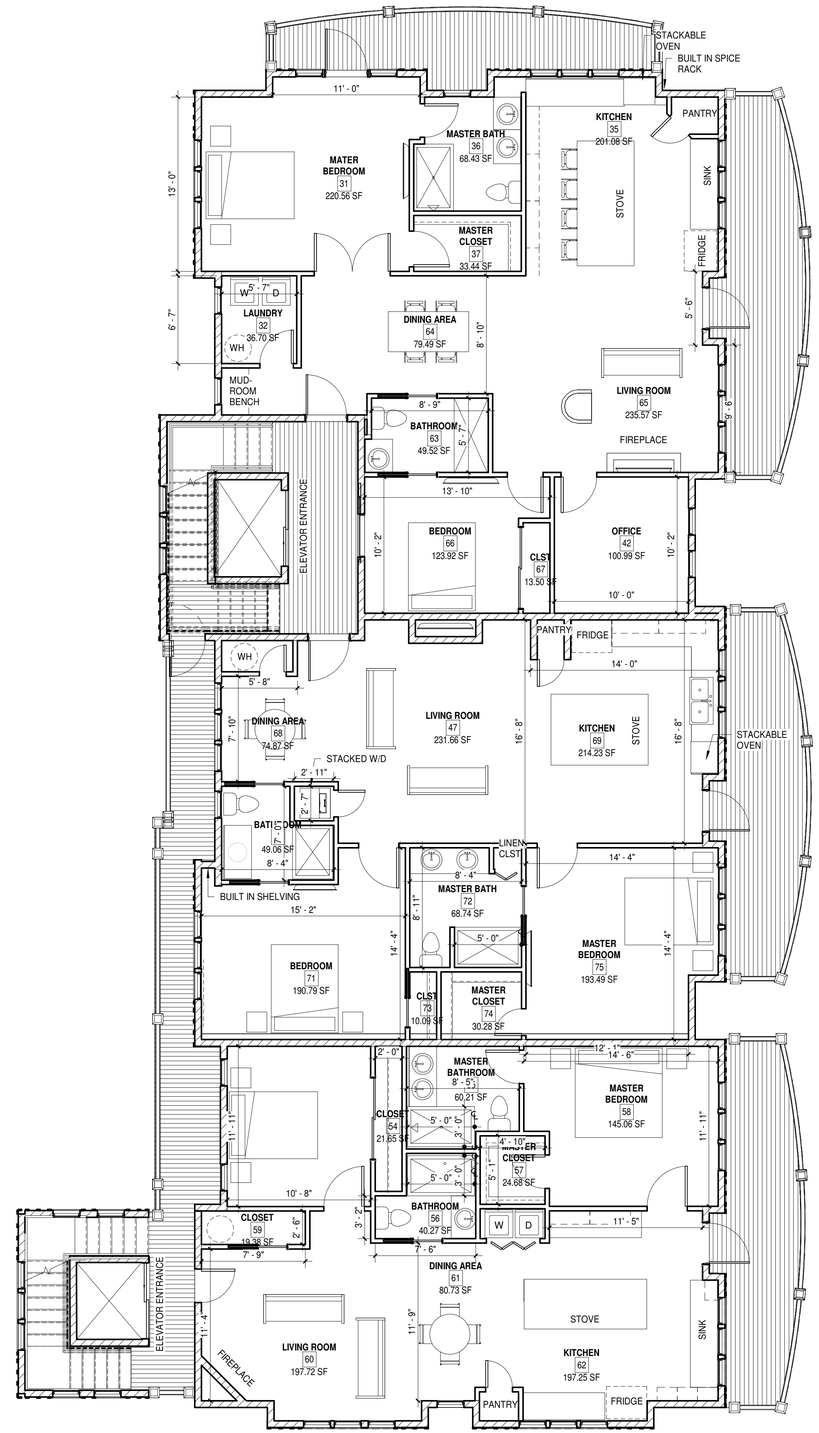
SHEET
C-100

PRELIMINARY-NOT FOR CONSTRUCTION



1 / A104 **Second Floor 2 BED UNITS**

3/16" = 1'-0"



PEACOCK ARCHITECTS

PROJECT DESIGN TEAM:

THE TAMARA PEACOCK CO. ARCHITECTS
129 3RD AVE W
HENDERSONVILLE, NC 28792
PHONE: 828.696.4000
LICENSE #12289

OWNER:

PROJECT NAME:

FIRST AVE VILLAS

320 1ST AVE W HENDERSONVILLE, NC 28792

ARY DEVELOPMENT
DESTINATION LIVING

TAMARA PEACOCK, R.A.
REGISTRATION NO.:12289

ISSUED FOR:

DATE:

SHEET NAME:

SECOND LEVEL FLOOR PLAN

REVISIONS:

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DATE: 8/15/2024 1:33:37 PM
PROJ. NO.: CHECKER
DRAWN BY: AUTHOR
PROJ MNGR.: DESIGNER
REVISED BY: CHECKER
CAPT.: APPROVER

SHEET NO.:

A104

1 / A401 **NORTH ELEVATION**
1/8" = 1'-0"

2 / A401 **EAST ELEVATION**
1/8" = 1'-0"

PEACOCK ARCHITECTS

PROJECT DESIGN TEAM:

THE TAMARA PEACOCK CO. ARCHITECTS

129 3RD AVE W
HENDERSONVILLE, NC 28792
PHONE: 828.696.4000
LICENSE #12289

OWNER:

PROJECT NAME:

FIRST AVE VILLAS

320 1ST AVE W HENDERSONVILLE, NC 28792

ARY DEVELOPMENT
DESTINATION LIVING

TAMARA PEACOCK, R.A
REGISTRATION NO.:12289

ISSUED FOR:

DATE:

SHEET NAME:

EXTERIOR ELEVATIONS

REVISIONS:

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PROJ. NO.: CHECKER
DRAWN BY: AUTHOR
PROJ MNGR.: DESIGNER
REVISED BY: CHECKER
CAPT.: APPROVER

SHEET NO.:

A401

1 / A402 **SOUTH ELEVATION**

1/8" = 1'-0"

2 / A402 **COURTYARD ELEVATION**

1/8" = 1'-0"

PEACOCK ARCHITECTS

PROJECT DESIGN TEAM:

THE TAMARA PEACOCK CO. ARCHITECTS

129 3RD AVE W
HENDERSONVILLE, NC 28792
PHONE: 828.696.4000
LICENSE #12289

OWNER:

PROJECT NAME:

FIRST AVE VILLAS

320 1ST AVE W HENDERSONVILLE, NC 28792

ARY DEVELOPMENT
DESTINATION LIVING

TAMARA PEACOCK, R.A
REGISTRATION NO.:12289

ISSUED FOR:

DATE:

SHEET NAME:

EXTERIOR ELEVATIONS

REVISIONS:

THIS DOCUMENT IS PROPERTY OF TAMARA PEACOCK COMPANY AND NO PART HEREIN SHALL BE USED EXCEPT FOR THE SPECIFIC PROJECT WITHOUT CONSENT OF THE TAMARA PEACOCK COMPANY.
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DATE: 8/15/2024 2:36:40 PM
PROJ. NO.: CHECKER
DRAWN BY: AUTHOR | PROJ MNGR.: DESIGNER
REVISED BY: CHECKER | CAPT.: APPROVER

SHEET NO.:

A402

PEACOCK ARCHITECTS

129 3rd Ave W
Hendersonville, North Carolina 28792
Office: 828.696.4000
Peacockarchitect.com

UNRESOLVED COMMENTS:

- Update Land Disturbance delineation. Appears to encompass entire parcel. [Unresolved] The proposed area of land disturbance is 19,127 SF. This is provided on the site plan. The area that is not to be disturbed is highlighted in green on the site plan.
- Provide calculations for landscaping requirements. In table form, provide the area or length of required buffers, vehicular use area, urban space, etc, and provide the planting calculations required based on the zoning standards, provide the total plantings for each planting requirement. Consider separate preliminary landscaping plan on separate sheet [Unresolved] This has been provided on the preliminary landscaping plan.
- Type A Buffer Plantings as depicted are insufficient on west side property boundary. Alternative Compliance may be achieved on east property boundary at Final Site Plan. [Unresolved] Alternative compliance is achieved by maintaining all the trees on the east side property line.
- Placement of 38' tall buildings located 8' from the property lines of adjacent single-family homes, could be considered "unreasonable loss of privacy" as is referenced in Section 18-6-1 and revisited under Sec 18-6-4.4. Further, it would have impacts to the existing neighborhood as is given consideration under Chapter 8 of the 2030 Comprehensive Plan under LU-3.5 "Minimize negative impacts from growth and land use changes on existing land uses" [Unresolved] We propose new tall trees and shrubs clustered around the balconies to create privacy on the first and second levels. On the third floor balcony we provided a movable green wall which acts as a privacy partition.
- Clarity is needed on potential discrepancies between footprint square footage and gross floor area [Unresolved] The footprint square foot age on the first level is 2,432 sf per building. Total gross floor area is 18,832 SF. This is provided on the site plan.
- Provide canopy area and indicate trees to be removed vs trees to be preserved on the "tree survey". [Unresolved] Trees from the tree survey to remain as well as their canopies are highlighted in black on the site plan. Previous tree canopy area provided on the site plan.
- Parking Spot 11 is encumbered by a proposed tree to be preserved [Unresolved] This tree has been removed. A new tree is being proposed in its place which does not collide with the parking spots.
- Loading Zone appears difficult to access / limited in use [Unresolved] We propose moving the loading zone to the center drive aisle so that it is easier to access. This is shown in the site plan.
- Improve clarity of building footprint where surface level parking is provided under the 2nd floor [Unresolved] This has been resolved in the site plan. The area above the parking is hatched with a diagonal line pattern. In addition, the footprint above is noted with a dashed line.
- Dumpster location appears difficult to access for trash removal [Unresolved] The 24' wide T-shaped turnaround provided for the fire trucks in the back of the building will provide plenty of room for the trash truck to reach the dumpster. The dumpster is located as close to the center drive aisle as possible without being visible from the street.

PEACOCK ARCHITECTS

129 3rd Ave W
Hendersonville, North Carolina 28792
Office: 828.696.4000
Peacockarchitect.com

CONDITIONS:

- In order to reduce unreasonable loss of privacy, the existing vegetation on the east property edge should be fully preserved. [Need details on how this will be achieved] Details to be provided at a later point from an arborist/final landscaping plan.
- Provide solution to loss of privacy on the west side [Need solution] We propose new trees to be planted and clustered around the balconies to block the view into the neighboring houses. We also propose a movable privacy screen on the third floor balconies. The type of trees/height are detailed on the preliminary landscaping plan.
- Provide fully functioning upper-floor balconies and first-floor patios on front façade with front entrances connected to right-of-way. [We are not sure 4' depth will cut it. Hardly room for a chair and a walking route with 4' depth] We cannot extend the balconies further than 4'. The edge of the balcony on the western building is currently past the setback line and directly on the property line.
- Provide sidewalk connection to street edge from first-floor units and from sidewalks which flank center-drive aisle. [Developer has agreed] This has been addressed on the site plan.
- Provide fenestration on front facing façade of rear elevator/stairwell [Developer has agreed] This has been addressed by adding windows. See elevations/renderings.
- Enclose the rear and front stairwells in order to better blend with surrounding neighborhood. At a minimum use fenestration on street-facing sides to provide light and design consistency. Fenestration on front, street-facing façades should align horizontally throughout the development - i.e. windows on elevator/stairwell should align with windows on residential units. [Developer has agreed - we may need to take closer look at the window placement/size] Rear and front stairwells are now enclosed. See elevations/renderings
- Provide delineated on-street parking on north side of 1st Ave to address parking concerns expressed at NCM, to help buffer the sidewalks and to help achieve Strategy LU-6.4 and Action PH-3.1.1 of the 2030 Comp Plan and Sec. 5-19-3.3 of the Zoning Code - [Developer Agreed] This has been addressed. See details sheet for cross street parking.

NEIGHBORHOOD COMPATIBILITY MEETING REPORT
FIRST AVE VILLAS (P24-26-CZD)
NCM MEETING DATES: JUNE 6TH, 2024

PETITION REQUEST: Rezoning: First Ave Villas- Conditional Zoning District (CMU-CZD)

APPLICANT/PETITIONER: ARY Development LLC (Applicant)

NEIGHBORHOOD COMPATIBILITY MEETING SUMMARY:

A Neighborhood Compatibility Meeting was held for this project on June 6th, 2024, at 2pm in the Assembly Room of the City Operations Building, 305 Williams Street and via Zoom. The meeting lasted approximately 1 hour and 30 minutes.

There were 6 members of the public in attendance in-person while 7 attended virtually. The applicant and their development team were present with a total of 5 attendees. The City was represented with 2 members Planning staff.

Staff gave the formal introduction and a brief overview of the request.

There were six pre-submitted which were provided to the developer at the meeting. The developer was able to respond to the comments and questions.

The development team was allowed to present their project proposal for the proposed apartment development.

Concerns and questions from the public related to:

- Concern over affordability for current Hendersonville residents.
- Gentrification and displacement of current residents along First Avenue.
- Property tax increases could negatively impact residents along First Avenue.
- What is the price point that the developer will sell the condos at?
- Overflow vehicles parked on either side of First Ave can cause dangerous road conditions.
- Increase in traffic from development.
- Need for a written agreement between the Church of Nazarene and the Developer for extra parking.
- Massing and density not appropriate for neighborhood.
- Architecturally incompatibility with the neighborhood.
- Overall height of the property and the invasion of privacy caused by the upper floor balconies.

Full minutes from the Neighborhood Compatibility Meeting and pre-submitted public comments are available for review by request.

Ordinance #___-____

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR PARCELS POSSESSING PIN NUMBER: 9568-77-1057 BY CHANGING THE ZONING DESIGNATION CMU-CZD (CENTRAL MIXED USE CONDITIONAL ZONING DISTRICT) TO CMU-CZD (CENTRAL MIXED USE - CONDITIONAL ZONING DISTRICT)

IN RE: Parcel Numbers: 9568-77-1057
Addresses: 0 1st Ave West
1st Ave Villas: (File # P24-26-CZD)

WHEREAS, the City is in receipt of a Conditional Rezoning application from applicant and property owner, Rafique Charania of ARY Development LLC, for the development of 16 multi-family residential units on 1st Ave W; and

WHEREAS, the Planning Board took up this application at its regular meeting on August 8, 2024; voting 5-0 to recommend City Council approve an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on September 5, 2024 and November 7, 2024, and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Number: 9568-77-1057, changing the zoning designation from CMU-CZD (Central Mixed Use Conditional Zoning District) to CMU-CZD (Central Mixed Use - Conditional Zoning District)

2. Development of the parcel pursuant to this Ordinance is subject to the following.

   a. Development shall comply with the site plan submitted by the applicant dated August 21, 2024, including the conditions listed therein, [and/or as modified and presented to City Council][and/or including modifications approved by City Council which shall be added to the site plan. The updated site shall be submitted to the City at or before the applicant's execution of this Ordinance].

   b. Permitted uses shall include:
      i. Residential, Multi-Family - 16 Units

   c. Additional conditions that shall be satisfied prior to final site plan approval include:
      i.

3. Except where modified by the terms of this Ordinance, development of the parcel(s) shall occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville, North Carolina.

4. Except where explicit relief is granted by the terms of this Ordinance, the development of the parcel(s) shall occur in accordance with all applicable standards within local ordinances and policies.

This ordinance shall be not be effective until the list of use(s) and conditions, established herein, is consented to in writing by the applicant and all owners of the subject property. Upon such written consent, this ordinance shall be effective retroactive to the date of its adoption.

Adopted this 7th day of November 2024.

Attest: _____
Barbara G. Volk, Mayor, City of Hendersonville

_____
Jill Murray, City Clerk

Approved as to form:

_____
Angela S. Beeker, City Attorney

With their signatures below, the undersigned applicant(s) and property owner(s) consent to and agree to all conditions imposed pursuant to the terms of this Ordinance.

IN RE: Parcel Numbers: 9568-77-1057
Addresses: 0 1st Ave West
1st Ave Villas: (File # P24-26-CZD)

Applicant/Developer: Sarah McCormick, Peacock Architects

Signature:_____

Printed Name:_____

Title: _____

Date:_____

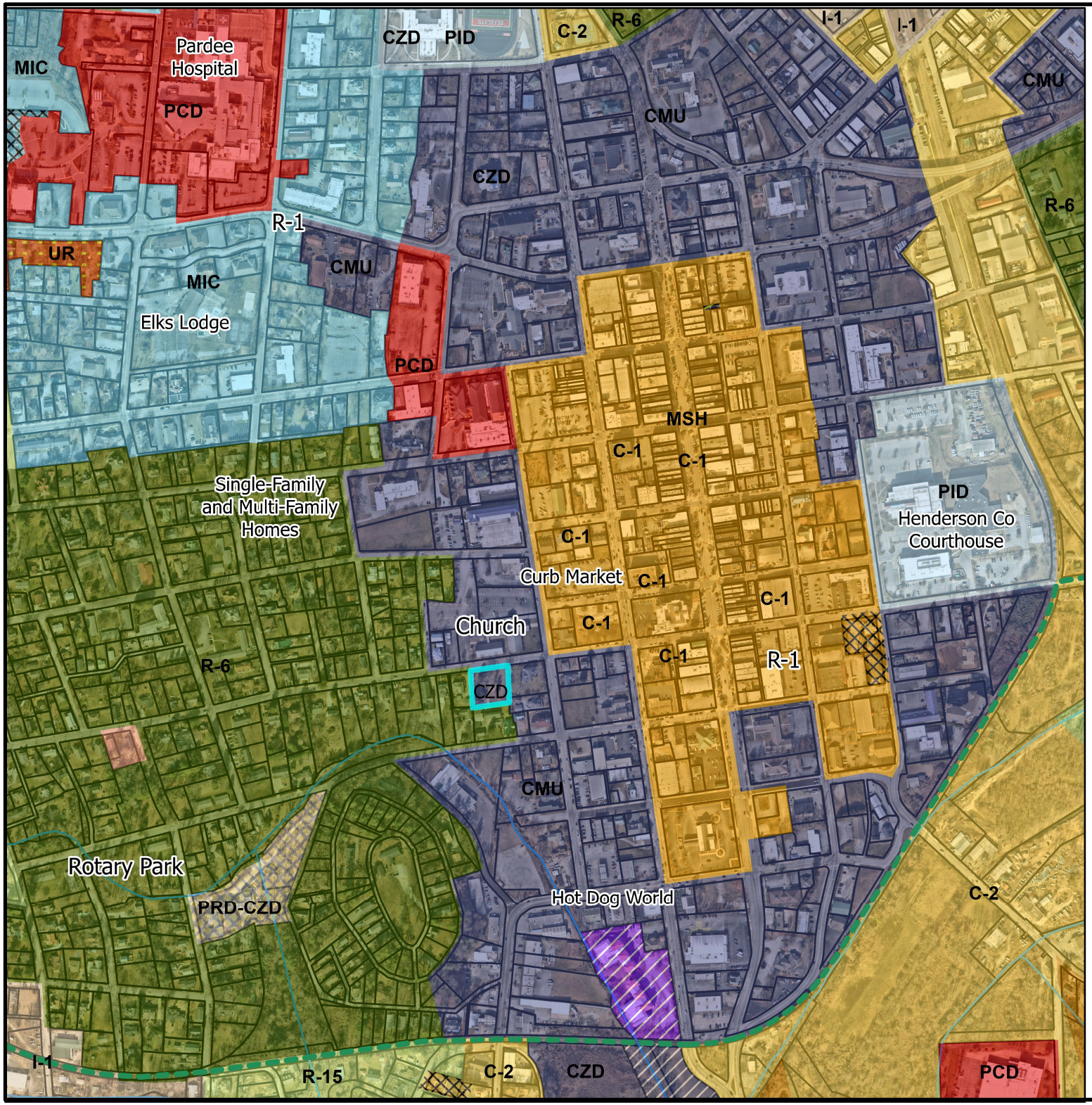
Property Owner: Rafique Charania, ARY Development LLC

Signature:_____

Printed Name:_____

Title:_____

Date:_____



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Section 8, Item A.

City of Hendersonville

N E S

1st Ave Villas

P24-26-CZD

Conditional Rezoning (CMU-CZD to CMU-CZD)

PINs: 9568-77-1057

Acreage: 0.57 Acres

Proposed Zoning Map

- Parcels
- Streets
- Subject Property

Zoning

- CZD Conditional Zoning Districts
- MSH Main Street Historic Overlay District
- R-20 Low Density Residential
- R-15 Medium Density Residential
- R-6 High Density Residential
- R-6SU High Density Residential Special Use
- Planned Residential Development Conditional Zoning District
- UR Urban Residential
- MIC Medical, Institutional, Cultural
- MIC-SU Medical, Institutional, Cultural, Special Use
- PID Planned Institutional Development
- C-4 Neighborhood Commercial
- C-3 Highway Business
- C-2 Secondary Business
- C-2SU Secondary Business Special Use
- C-1 Central Business
- C-1SU Central Business Special Use
- CHMUSU Commercial Highway Mixed Use Special Use
- CMU Central Mixed Use
- CMUSU Central Mixed Use Specila Use
- PCD Planned Commercial Development
- I-1 Industrial
- Ecusta Trail

Community Development Department

THE CITY OF HENDERSONVILLE · N.C. 1847

Entry #: 26 - 5/14/2024 **Status:** Submitted **Submitted:** 5/14/2024 4:02 PM

Date:

5/14/2024

Name of Project

First Ave Villas

Address/Location of Property

1st Ave W (No address assigned)

List 10 digit PIN or 7 digit PID number for each property

9568771057

Check type of Development

Residential

Current Zoning

CMU-CZD

Proposed Zoning

CMU-CZD

List requested uses

Multifamily residential development

Total Acreage

0.57

Proposed Building Sq. ft.

6910

Dwelling Units

18

Conceptual Plan

1ST AVE APARTMENTS SCHEMATIC SET 5-13.pdf
4.4 MB

city_of_hendersonville_site_plan_review_applicatio.pd
0.5 MB

Conditional Zoning District Petition (Continued)

Proposed conditions for the site:

We are proposing two multifamily residential buildings to be erected with a total of 18 units. 19 parking spaces will also be provided.

It is important that the applicant consider the following factors. See Section 11-4 of the Zoning Ordinance for more information. Please use additional pages and/or attachments if necessary.

Explain consistency with the City's Comprehensive Plan:

The plan adds to the vibrant neighborhoods and abundant housing choices of downtown Hendersonville. This project allows for a diversity of ages, income levels and range of interests by providing a much needed type of housing within walking distance to downtown Hendersonville. The housing development is also designed with high quality materials in mind, and goes above and beyond the design guidelines provided by the city.

Explain compatibility with surrounding land uses:

All the surrounding land uses are either CMU or R-6. All properties along the north and east property lines are zoned CMU. All properties on the South and West property lines are zoned R-6, high-density residential. Since we are proposing a high-density residential project, it is compatible with both the R-6 and CMU neighbors.

Explain whether changed conditional require a map amendment:

No map amendment is needed since we are already zoned CMU-CZD

Explain how the petition is in the public interest:

The petition is in the best interest of the public because it allows for a type of housing that is desperately needed in a high-value location. This project is also designed with longevity and design character in mind in a way that would add value to the architectural fabric of downtown.

Explain whether adequate public facilities are available:

Sidewalks will be developed to ensure walkability around and in front of the building. A central green courtyard and water feature is visible from the street. A landscape buffer surrounding the building maintains the concept of a tree canopy between properties.

Explain the impact the petition would have on the natural environment:

The existing trees running through the middle of the site would have to be replaced with smaller trees to create a buffer around the edge of the property. 19 parking spaces and 2 entry/exit roads increase the amount of impervious surface surface area on site. Drainage would be added towards the back of the site (underneath the parking) to combat flooding. Green space would be maintained in the center and along the edges of the property.

Additional information:

Note additional approvals prior to issuance of Zoning Compliance Permit may include, but are not limited to:

1. Henderson County Sedimentation & Erosion Control Permit
2. Stormwater management plan
3. Utility approval
4. NCDOT permit
5. Any other applicable permits as determined by the Development Assistance Department

Signature pages for Conditional Zoning District Petition

Designated Agent

Rafique R Charania for ARY Development LLC

Address

17 OLDE EASTWOOD VILLAGE BLVD, ASHEVILLE, North Carolina 28803

Phone

(832) 265-0493

Email

rrcharania@gmail.com

Applicant Name

SARAH MCCORMICK

Company Name (if applicable)
PEACOCK ARCHITECTS

Entity Type
Corporation

Address
129 3RD AVE W, HENDERSONVILLE, North Carolina 28792

Signature

Phone

Title of Applicant (if applicable)

Signature of the property owner acknowledges if the property is rezoned the property involved in this request is bound to the use(s) authorized, the approved site plan and any conditions imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.

Property Owner Name
RAFIQUE CHARANIA FOR ARY DEVELOPMENT LLC

Address
17 OLDE EASTWOOD VILLAGE BLVD, ASGEVILLE, North Carolina 28803

PID or PIN #
9568771057

Signature

Property Owner Name (if different from Applicant)

Company Name (if applicable)

Entity Type
Corporation

Address

PID or PIN #

Signature

Title of Property Owner (if applicable)

Signature pages for Conditional Zoning District Petition (continued)

Signature of the property owner acknowledges if the property is rezoned the property involved in this request is bound to the use(s) authorized, the approved site plan and any conditions imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.

Property Owner Name

Company Name (if applicable)

Entity Type

Corporation

Address

PID or PIN #

Signature

Property Owner Name

Address

Signature

PID or PIN #

Title of Property Owner (if applicable)

Property Owner Name

Printed Company Name (if applicable)

Entity Type

Corporation

Address

Signature

PID or PIN #

Property Owner Title (if applicable)

Applicant(s): (Developer)

Printed Name Rafique R Charania for ARY Development LLC

☐ Corporation ☑ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature

Title Member Email rrcharania@gmail.com

Address of Applicant 17 Olde Eastwood Village Blvd Asheville NC, 28803

Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Applicant _____

Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Applicant _____

Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Applicant _____

Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

Signature _____

Title _____ Email _____

Address of Applicant _____

• File an Annual Report/Amend an Annual Report • Upload a PDF Filing • Order a Docume[illegible] Add Entity to My Email Notification List • View Filings • Print a Pre-Populated Annual Report form • Print an Amended a Annual Report form

Limited Liability Company

Legal Name
ARY DEVELOPMENT LLC

Information

SosId: 2796480
Status: Current-Active ⓘ
Date Formed: 2/26/2024
Citizenship: Domestic
Annual Report Due Date: April 15th
Current **Annual Report Status:**
Registered Agent: CHARANIA, RAFIQUE R

Addresses

Mailing
17 OLDE EASTWOOD VILLAGE BLVD
ASHEVILLE, NC 28803-1670

Principal Office
17 OLDE EASTWOOD VILLAGE BLVD
ASHEVILLE, NC 28803-1670

Reg Office
17 OLDE EASTWOOD VILLAGE BLVD
ASHEVILLE, NC 28803

Reg Mailing
17 OLDE EASTWOOD VILLAGE BLVD
ASHEVILLE, NC 28803-1670

Company Officials

All LLCs are managed by their managers pursuant to N.C.G.S. 57D-3-20.

President
RAFIQUE R CHARANIA
17 OLDE EASTWOOD VILLAGE BLVD
ASHEVILLE NC 28803-1670

Vice President
YASMIN S CHARANIA
17 OLDE EASTWOOD VILLAGE BLVD
ASHEVILLE NC 28803-1670

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Mark Stierwalt, Public Works Superintendent

MEETING DATE: 11/07/2024

AGENDA SECTION: NEW BUSINESS

DEPARTMENT: Public Works

TITLE OF ITEM: Final Parks & Greenspace Master Plan – Mark Stierwalt, Public Works Superintendent

SUGGESTED MOTION(S):

I move that City Council approve the proposed final Parks and Greenspace Master Plan as presented.

SUMMARY:

Public Works Superintendent Mark Stierwalt will present the final Parks and Greenspace Master Plan.

BUDGET IMPACT: $

Is this expenditure approved in the current fiscal year budget?

If no, describe how it will be funded.

ATTACHMENTS:

NA

HPARKS & GREENSPACE

HENDERSONVILLE
PARKS MASTER PLAN UPDATE

ACKNOWLEDGMENTS

In addition to the leaders and project team members below, the City of Hendersonville extends sincere thanks to all the community members that made this possible. Whether you attended a meeting or completed a survey, your effort was greatly appreciated!

CITY OF HENDERSONVILLE CITY COUNCIL

Mayor Barbara Volk

Mayor Pro Tempore Lyndsey Simpson

Council Member Dr. Jennifer Hensley

Council Member Melinda Lowrance

Council Member Jeff Miller

Council Member Debbie O'Neal Roundtree (Formerly)

Council Member Jerry Smith (Formerly)

CITY OF HENDERSONVILLE

Adam Murr, Budget and Evaluation Director

Allison Justus, Communications Director

Brandy Heatherly, Communications Coordinator

Brent Detwiler, Public Services Director

Brian Pahle, Assistant City Manager

Jamie Carpenter, Downtown Manager

John Connet, City Manager

Lew Holloway, Community Development Director

Mark Stierwalt, Public Works Superintendent, Project Manager

Matthew Manley, Long-Range Planning Manager

Tom Wooten, Director of Public Works

PARKS AND GREENSPACE MASTER PLAN ADVISORY COMMITTEE

Sarah Kowalak, Community Representative, Appointed by Council

Virginia Tegel, Member of the Environmental Sustainability Board, Appointed by Council

Phyllis Bailey, Community Representative, Appointed by Council

Hunter Jones, Community Representative, Appointed by Council

Hunter Marks, Community Representative, Appointed by Council

Carlos Ruiz de Quevedo, Community Representative, Appointed by Council

Derek Cote, Community Representative

Phillip Ellis, Member of the Henderson County Recreation Advisory Board

Bruce Gilliam, Director of Henderson County Parks and Recreation

CONSULTANT

Design Workshop

DRAFT

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DRAFT

EXECUTIVE SUMMARY

ABOUT THE PLAN

Hendersonville, located at the southern edge of the Blue Ridge Mountains on Cherokee Indigenous land, is a growing community in a region filled with attractions. People are drawn to the area for its beautiful scenery, natural resources, rich history, and the vibrant cultural arts scene in Downtown Hendersonville and surrounding communities.

While it boasts a beautiful and charming setting, Hendersonville's current system of public parks falls short of delivering enough greenspace that accommodates the needs and desires of a growing population. The City has lacked adequate funding and a strategic, community-driven vision to guide park and greenspace investments to keep pace.

With momentum from recent investment in parks and regional greenway projects, now exists an opportunity to think both pragmatically and with vision to chart a path towards a great public park system that equitably delivers the benefits of the outdoors to all of Hendersonville's community.

This plan has an ambitious vision for the future parks and greenspace system of Hendersonville. It seeks to build on and complete visions for existing parks; fix and maintain the existing facilities in need of repair or reinvestment, improve access to high-quality parks, and lay the foundation for a park and greenspace system that continues to serve Hendersonville for generations.

Five guiding principles - **access, inclusivity, nature, place, and quality** - serve as the backbone of this plan. To ensure the legacy of Hendersonville's parks continues for generations to come, an action plan has been developed for strategic direction to implement these five principles.

HOW TO USE THE PLAN

The Parks and Greenspace Master Plan will be used as a guide book to move Hendersonville's parks and greenspace system into the future.

GUIDING PRINCIPLES

ACCESS

Making sure our parks are welcoming and barrier-free for all Hendersonville residents.

INCLUSIVITY

Committing to fairness and the premise that everyone deserves access to a great public park.

NATURE

Protecting, preserving and enhancing our natural features and resources.

PLACE

Amplifying local character, community vibrancy, safety and sense of place.

QUALITY

Setting a citywide standard for the design, construction and maintenance of high-quality parks and greenways.

The plan has been created with public input and best practices to ensure that it reflects the community's aspirations, concerns, and desires for the future of Hendersonville's park system.

The resulting plan offers a framework of steps to take towards the vision including developing and strengthening partnerships, allocation of funding, and investment decisions. This is meant to be flexible to adapt to changing circumstances and will require significant additional implementation effort by community decision makers, leaders, and the public.

A COMMUNITY-DRIVEN VISION

The plan vision statement is intended to represent a community voice and express the desired outcome of this plan, putting aside short-term limitations of funding, operations, and competing public priorities. It asks: what kind of park and greenspace system does Hendersonville want for future generations? The vision statement reflects what the planning team heard and incorporates the ideas, concerns and messages from hundreds of comments from community members and collaborators throughout the planning process.

VISION STATEMENT:

Hendersonville will have a park and greenspace system we love—with high-quality neighborhood parks accessible to all; connectivity between parks, open space and where people live and work; leadership in sustainable practices and preservation of the natural environment; destination parks and placemaking that promote local character, community vibrancy, safety and sense of place.

Playground at Four Seasons Rotary Park - Hendersonville, NC

DRAFT

COMMUNITY INPUT SUMMARY

OVERVIEW

The Parks and Greenspace Plan was informed by public conversations about the role of parks and greenspace in Hendersonville, culminating in a community led, data-driven, and actionable vision for the City's parks and open spaces.

In total, this process yielded input from over 800 people in addition to the feedback incorporated from the concurrent planning effort to update the City's Comprehensive Plan.

Each recommendation and driving principle in the Parks and Greenspace Plan can be traced back to public feedback received through Advisory Committee meetings, public workshops, and online platforms.

813
SURVEY PARTICIPANTS

1075
SURVEY COMMENTS

3
OPEN HOUSE WORKSHOPS

2
POP-UP EVENTS

LEARN MORE

» More detailed engagement and survey results can be found within Chapter 3 and the Appendix.

WHAT WE HEARD

The following key takeaways were identified through community input and were essential in developing the plan's guiding principles, goals and strategies:

» **Patton Park and Berkeley Mills Park are the most valued and visited** City parks.

» **Lack of comfort, lack of information, and lack of pedestrian/cyclist access** were among the biggest barriers to visiting Hendersonville parks and greenways more often. Safety, condition and availability of desired amenities were close behind.

» Many feel they **do not have sufficient neighborhood parks** with only 20 percent of respondents saying they have neighborhood parks that meet their needs.

» **Natural features and scenic views are highly valued**. When asked which destinations they'd most like to access by greenways, nature/scenic views, natural water features and regional trail connectivity were among the top responses.

» The most important amenities to households included **paved and unpaved walking and biking trails, restrooms, dog parks and canoeing/kayaking.**

» Many would like to see **shade improvements** in parks to improve comfort.

» Many would like to see a **high-quality and connected system of greenways** (paved trails) realized.

SURVEY KEY FINDINGS

75%
Of respondents would like to prioritize parks that protect environmental health and natural resources.

65%
Of respondents would like to prioritize neighborhood parks that meet the daily and year-round needs of nearby residents.

60%
Would like to prioritize a high-quality and connected system of greenways.

50%
Would like to prioritize park-based activites and programs; sports and recreation opportunities; and destination parks that promote economic development.

76%
Of respondents feel that it is important for the City of Hendersonville to provide high-quality parks.

DRAFT

FUTURE PARKS SYSTEM PLAN

The overall vision plan for the park system seeks to capture projects over the long term serving as a living framework that can adapt to meet evolving community needs.

A plan of this scale will fix, build, connect and preserve our public spaces in the short, medium and long term.

This plan envisions the following investments over the next 20 plus years:

1. **Improving 12 existing parks and greenspaces.** Fixing and investing in what we have is our first priority.

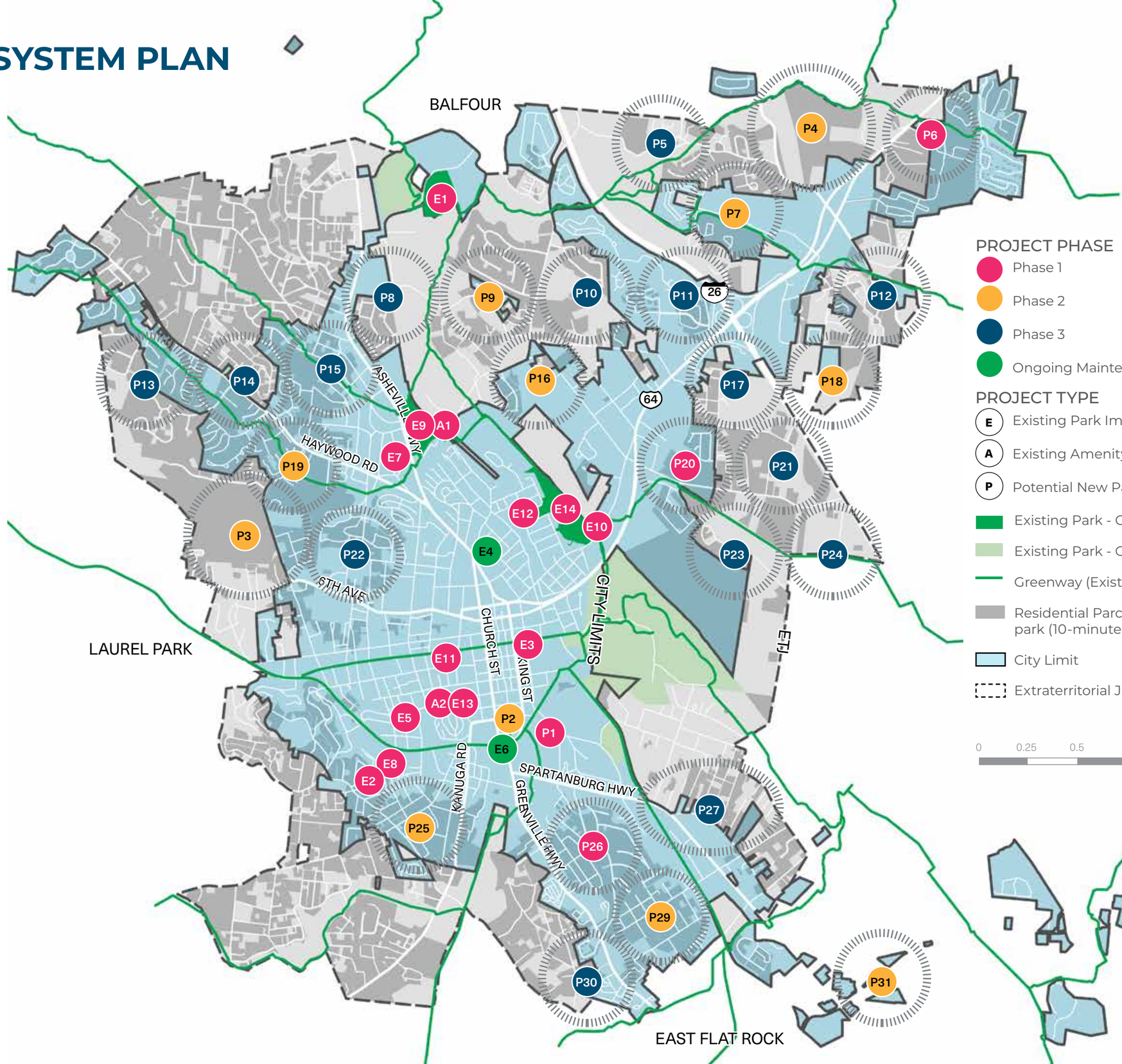
2. **Developing new parks in priority areas** to reach level of service standards and increase access to parks throughout the City.

3. Building and connecting through the implementation of **10 plus miles of new greenways.**

These improvements are informed by the plan principles expanded on in Chapters 4-9.

LEARN MORE

- Chapter 9 dives into greater detail on the phasing for these projects.
- Greenways depicted on this map include those existing, planned and proposed as recommended in the Greenway Plan found within the Appendices.



CONCEPT PLANS OVERVIEW

Several parks were conceptually redesigned as part of the Plan update as directed by the City of Hendersonville Public Works department. Initial site improvement concepts provide guidance for applying findings from this plan, however, site visioning processes with the community and detailed site designs are needed to further refine expectations for changes. These concepts are further illustrated in Chapter 10 including a summary of existing features, recommended site improvements and character imagery.

CONCEPTUAL PARK PLAN HIGHLIGHTS

Patton Park the is the second largest city park with the most features. The park's keystone is Patton Pool, the most visited park feature in the city. It offers something for everyone from a playground to walking trails and sport courts. It also features the only public skate park in Hendersonville and Henderson County. The current conditions reveal a need for improvements to wayfinding signage, and the pool and basketball court facilities are in need of renovation to keep up to code and meet community expectations.

Dedicated pickleball courts are in the process of being built, helping to fulfill Hendersonville's level of service goals. There are also plans to convert the underutilized baseball diamond into a dog park.

This park concept includes the plans already in motion and helps the city explore ways to improve circulation as well as address flooding with a restored stream to expand floodplain capacity. The concept also makes recommendations to update the playground for all ages and abilities as funding becomes available.

Toms Park features the Whitmire Activity Center and 14 shuffleboard courts. The east side of the park is separated by Wash Creek connected by a pedestrian bridge. Several improvements are needed to renovate the building including repainting, replacing windows, ceiling, and flooring and updating the HVAC system. Renovations present an opportunity to consider updates needed to accommodate more community interests and activities. Integrating social "backyard" lawn games such an area for bocce ball, horseshoe, and corn hole can encourage community members of all ages to come together to play, socialize and participate in physical activity.

This park concept also recommends stream restoration and stabilization, creating a walking loop with seating and fitness equipment. Signage and wayfinding improvements are needed throughout.

Rosa Edwards Park is currently an open space without any amenities near the public library. The City is committed to providing a multipurpose field for small pickup games in the short term, however additional ideas could be explored through further engagement and funding discussions. Some ideas from the community input process include a community garden, shaded picnic and gathering area, dog park, pavilion and playground for library events, and basketball court.

William H. King Memorial Park features a baseball diamond, walking loop, and connection to the Oklawaha Greenway. The site is constrained by floodplain and wetlands, limiting the potential for some new amenities. Opportunity exists to expand nature trails with interpretive elements, celebrate greenway connectivity by formalizing trailheads with wayfinding, bike tuning stations and racks, and improving pedestrian access to the site and to neighboring Sullivan Park and Pet's Own Place dog park. These three parks should be planned in tandem and thought of as one large campus with distinct experiences.

Sullivan Park, neighborhood park adjacent to William H. King Memorial Park, is in need of improvements to site lighting and safety. The park concept recommends improvements to the pedestrian crossing connecting to the community garden. As funding becomes available, the playground area should be reimagined and upgraded to serve all ages and abilities. The concrete pad is in need of resurfacing and has potential to serve as a vibrant multi-purpose court games area.

Four Seasons Rotary Park is a small neighborhood pocket park with a pavilion with picnic tables, playground and walking loop. Improvement recommendations include signage and presence at the street entrance, and future improvements to the playground. Wash Creek is in need of restoration, including the removal of invasive species and the introduction of native plants. The existing deck location and design should be reconsidered as part of the restoration with interpretive signage incorporated.

Berkeley Mills Park serves as the trailhead to the Oklawaha Greenway with parking and a drop off loop. A disc golf course is currently under construction and is expected to be completed Fall 2024. The Clear Creek Greenway is planned to connect from the parking lot around the north end of the site and to the east. The concept plan suggests installing bike racks and bike tuning stations and formalizing greenway access points to celebrate the site as a trailhead.

LEARN MORE

» The full list of conceptual plans are further illustrated in Chapter 10.

1

PLANNING CONTEXT

BACKGROUND AND PURPOSE

WHY THIS PLAN IS NEEDED

Hendersonville's park and greenspace system has been historically underfunded without dedicated resources and staff allocated to implement and plan parks, open space, and greenways for a growing population. The City is at a critical crossroads with a unique opportunity to utilize and expand the existing open space system to provide outdoor experiences to all residents of Hendersonville, while preserving its high-quality landscape and celebrating the authentic community character that makes Hendersonville so special. With the recent success and existing plans for implementing new greenways and trails, this plan also considers what opportunities exist to expand the greenway system and coordinate future regional trail connections.

This document is inspired by Hendersonville's past but is rooted in the city's current conditions and anticipated trajectory. It establishes an achievable vision for the future of the park, greenspace and greenway system and an actionable road map for implementing that vision over time.

Hendersonville is home to 14 city-owned parks and greenspaces; however, many are not recognized as meeting the criteria of a quality neighborhood park, lacking the adequate acreage and amenities that the community desires. The current system is utilized by residents of the city and surrounding communities, though many seek their parks and recreation needs through neighboring municipalities and jurisdictions, such as Henderson County. Some neighborhoods are better served than others, and nature and recreation experiences could be better integrated into all neighborhoods as well as in the downtown core. The Parks and Greenspace Master Plan is an opportunity to bring Hendersonville's park system into the present day and ensure a high-quality of life for generations.

The plan has five guiding principles that are informed by community needs and priorities and by best practices among Hendersonville's peer cities: **access, inclusivity, nature, place, and quality.** These principles drove the planning process, informed our public conversations, and provided the organizational framework for this document and recommendations.

CONNECTION TO OTHER PLANS

The successful implementation of the Parks and Greenspace Master Plan is contingent upon its synergy with other planning efforts across the City of Hendersonville. The Plan considered relevant planning efforts, reviewing past and recent planning documents to identify areas of collaboration and existing recommendations that have a direct or indirect impact on Hendersonville's park and greenspace system.

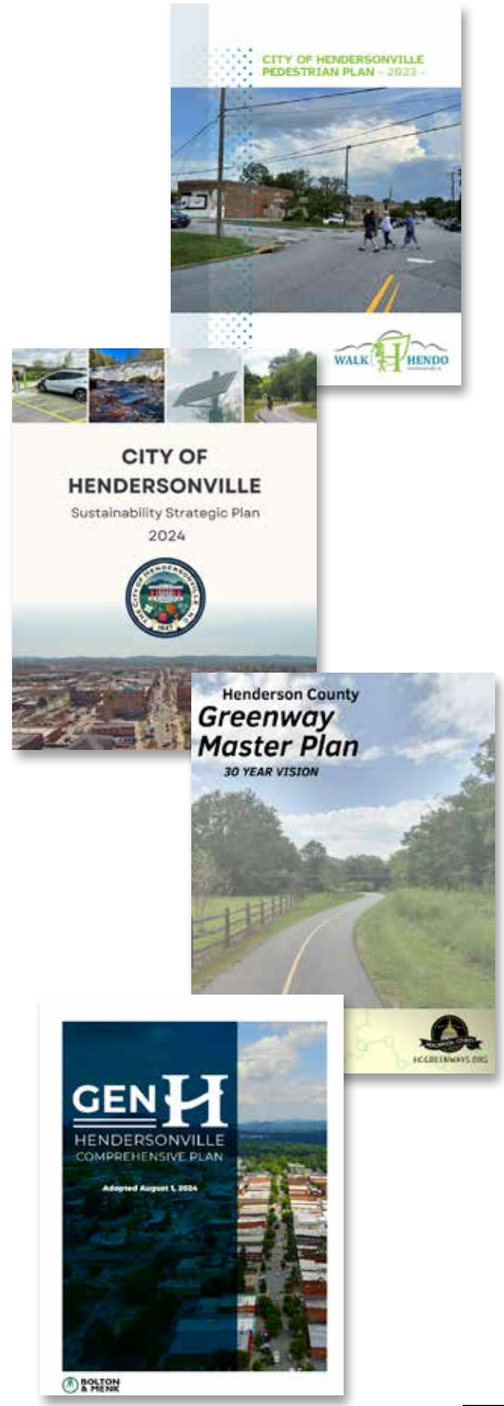
Relevant planning efforts reviewed include but are not limited to: The Gen H Comprehensive Plan (2024), Sustainability Strategic Plan (2024), Walk Hendo Pedestrian Plan (2023), Tree Canopy Cover Assessment (2023), Henderson County Greenway Master Plan (2019), Hendersonville Bicycle Plan (2018), and Ecusta Rail Trail Planning Study and Economic Impact Analysis (2012), Above the Mud Greenway Feasibility Study (2024).

This planning effort timeline was concurrent with the citywide comprehensive planning effort presenting an opportunity to ensure a coordinated approach to parks and open space as the City makes decisions on how to manage growth.

GOVERNANCE

The City of Hendersonville Public Works Department develops, operates and maintains parks and greenspaces among all other public spaces and buildings.

The Public Works Department is supported by 70 staff members. Although crews handle grounds and building maintenance, there is currently no staff dedicated exclusively to parks, nor are there any funds specifically allocated for park expansion. The department is primarily funded through the General Fund and the Stormwater Enterprise Fund.



POPULATION TRENDS

The following is a summary of Hendersonville's demographics. Both current conditions and future projections must be considered in this Plan as they allow the team to identify key changes that have the potential to impact the delivery of city parks and greenspaces for years to come.

As Hendersonville grows in the future and becomes more diverse, the city must ensure that all demographic groups, regardless of age, race, income, or background, have fair access to parks, greenspaces and recreation. See Chapter 6 for more information on vulnerable population variables considered for priority investment zones.

POPULATION GROWTH

According to Hendersonville's 2024 Comprehensive Plan, Hendersonville will see growth in the next 25 years. However, there are several sources of population and housing projections for the future. At the low end of the spectrum is an estimate by the North Carolina Office of State Budget and Management (NC OSMB). Assuming Hendersonville maintains its proportion of the County's population (13%), the city's population might increase by 4,264 people by 2045. At the same time, another projection by the same source, NC OSMB, projects a much higher population increase. The 32,546 population increase accounts for growth in the entirety of Henderson County, anticipating that all future growth in the county will occur inside Hendersonville's city limits.

The increasing population can significantly impact parks and recreation by elevating demand for these community amenities. As the population grows, there is a greater need for accessible parks, recreational facilities, and green spaces to accommodate the expanding number of residents. This heightened demand can lead to increased pressure on existing parks and necessitate the development of new spaces to ensure equitable access and prevent overcrowding.

POPULATION CHARACTERISTICS

AGE

Hendersonville's median age is 48.8 years old (ESRI, 2022). The largest portion of the population, equating to a third of all residents, is made up of residents who are 65+ (30%). The second largest group is made up of youth (ages 5-19) at 15%, followed by those aged 55-64 at 13%, ages 35-44 at 11%, and ages 25-34 at 11%.

With an older population comes the need for for accessible and age-friendly recreational spaces, such as walking paths, fitness centers with low-impact exercise options, and social gathering areas. Given that Hendersonville has a large portion of youth and seniors, parks and recreation should adapt universal design principles such as ramps for wheelchairs and strollers, accessible seating, and flexible use spaces to accommodate a range of interests.

RACE AND ETHNICITY

Hendersonville is predominantly white, with 74% of residents identifying as such (ESRI, 2022). Eight percent (8%) of residents identify as multi-racial/multi-ethnic, followed by six percent (6%) Black or African American, Asian/Other Pacific Islander (2%), and American Indian under 1%. Residents who identify as Other make up ten percent (10%) of the population.

Parks that reflect and cater to diverse cultural needs—such as incorporating multi-lingual signage, culturally relevant activities, and community gathering areas—can foster greater community connection and satisfaction. Hendersonville's parks can better serve all backgrounds and contribute to a more equitable and cohesive society by acknowledging and addressing the diverse needs and preferences of various racial and ethnic groups.

INCOME

The median household income earnings in Hendersonville is $51,454 (ESRI, 2022). However, the median disposable income for residents of Hendersonville is $42,417 annually. This disposable household income plays a key factor in the ability of residents to engage in certain activities. Those with a higher disposable income can spend more on recreational activities such as private fitness classes and sports clubs. In turn, this may reduce their reliance on public parks and facilities. On the other hand, those with lower disposable income likely depend more heavily on publicly-provided parks and recreation, highlighting the need for well-maintained and affordable opportunities.

HOUSEHOLD CHARACTERISTICS

HOUSING

Alongside the range of projected population from Hendersonville's 2024 Comprehensive Plan, there are also ranges of projected housing units. On the low end of the NC OSMB projection, an increase of 4,264 people is anticipated to equate to an additional 2,232 housing units to be added by 2045. Taking into account the growth of the entire County overall, NC OSMB anticipates that an increase of 32,546 people will equate to 17,040 housing units to be added by 2045.

In order to maintain the quality of life for all current and future residents, **Hendersonville must balance housing growth with investments in parks and recreation.** For instance, in order to maintain an equitable walkshed—typically described as an area covered by a 5-minute or 10-minute walk—the locations of future housing must be considered as a basis for future parks and greenspaces. Future housing development also provides an opportunity for collaboration amongst the Community Development Department, Public Works Department, and developers to integrate parks and recreation opportunities into new housing developments.

2

THE EXISTING STATE OF THE SYSTEM

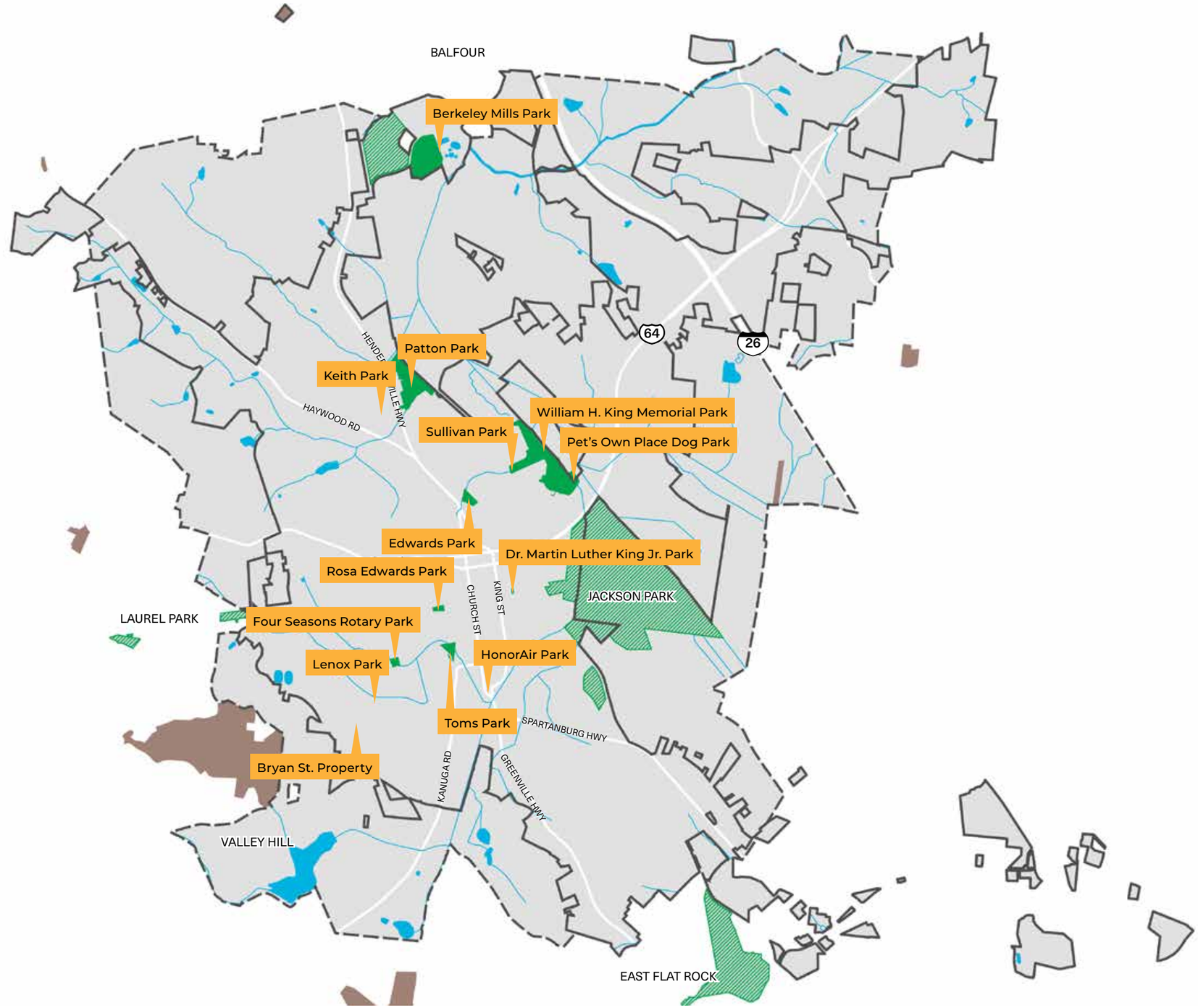
NEEDS ASSESSMENT

OVERVIEW

The evaluation of Hendersonville's park system is based on a needs assessment that ties together data analysis, trends and community input. The assessment deploys data and metrics tailored to the park system in order to identify opportunities, gaps, and priority investment areas. A comprehensive community outreach was conducted in tandem to understand community needs. The assessment is used to guide future planning decisions and investment distribution.

The assessment includes:

- **Community Input** from a community-wide survey, open house workshops and events.
- A **Level of Service (LOS)** and Peer Benchmarking analysis which evaluates the existing number of acres within the park system, establishes a benchmark comparison to peer communities of similar characteristics, and assesses the park amenity distribution and walkability.
- A review of **Visitation Trends** which indicates the annual park visitation totals and user demographics at various park locations.
- A review of **Recreation Trends** at the local, state and national level to understand the most popular amenities needed now and that might be anticipated in the future.
- A analysis which identifies areas of priority to have the most impact for vulnerable populations.



- Hendersonville City Limit
- Hendersonville ETJ
- Waterbody
- Stream
- Trail
- City of Hendersonville Park
- Other Public Park
- Private Park/Open Space

DRAFT

RECOMMENDED PARK CLASSIFICATIONS

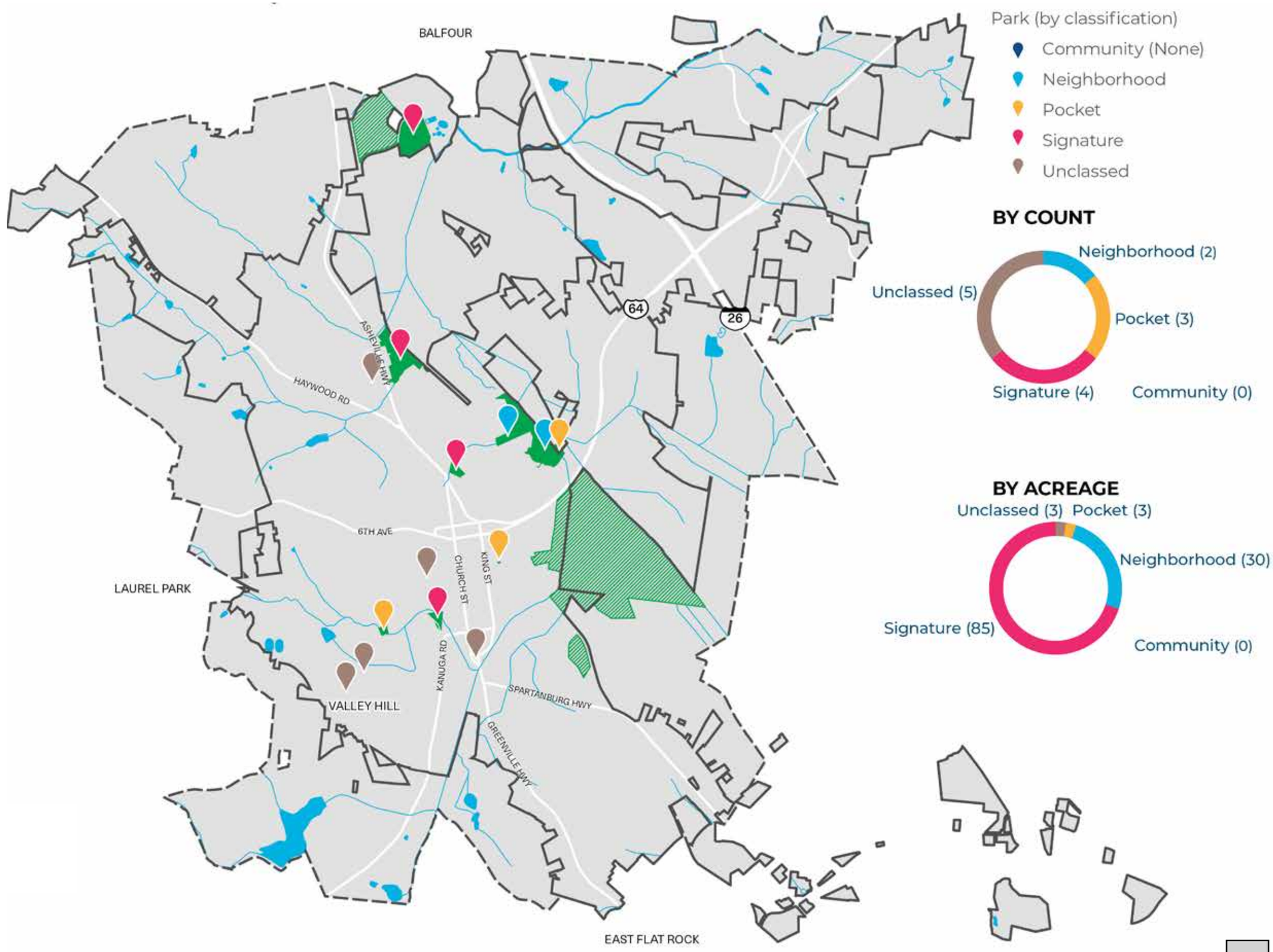
A park classification system allows us to establish a common language around park types, service delivery expectations, experiences and types of amenities. A strong understanding of the types of parks in different areas of the city can inform where access, experience and gaps exist.

Park classifications are useful in:

- Communications (with staff and residents),
- Parkland acquisitions (locations and criteria for future parks),
- Amenity Level of Service and Service Delivery (location and availability of certain facilities and park features and how those should be distributed),
- Programming (the type and scale of activities appropriate to a park), and
- Operations (the degree of maintenance and regular investment needed).

Funding the development and maintenance of parks facilities and services remains a challenge for many cities across the country. Over the last ten years, many cities have decreased their reliance on the general fund as the primary source of park funding. Alternative funding comes from services charges, grants, and donations.

Hendersonville's current allocation does not allow the City to fully meet its maintenance needs or consider new facilities and parks. Staffing is also less than peer cities, with no dedicated department for parks.



LEVEL OF SERVICE ANALYSIS

Level of service (LOS) is a standard measure that recreation providers use to monitor the amount of services provided to their communities. Used in conjunction with community outreach, this tool can help determine quantity and quality gaps in the system and how services are distributed. It is also useful in identifying the amount of parks needed in the future to keep up with future population increases.

PARK ACREAGE PER POPULATION

One way of measuring park level of service is through acreage per 1,000 residents. This measurement is typically used when overcrowding is a concern or evaluating if additional parkland is needed to accommodate population growth. Hendersonville currently has 6.2 acres of parks per 1,000 residents (excluding unclassed open space properties) and 1,681 residents per park. The median for park agencies of similar size to Hendersonville provide 13 acres per thousand residents and 1,225 residents per park (National Recreation and Park Association - NRPA). If Hendersonville were to match level of service to meet peer cities, roughly another 86 acres of developed parkland will be needed by 2030 and 130 acres by 2050.

DISTRIBUTION AND ACCESS

The strategic distribution of park acres is important in ensuring all residents can access outdoor public spaces and opportunities to recreate within a reasonable distance from their home. The Trust for Public Land (TPL) advocates for all people to have access to a quality park from their home within a 10-minute walk. Many park and recreation systems across the country, such as nearby Woodfin, NC, have committed to the 10-Minute Walk Program as a long-term vision while establishing achievable short-term action items.

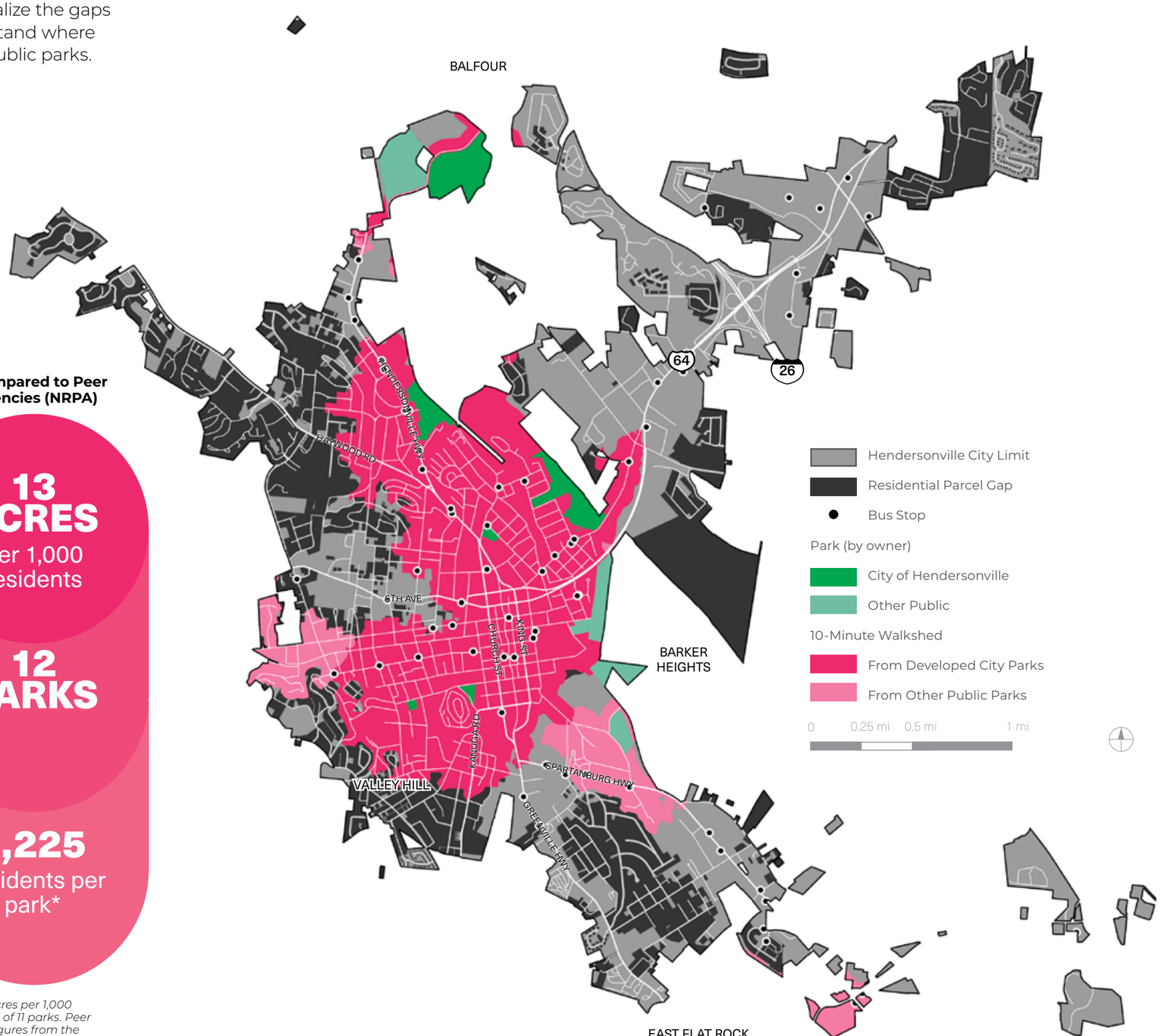
The walkshed map helps to visualize the gaps within city boundaries to understand where residents are lacking access to public parks.

WHO CAN WALK TO PARKS?

5,523 residents (or 35%) live within a 10-minute walk to city parks compared to 56% average in peer cities.

Hendersonville	Compared to Peer Agencies (NRPA)
6.2 ACRES Per 1,000 residents*	**13 ACRES** Per 1,000 residents
9 PARKS Excluding Unclassed Open Space*	**12 PARKS**
1,681 Residents per park*	**1,225** Residents per park*

**Note, if including County-owned properties, 25 acres per 1,000 residents, and 1,376 residents per park with a total of 11 parks. Peer agency comparison is based on median metric figures from the 2023 NRPA Agency Performance Review data for agencies with a population less than 20,000.*



LEVEL OF SERVICE

FACILITIES PER POPULATION

The level of service for existing parks facilities and amenities were compared against national averages to get a baseline understanding of where Hendersonville stands. Table 1 represents a selection of existing Hendersonville facilities compared against national averages.

The comparison demonstrates the level of service for each facility based on the existing population. Level of service is shown as number of residents per each amenity. These metrics are one useful data point when creating the plan recommendations for level of service. These plus the addition of local input and trends are crucial to understand gaps in amenities.

FACILITIES SPATIAL DISTRIBUTION

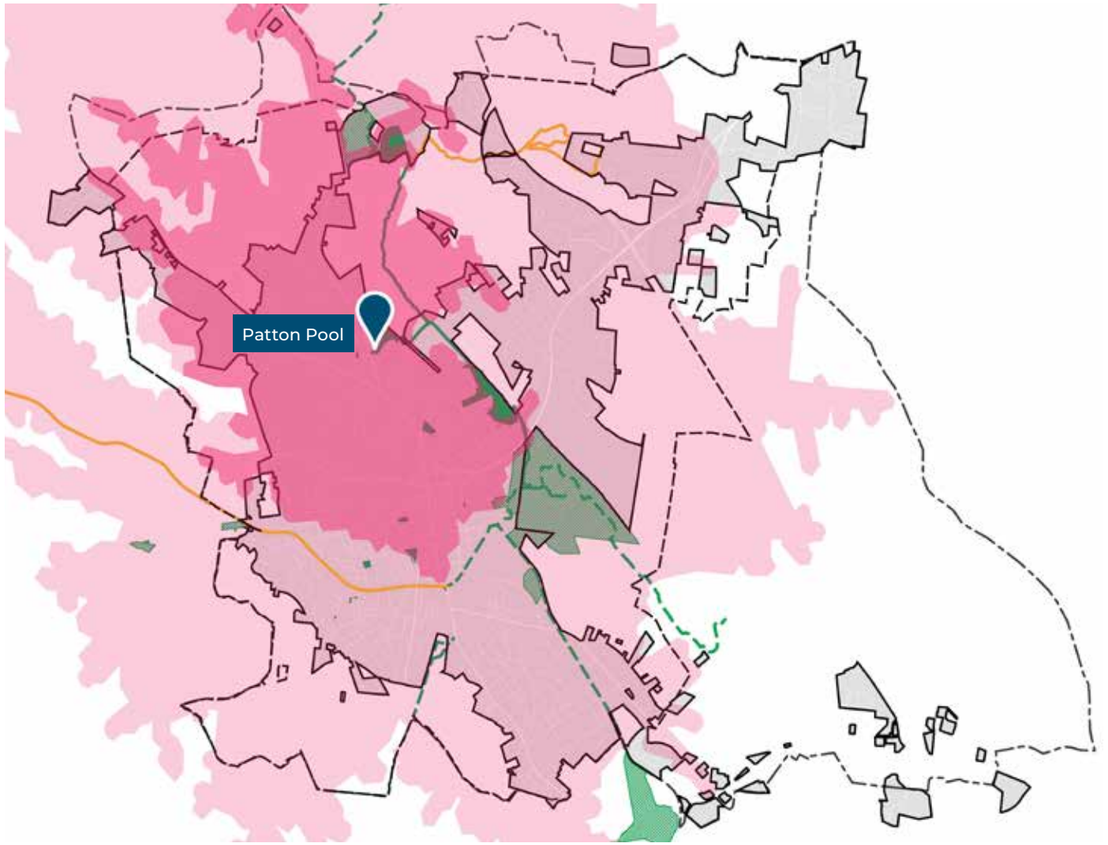
Existing facilities and amenities were mapped and visualized with amenity-specific service areas informed by NRPA metrics and Hendersonville's current level of service. The maps on the following pages help to identify gaps in amenity-specific access.

Table 1: Population-Based Service Metrics for City-Owned Recreation Facilities Compared to National Park Agency Metrics.

TYPES OF FACILITIES	NO. OF CITY-OWNED FACILITIES	NO. OF NON-CITY OWNED PUBLIC FACILITIES	RESIDENTS PER FACILITY	NATIONAL AVERAGE RESIDENTS PER FACILITY (CITIES WITH POPULATION <20,000)	CURRENT "SHORTAGE" COMPARED TO NATIONAL AVERAGE
Basketball Court	4	2	2,523	4,366	Needs Met
Community Center	0	0	0	8,908	1
Community Garden	1	1	0	8,800	4
Diamond Field	1	10	1,376	1,833	3
Disc Golf**	1	1	7,569	11,079	Needs Met
Dog Park	1	1	7,569	10,327	Needs Met
Multi-use Field	1	1	7,569	2,493	2
Pickleball Court**	6	3	1,682	3,390	Needs Met
Playground	4	2	2,523	1,990	2
Recreation Centers	0	1	15,137	9,685	1
Senior Centers*	0	0	0	14,286	1
Skateboard Park	1	0	15,137	11,284	Needs Met
Splash Pad	0	0	0	12,756	1
Swimming Pool	1	0	15,137	9,745	Needs Met
Tennis Court	2	8	1,514	2,805	Needs Met

*Sources: U.S. Census, 2024 National Recreation and Park Association. *Note, while the Whitmire Activity Center is currently used for Senior and Active Adult programming, it does not have a gymnasium or fitness studios that you would typically find in a Senior Center. Some municipalities choose to deliver senior activities at a dedicated facility while others choose to integrate into an all-ages recreation center. **The existing disc golf course and pickleball courts are not yet constructed, but counted as they are underway.*

OUTDOOR SWIMMING POOL / SPATIAL DISTRIBUTION



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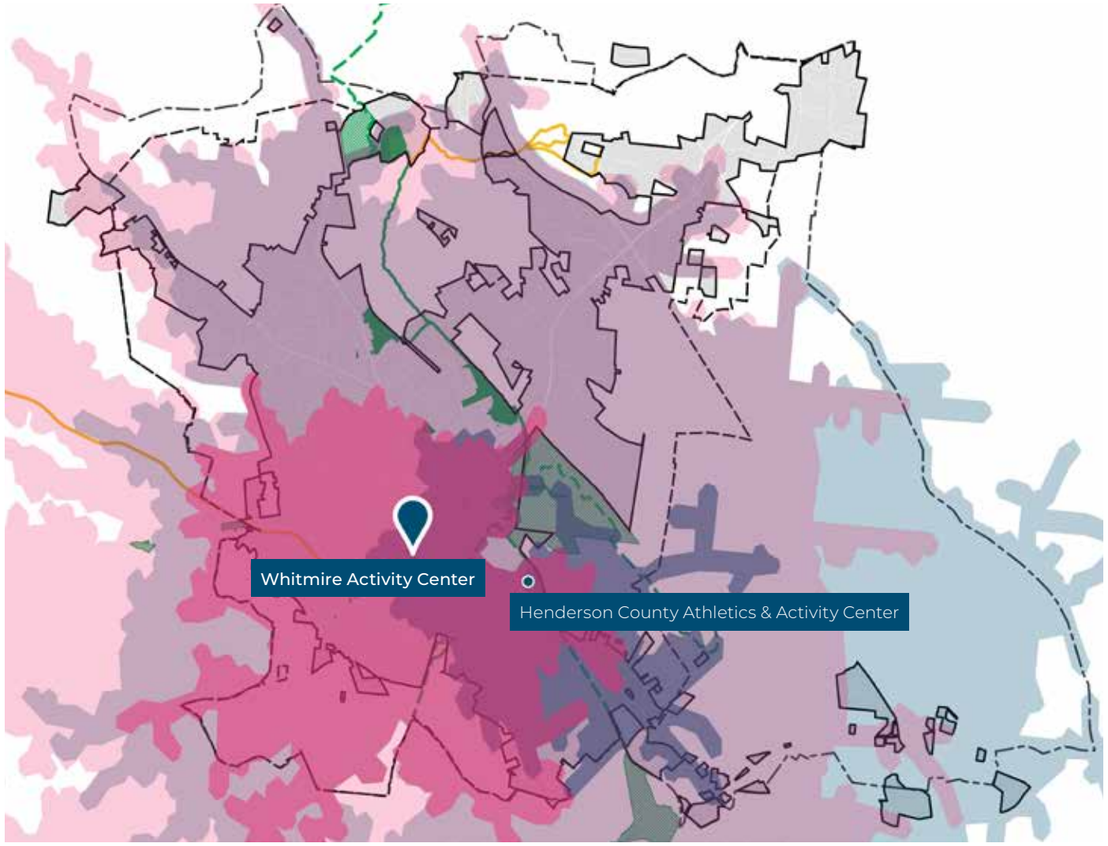
COMMUNITY CENTERS / SPATIAL DISTRIBUTION



- Hendersonville City Limit
- Hendersonville ETJ

Park

- Existing City Park
- Other Public Park

Greenway

- Existing
- Planned
- Under Construction

- City Facility/Amenity
- 10-min. driveshed
- 20-min. driveshed
- Other Public Facility/Amenity
- 10-min. driveshed
- 20 min. driveshed

DISC GOLF / SPATIAL DISTRIBUTION

- Hendersonville City Limit
- Hendersonville ETJ

Park

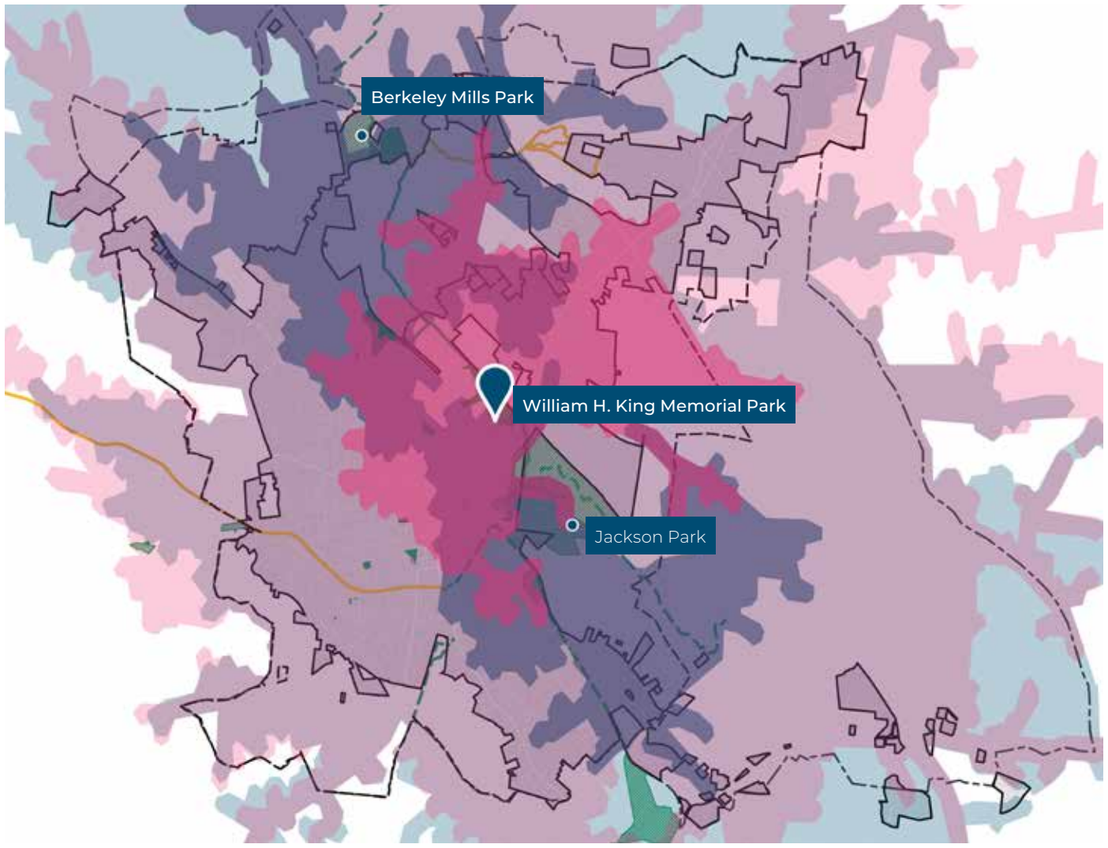
- Existing City Park
- Other Public Park

Greenway

- Existing
- Planned
- Under Construction

- City Facility/Amenity
- 10-min. driveshed
- 20-min. driveshed
- Other Public Facility/Amenity
- 10-min. driveshed
- 20 min. driveshed

DIAMOND FIELDS / SPATIAL DISTRIBUTION



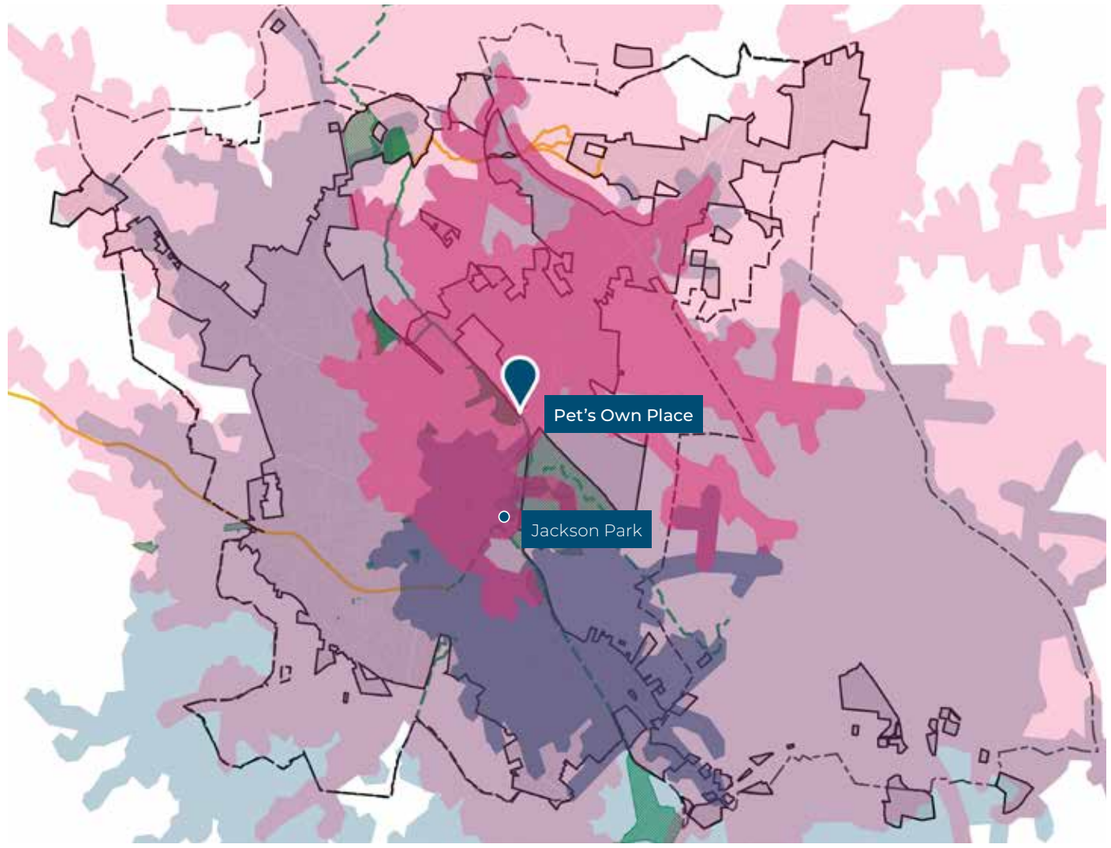
- Hendersonville City Limit
- Hendersonville ETJ

Park
- Existing City Park
- Other Public Park

Greenway
- Existing
- Planned
- Under Construction

- City Facility/Amenity
- 10-min. driveshed
- 20-min. driveshed
- Other Public Facility/Amenity
- 10-min. driveshed
- 20 min. driveshed

DOG PARKS/ SPATIAL DISTRIBUTION



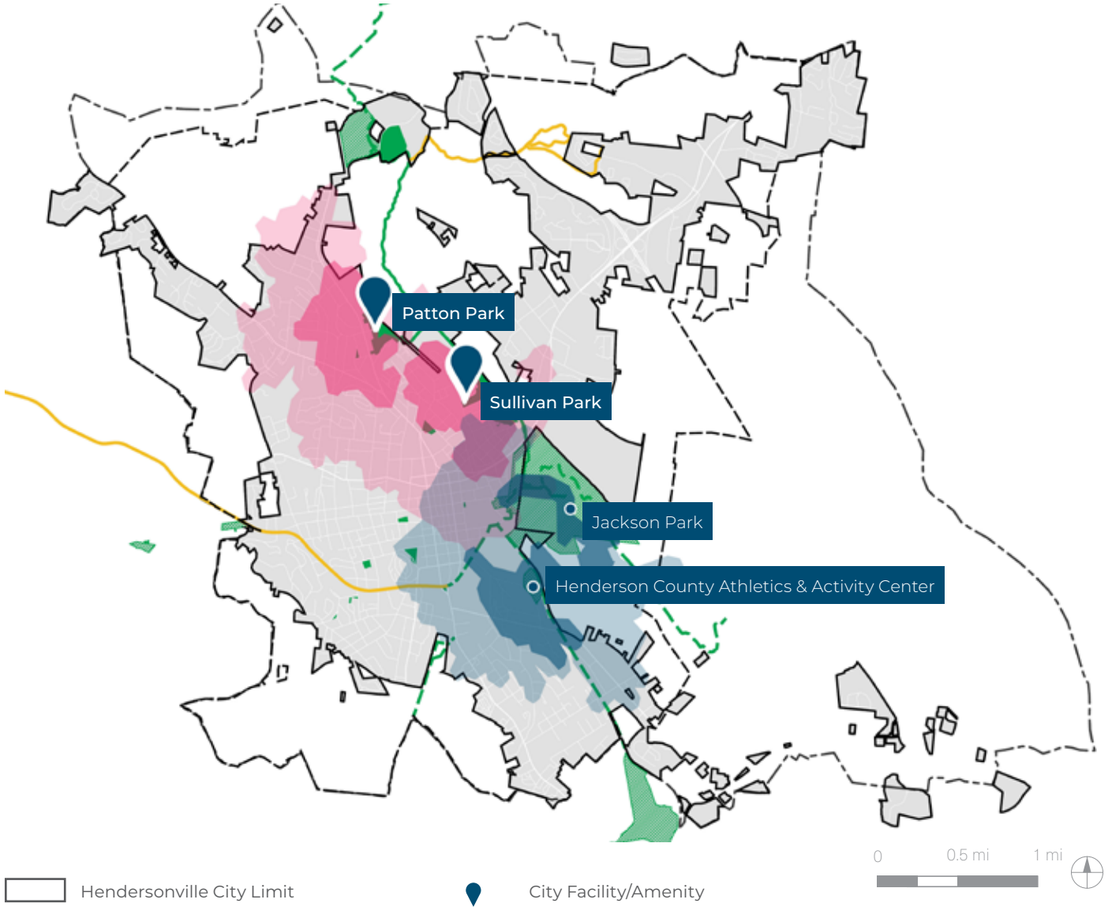
- Hendersonville City Limit
- Hendersonville ETJ

Park
- Existing City Park
- Other Public Park

Greenway
- Existing
- Planned
- Under Construction

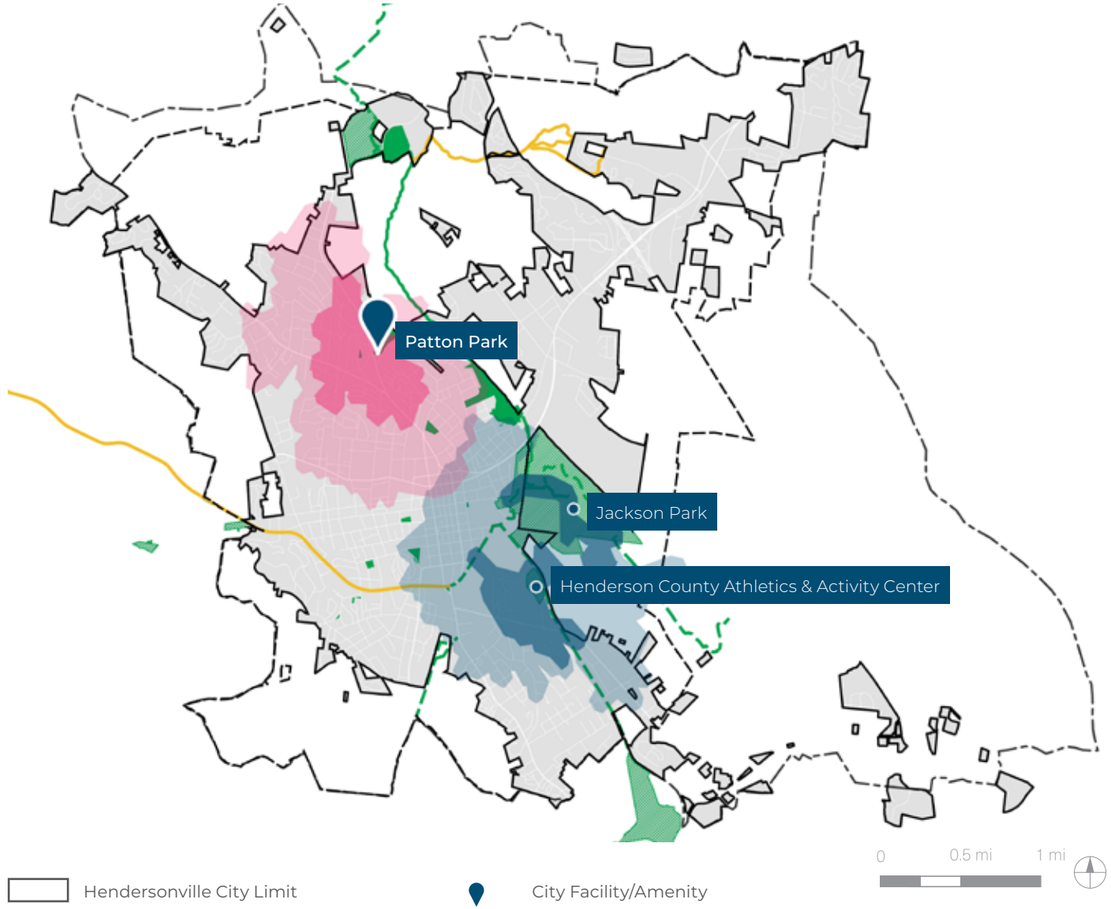
- City Facility/Amenity
- 10-min. driveshed
- 20-min. driveshed
- Other Public Facility/Amenity
- 10-min. driveshed
- 20 min. driveshed

BASKETBALL COURTS / SPATIAL DISTRIBUTION



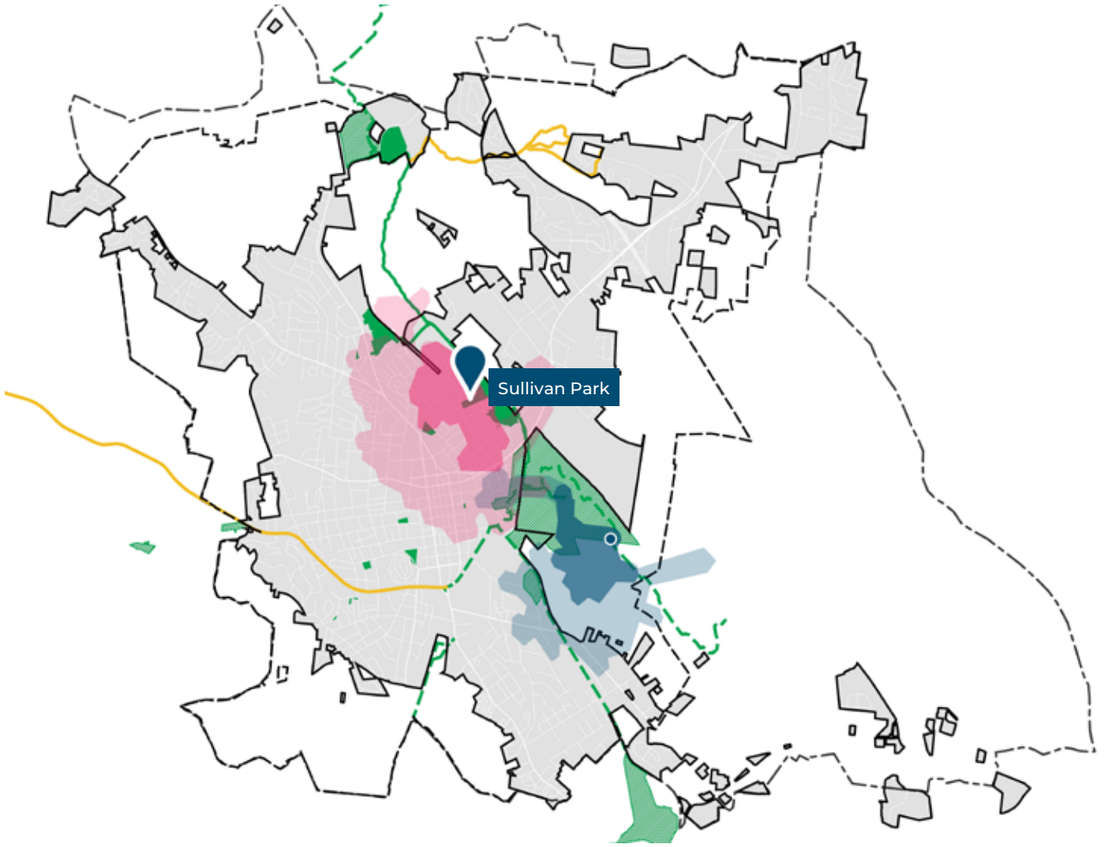
- Hendersonville City Limit
- Hendersonville ETJ
- Park
- Existing City Park
- Other Public Park
- Greenway
- Existing
- Planned
- Under Construction
- City Facility/Amenity
- 10-min. walkshed
- 20-min. walkshed
- Other Public Facility/Amenity
- 10-min. walkshed
- 20 min. walkshed

RACKET COURTS / SPATIAL DISTRIBUTION



- Hendersonville City Limit
- Hendersonville ETJ
- Park
- Existing City Park
- Other Public Park
- Greenway
- Existing
- Planned
- Under Construction
- City Facility/Amenity
- 10-min. walkshed
- 20-min. walkshed
- Other Public Facility/Amenity
- 10-min. walkshed
- 20 min. walkshed

COMMUNITY GARDENS / SPATIAL DISTRIBUTION



- Hendersonville City Limit
- Hendersonville ETJ

Park
- Existing City Park
- Other Public Park

Greenway
- Existing
- Planned
- Under Construction

- City Facility/Amenity
- 10-min. walkshed
- 20-min. walkshed
- Other Public Facility/Amenity
- 10-min. walkshed
- 20 min. walkshed

PICNIC SHELTERS / SPATIAL DISTRIBUTION

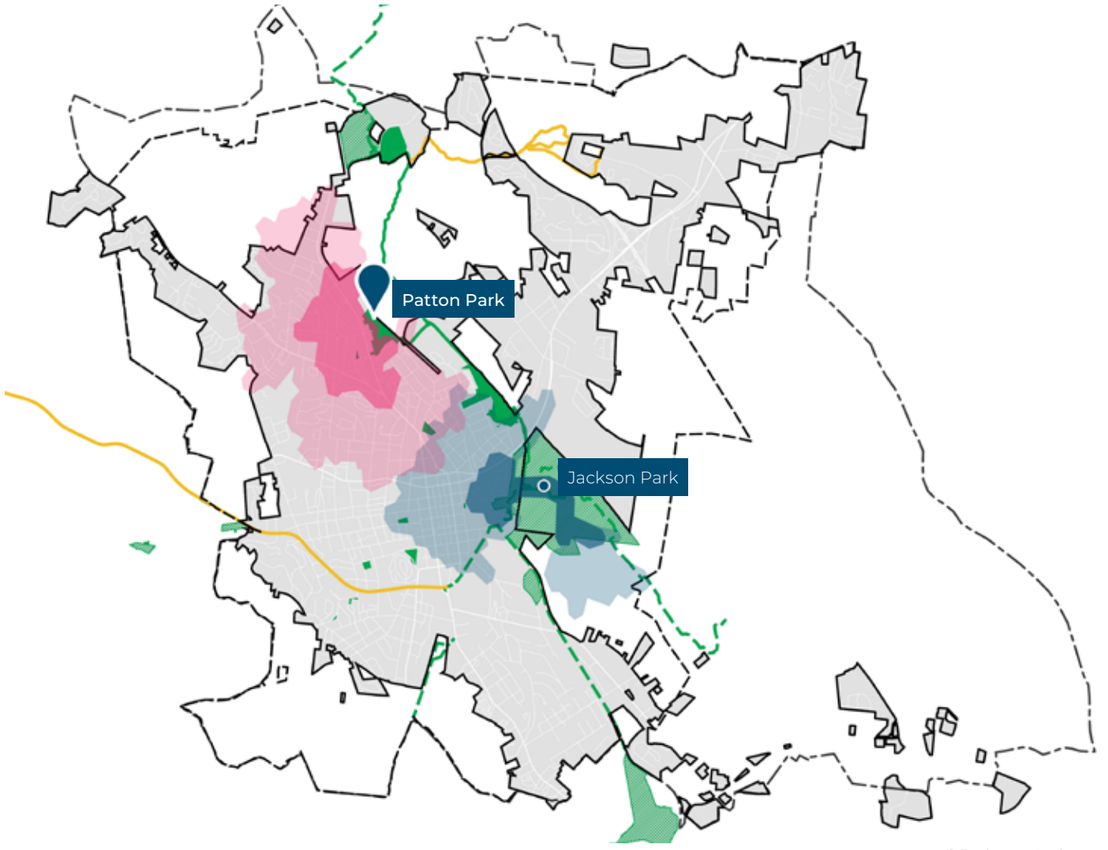
- Hendersonville City Limit
- Hendersonville ETJ

Park
- Existing City Park
- Other Public Park

Greenway
- Existing
- Planned
- Under Construction

- City Facility/Amenity
- 10-min. walkshed
- 20-min. walkshed
- Other Public Facility/Amenity
- 10-min. walkshed
- 20 min. walkshed

MULTI-USE FIELDS / SPATIAL DISTRIBUTION



Hendersonville City Limit
Hendersonville ETJ

Park
Existing City Park
Other Public Park

Greenway
Existing
Planned
Under Construction

City Facility/Amenity
10-min. walkshed
20-min. walkshed

Other Public Facility/Amenity
10-min. walkshed
20 min. walkshed

Note - walkshed analysis does not include newly acquired Rosa Edwards Park multi-use field.

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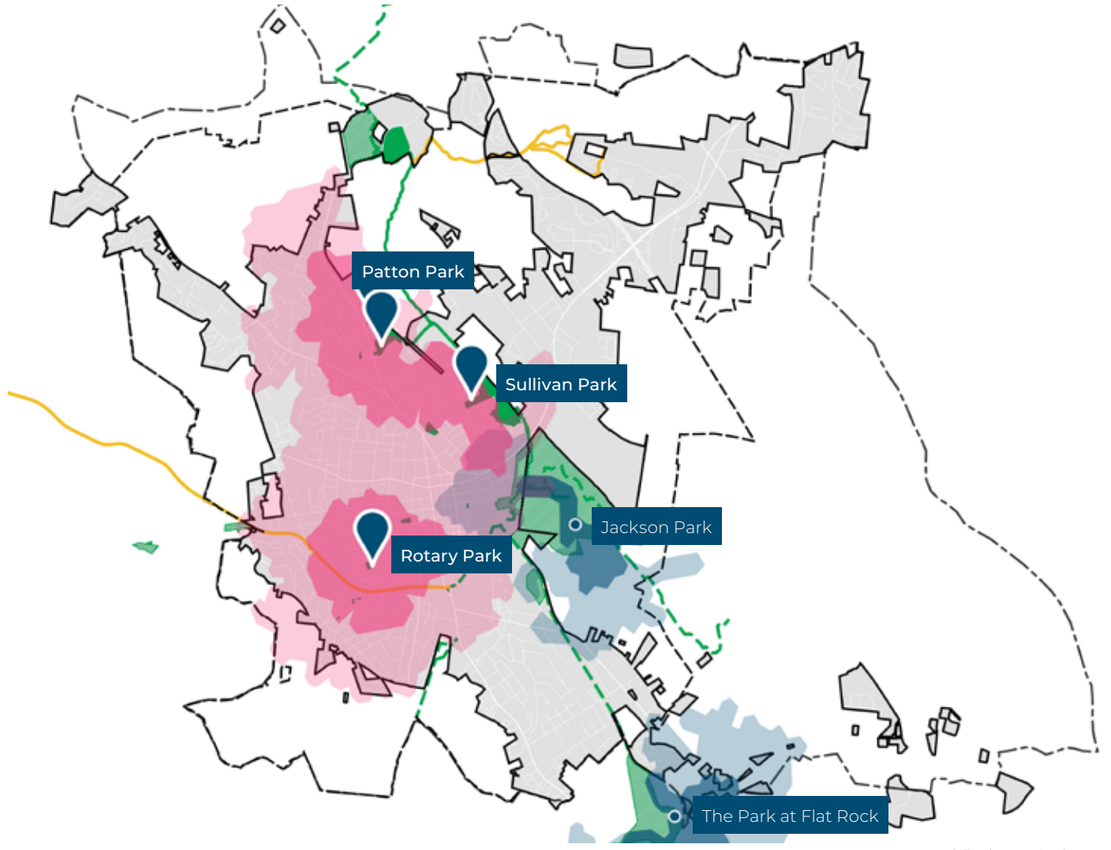
PLAYGROUNDS / SPATIAL DISTRIBUTION



Hendersonville City Limit
Hendersonville ETJ

Park
Existing City Park
Other Public Park

Greenway
Existing
Planned
Under Construction

City Facility/Amenity
10-min. walkshed
20-min. walkshed

Other Public Facility/Amenity
10-min. walkshed
20 min. walkshed

RECREATION TRENDS

The planning team studied national, regional and local trends that could inform parks planning for Hendersonville.

NATIONAL TRENDS

PARKS AS COMMUNITY WELLNESS HUBS

According the the National Recreation and Park Association (NRPA) Top Trends in Parks and Recreation for 2023, positioning parks and recreation systems as anchor institutions that create strong social, economic and healthy bonds within communities will help communicate the value of parks and recreation to communities. In the words of NRPA Director of Health Allison Colman, parks and recreation facilities "are not just nice-to-have in communities. **They are essential, vital spaces and programs that are social drivers of health, resilience and equity."**

Post COVID-19, agencies across the nation are seeing an increase in attendance and interest in programs that focus on individual and community health supporting mental, emotional and social health. This includes programming such as yoga, tai chi, guided meditation, nature therapy and mindfullness and stress reduction.

ORGANIZATION CULTURE AND COMPENSATION

Park and recreation systems are not isolated from the challenges of worker burnout and dissatisfaction affecting industries across the country. The NRPA stresses the importance of building organizational culture and securing competitive compensation to attract and retain workers.

SHIFT TO ELECTRIC

More park and recreation departments are proactively shifting their equipment, buildings and vehicles to electric power. The NRPA identifies this shift as "possibly the single-largest contribution that parks and recreation will make to reducing our carbon outputs to the atmosphere, thereby slowing the negative impacts of climate change."

PICKLEBALL DEMAND AND NOISE CONCERNS

With the growing public demand for more pickleball courts, nearby neighbors are generating complaints about the noise levels nationwide. While the demand for pickleball is expected to continue, still the fastest growing sport in the United States, there has been community pushback to stop tennis court conversions to pickleball courts. Agencies are beginning to implement strategies for soundproofing, revisions to operating hours and policies to mitigate resident concerns.

TRENDS IN GENERAL SPORTS

The 2023 Sports and Fitness Association's (SFIA) Sports, Fitness and Recreational Activities Topline Report provides a snapshot of all sports, fitness and recreation activities in the United States for the previous year.

- The most popular sport and recreational activities nationally include walking for fitness, hiking, treadmill, free weights, running/jogging, and road biking. Most of these activities appeal to young and old alike, can be done in most environments, are enjoyed regardless of skill level, and have minimal economic barriers to entry.
- Pickleball is still the fastest growing sport in the United States and racquet-based activities overall continue to grow.
- For the first time since 2010, the number of inactive people—not participating in any of the sports or activities that SFIA tracks—dropped below 70 million.
- Though inactivity decreased in all household income levels, there remains a wide gap between the activity levels of the highest and lowest income levels: In 2022, only 14% of households earning more than $100,000 were inactive, compared to 39% of households earning less than $25,000.
- When inactive respondents were asked which activities they are most interested in but do not currently practice, fishing was the top choice for all age groups except 18- to 24-year-olds, who chose working out with weights.
- Team sports participation continued to recover from the large drop it sustained during the COVID-19 pandemic—the team sports participation rate rose in 2022 to 23.2%, just under the pre-pandemic level of 23.4%.
- For the fifth year in a row, the number and percentage of Americans who engaged in some kind of sport or fitness activity grew in 2022—237 million people, or 78% of Americans age 6 and higher, participated in at least one activity in 2022.
- Almost 70% of Americans say they became more aware of the importance of being physically active since living through the pandemic.

LOCAL AND REGIONAL TRENDS

NORTH CAROLINA OUTDOOR RECREATION TRENDS

The Statewide Comprehensive Outdoor Recreation Plan (SCORP) encompasses all outdoor recreation opportunities in North Carolina, including at the county and municipal levels, examining trends and demands. The following high level issues and objectives were identified:

- Growing population: Meet the needs of North Carolina's rapidly growing population by providing more recreation opportunities in areas of the state where growth is taking place.
- Diminishing opportunities for protecting natural areas and greenspace: Protect and conserve North Carolina's high-quality natural resources and landscapes.
- Aging recreation facilities and infrastructure: Renovate, replace and revitalize existing park amenities across the State.
- Limited recreation opportunities in economically depressed areas: Promote the economic benefits of the state's recreation opportunities for communities across North Carolina.
- Equity of access: Increase opportunities and public awareness of the state's natural resources and recreation opportunities for underserved populations.
- Public health: Support improvements in public health and fitness by increasing opportunities for physical activity.

SCORP also identifies trending and niche recreation amenities:

- Disc golf courses have been steadily increasing over the past ten years and demand remains strong. These are often suitable in areas that are not physiographically well suited for other types of recreation.
- Dog parks have seen a massive surge in interest for more than a decade. Demand is not likely to decrease, however local governments will need to prepare for potential long-term management issues.
- Court games, such as shuffleboard, cornhole, bocce, and horseshoes are being offered by local governments. Types of court games are locally driven and can change rapidly based on social trends.
- Golf courses that are publicly managed are experiencing mixed demand across the state. Some are seeing reduced demand and may look at re-purposing into other public needs.

DRAFT

SPORTS AND LEISURE MARKET POTENTIAL

The Sports and Leisure Market Potential Report, created by ESRI, provides details about the types of activities consumers use and demand and can be used to help measure the likelihood of Hendersonville's population to participate in recreational activities. The information is based on household level survey data from MRI-Simmons. The expected number consumers refers to the number of adults or households engaging in a particular behavior, representing a count estimate of local consumer demand within a trade area.

The MPI refers to the ratio of local consumption rate relative to the U.S. consumption rate. This helps to understand how low or high demand is in the Hendersonville area as compared to nationwide demand. MPI values that equal 100 represent national demand. Values that are greater than 100 represent higher demand and lower than 100 represent lower demand.

In general, activities in Hendersonville have a lower demand than the national average. There are several factors that may contribute to this including local demographic and cultural preferences, availability and accessibility of recreation, and seasonal variations.

Table 2: Top 10 Active Recreation Activities for City of Hendersonville by Expected Participation

ACTIVITY	NO. OF ADULTS/HHs PARTICIPATED, 2022	PERCENT	MARKET POTENTIAL INDEX (MPI)
Walking	4,247	32.3%	99
Hiking	2,400	18.3%	95
Swimming	1,960	14.9%	95
Weight Lifting	1,564	11.9%	80
Fishing	1,407	10.7%	108
Bicycling	1,356	10.3%	94
Yoga	1,220	9.3%	92
Jogging/Running	1,035	7.9%	76
Golf	1,019	7.8%	97
Bowling	985	7.5%	91

SOURCE: ESRI BUSINESS ANALYST SPORTS AND LEISURE MARKET POTENTIAL REPORT, 2023

Table 3: Top Active Recreation Activities for City of Hendersonville with MPI 100 and higher

ACTIVITY	NO. OF ADULTS/HHs PARTICIPATED, 2022	PERCENT	MARKET POTENTIAL INDEX (MPI)
Hunting	538	4.1%	123
Fishing	1,407	10.7%	108
Archery	351	2.7%	108
Boating	610	4.6%	103
Walking	4,247	32.3%	100

SOURCE: ESRI BUSINESS ANALYST SPORTS AND LEISURE MARKET POTENTIAL REPORT, 2023

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VISITATION DATA

This section includes visitation data collected from Near, an online software that aggregates human movement data gathered through smartphone devices.

Mobility data providers like Near rely on relatively small sample sizes that are statistically representative of the overall population. Their data can be extrapolated across actual populations to estimate the true number of visitors to various locations as well as their travel behaviors and demographics.

ANNUAL PARK VISITATION

As illustrated in Figure 1, Hendersonville parks welcomed over 40,000 visitors in 2022. Larger community parks, such as Patton Park and Berkeley Mills Park experience the highest visitation rates, likely due to the variety of amenities offered in each space and connection to the trail system. It should be noted that the Henderson County Jackson Park sees the most visitors, but was not included in this analysis since it is not managed by the City. It should be noted that Berkeley Mills Park visitation counts include the entire property, prior to change in ownership to Henderson County.

William H. King Memorial Park, Edwards Park, and Toms Park see a moderate number of visitors at around 4,000-5,000 per year. Smaller, pocket parks see less than 2,000 visitors annually where as unclassed properties without amenities, such as the Lenox Park and Bryan Park properties, experience the lowest visitation rate across the park system.

Figure 2 illustrates average daily visitation by park location, which yields similar findings. City of Hendersonville parks overall see around 100 daily users.

The number of visitors at every park can change due to a variety of factors. The location of the park or facility, surrounding population density, size of spaces, available

40,785
total visitors to Hendersonville Parks in 2022

amenities, and the events hosted directly influences the annual visitation counts. While the analysis conducted here was using the most updated park boundaries, some of these numbers could be over or underestimating the number of visitors due to data limitations. Despite possible discrepancies, the average annual number of park visitors per location is an important indicator of the level of service provided at every park. The City of Hendersonville will be able to track changes in visitation over time by conducting a similar analysis in the next plan update which presents a unique opportunity to understand the impact of developments performed within the park system.

VISITOR DEMOGRAPHICS

The demographic characteristics of park visitors are useful in determining which populations have access to the park system. Near data allows demographic comparisons by age, median household income, median home value, education level, and race/ethnicity. This comparison suggested that generally the demographics of park visitors match the demographics of the city overall.

LEARN MORE

- Explore Park Visitation by Month [External Link]
- Explore Overall Park Visitor Demographics [External Link]
- Explore Park Visitor Demographics by Location [External Link]

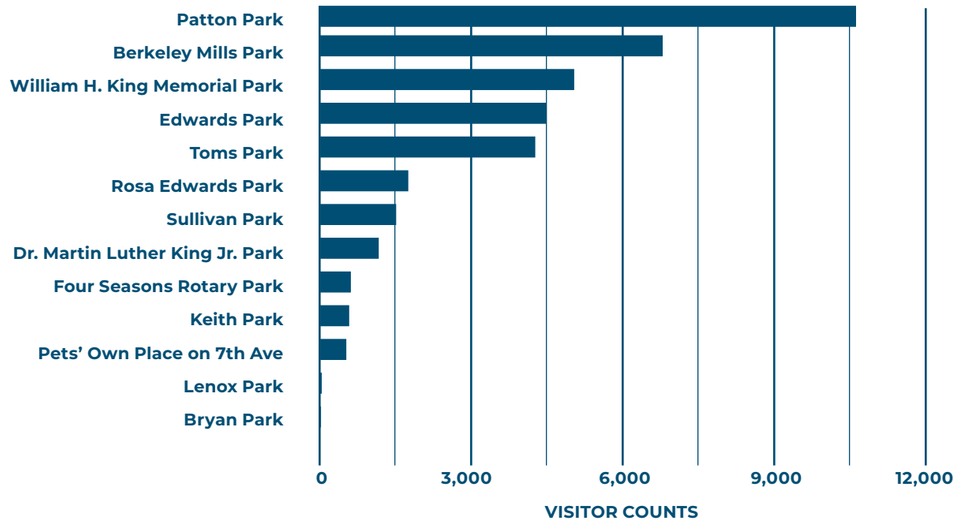


Figure 1: Average Annual Visitation by Park, 2022

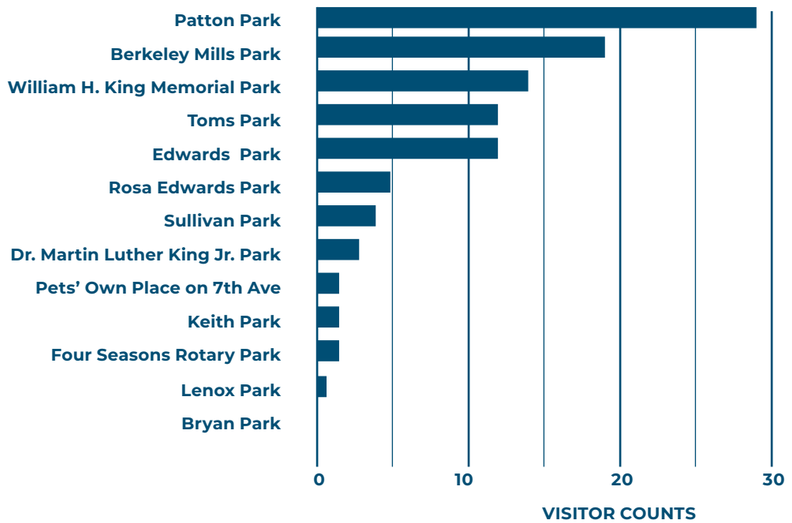


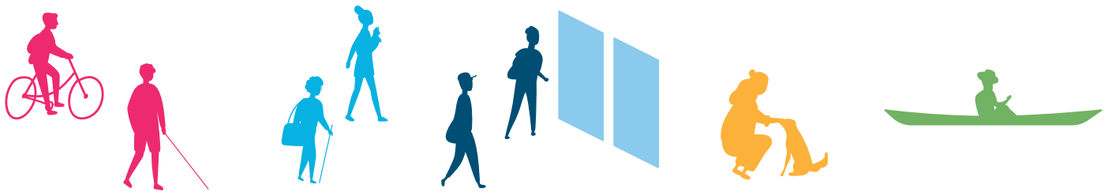
Figure 2: Average Daily Visitation by Park, 2022

3

COMMUNITY ENGAGEMENT

WHAT WE HEARD: SURVEY

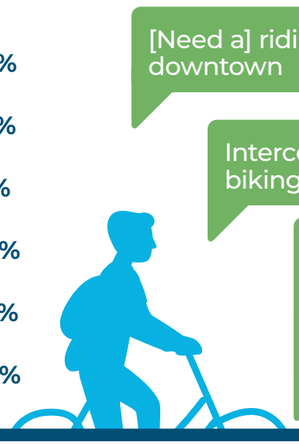
MOST IMPORTANT FACILITIES



PAVED WALKING/ BIKING TRAIL	UNPAVED HIKING/BIKING TRAIL	RESTROOMS	DOG PARK	CANOE/KAYAK
#1	#2	#3	#4	#5

RESIDENTS MOST POPULAR DESTINATIONS FOR FUTURE GREENWAYS

NATURAL AND SCENIC VIEWS	56%
NATURAL WATER FEATURES	55%
INTERCITY TRAILS	51%
CITY TRAILS	48%
DOWNTOWN/ MAIN STREET	45%
PARKS	40%

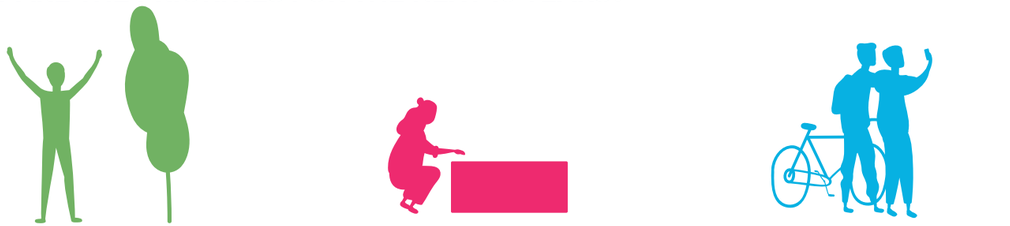


[Need a] riding path to downtown

Interconnected hiking and biking trails to natural areas

Build bike trail connections to Hendersonville, Flatrock, Chimney Rock, and other cities

WHAT ARE THE PRIORITIES FOR THE NEXT 10 YEARS?



PROTECT AND PRESERVE PARKS AND NATURAL LAND

IMPROVE EXISTING PARKS AND FACILITIES

CREATE CONNECTIONS BETWEEN PARKS, WATERBODIES AND NEIGHBORHOODS

BARRIERS FROM USING PARKS

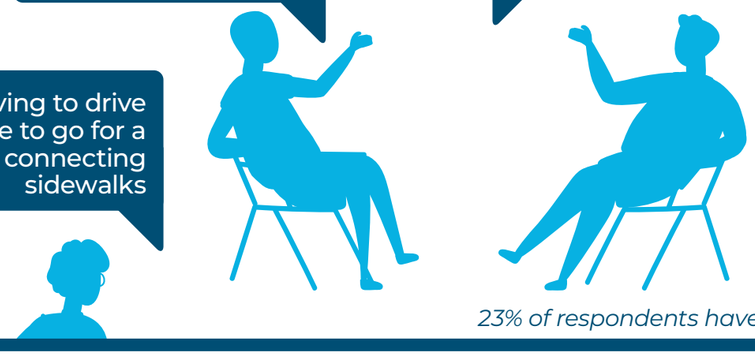
COMFORT	30%
INFORMATION	27%
LIMITED ACCESS	23%
SAFETY	21%
CONDITION	21%

Most [parks] are too small to really use for my desired purposes

Parks are not connected and ... not big enough to be called a park. Nothing distinctive about smaller parks to make them attractive. Not enough park or green space downtown.

Distance from my home

Hate having to drive somewhere to go for a walk, need connecting sidewalks



23% of respondents have no barriers

AMENITIES WITH THE MOST UNMET NEEDS

CANOE/KAYAK	SPLASH PAD	PERFORMANCE STAGE/ AMPHITHEATER	YARD GAMES	UNPAVED HIKING/BIKING TRAIL

Addressing the needs of those with mobility issues and other ability oriented needs

Need more outdoor pickleball courts

Soccer Fields

Ice Rink

ADA Accessible Trails

WHAT WE HEARD: SURVEY

MOST VISITED PARKS

2
Most Popular Parks

BERKELEY MILLS PARK

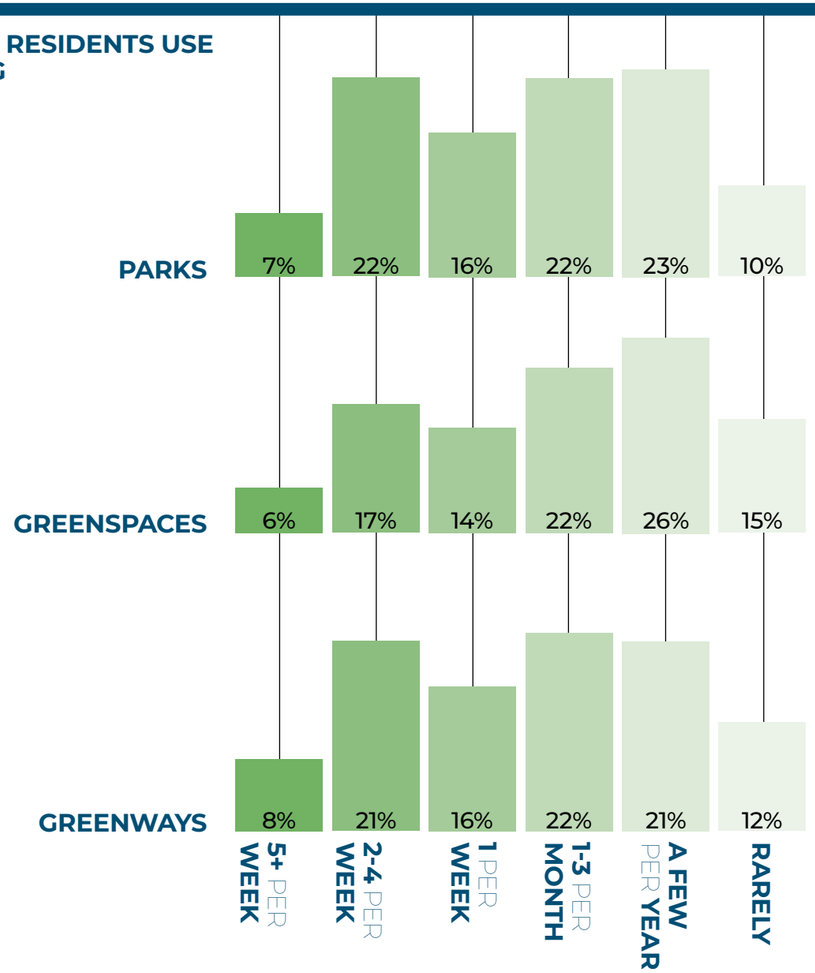
33%
Rated this Park as **good** or **excellent**

PATTON PARK

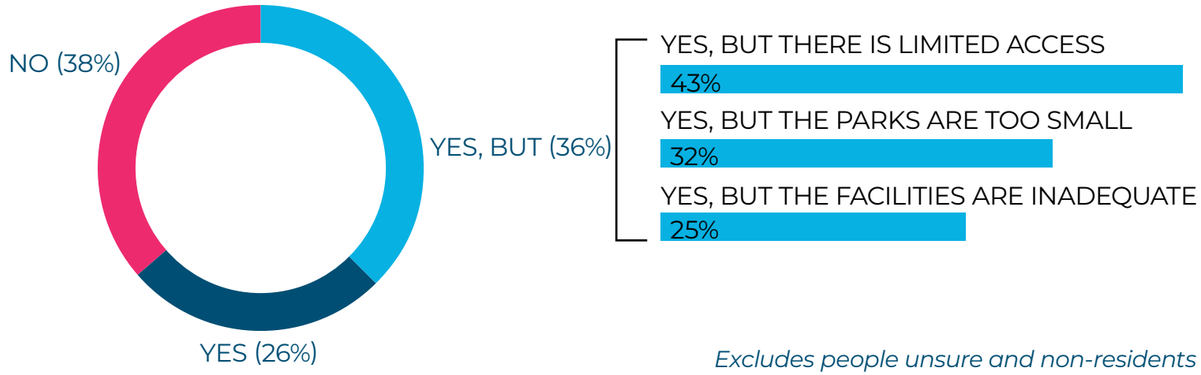
54%
Rated this Park as **good** or **excellent**

Remaining parks have been visited by fewer than half of respondents

HOW OFTEN DO RESIDENTS USE THE FOLLOWING



DO RESIDENTS HAVE SUFFICIENT PARKLAND IN THEIR NEIGHBORHOOD?

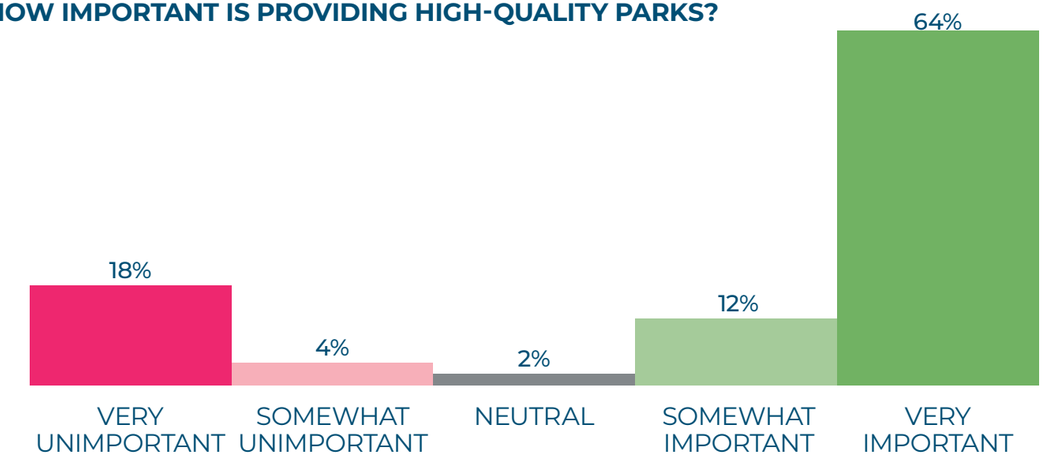


Excludes people unsure and non-residents

TOP PARK PROVIDERS BESIDES THE CITY FOR RECREATION AND PROGRAMMING

STATE AND NATIONAL PARKS	68%
HENDERSON COUNTY	46%
NEIGHBORING CITIES	39%
PRIVATE GYMS	29%
PUBLIC SCHOOLS	28%
YMCA	28%

HOW IMPORTANT IS PROVIDING HIGH-QUALITY PARKS?



WHAT WE HEARD: WORKSHOPS

WHAT AMENITIES HAVE THE MOST UNMET NEEDS

PAVED WALKING/ BIKING TRAIL

OUTDOOR EVENT SPACE

UNPAVED WALKING TRAIL

WHAT ARE THE PRIORITIES FOR FUTURE PROJECTS

PROTECT AND PRESERVE PARKS AND NATURAL LAND

#1

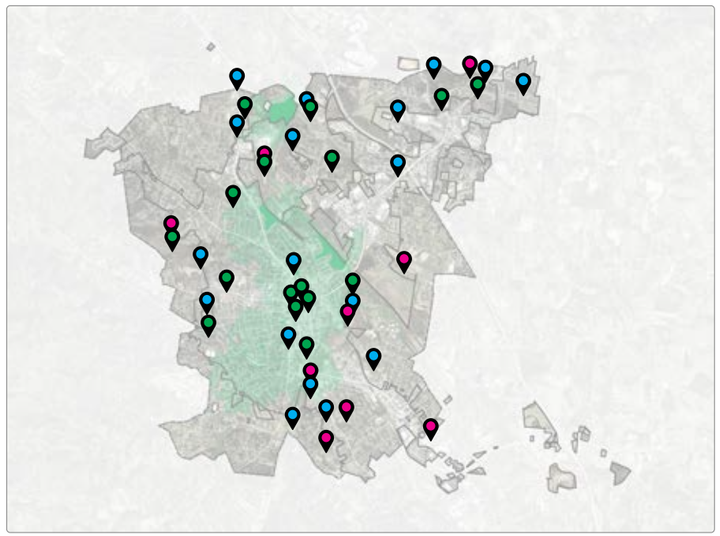
CREATE CONNECTIONS BETWEEN PARKS, WATERBODIES AND NEIGHBORHOODS

#2

DOWNTOWN DESTINATION PARK

#3

WHERE RESIDENTS WOULD LIKE TO SEE A NEW PARK



- ADVISORY COMMITTEE
- COMP-VERSATION WORKSHOP
- COMMUNITY WORKSHOP

RESIDENT'S BIG IDEA

WHAT RESIDENTS LOVE ABOUT CITY PARKS

HOW RESIDENTS WOULD IMPROVE CITY PARKS

PRIORITY GREENWAY PROJECTS

OKLAWAHA SOUTH EXT.

#1

→

OKLAWAHA NORTH EXT.

#2

→

SALUDA GRADE CONNECTOR

#3

Excludes funded greenways (Ecusta and Clear Creek)

WHAT WE HEARD: GEN H SURVEY

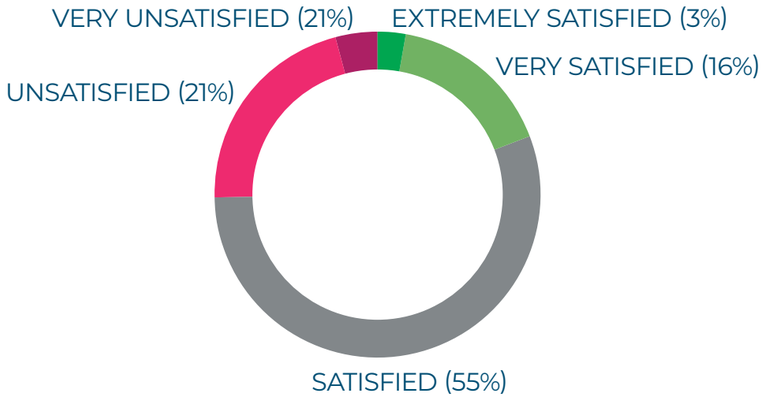
TOP THREE DOWNTOWN IMPROVEMENTS

HISTORIC PRESERVATION	NEW/IMPROVED PUBLIC SPACES	SAFE PEDESTRIAN/BIKE CONNECTIONS
#1	#2	#3

WHAT DOES THE DOWNTOWN NEED?

CULTURAL ENTERTAINMENT VENUES	DINING	PLACES TO RECREATE AND EXERCISE
#1	#2	#3

RESIDENTS SATISFACTION WITH CITY PARKS



WHAT ARE THE PRIORITIES FOR PARKS, GREENSPACES AND GREENWAYS

ENVIRONMENTAL PROTECTION	75%
NEIGHBORHOOD PARKS	65%
CONNECTED GREENWAYS	60%
PARK PROGRAMMING	55%
SPORTS AND RECREATION	52%
“DESTINATION” PARKS	52%

GREEN MEADOW’S RESIDENTS FUTURE WISHES (FROM CANVASSING)

EXPAND PARKS AND PUBLIC SPACES **#1** → MORE/ BETTER COMMUNITY EVENTS AND PROJECTS **#2**

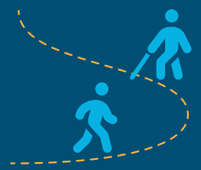
RESIDENTS TOP CONCERNS FOR THE CITY

POPULATION INCREASE	52%
HOUSING	35%
→ COMMUNITY SAFETY AND APPEARANCE	29%
→ ENVIRONMENTAL HEALTH	26%
QUALITY EDUCATION	22%
→ PARKS, TRAILS AND RECREATION	20%

4

ACCESS

ACCESS



Making sure our parks are welcoming and barrier-free for all Hendersonville residents.

ACCESS KEY GOALS

1 Launch a Safe Routes to Parks program, improving access to the parks and greenspace system.

2 Reduce park access gaps through acquisition or partnerships.

3 Ensure parks are accessible to users of all abilities.

4 Create safe park environments year-round and improve perceptions of security.

5 Connect people to information about their park and greenspace system to increase visitation and stewardship.

CONNECTIVITY

Connectivity is a key aspect of Hendersonville's park and open space system, with respondents of the community survey indicating that in the past year they have used greenways (bike and walking paths and trails (88%)). A majority of open comments and workshop interactions also emphasized the valued nature of the city's walking and biking trails. However, Hendersonville's park walk gap is exacerbated by barriers to access. Residents indicated a need for improved connectivity between existing local and regional trails, park lands, and residences.

SIDEWALKS

A common concern throughout the engagement process revolved around the lack of maintenance and development of sidewalks. Connectivity can be increased in a variety of ways including traffic calming, sidewalk repairs, curb ramp access, and crosswalk development to promote safe, universal access.

BIKE LANES

Many of the system's users utilize the bike trails in and around Hendersonville. Engagement highlighted the need for better access to all parks with safe bike lanes, as well as the need to close the gaps between existing bike trails and those of adjacent communities. The city is constantly working towards improving bicycle connections through updates to traffic regulation ordinances and bike specific plans. Recommendations incorporate previous efforts in addition to modern best practices and community input.

TRANSIT

In addition to sidewalks and biking, transit is another component of connectivity for Hendersonville residents. Public transit is a key part of a well-balanced transportation system as it provides an easier, passive mobility option to access parks and open spaces. A consideration for existing transit is identifying gaps in connectivity between the bus stop and parks or open spaces. These areas are opportunities for prioritized additional trails or dedicated routes to service parks and trailheads.

GREENWAYS

Leveraging the existing network of already publicly-owned ditches and easements, provides an opportunity to create interconnected pathways that seamlessly link parks and open space, offering residents and visitors an accessible, connected greenway system. Hendersonville can transform underutilized spaces into vibrant pedestrian corridors. These pathways not only offer a functional means of connectivity but also serve as green corridors, promoting biodiversity and creating a more environmentally sustainable urban environment. Hendersonville has an opportunity to expand on existing and underway plans, exhibiting a commitment to forward thinking approaches through transforming mundane spaces into vibrant greenways. The Greenway Plan in the Appendix further describes a vision for a connected system.

SAFE ROUTES TO PARKS

The planning and engagement process highlighted the public interest in improving walkable, rollable and bikeable connections to Hendersonville's parks. A Safe Routes to Parks program would focus City efforts on making it easier for the Hendersonville community to safely and comfortably reach parks without having to drive.

Overcoming these challenges will require extensive and coordinated work from public and private partners to retrofit existing rights-of-way, expand the greenway system, and implement Complete Streets design principles in future road projects. These efforts for safe routes to parks should begin within the half-mile radius of existing and future park sites and trailheads.

Because that last half-mile to parks and trailheads can be so important for access—the Plan proposes that Hendersonville launches a Parks Walk Audit program. Community leaders, residents, City staff and elected officials would get together to walk the half-mile radius of existing and future park sites; make note of needed improvements; and develop a strategy of short- and long-term investments to improve safe routes to specific parks. The Walk Audit program could be piloted at parks located in Priority Investment Zones, with a focus on parks serving nearby populations of children or seniors.

There is an opportunity to align this effort with the actions recommended in Hendersonville's Walk Hendo Plan to pool resources and expertise and coordinate future planning and capital improvement projects to realize a more connected and accessible parks system.

ELIMINATING BARRIERS TO USE

ACCESSIBILITY

Many of Hendersonville's existing parks lack basic accessibility features, such as clear wayfinding signage or ADA-accessible entries and paths. Park improvements and reinvestment projects should focus on bringing parks up to ADA requirements as a minimum standard for accessibility. The action matrix calls for a Universal and Inclusive Design Audit and Feasibility Study of existing parks to capture the scope of the challenge and prioritize improvements.

The table below calls out basic principles for universal park design—park design that accommodates and welcomes visitors of diverse ages, abilities, backgrounds and experiences. ADA standards are technical in nature and often result in spaces that are still very challenging for people with disabilities to access. Applying universal design principles across all projects creates more inclusive spaces and allow for people of all abilities to experience and participate in public life.

UNIVERSAL DESIGN PRINCIPLES

1. Welcome all park visitors with open park edges, clearly marked and ADA-accessible entries, and safe connections to nearby transit stops, intersections and other community destinations.
2. Plant and maintain trees and plants to provide shade, wildlife habitat and beauty while preserving visibility.
3. Provide park amenities that are desired by the community and designed for visitors of all physical and cognitive abilities.
4. Follow design principles—such as open sight lines, active edges and high-quality lighting—that promote real and perceived safety.
5. Offer a variety of spaces—open and enclosed, vibrant and peaceful, programmed and passive—for activity and rest, to serve visitors of diverse ages, interests, abilities and sensory experiences.
6. Maintain park spaces and facilities to keep them safe from hazards and address trash and overgrown and invasive plants.

CONNECTING PEOPLE TO INFORMATION

In the citywide survey, when asked about the barriers that prevent them from visiting Hendersonville parks more often, 'lack of information' was the second most common among participants.

Park agencies across the country utilize a variety of tactics and strategies to market, promote and communicate with constituents, residents, participants and visitors. Industry best practices encompass a variety of marketing and communication channels, with agencies tailoring communication to best meet local needs and cultural practices. Not all channels will be effective or desired at specific locations and are selected and utilized to best meet the needs of local cities and target audiences.

Examples of marketing channels and tactics include, but are not limited to:

- Social Media (Facebook, Instagram, You Tube, etc.)
- Online Digital Advertising (i.e., Google ads, Groupon, Travel Zoo, etc.)
- Blogs and Podcasts
- Analytics & Reporting
- Traditional Advertising (print, newspaper, radio, television, specialty, etc.)
- E-blast/E-Mail Communications
- Digital Signage (i.e. television screens within facilities, scoreboards, etc.)
- Events and Activation

ADDRESSING HOMELESSNESS IN PARKS WITH COMPASSION AND DIGNITY

Park systems are grappling with how best to serve the unhoused people who seek refuge in public parks and outdoor spaces, as a national homelessness crisis is exacerbated by issues such as poverty and low wages, mental health disorders, COVID-19 and a shortage of affordable housing. The Plan recommends that Hendersonville Public Works collaborate with the City's Community Development Department to study the issue and to identify the role of the parks and recreation system within a broader coordinated effort to combat homelessness in Hendersonville. There are no simple solutions for a complex problem that extends well beyond the borders of our parks, but there are best practices for how park spaces and park staff can promote a feeling of safety for all and serve unhoused parks users with care, compassion and dignity.

ACCESS ACTION ITEMS

Each of the Key Goals are supported by a series of specific actions with associated entities and timelines, intended to offer a roadmap for how and when the City and its partners can achieve the vision of the Parks and Greenspace Plan.

Chapter 9: Implementation offers more details about partnership and funding recommendations.

Table 4: Action Items Matrix / Access

#	ACTION	RESPONSIBILITY	TIMEFRAME				
			Year 1	Short Term (2-5 Years)	Mid Term (Years 5-10)	Long Term (11-20 Years)	Ongoing
GOAL #1: Launch a Safe Routes to Parks program, improving access to the parks and greenspace system.							
A1.1	Coordinate with Hendersonville's Engineering Department and other City departments to identify funding sources and begin collaborative planning and design for projects that are needed to overcome significant barriers to non-motorized transportation, such as over/ undercrossings of major roads and railroads, streams and ridges.	**Lead:** Public Works **Partner(s):** Community Development, Engineering, Henderson County Health, NCDOT		●			●
A1.2	Coordinate with other City departments and other entities to align with the Walk Hendo Plan and other transportation plans to prioritize connections between parks and open space, residences, schools, and grocery stores to advance connectivity.	**Lead:** Public Works **Partner(s):** Community Development, Engineering, Henderson County Health, NCDOT		●			●
A1.3	Coordinate with other City departments to build off the ADA Transition Plan to implement safe routes to parks and greenway access points. As part of future updates, consider ADA 'Walk Audits' where community leaders, residents, City staff and elected officials convene to walk existing routes to parks, make note of needed improvements, and create short- and long-term strategies for improving connectivity and access. Consider launching the program in Priority Investment Zone communities, particularly at neighborhood parks in areas with high rates of children or seniors.	**Lead:** Public Works **Partner(s):** Community Development, Engineering, Henderson County Health, NCDOT		●			●
A1.4	Implement appropriate pedestrian signalization strategies to ensure safe pedestrian movement around park properties. Add signs and navigation cues as needed for pedestrians to easily navigate the park area.	**Lead:** Public Works **Partner(s):** Community Development, Engineering, NCDOT		●			
GOAL #2: Reduce park access gaps through acquisition or partnerships.							
A2.1	Prioritize pursuing land acquisition of vacant, redevelopable lots, or access easements, within identified walkshed gaps to introduce additional parks and pedestrian access in proximity to residential areas or existing public service facilities.	**Lead:** Public Works **Partner(s):** Community Development, Admin, Legal					●
A2.2	Partner with Henderson County and other local organizations to share or acquire underutilized spaces and introduce recreational opportunities.	**Lead:** Public Works **Partner(s):** Community Development, Henderson County					●
A2.3	Prioritize acquisition of park land greater than 2 acres that will increase access to and support future goals in the development of neighborhood and community parks with desired amenities in identified areas of service gaps.	**Lead:** Public Works **Partner(s):** Community Development, Admin, Legal					●
A2.4	Collaborate to realize a connected greenway and regional trail system to connect Hendersonville to Asheville, Brevard, Spartanburg, and beyond.	**Lead:** Public Works **Partner(s):** Community Development, Henderson County, Conserving Carolina					●
GOAL #3: Ensure parks are accessible to users of all abilities.							
A3.1	Develop a Universal and Inclusive Design Audit and Feasibility Study of existing park and sites— including curb ramps, sidewalk and path conditions, park feature accessibility, amenities and signage—to identify and prioritize improvements.	**Lead:** Public Works **Partner(s):** Community Development, Engineering		●			
A3.2	Work with City and external partners to ensure all online and physical communication materials are accessible and multilingual. Use language-neutral communication (i.e. widely recognizable icons) wherever possible.	**Lead:** Public Works **Partner(s):** Community Development, Communications		●			

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#	ACTION	RESPONSIBILITY	TIMEFRAME				
			Year 1	Short Term (2-5 Years)	Mid Term (Years 5-10)	Long Term (11-20 Years)	Ongoing
A3.3	Identify locations for additional playgrounds that meet universal design criteria. Ensure that universal design principles are integrated within new park enhancements whenever possible. Increase awareness of universal design efforts through a community awareness campaign.	**Lead:** Public Works **Partner(s):** Community Development, Communications			●		
A3.4	Design spaces in all improved and new parks to form different visual and auditory site experiences and to serve the needs of visitors with sensory sensitivity.	**Lead:** Public Works **Partner(s):** Community Development, Engineering					●
GOAL #4: Create safe park environments year-round and improve perceptions of security.							
A4.1	Engage community members and park users to better understand safety concerns. Utilize this information to design strategies to address concerns.	**Lead:** Public Works **Partner(s):** Community Development	●				
A4.2	Perform a park safety audit to evaluate the relative safety of parks and greenspace areas. Involve community members in the assessment of the physical environment in terms of fear of crime and safety concerns. The findings from the audits will inform the action plan to enhance park safety.	**Lead:** Public Works **Partner(s):** Community Development, Police		●			
A4.3	Consider, thorough conversations with community members, measures such as a security camera program for parks and greenspaces with crime related issues.	**Lead:** Public Works **Partner(s):** Community Development, IT		●			
GOAL #5: Connect people to information about their park and greenspace system to increase visitation.							
A5.1	Consider updates to the City's webpage on parks with a focus on user-friendly access to up-to-date information about park sites, events and volunteer opportunities.	**Lead:** Public Works **Partner(s):** Administration, Communications	●				●
A5.2	Complete an analysis of marketing and communication resources to identify the desired target market and the best suited tactics. Evaluate strategy on a regular interval to increase reach and engagement among targeted audiences.	**Lead:** Public Works **Partner(s):** Administration, Communications,	●				●
A5.3	Develop a professionally driven signage and universal design wayfinding strategy for the entire parks and greenspace system that reflects the City's brand and helps people find their way to and around the City's parks.	**Lead:** Administration, Communications, Public Works **Partner(s):** Henderson County, Non-profits	●				
A5.4	Establish an online dashboard to track performance metrics, provide transparency and build trust as projects and action items are implemented.	**Lead:** Administration **Partner(s):** Public Works		●			●

5

INCLUSIVITY

INCLUSIVITY Committing to fairness and the premise that everyone deserves access to a great public park.

INCLUSIVITY KEY GOALS

1 Promote inclusion in park spaces, facilities and events.

2 Honor the culture, storytelling, art and history of traditionally marginalized communities.

3 Require that all new park development and existing park improvement projects are driven by a robust and community-based engagement and design process.

4 Incorporate anti-displacement strategies as part of park design and engagement processes.

INCLUSIVE PARKS FOR ALL

Inclusivity within the parks and open space system is a commitment to fairness and the premise that everyone deserves access to a great public park.

For Hendersonville's parks and greenspaces, inclusivity means that the system is tailored to meet the unique needs of all Hendersonville residents and park users, ensuring that:

- The park system **serves all ages, incomes, abilities, genders and cultural identities.**
- Each City park is **equipped and maintained** to be well-loved and well-used by its neighbors.
- Sidewalks, bike paths and greenways are provided and designated so **all residents can easily reach parks.**
- There are **no longer disparities in the quantity or conditions of parks** depending on where you live.

There is no one-size-fits-all approach for each place. Proposed recommendations and actions seek to create a parks and greenspace system with amentities and activation that are accessible, inclusive, and welcoming for all.

VULNERABILITY INDICATORS

The identification of Priority Investment Zones establishes one of the prioritization criteria for determining where projects and investments are recommended in the Parks and Greenspace Plan.

The Center for Disease Control's (CDC) Social Vulnerability Index assembles composite data to document levels of vulnerability for populations at the census-tract level. The index uses 16 variables, outlined below, to identify areas with a concentration of individuals who may be more vulnerable to both episodic and ongoing social or economic disruptions. Disaggregating the criteria in the index can assist with tailoring improvements to meet the needs of individuals in these areas.

Table 5: Social Vulnerability Variables

Socioeconomic Status	Below 150% poverty
	Unemployed
	Housing cost burden
	No high school diploma
	No health insurance
Household Characteristics	Aged 65 and older
	Aged 17 and younger
	Persons with a disability
	Single-parent households
	English language proficiency
Racial and Ethnic Minority Status	Hispanic/Latino (any race)
	Black/African American
	Asian
	American Indian/Alaska Native
	Native Hawaiian/Pacific Islander
	Two or more
Housing Type and Transportation	Multi-unit structures
	Mobile homes
	Crowding
	No vehicle
	Group quarters

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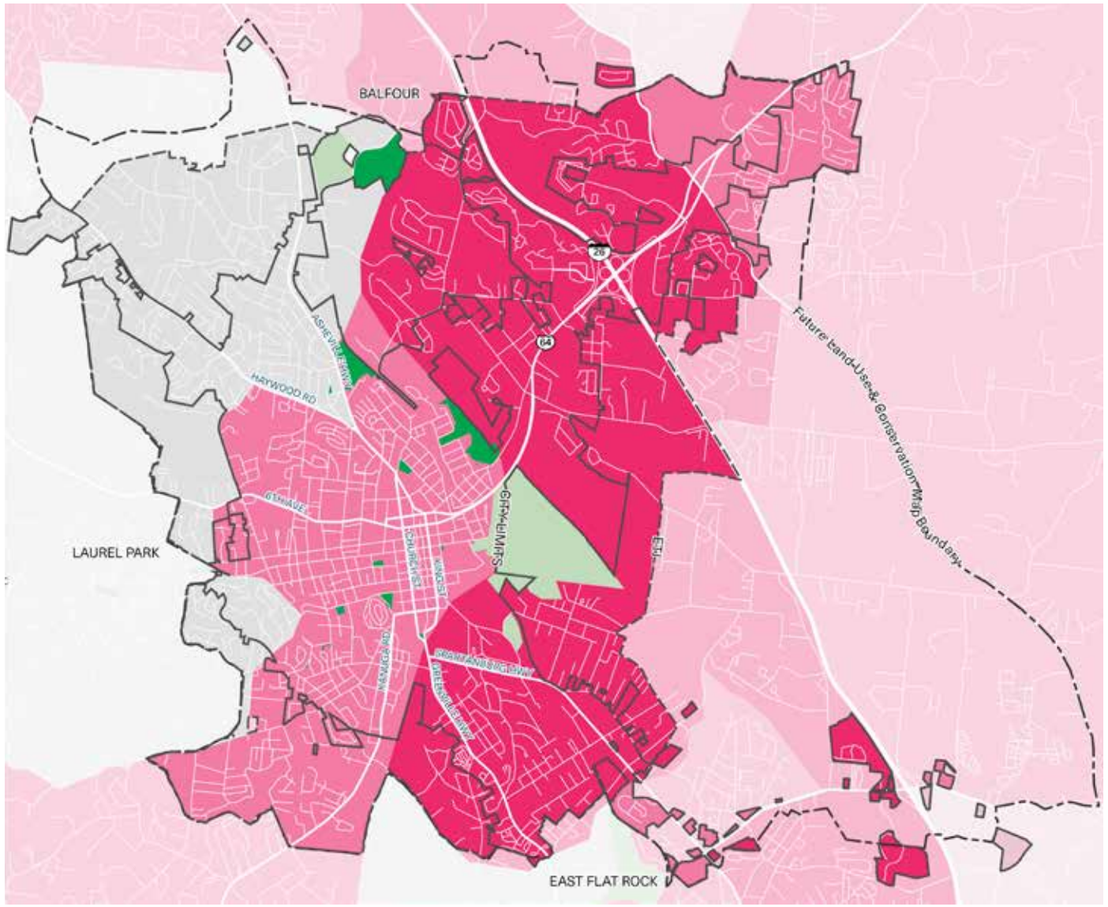
PRIORITY INVESTMENT ZONES



SOURCES: State of North Carolina DOT, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

0 0.5 mi 1 mi

LEGEND

Existing Park: City/Other Public

CDC Social Vulnerability Index (SVI)

- 1 (Most Vulnerable)
- 0.5 - 0.75
- 0.25 - 0.75
- <0.25 (Least Vulnerable)

HEALTH AND WELL-BEING

Park access and utilization are determinants of public health. More time spent in parks and green spaces can help individuals fight against mental health issues like depression, anxiety and stress. Park access and utilization also encourages physical activity, whether it be a moderate stroll or an intense hike.

The body of evidence demonstrating the health and wellness benefits of community parks and greenspace are well-documented by the National Recreation and Park Association (NRPA).

PEDESTRIAN LOOPS AND TRAILS

Public input revealed that residents want more multi-use paved and unpaved trails. Adding amenities in existing parks and any future park developments that encourage recreational and fitness walking or rolling will increase the level of service across the parks and recreation system. Hendersonville should look for opportunities to enhance and/or formalize trails that provide recreational opportunities and are used frequently by community members when not in conflict with environmental or wildlife management goals. Look for opportunities to add loop walks or nature trails to new and existing parks, both paved and unpaved.

THE ROLE OF PARKS IN FOOD SECURITY AND ACCESS

Nationally, park and recreation agencies serve as one of the leading providers of healthy meals and nutrition education to children and families. Through U.S. Department of Agriculture federally funded child nutrition and older adult programs, 47 percent of agencies provide nutrition education and 37 percent of agencies provide meals. In alignment with NRPA's Community Wellness Hub vision and building off the existing food security efforts across the park and recreation field, park and recreation professionals are advancing and integrating new approaches to increase community-wide access to healthy food.

Community gardens provide residents the opportunity to grow their own fruits and vegetables, increasing access and affordability. Cities can help establish community gardens by identifying and purchasing viable sites for gardens, providing water for irrigation, and necessary infrastructure as a one-time capital expense. Some cities also provide organizational structure for community gardens as a strategy for long-term survival by creating a municipal community garden program and partnering with non-profits to build and maintain the gardens. Other cities have supported community gardens through resources such as a tool lending library and compost center.

During public engagement, community members expressed a desire to see more community gardens and edible landscaping in Hendersonville. Currently, located adjacent to Sullivan Park in the historic 7th Avenue District of Hendersonville, community members and the City have partnered to secure funds through grants for the Brooklyn Community Garden.

ANTI-DISPLACEMENT

During the engagement process, the planning team heard from community members that they are concerned about the threats posed to existing communities by growth and development and the resulting gentrification and investment-driven displacement that can occur. There is a growing body of research devoted to 'green gentrification'—the effect of new park and greenway development in driving up rents and home values, forcing out longtime residents who can no longer afford to live in the neighborhood they have called home.

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Neighborhood change and new investment can affect communities in diverse and complicated ways, and persistent disinvestment can just as easily lead to displacement.

The Plan recommends developing a multidisciplinary strategy that is unique to Hendersonville. By working with existing communities and being proactive with housing and economic development programs, the City can help ensure that park and greenway system improvements benefit rather than displace longtime residents.

ENGAGEMENT AND DESIGN TOOLKIT

Great neighborhood park design is not design-driven—it results from a robust community visioning process that captures exactly the kinds of activities, facilities, amenities, and 'look and feel' the community wants from its park. Designers translate this vision into site plans and material proposals that get vetted again with neighborhood residents, to work collaboratively toward a final design that captures broad community support.

The plan recommends that the City and its partners develop a neighborhood park engagement and design toolkit that can streamline this process while ensuring a baseline quality standard for both community engagement and neighborhood park design and amenities.

The development of reusable survey and activity templates could help to jumpstart these processes, provide basic quality control, and free up resources that otherwise would be spent on process and material planning to be focused elsewhere—community-specific outreach, stipends for artists and community leaders, and community event expenses such as meals, entertainment, childcare and translation services.

The Budget Game (top) invites community members to distribute limited resources to the park features they value most. Visual preference boards (center) allow people to vote on park elements and aesthetics. The Chip Game (bottom) allows the community to place the park elements they want on the actual park site—when overlaid, the resulting heat map shows the kinds of features that residents want, and where they want them.

SAMPLE - NEW PARK ENGAGEMENT BUDGET GAME

NEIGHBORHOOD PARK 'BUDGET GAME' OPTIONS

- ☐ Picnic pavilion
- ☐ Nature play
- ☐ Splash pad
- ☐ Skatespot features
- ☐ Dog run features
- ☐ Community garden
- ☐ Soccer goals
- ☐ Basketball court
- ☐ Pickleball court
- ☐ Tennis court
- ☐ Pump track
- ☐ Stage/Amphitheater

BASE AMENITIES AT ALL NEIGHBORHOOD PARKS

- ■ Restrooms
- ■ Water fountains
- ■ Seating
- ■ Picnic tables
- ■ Public art
- ■ Dark Sky Friendly lighting
- ■ Playground
- ■ Fitness equipment
- ■ Walking loop
- ■ Flexible lawn
- ■ Wayfinding and interpretive signage
- ■ Trash and recycling

INCLUSIVITY ACTION ITEMS

Each of the Key Goals are supported by a series of specific actions with associated entities and timelines, intended to offer a roadmap for how and when the City and its partners can achieve the vision of the Parks and Greenspace Plan.

Chapter 9: Implementation offers more details about partnership and funding recommendations.

Table 6: Action Items Matrix / Inclusivity

#	ACTION	RESPONSIBILITY	TIMEFRAME				
			Year 1	Short Term (2-5 Years)	Mid Term (Years 5-10)	Long Term (11-20 Years)	Ongoing
GOAL #1: Promote inclusion in park spaces, facilities and events.							
E1.1	Establish mechanisms for ongoing feedback and communication between city officials and community members, ensuring that input from individuals experiencing barriers is integrated into decision-making processes at all stages.	**Lead:** Public Works, Communications	●				●
E1.2	When replacing elements in poor condition or at the end of their life cycle, explore options that follow Universal Design Guidelines.	**Lead:** Public Works, Engineering	●				●
GOAL #2: Honor the culture, storytelling, art and history of traditionally marginalized communities.							
E2.1	Co-create definitions of welcoming, safety, belonging and inclusion with community members, particularly those from historically underserved communities. Work with community members to identify important cultural landscapes to be celebrated within the parks and greenspace system.	**Lead:** Public Works, Administration, Communications, DEI Board	●				●
E2.2	Honor Indigenous stories and language through partnerships, ceremonies, land management, signage and interpretation and proactive community engagement.	**Lead:** Public Works, Administration, Communications **Partner(s):** Community organizations	●				●
E2.3	Explore financially sustainable options for the creation and enjoyment of public art in park spaces that honors the diverse heritages and histories of the community.	**Lead:** Public Works **Partner(s):** Arts Council, Community Development		●			
E2.4	Revise current parks naming policy to provide a comprehensive process for naming (and renaming) parks and park features.	**Lead:** City Council, Community Development, Public Works		●			
GOAL #3: Require that all new park development and existing park improvement projects are driven by a robust and community-based engagement and design process.							
E3.1	Organize community listening sessions in diverse neighborhoods to hear directly from residents about their experiences, challenges, and needs. Conduct focus groups or pulse surveys of residents in public housing and Priority Investment Zone communities to understand their recreation needs. Utilize virtual engagement platforms, such as online forums, social media groups, and virtual town halls, to facilitate discussions and gather input from individuals who may face physical, social, or economic barriers to participation in face-to-face meetings.	**Lead:** Public Works, Council, Admin, Communications, Community Development		●			●
E3.2	In continuing the Parks and Greenspace Advisory Committee, look to include representation for youth and older adult needs. Consider developing a Youth Advisory Council to provide guidance for parks planning and leadership opportunities for youth. Similarly, consider coordinating with the Council on Aging of Henderson County to develop an Older Adult Advisory Council.	**Lead:** Council, Community Development, Public Works **Partner(s):** Communications, Henderson County	●				●
E3.3	For major reinvestment projects and new development projects, expand transparent budgeting processes that empower residents, including those experiencing barriers, to directly influence how public funds are allocated.	**Lead:** Budget , Public Works **Partner(s):** Communications, Community Development		●			●
GOAL #4: Incorporate anti-displacement strategies as part of park design and engagement processes.							
E4.1	Coordinate with other City Departments to create a working group of City, institutional and community-based partners to study park-related displacement, research best practices from other cities, identify Hendersonville communities at risk of displacement, and develop multidisciplinary anti-displacement and equitable development strategies.	**Lead:** Community Development **Partner(s):** Communications, Public Works, DEI Board		●			
E4.2	Work with City and community-based partners to proactively implement parks-related anti-displacement strategies in advance of park planning and development before investors recognize the potential of major new park projects. This may include strategies such as Community Benefits Agreements, targeted affordable housing programs, homeowner and homebuyer financial assistance programs, job development and small business support, and value capture strategies.	**Lead:** Community Development **Partner(s):** Communications, Public Works, DEI Board					●

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6

NATURE

NATURE

Protecting, preserving and enhancing our natural features and resources.

NATURE KEY GOALS

1 Integrate with other citywide sustainability and stormwater initiatives to promote the parks system as green infrastructure.

2 Increase nature interaction opportunities in parks and public greenspaces.

3 Preserve and enhance the city's tree canopy.

4 Dedicate and prioritize preservation of natural open space.

RESILIENCY

ENVIRONMENTAL HEALTH AND SUSTAINABILITY

The environmental health and scenic qualities of Hendersonville are threatened with global and local stressors. The rapid loss of biodiversity (or richness of different types of plants and animals) is a global phenomenon. To combat this loss and achieve sustainability goals, a majority of parks and recreation agencies are planting trees, transtioning to native and climate-adaptable plants, and updating and retrofitting buildings and other infrastructure.

These actions recognize the environmental benefits of thriving natural areas, such as supporting diverse wildlife, providing resilience to natural disasters, and improved air and water quality. This chapter provides direction on how Hendersonville can implement tactics aimed at preservation and conservation throughout the parks and greenspace system.

The Trust for Public Land's Climate Smart Cities program recommends four objectives for parks to provide multi-benefit climate solutions:

- **Cool:** Shady green spaces reduce the heat island effect to protect people from high temperatures.
- **Absorb:** Green infrastructure practices can be utilized for parks and streetscapes to absorb rain, reduce flooding, and recharge drinking water.
- **Protect:** Strategically placed and managed parks and natural lands.
- **Connect:** Trail links between park spaces provide more sustainable transportation opportunities and connect destinations.

GREEN INFRASTRUCTURE AND RESILIENCE

The City should carefully plan for environmental impacts and implement green infrastructure projects to mitigate existing issues and as intensive recreation amenities are renovated and added to the system. Green infrastructure can include rain gardens, constructed wetlands, vegetated swales, stream restoration, rainwater harvesting, green roofs and more. When properly designed, these systems provide ecological benefits as well as recreational and aesthetic benefits, reduce flooding while saving the City money on stormwater management costs over time.

FLOOD HAZARDS

The majority of Hendersonville's parkland is within the floodplain and is considered susceptible to flooding according to FEMA.

Due to their susceptibility, these parks should be considered for increased flooding maintenance and green infrastructure, transformation into natural areas, or site designs specific to flood adaptation.

Site selection for development must consider these floodways and the benefits that strategically designed greenspaces can have for the city. By locating proposed greenways along these corridors, this plan supports a citywide framework for protecting critical habitat and keeping future development out of floodplains.

HEALING AND RESTORATION

In addition to assessing the lands that should be protected, this plan must consider lands that have opportunities for restoration. Sites that have been contaminated by previous industrial use can be reclaimed, cleaned, and restored as iconic public parks. Streams that were once were buried in underground pipes—aging infrastructure that will require significant investment to replace or repair—can be daylighted and restored to add to the city's system of greenways.

Successful examples abound, and these approaches to park conversion are becoming more common as available urban land grows more sparse and as momentum grows to correct past environmental injustices.

ADVOCACY AND ENVIRONMENTAL STEWARDSHIP

Parks are perfect places to learn about land conservation, green infrastructure and cultivate a culture of environmental stewardship. Stewards and volunteers are key to the success of nature conservation-focused efforts—helping to establish, maintain and amplify educational outreach.

There is a particularly strong imperative for this kind of programming to engage children and youth, low income communities, communities of color, linguistically isolated communities, and older adults. Stewardship entails a comprehensive, sustainable and adaptable approach to land management that secures a property or projects environmental or conservation values over time.

TREE CANOPY PRESERVATION AND ENHANCEMENT

Trees provide many benefits to the community and to the environment, improving air quality, carbon reduction, stormwater runoff, shade and reducing the effect of heat islands. Hendersonville's Tree Board advises City Council on tree preservation and protection on new developments and public properties in addition to other mandates.

A Tree Canopy Study was conducted in 2023 to serve as a baseline understanding and avoid tree canopy loss. Hendersonville should explore setting a minimum tree canopy goal across the park system and leverage programs and partnerships to plan and care for trees. Some sites may not be able to meet minimums due to site conditions or amenities. Begin evaluating existing park projects within Priority Investment Zones and areas that are indicated as high priority in Hendersonville's overall plans for urban forestry.

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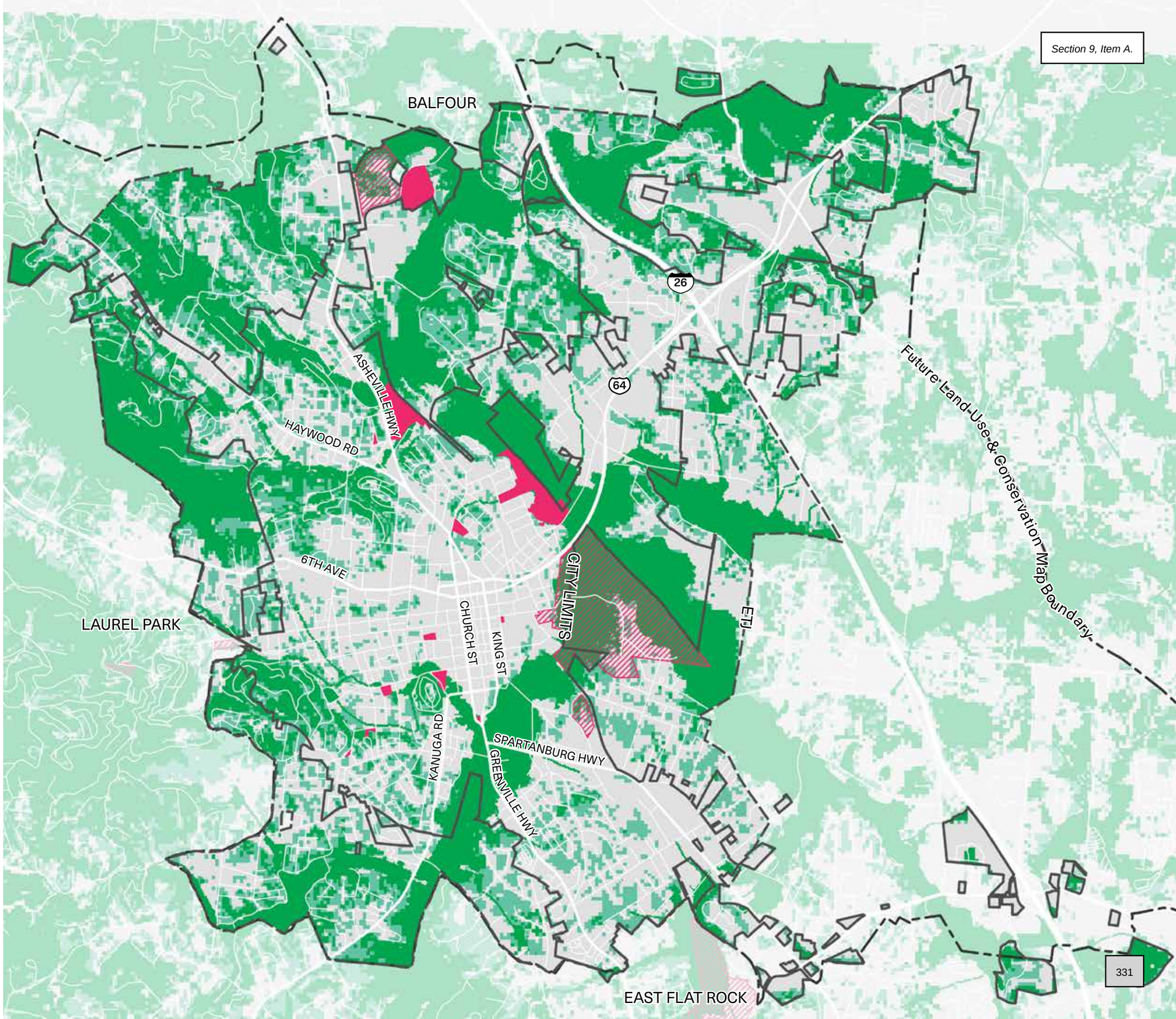
PRESERVATION

PRESERVATION OF NATURAL OPEN SPACE

Natural areas are properties that are maintained in their natural state and help preserve significant views and provide wildlife sanctuaries. These spaces were noted time and again as cherished assets to preserve by the residents of Hendersonville. The city currently has limited land dedicated to natural areas and open spaces, creating opportunities for the city to expand passive recreation through trails, interpretive facilities, historic and cultural exhibits, nature observation, photography, and off-trail pedestrian and bicycle use. The city has the opportunity to acquire more vacant and underutilized land to expand natural areas.

Public support for conservation, preservation, and protection of natural lands is clear throughout community input. The opportunity to transform some developed parks back to their natural state also exists. Tactics may include turf grass being replaced with more native and drought tolerant vegetation and pollinator gardens.

Also highlighted through engagement was the community's desire to continue to conserve lands to link and create a contiguous green network. **Hendersonville, like most cities, must be strategic in land acquisition for these purposes. It is crucial to consider the balance between the need for development in the community and conservation.** Efforts should be made to direct conservation to the locations most beneficial towards environmental and management goals.



PARKLAND DEDICATION

STRENGTHENING PARKLAND DEDICATION REQUIREMENTS

Given public demand, projected growth and a changing climate, there is an urgent need for park and open space conservation and expansion in Hendersonville. The City must develop a diverse toolkit to help public and private park and conservation partners protect land for current and future generations.

The Plan recommends the Public Works department works with Community Development and other City departments and community stakeholders to develop this toolkit.

Proactive steps to acquire lands for future parks is a strategic move in anticipation of population growth, increasing land costs, and limited availability. To fill the service gap for existing residents and provide service as the City population grows, additional parks, open spaces and related facilities are planned to be acquired and built by the City as well as through ongoing partnerships with other jurisdictions and entities.

Lacking an increase in the City's budget that is allocated toward capital improvements for parks, it will be challenging for Hendersonville to dedicate funds to system expansion while maintaining existing parklands. Partnerships with the development community to succeed in strategic acquisitions are therefore critical.

A mitigation/exaction program for the city should reflect the types of facilities the City will acquire and develop. Therefore, the level of service outlined and discussed reflects parks and open space facilities owned and maintained by the City of Hendersonville—and which the City will continue to acquire and develop (as opposed to Henderson County or other entities).

General suggested categories based on suggested park classifications include:

- Neighborhood Parks
- Pocket Parks
- Community Parks
- Open Space
- Signature Parks
- Greenways (Trails and Trailheads)

Fees or fees in lieu should reflect actual costs to acquire and develop parks and open space facilities.

TYPES OF EXACTIONS

Impact fees, land dedications, and fees in lieu are all types of exactions. Exactions can be imposed as a condition for approval of land development and relate to a public need generated by the development itself. They are imposed on a one-time basis.

Land dedication can be imposed by a local government on a development applicant to ensure land is available for public facilities—including parks and open space—and that they will be provided in a timely manner to serve the new development. The amount of land required must meet the needs generated by the new residents. The local government may also require infrastructure improvements needed for the new facilities.

Payment of a fee-in-lieu of land dedication may happen when there are site constraints within the development, or the location is not ideal for the jurisdiction. When collecting a fee-in-lieu, the amount should be equivalent to the value of land that would have been dedicated and any required infrastructure improvements.

CURRENT APPROACH IN HENDERSONVILLE

The City of Hendersonville has established requirements for parkland dedication within their Subdivision Ordinance. The Zoning Ordinance does not currently require parkland or greenway dedication. This means that multi-family and commercial development do not currently contribute to the system. Hendersonville does, however, have Open Space requirements that vary by Zoning District.

When a subdivision of land is developed for 30 or more single-family residential lots (including detached and attached units), they are required to dedicate a portion of the land, or pay a fee-in-lieu, for public parkland.

Current Hendersonville Parkland Dedication Amount:

- Single-family residential subdivisions of 30 or more lots shall dedicate 500 square feet of land per residential lot to the city for its use in developing public parkland.
- No credit towards required parkland dedication is given for lands mandated for preservation by state or federal requirements.
- No more than 25 percent of the total dedication requirement may be met through dedication of water areas.

This section of the Ordinance also requires specific standards for the public parkland including unity, usability, shape, location, and access.

Within the subdivision standards, the code also has requirements for greenway dedication and construction. This includes an easement of at least 50 feet wide as well as a trail of at least 10 feet in width.

KEY RECOMMENDATIONS

As Hendersonville continues to grow and expectations for the City park system evolves, the exaction system should evolve as well.

The following recommendations are offered:

- Revise City mitigation/exaction approach to align with future City park and open space needs.
  - » Increase the land dedication amount to align with level of service standards. (For example, to meet the NRPA 12.6 acres/1,000 residents, the land dedication could be 500 square feet per dwelling unit)
  - » Align the approach to match the impact to the type of facility as well as City policy capital planning and geography.
  - » Consider both land dedication and contributions for improvements in the mitigation program and base costs on actual costs to acquire and develop. Eliminate the choice for cost methodology by the applicant.
  - » Separate parks, schools, and other public purposes.
- Establish a structured program, but allow for flexibility.
- Establish incentives for commercial development to include parkland. This could include, but is not limited to:
  - » Fast-track approvals
  - » Reduced setbacks
  - » Reduced parking requirements
  - » Application fee reductions
- Hendersonville should also explore developing an alternative in the form of impact fees. The fee is imposed on new development on a new unit basis to pay for a portion of the costs for providing new park spaces within the project area or system-wide (based on need). The fee should account for long-term maintenance costs of public spaces and explicitly state that this would be the responsibility of the park department. Impact fees are helpful in passing costs onto new development rather than existing taxpayers.

NATURE ACTION ITEMS

Each of the Key Goals are supported by a series of specific actions with associated entities and timelines, intended to offer a roadmap for how and when the City and its partners can achieve the vision of the Parks and Greenspace Plan.

Chapter 9: Implementation offers more details about partnership and funding recommendations.

Table 7: Action Items Matrix / Nature

#	ACTION	RESPONSIBILITY	TIMEFRAME				
			Year 1	Short Term (2-5 Years)	Mid Term (Years 5-10)	Long Term (11-20 Years)	Ongoing
GOAL #1: Integrate with other citywide sustainability and stormwater initiatives to promote the parks system as green infrastructure.							
N1.1	Adopt park design standards that enumerate stormwater storage goals per acre by park classification for new park developments and reinvestment projects.	**Lead:** Public Works **Partner(s):** Stormwater		●			
N1.2	Identify new maintenance programs and technologies to address climate issues and resiliency needs (i.e. water quality, flooding, heat mitigation, air quality, etc.)	**Lead:** Public Works **Partner(s):** Sustainability		●			
N1.3	Identify opportunities for low maintenance design, such as low-mow plants and native and adaptive plantings, to decrease the necessary upkeep.	**Lead:** Public Works **Partner(s):** Sustainability		●			
N1.4	Develop climate adaptation strategies and natural lands management practices that support high environmental quality and resilience in alignment with the City's 2024 Sustainability Strategic Plan.	**Lead:** Public Works **Partner(s):** Sustainability			●		
N1.5	Explore opportunities for regional partnerships and funding for urban forestry, green infrastructure and use of cool materials.	**Lead:** Public Works **Partner(s):** Sustainability, Stormwater, Tree Board			●		
N1.6	Continue to collaborate with Hendersonville Stormwater Department on green infrastructure projects (ex: rain gardens, green roofs, biofiltration swales) throughout parks in collaboration with those required or encouraged in street design and private development.	**Lead:** Public Works **Partner(s):** Stormwater, Sustainability					●
GOAL #2: Increase nature interaction opportunities in parks and public greenspaces.							
N2.1	Look for new opportunities to support pollinators and native landscaping/plants in parks and greenspaces.	**Lead:** Public Works Partner(s): Tree Board		●			
N2.2	Partner with Sustainability and local organizations to host workshops and seminars on topics such as environmental conservation, climate resilience, wildlife identification, or outdoor safety. Collaborate with local experts or environmental organizations to provide valuable insights.	**Lead:** Tree Board and ESB			●		
N2.3	Incorporate signage and exhibits to connect park users to the landscape and highlight the sustainability and conservation value of the site.	**Lead:** Public Works **Partner(s):** Friends of the Oklawaha					●
GOAL #3: Preserve and enhance the city's tree canopy.							
N3.1	Establish a 50% minimum tree canopy coverage goal across the park system and leverage programs and partnerships to plan and care for trees. Evaluate existing parks and new park opportunities to increase tree coverage, contributing to the systemwide goal. Begin in Priority Investment Zones and areas that are indicated as high priority for increasing tree canopy coverage and shade.	**Lead:** Public Works **Partner(s):** Tree Board, Sustainability		●			
N3.2	Identify opportunities to incentivize tree planting, protection and preservation by private developers.	**Lead:** Public Works **Partner(s):** Tree Board, Sustainability		●			
N3.3	Evaluate current budget and workforce to determine necessary resources to accomplish tree canopy goals.	**Lead:** Public Works **Partner(s):** Tree Board, Sustainability		●			

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#	ACTION	RESPONSIBILITY	TIMEFRAME				
			Year 1	Short Term (2-5 Years)	Mid Term (Years 5-10)	Long Term (11-20 Years)	Ongoing
GOAL #4: Dedicate and prioritize preservation of natural open space.							
N4.1	Coordinate across departments to review vacant or surplus landholdings to determine highest and best use, including identification of suitable lands for parks, housing and development. Repeat this exercise every three to five years.	**Lead:** Community Development **Partner(s):** Public Works	●				●
N4.2	Establish a process to collect and analyze data that will be used to determine and protect the most ecologically valuable open spaces.	**Lead:** Community Development **Partner(s):** Public Works		●			●
N4.3	Create an acquisition plan to prioritize parcels that link and create contiguous green network with goals around wildlife habitat provision, conserving and enhancing vegetation quality, groundwater recharge, and water quality management.	**Lead:** Community Development **Partner(s):** Public Works, Administration, Stormwater		●			●
N4.4	Identify ways that the Zoning Ordinance can be strengthened to protect natural areas, generate funding for parks, and encourage compatible development at park perimeters.	**Lead:** Community Development **Partner(s):** Public Works		●			
N4.5	Based on size and context, identify existing city owned properties and parks that should be dedicated as passive greenspace with stormwater, habitat, and beautification benefits rather than active recreation. Make this the first step toward a comprehensive habitat system that delivers systemwide benefits - shade, biodiversity, beauty, and clean air and water - while supporting flood mitigation and resilience.	**Lead:** Public Works **Partner(s):** Stormwater		●			●
N4.6	Develop an approach that applies to all new residential developments. New developments are required a) a park dedication within the development or b) if not possible due to land constraints or otherwise, the option to pay into the broader parks and recreation system via a park impact fee.	**Lead:** Community Development **Partner(s):** Legal		●			

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7

PLACE

PLACE

Amplifying local character, community vibrancy, safety and sense of place.

PLACE KEY GOALS

1 Activate parks, emphasize community and sense of place.

2 Identify new opportunities for partnerships to expand events and activations at parks and facilities.

DEFINING PLACE

SENSE OF PLACE

A park with a 'sense of place' has a strong identity that is deeply felt by its community and visitors. There are things about the park's setting, context, design and day-to-day use that render the park special or unique and make it feel grounded in its community.

On the other hand, a park that is 'placeless' lacks these special features or a basic relationship to its surroundings—like many strip malls or cookie-cutter developments, a placeless park could be located anywhere.

PLACEMAKING AND PLACEKEEPING

Placemaking is a term used by designers, planners and advocates to describe efforts to harness the power of place. Placemaking refers to the collective imagining and design of public spaces as the heart of every community. This is a collaborative, community-driven design and programming process that identifies and builds upon the existing assets and identities of a place.

The term placemaking has also been used disingenuously as part of development projects that result in the displacement of long-time residents. In response to this, placekeeping is another term used to describe community-based projects that explicitly seek to reinforce the qualities of an existing place and its social fabric, cultural memories and lifeways.

Edwards Park, Hendersonville, NC

ELEMENTS OF COMMUNITY GATHERING

MULTI-GENERATIONAL PLAY

There is opportunity to envision a system of park and outdoor spaces and programming that encourages multi-generational play. National recreation data shows a preference amongst older adults for recreational and outdoor opportunities that promote socializing and service. However, research also shows that older adults account for a small percentage of park users (4%), despite making up nearly 20% of the general population. Through offering these kinds of opportunities to Hendersonville's population, the city's park and greenspace system can help older adults stay healthy and active while creating a cohort of dedicated participants who act as stewards and teach environmental and recreational values to younger generations.

SIGNAGE AND WAYFINDING

Directional elements are important aspects of welcoming users into a space. Wayfinding combines signage and map design, trail markers, symbols, color, and typography to help users or visitors easily navigate through a space. Users can become disoriented without proper directional signage. When asked about barriers preventing respondents from using Hendersonville's parks and greenways more often, 27% of survey respondents selected "Information", meaning that they are "not sure where to find good information about parks and greenway locations." Signage can also be utilized to provide residents with information regarding the park itself and events that go on inside of the spaces.

STORYTELLING

As Hendersonville goes forward into the future and continues to grow, important historic stories, parks and public lands are at risk of being lost in the passage of time and dynamic changing of place. For youth, these stories can add an additional path to understand and appreciate green space and civic commons. There are several means and methods to design and tell stories of the land and cultures both past and present. Tactics used may include art, recreating or restoring natural ecologies, guided walks, landscape architecture, and architecture.

PARTNERSHIPS

Partnerships can play a key role in encouraging community-wide park use. Partnerships can be leveraged for fostering collaboration, pooling resources, and enhancing the overall park experience. Data shows that several large U.S. cities have a substantial backlog of deferred park maintenance. Despite efforts to fund parks locally through ballot initiatives, there is still a shortfall in many department's financial resources available to maintain and operate existing park spaces or create new ones. Hendersonville's Public Works Department is no different. It is important to look towards park supportive partnerships to sustain the city's commitment to enhancing the quality of life in Hendersonville through the parks and open space system.

ACTIVATING PARKS

In a study completed by City Parks Alliance, researchers found that well-designed, well-programmed, and well-marketed parks are places where all Americans — regardless of age, gender, or ability — can be more physically active. The key to increasing park usage is well-planned activation in order to create a welcoming atmosphere and enhance the overall experience of being in a park. There is a diverse array of activation opportunities from regional events to guided tours. Even an activation tactic that is a minimal modification, such as a walking path, can have large impacts. In fact, City Parks Alliance found that in a study of nationwide parks, those with walking loops had 80% more users compared to those without loops.

CREATING DESTINATIONS

SIGNATURE PARKS

The city has a few special, transformative features in parks that make Hendersonville's park system distinct from other city's systems. Because of their uniqueness, people are willing to travel to experience one-of-a-kind spaces. A destination or signature park should be designed with the intention of inviting in all community members and visitors.

Concepts to consider when planning a destination park are:

Types of play: Children have different preferences when it comes to play type. Some like to use their imagination, while others enjoy more active spaces like a playground. A space should consider these preferences and their differing equipment.

Multigenerational play: Typical parks encourage children to play and for guardians, have benches and tables to watch. Parks can break down this traditional mindset and encourages inclusive and multigenerational for the entire family to play together and enjoy the park. Play equipment should cater to all ages through appealing to a variety of ages and a range of interests.

Zones: A strategic way to incorporate multiple recreational preferences is to separate an area into different zones based on type of play or the age of anticipated users. Zones can be enforced by equipment as well as signage and visual cues. A priority of utilizing zones should be easy movement throughout and encouraging exploration of the various zones.

Themes: A theme to be used throughout the park should consider the park's users and the local context of the area to create or enhance a unique sense of place. For instance a destination park can include names and educational landmarks based on Hendersonville's unique history and natural environment.

DEVELOPMENT OF DESTINATIONS

The development of destination parks can take up huge resources in regards to staff, time, and money. This plan recommends a more timely, creative, profitable way to capitalize on destination spaces and expand upon parks as treasured community places. This approach is based on taking incremental steps through using low-cost experiments. Rather than spending time, money, and energy on developing permanent structures and spaces, it is recommended that experimental, temporary tactics are implemented after community desires are understood.

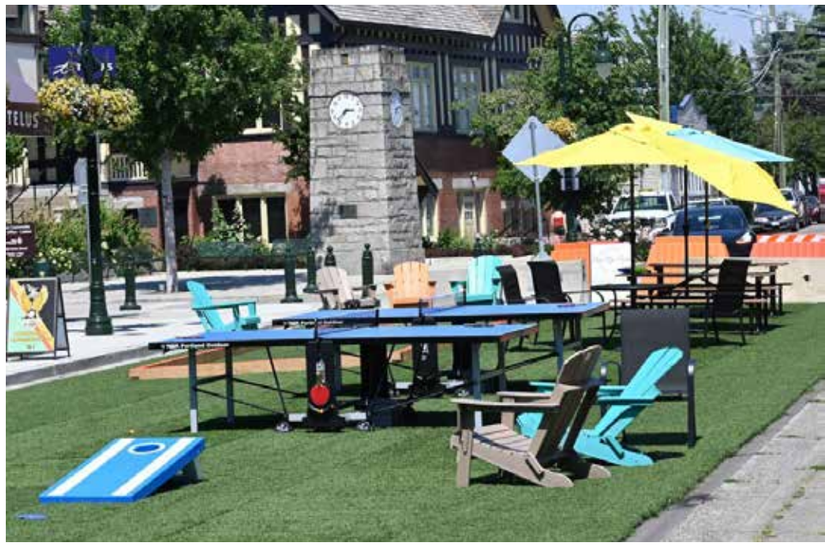
This allows for ideas to be efficiently implemented, assessed, then tweaked and customized based upon the community's response. Although this approach is not for every situation, it can be a creative, locally-powered alternative to capital-heavy, top-down planning.

Another consideration for these parks is their location. Parks should be located where they will serve the most people. They should be prioritized for areas with higher density housing to reach a large portion of the community, particularly those without private open space, and particularly near Housing Authority projects. Newly developed parks will also be highly impactful when clustered with community centers, libraries and schools where joint programming is possible.

VALUE OF ACTIVATION

Research shows that **recreation programs in parks can change the way that people interact with their environment.** By providing the community with ways to get involved and stay invested in its green spaces, effective **park programming offers better health and increased well-being for residents.**

National Recreation and Park Association (NRPA) Park Programming and Better Health Fact Sheet



Examples of creating park placemaking from cities and leftover spaces across North America—clockwise from top: Bailey Drive Temporary Art Exhibit - Raleigh, NC; Pop-up Event - Vancouver, BC; Bridge Street Pop-up Park - Delta, BC.

PLACE ACTION ITEMS

Each of the Key Goals are supported by a series of specific actions with associated entities and timelines, intended to offer a roadmap for how and when the City and its partners can achieve the vision of the Parks and Greenspace Plan.

Chapter 9: Implementation offers more details about partnership and funding recommendations.

Table 8: Action Items Matrix / Place

#	ACTION	RESPONSIBILITY	TIMEFRAME				
			Year 1	Short Term (2-5 Years)	Mid Term (Years 5-10)	Long Term (11-20 Years)	Ongoing
GOAL #1: Identify new opportunities for partnerships to expand events and activations at parks and facilities.							
P1.1	Investigate sponsorships with local businesses, medical and health organizations to implement park improvement projects that promote health and well-being.	**Lead:** Parks/Public Works	●				●
P1.2	Develop a program to offer rotating small-scale, seasonal pop-up park amenities such as interactive art installations, picnic tables, lounge chairs, swings, games and other colorful, joyful additions to parks.	**Lead:** Parks **Partner(s):** Public Works		●			
P1.3	Partner with the Sustainability Division to establish a community ambassador program with a focus on recruiting community leaders to develop activation and events that connect communities to parks and recreation opportunities.	**Lead:** Sustainability **Partner(s):** Community Development, Parks		●			
GOAL #2: Activate parks, emphasize community and sense of place							
P2.1	Collaborate with local organizations to expand and strengthen opportunities for third-party entities to provide small-scale, pop-up park amenities that invite social interactions.	**Lead:** Community Development **Partner(s):** Communications		●			●
P2.2	Support community art and performance in public spaces, establishing programs that provide temporary access to park and outdoor facility space, the use of open hours for informal use of performance spaces, and rotating park-based exhibits of work by up-and- coming or school-aged artists.	**Lead:** Parks **Partner(s):** Arts Council			●		●
P2.3	Incorporate artful design elements into parks that reflect the culture of the surrounding neighborhood and/or community.	**Lead:** Parks/Public Works **Partner(s):** Arts Council					●
P2.4	Identify opportunities for storytelling and signage to create or enhance a sense of identity and history in parks and open spaces.	**Lead:** Historic Preservation Committee **Partner(s):** Public Works					●
P2.5	Host popular, modest scale activities in under-utilized park spaces that are well maintained to better activate and increase awareness of those park gathering spaces.	**Lead:** Parks **Partner(s):** Boards, Sustainability, HPC, Communications					●
P2.6	Collaborate with the public to better use and improve park spaces for building a sense of community and togetherness, including consideration of resources, policies, volunteer availability, maintenance, and activating different park types.	**Lead:** Parks **Partner(s):** Communications, Community Development					●

8

QUALITY

QUALITY

Setting a citywide standard for the design, construction and maintenance of high-quality parks and greenways.

QUALITY KEY GOALS

1 Rethink Parks and Greenspace Delivery in Hendersonville.

2 Invest in High-Quality Neighborhood Parks.

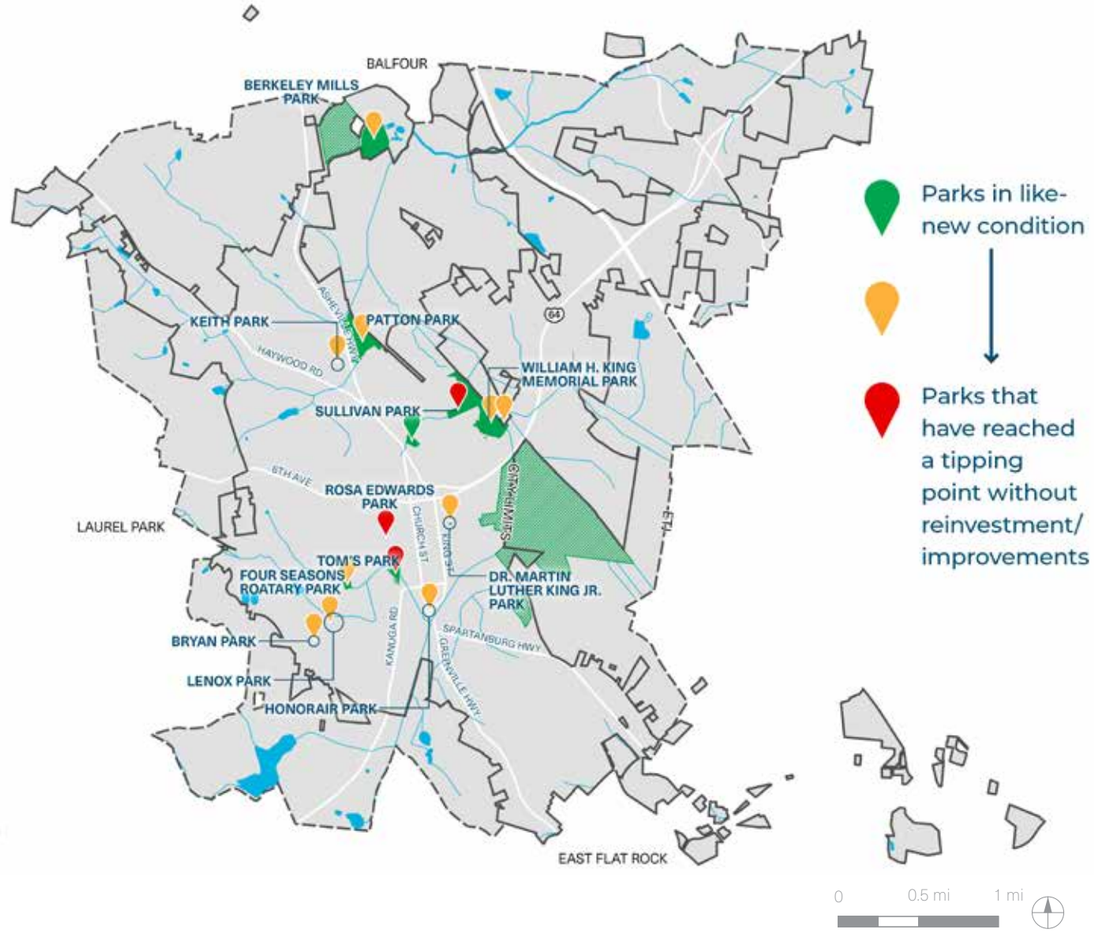
3 Increase and diversify park system funding in line with industry standards.

A STANDARD OF QUALITY

While most of Hendersonville's parks are generally in good condition, there are amenities that are in need of renovation and others that not up to modern standards. A few of Hendersonville's parks have destination amenities, valued regionally, and meet national standards for their quality of design and materials. On the other hand, many parks, specifically neighborhood parks, have aged infrastructure and lack basic elements, such as seating or signage. Additionally, parks with high quality amenities are not distributed evenly throughout the city. This chapter considers what makes a high quality park, such as:

- **Developing written standards** for the quality and management of all parks and greenways.
- **Reinvesting in our existing parks** to correct for the disparities in current park quality and to bring all existing parks to the set minimum standards.
- **Developing future parks with care**—ensuring that site selection, park design, and programming are driven by the standards set above in addition to a community process.
- **Securing sustainable funding and staff support** and training to ensure all existing and future parks are maintained, well-loved and well-used over time.

CONDITION ASSESSMENT



As a starting point, a quality assessment was completed. This helped establish a high-level understanding of:

- What park assets does the City have?
- What condition are they in?
- How much investment is required right now to get all the existing park assets to a good and functional condition?
- How might the City plan its investments moving forward to maintain the condition and quality of existing and future park assets?

To complete the quality assessment, the plannning team set up a ArcGIS Field Maps application for Public Works staff to conduct an on-site condition rating of City-owned parks. This assessment did not take into account the number of amenities at each park, only the condition of those amenities. For instance, an open field in new condition might receive a rating of "1", while a playground that is showing signs of wear of tear might receive a "3". The number and distribution of amenities was considered separately.

PARKS AND GREENSPACE DELIVERY

DESIGN GUIDELINES FOR FUTURE PARK PROJECTS

Clear design guidelines for new park and park reinvestment projects will guide City and partner efforts and ensure a consistent quality standard as the parks and greenspace sytem grows over time.

1. Spell out site selection standards, design best practices, and minimum amenity and service standards for each type of park and center classification.

2. Provide community engagement strategies tailored to each type of park—for example, a citywide or regional process for new Regional Parks and more focused, community-specific outreach for new or retrofitted Neighborhood Parks.

3. Include drawings and specifications for certain common park elements to ensure consistency and quality across the system.

MAINTENANCE

Proper maintenance is critical to the aesthetics, safety and vitality of parks. It is imperative that the City consider the quality ratings assigned during the planning process to determine where improvements should be prioritized. Maintenance will become increasingly important as the system continues to grow and existing parks continue to age.

NEW DESIGN AND MANAGEMENT STANDARDS

The Plan recommends the development of written design and management standards to ensure:

- The quality of parks, greenways and open spaces,
- The use of park amenities that are tried and true for durability and performance, and
- Clear maintenance standards and performance metrics to guide the care and long-term health of city's parks and greenspaces.

DESIGN GUIDELINES

The Plan recommends developing a series of written design guidelines to ensure that future parks are developed and existing parks retrofitted according to a consistent quality standard.

These guidelines can set clear expectations for park designers, City staff, partners and contractors and will help prevent the continued growth of disparities in quality and service across the parks and greenspace system.

These guidelines should be developed with insight from Public Works staff, the Parks and Greenspace Advisory Committee, key City partners, and other local public and private park providers. The effort should be led by a local landscape architect familiar with the diversity of the city's park types and landscapes.

MANAGEMENT PLANS AND PERFORMANCE METRICS

The Plan recommends an updated and expanded series of written management plans and best management practices to guide staff and volunteers in the ongoing care and stewardship of Hendersonville's park sites and critical landscapes.

The management plans and practices should be developed with leadership from Sustainability Division, with insight from other Public Works staff, the Parks and Greenspace Advisory Committee, key City partners, other local public and private park providers and regional environmental advocates and researchers.

PARKS AND GREENSPACE MANAGEMENT PLANS

Management plans can help to ensure the long-term care and quality of parks and to make a well-defined case for investing in maintenance staff, training and support.

1. Incorporate recommendations, benchmarks and performance metrics within all updated management plans, particularly landscape and natural area management plans.

2. Develop overarching management plans and practices—including timetables for seasonal tasks and anticipated repair and replacement of park assets—for each type of park or facility classification.

3. Develop park-specific management plans and timetables for all existing parks, and as part of all future park projects.

4. Support maintenance staff through regular training, professional development and upward mobility.

5. Explore organization of maintenance staff by zone and specialty to develop expertise and instill a sense of ownership.

6. Strengthen our system for staff to coordinate park stewardship with volunteers.

7. Develop a system to monitor the condition and status of parks and recreation sites, including with public crowdsourcing data.

QUALITY ACTION ITEMS

Each of the Key Goals are supported by a series of specific actions with associated entities and timelines, intended to offer a roadmap for how and when the City and its partners can achieve the vision of the Parks and Greenspace Plan.

Chapter 9: Implementation offers more details about partnership and funding recommendations.

Table 9: Action Items Matrix / Quality

#	ACTION	RESPONSIBILITY	TIMEFRAME				
			Year 1	Short Term (2-5 Years)	Mid Term (Years 5-10)	Long Term (11-20 Years)	Ongoing
GOAL #1: Rethink Parks and Greenspace Delivery in Hendersonville.							
Q1.1	Develop written design guidelines & park amenity standards for all park classification types to establish a service standard for new park and park improvement projects.	**Lead:** Public Works **Partner(s):** Engineering	●				
Q1.2	Develop written management plans for all park classification types to establish a baseline standard for maintenance.	**Lead:** Public Works **Partner(s):**	●				
Q1.3	Create a Parks and Greenspace Advisory Committee to provide guidance and oversight of Hendersonville parks and greenspaces and ongoing plan implementation.	**Lead:** Council **Partner(s):** Administration, Public Works/Parks, Communications	●				
Q1.4	Utilize existing Cityworks asset management software and implement a Total Asset Management approach to track and adequately budget for existing and future park maintenance needs.	**Lead:** Public Works	●				
Q1.5	Create a dedicated Hendersonville Parks and Greenspace Department. Consider a Parks and Greenspace Division within Public Works Department as a transition step.	**Lead:** Admin **Partner(s):** Budget, Council, Finance, Public Works		●			
Q1.6	Define and expand viable volunteer opportunities that support the stewardship, and/or care of park spaces for both one-time volunteer groups and on-going volunteers (e.g., adopt programs and "Friends of-" Groups).	**Lead:** Sustainability **Partner(s):** Public Works		●			●
Q1.7	Publish an annual "State of the Parks" report that compiles Key Performance Indicators and reporting to paint a picture of citywide parks and build public trust and transparency.	**Lead:** Public Works		●			
Q1.8	Conduct an organization chart and job description review to ensure they reflect current position requirements and staffing as the park system grows.	**Lead:** Public Works **Partner(s):** Human Resources			●		●
Q1.9	Update the Priority Invest Zone mapping tool every five years to ensure data inputs reflect community needs and priorities.	**Lead:** Public Works **Partner(s):** Engineering, Community Development			●		●
Q1.10	Use the Project Prioritization Model tool as part of annual budgeting and the development of Capital Improvement Plan requests. Update community-supporting scoring criteria as part of the regular plan update process.	**Lead:** Public Works **Partner(s):** Engineering, Community Development			●		●
GOAL #2: Invest in High-Quality Neighborhood Parks.							
Q2.1	Dedicate identified City-owned park opportunity sites as future parkland.	**Lead:** Public Works **Partner(s):**	●				●
Q2.2	Begin securing funding to complete short-term deferred maintenance projects.	**Lead:** Admin, Council **Partner(s):** Public Works, Finance, Budget	●				●
Q2.3	Establish a partnership framework and best practices for empowering and supporting Friends of Parks groups and other community-based organizations that can act as stewards and ambassadors for their parks.	**Lead:** Admin **Partner(s):** Public Works, Council	●				
Q2.4	Launch a Neighborhood Park Program to formalize the emphasis on neighborhood park improvements.	**Lead:** Public Works **Partner(s):** Communications		●			
Q2.5	Invest in adequate facilities and equipment for staff.	**Lead:** Council **Partner(s):** Admin		●			●

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#	ACTION	RESPONSIBILITY	TIMEFRAME				
			Year 1	Short Term (2-5 Years)	Mid Term (Years 5-10)	Long Term (11-20 Years)	Ongoing
Q2.6	Increase the percentage of residents within a ten-minute walk of a park through new park acquisition and development.	**Lead:** Admin **Partner(s):** Council, Public Works			●	●	●
Q2.7	Ensure the equitable distribution of financial investment across the park system	**Lead:** Public Works **Partner(s):** Admin, Council				●	●
Q2.8	Continue to support the suggested Neighborhood Park Program to spotlight beloved neighborhood parks; steward, share progress and rally support for reinvestment projects; and find new ways to connect people to their parks.	**Lead:** Public Works **Partner(s):** Communications					●
GOAL #3: Increase and diversify park system funding in line with industry standards.							
Q3.1	Create Deferred Capital Maintenance funding program utilizing Total Asset Management approach to establish budget cycle based on depreciation rates of existing assets.	**Lead:** Public Works **Partner(s):** Budget, Finance	●				●
Q3.2	Create a position for a City grant officer or contract position for a grant writer to identify and coordinate critical next steps for specific state and federal grants.	**Lead:** Admin **Partner(s):** Council	●				
Q3.3	Prioritize and complete short-term deferred maintenance projects at parks rated moderate to poor.	**Lead:** Public Works **Partner(s):** Engineering, Stormwater	●				
Q3.4	Create a Hendersonville Parks Foundation (non-profit group to support and seek funding opportunities)	**Lead:** Council, Parks **Partner(s):** Admin, Public Works		●			
Q3.5	Identify new funding sources for citywide parks and greenspaces.	**Lead:** Admin **Partner(s):** Budget, Council, Finance, Public Works					●
Q3.6	Identify new and creative opportunities for public-private partnerships for parks and recreation in Hendersonville, including through leveraging catalytic site and greenway projects.	**Lead:** Parks, Public Works **Partner(s):** Community Development					●
Q3.7	Coordinate efforts and identify where master plans, land acquisitions and other steps are needed to position the City to take advantage of current and future federal and state dollars for parks, recreation and infrastructure.	**Lead:** Public Works **Partner(s):** Community Development					●

9

IMPLEMENTATION

ONE YEAR ACTION PLAN

A one-year action plan is integral to this plan as it provides a roadmap for immediate implementation of key initiatives. Within the next year, specific goals and actions outlined here should be realized, serving as a catalyst for quick wins and demonstrating tangible progress. The One-Year Plan identifies action items that can be considered “early wins” and are easier to implement, but still have big impacts. It also helps to gain trust from the community through addressing their immediate needs and concerns. By breaking down implementation into manageable steps for the short term, stakeholders can witness the positive impacts of the overall vision and the flexibility of the plan, garnering ongoing support and momentum for the broader, long-term goals outlined.

MAINTENANCE AND OPERATIONS

Another ongoing initiative that can support implementation of this plan is the City’s pursuit of a total asset management system, utilizing the City Works asset software. This tool can help the City track its park and recreation assets and maintenance hours; anticipate and budget for maintenance needs and equipment; and identify where new positions or operational efficiencies might be needed to address challenges or backlogs. The inventory and condition assessment completed as part of this planning process can be integrated with this system to plan for deferred maintenance and depreciation schedules.

PARTNERSHIPS AND FUNDING

The One-Year Plan seeks to lay the groundwork for increased funding and partnerships in support of citywide parks and greenspace. The following table lists the critical first steps and target deadlines for the City and partners to set the plan actions into motion. The Public Works Department or identified entity should lead coordination and implementation of these tasks.

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TASK	RESPONSIBILITY	DEADLINE
Create a Parks and Greenspace Advisory Committee to provide guidance and oversight of Hendersonville parks and greenspaces and ongoing plan implementation.	**Lead:** Council **Partner(s):** Admin, Public Works/Parks, Communications	Month, Year
Develop written design guidelines & park amenity standards for all park classification types to establish a service standard for new park and park improvement projects.	**Lead:** Public Works **Partner(s):** Engineering	Month, Year
Develop written management plans for all park classification types to establish a baseline standard for maintenance.	**Lead:** Public Works	Month, Year
Utilize existing Cityworks asset management software and implement a Total Asset Management approach to track and adequately budget for existing and future park maintenance needs.	**Lead:** Public Works	Month, Year
Dedicate identified City-owned park opportunity sites as future parkland.	**Lead:** Public Works	Month, Year
Begin securing funding to complete short-term deferred maintenance projects.	**Lead:** Admin, Council **Partner(s):** Public Works, Finance, Budget	Month, Year
Establish a partnership framework and best practices for empowering and supporting Friends of Parks groups and other community-based organizations that can act as stewards and ambassadors for their parks.	**Lead:** Admin **Partner(s):** Public Works, Council	Month, Year
Create a position for a City grant officer or contract position for a grant writer to identify and coordinate critical next steps for specific state and federal grants.	**Lead:** Admin	Month, Year
Gain approval from City Council and Planning Board to revise park development and dedication ordinances.	**Lead:** Community Development	Month, Year
Create Deferred Capital Maintenance funding program utilizing Total Asset Management approach to establish budget cycle based on depreciation rates of existing assets.	**Lead:** Public Works **Partner(s):** Budget, Finance	Month, Year
Prioritize and complete short-term deferred mainentance projects at parks rated moderate to poor.	**Lead:** Public Works **Partner(s):** Engineering, Stormwater	Month, Year
Engage community members and park users to better understand safety concerns. Utilize this information to design strategies to address concerns.	**Lead:** Public Works **Partner(s):** Community Development	Month, Year
Consider updates to the City’s webpage on parks with a focus on user-friendly access to up-to-date information about park sites, events and volunteer opportunities.	**Lead:** Public Works **Partner(s):** Administration - Communications	Month, Year
Complete an analysis of marketing and communication resources to identify the desired target market and the best suited tactics. Evaluate strategy on a regular interval to increase reach and engagement among targeted audiences.	**Lead:** Administration - Communications **Partner(s):** Public Works	Month, Year
Coordinate across departments to view vacant or surplus landholdings to determine highest and best use, including identification of suitable lands for parks, housing and development. Repeat this exercise every three to five years.	**Lead:** Community Development **Partner(s):** Public Works	Month, Year
Investigate sponsorships with local businesses, medical and health organizations to implement park improvement projects that promote health and well-being.	**Lead:** Community Development, Parks **Partner(s):** Public Works	Month, Year

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FUTURE PARKS SYSTEM PLAN

This map identifies priority existing park improvement projects as well as potential areas for future park development. It considers the analysis and recommendations from each chapter including increasing access, addressing system-wide quality and deferred maintenance, and helping to achieve level of service goals. Given the future outlook of this plan, the map also considers future growth within and outside of city limits.

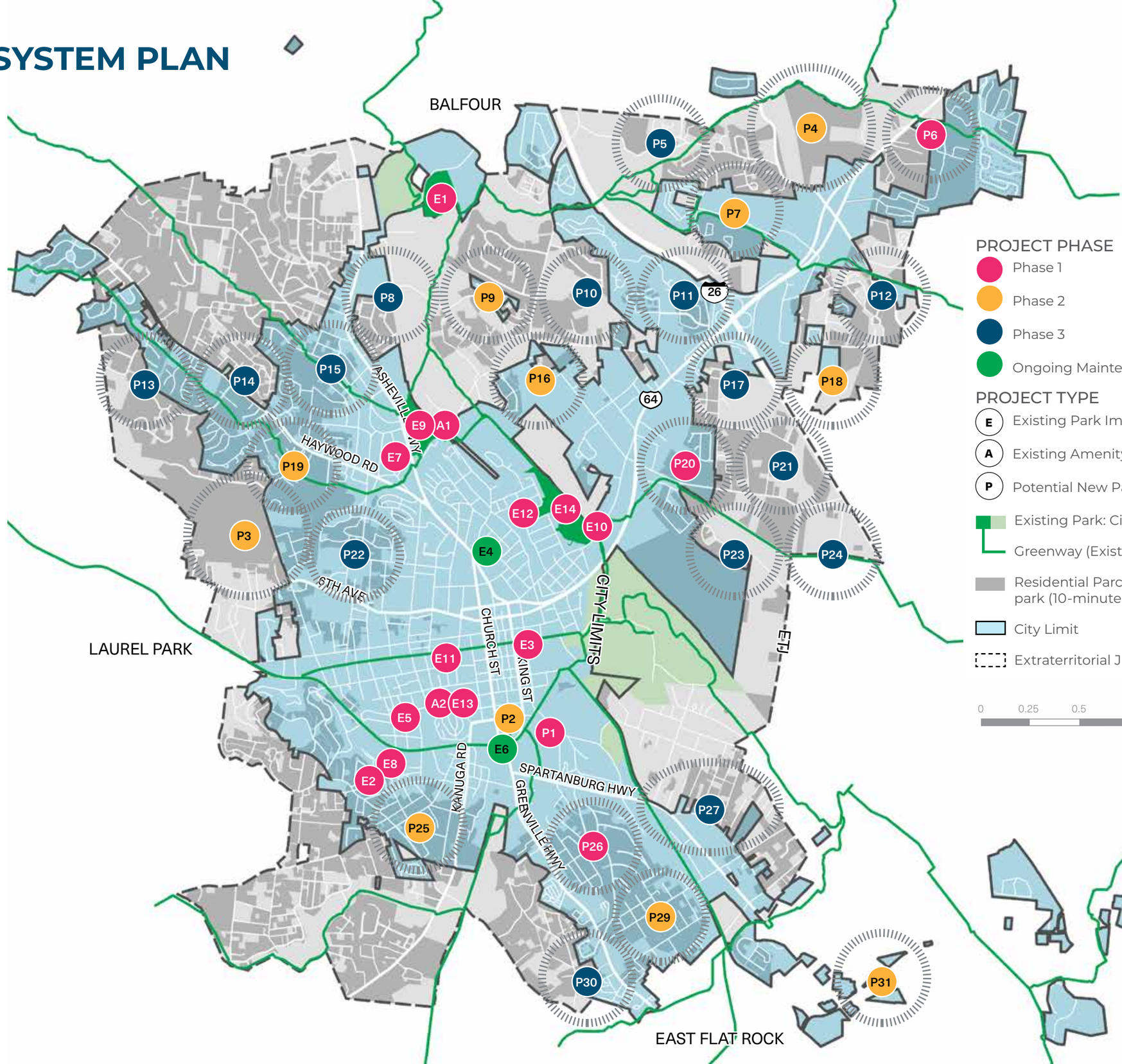
This map highlights residential parcels outside of a 10-minute walk to parks and identifies several opportunity areas for new park development near parcels with gaps in access. Half-mile radius circles are included to roughly identify the residential areas that do not have current access to public open space and are prioritized in phasing based on a set of prioritization criteria described on page 108.

The overall vision seeks to:

1. **Improve 12 existing parks and greenspaces.** Fixing and investing in what we have is our first priority.

2. **Develop 30 new parks in opportunity areas** to reach level of service standards and increase access to parks throughout the City.

3. Building and connecting through the implementation of **10 plus miles of new greenways.** The Greenway plan and phasing is further described in the Appendix.



PROJECT PHASE

- Phase 1
- Phase 2
- Phase 3
- Ongoing Maintenance

PROJECT TYPE

- E — Existing Park Improvement
- A — Existing Amenity Improvement
- P — Potential New Park Area
- Existing Park: City/Other Public
- Greenway (Existing and Proposed)
- Residential Parcel without access to a park (10-minute walk)
- City Limit
- Extraterritorial Jurisdiction (ETJ)

0 0.25 0.5 1 MILE

PRIORITIZATION CRITERIA

The following list outlines priorities to focus on as the City implements this plan.

+ **Quality**
The project improves the condition and utility of an existing park.

+ **Nature**
The project supports the protection, preservation or restoration of natural features.

+ **Greenways / Connectivity**
The project adds to or completes the greenway system.

+ **Access**
The project fills an existing gap in the city's 10-minute walkshed.

+ **Investment Zones**
The project serves the areas of the City identified as Priority Investment Zones.

+ **Site Size**
The project is large enough that it does not exacerbate the citywide challenges of small/scattered greenspaces.

+ **Population Density**
The project would serve more people in areas with relatively higher population density.

+ **Future Development**
The project anticipates future growth areas and the need for protected parkland and open space.

+ **Level of Service**
The project accomplishes a LOS goal for number of facilities needed.

+ **Feasibility**
The project is feasible given current ownership and land use.

+ **Support / Opportunity**
The project aligns with other community priorities and funding sources.

FUTURE OPERATIONS

This section of the plan takes a deeper dive into how Hendersonville parks and greenspaces should be managed and maintained now and into the future. Recommendations are based on planning team analysis, community input, best-practices research and discussions with staff. This plan serves to build on and complete previous City park visions; close gaps in the park system; anticipate future growth; ensure residents have a high-quality park or trail close to home; and lay the foundation for a valued and impactful park and greenspace system.

PROJECT PRIORITIZATION MODEL

The physical projects and investments captured in the Plan are filtered through a prioritization model to rank the projects and divide them into phases based on priorities expressed during the community engagement process and needs assessment. This helps the City and partners make fiscally and socially responsible decisions, focus resources and first steps on projects that are best positioned to advance the public interest and the goals of the Plan.

A LIVING FRAMEWORK

The prioritization model and phasing plan should be seen as a living framework that can adapt to meet evolving community needs. The relative importance of projects listed will likely evolve in future plan updates to reflect new conditions and public values. Some projects listed in those phases might also become higher priorities within the initial implementation timeline as new opportunities emerge; the prioritization of projects into phases should not prevent the City or its partners from taking advantage of such opportunities as they arise.

ADDING IT ALL UP

The plan has an ambitious vision for the future parks system of Hendersonville. Table 10 recommends the level of service and number of new park facilities to fill the gap by 2050. Anticipated costs are in 2024 dollars and do not account for the costs of staffing; potential land acquisition, permitting or environmental regulation; design or ongoing maintenance.

The intent is to capture high-level system-wide capital costs to aid in future budgets and planning. More detailed and accurate budgets for each project will be determined and refined through each project's master planning, design and construction documentation process. When budgeting, the City should account for escalation.

These new facilities will require retrofitting of existing parkland or new parkland acquisition. All special facilities should include easily accessible parkland that allows each site to also serve a neighborhood park function, colocating proposed facilities with existing park improvement projects or new park opportunities. Some new facilities and parkland may require partnerships to implement.

Table 10: Future Park Facility Recommendations

TYPES OF FACILITIES	NO. OF NEW FACILITIES NEEDED TO FILL THE GAP BY 2050	ANTICIPATED TOTAL PRICE	RECOMMENDED LEVEL OF SERVICE 2050 (RESIDENTS PER FACILITY)	RELATIVE TO CURRENT LOS	RELATIVE TO PEER-CITY METRICS
AMPHITHEATER	1	$5,000,000	20,000	+	+
BASKETBALL COURT	1	$150,000	3,500	=	+
COMMUNITY CENTER	1	$5,000,000	20,000	+	-
DIAMOND FIELD	NEEDS MET		3,000	-	=
DISC GOLF COURSE*	NEEDS MET		15,000	+	=
DOG PARK	1	$50,000	7,500	=	+
MULTI-USE FIELD	3	$300,000	4,000	+	=
PICKLEBALL COURT*	NEEDS MET		3,000	=	=
PLAYGROUND	4	$1,000,000	2,000	+	=
RECREATION CENTERS	1	$5,000,000	10,000	+	=
SENIOR CENTERS	1	$5,000,000	14,000	+	=
SKATE PARK	NEEDS MET		20,000	=	=
SPLASH PAD	1	$800,000	20,000	+	=
SWIMMING POOL	1	$2,000,000	10,000	+	=
TENNIS COURT	NEEDS MET		3,000	-	=

**A new disc golf course and pickleball courts are currently under construction. Once completed, these facilities meet the recommended level of service goals.*

= *Indicates where the recommended level of service is similar or equal*
+ *Indicates where the recommended level of service is greater than*
- *Indicates where the recommended level of service is less than*

Table 11: Future Parkland Analysis, Budget and Staffing (City-limits)

YEAR	POPULATION	TOTAL PARK ACREAGE @12.6 AC/1000 RESIDENTS	COST OF NEW PARK DEVELOPMENT AT $500K/ACRE	TOTAL OPERATING BUDGET AT $120/ PERSON	TOTAL FTE @11.5/10,000 RESIDENTS
2024	15,137	191	$16,783,673	$1,816,440	17
2030	16,197	204	$21,108,531	$1,943,591	18
2040	17,816	224	$27,719,384	$2,137,950	20
2050	19,598	247	$34,991,322	$2,351,745	22

Table 12: Future Parkland Analysis, Budget and Staffing (Including ETJ)

YEAR	POPULATION	TOTAL PARK ACREAGE @12.6 AC/1000 RESIDENTS	COST OF NEW PARK DEVELOPMENT AT $500K/ACRE	TOTAL OPERATING BUDGET AT $120/ PERSON	TOTAL FTE @11.5/10,000 RESIDENTS
2024	22,847	288	$43,253,061	$2,741,640	26
2030	24,446	308	$49,780,776	$2,933,555	28
2040	26,891	339	$59,758853	$3,226,910	30
2050	29,580	373	$70,734,738	$3,549,601	34

STAFFING

In addition to the financial requirements of a growing system, Table 11 identifies the necessary park staff to maintain it. The figures in the table identifies the number of full time employees (FTE's) to meet NRPA metrics of 11.5 FTE per 10,000 residents based on cities of a similar size to Hendersonville. Table 12 looks at the same analysis, but includes the consideration of expanding into the Extraterritorial Jurisdiction (ETJ) area. As the parks and greenspace system expands, the importance of increasing and dedicating park staff becomes increasingly evident. A growing system means an influx of visitors and the need for heightened maintenance and supervision. Adequate staffing is essential to ensure the smooth operation, safety, and overall positive experience of park users. Hendersonville does not have a dedicated parks department as maintenance is managed through the Public Works Department. It will be important to evaluate the organization structure and identify specific park staff needs as the system grows.

For a park system and population the size of Hendersonville, NRPA metrics find that 44% of staff responsibilities are dedicated to operations and maintenance, 31% are dedicated to programming and events, 16% are dedicated to administration, 3% capital development and 6% other.

As Hendersonville evaluates the development of a dedicated parks and greenspace department, these metrics are helpful in developing an organizational chart and job descriptions, though should be further customized for the City's unique needs and service delivery model. For example, Hendersonville has and anticipates continuing to rely on Henderson County to provide for residents recreational programming and sports league offerings. If this approach continues, dedicated programming staff may not be necessary. However, even park systems that do not offer scheduled recreation programming do engage in organizing community events, whether those are by the City or coordinated through partnerships.

LEVEL OF SERVICE STANDARDS AND GUIDELINES

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Similar to staff levels, the needs of park maintenance varies based on park size and type. Maintenance service and frequency should be determined and allocated consistently throughout the system as informed by the park classification guidelines. Striking a balance between routine maintenance and park type is important in avoiding costly deferred maintenance and ensuring a high-quality system.

The seasonality of maintenance activities in parks and on trails is significant, and routine maintenance levels and seasonal employment should be adjusted accordingly. Maintenance activities during the winter, for instance, are typically limited with higher maintenance required in the summer due to higher usage.

FINANCE AND MANAGEMENT

This section offers a number of funding strategies for the City to translate the Hendersonville Parks and Greenspace vision into built projects and improvements that ensure park access for generations.

NATIONWIDE FUNDING TRENDS

Nationally there is a concerted effort to diversify funding sources. According to the 2024 National Recreation and Parks Association (NRPA) Agency Performance Review study, the current national level of funding is 62% of operating expenditures being derived from the general fund. Currently, Hendersonville relies primarily on the general fund and with no dedicated allocation to parks and greenspace.

Nationally, there has been an increased reliance on earned income to offset the cost of operation of parks and recreation. According to NRPA, in 2023, an average of 21% of operational costs were offset through fees and charges.

Rather than relying on allocations from a city's general fund, agencies have been turning to dedicated tax funding sources for not only on-going parks operations but also for capital projects.

Capital funding has also become more diversified with an effort to not only utilize local tax dollars but also broader funding through state and federal government as well as fundraising and grant funding for larger projects.

ALTERNATIVE FUNDING SOURCES

How do we pay for all of this? The City and its partners should pursue a diverse toolkit of funding strategies and sources.

LOCAL SOURCES

Capital Improvement Fund: A dedicated funding source for capital projects from either a percentage of existing tax revenues or through tax increase established for the specific purpose.

Borrowing (bonds): The City of Hendersonville can issue bonds to raise significant one-time funds for large-scale projects and initiatives or capital improvements. These funds are available in the short term, with costs that are repaid over time and therefore shared by future beneficiaries of the investments. A bond issuance must be approved by Hendersonville voters.

Park Dedication fee: For new housing, developers must either pay a per unit fee and/or dedicate property for future park development.

Real Estate Transfer Fees: Funding through the sale and transfer of real estate, where a small percentage goes to a tax that can support parks, greenways and open space conservation.

Transient Lodging Tax: A tax on hotel and motel rooms where a percentage tax is collected on each room night sold. This often funds parks and recreation amenities that attract visitors (sports complexes, ice rinks, amphitheaters, etc.).

Business Improvement District (BID): A BID is a defined area in a city that collects a fee from businesses for improvements. These are usually in downtown areas.

Earned Income or User Fees: Fees charged for parks and recreation services. This requires a strong fee for service philosophy and solid fee policies. This can also include sponsorships, permit fees for vendors, cell tower leases, concessions agreements, and other fees. Increasingly cities are asking users to pay a higher percentage of maintenance and programs through the fees that are charged for these services.

Amenity Development: Partnership with a private or non-profit agency to build and operate amenities such as a wedding/event center, that also includes recreation amenity development. These are amenities that have the ability to generate a strong positive cash flow and are used to help fund other aspects of the operation.

STATE AND FEDERAL SOURCES

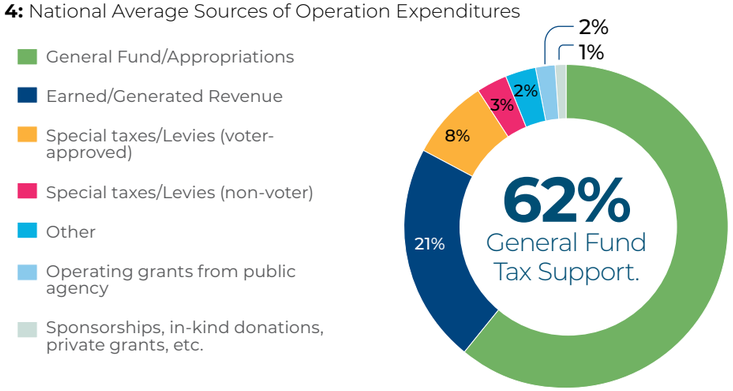
One-time grants for parks, open space and greenways can fund specific capital projects. Grants generally have a formal application process with specific submission requirements, along with reporting requirements that seek to quantify the program's impact. They often require a local funding match. They also can require expertise to navigate the application requirements and forms and to understand what projects might be competitive for which grants.

Hendersonville should consider hiring or dedicating staff as a grants coordinator to annually review all relevant private and public grant opportunities and to coordinate efforts to ensure project proposals are submitted that are the best fit for each grant program. These annual reviews can also help to ensure that the City is well-positioned for future funding opportunities.

Table 14: Public Grant Opportunities on page 115 lists several public grant programs that are considered a strong fit for local park and recreation projects. Generally, the grants administered by state agencies are those with the longest track record of promoting local parks and open space. The federal opportunities are largely new grant programs created by recent federal climate and infrastructure legislation. These require a heavier lift for technical capacity and coordination but offer exciting opportunities for transformative projects in the public realm.

Safe Routes to Schools (SRTS): Encourages safe bicycling and walking among schoolchildren. Administered by state departments of transportation, this is a federal grant; there is no local matching needed for these funds. These proposals can be located anywhere in the state, regardless of population size. The SRTS projects must be planned to be within public right of way within 2 miles of a public, charter, or private school serving K-8th grade students. The types of projects typically funded include bicycle infrastructure improvements, shared use paths, sidewalk improvements and infrastructure related projects to improve safety for non-motorized transportation.

Figure 4: National Average Sources of Operation Expenditures



SOURCE: 2024 NRPA Agency Performance Review.

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OTHER NON-TAX SOURCES

Parks Foundation: A parks and greenspace foundation, 501(C)3, provides a way for individuals and corporations to provide donations to fund parks and recreation facilities and programs. This also increases eligibility for certain grants. Often the city council will serve as the actual board, or they appoint others to the board.

Fundraising: A possible source of capital funding can come from a comprehensive fundraising campaign. Contributions from local businesses, private individuals and social service organizations can be targeted. To maximize this form of funding a private fundraising consultant may be necessary.

Naming Rights and Sponsorships: The sale of naming rights and long-term sponsorships could be a source of some capital funding as well. It is often necessary to hire a specialist in selling naming rights and sponsorships if this revenue source is to be maximized to its fullest potential. No lifetime naming rights should be sold, only 20-year maximum rights should be possible. Determining the level of financial contribution necessary to gain a naming right is crucial. In addition to a portion of the cost to develop, including an endowment or mechanism for operations and maintenance is critical.

Endowment Fund: This form of operational funding is relatively rare as it requires a large fund balance to establish an annual operational endowment level of any magnitude.

Ground Lease of Property: In communities where it has been difficult to fund new parks and recreation facilities, cities have issued low fee ground leases to private and non-profit organizations to build and operate facilities that will benefit the recreation needs of residents. This has included a number of specialty facilities.

PARTNERSHIP FUNDING

Partnerships can be made with a variety of organizations to manage facilities and provide programs and other services. This requires a strong partnership agreement to be in place.

Potential strategies include:

Adopt-a-Trail Programs: These are typically small grant programs that fund new construction, repair or renovation, maps, trail brochures, and facilities (bike racks, picnic areas, birding equipment, etc.), as well as providing maintenance support. These programs are similar to the popular "adopt-a-mile" highway programs most states utilize. Adopt-a-trail programs can also take the form of cash contributions in the range of $12,000 to $16,000 per mile to cover operational costs.

Adopt-a-Park Programs: These are small-grant programs that fund new construction and provide maintenance support. Adopt-A-Park programs can also take the form of cash contributions in the range of $1,000 to $5,000 per acre to cover operational costs.

Operational Partnerships: Partnerships are operational funding sources formed from two separate agencies, such as two government entities, a non-profit and a public agency, or a private business and a public agency. Two partners jointly share risk, operational costs, responsibilities, and asset management based on the strengths of each partner. Many cities have found success in sponsorships and funding from the health care industry, such as at Unity Park in Greenville, SC.

Table 14: Public Grant Opportunities

GRANT OPPORTUNITY	ENTITY	LOCAL MATCH REQUIRED	WHAT THE GRANT CAN SUPPORT				
			LAND ACQUISITION	PARK PROJECTS	GREENWAY PROJECTS	PUBLIC REALM	PLANNING
Climate and Environmental Justice Block Grants	EPA		X	X	X	X	
EPA Environmental Justice Community Change Grants	EPA					X	X
FEMA Mitigation Assistance Grants and Floodplain Buyouts	FEMA	X	X	X	X	X	X
NC Water Resources Development Grant: State and Local Projects	NC DEQ	X		X	X	X	X
NC Department of Public Safety - Building Resilient Infrastructure in Communities	NC DPS					X	
NC Association of Regional Council of Governments - Land of Sky Region: Grantwriting and Management Assistance	NCARCOG						X
NC Land and Water Conservation Fund	NCLWF	X	X	X		X	X
NC Parks and Recreation Trust Fund	NCSP	X		X		X	X
NC Trails Recreational Trails Program	NCSP				X	X	X
Outdoor Recreation Legacy Partnership Program	NPS		X	X	X	X	
US Department of the Interior Rivers, Trails and Conservation Assistance Program (RTCA)	NPS						X
USDA Forest Service Urban and Community Forestry Program	USDA	X		X		X	X
Rebuilding American Infrastructure with Sustainability and Equity Discretionary Grant Program	USDOT	X			X	X	X

10

CONCEPT PLANS AND NEW PARK TOOLKIT

PARK CONCEPTUAL PLANS

PATTON PARK / COMMUNITY

ACRES: 17.9

EXISTING CONDITION RATING:

3 - Improvements have reached a tipping point where irreversible decline will occur without reinvestment

EXISTING FEATURES:

- Pool
- Playground
- Skate Park
- Baseball Diamond/Field
- Tennis Courts
- Multi-Purpose Field
- Walking Loop
- Picnic Shelter and Grill
- Restroom
- Pickleball Courts *(under construction)*

DESCRIPTION:

The second largest city park with the most features. The park's keystone is Patton Pool, the most visited park feature in the city. It offers something for everyone from a playground to walking trails to sport courts. It also features the only public skate park in the city.

RECOMMENDATIONS:

- Improve signage and wayfinding
- Create a vegetated screen from the commercial building on the northwest corner
- Consider consolidating greenway and walking trail into single multi-use trail where they are adjacent
- Consider consolidating bridge crossing into one larger multi-purpose bridge
- Convert baseball field to dog park and greenspace
- Reconfigure the parking lot to reduce flooding and sediment deposits adjacent to Brittain Creek
- Improve bathrooms
- Improve the multipurpose fields and add soccer goals
- Increase shade
- Improve and expand the playground to encompass more types of play and ages
- Install bike racks and bike tuning stations at greenway access points

Pool

- Consider a complete redesign of pool and complex. Hire consultant to analyze best use of facility
- Replace fence and ensure compliance with safety regulations
- Ensure ADA compliance; modernize and re-use buildings to increase efficiency
- Refinish pool surface
- Add splash pad
- Add shade structures

Brittain Creek

- Restore and re-meander creek to expand floodplain capacity, improve bank erosion and stability and improve native habitat

Basketball Court

- Resurface and repaint surface
- Consider raising court to mitigate flooding

Note: Existing site conditions such as topography and existing soils should be evaluated before finalizing and implementing new facilities.

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PATTON PARK / CONCEPTUAL PRECEDENT IMAGERY

Stream Restoration
Expanding the floodplain, re-meandering the creek and improvements to native planting can help with flooding and stream bank erosion.

Trail Realignment and Formal Trailhead
To improve experience and wayfinding, consider improvements to internal walking path where adjacent to the greenway. Incorporate amenities and reduce pedestrian and bicycle conflicts.

Bridge Replacement
The existing bridge is in need of replacement and provides an opportunity to simplify the stream crossings and increase functionality for multiple users.

Bike/Ped Amenities
Improved wayfinding and amenitties such as a bike tuning station and bike racks, will help to formalizing the park as a gateway to the Oklawaha greenway.

Dog Park
A new dog park is an important amenity based on the community needs assessment. The City has identified the underutilized baseball diamond fields as an area that can be converted to this use. The new feature should allow for expanding the floodplain as part of the redesign considerations.

Pool Area Renovations
Modernizing the pool area and facilities will increase efficiency, improve accessibility and ADA compliance, while ensuring this amenity can continue to serve the community for generations.

Improved Playground Equipment
Expanding and improving playground equipment can provide more opportunities for kids of all ages to get active and play.

DRAFT

TOMS PARK AND WHITMIRE ACTIVITY CENTER/ SIGNATURE

ACRES: 2.6

EXISTING CONDITION RATING:

3 - Improvements have reached a tipping point where irreversible decline will occur without reinvestment

EXISTING FEATURES:

- Whitmore Activity Building
- Shuffleboard

DESCRIPTION:

This park features The Whitmire Activity Building and 14 shuffleboard courts. The east side of the park is separated by Wash Creek featuring greenspace and a walking path, connected to the west by a bridge.

The park is named after Confederate Captain Marion C. Toms.

RECOMMENDATIONS:

Whitmire Activity Building

- Renovate building to include repairs such as repainting, replacing windows, ceiling and flooring, and updating the HVAC system to better regulate indoor temperatures
- Improve internal wayfinding
- Reprogram space to accommodate more community interests and activities

Wash Creek

- Restore the floodplain
- Remove invasive species

Parking

- Stabilize area near stream

Shuffleboard Courts

- Remove and replace Sweet Gums to address root encroachment into the court
- Protect area near the stream from failing
- Consider converting some courts to bocce to accommodate different users

Park Amenities

- Consider whether the highest and best use of the lot across the creek is for additional parking, park amenities or other uses
- Increase native planting, especially near the stream
- Consider creating a short walking loop with seating and/or fitness equipment at nodes

Signage and Wayfinding

- Update park entry and wayfinding signage.

Note: Existing site conditions such as topography and existing soils should be evaluated before finalizing and implementing new facilities.

DRAFT

TOMS PARK AND WHITMORE ACTIVITY BUILDING / CONCEPTUAL PRECEDENT IMAGERY

Creek Restoration
Invasive plant removal and bank stabilization will help to protect existing site amenities and provide native planting habitat. Restoration plans should be combined with reconfiguring parking.

Social "Backyard" Lawn Games
Adding a variety of yard game areas (e.g. bocce ball, horseshoe, corn hole) can encourage community members of all ages to come together to play, socialize and participate in physical activity.

Fitness Equipment
Outdoor exercise equipment encourages park users to explore healthy and active lifestyles and can be integrated with a new paved loop trail.

Paved Loop Trail
A paved loop trail proves an accessible route for pedestrians to exercise and remain active. Seating along the trail provides a place to rest.

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ROSA EDWARDS PARK / UNCLASSED GREENSPACE

ACRES: 1.1

ASPIRING CLASS:

Neighborhood

EXISTING CONDITION RATING:

3 - Improvements have reached a tipping point where irreversible decline will occur without reinvestment

EXISTING FEATURES:

- Open space

DESCRIPTION:

A large open space field right next to the public library in the city center.

RECOMMENDATIONS:

During the public workshops, the community had many ideas for this patch of open space. The City is committed to providing a multipurpose field for small pickup games, however additional ideas could be explored through further engagement and funding discussions:

- Community garden and food forest
- Basketball court
- Shaded picnic tables and gathering spaces
- Dog Park
- Pavilion and small playground for library events (book fairs, story times)
- Increase tree coverage

Note: Existing site conditions such as topography and existing soils should be evaluated before finalizing and implementing new facilities.

DRAFT

WILLIAM H . KING MEMORIAL PARK / NEIGHBORHOOD

ACRES: 25.5 (<5 ACRES IS USABLE PARK)

EXISTING CONDITION RATING:

2 - Moderate loss of aesthetics and function

EXISTING FEATURES:

- Baseball
- Walking Loop
- Nature Trail

DESCRIPTION:

This park features a baseball diamond, walking loop, and connection to the Oklawaha Greenway. The majority of the site is constrained by floodplain and wetlands, limiting the potential for new amenities.

The park's name is dedicated to William H. King, a native of Hendersonville and active member in local civic and church organizations.

RECOMMENDATIONS:

- Increase seating along the walking loop
- Consider integrating interpretive elements with seating
- Increase tree canopy
- Add nature trail experience through northern property and connect to Sullivan Park
- Consider developing and planning William H. King Memorial Park, Sullivan Park and Pet's Own Place as one large campus to create a community scale park
- Install bike racks and bike tuning stations at greenway access points

Note: Existing site conditions such as topography and existing soils should be evaluated before finalizing and implementing new facilities.

DRAFT

WILLIAM H . KING MEMORIAL PARK / CONCEPTUAL PRECEDENT IMAGERY

Stream Restoration
Invasive management and increased native vegetation can improve biodiversity and the user experience along the greenway.

Boardwalk and Nature Trails
An expanded trail provides an opportunity for increased recreation, exploration, and greater connectivity to the adjacent parks and neighborhood.

Bike/Ped Amenities
Improved wayfinding and amenities such as a bike tuning station and bike racks, will help to formalizing the park as a gateway to the greenway.

Formalized Trailhead
A trailhead marker and formalized entrance helps users identify park entrances and provides an opportunity for park information, trail maps, and educational signage.

Interpretive Elements
Interpretive signage can enhance user experiences and connections to the park site. Signage can include cultural, historical, and education information such as information on wildlife and vegetation species, previous site uses, and other relevant information.

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SULLIVAN PARK / NEIGHBORHOOD

ACRES: 4

EXISTING CONDITION RATING:

3 - Improvements have reached a tipping point where irreversible decline will occur without reinvestment

EXISTING FEATURES:

- Covered Basketball
- Playground
- Picnic table
- Restroom
- Community garden

DESCRIPTION:

This park features neighborhood amenities and connections to William H. Memorial Park and the Oklawaha Greenway. A stream restoration was completed in the spring of 2024.

RECOMMENDATIONS:

- Increase tree canopy around the perimeter
- Improve the community garden and safe pedestrian connection to the park
- Strengthen connection to William H. King Memorial Park and the Oklawaha Greenway
- Install bike racks and bike tuning stations at greenway access points
- Improve site lighting
- Upgrade/improve playground for all ages and abilities
- Replace concrete pad near playground and explore opportunities to create a vibrant multi-purpose court

Note: Existing site conditions such as topography and existing soils should be evaluated before finalizing and implementing new facilities.

DRAFT

SULLIVAN PARK / PRECEDENT IMAGERY

Playground
Expanding and improving playground equipment can provide more opportunities for kids of all ages to get active and play.

Colorful Multi-use Court / Games Area
The existing concrete pad will be reimagined and updated to provide opportunities for multi-use court or yard games.

Bike/Ped Amenities
Improved wayfinding and amenitties such as a bike tuning station and bike racks, will help to formalizing the park as a gateway to the greenway.

Stream Restoration
Invasive management and increased native vegetation improve biodiversity and the user experience along the greenway.

Site Lighting
Pathway and site lighting will provide safety for users to circulate through the park.

Artful Crosswalks
Creating colorful and formalized crosswalks with stop signs will help improve safe pedestrian access to the park across Ashe street and between the adjacent community garden.

DRAFT

PETS' OWN PLACE ON 7TH AVE. / POCKET

ACRES: 1.5

EXISTING CONDITION RATING:

2 - Moderate loss of aesthetics and function

EXISTING FEATURES:

- Dog park

DESCRIPTION:

Small dog park adjacent to the Oklawaha Greenway and William H. Memorial Park.

RECOMMENDATIONS:

- Add dog playground equipment
- Increase native vegetation
- Improve entry experience with new signage, wayfinding, and dedicated parking
- Improve greenway connectivity and connection to William H. King Memorial Park
- Consider potential to expand the dog park in the future

Note: Existing site conditions such as topography and existing soils should be evaluated before finalizing and implementing new facilities.

DRAFT

FOUR SEASONS ROTARY PARK/ POCKET

ACRES: 1.3

EXISTING CONDITION RATING:

2 - Moderate loss of aesthetics and function

EXISTING FEATURES:

- Playground
- Picnic tables
- Pavilion
- Walking Loop

DESCRIPTION:

This small park packs a lot of punch! An exemplary example of a pocket park for the city.

RECOMMENDATIONS:

- Reconsider deck location and design in concert with the restoration
- Consider adding an interpretive element for the stream and native habitat
- Improved park signage and street presence
- Consider future improvements and updates to the playground that allow for all ages and abilities
- Consider intersection safety improvements within a 5-10 minute walk

Wash Creek

- Restore stream and expand floodplain
- Remove invasive species and increase native planting in the floodplain

Note: Existing site conditions such as topography and existing soils should be evaluated before finalizing and implementing new facilities.

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DR. MARTIN LUTHER KING JR. PARK / POCKET PARK

ACRES: 0.2

EXISTING CONDITION RATING:

2 - Moderate loss of aesthetics and function

EXISTING FEATURES:

- Memorial
- Walking Path
- Picnic Tables

DESCRIPTION:

Located downtown, this small park memorializes the great civil rights activist Dr. Martin Luther King Jr. It is the only park downtown and provides a place to rest to take a lunch or coffee break in a contemplative environment.

RECOMMENDATIONS:

- Consider future improvements to add protection from the wind, traffic and noise to improve comfort
- Maintain sightlines throughout space
- Consider adding spaces that attract families and children
- Study usage and potential for future expansion of picnic and seating areas
- Add bike racks
- Consider integrating more interactive public art into the space through community partnerships to activate the space and create a sense of community pride and ownership

Note: Existing site conditions such as topography and existing soils should be evaluated before finalizing and implementing new facilities.

DRAFT

BERKELEY MILLS PARK / COMMUNITY

ACRES: 18.7

EXISTING CONDITION RATING:

2 - Moderate loss of aesthetics and function

EXISTING FEATURES:

- Walking Loop
- Disc Golf *(coming soon)*

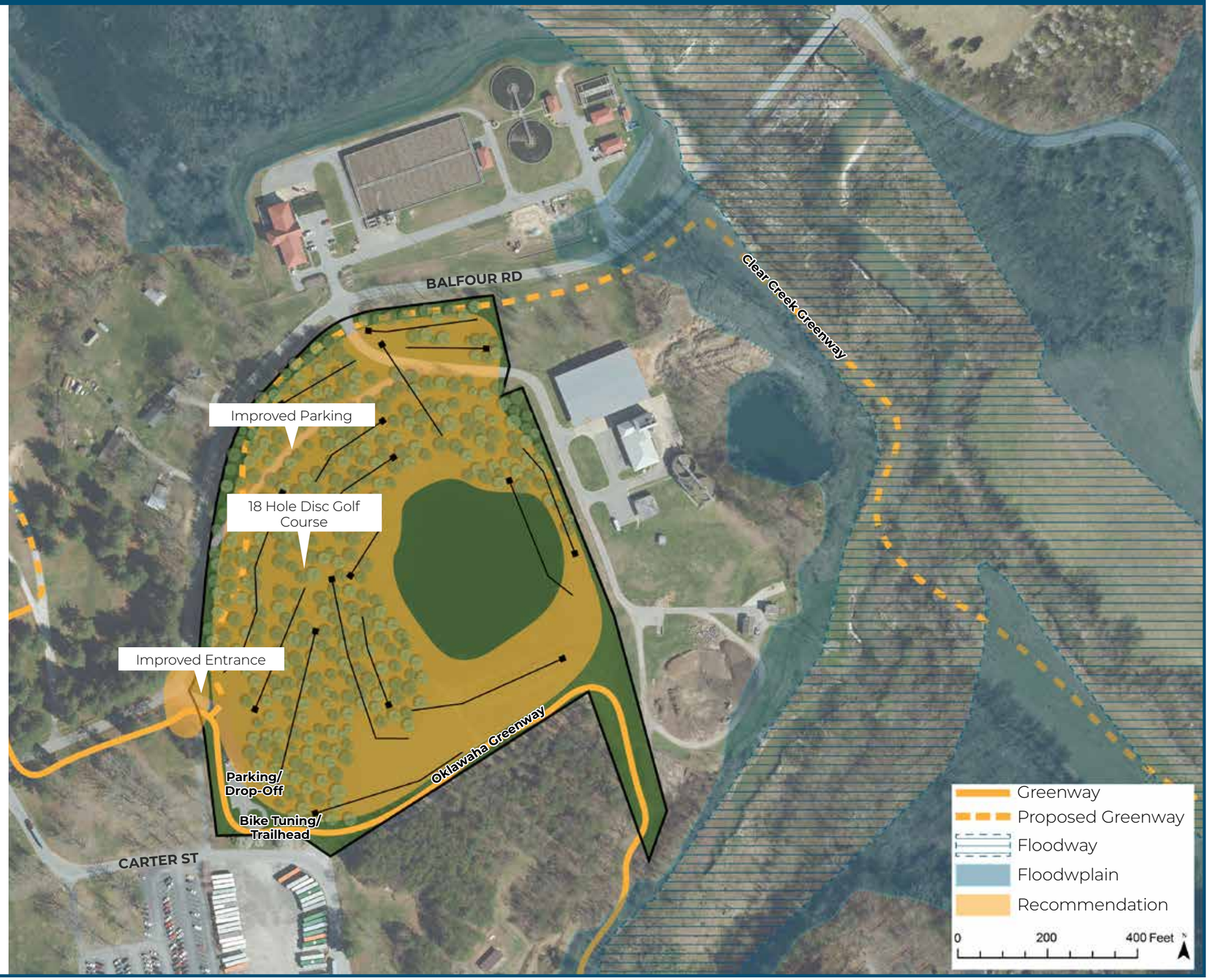
DESCRIPTION:

The Berkeley Mills Park property has been subdivided into two parcels. The larger parcel, located at 69 Balfour Road is now owned by Henderson County Public Schools with plans from the County to make several updates. The smaller parcel was retained by the City and serves as a trailhead to the Oklawaha Greenway with parking, a drop off loop and bike tuning station. A disc golf course is currently being developed as a feature, anticipated to be completed Fall 2024. The Oklawaha Greenway terminates here with plans to connect to the east via the Clear Creek Greenway.

RECOMMENDATIONS:

- Celebrate connection to the Oklawaha and Cleark Creek Greenways
- Create a more inviting entry experience and improve pedestrian access
- Install bike racks at greenway access points

Note: Existing site conditions such as topography and existing soils should be evaluated before finalizing and implementing new facilities

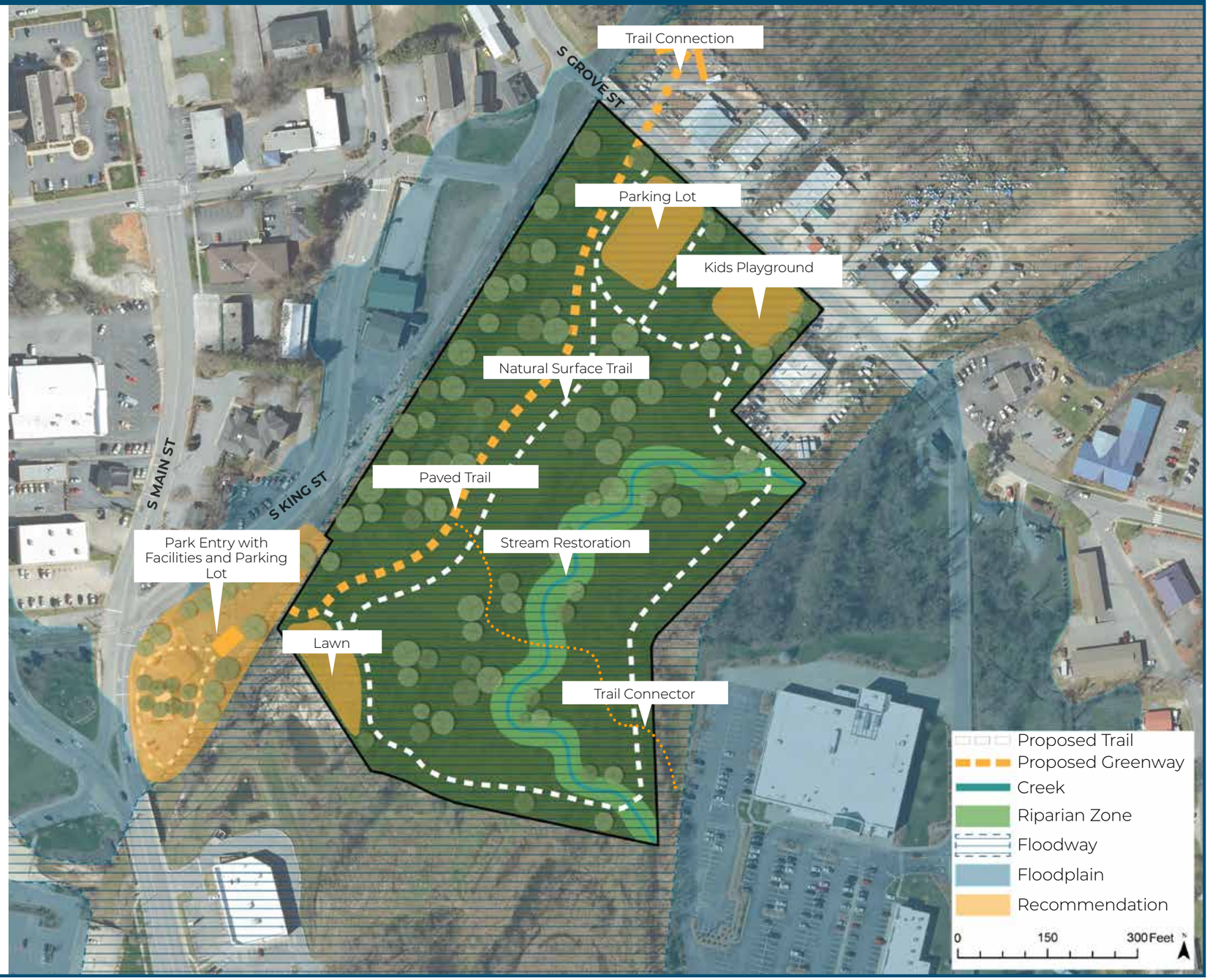


DRAFT

GROVE STREET PARK / NEW COMMUNITY PARK

DESCRIPTION:

The Grove Street park property is located just southeast of Mainstreet. The City is currently planning for the Ecusta trail to connect through this site in addition to providing floodplain restoration. There is an opportunity to incorporate parking as well as a kids playground with interpretive nature-based play equipment as well as natural surface trails for exploring the site.



DRAFT

GROVE STREET PARK / CONCEPTUAL PRECEDENT IMAGERY

Play Features
Nature-inspired play features can be influenced by local ecology and habitat.

Mud Puppy Playground
The playground may incorporate features such as hillside play and natural materials such as logs and boulders.

Bike/Ped Amenities
Wayfinding and amenities such as a bike tuning station and bike racks, will help to formalizing the park as a gateway to the greenway.

Stream Restoration
Stream and floodplain restoration can increase capacity for the site to manage stormwater.

Restrooms
Public restrooms at parks was one of the amenities requested through pubic input to make parks more comfortable and accessible to families.

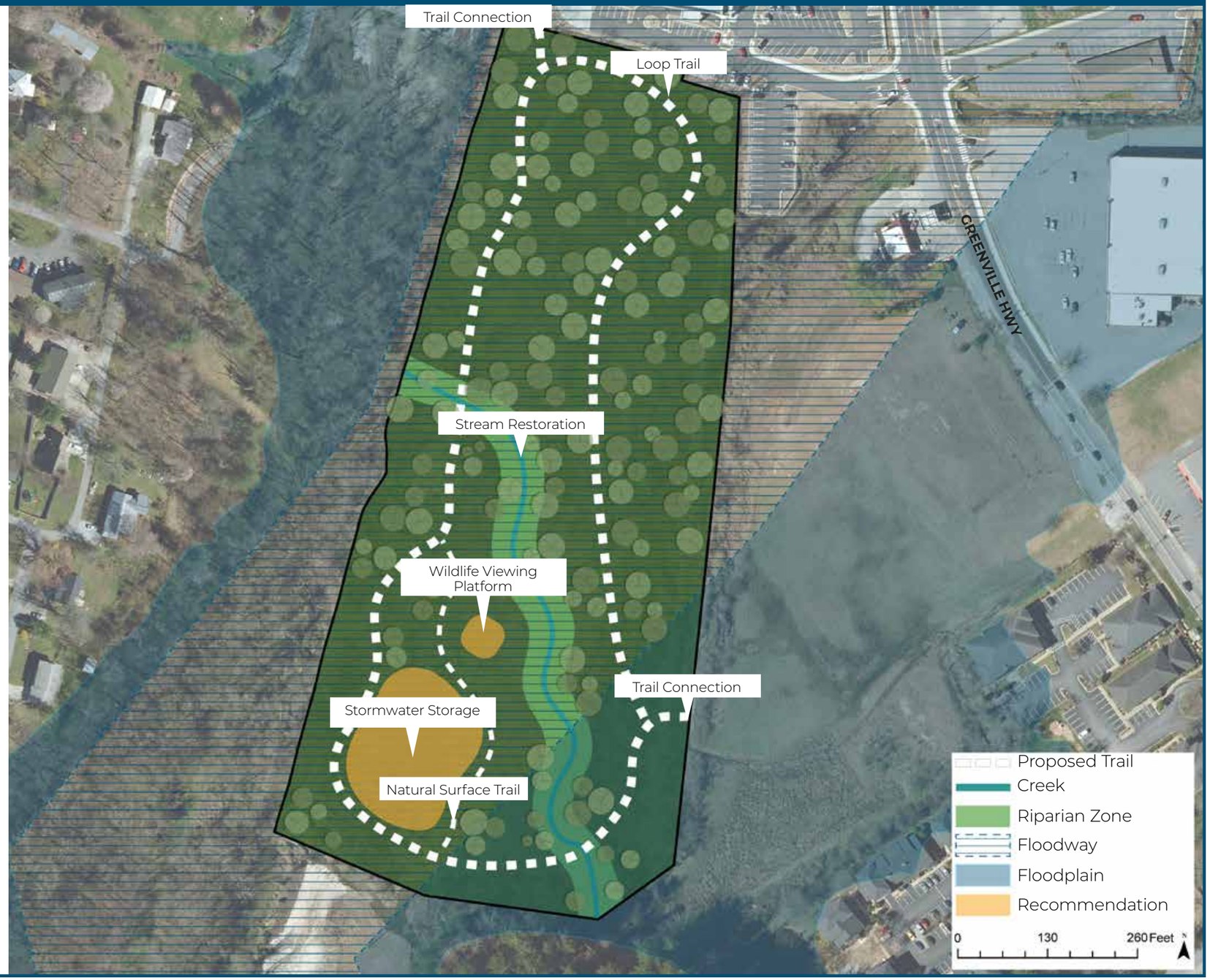
Natural Surface Trails
Natural surface trails are low impact and reduce the impervious surfaces on the site while providing recreation amenities.

DRAFT

WILSON PARK / NEW COMMUNITY PARK

DESCRIPTION:

The Wilson Tract is another property owned by the City that is currently under design for floodplain restoration and increased stormwater storage. This property will help provide greenway trail connections and offers an opportunity to consider nature-based passive recreation features such as a natural surface trail and wildlife viewing platform.



DRAFT

LENOX PARK / UNCLASSED GREENSPACE

ACRES: 0.4

ASPIRING CLASS:

Pocket Park

EXISTING CONDITION RATING:

2 - Moderate loss of aesthetics and function

EXISTING FEATURES:

- Historic Spring
- Picnic tables

DESCRIPTION:

This small park is nestled in the neighborhood, offering a potential refuge from the streetscape.

RECOMMENDATIONS:

- Highlight the historic spring on the site with an interpretive feature
- Create a strong connection to the Ecusta trail through wayfinding and placemaking elements
- Create gathering spaces and refuges for the neighborhood and Ecusta trail users
- Incorporate historic aesthetic elements throughout site features, seating, etc.

Note: Existing site conditions such as topography and existing soils should be evaluated before finalizing and implementing new facilities.

DRAFT

KEITH PARK / UNCLASSED GREENSPACE

ACRES: 0.5

ASPIRING CLASS:

Pocket Park

EXISTING CONDITION RATING:

2 - Moderate loss of aesthetics and function

EXISTING FEATURES:

- n/a

DESCRIPTION:

Triangular lot with no current function.

RECOMMENDATIONS:

- Add accessible sidewalks around the perimeter
- Add seating and gathering area
- Create a connection to Patton Park through wayfinding and consider rethinking park as a neighborhood gateway
- Consider adding a small playground

Note: Existing site conditions such as topography and existing soils should be evaluated before finalizing and implementing new facilities

DRAFT

BRYAN STREET PROPERTY/ UNCLASSED GREENSPACE

ACRES: 0.2

EXISTING CONDITION RATING:

2 - Moderate loss of aesthetics and function

EXISTING FEATURES:

- none

DESCRIPTION:

Triangular lot with no current function other than greenspace.

Recommendations: Explore best and highest use of property. Potential examples to consider:

- Leave as greenspace
- Add seating and signage
- Add public art
- Consider whether property is better utilized for another purpose - size of lot and conditions is not conducive to providing park-like amenities for the neighborhood.

Note: Existing site conditions such as topography and existing soils should be evaluated before finalizing and implementing new facilities.

G

GLOSSARY

A

APPENDICES

HENDERSONVILLE
PARKS
PARKS AND GREENSPACE PLAN

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Adam Steurer **MEETING DATE:** November 7, 2024

AGENDA SECTION: NEW BUSINESS **DEPARTMENT:** Water and Sewer

TITLE OF ITEM: Tentative Construction Contract Award WWTF Thermal Dryer Project– *Adam Steurer, Utilities Director*

SUGGESTED MOTION(S):

I move City Council to adopt the Resolution By the City of Hendersonville of tentative award and authorization for the City Manager to enter into a contract with Turner Murphy Company, Inc. for the construction of the WWTF Thermal Dryer Project.

SUMMARY:

The Wastewater Treatment Facility (WWTF) Biosolids Thermal Dryer project will produce a high-quality, thermally dried product that is safe for beneficial reuse through distribution or land application. The thermal dryer equipment, once operational after completion of the project, will reduce the utility's current solids hauling and disposal costs and reduce the utility's vulnerability on reliance of the volatile private hauling and landfills disposal markets.

On October 24, 2024, formal bids for construction of the project were opened and are summarized in the attached bid tabulation. Turner Murphy Company, Inc. is the lowest responsive and responsible bidder.

Turner Murphy Company, Inc.:	$11,890,319.56
PC Construction Company:	$11,997,000.00
State Utility Contractors, Inc.:	$13,329,000.00

This project is partially funded through a direct appropriation under S.L. 2023-134 and administered by the North Carolina Department of Environmental Quality (NCDEQ). The final award is tentative and is contingent on approval from NCDEQ, which is administering the grant funding for the project.

BUDGET IMPACT: $11,890,319.56

Is this expenditure approved in the current fiscal year budget? Project is funded through a CPO.

If no, describe how it will be funded. N/A

ATTACHMENTS:

1. Resolution
2. Bid Tabulation and Recommendation of Award

Resolution #__-____

RESOLUTION BY THE CITY OF HENDERSONVILLE OF TENTAIVE AWARD AND AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE CONSTRUCTION OF THE WWTF THERMAL DRYER PROJECT

WHEREAS, the City owns and operates a water treatment facility (WWTF) that produces a solid residual effluent as part of the treatment process; and

WHEREAS, the City intends to construct biosolids thermal dryer process equipment that will produce a high-quality, thermally dried product that is safe for beneficial reuse through distribution or land application; and

WHEREAS, once completed the project will reduce the utility's current solids residuals hauling and disposal costs and reduce the utility's vulnerability on reliance of the volatile private hauling and landfills disposal markets; and

WHEREAS, on October 24, 2024, formal bids for construction of the project were opened as follows:

Turner Murphy Company, Inc.:	$11,890,319.56
PC Construction Company:	$11,997,000.00
State Utility Contractors, Inc.:	$13,329,000.00

WHEREAS, formal bids were reviewed for completeness and accuracy. Turner Murphy Company, Inc. is the lowest responsive, responsible bidder; and

WHEREAS, the final contract award is tentative and is contingent on approval from the North Carolina Department of Environmental Quality, which is administering the grant funding for the project.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. The City Manager is authorized to award and execute a contract for the construction of the WWTF Thermal Dryer Project upon approval from the North Carolina Department of Environmental Quality to Turner Murphy Company, Inc., the lowest responsive and responsible bidder in the total amount of $11,890,319.56.
2. The City Manager is authorized to approve change orders which cumulatively do not exceed 5% of the approved contract amount of $11,890,319.56, provided however that any necessary budget ordinance or project ordinance amendments must be brought back to the City Council for approval.

Adopted by the City Council of the City of Hendersonville, North Carolina on this ___ day of _____, 20___.

Attest: _____
Barbara G. Volk, Mayor, City of Hendersonville

_____
Jill Murray, City Clerk

Approved as to form: _____ Angela S. Beeker, City Attorney

McKIM&CREED

ENGINEERS
SURVEYORS
PLANNERS

October 28, 2024 06496-0015

Mr. Adam Steurer, PE
Utilities Director
City of Hendersonville
305 Williams Street
Hendersonville, NC 28792

RE: Bid Tabulation and Recommendation of Award
City of Hendersonville WWTF Biosolids Thermal Dryer
NCDEQ DWI Project No.: SRP-W-134-0060

Mr. Steurer:

On Thursday, October 24, 2024, at 2:00 pm (EST), the City of Hendersonville received bids for the Hendersonville WWTF Biosolids Thermal Dryer project. Three (3) bids were received, and the bids were opened and read aloud. The advertisement and bidding procedures were consistent with statutory requirements, to the best of our knowledge. Please refer to the attached certified bid tabulation for the bids received. The referenced bids have been reviewed by the Engineer, and Turner Murphy Company, Inc., of Rock Hill, SC (NC License # 9072) is the apparent low bidder, with a bid submitted in the base bid amount of $11,890,319.56.

Turner Murphy Company, Inc. is properly licensed and was eligible to bid on this project as a prequalified bidder as determined by the City's prequalification process. Based on the Engineer's review of the bids, we recommend award of the project to the lowest responsible, responsive bidder, Turner Murphy Company, Inc. in the amount of $11,890,319.56.

Please accept this letter as the formal recommendation of award of the construction contract to Turner Murphy Company, Inc. This recommendation of award is subject to acceptance of the submitted bid by the City of Hendersonville.

Enclosed you will find the following documents:

- Certified Bid Tabulation
- Turner Murphy Company, Inc. Bid Package

8020 Tower Point Drive
Charlotte, NC 28227

704.841.2588
Fax 704.841.2567

www.mckimcreed.com

We appreciate this opportunity to serve the City of Hendersonville and look forward to the successful completion of this project. Should you have any questions or concerns regarding this letter or any of the enclosures, please do not hesitate to contact our office.

Sincerely,
McKim & Creed, Inc.

Zachary Trammel, PE
Regional Manager

Enclosures

City of Hendersonville WWTF Biosolids Thermal Dryer BID TABULATION City Project No. 16036 NCDEQ DWI Project No. SRP-W-134-0060 Bid Opening: October 24, 2024 at 2:00 PM EST				Turner Murphy Company, Inc. Rock Hill, SC NC License # 9072		PC Construction Company South Burlington, VT NC License # 6142		State Utility Contractors, Inc. Monroe, NC NC License # 17793	
Item No.	**Description**	**Quantity**	**Units**	**Bid Unit Price**	**Extended Bid Price**	**Bid Unit Price**	**Extended Bid Price**	**Bid Unit Price**	**Extended Bid Price**
1	Mobilization/Demobilization (5% max)	1	LS	$375,000.00	$375,000.00	$593,900.00	$593,900.00	$500,686.44	$500,686.44
2	Civil/Site Work	1	LS	$1,150,000.00	$1,150,000.00	$283,700.00	$283,700.00	$500,000.00	$500,000.00
3	Yard Piping	1	LS	$950,000.00	$950,000.00	$467,700.44	$467,700.44	$350,000.00	$350,000.00
4	Covered Storage Shelter Modifications	1	LS	$2,500,706.00	$2,500,706.00	$6,123,186.00	$6,123,186.00	$5,000,000.00	$5,000,000.00
5	Dewatered Cake Conveyance System	1	LS	$850,000.00	$850,000.00	$745,100.00	$745,100.00	$1,000,000.00	$1,000,000.00
6	Installation of Biosolids Thermal Dryer Equipment Package	1	LS	$750,000.00	$750,000.00	$192,800.00	$192,800.00	$2,992,000.00	$2,992,000.00
7	Installation of 6" TWAS Electromagnetic Flow Meters	1	LS	$35,000.00	$35,000.00	$13,300.00	$13,300.00	$5,000.00	$5,000.00
8	Electrical	1	LS	$3,950,000.00	$3,950,000.00	$2,821,000.00	$2,821,000.00	$2,250,000.00	$2,250,000.00
9	Solor Photovoltaic System (INELIGIBLE FOR STATE GRANT FUNDS)	1	LS	$650,000.00	$650,000.00	$379,600.00	$379,600.00	$350,000.00	$350,000.00
10	Open Cut Underground Duct Bank - Balfour Road (SR1508)	1	LS	$450,000.00	$450,000.00	$141,300.00	$141,300.00	$150,000.00	$150,000.00
11	Adjustment Unit Prices								
11.1	Excavation of Unsuitable Materials & Disposal	30	CY	$30.00	$900.00	$100.00	$3,000.00	$50.00	$1,500.00
11.2	Additional General Fill	50	CY	$35.00	$1,750.00	$70.00	$3,500.00	$30.00	$1,500.00
11.3	Additional Stone Backfill	30	CY	$55.00	$1,650.00	$120.00	$3,600.00	$100.00	$3,000.00
12	Allowances								
12.1	SCADA Integrator Allowance	1	LS	$180,313.56	$180,313.56	$180,313.56	$180,313.56	$180,313.56	$180,313.56
12.2	Site Security Allowance	1	LS	$45,000.00	$45,000.00	$45,000.00	$45,000.00	$45,000.00	$45,000.00
	TOTAL CONTRACT AMOUNT			**$11,890,319.56**		**$11,997,000.00**		**$13,329,000.00**	
	MBE/WBE (10% GOAL)			0%		0%		6.63%	

I HEREBY CERTIFY THAT THE ABOVE TABULATION IS A CORRECT TABULATION OF THE BIDS RECEIVED ON OCTOBER 24, 2024, FOR THE HENDERSONVILLE WWTF BIOSOLIDS THERMAL DRYER PROJECT.

10/25/2024

Zachary Trammel, PE
Regional Manager
McKim & Creed, Inc.

Date

NORTH CAROLINA PROFESSIONAL SEAL 046291 ENGINEER ZACHARY M. TRAMMEL
10/25/2024

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Adam Murr **MEETING DATE:** 11/07/2024

AGENDA SECTION: NEW BUSINESS **DEPARTMENT:** Administration

TITLE OF ITEM: Helene Response and Recovery Project Ordinance and Reimbursement Resolution – *Adam Murr, Budget & Eval. Director*

SUGGESTED MOTION(S):

I move City Council adopt the Project Ordinance and Reimbursement Resolution for the Helene Response and Recovery Project, #H2024 as presented.

SUMMARY:

General Statute 159-13.2 provides North Carolina local governments the power to grant and maintain capital and grant project ordinances (CPOs and GPOs).

Helene Response and Recovery Project, #H2024. A grant project ordinance and reimbursement resolution supporting response and recovery actions by the City of Hendersonville related to the Hurricane/Tropical Storm Helene event. This initial project ordinance and reimbursement resolution makes available $5,000,000 to support ongoing response and recovery efforts. The City will continue to leverage available funds for emergency response, with reimbursement for many eligible efforts anticipated from the Federal Emergency Management Agency (FEMA).

BUDGET IMPACT: Attached Project Ordinance and Reimbursement Resolution.

Is this expenditure approved in the current fiscal year budget? N/A

If no, describe how it will be funded. N/A

ATTACHMENTS:

1. Grant Project Ordinance #H2024.
2. Reimbursement Resolution #H2024.

Ordinance #_____

GRANT PROJECT ORDINANCE FOR THE EXECUTION, ACQUISITION, CONSTRUCTION, AND INSTALLATION OF THE HELENE RESPONSE AND RECOVERY PROJECT, #H2024

BE IT ORDAINED by the Governing Board of the City of Hendersonville, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1: The project authorized is a City project described as the Helene Response and Recovery Project, #H2024. Work associated with this project falls into FEMA's disaster response and recovery categories:

Emergency Work

Category A: Debris Removal -- Expenses related to clearing debris from public property, including roads, parks, and other infrastructure.

Category B: Emergency Protective Measures -- Costs for actions taken to protect public health and safety, such as: search and rescue operations; sheltering and evacuation; and medical care and emergency response.

Permanent Work

Category C: Roads and Bridges -- Repairs and restoration of transportation infrastructure, including highways, streets, and bridges.

Category D: Water Control Facilities -- Restoration and repair of drainage systems, levees, and other flood control measures.

Category E: Public Utilities -- Restoration of water, wastewater, electrical systems, and other essential public utilities.

Category F: Parks, Recreational Facilities, and Other -- Repair or replacement of parks, recreational areas, and public spaces.

Category G: Buildings and Equipment -- Repairs or replacements of public buildings, such as schools, community centers, and related equipment.

Administrative Work

Category Z: Management Costs -- Administrative costs related to the overall management of disaster response and recovery efforts, which are capped at a certain percentage of eligible project costs.

Section 2: The following amounts are appropriated for the project(s):

Account Codes				**Account Name**	**Total Budget**
Fund	Dept.	Account	Project		
301	N/A	N/A	H2024	FEMA Reimb.Exp.(Helene 2024)	$5,000,000
				Total Project Appropriation	**$5,000,000**

Section 3: The following revenues are anticipated to be available via contribution proceeds:

Account Codes				**Account Name**	**Total Budget**
Fund	Dept.	Account	Project		
301	0000	420050	H2024	Grant (FEMA - Helene 2024)	($5,000,000)
				Total Project Appropriation	**($5,000,000)**

Section 4: The Finance Director is hereby directed to maintain within the General Fund, Main Street MSD Fund, 7th Avenue MSD Fund, Water & Sewer Fund, Parking Fund, Stormwater Fund and Environmental Services Fund sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable.

Section 5: Funds may be advanced from the General Fund, Main Street MSD Fund, 7th Avenue MSD Fund, Water & Sewer Fund, Parking Fund, Stormwater Fund and Environmental Services Fund, as necessary for the purpose of making payments as due. Reimbursement requests shall be made in an orderly and timely manner.

Section 6: The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and Section 4.

Section 7: The Finance Director is further instructed to include a detailed analysis of past and future revenues and expenses during each annual budget submission made to the Governing Board.

Section 8: Copies of this grant project shall be furnished to the City Clerk, Finance Director, and City Manager for direction in carrying out this project.

Section 9: The City Manager, or designee, is authorized to declare the project completed, close the project ordinance, and distribute remaining project funds to the appropriate operating fund or reserve fund.

ADOPTED by the City Council of the City of Hendersonville, North Carolina, on this 7th day of November 2024.

Attest: Barbara G. Volk, Mayor, City of Hendersonville

Jill Murray, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

Resolution #_____

HENDERSONVILLE, NORTH CAROLINA
DECLARATION OF OFFICIAL INTENT TO REIMBURSE

BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina, this declaration (the "Declaration") is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of HENDERSONVILLE, North Carolina (the "Issuer") with respect to the matters contained herein.

Expenditures to be Incurred. The Issuer anticipates incurring expenditures (the "Expenditures") for EXECUTION, ACQUISITION, CONSTRUCTION, AND INSTALLATION OF THE HELENCE RESPONSE AND RECOVERY PROJECT (#H2024), ORDINANCE #_____ (the "Projects").

Plan of Finance. The Issuer intends to finance the costs of the Project(s) with the grant revenue to be issued by the Issuer (the "Borrowing"), the interest on which is to be excluded from gross income for Federal income tax purposes.

Maximum Principal Amount of Debt to be Issued. The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is $5,000,000.

Declaration of Official Intent to Reimburse. The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

ADOPTED by the City Council of the City of Hendersonville, North Carolina, on this 7th day of November 2024.

Attest: _____ Barbara G. Volk, Mayor, City of Hendersonville

_____
Jill Murray, City Clerk

Approved as to form:

_____
Angela S. Beeker, City Attorney

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Adam Steurer **MEETING DATE:** November 7, 2024

AGENDA SECTION: New Business **DEPARTMENT:** Water and Sewer

TITLE OF ITEM: Lead Water Service Line Inventory Update – *Adam Steurer, Utilities Director*

SUGGESTED MOTION(S):

N/A

SUMMARY:

Recently the United States Environmental Protection Agency (EPA) issued a final rule requiring drinking water systems to follow the new Lead and Copper Rule Revisions and Improvements Legislation.

Delivering safe drinking water and protecting the health of the community is the Hendersonville Water and Sewer Department's core mission. Staff will provide an update on how the utility is complying with the new legislation.

BUDGET IMPACT: N/A

Is this expenditure approved in the current fiscal year budget?

If no, describe how it will be funded.

ATTACHMENTS:

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Jay Heatherly

MEETING DATE: November 7, 2024

AGENDA SECTION: Consent Agenda

DEPARTMENT: Information Technology

TITLE OF ITEM: Resolution to Accept Grant Funds (#G2502) – *Jay Heatherly, IT Manager*

SUGGESTED MOTION(S):

I move that City Council adopt a resolution accepting the funds of $199,286 from the FY23 State and Local Cybersecurity Grant to increase network security and infrastructure.

SUMMARY:

The City has applied for a grant from the United States Department of Homeland Security for increased network security and infrastructure. The grant amount is $199,286.

ATTACHMENTS: Resolution to Accept Grant Funds

Resolution #__-____

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL ACCEPTING A GRANT FROM THE DEPARTMENT OF HOMELAND SECURITY FOR THE PURPOSE OF SUPPLEMENTING EFFORTS TO IMPROVE CYBER SECURITY FOR THE CITY OF HENDERSONVILLE

WHEREAS, Department of Homeland Security (DHS) has established a grant for use by state and local governments to improve and harden network security and infrastructure, distributed by the North Carolina Emergency Management (NCEM); and

WHEREAS, the Information Technology Department applied for and was awarded the FY23 State and Local Cybersecurity Grant Program (SLCGP) from DHS in the amount of $199,286; and

WHEREAS, the City of Hendersonville desires to accept the grant funds; and

WHEREAS, the Grant acceptance provides that the City will undertake activities to increase network security and infrastructure including, but not limited to the purchase of new hardware and the completion of a cybersecurity audit;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. The City hereby accepts the $199,286 FY23 SLCGP Grant to be used for the purposes as set out in the NCEM Grant Agreement; and
2. The City Manager is authorized to execute the Grant Agreement, with such changes as he deems appropriate, provide they are consistent with the terms of this Resolution;
3. City Staff are authorized and directed to proceed with the performance and implementation of the SLCGP Grant and as outlined in the NCEM Grant Agreement.

Adopted by the City Council of the City of Hendersonville, North Carolina on this ___day of _____ 20___.

Attest: _____ Barbara G. Volk, Mayor, City of Hendersonville

_____
Jill Murray, City Clerk

Approved as to form:

_____
Angela S. Beeker, City Attorney

FISCAL YEAR 2024 - 2025 (FY25)
BUDGET AMENDMENTS AND ADJUSTMENTS

Completed	Corrected
Proposed	Denied

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET

DESCRIPTION	APPROVED	TYPE	AMENDMENT NUMBER

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: Jennifer Floyd **MEETING DATE:** 11/07/2024

AGENDA SECTION: City Manager Report **DEPARTMENT:** Administration

TITLE OF ITEM: October 2024 Contingency and Adjustment Report – *John Connet, City Manager*

SUGGESTED MOTION(S):

N/A – Presentation Only.

SUMMARY:
In accordance with North Carolina General Statute (NCGS) 159-13(b) it is required that all expenditures resulting from a contingency appropriation budget be reported to the governing board at its next regular meeting and recorded in the minutes.

NCGS 159-15 permits the Budget Officer (City Manager), to transfer budget from one appropriation to another within the same fund, provided any such transfers are reported to the Governing Board. The City of Hendersonville refers to transfers of budget from one appropriation to another within the same fund as a "budget adjustment". City Council authorizes budget adjustments each year with the adoption of the annual budget ordinance (SECTION 4).

This agenda item serves to fulfill the reporting requirements of both NCGS 159-13(b) and 159-15 by providing City Council a summary of all amendments and adjustments occurring thus far in the fiscal year.

BUDGET IMPACT: Detailed Above

Is this expenditure approved in the current fiscal year budget? N/A

If no, describe how it will be funded. N/A

ATTACHMENTS:
Contingency and Adjustment Report

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: John Connet, City Manager **MEETING DATE:** 11/07/2024

AGENDA SECTION: CITY MANAGER REPORT **DEPARTMENT:** Administration

TITLE OF ITEM: City Manager Hurricane Helene Report Updates – *John Connet, City Manager*

SUGGESTED MOTION(S):

NA

SUMMARY:

City staff continues to move forward with recovery activities following Hurricane Helene. The City Manager will provide a report regarding these activities at all City Council meetings for the foreseeable future.

BUDGET IMPACT: $ TBD

Is this expenditure approved in the current fiscal year budget? TBD

If no, describe how it will be funded. EnterTextHere

ATTACHMENTS:

TBD

CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

SUBMITTER: John Connet **MEETING DATE:** 11/7/2024

AGENDA SECTION: CLOSED SESSION **DEPARTMENT:** Administration

TITLE OF ITEM: Closed Session – *John Connet, City Manager*

SUGGESTED MOTION(S):

I move that City Council enter closed session pursuant to NCGS § 143-318.11 (a) (1), (3), (4) and (6) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, to consult with an attorney employed or retrained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, to discuss matters relating to the location or expansion of industries and businesses in the area served by the public body and to consider the qualifications, competence, performance and character, fitness conditions of an individual public officer.

SUMMARY:

City staff is requesting a closed session to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, to consult with an attorney employed or retrained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, to discuss matters relating to the location or expansion of industries and businesses in the area served by the public body and to consider the qualifications, competence, performance and character, fitness conditions of an individual public officer

BUDGET IMPACT: $ TBD

Is this expenditure approved in the current fiscal year budget? NA

If no, describe how it will be funded. NA

ATTACHMENTS:

None