

Thursday – February 20, 2025 - 11:00 a.m.

Agenda Briefing Worksession - For February 25, 2025, Council Meeting

Present: Vice-Mayor S. Antanette Mosley, Presiding; Councilman Bo Hess; Councilwoman Kim Roney; Councilwoman Sheneika Smith; Councilwoman Sage Turner; Councilwoman Maggie Ullman; City Manager Debra Campbell; City Attorney Brad Branham; and City Clerk Magdalen Burleson

Absent: Mayor Esther E. Manheimer

City Council held an agenda briefing worksession to discuss the upcoming and future agenda items. In addition, City Council reviewed upcoming City Council committees that will be taking place during the next two weeks.

Discussion occurred on the following other issues and updates:

- CDBG-DR Action Plan Community Feedback Update
- City Contracting/Disparity Study/ABI Update

At 12:46 p.m., Vice-Mayor Mosley adjourned the agenda briefing worksession.

Tuesday – February 25, 2025 - 5:00 p.m

Regular Meeting

Present: Mayor Esther E. Manheimer, Presiding; Vice-Mayor S. Antanette Mosley; Councilman Bo Hess; Councilwoman Kim Roney; Councilwoman Sheneika Smith; Councilwoman Sage Turner; Councilwoman Maggie Ullman; City Manager Debra Campbell; City Attorney Brad Branham; and City Clerk Magdalen Burleson

PLEDGE OF ALLEGIANCE

Mayor Manheimer led City Council in the Pledge of Allegiance.

Mayor Manheimer was pleased to announce that the City has offered a new website which is live now - Ashevillerecovers.org. It's a great "one stop" information source for our community. You can find progress updates, sign up to get progress updates emailed to you, get a list of public meetings, FEMA deadlines, City and community resources, and ways to volunteer.

Mayor Manheimer also announced that the WNC Nature Center will be open to the public on March 17, 2025, noting it is a nice milestone in our community recovery efforts.

I. PROCLAMATIONS:

A. PROCLAMATION PROCLAIMING THE WEEK OF FEBRUARY 24-28, 2025, AS "INVASIVE SPECIES AWARENESS WEEK "

Councilwoman Ullman read the proclamation proclaiming the week of February 24-28, 2025, as "Invasive Species Awareness Week " in the City of Asheville. She presented the proclamation to Raven Sterling, Founder, Head Tree Hugger, Raven Invasive Plant Management; Karen MacNeil, Montford Neighborhood Association; and LB Bacchus, Cofounder and Director of Kudzu Culture, who briefed City Council on some activities taking place during the week.

B. PROCLAMATION PROCLAIMING MARCH 2025 AS “PROCUREMENT MONTH”

Councilwoman Roney read the proclamation proclaiming March, 2025, as "Procurement Month" in the City of Asheville. She presented the proclamation to Assistant Finance Director Becki Ogles, who introduced Beatrice Abernathy, Tawnya Vess, Sarah Armstrong, Andrew Carlson, Ryan Foster, Brenda Griffith and Amy Patterson (who was unable to attend this meeting).

II. CONSENT AGENDA:

A. APPROVAL OF THE COMBINED MINUTES OF THE AGENDA BRIEFING WORKSESSION HELD ON FEBRUARY 6, 2025; THE FORMAL MEETING HELD ON FEBRUARY 11, 2025; AND CITY COUNCIL ANNUAL RETREAT ON FEBRUARY 13-14, 2025

B. RESOLUTION NO. 25-31 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE N.C. HISTORIC PRESERVATION OFFICE TO ACCEPT A HISTORIC PRESERVATION FUND FEDERAL PASS-THROUGH GRANT FOR THE PURPOSE OF FACILITATING AN HISTORIC PRESERVATION-FOCUSED COMMUNITY EDUCATIONAL EVENT(S)

ORDINANCE NO. 5117 - BUDGET AMENDMENT FROM THE HISTORIC PRESERVATION FUND FOR COMMUNITY EDUCATIONAL EVENTS

Action Requested: Adoption of a resolution to authorize the City Manager to enter into an agreement with the N.C. Historic Preservation Office to accept a \$7,000 Historic Preservation Fund federal pass-through grant for the purpose of facilitating an historic preservation-focused community educational event(s); and adoption of the associated budget amendments in the Special Revenue Fund for the grant monies, and in the General Fund for Buncombe County's FY '25 allocation of \$7,140 to support the program of work associated with the City-managed Historic Resources Commission.

Background:

- The Historic Resources Commission/City of Asheville has been awarded an Historic Preservation Fund (HPF) federal pass-through grant in the amount of \$7,000; the grant was awarded in August 2024.
- Funds can be utilized to facilitate an educational event or events in late 2025, which would highlight historic preservation and its intersectionality with other related and timely topics, such as housing attainability, disaster planning and resiliency, heritage tourism, and the important role historic preservation plays in the local economy.
- The event(s) will be free and open to the public.
- Buncombe County allocates funding to the City's Historic Resources Commission annually, \$7,140 received in FY 2024-2025
- The City can utilize part of the Buncombe County allocation to provide the \$3,000 match required to receive the grant award.

Council Goal(s):

- A Connected and Engaged Community; and a Well-planned & Liveable Community

Pro(s):

- Funding will be made available for an educational event(s) that will be free and open to the public.

Con(s):

- None.

Fiscal Impact:

- The City provision of \$3,000 in matching funds, which would come from the County's FY25 contribution of funds to support the City-County wide Historic Preservation program. With the City's match, the grant funding, and Buncombe County's allocation, the City has \$14,140 in additional funding to support the work of the Historic Resource Commission.

Motion:

- Motion to adopt a resolution to authorize the City Manager to enter into an agreement with the N.C. Historic Preservation Office to accept a \$7,000 Historic Preservation Fund federal pass-through grant for the purpose of facilitating an historic preservation-focused community educational event(s); and the associated budget amendment in the Special Revenue Fund and General Fund.

**RESOLUTION BOOK NO. 45 - PAGE 313
ORDINANCE BOOK NO. 36 - PAGE 85**

- C. RESOLUTION NO. 25-32 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE CONTRACT WITH BILTMORE FARMS HOTEL GROUP TO EXTEND THE CONTRACT PERIOD FROM 60 TO 100 DAYS AND TO INCREASE FUNDING TO COVER LODGING EXPENSES FOR FIRST RESPONDERS, ESSENTIAL EMPLOYEES AND OUT-OF-AREA EMERGENCY RESOURCES ASSOCIATED WITH TROPICAL STORM HELENE THROUGH JANUARY 1, 2025**

Action Requested: Adoption of resolution authorizing an amendment to the contract with Biltmore Farms Hotel Group to extend the contract period from 60 to 100 days and to increase funding by \$43,000 for a total of \$415,009.70 to cover lodging expenses for first responders, essential employees and out-of-area emergency resources associated with Tropical Storm Helene through January 1, 2025.

Background:

- The City of Asheville had a need to reserve lodging for employees and out-of-area resources who were essential to Tropical Storm Helene emergency response efforts.
- The City outreached and engaged with multiple vendors throughout the area to provide these services.
- The number of rooms the City reserved at each location was dependent upon power, water, and internet capabilities; available staffing; and the number of available rooms at each property.
- Biltmore Farms Hotel Group (Hampton Inn & Suites) was made available to Asheville City Police and out-of-area law enforcement personnel critical to search, rescue and recovery efforts.
- Once lodging was secured, some out-of-area resources maintained lodging longer than initially anticipated.

Vendor Outreach Efforts:

- Staff performed outreach to a variety of businesses through phone and email solicitation the weekend of 9/27/24 to 9/29/24.
- The City was able to connect with and ultimately reserve lodging—to varying degrees—at all of the properties that answered the calls and emails.

Council Goal(s):

- Connected and Engaged Community

Committee(s):

- N/A

Pro(s):

- Fulfilled required needs and provided lodging to essential first responders.

Con(s):

- None

Fiscal Impact:

- This contract amendment adds \$43,000 to the existing contract, for a total of \$415,009.70. It is expected to be fully eligible for FEMA reimbursement and is budgeted in the Special Revenue Fund.

Motion:

- Motion to approve a resolution authorizing an amendment to Contract # 92500230 to extend the contract period from 60 to 100 days and to increase funding by \$43,000 to cover lodging expenses for first responders, essential employees and out-of-area emergency resources associated with Tropical Storm Helene.

RESOLUTION BOOK NO. 45 - PAGE 314

D. RESOLUTION NO. 25-33 - RESOLUTION AUTHORIZING CITY COUNCIL TO ACCEPT GRANT FUNDS FOR THE PUBLIC TRANSIT APPRENTICESHIP GRANT PROGRAM FOR FISCAL YEAR 2026 FROM THE N.C. DEPT. OF TRANSPORTATION; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS

Action Requested: Adoption of a resolution authorizing City of Asheville to accept grant funds for the Public Transit Apprenticeship Grant Program for Fiscal Year 2026 from the North Carolina Department of Transportation and authorize the City Manager to execute all documents.

Background:

- The North Carolina Department of Transportation (NCDOT) funds an annual program that places recent university graduates with an interest in public transit within a city/transit agency for 1 year as a full-time, paid staff member.
- The City has participated in this program several times over the last decade and currently has a Transit Apprentice who started in September 2024.
- In December, Transportation Department staff submitted an application to the program manager at NCDOT requesting approval to participate in the program in Fiscal Year (FY) 2026.
- NCDOT notified the City in January that it was approved to participate in the program again in FY 26.
- NCDOT provides 90% of the funding for the salary and benefits of the apprentice; the City Transit Operations Fund would provide the remaining 10%. The total cost for the Apprentice for FY26 is \$57,178, with the State paying \$51,460 and the City paying \$5,718.
- The transit apprentice will work within the Transit Planning Division of the Transportation Department and assist the division with ongoing work program items related to transit service.

- The apprentice is also required by the NCDOT to prepare a research report at the end of the apprenticeship.
- The Transit Apprentice would begin work in summer/fall of 2025.

Vendor Outreach Efforts:

- N/A

Council Goal(s):

- Transportation and Accessibility

Committee(s):

- None

Pro(s):

- 90% of apprentice costs are covered by NCDOT.
- Supports the Transit Planning Division to assist in transit-related projects and programs.

Con(s):

- The City provides 10% of the cost, not to exceed \$5,718.

Fiscal Impact:

- NCDOT provides 90% of the funding for the salary and benefits of the Apprentice; the City Transit Operations Fund would provide the remaining 10%. The total cost for the Apprentice for FY26 is \$57,178, with the State paying \$51,460 and the City paying \$5,718.

Motion:

- Motion to adopt a resolution authorizing City of Asheville to accept grant funds for the Public Transit Apprenticeship Grant Program for Fiscal Year 2026 from the North Carolina Department of Transportation and authorize the City Manager to execute all documents.

RESOLUTION BOOK NO. 45 - PAGE 315

E. RESOLUTION NO. 25-34 - RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO THE N.C. DEPT. OF TRANSPORTATION - INTEGRATED MOBILITY DIVISION FOR SECTION 5303 METROPOLITAN PLANNING PROGRAM ANNUAL FUNDING TO FUND A PORTION OF THE EXISTING TRANSIT PLANNING DIVISION PERSONNEL BUDGET IN FISCAL YEAR 2026

Action Requested: Adoption of a resolution authorizing the City Manager to apply to the North Carolina Department of Transportation - Integrated Mobility Division for Section 5303 Metropolitan Planning Program annual funding to fund a portion of the existing Transit Planning Division personnel budget in Fiscal Year 2026.

Background:

- The City applies annually to the North Carolina Department of Transportation - Integrated Mobility Division to receive Section 5303 funds (Metropolitan Planning Program).
- The City uses the Section 5303 funding to fund existing transit planning activities such as grant management, administration, and reporting; short and long-range transit planning; analyses of transit operations; and required semi-annual DBE program preparation and reporting.
- The funds supplement the Transit Planning Division personnel budget, which includes the Transit Planning Manager and additional transit planning staff positions.

- The Federal Transit Administration grant will provide 80% of the anticipated funding (\$159,051), with the North Carolina Department of Transportation and the City of Asheville each providing 10% of the remaining amount at \$15,905 and \$15,906, respectively.
- Once staff receives notification of award, a separate future action to accept the funds and budget them for FY 26 will be brought forward to Council.

Vendor Outreach Efforts:

- N/A. This is a grant that supplements the Transit Planning Division personnel budget.

Council Goal(s):

- Transportation and Accessibility

Committee(s):

- None

Pro(s):

- Supplements funding for multiple transit planning positions.
- Enables the City of Asheville to leverage \$127,240 in Federal Funding and \$15,906 in State funds to support the City's transit planning activities.

Con(s):

- The City is responsible for 10% local match, which is \$15,906.

Fiscal Impact:

- If awarded the grant funding (\$159,051), 10% local matching funds (\$15,906) and associated expenses will be included in the FY 26 Proposed Budget for the Transit Operations Fund.

Motion:

- Motion to adopt a Resolution authorizing the City Manager to apply to the North Carolina Department of Transportation - Integrated Mobility Division for Section 5303 Metropolitan Planning Program annual funding to fund a portion of the existing Transit Planning Division personnel budget in FY 26.

RESOLUTION BOOK NO. 45 - PAGE 316

F. RESOLUTION NO. 25-35 - RESOLUTION RATIFYING THE ANNUAL AGREEMENT WITH THE N.C. DEPT. OF TRANSPORTATION FOR THE FISCAL YEAR 2025 STATE MAINTENANCE ASSISTANCE PROGRAM (SMAP) GRANT FUNDS TO SUPPORT TRANSIT OPERATIONS AND AUTHORIZING CITY COUNCIL TO ACCEPT THE FUNDS

Action Requested: Adoption of a resolution to ratify the annual agreement with North Carolina Department of Transportation (NCDOT) for the Fiscal Year (FY)25 State Maintenance Assistance Program (SMAP) grant funds to support transit operations and accept the funds.

Background:

- The City of Asheville annually receives SMAP funds from the NCDOT to support transit operations. The City utilizes the funds to help offset eligible operating expenses.
- The ratification is necessary because NCDOT disbursed the annual SMAP funds to the City before receiving the City's funding application and prior to executing an agreement.
- This occurred due to unforeseen circumstances associated with Tropical Storm Helene.

- This action seeks to ratify the agreement between the City and NCDOT and accept the \$1,098,253 in funds.

Vendor Outreach Efforts:

- N/A. This is a grant that supplements the Transit Division's Operations budget.

Council Goal(s):

- Transportation and Accessibility

Committee(s):

- None

Pro(s):

- Supplements funding for transit operating expenses.

Con(s):

- The City is responsible for 100% local match, which is \$1,098,253.

Fiscal Impact:

- The SMAP Program is providing \$1,098,253 in grant funds for FY 25 to the City to support transit operations. This is the same amount the City has received for the last several years.
- The local match requirement is 100%, which has already been budgeted in the FY25 Transit Operations Fund.

Motion:

- Motion to adopt a resolution to ratify the annual agreement with North Carolina Department of Transportation for the FY 25 State Maintenance Assistance Program (SMAP) grant funds to support transit operations and accept the funds in the FY 25 Transit Operations Fund.

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G. RESOLUTION NO. 25-36 - RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO THE FRENCH BROAD RIVER METROPOLITAN PLANING ORGANIZATION FOR THE ANNUAL SECTION 5307 JOB ACCESS REVERSE COMMUTE GRANT PROGRAM TO FUND EXISTING TRANSIT OPERATIONS FOR ROUTES 170 AND S3

Action Requested: Adopt a resolution authorizing the City Manager to apply to the French Broad River Metropolitan Planning Organization for the annual Section 5307 Job Access Reverse Commute Grant Program to fund existing transit operations for Route 170 and S3.

Background:

- The City applies to the FBRMPO each year to receive FTA Section 5307 JARC funding to support existing transit operations.
- The Call-for-Projects from the FBRMPO was released on January 16, 2025 with applications due February 20, 2025. Therefore, due to the limited time frame between the Call-for-Projects and the application due date, staff prepared and submitted the application prior to receiving City Council approval.
- This action seeks to retroactively authorize the application submission. If the Council does not authorize the application, staff will notify the MPO and withdraw the application.
- Section 5307 (JARC) Background:

- Funding received from this grant source is used to fund existing service for Route 170 (the fixed-route service operated between downtown Asheville and the Town of Black Mountain) and Route S3 (the fixed-route service operated between downtown Asheville, Arden, and the Airport).
- For the last two years, the City has applied for the entire amount available from the JARC grant, which this year is \$412,909, with a 50% match (\$412,909) for a total project cost of \$825,818.
- For the last three years, the Town of Black Mountain has provided \$25,000 toward the required matching funds, specifically for Route 170. City staff will be requesting the same amount for FY 26.
- Buncombe County has also provided funding toward the required match for the previous three years for Route 170. The City requests funds from the County based on the service cost per hour and the number of hours the route operates within the County. For FY 26, City staff anticipates requesting approximately \$113,452 from the County for Route 170. This will be provided via a planned rescission of funds from Buncombe County's 5307 allocation.
- The City will provide the remainder that is already budgeted within the Transit Operations Budget.
- If awarded, City staff will return to the City Council to accept the grant, authorizing the City Manager to sign all the appropriate agreements and approve a budget amendment to include the funds in the budget.

Vendor Outreach Efforts: N/A

Council Goal(s):

- Transportation and Accessibility

Committee(s): N/A

Pro(s):

- Enables the City to use federal funds to help offset the annual operating cost of Route 170 and S3 fixed-route services.
- Buncombe County and Black Mountain contribute funds toward the required match.

Con(s):

- The City is responsible for the 50% local match for JARC Funding programs respectively, however Buncombe County and Black Mountain contribute funds toward the required match
- No administrative funding is awarded to the City for administering the 5307/JARC grant program.

Fiscal Impact:

- The City applied to the FBRMPO for FTA Section 5307 JARC funds for \$412,909, with a 50% match requirement of \$412,909, for a total project cost of \$825,818.
- If awarded, the grant funds will be budgeted in the Transit Operations Fund to offset expenses for FY26 transit services.

Motion:

- Motion to adopt a resolution authorizing the City Manager to apply to the French Broad River Metropolitan Planning Organization for the annual Section 5307 Job Access Reverse Commute Grant Program to fund existing transit operations for Route 170 and S3.

Mayor Manheimer asked for public comments on any item on the Consent Agenda, but received none.

Mayor Manheimer said that members of Council have been previously furnished with a copy of the resolutions and ordinances on the Consent Agenda and they would not be read.

Councilwoman Turner moved for the adoption of the Consent Agenda. This motion was seconded by Councilwoman Roney and carried unanimously.

III. PRESENTATIONS & REPORTS: None

IV. PUBLIC HEARINGS:

A. PUBLIC HEARING TO CONSIDER REZONING 94 GRANDVIEW ROAD FROM RESIDENTIAL MULTI-FAMILY LOW DENSITY DISTRICT AND COMMERCIAL INDUSTRIAL DISTRICT TO RESIDENTIAL MULTI-FAMILY LOW DENSITY DISTRICT

ORDINANCE NO. 5118- ORDINANCE TO REZONE 94 GRANDVIEW ROAD FROM RESIDENTIAL MULTI-FAMILY LOW DENSITY DISTRICT AND COMMERCIAL INDUSTRIAL DISTRICT TO RESIDENTIAL MULTI-FAMILY LOW DENSITY DISTRICT

Principal Planner Will Palmquist said that this is the consideration of an ordinance to rezone 94 Grandview Road from Residential Multi-Family Low Density District and Commercial Industrial District to Residential Multi-Family Low Density District. This public hearing was advertised on February 14 and 21, 2025.

Project Location and Contacts:

- The rezoning petition consists of one property totalling 3.38 acres and located at 94 Grandview Rd (PIN 9617-97-6674).
- Owner: Tinajero Adan Mandujano.

Summary of Petition:

- The applicant requests a rezoning of one property to the Residential Multi-Family Low Density (RM-6) District.
- The property is currently zoned Commercial Industrial (CI) and Residential Multi-Family Low Density (RM-6).
- Commercial Industrial (CI) district does not allow single-family detached dwellings as a permitted use.
- The property is currently vacant.
- The subject property is designated "Residential Neighborhood" on the city's Future Land Use (FLU) Map. A change to the FLU Map is not required.

Staff Recommendation:

- Staff recommends approval of this rezoning request based on the reasons stated below.

Comprehensive Plan Consistency:

- The proposed rezoning supports a number of goals in the Living Asheville Comprehensive Plan including:
 - **Encourage Responsible Growth** - by prioritizing greater densities of development overall, throughout the city as appropriate.

- **Celebrate the Unique Identity of Neighborhoods Through Creative Placemaking** - by continuing to support contextually appropriate infill development and a variety of housing types.
- **Increase and Diversify the Housing Supply** - by promoting zoning policies to encourage more housing by expanding areas permitting higher-density development.
- The proposed rezoning is compatible with the Future Land Use designation of “Residential Neighborhood” which is described, in part, as “mainly consisting of single family housing, the types of housing in residential neighborhoods generally offer little variation of building types throughout the neighborhood, such as a townhomes, duplexes or an apartment complex.”
- Residential Multi-Family Low Density (RM-6) is cited as an appropriate zoning district within the “Residential Neighborhood” Future Land Use category.

Compatibility Analysis:

- The purpose of the Residential Multi-Family Low Density (RM-6) district is, “to permit a limited range of low density multi-family housing types along with single-family detached and attached dwellings. This district is intended to provide a transitional area between single lower- and multi-family higher-density areas, and to provide a compatible mixture of these various housing types. Non-residential development normally required to provide the basic elements of a balanced and attractive residential area is also permitted” (UDO Sec. 7-8-5).
- The proposed rezoning petition is compatible with the surrounding land uses, including:
 - Residential Multi-Family Low Density (RM-6) zoned property directly to the east and south of the subject property.
 - Commercial uses located to the west of the subject property, zoned Commercial Industrial (CI).

Council Goal(s):

- This project is most closely aligned with the council goal of *A Well-Planned and Livable Community*.

Committee(s):

- Planning & Zoning Commission (PZC) - February 5, 2025 - Approved (Vote 7:0)

Pro(s):

- Allows for the development of single-family detached dwelling units across the entire property.
- Allows for higher density of potential multi-family development.
- Would provide a larger buffer of residential-zoned property to the existing residential neighborhood.

Con(s):

- None identified.

UDO District Comparison

UDO Provision	Commercial Industrial (CI)	Residential Multi-Family Low Density (RM-6)
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Allowed uses:	<ul style="list-style-type: none"> • Duplex • Townhouse • Multi-Family • Accessory Dwelling Unit • Wide range of commercial and industrial uses 	<ul style="list-style-type: none"> • Single-Family Detached • Townhouse • Duplex • Multi-Family • Accessory Dwelling Unit • Cottage Development • Limited public, institutional, and recreational uses
Density:	8 units per acre	2 units per first 6,000 s.f. of lot area & 1 unit per each additional 1,000 s.f.
Structure Size:	n/a	For multi-family structures: Max. 4,000 s.f. footprint Max. 12,000 s.f. gross floor area
Lot Size Minimum:	n/a	Min. 6,000 s.f.
Lot Width Minimum:	Min. 100'	Min. 60'
Building Height:	Max. 80'	Max. 40'
Building Setbacks:	Front: 35', Side: none, Rear: 10'	Front: 15', Side: 6', Rear: 15'

Mr. Palmquist reviewed the existing and proposed zoning, the aerial imagery and the future land use map. He said the Planning & Zoning Commission voted unanimously to approve the project. He used a chart to show the zoning district comparison of the UDO provision, Commercial Industrial District; and RM-6 Residential Multi-Family Low Density District. He explained the purpose of the Residential Multi-Family Low Density (RM-6) district is, "to permit a limited range of low density multi-family housing types along with single-family detached and attached dwellings. This district is intended to provide a transitional area between single lower- and multi-family higher-density areas, and to provide a compatible mixture of these various housing types. Non-residential development normally required to provide the basic elements of a balanced and attractive residential area is also permitted" (UDO Sec. 7-8-5). The proposed rezoning petition is **compatible** with the surrounding land uses and zoning districts, including: (1) Residential Multi-Family Low Density (RM-6) zoned property directly to the east and south of the subject property; and (2) Commercial uses located to the west of the subject property, zoned Commercial Industrial (CI). He then explained how the project was consistent with the Living Asheville Comprehensive Plan. He said that staff concurs with the Planning & Zoning Commission and recommends approval of the proposed rezoning.

Mayor Manheimer opened the public hearing at 5:20 p.m., and when no one spoke, she closed the public hearing at 5:20 p.m.

Mayor Manheimer said that members of Council have previously received a copy of the ordinance and it would not be read.

Councilwoman Turner moved to approve the rezoning request for the property located at 94 Grandview Rd from Commercial Industrial (CI) and Residential Multi-Family Low Density (RM-6) to Residential Multi-Family Low Density (RM-6) and find that the request is reasonable, is in the public interest, is consistent with the city's comprehensive plan and meets the development needs of the community in that the request: 1) prioritizes greater densities of development overall,

throughout the city as appropriate; 2) supports contextually appropriate infill development and a variety of housing types; and, 3) promotes zoning policies to encourage more housing by expanding areas permitting higher-density development. This motion was seconded by Councilwoman Ullman and carried unanimously.

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B. PUBLIC HEARING TO CONSIDER REZONING 1289 SAND HILL ROAD FROM COMMERCIAL INDUSTRIAL DISTRICT - CONDITIONAL ZONE AND INDUSTRIAL DISTRICT TO COMMERCIAL INDUSTRIAL DISTRICT

ORDINANCE NO. 5119 - ORDINANCE TO REZONE 1289 SAND HILL ROAD FROM COMMERCIAL INDUSTRIAL DISTRICT - CONDITIONAL ZONE AND INDUSTRIAL DISTRICT TO COMMERCIAL INDUSTRIAL DISTRICT

Principal Planner Will Palmquist said that this is the consideration of an ordinance to rezone 1289 Sand Hill Road from Commercial Industrial District - Conditional Zone and Industrial District to Commercial Industrial District. This public hearing was advertised on February 14 and 21, 2025.

Project Location and Contacts:

- The rezoning petition consists of one property totalling 7.24 acres and located at 1289 Sand Hill Rd (PIN 9617-52-5087).
- Owner: Fletcher Partners Inc.

Summary of Petition:

- The applicant requests a rezoning of one property to the Commercial Industrial (CI) District.
- The property is currently zoned Commercial Industrial - Conditional Zone (CI-CZ) and Industrial (IND).
- The majority of the site that is zoned Commercial Industrial - Conditional Zone (CI-CZ) represents a portion of a defunct conditional zoning project known as “Enka Center”. The conditional zoning was adopted in 2010 per Ord. No. 3921 and proposed a large, mixed-use project across 192 acres in the City and County.
- This project was never initiated. In 2023, a large portion of that prior conditional zoning site was approved as a separate project for warehouse uses (Ord. No. 4995). Consequently, the original conditional zoning cannot be constructed as approved. Therefore, the applicant is seeking a rezoning to a base zoning district in order to make productive use of the property.
- The property is currently vacant.
- The subject property is designated “Industrial/Manufacturing” on the city’s Future Land Use (FLU) Map. A change to the FLU Map is not required.

Staff Recommendation:

- Staff recommends approval of this rezoning request based on the reasons stated below.

Comprehensive Plan Consistency:

- The proposed rezoning supports a number of goals in the Living Asheville Comprehensive Plan including:
 - **Encourage Responsible Growth** - by ensuring that new development has the appropriate infrastructure to support it.

- **Facilitate Real Estate Development that Maximizes Public Benefit** - by establishing accessible and well-connected commercial nodes consistent with strategies outlined in the plan's growth areas.
- The proposed rezoning is compatible with the Future Land Use designation of "Industrial/Manufacturing" which is proposed, in part, as "typically found on larger tracts of land with good access to transportation systems that are served by other needed utilities. Industrial and manufacturing areas are an important economic sector to the city".
- The Commercial Industrial (CI) district is cited as an appropriate zoning district within the "Industrial/Manufacturing" Future Land Use category.

Compatibility Analysis:

- The purpose of the Commercial Industrial (CI) district is, "to provide areas for a wide range of commercial and industrial uses including: light manufacturing, wholesale, warehousing, services, retail sales, offices, and residential uses. The district is established where environmental conditions and urban infrastructure are adequate to support commercial and industrial development" (UDO Sec. 7-8-20).
- The proposed rezoning petition is compatible with the surrounding land uses, including:
 - Industrial and commercial uses on large tracts of land to the north, west, and south.
 - Residential uses across Sand Hill Rd to the south.

Council Goal(s):

- This project is most closely aligned with the council goal of *A Well-Planned and Livable Community*.

Committee(s):

- Planning & Zoning Commission (PZC) - February 5, 2025 - Approved (Vote 7:0)

Pro(s):

- Allows for the productive use of the property in a manner consistent with the City's Comprehensive Plan and appropriate within the existing development context.

Con(s):

- None identified.

Mr. Palmquist reviewed the existing and proposed zoning, the aerial imagery and the future land use map. He said the Planning & Zoning Commission voted unanimously to approve the project. He explained the purpose of the Commercial Industrial (CI) district is, "to provide areas for a wide range of commercial and industrial uses including: light manufacturing, wholesale, warehousing, services, retail sales, offices, and residential uses. The district is established where environmental conditions and urban infrastructure are adequate to support commercial and industrial development" (UDO Sec. 7-8-20). The proposed rezoning petition is **compatible** with the surrounding land uses and zoning districts, including: (1) Industrial and commercial uses on large tracts of land to the north, west, and south; and (2) Residential uses across Sand Hill Rd to the south. He then explained how the project was consistent with the Living Asheville Comprehensive Plan. He said that staff concurs with the Planning & Zoning Commission and recommends approval of the proposed rezoning.

Mayor Manheimer opened the public hearing at 5:24 p.m., and when no one spoke, she closed the public hearing at 5:24 p.m.

Mayor Manheimer said that members of Council have previously received a copy of the ordinance and it would not be read.

Councilwoman Roney moved to approve the rezoning request for the property located at 1289 Sand Hill Rd from Commercial Industrial - Conditional Zone (CI-CZ) and Industrial (IND) to Commercial Industrial (CI) and find that the request is reasonable, is in the public interest, is consistent with the city's comprehensive plan and meets the development needs of the community in that the request: 1) ensures that new development has the appropriate infrastructure to support it; and, 2) establishes accessible and well-connected commercial nodes consistent with strategies outlined in the plan's growth areas. This motion was seconded by Vice-Mayor Mosley and carried unanimously.

ORDINANCE BOOK NO. 36 – PAGE 89

C. RESOLUTION NO. 25-37 - RESOLUTION AUTHORIZING THE USE OF A PORTION OF AN APPROVED HOUSING TRUST FUND LOAN ALLOCATION FOR THE PURCHASE OF LAND AT 99999 OAK LODGE ROAD AND 99999 DOGWOOD ROAD FOR THE PINE LANE PROJECT BEING CONSTRUCTED BY ROERS COMPANY, CONSISTING OF 126 AFFORDABLE HOUSING UNITS

Affordable Housing Officer Sasha Vrtunski said that this is the consideration of a resolution to use a portion of an existing \$3,879,366 Housing Trust Fund loan to fund the purchase of land for the affordable housing project at 99999 Oak Lodge Road and 99999 Dogwood Road.

Background:

- On April 23, 2024, the City Council approved a \$3,879,366 Housing Trust Fund (HTF) loan to the Roers Company to construct 126 units of affordable housing, including 3- and 4-bedroom units.
- The Roers Company has had the subject property under a contract to purchase, however, at this time, the existing property owners are not willing to extend the contract on the land for the development, which has put the project in jeopardy.
- The purchase price for the land is \$2,250,000. The developer is requesting to use HTF monies in the amount of \$2,050,000 to purchase the land. The developer has previously contributed \$200,000 toward the purchase of the land in earnest money. The remaining \$1,829,366 of the HTF loan will be used for construction.
- This project also has \$6,500,000 of Buncombe County funding committed and will apply for 4% Low-Income Housing Tax Credits, which are expected to leverage an additional \$18.5 million of equity.
- City staff has developed the appropriate legal documents for closing on the land as part of the Housing Trust Fund loan. Per the existing policy, real estate acquisition is an approved use of Housing Trust Funds.
- A deed restriction will be placed on the land to protect the City's investment. The City will be in first position until other financing comes into the project at higher amounts.
- At its February 5, 2025 meeting, the Planning & Zoning Commission recommended that the conditional zoning request associated with this project be approved.

Council Goal(s):

- A Diverse Community
- Quality Affordable Housing

Committee(s):

- The Housing and Community Development Committee (HCD) did not meet in January/February 2025.

Pro(s):

- Allowing the City's HTF loan to be used for land acquisition will allow this project to move forward and provide our community with much-needed affordable units.

Con(s):

- Funds used for land acquisition do have more risk than funds used solely for construction. However, if the project falls through, the land will still have to be used for affordable housing, and the City will be in first position to be paid back our funds if needed.

Fiscal Impact:

- None noted

Affordable Housing Officer Sasha Vrtunski said the following are the key takeaways from her presentation: (1) On April 23, 2024, the City Council approved a \$3,879,366 Housing Trust Fund (HTF) loan to the Roers Company to construct 126 units of affordable housing, including 3- and 4-bedroom units; (2) The developer is requesting to use a portion of the loan - \$2,050,000 - to fund the purchase of land for the affordable housing project at 99999 Oak Lodge Road and 99999 Dogwood Road; (3) Land acquisition is an eligible use of Housing Trust Fund monies; (4) If Council approves this request, a deed restriction will be placed on the land to protect the City's investment. The City will be in first position until other financing comes into the project at higher amounts; and (5) Staff is in support of the request. She then provided the following background: (1) On April 23, 2024, the City Council approved a \$3,879,366 Housing Trust Fund (HTF) loan to the Roers Company to construct 126 units of affordable housing, including 3- and 4-bedroom units; (2) The Roers Company has had the subject property under a contract to purchase, however, at this time, the existing property owners are not willing to extend the contract on the land for the development, which has put the project in jeopardy; (3) The purchase price for the land is \$2,250,000. The developer is requesting to use HTF monies in the amount of \$2,050,000 to purchase the land. The developer has previously contributed \$200,000 toward the purchase of the land in earnest money. The remaining \$1,829,366 of the HTF loan will be used for construction; (4) This project also has \$6,500,000 of Buncombe County funding committed and will apply for 4% Low-Income Housing Tax Credits, which are expected to leverage an additional \$18.5 million of equity; (5) City staff has developed the appropriate legal documents for closing on the land as part of the Housing Trust Fund loan. Per the existing policy, real estate acquisition is an approved use of Housing Trust Funds; (6) A deed restriction will be placed on the land to protect the City's investment. The City will be in first position until other financing comes into the project at higher amounts; and (7) At its February 5, 2025 meeting, the Planning & Zoning Commission recommended that the conditional zoning request associated with this project be approved.

In response to Councilwoman Roney regarding if this development has a renewable energy plan and are there any known variables to future renewable energy options, a representative of the developer said that they are just getting started on their construction documents and their environmental design hasn't been incorporated yet, but they will follow all guidelines.

Mayor Manheimer opened up the public hearing at 5:30 p.m.

Jenny Luczak, a resident who lives next door to the entrance of the clubhouse, was concerned about the traffic impact of this many people moving into their very small neighborhood. She also asked if a fence could be installed between their house and the clubhouse.

Mayor Manheimer closed the public hearing at 5:35 p.m.

Mayor Manheimer said that members of Council have been previously furnished with a copy of the resolution and it would not be read.

Councilwoman Turner moved to approve the request to use \$2,050,000 of the \$3,879,366 Housing Trust Fund loan to purchase the land located at 99999 Oak Lodge Road and 99999 Dogwood Road for the Pine Lane project being constructed by Roers Company. This motion was seconded by Councilwoman Roney and carried unanimously.

RESOLUTION BOOK NO. 45 – PAGE 319

PUBLIC HEARING TO CONSIDER CONDITIONAL ZONING OF 99999 OAK LODGE ROAD AND 99999 DOGWOOD ROAD FROM RESIDENTIAL SINGLE-FAMILY HIGH DENSITY DISTRICT AND COMMERCIAL INDUSTRIAL DISTRICT TO RESIDENTIAL EXPANSION - CONDITIONAL ZONE

ORDINANCE NO. 5120 - ORDINANCE TO CONDITIONALLY ZONE 99999 OAK LODGE ROAD AND 99999 DOGWOOD ROAD FROM RESIDENTIAL SINGLE-FAMILY HIGH DENSITY DISTRICT AND COMMERCIAL INDUSTRIAL DISTRICT TO RESIDENTIAL EXPANSION - CONDITIONAL ZONE

Urban Planner Sam Starr-Baum said that this is the consideration of an ordinance to conditionally zone of 99999 Oak Lodge Road and 99999 Dogwood Road from Residential Single-Family High Density District and Commercial Industrial District to Residential Expansion - Conditional Zone for the purpose of constructing 126 affordable multi-family units. This public hearing was advertised on February 14 and 21, 2025.

Project Location and Contacts:

- The project site totals 9.68 acres across to two parcels with addresses of 99999 Oak Lodge Road & 99999 Dogwood, PINs (respectively): (9627-80-5568 & 9627-80-5964)
- Owner: Brandon Knolls LLC.
- Applicant: Civil Design Concepts/Warren Sugg, P.E. & Eddie Stars, Roers Companies

Summary of Petition:

Project Site

- The project site consists of two parcels totalling 6.68 acres located at 99999 Dogwood Road and 99999 Oak Lodge Road.
- The site is currently zoned Residential Single-Family High Density (RS-8) (Oak Lodge Road parcel) and Commercial Industrial (CI) (Dogwood Road parcel).
- The site is designated “Residential Neighborhood” and “Industrial Manufacturing” on the city’s Future Land Use (FLU) Map. A change in the FLU designation will be required to designate the Dogwood Road parcel “Residential Neighborhood”.
- Given the size of the project (over 50 residential dwelling units) a conditional zoning to the Residential Expansion - Conditional Zone (RES EXP - CZ) district is required.
- The project site is currently undeveloped.

Overall Project Proposal

- The two parcels will be combined prior to permitting.
- New building construction includes a total of 126 units.
 - All 126 units (100%) are proposed to be designated affordable to those earning 60% or less of Area Median Income (AMI), and will remain so for a period of 30

- years.
 - The 126 units are within 4 multi-family buildings that are 3- and 4-story buildings.
- Other site improvements include off-street parking, new sidewalks, recreational paths throughout the site, and amenities such as a clubhouse containing shared facilities for the residents and the offices for management of the facility.

Staff Recommendation:

- Staff recommends approval of this rezoning request based on the reasons stated below in the “Consistency with the Comprehensive Plan and Other Plans” section.

Consistency with the Comprehensive Plan and Other Plans:

Living Asheville Comprehensive Plan (2018)

- The proposed development supports a number of goals in the Living Asheville Comprehensive Plan, including:
 - **Encourage Responsible Growth** - by providing infill development in targeted growth areas.
 - **Increase and Diversify the Housing Supply** - by providing lower housing prices relative to incomes and providing greater choice in housing options.
 - **Promote the Development and Availability of Affordable and Workforce Housing** - by supporting more housing supported through grant funds and other housing programs and provide for affordable housing closer to jobs and other services.
- The proposed use and design is consistent with the existing Future Land Use designation of Residential Neighborhood (Oak Lodge Road parcel) and inconsistent with Industrial Manufacturing (Dogwood Parcel).
 - Residential Neighborhood envisions developments where densities “approach 3-5 dwelling units per acre, with higher densities anticipated within proximity to identified growth areas” (p 346)
 - Industrial/Manufacturing describes areas that are “typically found on larger tracts of land with good access to transportation systems that are served by other needed utilities. Industrial and manufacturing areas are an important economic sector to the city and should be considered for additional opportunities to expand ...This future land use type may require some separation from other more sensitive areas of the community but generally can be appropriate neighbors to other commercial uses or in mixed use areas.” (pp. 344-345).
 - The future land use designation for the Dogwood parcel should be changed to Residential Neighborhood to reflect the appropriateness for this parcel to be developed for residential multi-family uses consistent with the Residential Neighborhood designation. The parcel has varying topography and a mapped stream preventing the type of large lot development envisioned in the Industrial Manufacturing designation.

Compatibility Analysis:

- In addition to the compatibility with surrounding residential land uses, this development is within 1,500 ft. of an identified “Town Center” (Living Asheville, P 341.) that exists along the corridor of Brevard Road south and west of I-26.

- The Town Center is currently served by a transit line that connects to the site as well as auto, biking, and pedestrian connectivity. The existing and proposed uses compatible with the Town Center provide multiple services, employment, and recreational/entertainment opportunities for residents.
- The proposed multi-family residential project is compatible with the surrounding land uses, including:
 - Medium and higher density residential neighborhoods to the immediate east and south of the subject parcels.

Council Goal(s):

- This project is most closely aligned with the council goal of *A Well-Planned and Livable Community*.

Technical Modifications

- The project is seeking technical modifications to development standards through the conditional zoning process including:
 - Five foot-wide sidewalks internal to the site instead of the required 10 foot-wide standard.
 - Staff is working with the applicant to identify any additional required technical modifications and include these project conditions prior to the hearing.

Committee(s):

- Technical Review Committee (TRC) - December 2, 2024 - administrative revisions required.
- Planning and Zoning Commission (PZC) - February 5, 2025 - recommend approval (6-0).

Mr. Starr-Baum reviewed the existing and proposed zoning, the aerial imagery, the compliance with the Comprehensive Plan goals and the future land use map. Regarding the future land use designation (1) historically developed following a single master plan; (2) limited access points into and around the development with access points often ending in dead-end streets; (3) sidewalks located within residential neighborhoods and connecting to major corridors are a priority; and (4) residential Neighborhood Future Land Use Category use may approach 3-5 dwelling units per acre. Regarding the site plan (1) proposed as entirely affordable - 60% AMI/30 years; (2) single access from improved access off Pine Lane and Oak Lodge Road; (3) clubhouse / 4 Residential Buildings - 126 units; and Internal sidewalks and pathway to/serving open space; (4) all landscaping standards met; (5) 1.94 Ac. Open Space; and (6) 15.36% (60,184 s.f.) Tree Canopy Preservation. He then showed building elevations. He then reviewed the following technical modifications (1) 5'-wide sidewalks internal to the site instead of the required 10'-wide standard; and (2) No sidewalk as required on Oak Lodge Road. Staff concurs with the Planning & Zoning Commission and recommends approval of the proposed conditional zoning with the revised conditions and technical modifications outlined in the document titled "Exhibit E".

Mr. Starr-Baum said that regarding the no sidewalk on Oak Lodge Road, they did talk with the applicant and one of the ways we can encourage the use of Pine Lane rather than Oak Lodge Road is not providing sidewalks to make it seem like it is a pedestrian environment since that is a private road. Since the Planning & Zoning Commission meeting we have also worked with the developer to make sure signage actively states that Oak Lodge Road is not to be used and to encourage use of Pine Lane .

In response to Councilwoman Roney about the process of making Oak Lodge Road into a City maintained road, City Attorney Branham said that the typical process would be a dedication. All owners would have to submit a request to the City that the City accept the road into our public road system. Typically our requirements (before staff could support a request) would be that the road be brought up to City standards.

When Councilwoman Roney asked about a fence between the property owners and the clubhouse, Mr. Derek Allen, attorney representing the applicant, said that assuming it doesn't do anything to the landscape and their ability to comply with the landscaping requirements, installing that fence would be no problem.

Mr. Warren Suggs, working with the applicant, provided City Council with specifics of the site plan and said that they will work with City staff on the best placement of the fence, as they want to save as many trees for their landscape.

In response to Councilwoman Turner, Mr. Suggs addressed the noise issue pointing out that on the western side is I-26 and there is a large undisturbed area with existing vegetation. Regarding the noise for condo owners, with the vegetation that would be taken down and replaced, and the building heights, the noise would probably be almost the same.

Mayor Manheimer opened the public hearing at 5:58 p.m.

Natasha Schwade asked if there was anything that could be done because some people will have to live with their view of the parking lot.

Mayor Manheimer closed the public hearing at 6:00 p.m.

Mayor Manheimer said that members of Council have previously received a copy of the ordinance and it would not be read.

Councilwoman Turner moved to approve the conditional zoning request for the property located at 99999 Oak Lodge Road from Commercial Industrial (CI) and 99999 Oak Lodge Road from Residential High Density Single Family (RS-8) to Residential Expansion - Conditional Zone (RES EXP - CZ), as well as an amendment to the Future Land Use Map from Industrial/ Manufacturing to Residential Neighborhood, along with an additional condition added to Exhibit E for the inclusion of a fence on the southern portion of the development site along Pine Lane running generally south to north, to be constructed in a manner not to disturb the application landscaping plan, and find that the request is reasonable, is in the public interest, is consistent with the city's comprehensive plan and meets the development needs of the community in that the request: 1) provides infill development in targeted growth areas; 2) provides lower housing prices relative to incomes and greater choice in housing options, 3) increases the supply of affordable and workforce housing; and, 4) supports more affordable housing through grant funds and other housing programs and provides for affordable housing closer to jobs and other services. This motion was seconded by Councilwoman Roney and carried unanimously.

ORDINANCE BOOK NO. 36 – PAGE 92

D. PUBLIC HEARING TO CONSIDER CONDITIONAL ZONING OF 3183 SWEETEN CREEK ROAD FROM RM-16 RESIDENTIAL MULTI-FAMILY HIGH DENSITY DISTRICT TO RESIDENTIAL EXPANSION - CONDITIONAL ZONE

ORDINANCE NO. 5121 - ORDINANCE TO CONDITIONALLY ZONE 3183 SWEETEN CREEK ROAD FROM RM-16 RESIDENTIAL MULTI-FAMILY HIGH DENSITY DISTRICT TO RESIDENTIAL EXPANSION - CONDITIONAL ZONE

____ Sam Starr-Baum said that this is the consideration of an ordinance to conditionally zone 3183 Sweeten Creek Road from RM-16 Residential Multi-Family High Density District to Residential Expansion - Conditional Zone. This public hearing was advertised on February 14 and 21, 2025.

Project Location and Contacts:

- The project site totals 18.64 acres located at 3183 Sweeten Creek Road. (PINs: 9655-21-1340, 9655-21-3544, 9655-21-3589, 9655-21-3810, 9655-21-4269, 9655-21-5491, and 9655-21-5583)
- Owner: SCCP LLC.
- Applicant: Civil Design Concepts/Warren Sugg, P.E.

Summary of Petition:

Project Site

- The project site consists of multiple parcels totalling 18.64 acres located at 3183 Sweeten Creek Road.
- The site is currently zoned Residential Multi-Family High Density (RM-16).
- The site is designated “Residential Neighborhood” on the city’s Future Land Use (FLU) Map. A change in the FLU designation will not be required.
- Given the size of the project (over 50 residential dwelling units) a conditional zoning to the Residential Expansion - Conditional Zone (RES EXP - CZ) district is required.
- The project site currently has 23 occupied residential units that include: 1 single family residence (owned by SCCP, LLC); 2 cottage units (owned by SCCP, LLC); 16 mobile home units (14 mobile homes owned by others/tenant), 2 mobile home units (owned by SCCP, LLC); and, 2 double wide mobile home units (both owned by others/tenants).

Overall Project Proposal

- New building construction includes a total of 304 units.
 - 280 apartments are in five four-story multi-family buildings,
 - 24 townhomes are in six four-plex buildings,
 - 28 individual garages are in four one-story buildings. These are not counted towards the overall unit count, but do impact the overall Gross Floor Area (GFA) of the improved site area.
- Other site improvements include off-street parking, new sidewalks, and amenities such as a clubhouse, pool and multi-use building separate from the clubhouse.
- The applicant has discussed internally with planning staff that SCCP, LLC will develop a list of alternate housing options and extend expiring/expired year-long leases for existing residents on a month-to-month basis until construction begins.

Staff Recommendation:

- Staff recommends approval of this rezoning request based on the reasons stated below in the “Consistency with the Comprehensive Plan and Other Plans” section.

Consistency with the Comprehensive Plan and Other Plans:

Living Asheville Comprehensive Plan (2018)

- The proposed development supports a number of goals in the Living Asheville Comprehensive Plan, including:
 - **Encourage Responsible Growth** - by providing infill development in targeted growth areas (p. 131).
 - **Increase and Diversify the Housing Supply** - by increasing the supply of housing in proximity to schools, transit and parks (pp. 246 & 251).
 - **Strengthen Urban Transit Corridors and Transit-Supportive Centers**- by rezoning to “transit-supportive” higher density, mixed-use development in nodal clusters along transit corridors utilizing the smart-growth model (p. 110).
- The proposed use and design is partially consistent with the existing Future Land Use designation of Residential Neighborhood which envisions

developments “where new streets connections are prohibited, sidewalks and multi-use trails should be considered to increase mobility options. Sidewalks located within residential neighborhoods and connecting to major corridors are a priority.” (p 346)

- The RES EXP district is listed as an appropriate zoning district within the Residential Neighborhood Future Land Use category.

Compatibility Analysis:

- In addition to the compatibility with surrounding land uses, this development is within 1,500 ft. of an identified “Urban Center” (Living Asheville, P 303.) that exists at the intersection of Long Shoals Road and Hendersonville Road. This is not currently served by a transit line, but it is within a walking distance. Moreover, the building of the sidewalks does help in establishing a pedestrian and multi-modal environment.
- The proposed multi-family residential project is compatible with the surrounding land uses, including:
 - Kensington Place, a multi-family development of similar density located 973 feet northeast on Sweeten Creek Road.
 - The Carlyle Condominiums, which are adjacent to the southern portion of the subject property.
 - Willoughby Townhomes, a high density single-family attached development immediately south of the Carlyle Condominiums.
 - Increasingly dense mixed uses and commercial development to the west all along Long Shoals Road.
 - Higher density multi-family projects within a ½ mile radius of the subject property along Long Shoals Road include the Skyland Exchange Apartments and the South Asheville Commons. Just outside this radius are The Julian Woods development and the recently approved Flournoy at Butler Road.

Council Goal(s):

- This project is most closely aligned with the council goal of *A Well-Planned and Livable Community*.

Technical Modifications

- The project is seeking technical modifications to development standards through the conditional zoning process including:
 - Five foot-wide sidewalks internal to the site instead of the required 10 foot-wide standard.
 - Five foot-wide sidewalks along Sweeten Creek Road, with a 10’ separation buffer instead of the required 10 foot-wide standard in RES-EXP zones.
 - Entering the 30’ stream buffer to connect with the existing sewer.
 - Disturbance within the stream buffer to restore areas of land once used as parking to a grasses/landscaped area.

Committee(s):

- Technical Review Committee (TRC) - August 19, 2024 - approved with conditions.
- Planning and Zoning Commission (PZC) - January 22, 2025 - recommend approval (5-0)

Mr. Starr-Baum reviewed the existing and proposed zoning, the aerial imagery, the compliance with the Comprehensive Plan goals and the future land use map. Regarding the

future land use designation (1) historically developed following a single master plan; (2) limited access points into and around the development with access points often ending in dead-end streets; (3) sidewalks located within residential neighborhoods; and (4) connecting to major corridors are a priority. Regarding the site plan, (1) 18.64 Ac.; (2) 304 MF residential units proposed - 280 Apartments; and 24 Townhouse units; (3) 492 vehicular parking spaces, 9 ADA parking spaces, 24 bike parking spaces; (4) Access by two new driveways into site from Sweeten Creek Road; and (5) 5'-wide sidewalks internally. He then showed building elevations. He then reviewed the following technical modifications (1) Project proposes a minimum 5' wide sidewalk within the internal site layout; (2) Project proposes a minimum 5' wide sidewalk and 10' grass strip along Sweeten Creek Road - **Transportation staff preference: 8' strip, 8' sidewalk**; (3) Project will require entering the 30' stream buffer to connect with the existing sewer; (4) Project will require disturbance within the stream buffer to restore areas of land once used as parking to a grasses/landscaped area; and (5) Project's townhome units will not have setbacks. Staff concurs with the Planning & Zoning Commission and recommends approval of the proposed conditional zoning with the revised conditions and technical modifications outlined in the document titled "Exhibit E".

In response to Councilwoman Roney, Mr. Starr-Baum provided the unit mix and said that the applicant can speak to how they have been in contact with the 22 occupied units that will be displaced.

In Councilwoman Roney regarding if there is a renewable energy plan or any variables that might prohibit future renewable energy options, Mr. Derek Allen, attorney representing the applicant, said that the applicant is willing to add the following two conditions: (1) the design and construction of all buildings shall incorporate design features to facilitate future addition of rooftop solar capacity; and (2) the project shall incorporate a minimum of 4 EV chargers, and shall pre-install wiring to facilitate installation of additional EV chargers at the owner's discretion as demand grows.

Mr. Warren Suggs, representing the applicant, then reviewed the site plan.

Mayor Manheimer opened the public hearing at 6:21 p.m.

Shawn Spruce spoke about the existing traffic on Sweeten Creek Road and didn't feel the road infrastructure could handle additional traffic. He also questioned clarification of the grade of the apartments to Sweeten Creek Road.

Mayor Manheimer closed the public hearing at 6:25 p.m.

Councilwoman Roney, member of the French Broad Metropolitan Planning Organization (MPO), explained that there is a state pool of funding and a regional pool of funding. Part of the I-26 Connector (state pool of funding) moved to the regional pool of funding because we were expecting delays. The I-26 Connector Project is potentially more eligible for federal and state funding and our local corridors are not. The MPO made a choice in that meeting to prioritize Section A of the I-26 Corridor. The MPO was presented, about 2.5 years ago, a scissors graphic showing what is going to happen because the I-26 Connector Project is competing with local roads. The scissors graphic is now an axe but that vote isn't finalized until August and then we will have to reapply to all of our major corridors, where we should be building housing and bringing good paying jobs into our community. Unfortunately there is not a lot of attention at the MPO and explained that the MPO oversees all of our state-maintained roads, budgets, plans, policies, now is the time to start paying attention. As a member of the MPO, she would love to hear more people talking about this across the region - but just Asheville and Buncombe County but others in North Carolina. We need housing and the infrastructure to support that and we don't have that balanced yet. She hoped we can keep working on this together across the region.

Councilwoman Sage noted that with the revised I-26 Connector plan, there may be some cost saving measures to do other projects.

In response to Councilman Hess, Mr. Allen said that the applicant would agree to a condition regarding the construction of the sidewalk along Sweeten Creek Road to be 8' with an 8' planting strip.

Mayor Manheimer said that members of Council have previously received a copy of the ordinance and it would not be read.

Councilman Hess moved to approve the conditional zoning request for the property located at 3183 Sweeten Creek Road from Residential Multi-Family High Density (RM-16) to Residential Expansion - Conditional Multi-Family High Density with the following additional conditions to be added to the project conditions on Exhibit E: (1) The project shall incorporate a minimum of 4 EV chargers, and shall pre-install wiring to facilitate installation of additional EV chargers at the owner's discretion as demand grows; (2) The design and construction of all buildings shall incorporate design features to facilitate future addition of rooftop solar capacity; and (3) The construction of the sidewalk along Sweeten Creek Road to be 8' with an 8' planting strip; and further find the request is reasonable, is in the public interest, is consistent with the city's comprehensive plan and meets the development needs of the community in that the request (1) provides infill development in targeted growth areas;(2) increases the supply of housing in proximity to schools, transit and parks; and (3) rezones property to "transit-supportive" density in nodal clusters along transit corridors. This motion was seconded by Councilwoman Smith.

In response to Councilwoman Roney, Mr. Allen said that the applicant would agree to a condition that the applicant shall dedicate an easement of sufficient size and location along Sweeten Creek Road for the City to install a transit spot. Therefore, Councilwoman Roney asked if Councilman Hess would accept a friendly amendment to the motion to include the easement, and he was agreeable to the friendly amendment.

The following amended motion made by Councilman Hess and seconded by Councilwoman Smith carried on a 5-2 vote, with Councilwoman Turner and Councilwoman Ullman voting "no" - "Motion to approve the conditional zoning request for the property located at 3183 Sweeten Creek Road from Residential Multi-Family High Density (RM-16) to Residential Expansion - Conditional Multi-Family High Density with the following additional conditions to be added to the project conditions on Exhibit E: (1) The project shall incorporate a minimum of 4 EV chargers, and shall pre-install wiring to facilitate installation of additional EV chargers at the owner's discretion as demand grows; (2) The design and construction of all buildings shall incorporate design features to facilitate future addition of rooftop solar capacity; (3) The construction of the sidewalk along Sweeten Creek Road to be 8' with an 8' planting strip; and (4) The applicant shall dedicate an easement of sufficient size and location along Sweeten Creek Road for the City to install a transit spot; and further find the request is reasonable, is in the public interest, is consistent with the city's comprehensive plan and meets the development needs of the community in that the request (1) provides infill development in targeted growth areas;(2) increases the supply of housing in proximity to schools, transit and parks; and (3) rezones property to "transit-supportive" density in nodal clusters along transit corridors."

ORDINANCE BOOK NO. 35 – PAGE 103

V. UNFINISHED BUSINESS:

VI. NEW BUSINESS:

A. PUBLIC COMMENT ON FISCAL YEAR 2025-26 BUDGET PRIORITIES

Budget Performance Manager Lindsay Spangles said that this is a public comment session prior to development of the City of Asheville's Fiscal Year (FY) 2025-26 Proposed Annual Budget.

Background:

- City Council will be holding budget worksessions during the months of March and April in the lead up to the planned presentation of the City Manager's Fiscal Year (FY) 2025-26 Proposed Annual Budget on May 13, 2025.
- As the City develops its budget for the upcoming fiscal year, it is important to provide the opportunity for the public to comment on its priorities for the coming year.
- Having a public comment is an opportunity for City Council and staff to receive input from the community as the budget is being developed for the upcoming year.
- This public comment is in addition to the required public hearing that occurs before Council officially takes action on the proposed budget.

Council Goal(s):

- A Financially Resilient City

Pro(s):

- Provides the opportunity for the public to comment on their priorities for the upcoming FY 2025-26 budget cycle before official action is taken.

Con(s)

- None

Fiscal Impact:

- No impact to conducting the public comment.

Ms. Spangler provided the key following takeaways from his presentation: (1) Community input and Council priorities and expectations for service delivery are key to the budget development process; (2) We face fiscal challenges within the normal operating budget, but we also have opportunities via other funding sources and partnerships (CDBG-DR for example) to address priorities and Helene recovery; (3) Tonight provides an opportunity to receive community input early in the budget development process; and (4) The City Manager's Proposed Budget will be informed by community input from this early public comment opportunity and direction received from City Council. She then reviewed the budget process. She reiterated our guiding principles, along with charts showing the General Fund revenue sources, and the General Fund expenditure categories. She said the budget communication goals include (1) inform the community about our current budgetary constraints and our plan of action to address them; (2) provide meaningful information on the budget process and how it relates to services the City of Asheville provides; and (3) receive meaningful feedback from residents and stakeholders to inform budget development, especially related to recovery efforts. Communication tools included City newsletters; City website & project page; Existing neighborhood & civic group meetings; Informal community leaders & neighborhood networking; Print media; Local talk radio; TV outlets; City social media platforms; and City Council formal meetings, including May 27 public comment.

Regarding the FY26 budget process key themes, (1) the Budget will continue to provide funding to maintain the City's core services; (2) the Budget will minimize cost increases to residents and businesses as we recover from Hurricane Helene; (3) the City will look to one-time revenue sources, such as CDBG-DR and FEMA, to fund the community's recovery priorities; and

(4) the Budget will be developed in a fiscally responsible way in order to maintain the City's financial metrics and strong credit ratings. The FY budget outlook overview is (1) Challenges and Opportunities in the FY26 budget (a) Resources are likely to remain constrained within the regular operating budget; (b) Unavoidable cost increases for employee health insurance and state-mandated retirement; (c) \$225M in CDBG-DR funds provides resources outside the regular operating budget to help fund recovery and Council priorities; and (d) Hopeful for additional state and/or federal funding to offset revenue losses and assist with recovery; and (2) Five-Year capital spending plan is being revised to include Recovery, GO Bond, and "regular CIP" projects.

She said the City Council priorities for Helene recovery for FY26 are (1) People; (2) Housing; (3) Infrastructure/Environment; and (4) Economy.

Regarding the recovery survey results, over 6,900 community members participated and provided input on what matters most to them as Asheville continues to recover and rebuild in the aftermath of Helene - Strengthening infrastructure; Expanding housing solutions; Supporting economic recovery; Enhance food security; and Maintain sustainability focus.

Several individuals spoke to Council regarding the 2025-26 budget priorities and recovery priorities, with some comments being, but are not limited to: maximize all funding opportunities to move climate justice initiatives forward; consider long-term economic impact for the current climate crisis; focus on growing the sustainability sector; advocate for living wages and public transit; and need for Council to study the budget closely.

VII. INFORMAL DISCUSSION AND PUBLIC COMMENT:

Several individuals spoke to City Council about various matters, some being, but are not limited to: opposed to HR 32; need for affordable housing; must pay living wages; need to increase public transit; and environmental and invasive species should be rolled into clean-up.

VIII. ADJOURNMENT:

Mayor Manheimer adjourned the meeting at 7:12 p.m.

CITY CLERK

MAYOR