Minutes for June 23, 2026, City Council Meeting

June 18, 2026, Agenda Briefing Worksession - 11:00 a.m.

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 DK Wesley; Deputy City Attorney Jannice Ashley; and City Clerk Magdalen Burleson

Summary

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:

- Comprehensive Plan and UDO Update Process
- Opportunity Zone 2.0 Program Nomination

At 12:54 p.m., Mayor Manheimer adjourned the agenda briefing worksession.

June 23, 2026 - Regular City Council Formal Meeting - 5:00 p.m

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 DK Wesley; City Attorney Brad Branham; and City Clerk Magdalen Burleson

Pledge Of Allegiance

Mayor Manheimer led City Council in the Pledge of Allegiance.

Mayor Manheimer read a statement regarding Chamber decorum.

I. Proclamations:

Mayor Manheimer read the proclamation proclaiming July 2026, as "Asheville Parks and Recreation Month " in the City of Asheville. She presented the proclamation to Parks & Recreation Director D. Tyrell McGirt, and others, who thanked City Council for this recognition. Ms. Gladys Drey was also introduced as the 2nd place winner in the 2026 art budget cover book contest!

II. Consent Agenda:

A. Approval of the combined minutes of the agenda briefing worksession held on June 4, 2026, and the formal meeting held on June 9, 2026

B. Resolution Number 26-116 - Resolution authorizing the City Manager to enter into a three-year contract with ESRI, Inc. for GIS software, support, and licensing - Resolution Book No. 46 - Page 367

- On June 13, 2023, Council approved Resolution No. 23-128 for the GIS contract with ESRI, Inc. for three years.
- Currently, the ESRI software is how spatial assets and data are collected, analyzed, and visualized throughout the City, including recent Helene damage and debris data collection and reporting.
- This contract will allow the City of Asheville to continue enhancements to its GIS program, which utilizes ESRI software. Without this contract, these enhancements and the following key functions would not be available, including public facing GIS platforms:
    - GIS dashboards and Map Asheville
    - The open data program
    - Water utility management
    - Police Transparency Dashboards
    - Asset management services
    - Mapping and storytelling for the Emergency Operations Center
    - Various other applications
    - Motion to authorize the City Manager to enter into a contract with Esri, Inc. on behalf of the City of Asheville for the purpose of providing a fixed rate contract for GIS software, support, and maintenance in the amount of $66,600.00 per year for the next 3 years, the total amount of $199,800.00.

C. Ordinance Number 5228 - Budget amendment from Buncombe County for annual Historic Resources program funding allocation - Ordinance Book No. 37 - Page 42

- The Historic Resources Commission (HRC) is a joint City/County board founded in 1979.
- Per 160D-942, the HRC is charged with multiple responsibilities, including but not limited to, maintaining an inventory of historic properties, review of certificate of appropriateness applications, recommendations on historic designations, adoption of a preservation plan, and educating the public.
- The ordinances creating the HRC anticipate funding from both the City and County to support these activities and staff resources necessary to support the HRC.
- Motion to adopt a budget amendment in the amount of $7,174 for funding from Buncombe County for the annual Historic Resources program funding allocation.

D. Resolution Number 26-117 - Resolution authorizing the City Manager to sign an amendment to the Regional Air Quality Program Interlocal Agreement with Buncombe County to amend termination provisions - Resolution Book No. 46 - Page 368

- Since 2000, the City has had an interlocal agreement in place with Buncombe County establishing a Regional Air Quality Program pursuant to North Carolina General Statutes Section 143-215.112.
- The agreement establishes the Asheville Buncombe Air Quality Agency, made up of members appointed by the City and the County, responsible for developing policies and plans to improve air quality programs and exercising the functions and responsibilities enumerated in NCGS 143-215.112(c)(1).
- The County is seeking to terminate the Agreement to allow it to merge the responsibilities of the Air Quality Agency into its Permits & Inspections Department, with Air Quality being a division thereof.
- The County has provided assurances that it will provide the same services, just under a different governance structure.
- Mark Matheny, Development Services Department Director, has conferred with the County and the Air Quality Agency and has confirmed that Air Quality will operate as usual as a division of County Permits and Inspections.
- The Agreement currently has the following termination provision:
    - “This Agreement shall become effective upon the later of July 1, 2000 or the date of certification by appropriate State agencies. It shall be automatically renewed for successive one year terms on July 1st of each calendar year unless terminated by either party given written notice of its intention to terminate to the other party no later than the first day of March of the year in which said termination is to become effective.”
- The County sent notice of its intention to terminate the Agreement to the City.
- The County anticipates that the processes needed for approval of its new governance structure (including various state approvals) will take longer than July 1. Under the current termination provision, this timing would cause a gap with no program in place.
- The proposed amendment to the Agreement would resolve this to allow for a shorter termination notice period that is not locked on a specific date: termination by either party given 30 days’ written notice.

- Motion to adopt a resolution authorizing the City Manager to sign an amendment to the Regional Air Quality Program Interlocal Agreement with Buncombe County to permit termination of the Agreement with 30-day notice.

E. Resolution Number 26-118 - Resolution to permit the possession and consumption of malt beverages and/or unfortified wine at the Independence Day Block Party on July 4, 2026 - Resolution Book No. 46 - Page 369

Resolution Number 26-119 - Resolution to permit the possession and consumption of malt beverages and/or unfortified wine at the Boomtown Arts & Heritage FestAVL on September 4-6, 2026 - Resolution Book No. 46 - Page 372

Resolution Number 26-120 - Resolution to permit the possession and consumption of malt beverages and/or unfortified wine at the Blue Ridge Pride Festival on September 26, 2026 - Resolution Book No. 46 - Page 375

Resolution Number 26-121 - Resolution to permit the possession and consumption of malt beverages and/or unfortified wine at the Surreal Sirkus Arts festival on October 24, 2026 - Resolution Book No. 46 - Page 378

Resolution Number 26-122 - Resolution to permit the possession and consumption of malt beverages and/or unfortified wine at Asheville Veganfest on October 25, 2026 - Resolution Book No. 46 - Page 381

- N. C. Gen. Stat. sec. 18B-300(c) authorizes the City by ordinance to regulate or prohibit the consumption and/or possession of open containers of malt beverages and unfortified wine on public streets and property owned, occupied, or controlled by the City and to regulate or prohibit the possession of malt beverages and unfortified wine on public streets, alleys or parking lots which are temporarily closed to regular traffic for special events.
- The City Council of the City of Asheville has adopted an ordinance pursuant to that statutory authority; and that ordinance, codified as Section 11-11 in the Code of Ordinances of the City of Asheville, provides that the City Council may adopt a resolution making other provisions for the possession of malt beverages and/or unfortified wine at a special event or community festival.
- Asheville Downtown Association has requested that City Council permit them to serve beer and/or unfortified wine at the Independence Day Block Party on July 4, 2026, on Coxe Avenue, Banks Avenue, and Buxton Avenue, and allow for consumption at the event.
- Asheville Symphony has requested that City Council permit them to serve beer and/or unfortified wine at the Boomtown Arts & Heritage FestAVL on September 4, 5, and 6, 2026, at Pack Square Park, and allow for consumption at the event.
- Blue Ridge Pride Center has requested that City Council permit them to serve beer and/or unfortified wine at the Blue Ridge Pride Festival on September 26, 2026, at Pack Square Park, and allow for consumption at the event.
- Arts 2 People has requested that City Council permit them to serve beer and/or unfortified wine at the Surreal Sirkus Arts Festival on October 24, 2026, at Pack Square Park, and allow for consumption at the event.
- Triangle Vegfest has requested that City Council permit them to serve beer

and/or unfortified wine at Asheville Veganfest on October 25, 2026, at Pack Square Park, and allow for consumption at the event.
- Alcohol boundaries are defined as per the accompanying event site maps. Approval would allow fundraising opportunities for the sponsoring nonprofit organizations. No negative fiscal impacts have been identified.
- Motion to adopt resolutions to permit the possession and consumption of malt beverages and/or unfortified wine at the Independence Day Block Party, Blue Ridge Pride Festival, Boomtown Arts & Heritage FestAVL, Surreal Sirkus Arts Festival, and Asheville Veganfest

F. Ordinance Number - 5229 - Budget amendment in the City's Internal Services Funds to allocate insurance recovery revenue received in Fiscal Year 2025-26 to fund health insurance and workers' compensation claims expenses- Ordinance Book No. 37 - Page 43

- The City maintains self-insured programs for property and liability and workers' compensation obligations, and for employee health, dental, life, and disability benefits.
- These self-insured programs are accounted for in Internal Service Funds, and a financial plan is included in the City's annual Budget Ordinance for each fund.
- For each of the three programs, the City purchases excess insurance coverage for claims that exceed certain stop-loss thresholds.
- When an individual claim exceeds these thresholds, the City receives insurance recovery revenue from insurance carriers.
- City staff budgets insurance recovery revenue in each of these funds as part of the annual Budget Ordinance based on trends, but actual revenue can vary substantially year-over-year based on claims.
- For fiscal year 2025-26, the City has had a number of claims that exceeded the stop-loss thresholds and has received more insurance recovery revenue than budgeted.
- This amendment will budget that insurance recovery revenue in the Workers' Compensation and Health Funds to help offset claims expenses.
- Motion to adopt a budget amendment in the amount of $1,356,000 in the City's Internal Services Funds to allocate insurance recovery revenue received in fiscal year 2025-26 to fund health insurance and workers' compensation claims expenses.

G. Ordinance Number - 5230 - Budget Amendment to the Fiscal Year 2025-26 Water Resources Fund budget, in the amount of $16 Million, to account for the refunding of debt - Ordinance Book No. 37 - Page 44

- In June 2015, the City issued the 2015 Water Revenue Bonds in the amount of $50.625 million.
- On May 12, 2026, City Council approved the issuance of 2026 Water Revenue Bonds in an amount not to exceed $51 million, which included approximately $16 million to refinance the remaining outstanding amount from the 2015 Water Revenue Bonds.
- On June 3, 2026, the City closed on the 2026 Water Revenue Bonds.

- The funds generated from the refunding portion of the transaction were used to pay off the existing 2015 Bonds, which created an expense in the Water Resources Fund that requires budget authorization.
- The Fiscal Year (FY) 2025-26 budget did not include budget authorization to account for the issuance of the refunding bonds.
- This amendment incorporates these appropriations into the budget in order to ensure that the Water Resources Fund does not exceed the approved annual budget.
- Motion to adopt a budget amendment in the amount of $16 million in the Water Resources Fund to account for the refunding of debt.

H. Resolution Number 26-123 - Resolution authorizing the City Manager to execute a contract amendment with Carolina 1926 LLC d/b/a Carolina Cat for rental equipment utilized by various departments - Resolution Book No. 46 - Page 384

- A request for proposals was advertised in April 2024 for Rental Equipment Services.
- A contract (92500001) was executed in July 2024 with Carolina 1926 LLC DBA Carolina Cat.
- This contract is utilized by multiple departments to rent equipment needed for various tasks and projects.
- The original $85,000 not-to-exceed limit was increased to $170,000 in 2025. This limit has nearly been reached, partially due to additional needs after Tropical Storm Helene, and therefore needs to be increased to $255,000 for the final year of this contract.
- The City's Procurement, Purchasing and Contracting Policy requires Council approval for General Service Contracts valued at $90,000 or greater.
- Move to adopt a resolution authorizing the City Manager to execute a Contract Amendment with Carolina 1926 LLC DBA Carolina Cat to increase the not to exceed amount from $170,000 to $255,000 for rental equipment to be utilized by multiple departments.

I. Resolution Number 26-124 - Resolution authorizing the City Manager to execute a contract amendment with Herc Rentals Inc. for rental equipment utilized by various departments - Resolution Book No. 46 - Page 385

- A request for proposals was advertised in April 2024 for Rental Equipment Services.
- A contract (92500003) was executed in July 2024 with Herc Rentals Inc
- This contract is utilized by multiple departments to rent equipment needed for various tasks and projects.
- The original $85,000 not-to-exceed limit has nearly been reached, partially due to additional needs after Tropical Storm Helene, and therefore needs to be increased to $170,000 for the final year of this contract.
- The City's Procurement, Purchasing and Contracting Policy requires Council approval for General Service Contracts valued at $90,000 or greater.

- Move to adopt a resolution authorizing the City Manager to execute a Contract Amendment with Herc Rentals Inc to increase the not to exceed amount from $85,000 to $170,000 for rental equipment to be utilized by various departments.

J. Resolution Number 26-125 - Resolution authorizing the City Manager to enter into a contract with B. Allen Construction, Inc. for site work necessary to allow construction of a temporary skating rink; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount - Resolution Book No. 46 - Page 386

Ordinance Number 5231- Budget amendment to transfer Community Development Block Grant (CDBG) funds from the CDBG Fund to the General Capital Projects Fund for the construction of a temporary skating rink - Ordinance Book No. 37 - Page 45

- Tropical Storm Helene caused significant damage to the amenities and facilities at Carrier Park which included the skating rink. The community has been without a public rink for public skating, hockey, and other programs since this storm event in September of 2024.
- The Infrastructure Recovery Support Group for Parks and Recreation programming was tasked with finding an interim solution to provide a location for a temporary public skating rink while the long term recovery work of the damaged site at Carrier Park evolves in the French Broad River Corridor project.
- After assessing City of Asheville and private property locations, a City-owned surface parking lot located at 50 Asheland Ave operated by the Transportation department was identified as a property that meets the necessary requirements to support a public skating rink. The Transportation department is supportive of the temporary project location.
- Site improvements including demolition, grading and paving will be needed to support the installation of the temporary rink.
- On April 23, 2026, staff posted an Advertisement for Bids (298-FY26-PR-BID-TempSkRk3) for the basic site preparation to enable the installation of a temporary and portable skating rink.
    - Motion to adopt a resolution authorizing the City Manager to enter into a contract with B. Allen Construction, Inc. in the amount of $682,157 for site work necessary to allow the construction of a temporary skating rink; and to authorize the City Manager to execute any change orders that may arise during the project up to the 15% contingency amount of $102,325, for a total not to exceed amount of $784,482; and to adopt of a budget amendment in the amount of $526,569, to transfer CDBG funds from the CDBG Fund to the General Capital Projects Fund.

K. Resolution Number 26-126 - Resolution authorizing the City Manager to execute an amendment to the Construction Manager at Risk contract with Frank L. Blum Construction Company for the Guaranteed Maximum Price for construction of the

Municipal Building Capital Repairs and Restoration project - Resolution Book No. 46 - Page 387

- The Municipal Building, located at 100 Court Plaza, is headquarters to the Asheville Police Department (APD) and home to Asheville Fire Department (AFD) Fire Station No. 1.
- The fire station's 3-bay apparatus bay is located on a suspended concrete slab, above the building's fitness center and Police Forensics facilities. Structural assessments determined that the concrete slab is compromised and needs to be fully removed and replaced.
- The slab replacement will also require partial demolition and reconstruction of the spaces below the slab. The APD Forensics Office and Lab will be relocated to a new area within the building prior to the start of construction; this relocation will modernize and expand the spaces occupied by this critical law enforcement function. The fitness center will be temporarily relocated during construction and built back at the end of the project.
- During construction the building will remain occupied. APD will maintain their headquarters operations in the building. Fire Station 1 will continue to operate out of the building, but will move to the 1-vehicle apparatus bay at the rear of the building outside the construction zone.
- AFD's Administration offices have been moved out of the Municipal building, in preparation for the project.
- **Initial Bidding plan:**
    - The project was initially bid under a standard design-bid-build method. Bids were due March 27, 2025. No bids were received.
    - The project was re-bid, and bids were opened May 15, 2025. One bid was received:
        - H&M Constructors of Asheville, NC - bid amount $8,580,000
        - The bid was significantly over budget, and negotiations with the Contractor yielded some cost reductions, but not enough to award.
- **Pivot to Construction Manager at Risk**
    - Staff pivoted to a strategy of using the Construction Manager at Risk (CMAR) project delivery method. A Request for Qualifications (RFQ) was advertised for limited pre-construction services and construction management services. Qualifications were received July 24, 2025, and two firms submitted:
        - Frank L. Blum Construction (Asheville, NC)
        - Harper General Contractors (Asheville, NC)
    - Staff evaluated and scored the two qualification packages, and selected Frank L. Blum Construction as the most qualified to perform CMAR services for the Municipal Building Capital Repairs & Restoration project. A contract for preconstruction services was executed in the amount of $28,190.
    - Preconstruction services have been completed, and a Guaranteed Maximum Price (GMP) for the cost of construction has been established.The GMP includes all of the costs for the labor, materials, equipment, supervision, and all other fees required to complete the

construction of the project.
    - The pivot to this strategy yielded nearly $1.9M in construction cost savings.
- The scope included in the GMP includes:
    - the replacement of the apparatus bay slab
    - the renovation of existing space into a new Forensics office and lab
    - reconstruction of the existing fitness center
    - a bid alternate for the replacement of the failing 30-year old boiler, with high-efficiency condensing boilers
    - the repair of the concrete drive in front of Fire Station 1 and the concrete steps from Spruce Street to the front entrance
- During the recent Municipal Building Roof Replacement project, the roof was made “solar-ready”. A plan to add a solar photovoltaic array has been created for the building, and could be added as an amendment to this contract in the future using local or federal grant funding.
    - Staff will delay this amendment until we receive more information regarding the Hazard Mitigation Grant Program (HMGP) application for secondary power systems (integrated generator, battery, and solar).
    - Staff is evaluating the timing of the HMGP funding application, related decisions, and the opportunity to include the solar installation in the Municipal Building Capital Repairs project. Decisions around the HMGP funding and the resulting schedule for a solar array installation are anticipated by mid-2027.
- Motion authorizing the City Manager to execute an amendment to the construction manager at risk contract with Frank L. Blum Construction Company in an amount not to exceed $6,928,674 for the Guaranteed Maximum Price of construction for the Municipal Building Capital Repairs and Restoration project.

L. Resolution Number 26-127 - Resolution authorizing the City Manager to execute a contract amendment with Terracon Consultants, Inc. for additional professional services on the Municipal Building Capital Repairs & Restoration project - Resolution Book No. 46 - Page 388

- The Municipal Building Capital Repairs & Restoration is a project primarily driven by the need for structural repairs, including the demolition and replacement of a suspended concrete slab. It will include minor modernization and update to services provided by the facility for public safety operations, including relocation and improvement of the forensics lab.
- After a competitive Request for Qualifications process, the City entered into a contract with Terracon Consultants in February 2022 for structural assessment, engineering, design and construction administration.
- Due to the complexities of the project, construction has been through several procurements and the schedule has extended beyond the original anticipated work schedule.
- This contract amendment is for additional design and design review, coordination with Construction Manager at Risk and construction administration fees provided by Terracon and their subconsultants.
- Motion authorizing the City Manager to execute a contract amendment with

Terracon Consultants, Inc. in the amount of $66,725 for additional professional services for the Municipal Building Capital Repairs and Restoration project for a total contract amount not to exceed $873,675.

M. Resolution Number 26-128 - Resolution authorizing the City Manager to enter into a professional services contract with Perkins + Will North Carolina Inc., for the Eagle and South Market Street Enhancement Design Services - Resolution Book No. 46 - Page 389

- The Eagle & Market Street Enhancements project lies within the larger project, Boosting the Block, and it will advance the larger vision of Boosting the Block.
- The project focuses on the heart of the historic Black business district in Asheville.
- This project will include the placemaking for the design of a physical gateway feature, streetscape and enhanced public spaces along S. Market Street and Eagle Street, intending to provide activation to the space, make it accessible, and be designed such that it can be a well-programmed cultural corridor.
- Additionally, the physical and cultural investments of this project are intended to enhance connectivity between Pack Square Plaza and The Block, implementing key elements of the Pack Square Plaza Vision Plan.
- Physical improvements include: street trees, brick sidewalks, stormwater improvements, accessible ramps, paving and curbing.
- Cultural aspects include: storytelling, neighborhood identity work and public gathering improvements. All which support a community centered vision.
- The design phase is expected to take approximately 12 months, depending on engagement and subsurface findings. Staff expects to submit a construction contract for City Council approval by the latter part of 2027 calendar year.

- Motion to adopt a resolution authorizing the City Manager to execute a professional services contract with Perkins + Will North Carolina Inc., in the amount of $263,500.00, for the Eagle and South Market Street Enhancement project; further authorizing the City Manager to execute any change order that may arise during the project up to the contingency amount of $26,300.00 (10%), with the above totalling $289,800.00

N .Resolution Number 26-129 - Resolution authorizing the City Manager to enter into a contract with Batson-Cook Construction and Sizemore Group for the 179 S Charlotte Street Upfit - Resolution Book No. 46 - Page 390

- 179 S Charlotte St. is a city owned property that is currently unoccupied after ABC Store vacated the facility of their own accord.
- Due to the upcoming construction at the Municipal Building at 100 Court Plaza the Asheville Police Department (APD) will lose access to their fitness facility.
- APD will use the unoccupied building at 179 S Charlotte St. as a temporary fitness facility until construction is complete at 100 Court Plaza.
    - The facility shall include open fitness areas, locker rooms, shower facilities, and shall provide a safe, durable, and code compliant environment suitable for occupancy.
- Request for Qualifications was issued on April 20, 2026 soliciting qualifications from design-build teams, which required a minimum of three responses, as per general statutes.
- Qualification packages were received on May 14, 2026 from the following teams:
    - Batson-Cook Construction - Charlotte, NC
- Since only one team provided a response, the project had to be bid again. A second request for Qualifications (RFQ) was issued on May 14, 2026 soliciting qualifications from design-build teams.
- With the second issuance of a request for qualifications, general statutes allow for the project to be awarded with fewer than three proposals.
- Qualification packages were received on May 21, 2026 from the following team:
    - Batson-Cook Construction - Charlotte, NC
- An evaluation committee composed of staff from the Capital Management Department reviewed the qualification package.
- Baton-Cook Construction was determined to be the most qualified company to complete this work.
- Motion to adopt a resolution authorizing the City Manager to enter into a design-build contract with Batson-Cook Construction and Sizemore Group in the amount of $300,000; further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of $30,000 (10%).

O. Resolution Number 26-130 - Resolution authorizing the City Manager to approve Cooperative Contracts for Axon Fleet purchases for new vehicle upfits, utilizing the pricing offered through the active Charlotte Cooperative Purchasing Alliance, OMNIA or Sourcewell Cooperative - Resolution Book No. 46 - Page 391

- The City's Fleet Division annually replaces aging Asheville Police Department vehicles through the City's vehicle replacement program.
- The number of replacement vehicles purchased each year is determined through the City's fleet procurement process.
- New police vehicles must be equipped with standard law enforcement equipment, including Axon Fleet in-car camera systems. These systems include cameras, mounting hardware, installation, warranties, software licensing, and cloud storage.
- APD estimates that approximately 20–30 replacement vehicles will be purchased annually. Based on current pricing, the estimated annual cost for

Axon Fleet systems is $70,000–$105,000.

- Fleet funding covers the cost of camera hardware, installation, and warranties. APD funding covers ongoing software licensing and cloud storage costs.
- Axon Fleet systems are procured through competitively awarded cooperative purchasing contracts, including the Charlotte Cooperative Purchasing Alliance (CCPA), OMNIA Partners, and Sourcewell.
- Under the City's purchasing policy, contracts valued at $90,000 or more require Council approval.
- This request is separate from the technology initiatives previously presented to Council. Because Fleet purchases the mounting hardware and cameras for the original upfit of new vehicles, the purchase of this equipment was not included in the product bundle described in a previous presentation related to Axon equipment.
- It does not authorize new technology or expand existing technology capabilities. It provides a contracting mechanism to equip replacement police vehicles with the same in-car camera systems currently in use.
- Motion to adopt a resolution authorizing the City Manager to approve Cooperative Contracts for Axon Fleet purchases of $90,000 or more for new vehicle upfits, utilizing the pricing offered through the active Charlotte Cooperative Purchasing Alliance (CCPA), OMNIA, or Sourcewell Cooperatives, with a total not to exceed $900,000 over the course of a 7-year cooperative contract.

P. Resolution Number 26 -131 - Resolution authorizing the City Manager to enter into a mutual aid agreement for fire protection services with Buncombe County - Resolution Book No. 46 - Page 392

- Pursuant to this Agreement, the Asheville Fire Department (AFD) will supplement emergency services—including fire protection, rescue, and emergency medical services—as part of the Buncombe County Emergency Services System within the designated Insurance District.
- AFD will provide the necessary equipment and personnel to offer emergency services protection in accordance with minimum requirements from OEMS and the State Fire Marshal.
- AFD will comply with specific Fire Department Service Standards, including:
    - Providing 4 firefighters on the scene of a structure fire (including automatic aid) within 8 minutes from enroute to arrival, 80% of the time.
    - For Suburban Response Districts, providing 22 firefighters on the scene within 10 minutes, 80% of the time.
    - For Rural Response Districts, providing 22 firefighters on the scene within 25 minutes, 80% of the time.
- This Agreement will be valid for a term of one (1) year, beginning July 1, 2026 through June 30, 2027, and may be extended for additional one (1) year terms based on written consent of both County and AFD.
- Either party may cancel this Agreement for convenience by giving the other party ninety (90) days advance written notice. In such case, AFD shall be paid for services rendered up to the date of termination.
- Buncombe County will pay $576,609 annually for the services rendered.

- Motion to adopt a resolution authorizing the City Manager to enter into a mutual aid agreement with Buncombe County.

Q. Resolution Number 26-132- Resolution authorizing the City Manager to apply to the North Carolina Department of Environmental Quality Blueprint Project for grant funding in the amount of up to $1 million for the Burton Street Neighborhood Stormwater Improvements Project; to accept said grant if awarded, and execute all necessary grant agreements and documents upon award - Resolution Book No. 46 - Page 393

- The Burton Street Neighborhood experiences recurring localized flooding on public streets, private property, and public infrastructure due to limited and aging stormwater infrastructure.
- The neighborhood has experienced historic impacts related to the construction and planned expansion of interstate infrastructure, including I-240 and the proposed I-26 Connector project.
- The Burton Street neighborhood has been identified as a climate-vulnerable community and has participated in several planning and mitigation initiatives focused on improving neighborhood resilience and infrastructure.
- The proposed project for grant funding would provide detailed engineering design and construction of stormwater improvements along the north end of Buffalo Street, as well as evaluate and potentially address additional localized drainage concerns throughout the neighborhood. Proposed improvements include stormwater inlets, piping, a stormwater control measure, roadway grading improvements, and related infrastructure upgrades intended to reduce nuisance flooding, provide water quality, improve roadway drainage, and increase long-term flood resilience.
- City staff have conducted site visits, drainage investigations, and community engagement efforts with the Burton Street Community Association to identify priority stormwater concerns and potential mitigation strategies.
- The north end of Buffalo Street was identified as a priority location due to recurring roadway flooding and impacts to adjacent properties.
- If awarded, grant funding would support engineering, design, construction, and associated project management costs. The project would improve stormwater conveyance, reduce localized flooding impacts to residents and infrastructure, improve water quality entering Smith Mill Creek and the French Broad River watershed, and support safer roadway and pedestrian conditions within the neighborhood.
- The North Carolina Flood Resilience Blueprint is a statewide initiative helping communities and the state identify and implement actions that will reduce the cost and disruption from future floods.
- If project funding is awarded, funded work must be complete within 2 years of contract signing.
- Motion to adopt a resolution authorizing the City Manager to apply to the North Carolina Department of Environmental Quality Blueprint Project for grant funding in the amount of up to $1,000,000 for the Burton Street Neighborhood Stormwater Improvements Project; to accept said grant if awarded, and execute all necessary grant agreements and documents upon award.

R. Resolution Number 26-133 - Resolution authorizing the City Manager to enter into a contract with ECS Southeast LLC for Tropical Storm Helene design and engineering services for one of three City-wide Landslide recovery projects (Project A) for landslides that impacted City infrastructure; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount - Resolution Book No. 47 - Page 394

Ordinance Number 5232 - Budget Amendment for Tropical Storm Helene design services with ECS Southeast LLC for one of three City-wide recovery Landslide projects, to add federal and state funds to the General Capital Projects Fund - Ordinance Book No. 37 - Page 46

- The City of Asheville has a need to hire qualified engineering professionals to help the City repair landslides that impacted City infrastructure occurred during Tropical Storm Helene.
- There are four (4) site locations in the Helene Recovery Project - Citywide Landslides Repairs - Project A where City infrastructure was damaged by Tropical Storm Helene, including a large landslide, the subsequent roadway failure, stormwater pipe, and guardrail damage.
- On February 27, 2026, staff posted a Request for Qualifications (298-FY26-PW-RFQ - Landslides - Helene Recovery Project) for professional services to design repairs of landslides and the damaged infrastructure.
- The deadline for statements of qualifications by interested firms was March 24, 2026. Seven (7) statements of qualifications were received and evaluated by a five-member selection committee from the Public Works and Capital and Asset Management Departments.
- The scope of design and engineering services encompasses:
    - Permanent restoration design services of the landslide area and the damaged infrastructure including FEMA PA restoration and cost-effective hazard mitigation projects to protect the slope and infrastructure from future damage.
    - Geotechnical borings, investigations, and slope stability analysis with formal inspection and stability reports.
    - Structural and geotechnical design needed for preparation of construction drawings and specifications, cost estimates, and bid documents.
    - Stormwater designs and calculations to provide adequate drainage as needed for additional stability of the site.
    - Applications for any necessary Federal, State, or Local permits.
    - Preparation of beneficial cost analysis and FEMA cost reasonableness for all designs to ensure the more cost-effective option.
    - Costs tracking associated with the multiple Federal and State programs for reimbursement and/or funding.
    - Construction administration during construction of repairs.
- Motion to adopt a resolution authorizing the City Manager to enter into a contract

with ECS Southeast, LLC. in the amount of $337,235 for design and engineering services for Helene Recovery Project - Citywide Landslide Repairs Project A for landslides that impacted City infrastructure; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of $67,021; and approval of a budget amendment of $404,256 to add federal and state funds to the General Capital Projects Fund.

S. Resolution Number 26-134 - Resolution authorizing the City Manager to enter into a contract with Kimley-Horn & Associates, Inc.for Tropical Storm Helene design and engineering services for one of three City-wide Landslide recovery projects (Project B) for landslides that impacted City infrastructure; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount - Resolution Book No. 47 - Page 395

Ordinance Number 5233 - Budget Amendment for Tropical Storm Helene design services with Kimley-Horn & Associates, Inc. for one of three City-wide recovery Landslide projects, to add federal and state funds to the General Capital Projects Fund - Ordinance Book No. 37 - Page 47

- The City of Asheville has a need to hire qualified engineering professionals to help the City repair landslides that impacted City infrastructure occurred during Tropical Storm Helene.
- There are nineteen (19) site locations in the Helene Recovery Project - Citywide Landslides Repairs - Project B where City infrastructure was damaged by Tropical Storm Helene, including small and large landslides, the subsequent roadway failures, stormwater pipe, and guardrail damage.
- On February 27, 2026, staff posted a Request for Qualifications (298-FY26-PW-RFQ - Landslides-Helene Recovery Project) for professional services to design repairs of landslides and the damaged infrastructure.
- The deadline for statements of qualifications by interested firms was March 24, 2026. Seven (7) statements of qualifications were received and evaluated by a five-member selection committee from the Public Works and Capital and Asset Management departments.
- The scope of design and engineering services encompasses:
    - Permanent restoration design services of the landslide area and the damaged infrastructure including FEMA PA restoration and cost-effective hazard mitigation projects to protect the slope and infrastructure from future damage.
    - Geotechnical borings, investigations, and slope stability analysis with formal inspection and stability reports.
    - Structural and geotechnical design needed for preparation of construction drawings and specifications, cost estimates, and bid documents.
    - Stormwater designs and calculations to provide adequate drainage as needed for additional stability of the site.
    - Applications for any necessary Federal, State, or Local permits
    - Preparation of beneficial cost analysis and FEMA cost reasonableness for all designs to ensure the more cost-effective option.

    - Costs tracking associated with the multiple Federal and State programs for reimbursement and/or funding.
    - Construction administration during construction of repairs.
- Motion to adopt a resolution authorizing the City Manager to enter into a contract with Kimley-Horn and Associates, Inc. in the amount of $3,878,572 for design and engineering services for Helene Recovery Project - Citywide Landslide Repairs Project B; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of $581,786 (15%); and approval of a budget amendment of $4,460,358 to add federal and state funds to the General Capital Projects Fund.

T. Resolution Number 26-135 - Resolution authorizing the City Manager to enter into a contract with Catawba Valley Engineering and Testing, PC for Tropical Storm Helene design and engineering services for one of three City-wide Landslide recovery projects (Project C) for landslides that impacted City infrastructure; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount - Resolution Book No. 47 - Page 396

Ordinance Number 5234 - Budget Amendment for Tropical Storm Helene design services with Catawba Valley Engineering and Testing, PC for one of three City-wide recovery Landslide projects, to add federal and state funds to the General Capital Projects Fund - Ordinance Book No. 37 - Page 48

- The City of Asheville has a need to hire qualified engineering professionals to help the City repair landslides that impacted City infrastructure during Tropical Storm Helene.
- There are sixty-six (66) site locations in the Helene Recovery Project - Citywide Landslides Repairs - Project C where City infrastructure was damaged by Tropical Storm Helene, including small and large landslides, the subsequent roadway failures, stormwater pipe, and guardrail damage.
- On February 27, 2026, staff posted a Request for Qualifications (298-FY26-PW-RFQ - Landslides- Helene Recovery Project) for professional services to design repairs of landslides and the damaged infrastructure.
- The deadline for statement of qualifications by interested firms was due March 24, 2026. Seven (7) statements of qualifications were received and evaluated by a five-member selection committee from the Public Works and Capital and Asset Management departments.
- The scope of design and engineering services encompasses:
    - Permanent restoration design services of the landslide areas and the damaged infrastructure including FEMA PA restoration and cost-effective hazard mitigation projects to protect the infrastructure from future damage.
    - Geotechnical borings, investigations, and slope stability analysis with formal inspection and stability reports.
    - Structural and geotechnical design needed for preparation of construction drawings and specifications, cost estimates, and bid documents.
    - Stormwater designs and calculations to provide adequate drainage as needed for additional stability of the site.

    - Applications for any necessary Federal, State, or Local permits.
    - Preparation of Beneficial cost analysis and FEMA cost reasonableness for all designs to ensure the more cost-effective option.
    - Costs tracking associated with the multiple Federal and State programs for reimbursement and/or funding.
    - Construction administration during construction of repairs.
- Motion to adopt a resolution authorizing the City Manager to enter into a contract with Catawba Valley Engineering and Testing, PC. in the amount of $5,333,700 for design and engineering services for Helene Recovery Project-Citywide Landslide Repairs Project C for landslides that impacted City infrastructure; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of $800,055(15%); and approval of a budget amendment of $6,133,755 to add federal and state funds to the General Capital Projects Fund.

U. Resolution Number 26-136 - Resolution authorizing the City Manager to enter into a contract with Rummel, Klepper & Kahl, LLP for Tropical Storm Helene design and engineering services for City-wide roadway and sidewalk repairs; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount - Resolution Book No. 46 - Page 397

Ordinance Number 5235 - Budget Amendment forTropical Storm Helene design services with Rummel, Klepper & Kahl, LLP for City-wide roadway and sidewalk Repairs to add federal and state funds to the General Capital Projects Fund - Ordinance Book No. 37 - Page 49

- The City of Asheville has a need to hire qualified engineering professionals to help the City repair City infrastructure damaged during Tropical Storm Helene.
- There are thirty-six (36) locations in the Helene Recovery Project - Citywide Roadways and Sidewalks where City infrastructure was damaged by Tropical Storm Helene, including asphalt, sidewalks, greenways, street trees, stormwater pipes, signage, and traffic signals.
- On April 9, 2026, staff posted a Request for Qualifications (298-FY26-PW-RFQ - Roadways and Sidewalks - Helene Recovery Project) for professional services to design repairs for damaged City roadways and sidewalks.
- The deadline for statements of qualifications by interested firms was April 30, 2026. Ten (10) statements of qualifications were received and evaluated by a five-member selection committee from the Public Works and Transportation Departments.
- The scope of design and engineering services encompasses:
    - Permanent restoration design services of the damaged infrastructure including FEMA PA restoration and cost-effective hazard mitigation projects to protect the infrastructure from future damage.
    - Perform geotechnical borings and investigations and slope stability analysis and create formal stability reports.
    - Engineering designs needed for preparation of construction drawings and specifications, cost estimates, and bid documents.

    - Stormwater design and calculations to provide adequate drainage as needed for the individual sites.
    - Preparation of beneficial cost analysis and FEMA cost reasonableness for all designs to ensure the more cost-effective option.
    - Applications for any necessary Federal, State, or Local permits.
    - Costs tracking associated with the multiple Federal and State programs for reimbursement and/or funding.
    - Construction administration during construction of repairs.
- Motion to adopt a resolution authorizing the City Manager to enter into a contract with Rummel, Klepper & Kahl, LLP in the amount of $2,697,136 for design and engineering services for Helene Recovery Project - Citywide Roadways and Sidewalks; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of $404,570 (15%); and approval of a budget amendment of $3,101,706 to add federal and state funds to the General Capital Projects Fund.

V. Resolution Number 26-137 - Resolution authorizing the City Manager to enter into a contract with HDR Engineering Inc. of the Carolinas for the Fiscal Year 2026 Design Curb Ramps for Resurfacing Project - Resolution Book No. 46 - Page 398

- The City of Asheville is required by Federal law to improve ADA ramps that are adjacent to paving projects to current standards set by Public Rights-of-Way Accessibility (PROWAG) and Americans with Disabilities Act Accessibility Guidelines (ADAAG).
- Public Works has determined that 20 ADA ramps that are part of the FY26 Asphalt Resurfacing Contract will require design by a consultant to meet current PROWAG and ADAAG standards.
- On March 6, 2026, staff posted a Request for Qualifications (298-FY26-PW-RFQ - DesignResurfacingCurbRamps) for professional services to design ramps that meet current standards.
- The deadline for statement of qualifications by interested firms was March 31, 2026. Ten (10) statements of qualifications were received and evaluated by a five-member selection committee from the Public Works and Transportation Departments.
- The scope of design and engineering services encompasses:
    - Prepare final, sealed construction drawings and specifications for the permanent design of curb ramps and crosswalks at both signalized and non-signalized intersections.
    - Design new or modify existing signals for intersections.
    - Design new or modify existing roadway striping.
    - Assess intersections to identify and address any necessary pedestrian safety improvements.
- Motion to adopt a resolution authorizing the City Manager to enter into a contract with HDR Engineering, Inc. of the Carolinas in the amount of $107,460 for design and engineering services for FY26 Resurfacing Curb Ramps; and further authorizing the City Manager to execute any change orders that may arise during the project up to a 15% contingency amount of $16,119.

W. Resolution Number 26-138 - Resolution authorizing the City Manager to amend a contract with Hagerty Consulting, Inc. for recovery management services from Tropical Storm Helene - Resolution Book No. 36 - Page 399

Ordinance Number 5236 - Budget Amendment to fund the Hagerty Consulting Inc. contract amendment from Tropical Storm Helene - Ordinance Book No. 37 - Page 50

- The damage caused by Helene required an immediate response by the City to secure public safety, provide aid to the community, and secure public infrastructure.
- In responding to this crisis, the City of Asheville entered into emergency contracts to address the needs of the community when those needs exceeded the capacity of City staff. Under one such contract, the City engaged Hagerty Consulting, Inc., for recovery management services.
- That contract was ratified by the City Council on November 12, 2024 and has since been amended twice, January 28, 2025 and June 10, 2025, for a total amount not to exceed $12,826,024 for work occurring through June 30,2026 (Fiscal Year 2025-2026).
- Accomplishments from the Fiscal Year 2025-2026 (FY26) contract include but are not limited to development and submission of over $400 million in Hazard Mitigation Grant (HMGP) applications, extension of temporary water pretreatment systems through the 2025 hurricane season and grant support from FEMA Public Assistance for permanent pretreatment systems at DeBruhl Water Treatment Plant.
- This contract amendment will increase the contract by $4,584,593 for work to occur in Fiscal Year 2026-2027 (FY27) and brings the total not-to-exceed amount to $17,410,617.
- This contract is designed to be reimbursed through approved management costs embedded within each of the federal grant programs. It is expected that 90% of this expense will be reimbursed by FEMA and CDBG-DR. Remaining expenses may be eligible for additional revenue sources such HMGP and Federal Highway Administration (FHWA)
- The contract for FY27 is anticipated to support work to complete debris removal, a significant increase in infrastructure projects working through the FEMA Public Assistance program and support Hazard Mitigation Grant applications.
- There is no definitive end date for this contract. Staff anticipates bringing contract amendments to Council as needed but will attempt to limit the amendments to one per fiscal year.
- The scope of work includes capacity and support to the City in working with specific federal agencies to maximize access to direct financial reimbursement, grant support and technical assistance
- The federal agencies referenced in the scope of work are: Federal Emergency Management Agency (FEMA) - Public Assistance, Individual Assistance, Hazard Mitigation, Housing and Urban Design (HUD), and the FHWA and Federal Transit Administration (FTA) disaster recovery programs

- To date Hagerty Consulting's support resulted in the obligation of $72 million dollars to the City through the FEMA Public Assistance Program.
- Ongoing work will focus on maximizing cost recoverable opportunities and funding resources to support the City's infrastructure, housing and economic recovery efforts.
- Motion to adopt a resolution authorizing the City Manager to amend a contract with Hagerty Consulting, Inc. for recovery management services from Tropical Storm Helene, and a budget amendment, in the amount of $4,584,593, to fund the contract amendment.

X. Resolution Number 26-139 - Resolution in support of the Leonard Antonelli, Jacob Hill and Alex Rozos Bicycle Safety Zone Act of 2025 ("Lennie's Law") - Resolution Book No. 46 - Page 400

Mayor Manheimer read the following resolution: Whereas, the City of Asheville is committed to promoting the safety, health, and well-being of all residents and visitors, including those who utilize public roadways for cycling and other forms of active transportation; and Whereas, Western North Carolina is home to a vibrant and growing cycling community, with many roadways—particularly in and around Asheville —serving as popular and heavily trafficked cycling routes; and Whereas, on July 1, 2025, Leonard Antonelli ("Lennie", age 27) and Jacob Hill ("Jake", age 32) were tragically killed, while Griffin Tichenor was injured, when a commercial vehicle crossed the center line and struck them during a weekly group cycling ride near Asheville, North Carolina; and Whereas, on July 18, 2024, Alex Rozos,age 26, died after being hit while riding on Swannanoa River Road near the intersection with South Tunnel Road; and Whereas, this tragic crash underscores the urgent need for enhanced roadway safety measures to protect cyclists and prevent future loss of life; and Whereas, the proposed Leonard Antonelli, Jacob Hill and Alex Rozos Bicycle Safety Zone Act of 2025, also known as "Lennie's Law," seeks to establish designated Bicycle Safety Zones on popular cycling routes across North Carolina, where stricter enforcement of posted speed limits and increased penalties for violations would apply; and Whereas, "Lennie's Law" proposes a practical, cost-effective approach—modeled after school zone safety measures—that is non-invasive to private property owners and existing roadways, including the installation of clear signage designating bicycle safety zones to increase driver awareness and accountability; and Whereas, data consistently identify excessive speed as a leading contributing factor in vehicle-cyclist collisions, and enhanced enforcement mechanisms can play a critical role in reducing such crashes; and Whereas, local leaders and advocates have expressed support for the concept of bicyclist safety zones as a proactive step toward improving roadway safety; and Whereas, regional partners, including the French Broad Metropolitan Planning Organization and the North Carolina Department of Transportation, are actively evaluating strategies to improve safety along key corridors further demonstrating the need for coordinated action; and Whereas, the City of Asheville recognizes that safer roadways benefit all users, including motorists, cyclists, and pedestrians, and contribute to a more livable, connected, and resilient community; Now, therefore, be it resolved by the City Council of the City of Asheville that: (1) The City of Asheville formally expresses its strong support for the establishment of a law that increases awareness and consequences for speeding on designated roadways that meet prescribed criteria for bicycle safety; (2) The City supports

collaboration with state and regional agencies to identify and designate appropriate Bicycle Safety Zones within and near Asheville, based on data, community input, and demonstrated need; (3) The City encourages the North Carolina General Assembly to adopt this legislation to enhance cyclist safety through the establishment of Bicycle Safety Zones and increased penalties for speeding violations within those zones; and (4) The City honors the memory of Leonard Antonelli, Jacob Hill and Alex Rozos and recognizes this legislation as a meaningful step toward preventing future tragedies.

Maddie Barondeau, fiancee of Leonard Antonelli, and Adam Smith, friend of Leonard Antonelli, shared their story of the crash and thanked City Council for their support of "Lenny's Law" and to do whatever they can to help with road safety.

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

III. Presentations & Reports: None.

IV. Public Hearings:

A. Public hearing to rezone 99999 Deaverview Road from RM-8 Residential Multi-Family Medium Density to RM-16 Residential Multi-Family High Density.

Ordinance No. 5237- Ordinance to rezone 99999 Deaverview Road from RM-8 Residential Multi-Family Medium Density to RM-16 Residential Multi-Family High Density - Ordinance Book No. 37 - Page 51

Principal Planner Will Palmquist said that this is the consideration to rezone 99999 Deaverview Road from RM-8 Residential Multi-Family Medium Density to RM-16 Residential Multi-Family High Density. This public hearing was advertised on June 12 and 19, 2026.

Project Location and Contacts:

- 99999 Deaverview Rd (PIN 9628-16-9246)
- Owner: Deaverview Apartments LLC
- Applicant: Jayden Gurney

Summary of Petition:

- The applicant requests a rezoning of one property to the Residential Multi-Family High Density (RM-16) district.
- The subject property is currently vacant.
- The property is currently zoned Residential Multi-Family Medium Density (RM-8).
- 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.

Consistency with the Comprehensive Plan and Other Plans:

Living Asheville Comprehensive Plan (2018)

- The proposed rezoning supports a number of goals in the Living Asheville Comprehensive Plan, including:
  - **Increase and Diversify the Housing Supply** - by promoting zoning policies to encourage more housing.
  - **Celebrate the Unique Identity of Neighborhoods Through Creative Placemaking** - by continuing to support contextually appropriate infill development and a variety of housing types.
- The proposed rezoning is compatible with the Future Land Use designation of "Residential Neighborhood", which is proposed, in part, that "the types of housing in residential neighborhoods generally offer little variation of building types throughout the neighborhood, such as townhomes, duplexes or an apartment complex," and that, "over time, residential neighborhoods can benefit from having more housing diversity".
- Residential Multi-Family High Density (RM-16) is cited as an appropriate zoning district within the "Residential Neighborhood" Future Land Use category.

Compatibility Analysis:

- The purpose of the Residential Multi-Family High Density (RM-16) district is, "to establish a high density per acre for single-family dwellings where public infrastructure is sufficient to support such development and to stabilize and protect the district's residential character in areas of existing high density single-family development while promoting a suitable environment for single-family living. Non-single-family development normally required to provide the basic elements of a balanced and attractive residential area is also permitted" (UDO Sec. 7-8-4).
- The proposed rezoning is compatible with the surrounding land uses, including:
  - Existing group of four duplexes directly to the north of the subject property.
  - The larger surrounding residential neighborhood.

Committee(s):

- Planning & Zoning Commission - June 3, 2026 - Approved (Vote 7:0)

Pro(s):

- Allows for slightly higher densities of multi-family residential development on smaller minimum lot sizes.

Con(s):

- None identified.

UDO District Comparison:

UDO Provision	**Residential Multi-Family Medium Density (RM-8) - *Existing***	**Residential Multi-Family High Density (RM-16) - *Proposed***
Allowed uses:	● Multi-Family ● Single-Family Detached ● Duplex ● Townhouse ● Accessory Dwelling Unit ● Cottage Development ● Limited public, institutional, and recreational uses	● Multi-Family ● Single-Family Detached ● Duplex ● Townhouse ● Accessory Dwelling Unit ● Cottage Development ● Limited public, institutional, and recreational uses
Density:	2 units for first 4,000 SF lot area and an additional unit for each additional 1,000 SF of lot area	2 units for first 2,500 SF lot area and an additional unit for each additional 1,000 SF of lot area
Lot Size Minimum:	Min. 4,000 s.f.	Min. 2,500 s.f.
Lot Width Minimum:	Min. 40’	Min. 40’
Building Height:	Max. 40’	Max. 40’
Building Setbacks:	Front: 15’, Side: 6’ min, Rear: 15’ min	Front: 15’, Side: 6’ min, Rear: 15’ min
Parking	Standard (1 per unit typically)	Standard (1 per unit typically)

Mr. Palmquist reviewed the existing and proposed zoning, the aerial imagery and the future land use map. The Planning & Zoning Commission voted unanimously to approve the project. He then reviewed the zoning district comparison chart, along with the pros for the rezoning. 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.

Mr. Palmquist responded to Councilwoman Turner when she asked if we have any responsibility for access.

Mayor Manheimer opened the public hearing at 5:39 p.m., and when no one spoke, she closed the public hearing at 5:39 p.m.

Councilwoman Ullman moved to approve the rezoning request for the property located at 99999 Deaverview Rd from Residential Multi-Family Medium Density (RM-8) to

Residential Multi-Family High Density (RM-16) 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) Promotes zoning policies to encourage more housing; and, 2) Supports contextually appropriate infill development and a variety of housing types. This motion was seconded by Councilman Hess and carried unanimously.

B. Public hearing to rezone 3 S. Tunnel Road from Urban Place to Regional Business.

At the applicant's request, Councilwoman Turner moved to continue this public hearing until July 28, 2026. This motion was seconded by Councilman Hess and carried unanimously.

C. Public hearing on moratorium on new data center development.

Ordinance Number 5238 - Moratorium for New Data Center Development - Ordinance Book No. 37 - Page 55

Assistant Planning & Urban Design Director Chris Collins said that this is a public hearing and consideration of an ordinance for a moratorium on new data center development. This public hearing was advertised on June 12 and 19, 2026.

- Data Centers have been shown to produce intensive impacts on local electric and water utilities.
- Data Centers may pose significant impacts, such as noise and heat generation, on neighboring properties.
- The City's Unified Development Ordinance (UDO) currently lacks a definition or allowance for this land use.
- Without a clear definition for "Data Centers" in the City's, staff must rely on judgment (instead of established policy) to determine whether the proposed use is similar to an existing use category. Permitting decisions are more consistent and easier to defend when the land uses proposed are clearly defined in the City's ordinances.
- The City's Unified Development Ordinance currently lacks concrete policies, strategies, and tools needed to effectively manage this land use;
- This lack of clarity and direction results in uncertainty and risk for developers, staff, and community members, and
- Zoning classifications are intended to match uses with compatible locations. The City requires sufficient time to study the impacts of this land use and produce appropriate zoning regulations to protect the community against its impacts.
- City staff have found insufficient time exists to properly study, draft, review and adopt regulations governing data center development. Accordingly, a temporary moratorium is necessary to ensure that proper regulations are in place prior to permitting any new data center land uses.

Mr. Collins said that the following are the key takeaways from his presentation: (1) Data Centers have been shown to produce intensive impacts on local electric and water utilities and may pose significant impacts to neighboring properties; (2) The City currently lacks a definition for this land use as well as concrete policies, strategies and tools to effectively manage the impacts of these uses; (3) Lack of direction resulting in uncertainty for developers, staff and community members; and (4) The City needs sufficient time to study this land use and zone for it appropriately.

He said the need for the moratorium is (1) to effectively respond and provide some level of certainty and to determine locations and special standards for this use, City needs to create a land use definition, enhance its land use policies, tools and strategies to better regulate this land use; and (2) consideration of new data center development applications should be suspended to provide the time needed to determine impacts and remedies. This moratorium would apply to any new development, use, or change of use that would reasonably fall under NAICS Code 518210 (Data Processing, Hosting, and Related Services), or any facility functionally equivalent to such uses. This moratorium would not apply to data processing equipment or server rooms that are clearly incidental and subordinate to a permitted principal use so long as such data processing activities are not offered as a primary service to off-site users.

City Attorney Branham said the North Carolina law allows cities such Asheville to place a temporary moratorium on certain development approvals required by law. They must have a valid purpose, and definition of the affected approvals. The duration must be reasonable, and may not exceed time needed to address the issue. Alternative courses of action are inadequate. The ordinance must show the City's remediation schedule/actions. The purpose of our moratorium is to allow for development of regulations for this particular land use in order to mitigate unforeseen and disproportionate negative impacts of data centers. The U.S. Supreme Court has suggested durations over a year will warrant skepticism. Planning & Urban Design staff propose a 4 phased approach resulting in new regulations for review and consideration by City Council and its advisory boards and committees. The process is that (1) Initial review by the City Council PEDE Committee; Legal notices have already been published; (2) Required City Council public hearing already published); (3) Required City Council public hearing - June 23; (4) Council may act to adopt the ordinance at the same meeting; and (5) If adopted, it would be effective immediately.

City Attorney Branham said that the legal summary is (1) The City may impose a moratorium on data center development; (2) Duration should be 1 year or less; (3) Council must conduct a public hearing, and adopt an ordinance; (4) Time to be used to develop a policy for future data center applications; and (5) Any data center with a pre-existing vested right will be unaffected.

Mr. Collins then reviewed the planned actions for Phase 1 - research and development; Phase 2 - selected engagement; Phase 3 - ordinance drafting; and Phase 4 - hearing and adoption.

When Councilwoman Roney said as noted in Planning, Economic Development and Environment Committee, the list in the NAICS code 518210 includes virtual currency mining a/k/a cryptocurrency in its list of 32 uses, she wanted to have staff confirm on the record in this meeting that we're including the full list including cryptocurrency mining. Mr. Collins replied that is correct.

Councilwoman Roney appreciated staff responding to issues with demand on electric and water infrastructure, heat and land use priorities. As she noted in Planning, Economic Development and Environment Committee, her research on this shows the need subject matter experts in baseline measurements for noise, not just dbA but also dBC (measurement of vibrations) and dBG or infrasound–sound waves below 20 hZ that may not be audible to humans but can have health impacts like nausea and headaches for those who live and work in close proximity. Right now, the County regulations only measures up to 55 dba. She realized we will get in the weeds during the moratorium, but wanted to ensure that noise is on the record for this meeting in addition to electricity, water, and heat.

Mayor Manheimer opened the public hearing at 5:53 p.m.

Five individuals spoke in support of the moratorium on new data centers.

One individual felt that the moratorium is a long time to close the door negotiations for real money and community benefits to help our community.

Councilwoman Turner said she was interested in learning more about micro-nodes and whether we will allow them.

Mayor Manheimer spoke in support of the moratorium, noting that the cost of building a new plant is extremely expensive and borne by the taxpayers. She felt the time will allow us to put in measures to address our concerns and time for the state legislature to consider some changes to make the environment in North Carolina better.

Mayor Manheimer closed the public hearing at 6:10 p.m.

Councilwoman Turner moved to adopt an ordinance enacting a one-year development moratorium on data centers, as the City currently lacks a definition for or proper land use regulation for data centers, has exhausted other options for regulating data centers and the one-year time period is needed in order for the City to formulate and draft proper land use definitions and regulations for the use. This motion was seconded by Councilwoman Roney and carried unanimously.

V. Unfinished Business:

A. Resolution Number 26-140 - Resolution authorizing a Substantial AmendmenT to the Community Development Block Grant - Disaster Recovery (CDBG-DR) Action Plan to reallocate $19,200,000 in CDBG-DR funding to the CDBG-DR Single-Family Home Repair Program, amending the CDBG-DR Affordable

Multi-Family Housing Construction Program budget to $18,800,000 and the Infrastructure budget to $115,000,000, bringing the Single-Family Home Repair Program's budget total to $22,200,000 - Resolution Book No. 37 - Page 402

Mayor Manheimer said that this public hearing was held on June 9 2026, and no further public comment would be accepted.

Recovery Coordinator Bridget Herring said that this is consideration of a resolution authorizing a Substantial Amendment to the Community Development Block Grant - Disaster Recovery (CDBG-DR) Action Plan to reallocate $19,200,000 in CDBG-DR funding to the CDBG-DR Single-Family Home Repair Program, amending the CDBG-DR Affordable Multi-Family Housing Construction Program budget to $18,800,000 and the Infrastructure budget to $115,000,000, bringing the Single-Family Home Repair Program's budget total to $22,200,000.

From staff report:

- “The City of Asheville was allocated $225,010,000 in Community Development Block Grant-Disaster Recovery (CDBG-DR) funds from the U.S. Department of Housing and Urban Development (HUD) on January 16, 2025. These funds are governed by an Action Plan detailing programmatic priorities.
- The City is currently implementing the CDBG-DR Single-Family Home Repair Program in partnership with the State of North Carolina Department of Commerce. The current $3 million allocation is insufficient to meet current needs. Staff is proposing a Substantial Amendment to the Action Plan to reallocate funds to address these needs.
- The initial $3 million allocation is expected to support only 8-10 households, with 7 projects already authorized. The limitation on households served is due to high reconstruction costs, which average approximately $360,000 per home for applications that exceed the program's reconstruction threshold. The current state provided estimate to serve all City of Asheville residents is between $30 and $40 million. See table below as of May 28, 2026:

AMI Range	Household Criteria	Program Phase & Priority	Household Count
0–60% AMI	Child, Elderly, or Disabled	Phase 1/Priority 1	87
0–60% AMI	Other Eligible Households	Phase 1/Priority 2	21
60–80% AMI	Child, Elderly, or Disabled	Phase 2/Priority 1	6
60–80% AMI	No Child, Elderly, or Disabled	Phase 2/Priority 2	3
81–120%	Child, Elderly, or Disabled	Phase 4/Priority 1	30

AMI			
Under Review	Pending Final Determination	TBD	5

- The amendment proposes to reallocate $9,200,000 million from the CDBG-DR Multi-Family New Construction Program and $10,000,000 million from the Infrastructure program to the Single-Family Home Repair Program, resulting in a $22,200,000 total allocation for Single-Family Home Repair administered by the State of North Carolina's Renew NC program, $18,800,000 remaining in Multifamily New Construction, and $115,000,000 remaining in Infrastructure. It includes an updated evaluation of unmet recovery and mitigation needs to justify the substantial reallocation of funds and it updates the table of funding allocations to reflect the movement of funds proposed by the Substantial Amendment.
- The City's Citizen Participation Plan requires a public hearing and a 30-day public comment period for any Substantial Amendment. The 30-day period was open from May 15 through June 14, 2026.
- 75 total comments were received across all comment opportunities. Staff reviewed all public comments and major themes are outlined below.
- The majority of the comments referenced:
    - Cost Efficiency vs. Scale: Concerns with the high cost per household for the Renew NC single-family program compared to non-profit alternatives. Costs are also seen as inefficient compared to funding multi-family units.
    - Renter Vulnerability: Commenters stated that shifting funds away from multi-family housing ignores the ongoing rental crisis and leaves displaced, low-income renters with few recovery options.
    - Support for Local Alternatives: Multiple residents and organizations suggested using local nonprofits instead of the State program to complete home repairs at a lower cost.
    - Infrastructure Protection: Consistent opposition to diverting $10 million away from the infrastructure allocation, with commenters stating that community-wide assets like roads and water systems must remain fully funded.
- Additional comments referenced:
    - Urgent Homeowner Relief: Comments to quickly pass the amendment to provide immediate financial relief to homeowners who have been waiting nearly two years to return to or repair their homes.
    - Preventing Displacement: Single-family home repair is identified as an anti-displacement strategy, necessary to protect generational wealth and keep long-time residents in their established neighborhoods.
    - Concerns about Renew NC's Program, citing delays, poor communication, and stalled applications.

- Transparency and Oversight: Requests for the City to publish updated, data-driven Unmet Needs Assessments. Commenters also want independent reviews of Renew NC's repair-versus-reconstruction threshold and greater transparency regarding administrative costs.

Committee(s):

- Housing Recovery Board - June 3, 2026.
  - First motion: The HRB preferred only to comment on the reallocation of funds from the Multi-Family program and abstain from commenting on the Infrastructure funding. The formal motion was to not support staff's recommendation to amend the CDBG-DR Action Plan to reallocate $9.2 Million from the Affordable Multifamily Construction Program to the Single Family Rehabilitation & Reconstruction Program. The motion passed 6-4.
  - Second motion: The HRB recommends that City Council and City Staff formally pursue all available avenues to secure access to State CDBG-DR housing recovery funds for eligible households within Asheville, including engagement with State agencies, the Governor's Office, and the North Carolina General Assembly. The motion passed unanimously 10-0.

- Infrastructure Recovery Board - June 23, 2026 - Reviewed proposed $10M reallocation from the Infrastructure Program to Single-Family Home Repair Program - Motion to support reallocation ended in a tie 5-5.

Ms. Herring reviewed the timeline of this substantial amendment. The public input summary was (1) Overall support to fund single family home repair, infrastructure projects and new multi-family development; (2) Opposition to utilizing CDBG-DR funds for single family home repair; (3) Concern over CDBG-DR and Renew NC requirements that result in more costly home repairs; (4) Concern about housing availability for displaced residents; (5) Concern over moving funds that are already secured to fulfill other needs; and (6) Preference to utilize CDBG-DR funds for multi-family development. Recovery Boards input is as follows: (1) June 3, 2026 – Housing Recovery Board: Reviewed proposed $9.2M reallocation from the Affordable Multi-Family Construction Program to Single-Family Home Repair Program (a) Motion not to support reallocation passed 6–4; and (b) Board unanimously recommended pursuing state-level CDBG-DR housing recovery funds to support eligible households and reduce pressure on City funds; and (2) June 23, 2026 – Infrastructure Recovery Board: Reviewed proposed $10M reallocation from the Infrastructure Program to Single-Family Home Repair Program - Motion to support reallocation ended in a tie 5-5.

Regarding the Single Family Home Repair, (1) Estimated $32M gap in single-family home construction costs due to Helene; (2) Without additional CDBG-DR funding, many RenewNC applicants may not receive support through a City-funded program; and (3) $3 million for home repair from 2024 Affordable Housing Bond insufficient to serve added demand from Helene. See chart below:

Prioritization of Eligible Applicants			
AMI Range	Household Criteria	Program Phase & Priority	Household Count
0–60% AMI	Child, Elderly, or Disabled	Phase 1/Priority 1	87
0–60% AMI	Other Eligible Households	Phase 1/Priority 2	21
60–80% AMI	Child, Elderly, or Disabled	Phase 2/Priority 1	6
60–80% AMI	No Child, Elderly, or Disabled	Phase 2/Priority 2	3
81–120% AMI	Child, Elderly, or Disabled	Phase 4/Priority 1	30
Under Review	Pending Final Determination	TBD	5
Total			152

Regarding Multi-Family Housing, (1) Refined staff's original substantial amendment recommendation to expand support for affordable multi-family housing; (2) Allocated additional CDBG-DR funding to shovel-ready multi-family projects in response to demonstrated demand beyond the City issued $10M Notice of Funding Opportunity (NOFO); and (3) City Council approved $17,890,000 to support development of 331 affordable housing units - District East Commons: 93 units; 319 Biltmore Ave (B): 112 units; and Terrace at River Hills: 126 units.

Regarding infrastructure, (1) City pursuing multiple funding sources to strengthen water system resilience; and (2) Progress Indicators Include: (a) $10M NC DEQ State Revolving Fund loan secured for North Fork infrastructure project;; (b) $260M NCEM Hazard Mitigation Grant application submitted to FEMA (April 2026); first phase estimated at $10M; and (c) Permanent pretreatment system at DeBruhl Water Treatment Plant deemed eligible for FEMA Public Assistance, currently estimated at $25M.

She said that regarding the state partnership and collaboration, (1) Collaboration with RenewNC to provide additional support to program participants through program improvements, information sharing while balancing privacy protections and resource sharing; (2) Collaboration with GrowNC and Governor Stein's office to lobby Federal partners for additional funding and educate funding partners on unmet need in Asheville and WNC; (3) Direct advocacy with FEMA and Federal Delegation to advance obligation of funds through the FEMA Public Assistance program and private property acquisitions through HMGP; (4) Coordinated conversations with NCEM to improve competitiveness of City's applications and move to FEMA Region 4 for review; (5) Funding opportunities through State grants: (a) Small Business Infrastructure Grant - $2.4 Million for Biltmore

Village Sidewalks; and (b) Helene Local Government Capital Grants Program - $2.5 for Recreation Park Reconstruction; and (6) Coordination of Federal Dignitary visits to raise awareness and knowledge of Asheville's specific recovery needs.

Ms. Herring then reviewed the following proposed action regarding the reallocation of CDBG-DR resources:

CDBG-DR Program	Original Allocation	Change	Amended Allocation
Housing: State of North Carolina Reconstruction and Rehabilitation (R&R) Program	$ 3,000,000	+ $19,200,000	$ 22,200,000
Housing: Affordable Multi-Family Construction Program*	$ 28,000,000	- $9,200,000	$ 18,800,000
Infrastructure	$ 125,000,000	- $10,000,000	$ 115,000,000

- Will serve an estimated 55-65 households
- Focus continues to be on repair/reconstruction of Phase 1, Priority 1

CouncilwomanTurner moved to authorize the City Manager to submit an amendment to the CDBG-DR Action Plan to reallocate $19,200,000 to the Single Family Reconstruction with $9,200,000 from the Multi-Family Housing Construction Program and $10,000,000 from the Infrastructure Program, update the Unmet Needs Assessment and mitigation needs assessment to reflect new data. This motion was seconded by Vice-Mayor Mosley and carried on a 6-1 vote, with Councilman Hess voting "no."

VI. New Business:

A. Resolution Number 26-141 - Resolution authorizing the City Manager to enter into a Development and Sales Agreement with 29 Oak Hill LLC for sale city-owned property and the development of 42 affordable townhomes for home ownership at 29 Oak Hill Drive and allocate $1.6 million of 2024 Affordable Housing Bond funds for a construction loan and down payment assistance - Resolution Book No. 46 - Page 404

Ordinance Number 5239 - Budget amendment to transfer $1,600,000 from the General Capital Projects Fund to the Housing Trust Fund for 29 Oak Hill LLC - Ordinance Book No. 37 - Page 58

Affordable Housing Officer Sasha Vrtunski said that this is the consideration of a resolution authorizing the City Manager to enter into a Development and Sales Agreement with 29 Oak Hill LLC for sale of city-owned property and the development of 42 affordable townhomes for home ownership at 29 Oak Hill Drive and allocate $1.6 million of 2024 Affordable Housing Bond funds for a construction loan and down

payment assistance; and adoption of a budget amendment to transfer $1,600,000 from the General Capital Projects Fund to the Housing Trust Fund.

From staff report:

- “As part of the 2016 affordable housing bond initiative, the City embarked on developing City-owned land for affordable housing.
- In 2018, the City of Asheville acquired 29 Oak Hill for $450,000 with Affordable Housing Bond dollars.
- The property is 3.72 acres and is located off New Leicester Highway, approximately 0.6 miles north of the Patton Avenue/New Leicester Highway intersection (PIN #9629-90-2093).
- In June 2023, the City convened a meeting with the Oak Hill neighborhood. At that meeting, staff shared information about the City’s property at 29 Oak Hill Drive. Staff heard from neighbors that they are concerned about development on the site. Increased traffic was the most emphasized concern, as there is already substantial cut-through traffic in the neighborhood. Since that meeting, the City has added speed humps to Oak Hill Drive to slow traffic.
- The site's zoning is RM-16, which allows for more units and multifamily units.
- The site was previously used as a lot for towed cars and as a dumping ground for large tree stumps and other natural materials.
- The City completed geotechnical analysis and soil testing on the site. Due to soil debris, it is not financially feasible to build larger, multi-story structures on the site. The property is better suited to single-family homes, duplexes, townhomes, or mobile homes.
- In June 2025, the City released a Request for Proposals (RFP) for a developer to build housing with a minimum percentage of affordable units, in accordance with our Policies for Implementing Affordable Housing on City-Owned Land.
- Three proposals were submitted. The selection process resulted in a partnership with Eden Rock Builders, which has also purchased land at 67 Oak Hill Drive.
- In September 2025, staff presented a plan for Affordable Housing Bond funding that included approximately $1.5 million for the Oak Hill development.
- The developer acquired 67 Oak Hill in 2025, creating an opportunity to build more homes (70 units across both parcels).
- The City signed a Letter of Intent with 29 Oak Hill, LLC in April 2026, and continued negotiations with the developer.

Oak Hill Proposal Summary:

- The project will have 42 townhomes on the City-owned land
    - 10 homes affordable to households at or below 80% AMI.
    - 10 homes affordable to households at or below 100% AMI
    - 22 homes affordable to households at or below 110% AMI

- The affordability period will be 20 years, ensured by deed restrictions that run with the land.
- The land will be sold to the developer for a nominal price, $1.00.

- A Housing Trust Fund loan for $1.6 million for the construction of the homes, which will be paid back at the end of each phase of development, and re-loaned for the next set of homes.
- At the end of construction on 29 Oak Hill, the City will be repaid $850,000, and $750,000 will be used for down payment assistance.
- Down payment assistance:
    - $50,000 of City funds per household at or below 80% AMI.
    - $25,000 of City funds per household at or below 100% AMI.
    - Repayment will occur at sale with shared appreciation, so the City can help the next homeowner with those funds.
    - It is anticipated that home buyers will need additional assistance with home purchases. Down payment assistance could come from banks or other sources.
- The developer will also build 28 market-rate townhomes on 67 Oak Hill, which is not a part of this affordable housing deal.
- The development will be united as 1 development (affordable and market-rate homes), with streets built to City standards.

Project Timeline:

- The developer held a Neighborhood Meeting on May 20.
- The developer is applying for Technical Review on June 10, which results in a meeting on July 6.
- Council could hear the Conditional Zoning case in August or September.
- The land and funding decision now by City Council gives the developer assurance of support, making continued investment in the zoning approval process feasible.
- Construction could start this fall, beginning with site preparation and infrastructure work.
- Home construction is broken down into 6 phases, each taking 3-4 months to complete. There will be initial site work and infrastructure before home construction.
- The total timeline from beginning to end is 30 months (2.5 years).

Neighborhood Concerns

- Approximately 25 people attended the Neighborhood Meeting in May.
- The main concerns expressed were about current and future car traffic. The neighborhood experiences a lot of cut-through traffic from drivers heading to the Emma community, or looping around to go east on Patton Avenue or north on North Louisiana Avenue.
- Staff is working on basic traffic analysis and will be able to weigh in through the Technical Review process.

- The additional connectivity through the site will mean that new residents of this project are highly unlikely to use the most trafficked part of Oak Hill Drive, where residents have experienced significant negative effects from cut-through traffic.
- Members of the Emma Neighborhood Council and the Oak Hill community in general have expressed concerns that affordability is insufficient, and they would like to see the inclusion of lower-income households.

Phasing of Units by Income:

	Phase 1	Phase 2	Phase 3	Phase 4	Phase 5	Phase 6	Total
At or Below 80% AMI Units	4	0	4	0	2	0	10
100% AMI Units	0	4	0	4	0	2	10
110% AMI Units	4	4	4	4	4	2	22
Total Units	8	8	8	8	6	4	42

City Investment Cycle:

- A $1.6 million revolving loan funds the $12.6 million project by building and selling in cycles.
- As homes close and buyers secure mortgages, their bank funds repay the city's credit line with interest, which is then instantly recycled to build the next phase of homes.
- The city's cash exposure never exceeds $1.6 million, and at project closeout, the City will be repaid $850,000, with the remaining $750,000 used as down payment assistance and passed on to the buyers as "silent second" loans due to the City (not grants).

Analysis Summary:

- The City will gain 42 new affordable housing units for 20 years.
- The "silent second" loans (down payment assistance) and deed restrictions will ensure that City investments remain tied to the homes, or returns to the Housing Trust Fund upon resale.
- Approval of the proposal will allow the developer to proceed with the Conditional Zoning process this summer (2026) and begin construction this fall.
- Staff has worked with an experienced consultant, Zelleka Biermann, who has confirmed that this is an advantageous deal for the City and the community.
- The proposal aligns with other current projects regarding subsidies and costs.
- Homeownership for moderate-income households is very difficult to accomplish, and this project is a timely opportunity for the City to develop its land.

Committee(s):

- Housing and Community Development met on June 16, 2026,
    - The committee discussed a desire to make some townhomes available to households at or below 60% AMI. A substantial amount of down payment assistance would be required to fund the gap with current interest rates. Several ideas were floated for exploration: Housing Authority vouchers for home ownership, lower interest rates, and smaller unit footprints.

    - The suggested motion was amended to potentially expand the project's affordability levels to include 60% AMI units (exact wording below). Vote: 3-0 in favor.
        - Move to recommend that the Asheville City Council authorize the City Manager to negotiate and enter into a Development and Sale Agreement with 29 Oak Hill LLC for the development of the City's property at 29 Oak Hill Drive, to include 20 townhome units affordable for 20 years to households earning 60% to 100% of Area Median Income, and 22 units affordable to households at 110% of AMI. Additionally, we recommend that City Council approve a $1.6 million construction loan to 29 Oak Hill LLC, a portion of which will convert to down payment assistance at the sale of the homes for 60% to 100% AMI.

    - Staff is working with the developer to explore options to achieve greater affordability and will report the options to Council on June 23.

Fiscal Impact:

- Approval of a Development and Sale Agreement will obligate the City to sell the land to 29 Oak Hill LLC, contingent on zoning approval of the project.
- Deal approval would allocate $1.6 million of the 2024 Affordable Housing Bond funds to the project through a Housing Trust Fund loan with a three-year term and an interest-only rate of 1%. At project closeout, the City will be paid back $850,000, and the remaining $750,000 will be used as down payment assistance and passed on to the buyers as "silent second" loans due to the City."

Ms. Vrtunski said the following are the key takeaways from her presentation (1) staff is bringing forward a development deal for City-owned property at 29 Oak Hill in West Asheville; (2) after a Request for Proposals (RFP) process, the City selected partnership of Eden Rock Enterprises and Dr. Stephen Martin to develop the site; (3) the proposed project would build 42 townhomes on City property affordable to households at or below 80% to 110% AMI; and (4) in addition to the land, the City would loan $1.6 million to the developer for construction, and $750,000 would stay in the development for down payment assistance in the form of silent second mortgages. She then used maps to review the property location.

Regarding the background (1) as part of the 2016 affordable housing bond initiative, the City embarked on developing City-owned land for affordable housing; (2) in 2018, the

City of Asheville acquired 29 Oak Hill for $ 450,000 with Affordable Housing Bond dollars; (3) the property is 3.72 acres and is located off New Leicester Highway, approximately 0.6 miles north of the Patton Avenue/New Leicester Highway intersection (PIN #9629-90-2093); (4) in June 2023, the City convened a meeting with the Oak Hill neighborhood. At that meeting, staff shared information about the City's property at 29 Oak Hill Drive; (5) staff heard from neighbors that they are concerned about development on the site. Increased traffic was the most emphasized concern, as there is already substantial cut-through traffic in the neighborhood. Since that meeting, the City has added speed humps to Oak Hill Drive to slow traffic; (6) the site's zoning is RM-16, which allows for more units and multifamily units; (7) the site was previously used as a lot for towed cars and as a dumping ground for large tree stumps and other natural materials; (8) the City completed geotechnical analysis and soil testing on the site. Due to soil debris, it is not financially feasible to build larger, multi-story structures on the site. The property is better suited to single-family homes, duplexes, townhomes, or mobile homes; (9) in the June 2025, the City released a RFP for a developer to build housing with a minimum percentage of affordable units, in accordance with our Policies for Implementing Affordable Housing on City-Owned Land; (10) Three proposals were submitted - the selection process resulted in a partnership with Eden Rock Builders, which has also purchased land at 67 Oak Hill Drive; (11) in September 2025, staff presented a plan for Affordable Housing Bond funding that included approximately $1.5 million for the development at Oak Hill; (12) the developer acquired 67 Oak Hill in 2025, which created an opportunity for a greater number of homes (70 units on both parcels); and (13) the City signed a Letter of Intent with 29 Oak Hill, LLC in April 2026, and continued negotiations with the developer.

Ms. Vrtunski then reviewed the Oak Hill proposal summary as follows: (1) The project will have 42 townhomes on the City-owned land (a) 10 homes affordable to households at or below 80% AMI; (b) 10 homes affordable to households at or below 100% AMI; and (c) 22 homes affordable to households at or below 110% AMI; (2) Townhomes will be 3 bedroom units, approximately 1200 sf; (3) The affordability period will be 20 years, ensured by deed restrictions that run with the land; (4) The land will be sold to the developer for a nominal price ($1.00); (5) A Housing Trust Fund loan for $1.6 million for the construction of the homes, which will be paid back at the end of each phase of development, and re-loaned for the next set of homes; (6) At the end of construction on 29 Oak Hill, the City will be paid back $850,000 and $750,000 will be used for down payment assistance; (7) Down payment assistance: $50,000 of City funds per household at or below 80% AMI; $25,000 of City funds per household at or below 100% AMI; Repayment will occur at sale with shared appreciation, so the City can help the next homeowner with those repaid funds; and It is anticipated that home buyers will need additional assistance with home purchases. Down payment assistance could come from banks or other sources; (8) The developer will also build 28 market-rate townhomes on 67 Oak Hill, which is not a part of this affordable housing deal; and (9) The development will be united as 1 development (affordable and market-rate homes), with streets built to City standards. She then reviewed the site plan.

The following is the project timeline:

Phase	Timeline/Target	Key Outcome
Approval Process	June – Sept 2026	Securing zoning and technical approvals to start construction.
Site Work and Infrastructure	Fall-Winter 2026	Site prep and infrastructure installation.
Vertical Build	Late 2026 – 2028	6-phase rollout of 42 homes.
Full Completion	30 Months	Delivery of all 42 mixed-income units.

The following is the phasing of units by income:

	Phase 1	Phase 2	Phase 3	Phase 4	Phase 5	Phase 6	Total
≤ 80% AMI	4	0	4	0	2	0	10
≤ 100% AMI	0	4	0	4	0	2	10
≤ 110% AMI	4	4	4	4	4	2	22
Total Units	8	8	8	8	6	4	42

The last chart Ms. Vrtunski reviewed was the sales price and down payment assistance shown below:

Units	Area Median Income	Construction Cost	Max Mortgage (for AMIs)	Estimated Sales Price*	Gap for down payment assistance
10	≤ 80%	$300,000	$255,461	$325,000	$80,000
10	≤ 100%	$300,000	$352,955	$355,000	$25,000**
22	≤ 110%	$300,000	$398,261	$378,000	$0.00

** Sales prices may change based on construction costs*
*** Gap also includes closing costs. City will fund $50,000 for 80% AMI units and $25,0000 on 100% AMI units. Down payment assistance only be what is needed by the household to purchase the house.*

She said the following are neighborhood concerns: (1) approximately 25 people attended the Neighborhood Meeting in May; (2) the main concerns expressed were about current and future car traffic. The neighborhood experiences a lot of cut-through traffic from drivers heading to the Emma community, or looping around to go east on Patton Avenue or north on North Louisiana Avenue; (3) staff is working on some basic traffic analysis and will be able to weigh in through the Technical Review process; and (4) the additional connectivity through the site will mean that new residents of this project are highly unlikely to use the most trafficked part of Oak Hill Drive, where residents have experienced significant negative effects from cut-through traffic.

The analysis summary is as follows: (1) the City will gain 42 new affordable housing units for 20 years; (2) the "silent second" loans (down payment assistance) and deed restrictions will ensure that City investments stays bound to the homes, or returns to the Housing Trust Fund upon resale; (3) approval of the proposal will allow the developer to proceed with the Conditional Zoning process this summer (2026) and begin construction this fall; (4) staff has worked with an experienced consultant who has confirmed this is an advantageous deal for the City and the community; (5) the proposal aligns with other current projects regarding subsidies and costs; and (6) homeownership for

moderate-income households is very difficult to accomplish and this project is a timely opportunity for the City to develop its land.

Staff's recommendation is (1) approval of the sale of City-owned land for 20 affordable townhomes for households at or below 80% and at or below 100% of the Area Median Income and 22 townhomes affordable to households at or below 110% of the Area Median Income; and (2) the approval of a $1.6 million Housing Trust Fund loan using 2024 Affordable Housing bond dollars for construction and down payment assistance for the project.

The Housing and Community Development met on June 16, 2026. The committee discussed a desire to make some townhomes available to households at or below 60% AMI. A substantial amount of down payment assistance would be required to fund the gap with current interest rates. Several ideas were floated for exploration: Housing Authority vouchers for home ownership, lower interest rates, and smaller unit footprints. The suggested motion was amended to potentially expand the project's affordability levels to include 60% AMI units (exact wording below). The Committee voted: 3-0 in favor. The motion voted on by HCD was "move to recommend that the Asheville City Council authorize the City Manager to negotiate and enter into a Development and Sale Agreement with 29 Oak Hill LLC for the development of the City's property at 29 Oak Hill Drive, to include 20 townhome units affordable for 20 years to households earning 60% to 100% of Area Median Income, and 22 units affordable to households at 110% of AMI. Additionally, we recommend that City Council approve a $1.6 million construction loan to 29 Oak Hill LLC, a portion of which will convert to down payment assistance at the sale of the homes for 60% to 100% AMI." Staff is working with the developer to explore options to achieve greater affordability and will report the options to Council on June 23.

When Councilwoman Smith asked if this land is seen as a Brownfield, could they apply to the State's Brownfield Redevelopment Program to be able to help with the affordability. Ms. Vrtunski said that she did discuss that with the engineers, but she knows it's a very long drawn out process.

In response to Councilwoman Turner, Ms. Vrtunski said that we have $551,000 invested in the land.

In response to Mayor Manheimer, Ms. Vrtunski said that if there is any change, i.e., costs, it will come back to City Council, and since this will also come back to City Council for a conditional zoning request, that can also be addressed at that time, along with traffic information.

Councilwoman Turner hoped the developer will be able to work in some 60% AMI units.

Three individuals spoke in opposition to this development due to the current and future vehicle traffic with cut-through and speeding through the neighborhood.

Councilwoman Roney said that since she and Councilwoman Turner are members of the Metropolitan Planning Organization, she felt they could reach out to them about the N.C.

Dept. of Transportation corridors and help residents understand where residents should be directing their energy regarding concerns.

Ms. Vrtunski said that she has met with the City's Transportation Engineer regarding the list of concerns sent by the neighborhood to see what safety data we can gather to help make an argument to the state about traffic, and the need for a traffic light.

Councilwoman Ullman moved to authorize the City Manager to negotiate and enter into a Development and Sale Agreement with 29 Oak Hill LLC for the sale and development of the City's property at 29 Oak Hill Drive, to include 10 townhome units affordable to households earning at or below 80% AMI, 10 townhome units affordable to households at or below 100% of AMI, and 22 units affordable to households at or below 110% of AMI where all units will be affordable for a period of 20 years. Additionally, the City Council approves a $1.6 million construction loan to 29 Oak Hill LLC, a portion of which will convert to down payment assistance at the sale of the homes at or below 80% and at or below 100% AMI; and adoption of a budget amendment to transfer $1,600,000 from the General Capital Projects Fund to the Housing Trust Fund. This motion was seconded by Councilwoman Turner and carried unanimously.

B. Boards & Commissions

Due to no applications received for the Asheville-Buncombe Riverfront Commission and the Board of Electrical Examiners, it was the consensus of Council for the City Clerk to re-advertise for the vacancies.

Regarding the Neighborhood Advisory Committee, it was the consensus of Council to delay appointment.

Resolution Number 26-142 - Resolution appointing a member to the African American Heritage Commission - Resolution Book No. 46 - Page 406

Vice-Mayor Mosley said that this is the consideration of appointing a member to the African American Heritage Commission.

The term of ShaLinda Pruitt will expire on July 1, 2026.

The following individuals applied for the vacancies: Jackson Daniel Courson, Kimberly D. Jackson and Bobby Smith.

Staff recommends Bobby Smith for appointment. The Vice-Chair did not provide a recommendation.

Councilwoman Roney moved to appoint Bobby Smith to a term lasting until June 30, 2027, or until a successor has been appointed or unless modified by Council action. Notwithstanding the foregoing, all members shall serve at the pleasure of Council, and may be removed at any time with or without cause. This motion was seconded by Councilman Hess and carried unanimously.

Resolution Number 26-143 - Resolution appointing a member to the Buncombe County Tourism Development Authority - Resolution Book No. 46 - Page 407

Vice-Mayor Mosley said that this is the consideration of appointing a member to the Buncombe County Tourism Development Authority (TDA).

The term of Lucious Wilson (restaurant owner, owner of a brewery, distillery, or winery open for tours or tastings, or executive director of a ticketed arts organization) expires August 31, 2026.

Two individuals applied for the vacancy, but both were ineligible.

The TDA Board Development Committee recommended Lucious Wilson for reappointment.

Councilwoman Ullman moved to reappoint Lucious Wilson (restaurant owner, owner of a brewery, distillery, or winery open for tours or tastings, or executive director of a ticketed arts organization)) to a full three-year term, term lasting until August 31, 2029, or until a successor has been appointed or unless modified by Council action. Notwithstanding the foregoing, all members shall serve at the pleasure of Council, and may be removed at any time with or without cause. This motion was seconded by Councilwoman Smith and carried unanimously.

Resolution Number 26-144 - Resolution appointing a member to the Design Review Committee - Resolution Book No. 46 - Page 408

Vice-Mayor Mosley said that this is the consideration of appointing a member to the Design Review Committee..

Christine Roush (at-large representative) resigned thus leaving an unexpired term until June 30, 2027.

The following individuals applied for the vacancies: Robert Brown, Shawn Patrick Escobar, Emile Rose McKakin, Kelsey Morrow, Julie O'Dwyer, Cassidy Santander, Cecilia Smith and Justin Roberto Thorn.

Chair of the Design Review Committee believes the board could benefit from more landscape/site expertise, stating that the board has general users and real estate/developer voices. His recommendations, in ranked order, are: Justin Roberto Thorn (landscape, works for CDC); Shawn Patrick Escobar (lots of traffic, civil, site review); and Mrs. Kelsey Morrow (planning, form design, etc.). Staff agree with the chair's recommendations, saying it would be appropriate to include another architect on the committee given that the design guidelines, as currently written, are very focused on building architecture. They also suggest that having at least one female or non-male member on the committee would be an important consideration to show closer representation of City demographics. Suggest adding Emili McMakin, Julie O'Dwyer, and Cecilia Smith to the list of names being considered.

Councilwoman Turner moved to appoint Justin Roberto Thorn (at-large representative) to fill the vacancy left by Christine Roush, with a term lasting until June 30, 2027, or until a successor has been appointed or unless modified by Council action. Notwithstanding the foregoing, all members shall serve at the pleasure of Council, and may be removed at any time with or without cause. This motion was seconded by Councilman Hess and carried unanimously.

Resolution Number 26-145 - Resolution appointing a member to the Greater Asheville Regional Airport Authority - Resolution Book No. 46 - Page 409

Vice-Mayor Mosley said that this is the consideration of appointing a member to the Asheville Regional Airport Authority.

The term of Brad Galbraith will expire on July 1, 2026.

The following individuals applied for the vacancies: Douglas James Enevoldsen, Lawrence F.J. Keating and Shantelle Simpson.

Staff and Chair recommend Dr. Shantelle Simpson for appointment.

Councilwoman Roney moved to appoint Dr. Shantelle Simpson to a term lasting until July 1, 2026, and then a full four-year term, term lasting until July 1, 2030, or until a successor has been appointed or unless modified by Council action. Notwithstanding the foregoing, all members shall serve at the pleasure of Council, and may be removed at any time with or without cause. This motion was seconded by Councilwoman Turner and carried unanimously.

Resolution Number 26-146 - Resolution appointing members to the Historic Resources Commission - Resolution Book No. 46 - Page 410

Vice-Mayor Mosley said that this is the consideration of appointing members to the Historic Resources Commission.

Amy Gharst has resigned thus leaving an unexpired term until July 1, 2028. In addition, the terms of Leslie Humphrey and Will Hornaday's terms expire July 1, 2026.

The following individuals applied for the vacancies: William E. Kirby, William Margulis, Jane Mathews, Richard Mattson and Antonio Prieto.

Chair and staff recommend Leslie Humphrey for reappointment and recommend Antonio Prieto, Jane Mathews, and Richard Mattson equally for the other two current vacancies.

Councilwoman Ullman moved to reappoint Leslie Humphrey to serve a three-year term, term lasting until July 1, 2029, or until a successor has been appointed or unless modified by Council action. Notwithstanding the foregoing, all members shall serve at the pleasure of Council, and may be removed at any time with or without cause. This motion was seconded by Councilwoman Turner and carried unanimously.

Councilman Hess moved to appoint (1) Jane Mathews to fill the vacancy left by Amy Gharst, with a term lasting until July 1, 2028; and (2) appoint Richard Mattson to serve a three-year term, term lasting until July 1, 2029. All appointments are until a successor has been appointed or unless modified by Council action. Notwithstanding the foregoing, all members shall serve at the pleasure of Council, and may be removed at any time with or without cause. This motion was seconded by Councilwoman Smith and carried unanimously.

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Vice-Mayor Mosley said that this is the consideration of appointing members to the Planning & Zoning Commission..

The terms of Jane Bell, Jonathan Anzollitto and Lindsay Broughel expire on August 14, 2026.

The following individuals applied for the vacancies: Jayne Benjamin Alenier, Liz Avery, Randall Barnett, Brandon Bryant, Scott Burroughs, Mike Thomas Carpenter, Joseph John Chesler, Seth Armstrong Connelly, Will Deter, Matthew Doran, Jason Hambley, Evar Hecht, Christopher Horton, Julie O'Dwyer, Evan Patrick Quirk-Garvan, Micah Rogers, David Russell, Robert Sack, Jo Sesodia, Michael Speciale and Kyle Turner.

Chair and staff recommend Jonathan Anzollitto, Jane Bell, and Lindsay Broughel for reappointment.

Councilwoman Turner moved to reappoint Jane Bell, Jonathan Anzollitto and Lindsay Broughel to each serve a three-year term, terms lasting until August 14, 2029, or until a successor has been appointed or unless modified by Council action. Notwithstanding the foregoing, all members shall serve at the pleasure of Council, and may be removed at any time with or without cause. This motion was seconded by Councilwoman Roney and carried unanimously.

VII. Informal Discussion And Public Comment:

Ms. Christina Dupuch thanked City Council for the designated site for the pickleball courts and offered their partnership services.

VIII. Adjournment:

Mayor Manheimer adjourned the meeting at 7:20 p.m.

_____
Esther E. Manheimer, Mayor

_____
Magdalen Burleson, City Clerk