Council Meeting Date: May 23, 2023

Subject: Lease agreement with Asheville Greenworks for a tree nursery on Hardesty Lane.

Staff Resource(s): Chad Bandy, Streets Manager, Kiera Bulan, Sustainability and Nikki Reid, Director of Community & Economic Development

Action Requested: Adoption of a resolution authorizing the City Manager to sign a lease agreement with Asheville Greenworks to operate a tree nursery on Hardesty Lane.

Background:

- The City owns property at 80 Hardesty Lane (9668-31-9966) that consists of approximately 33.48 total acres.
- This parcel of land is located to the rear of Azalea Park and is used for City purposes.
- A portion of the property has been leased in the past for an organic farm, but it is currently unoccupied.
- Asheville Greenworks has proposed a growing area comprising approximately 1.30 +/- acres, where they will plant native trees that will be provided free of charge for public spaces.
- Asheville Greenworks will also be allowed to temporarily park vehicles in a designated area while tending to their plantings.
- Approximately 20% of the available trees will be designated for City of Asheville public installations.
- The exact number and species of trees will be determined by the City Arborist and the Asheville Greenworks Director of Operations on an annual basis.
- Other available trees that are not needed or requested by the City will be made available for planting on public land owned by Buncombe County, other municipalities in Buncombe County and non-profit organizations.
- Asheville Greenworks will work with the City Arborist to determine the exact number and type of trees to be planted.
- Asheville Greenworks will be allowed to construct a shed measuring 8 feet by 8 feet and will be allowed to pump water from an onsite surficial well.
- The proposed lease area is located near to the Swannanoa River and has flooded in the past. Asheville Greenworks has submitted a protocol that they will follow should the area flood.
- In exchange for the free native trees, Asheville Greenworks will pay $1.00 per year as a rental fee.
- The proposed term of the lease is five (5) years with one (1), five (5) year renewal.

Council Goal(s):

- A Clean and Healthy Environment

Committee(s):

- None

Pro(s):

- Native trees will be available to the City free of charge for use in public spaces.

Con(s):

- The City will not be receiving rental income from this use.

Fiscal Impact:

- This lease agreement will not significantly impact future use of this property, including any opportunity to generate additional lease revenue.
- Trees will be available for public installation at no cost to the City.

Suggested Motion:

- Motion to adopt a resolution authorizing the City Manager to sign a lease agreement with Asheville Greenworks to operate a tree nursery on City of Asheville property located at 80 Hardesty Lane.

Attachment(s)

- Resolution
- Tree Nursery Area
- Location Map

RESOLUTION NO. 23-_____

RESOLUTION AUTHORIZING A LEASE BETWEEN THE CITY OF ASHEVILLE AND THE ASHEVILLE GREENWORKS AT 80 HARDESTY LANE

WHEREAS, N. C. Gen. Stat. 160A-272 authorizes the lease of City owned property for such terms and conditions as the council sees fit, for periods of up to 10 years upon 30 days public notice; and

WHEREAS, public notice describing the property to be leased and the terms of the arrangement was issued on April 21, 2023;

WHEREAS, the City of Asheville is the owner of real property located on 80 Hardesty Lane; and

WHEREAS, the City of Asheville proposes a new lease to Asheville Greenworks to lease a 1.30+/- acre area for a five (5) year term with one (1) five (5) year renewal; and

WHEREAS, the rental for the leased premises was be $1.00 per year; and

WHEREAS, in exchange for the use of the leased premises, Asheville Greenworks will make approximately 20% of the trees available for City of Asheville public installations and other available trees that are not needed or requested by the City will be made available for planting on public land owned by Buncombe County, Other Municipalities in Buncombe County and non-profit organizations;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Manager is hereby authorized to execute a Lease between the City of Asheville and Asheville Greenworks for a portion of property located at 80 Hardesty Lane, Asheville NC. In addition, the City Manager is hereby authorized to execute any and all documents necessary to give effect to this resolution, subject to approval by the City Attorney, and compliance with applicable North Carolina law.

Read, approved and adopted this 23rd day of May, 2023.

_____ _____

City Clerk Mayor

Approved as to form:

_____

City Attorney