Thursday – March 5, 2026 - 11:00 a.m.

Agenda Briefing Worksession - For March 10, 2026, Council Meeting

Present: Mayor Esther E. Manheimer, Presiding; Vice-Mayor S. Antanette Mosley; 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

Absent: Councilman Bo Hess

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.

At 11:35 a.m., Mayor Manheimer adjourned the agenda briefing worksession.

Tuesday - March 10, 2026 - 3:00 p.m.

Budget Worksession

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

Budget & Performance Manager Lindsay Spangler provided Council with the fees & charges background (1) the fees & charges manual is a formal record of what the City charges for services: (2) Council adopts changes in the spring for the next Fiscal Year (FY), and those changes are used to project revenue impact; and (3) last year, departments were asked not to submit update to the fees and charges to limit the impact on the community after Helene - the only major adjustment was to continue with Year 2 of the 3-year water rate adjustment.

She then reviewed the FY 2025-26 General Fund revenues, along with the FY 25026 Enterprise Fund revenues.

Ms. Spangler then reviewed the recommended fee changes for (1) Solid Waste - $18.00 to $20.00 (recommended fee for increased disposal cost as a result of market changes due to Tropical Storm Helene; increase in disposal costs and tipping fees, particularly in yard waste since the storm; County is no longer providing solid waste rebate; and fee is below the average charged by municipalities across North Carolina, some of which also charge for additional services such as brush and bulky item collection; (2) WNC Nature Center admission fees - City resident $2; non-City resident $3 (estimated annual revenue increase of approximately $213,355) and is consistent with history of raising rates approximately every 5 years, per industry standards; (2) Street closure fees - fees to temporarily close right-of-way will be restructured to include differential rates for sidewalks, bike lanes, proximity to downtown etc - new fees will incentivize shorter, less disruptive closures with approximately $40,000 additional revenue. Summary of General Fund revenue increases is $1,100,985.

She reviewed a chart of recommended stormwater changes. A previous rate study suggested an 8.5% increase to support program needs and capital improvements; however, this recommendation represents a 7.5% increase, to minimize costs to ratepayers.

Regarding water cost of services study, (1) A Water Cost of Service Study was completed in late 2023 that determined the cost of service by functional area, assessed the rate structure, and made recommendations for multi-year rate adjustments - Study found the residential class was subsidizing other customer classes; specifically commercial/manufacturing and wholesale; (2) Staff recommended a three-year phase-in approach to the proposed rate adjustments as the most efficient, effective and equitable approach for our customers since it will eliminate inequity among customer classes sooner, establish needed funding for the capital program, and preserve the City's debt ratings; and (3) City Council has already adopted the first two years of the three-year rate adjustment plan. The importance of continued rate adjustments (1) Allows the system to keep up with rising costs to continue providing existing services; (2) Provides funding for critical maintenance of water capital infrastructure - $250+ million in capital improvements expected over the next five years; (3) Ratings Agencies use metrics such as debt service coverage and reserves to determine ratings for future debt issuances; and (4) Additional rate increases will continue after FY27. She showed a rate comparison, along with a chart of typical customer bill impacts, and a chart of single family residential user impact.

Regarding the parking fee increases, there are minor increases to parking fees - $1 increase to special event parking; $5 increase to monthly lot permits; and increased failure to pay fees. Additional information around service expansion will be discussed at an upcoming worksession.

She said the typical residential household impact for solid waste, stormwater (tier 2) and water (6 CCFs/month) will be an annual increase of $67.14; or bi-monthly bill increase of $11.19.

Regarding FY27 General Fund Revenue projections, (1) property tax projections are based on the revenue neutral formula provided by the State (a) Formula requires use of a growth factor equivalent to average tax base growth since last revaluation; (b) for the City this average is 1.23%, which only produces minimal property tax revenue growth in FY 27; and (c) expecting revelation numbers from the County soon so revenue neutral rate calculation and tax rate increase scenarios can be completed; (2) Sales taxes - Collections are up year over year but still trending under budget - Currently projecting FY27 budget flat compared to FY26; (2) Intergovernmental revenue is slightly higher in FY27 due to growth in state utility taxes; (3) Slight variations in other revenue sources, including a decrease in ABC revenue; (4) One-time revenues of $5.6M from disaster loan and street cut are not repeated in FY27; (5) *Overall early estimates are for FY27 General Fund revenues to be down $3.4M.*

Ms. Spangler said that staff will continue to analyze potential departmental savings and base budget requests, savings options and additional budget balancing strategies to be reviewed at the March 24 budget worksession. Council will be provided a full list of recommended savings for review in advance of the March 24 budget worksession.

Ms. Spangler responded to various questions/comments from Council, some being, but are not limited to: is there a touchpoint to the community about the year three increase of the three-year rate adjustment plan; if new staff person is required to administer the temporary street closing fee increase, can the salary be off-set by the increase in fees; reminder that you can go to the public library and rent a zoom pass to get into the WNC Nature Center free; request additional information on a sharper increase for non-city residents admission to the WNC Nature Center; can we look at incentives for property owners if they have more permeable vs. non-permeable property; request for more information on charging for bulk items (i.e., couches); request to share more sales tax information across the state; request for sales tax information from around 2019 to present; and when will staff bring forward parking fee information.

At 3:35 p.m., Mayor Manheimer adjourned the budget worksession.

Regular Meeting

Present: Mayor Esther E. Manheimer, Presiding; Vice-Mayor S. Antanette Mosley; Councilman Bo Hess; Councilwoman Kim Roney; Councilwoman Sheneika Smith; Councilwoman Sage Turner; Councilwoman Maggie Ullman; City Manager 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.

Mayor Manheimer said that we have had some very serious incidents in our community over the last few days. Mayor Manheimer, along with Interim Chief Jackie Stepp, issued the following joint statement: “Our hearts and thoughts are with the families who have lost loved ones, the victims grappling with trauma, and all the members of our community who are feeling the pain and fear caused by the recent gun violence in Asheville. Over the past three days, Asheville has experienced multiple incidents of gun violence that directly affected our city. While these incidents appear unrelated, some of these incidents were conflicts that escalated into the use of firearms. Behind every one of those incidents is a person, a family and a neighborhood impacted. Our residents deserve to feel safe in their neighborhoods and public spaces, and we must work together as a community, not just during crises, but through ongoing efforts to promote peace and safety for everyone. The Asheville Police Department is actively investigating these incidents. In addition, the APD is collaborating with its federal, state, and local partners, focusing on identifying and prosecuting repeat violent gun offenders. The APD has also increased police presence in areas where gun violence has occurred. We call on the entire Asheville community to join in preventing further violence. Stopping gun violence requires more than law enforcement; it requires the coordinated efforts of city leaders, community members, and organizations working together. It also requires partnerships to ensure that those who inflict harm on our community members are held accountable for their actions. By sharing information and cooperating with police, residents can help minimize retaliation, solve crimes more quickly, and create safer neighborhoods for everyone. For those who would like to share information anonymously, please contact APD at (828) 252-1110. You can also send an anonymous tip using the TIP2APD smartphone application (search “Asheville PD” in your app store) or by texting TIP2APD to 847411.”

I. PROCLAMATIONS:

A. PROCLAMATION PROCLAIMING MARCH, 2026, AS “RED CROSS MONTH”

Mayor Manheimer read the proclamation proclaiming March, 2026, as "Red Cross Month" in the City of Asheville. She presented the proclamation to Jerri Goldberg, former Executive Director of the Western North Carolina Red Cross Chapter, who briefed City Council on some activities taking place during the month.

II. CONSENT AGENDA:

Mayor Manheimer asked for a motion to amend the agenda to add a motion to the Consent Agenda to reschedule the budget worksession on March 24, 2026, from 3:00 p.m. to 2:00 p.m. Councilwoman Turner moved to amend the agenda to add to the Consent Agenda a motion to amend the budget calendar to reschedule the budget worksession on March 24, 2026,

from 3:00 p.m. to 2:00 p.m. This motion was seconded by Councilwoman Roney and carried unanimously.

A. APPROVAL OF THE COMBINED MINUTES OF THE AGENDA BRIEFING WORKSESSION HELD ON FEBRUARY 19, 2026, AND THE FORMAL MEETING HELD ON FEBRUARY 24, 2026

B. RESOLUTION NO. 26-44 - RESOLUTION TO RESCIND A LOAN ALLOCATION TO REASONABLE DEVELOPMENT, LLC, FOR THE STEWART STREET COTTAGES PROJECT

Background:

- On April 25, 2023, City Council approved a loan to Reasonable Development for $1,052,850, Resolution 23-92.
    - The award was for the development of 10 affordable, for-sale cottages on Stewart Street in West Asheville, PINs 9638-51-1711, -1760, -2720, -2679, -3638.
    - The project was estimated to have 10 for-sale homes, affordable to households at or below 100% of AMI: 2 for 60% AMI, 6 for 80% AMI, and 2 for 100% AMI.
    - The application proposed a 20-year affordability period.
    - Loan terms: loan amount $1,052,850; 3-year term, 2% compounding annually, 2nd lien position; a portion of HTF will be repaid from home sale proceeds, another portion of HTF to be used as down payment assistance.
    - The loan was to be used for construction and accounted for 43% of the total development cost per unit ($242,500).
    - After construction, up to $500,000 of the $1,052,850 would be put towards down payment assistance for buyers.

- Since approval, staff has been working with Reasonable Development (owner, Barry Bialik) to develop an agreement based on the application to close the loan.
- In July 2025, the developer sent a list of requested changes to a draft deed restriction and draft Housing Trust Fund agreement. These requested changes materially altered the project from homeownership units to rental units and included an affordability buyout option in the event the deed restrictions are not upheld by the future owners. These changes are outside of the original Council approval (detailed below) and do not comply with the City's Housing Trust Fund Policy.
    - **Change of Project Use:** Request to shift the project from for-sale homeownership to have an option to sell to investors for rental housing, with the units still restricted to the original income limits (60%, 80%, and 100% AMI) and a minimum 6-month lease term (no short-term rentals).
    - **New Deed Restriction Clauses:** Request for a flexible deed restriction. If units are sold to a non-eligible buyer, the seller will pay the City twenty-five percent (25%) of the Excess Proceeds. The request also includes an option for the seller to terminate the affordability restriction upon payment of fifty percent (50%) of the Excess Proceeds. "Excess Proceeds" is defined as the portion of the sale price that exceeds the maximum allowable resale price calculated in accordance with this Deed Restriction.
- The developer has already built 2 of the homes and has found funding from other sources to make them affordable without using City funding.

Staff Analysis:

- The complexity of the proposed deal structure is untested in the City's portfolio and would create significant uncertainty about the future affordability of the units. Traditionally, the agreement between a developer and the City lays out a clear period of affordability, and even if it's shorter, it is certain.
- It is unclear whether City funding is needed for the construction of the homes.
- The updated proposal is a material change from the original proposal, going from the approved affordable homeownership opportunity to a potentially investor-owned rental structure. It would trigger a new application for the project.
- A funding round for homeownership projects will take place in the second half of 2026. The developer could propose this hybrid approach at this time, and staff would have all the application materials available to make a recommendation.
- If Reasonable Development would like to pursue a rental project, low-interest loans are available through the WNC Affordable Housing Loan Fund, which requires a minimum of 5 units, including single-family homes.

Motion:

- Motion to authorize a resolution to rescind the $1,052,850 Housing Trust Fund loan previously awarded to Reasonable Development LLC and reallocate funds to the Housing Trust Fund available balance.

RESOLUTION BOOK NO. 46 - PAGE 264

C. RESOLUTION NO. 26-45 - RESOLUTION AUTHORIZING THE COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR TO BE AN AUTHORIZED SIGNATORY ON BEHALF OF THE CITY OF ASHEVILLE AS THE RESPONSIBLE ENTITY FOR U.S. DEPT. OF HOUSING & URBAN DEVELOPMENT COMPLIANT ENVIRONMENTAL REVIEWS THAT DO NOT REQUIRE A FORMAL REQUEST FOR RELEASE OF FUNDS, AND RATIFY SUCH SIGNATURE AUTHORITY FOR ALL PRIOR ENVIRONMENTAL REVIEWS

Background:

- The City participates in several funding programs administered by the United States Department of Housing & Urban Development (HUD). The Community Development Block Grant (CDBG), CDBG-Disaster Recovery (CDBG-DR), and HOME Investment Partnership Program (HOME) are managed by the Community Development Division within the Community & Economic Development (CED) Department.
- These programs all require that an environmental review be performed before any activity funded with these programs may move forward.
- The City Manager is the official signatory for the City of Asheville, which acts as the Responsible Entity in the environmental review approval process.
- In order to streamline operations, staff is requesting that the CED Director be delegated signature authority on all future environmental reviews that do not require a formal Request for Release of Funds (RROF), as well as ratifying that CED Director's signature authority on all prior environmental reviews.
- Activities that require an RROF (e.g. new construction) would still require the City Manager's signature.

Motion:

- Move to approve a resolution to authorize the Community & Economic Development Director to be an authorized signatory on behalf of the City of Asheville as the Responsible Entity for HUD-compliant Environmental Reviews that do not require a

formal Request for Release of Funds, and ratify such signature authority for all prior environmental reviews.

RESOLUTION BOOK NO. 46 - PAGE 265

D. RESOLUTION NO. 26-46 - RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND AN EXISTING AGREEMENT WITH MARATHON HEALTH LLC THROUGH JUNE 30, 2026, FOR THE EMPLOYEE HEALTH SERVICES CLINIC

Background:

- The City of Asheville contracts with Marathon Health Parent, LLC for oversight and management of the Employee Health Services clinic for employees and their eligible dependents.
- The current contract expired in February 2026 so the City followed procurement protocols and released an RFP for these services.
- The process of receiving and evaluating RFP submissions to select a vendor through the competitive bidding process has been completed and the inter-departmental review committee selected Marathon to continue delivering these services.
- The City of Asheville and Marathon are working to ensure that the deliverables of the new contract meet employee and organizational needs with no disruption to current programs and services. This amendment will extend the current contract through June 30, 2026 and allow those discussions and negotiations to continue. In addition, it will align the new contract with other benefits contracts and the City's fiscal year.
- The amendment will increase the total contract amount by $534,202.72 to $5,031,202.72. The funds are budgeted in the Health Insurance Fund for this year.

Motion:

- Motion to approve a resolution authorizing the City Manager to approve an amendment to the contract with Marathon Health Parent, LLC. to extend the oversight and management of the City's Employee Health Center through June 30, 2026 and to increase the current contract by $534,202.72 for a total contract amount not to exceed amount by $5,031,202.72.

RESOLUTION BOOK NO. 46 - PAGE 266

E. RESOLUTION NO. 26-47 - RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDMENT TO THE SUPPLEMENTAL CONTRACT/CHANGE ORDER 2 FOR PROFESSIONAL SERVICES CONTRACT WITH GHD ENGINEERING FOR THE TASK ORDER 8 - DEBRUHL WATER TREATMENT PLANT CHEMICAL BULK STORAGE PROJECT

Background:

- The William DeBruhl WTP is one of the three City of Asheville water treatment plants that supply drinking water for the City of Asheville's water distribution system.
- The William DeBruhl WTP is a direct filtration water treatment plant that treats water from the Bee Tree Reservoir. As part of the water treatment process, the William DeBruhl WTP uses sodium hypochlorite, sodium hydroxide, zinc orthophosphate, sodium bicarbonate, fluoride, and polyaluminum chloride, to treat the water for customers.
- The use of these water treatment chemicals require onsite storage at the William DeBruhl WTP to allow treatment to continue 24 hours per day, 7 days per week, and 365 days per year.

- Both the William DeBruhl WTP fluoride and sodium hypochlorite bulk chemical tanks are at the end of their service life due to age and use.
- As it has also become clear that the Zinc Orthophosphate tank has also reached the end of its service life due to age and use.
- Currently the William DeBruhl WTP needs to replace (1) sodium hypochlorite tank, (1) fluoride tank, and (1) zinc orthophosphate tank to continue to provide core services and to continue to treat drinking water.
- The William DeBruhl WTP also needs to add 1-2 new bulk storage tanks to hold and store a new coagulant product, which will be beneficial to the treatment process.
- The City entered into a Master On-Call Services contract with GHD Engineering in October of 2020.
- The City entered into a Supplemental Professional Services contract/ Change Order with GHD Engineering for Task Order 8-Debruhl Water Treatment Plant Chemical Bulk Storage Project as approved by City Council Resolution No. 24-30 on February 13, 2024 in the amount of $145,000.
- The City Council approved a contract amendment of $7,000 on May 13th 2025 to include additional development of specifications for chemical tanks.
- The Supplemental Professional Services Contract/ Task Order 8 with GHD Engineering needs to be amended to include additional scope of work to include construction phase management services and coordination valued at an additional $145,000.
- Additional scope work as follows: Project Coordination, Construction Phase Services Meetings, Submittals Review, Request for Information Review, Issue Work Change Directives, Construction Inspection Services, Pay Request Review, Start Up Services, Record Drawing Preparation, Project Closeout, and 1 Year Post Closeout Inspection.
- This change retains an engineering firm for the construction phase of the project. Previous on-call services related to this project were just for the design work of the project.
- If not approved, it will limit the ability of the William DeBruhl WTP and the City of Asheville Water Resources Department to provide high quality drinking water to the City of Asheville's water distribution system and will delay implementation of needed chemical tank replacements.

Motion:

- Motion approving an amendment to the Supplemental Professional Services Contract with GHD Engineering in the amount of $145,000 for development of specifications and construction oversight for the replacement of the chemical storage tanks at Debruhl Water Treatment Plant (Task Order 8 - DeBruhl WTP Chemical Bulk Storage Project).and authorizing the City Manager to execute any documents necessary to give effect to this resolution.

RESOLUTION BOOK NO. 46 - PAGE 267

F. RESOLUTION NO. 26-48 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GLOBAL PUBLIC SAFETY LLC FOR THE INSTALLATION OF POLICE EQUIPMENT AND LIGHTING TO 45 NEW ASHEVILLE POLICE DEPARTMENT VEHICLES

Background:

- The Fleet Management Division of the Public Works Department maintains over 1,000 City owned vehicles and pieces of equipment.
- Contracted work is used to supplement existing staff resources at times of high demand or to provide services where the Fleet Division does not have suitable facilities or resources.

- APD has a shortage of vehicles due to new hires and unexpected loss of vehicles due to accidents and expensive repairs.
- APD has twenty-four (24) new Ford Police Interceptor SUVs on-hand in need of upfit of police lighting and emergency equipment.
- Fleet Management alongside the City's Purchasing Division is working on the purchase of twenty-one (21) additional SUV units expected to arrive this calendar year.
- This contract covers the upfit of these 45 vehicles in two phases.
- The BID (298-FY26-PW-BID-APDUpfits) was posted on January 9, 2026, and open for submissions through February 6, 2026.
- Eight submissions were received:
    - Global Public Safety $606,638.39
    - Carolina Custom Upfitters $639,821.87
    - Campbell Brown $641,698.53
    - FleetTec $716,785.03
    - Cape Fear Customs $764,944.95
    - AFI Public Safety $776,446.15
    - Brooks Network Services $809,652.05
    - Dana Safety $829,823.56
- Global Public Safety LLC was identified as the lowest responsive, responsible bidder in the amount of $606,638.39.

Motion:

- Motion to adopt a resolution authorizing the City Manager to execute a contract with Global Public Safety LLC, to provide upfit of police equipment and emergency lighting for up to Forty-Five (45) new Ford Police Interceptor SUVs for the Asheville Police Department, in a contract amount not to exceed $606,638.39.

RESOLUTION BOOK NO. 46 - PAGE 269

G. ORDINANCE NO. 5202 - BUDGET AMENDMENT FROM THE OFFICE OF STATE BUDGET AND MANAGEMENT - HELENE LOCAL GOVERNMENT CAPITAL GRANT PROGRAM FOR THE AZALEA PARK RECOVERY PROJECT

Background:

- The Office of State Budget and Management is administering the Helene Local Government Capital Grant Program, authorized through multiple legislative acts including the Disaster Recovery Act of 2025 to directly address impacts experienced during Hurricane Helene and other natural disasters.
- The program funds capital projects to repair, renovate, or replace damaged infrastructure that is ineligible or denied for FEMA Public Assistance.
- Grant prioritization favors communities with populations under 300,000 and projects ineligible under FEMA PA Categories C–G, verified in coordination with NC Emergency Management.
- Nearly $50 million in funding is available, with OSBM awarding grants according to statutory caps of 20% per county and 5% per eligible recipient or qualifying zip code.
- Grant funds must be spent by June 30, 2030, are disbursed as a lump sum up front, and recipients must report project expenses to OSBM.
- The City was awarded $2,487,500 through this grant program to support the relocation of assets that were not directly damaged by Tropical Storm Helene but will need to be moved and reconstructed outside of the FEMA Public Assistance program.

Motion:

- Motion to adopt a budget amendment in the General Capital Projects Fund in the amount of $2,487,500 from the Office of State Budget and Management (OSBM) - Helene Local Government Capital Grant Program for the Azalea Park Recovery Project

ORDINANCE BOOK NO. 36 - PAGE 389

H. ORDINANCE NO. 5203 - BUDGET AMENDMENT FROM THE N.C. DEPT. OF ENVIRONMENTAL QUALITY FOR WATER RESILIENCE IMPROVEMENTS

Background:

- The City is seeking funding to design and construct a pre-treatment solution and an alternative transmission line at the North Fork Water Treatment Plant as a direct result of changing conditions and damage from Tropical Storm Helene.
- The City has been working with, and will continue to work with, FEMA Public Assistance, the Hazard Mitigation Grant Program, and the Community Development Block Grant -Disaster Recovery and other funds to support this work.
- The NC Department of Environmental Quality Division of Water Infrastructure can provide funding assistance to local governments, nonprofit water/wastewater providers, and investor-owned drinking water companies that were impacted by Hurricane Helene using State Revolving Fund (SRF) Helene (SA-HMW) Loans.
- Based on the number of water customers, the City may be eligible for 30% principal forgiveness.

Motion:

- Motion to adopt a budget amendment in the Water Capital Projects Fund in the amount of $10,000,000 from the North Carolina Department of Environmental Quality for Water Resilience Improvements

ORDINANCE BOOK NO. 36 - PAGE 390

I. RESOLUTION NO. 26-49 - RESOLUTION TO APPLY FOR THE DEPARTMENT OF JUSTICE BUREAU OF JUSTICE ASSISTANCE FISCAL YEAR 2025 LOCAL LAW ENFORCEMENT CRIME GUN INTELLIGENCE CENTER INTEGRATION INITIATIVE GRANT AND AUTHORIZE THE CITY MANAGER TO SIGN ALL OF THE APPROPRIATE APPLICATION DOCUMENTS

Background:

- The City of Asheville has the opportunity to apply for a United States Department of Justice (DOJ) Bureau of Justice Assistance (BJA) grant, in partnership with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), to implement a Crime Gun Intelligence Center (CGIC) that strengthens APD's use of gun intelligence to reduce firearm violence.
- This BJA expects grant awards up to $700,000 for a new CGIC over 36 months, with the application due March 30, 2026.
- Asheville had 12 firearm-related homicides in the past two years (2024: 9, 2025: 3) and 206 firearm assaults or discharge-into-property incidents. The CGIC model is designed to reduce violent gun crime by accelerating and improving investigations.
- APD already uses NIBIN and eTrace, and this grant would expand those capabilities into a fully integrated CGIC that supports coordinated investigative and prosecutorial action.
- The goal is to cut ballistic lead turnaround to 24 to 48 hours, reducing weeks to hours by making Forensics a NIBIN site and expanding RTIC support.
- Success will be measured by outputs such as NIBIN entries and leads, firearms test-fired, eTrace submissions, and arrests and convictions tied to CGIC intelligence, as well as personnel, technology, and training added.

- This grant allows personnel expenses to be funded. Although no decisions have been made about adding staff, the funding could support personnel assigned to enhance the activities of the Realtime Intelligence Center and strengthen investigative follow-up.
- APD staff will continue to engage with the community to share information about the implementation of program enhancements made possible by these grant funds.
- Routine updates, such as the APD quarterly reports, will continue to be provided to community members, informing them of the impact of the APD team's efforts.
- The grant does not require local matching funds.

Motion:

- Motion to adopt a resolution to apply for the BJA FY25 Local Law Enforcement Crime Gun Intelligence Center (CGIC) Integration Initiative grant and authorize the City Manager to sign all of the appropriate application documents.

RESOLUTION BOOK NO. 46 - PAGE 270

J. RESOLUTION NO. 26-50 - RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR FUNDING FROM THE NC DEPARTMENT OF COMMERCE SMALL BUSINESS INFRASTRUCTURE GRANT TO EXTEND A SEWER LINE IN ENKA COMMERCE PARK: TO ACCEPT SAID GRANT FUNDS IF AWARDED; AND ENTER INTO ANY AGREEMENT DOCUMENTS NECESSARY FOR SUCH ACCEPTANCE

Background:

- In Spring of 2025, the NC General Assembly enacted SL 2025-2 known as "The Disaster Recovery Act - Part 1", which included a $55 million funding allocation for infrastructure that supports small businesses impacted by Tropical Storm Helene.
- The subsequent Small Business Infrastructure (SmBIZ) Grant Program is being administered by the NC Department of Commerce Rural and Economic Development Division.
- The purpose of the grant is to provide financial assistance for recovery and resilience to communities specifically impacted by Helene by restoring and repairing critical infrastructure, allowing small businesses to resume function and operations to support economic recovery; and to assist in restoring or expanding small businesses' ability to attract customers to business districts to help retain business, expand access, spur private investment to create stability, and leverage resources to create resiliency and economic growth.
- To restore and provide reliable sanitary sewer service to the park, the sewer line must now be extended approximately 3,000 linear feet along Hominy Creek, exclusively due to the storm-related damage.
- This gravity sewer extension is essential to supporting occupancy of the newly constructed speculative industrial building and enabling current and future small business tenants to operate.
- The sewer infrastructure will serve over 100,000 square feet of existing, completed speculative industrial space that is currently available for lease.
- The extension also unlocks approximately 30 additional acres of industrial land, planned for more than 500,000 square feet of future Class A industrial space designed to accommodate small businesses.
- This investment strengthens the long-term viability of Enka Commerce Park and supports responsible economic development, job creation, and business growth in the surrounding area.

Motion:

- Motion to adopt a resolution authorizing the City Manager to submit an application to the NC Department of Commerce Small Business (SmBIZ) Infrastructure Grant fund to extend a sewer line in Enka Commerce Park, to accept said grant funds if awarded; and enter into any agreement documents necessary for such acceptance.

RESOLUTION BOOK NO. 46 - PAGE 271

K. MOTION APPROVING THE ALCOHOLIC BEVERAGE COMMISSION'S UPDATED PAY RANGE FOR THE GENERAL MANAGER

In staff's review of past and current pay plans, and in consideration of the General Assembly's last update of clerk of superior court pay ranges occurring in 2019, the ABC Board requests to approve the General Manager's pay range from $165,610 to $198,732. This adjustment will keep them more in line with similar boards and private sector salaries.

L. MOTION TO AMEND THE BUDGET CALENDAR TO RESCHEDULE THE MARCH 24, 2026, BUDGET WORKSESSION FROM 3:00 P.M. TO 2:00 P.M.

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

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

III. PRESENTATIONS & REPORTS:

A. MANAGER'S REPORT - RECOVERY PROGRESS UPDATE

Recovery Coordinator Bridget Herring provided the following key takeaways from her presentation as follows: (1) Project development work is being completed to ensure that cost recovery is maximized and that infrastructure is rebuilt to be more resilient; (2) While availability of recovery funds remains slow, the City continues to work in close partnership at the state and federal level to advance the work as quickly as possible; and (3) Based on feedback from City Council and the Infrastructure Recovery Board, the City Manager has revised the CDBG-DR infrastructure allocation to reserve funding for future resilience hub investments.

Regarding FEMA Public Assistance (FEMA-PA), (1) Funding source for base infrastructure repair and replacement; (2) Focused exclusively on infrastructure damaged by the storm; (3) Staff is monitoring the impact of the Department of Homeland Security shutdown on recovery projects but is not delaying work at this time; and (4) The NC Congressional Delegation has been advocating for obligation of City projects successfully.

She then showed a chart of public assistance progress by the numbers: (1) Total Number of Damage Inventory Items: 135; (2) Grouped into 51 total FEMA projects; and (3) Reimbursements Received by PA Category: Cat A Debris Removal: $1.4M (Total retained by the City as of 3/20/26); Cat B Emergency Protective Measures: $23.4M; Cat E Buildings and Equipment: $100K; Cat G Parks: $78K; and Cat Z Management Costs (5%): $300K.

Regarding the Hazard Mitigation Grant Program (HMGP), (1) $1.4B in FEMA funds administered by the State; (2) $400M in City Grants submitted to NCEM; and (3) City Applications for Private Property - 30 Acquisitions (a) 9 Residential (3 approved); and (b) 21 Commercial; and 15 Elevations: (a) 14 residential; and (b) 1 commercial. HMGP acquisition next steps include (1) Once FEMA approves acquisition the state moves forward with a pre-Helene market rate appraisal; (2) Appraisal to closing can take up to 90 days; (3) Property owner still has a chance to

opt out; (4) State contract will demolish and clear site within 90 days of closing; and (5) Property is deed restricted as open spa and transferred to the local jurisdiction.

Regarding the Community Development Block Grant - Disaster Recovery (CDBG-DR) infrastructure, (1) Program's Goal is to facilitate long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation efforts; and (2) Based on feedback from City Council and the Infrastructure Recovery Board, the City Manager has revised infrastructure allocation to reserve funding for future resilience hub investments. The following are recommended CDBG-DR allocations:

Project	Original Allocation Recommendation	Reduction	Revised Recommendation
French Broad Riverfront Parks Recovery Project	$22,500,000	5%	$21,375,000
Azalea Parks & Infrastructure Recovery Project	$10,000,000	10%	$9,000,000
North Fork Pre-Treatment	$89,777,440	0.05%	$89,727,490*
Resilience Hub Investments	$0	-	$2,125,000
Subtotal, Allocation Available			**$122,277,490**
Compliance Costs			$2,772,510
Total Allocation			$125,000,000

*.05% reduction due to mathematical error.

Next steps for the CDBG-DR infrastructure include (1) Move forward with the three recommended projects at reduced funding levels; (2) Evaluate the CDBG-DR Action Plan and program manuals to develop a process for allocating reserved funds toward a resilience hub network; (3) Develop a long-term funding strategy for resilience hubs as additional funding sources become available; and (4) Continue current work on the resilience hub mapping project and align it with evolving funding strategies.

Ms. Herring then outlined how the community can be involved in shaping our recovery.

Ms. Herring responded to various questions/comments from Council, some being, but are not limited to: confirmation that these are not the only funds going towards recovery for these projects; and explanation that a resilience hub is neighborhood support to provide emergency response at the street level.

IV. PUBLIC HEARINGS:

A. PUBLIC HEARING TO CONDITIONALLY REZONE 230 SARDIS ROAD FROM INDUSTRIAL DISTRICT TO RESIDENTIAL EXPANSION - CONDITIONAL ZONE

ORDINANCE NO. 5204 - ORDINANCE TO CONDITIONALLY REZONE 230 SARDIS ROAD FROM INDUSTRIAL DISTRICT TO RESIDENTIAL EXPANSION - CONDITIONAL ZONE

Principal Planner Will Palmquist said that this is the consideration of an ordinance to conditionally rezone 230 Sardis Road from Industrial District to Residential Expansion - Conditional Zone. This public hearing was advertised on February 27 and March 6, 2026.

Project Location and Contacts:

- The project site totals 9.19 acres located at 230 Sarids Rd (PIN 9627-00-3429)
- Owner: Enplas America Inc

Summary of Petition:

Project Site

- The project area consists of one property totalling 9.19 acres located at 230 Sardis Rd and is identified in the Buncombe County land records as PIN 9627-00-3429)
- The site is currently zoned Industrial (IND), and is the site of Enplas Life Tech, a plastics manufacturing company.
- Given the size of the project (over 50 residential dwelling units) a conditional zoning to the Residential Expansion - Conditional Zone (RES EXP - CZ) district is required.
- Based on the Living Asheville Comprehensive Plan Future Land Use Map (FLUM) the property is currently designated “Industrial/Manufacturing”, which reserves land with good access to transportation systems to support the economic section for light industry and office or business incubators. While Industrial/Manufacturing may include opportunities for housing for workers who may live amongst or adjacent to the industry or other businesses in the area, a change of the Future Land Use designation to “Residential Neighborhood” would be more appropriate and consistent with the land use regulation in the area.

Overall Project Proposal

- New building construction includes a new four-to-five-story multi-family building with a total of 180 units.
- Other site improvements include surface parking, new sidewalks, playground, dog park, and a pool and amenity area.

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 development supports a number of goals in the Living Asheville Comprehensive Plan, including:
    - **Encourage Responsible Growth** - by prioritizing greater densities of development overall, throughout the city as appropriate.
    - **Increase and Diversify the Housing Supply** - by increasing the rental housing supply.
    - **Make Streets More Walkable, Comfortable and Connected** - by eliminating gaps in the city-wide sidewalk network.

- The proposed rezoning is compatible with the proposed 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” (p. 346).

Compatibility Analysis:

- The proposed multi-family project is compatible with the surrounding land uses, including:
  - Existing multi-family residential uses to the south, known as Greymont Village.
  - Single-family residential neighborhoods further to the east of the project site.
  - Proposed multi-family development across from the project site, known as Sardis Apartments, which received a conditional zoning approval in 2022 for 297 residential units.

Council Goal(s):

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

UDO Compliance: Residential Expansion - Conditional Zone (RES EXP-CZ)

UDO Provision	**Requirement**	**Proposed**
Gross Floor Area:	n/a	180 SFD units
Density:	20 units/acre	19.6 units/acre
Lot Size Minimum:	1 acre	9.19 acres
Lot Width Minimum:	40’	Compliant
Building Height(s):	60’ max	51’-9”
Building Setbacks (Multi-Family):	Front: 15 ft. Side: 15 ft. Rear: 15 ft.	Compliant
Vehicle Parking Spaces:	1 space per unit minimum (1-2 br unit): 180 spaces 2 space per unit maximum (1-2 br unit): 360 spaces	216 spaces
Bicycle Parking Spaces:	10% of units (18 spaces)	20 spaces
Open Space:	Required at 50% (w/o incentives) Incentive based option: 20% with unit count in excess of 50 units.	20% (1.83 acres)
Impervious Surface Area (Multi-Family):	80%	37%

<table>
<tr><td>Sidewalks:</td><td>Required at 10’ along frontage and connecting to main buildings within the development.</td><td>● 5’-wide sidewalk on Greymont Ln
● 5’-wide sidewalk on Sardis Rd
● 5’-wide sidewalks internally</td></tr>
<tr><td>Tree Canopy Preservation:</td><td>Resource Management District: Suburban
Class: Class C
Existing Canopy: 63.3%
Requirement: 15% if preserved</td><td>Preserved: 16%</td></tr>
<tr><td>Applicable Landscaping Standards</td><td><table>
<tr><td>Property Line Buffer</td><td>Does not a…</td></tr>
<tr><td>Street Buffer</td><td>Does not a…</td></tr>
<tr><td>Street Trees</td><td>Does apply</td></tr>
<tr><td>Parking Landscaping</td><td>Does apply</td></tr>
<tr><td>Building Landscaping</td><td>Does apply</td></tr>
<tr><td>Screening</td><td>Does apply</td></tr>
<tr><td>Retaining Wall</td><td>Does apply</td></tr>
</table></td><td>Compliant.</td></tr>
</table>

<u>Site Layout and Design</u>

- Maximum building height for multifamily buildings in the RES EXP district is 60 feet. The maximum building height of the proposed project is approximately 52’ as measured to the ceiling of the highest floor.
- Maximum density in the RES EXP district is 20 units/acre.The proposed project’s density is 19.6 units/acre.
- Front yard, rear yard, and side yard setbacks of 15 feet are required in the RES EXP district. The project is compliant with the minimum required setbacks.
- Maximum impervious surface in the RES EXP district for multifamily uses is 80%. The proposed project would result in a total impervious area of 37%.

<u>Access, Sidewalks and Parking</u>

- Access to the site is from an existing driveway onto Greymont Ln.
- A total of 216 parking spaces are proposed for the project. Based on the number of bedrooms and dwelling units, the minimum/maximum number of required parking spaces is 180/360 for the RES EXP district.
- Bicycle parking is required at a rate of 10% of the total number of residential units, which equates to 18 required bicycle parking spaces. The project is proposing 20 bicycle parking spaces.

- The RES EXP district requires new 10 foot-wide sidewalks be constructed, both along the primary access corridor and internally throughout the site. The project is proposing a new 5'-wide sidewalk with an 8'-wide utility strip along Sardis Rd, a new 5'-wide sidewalk with 5'-wide utility strip along Greymont Ln, and 5'-wide sidewalks internal to the site.
    - The project is seeking a technical modification for sidewalks width less than the minimum required 10'.

Landscaping / Open Space / Tree Canopy

- Landscape requirements apply, including street trees, building impact, and parking lot landscaping.
- Street trees are required as being one small maturing tree for every 30 linear feet of property abutting abutting Sardis Rd where overhead utilities are present, resulting in 16 trees, and one large maturing tree for every 40 linear feet of property abutting Greymont Ln, where no overhead utilities are present, resulting in 12 trees.
    - The project is requesting a technical modification for the distance of the proposed street trees on Sardis Rd in excess of the maximum 20' distance from edge of pavement, due to the presence of the NCDOT right-of-way, with proposed distances ranging between 30' and 40'.
- Parking lot landscaping requirements equate to 55 trees and 220 shrubs required which are proposed and detailed on the Landscape Plan.
- Building impact landscaping is required as being one tree and two shrubs for every 1,000 square feet of building footprint, equalling 45 trees and 90 shrubs.
- Open Space is required at a rate of 50% of the site, or a rate of 20% of the site if the project meets the incentive requirements for either enhanced stormwater or affordable housing. Open space can be further reduced to 15% if the proposed open space meets certain design and operational standards. The project proposes 20% open space as required based on their stormwater plan, which equals 1.8 acres.
- The project proposes to meet Tree Canopy Preservation requirements through the preservation of 16% of existing tree canopy area on site. The project site is classified as "Suburban" under the Tree Canopy Preservation standards, with a classification of "Class C". The site has an existing tree canopy of 63%.

Technical Modifications

- The project is seeking technical modifications to development standards through the conditional zoning process including:
    - Sidewalk widths of 5' on Sardis Rd and Greymont Ln, and 5' internally, instead of the 10'-wide standard.
    - Street trees planted on Greymont Ln in excess of the 20' maximum distance from the edge of pavement, ranging approximately between 30' and 40'.

Committee(s):

- Technical Review Committee (TRC) - January 5, 2026 - approved with conditions.
- Planning & Zoning Commission (PZC) - February 4, 2026 - approved with conditions.

Mr. Palmquist reviewed the existing and proposed zoning, the aerial imagery, and the existing and future land use map. About the site plan, (1) New 4/5 story multi-family building with 180 units; and (2) Other site improvements include: Sidewalks; Parking lot; Playground; Dog Park; and Pool and amenity area. He then showed the building elevations. The Project includes technical modifications: (1) Sidewalk widths of 5' on Sardis Rd, 5' on Greymont Ln, and 5' internally, instead of the 10'-wide standard; and (2) Street trees planted on Sardis Road in excess of the 20' maximum distance from the edge of pavement, ranging approximately between 30' and 40'. He then explained how the project was consistent with the Living Asheville Comprehensive Plan. He said the Technical Review Committee approved the project with

conditions. The Planning & Zoning Commission unanimously approved the project with the condition that project condition #12 be amended to state a minimum sidewalk width of 5' along Sardis Road. He said that staff concurs with the Planning & Zoning Commission and recommends approval of the proposed conditional zoning.

When Councilwoman Roney asked if there is a plan for renewable energy or anything that would prohibit that from being installed in the future, Mr. Derek Allen, attorney for the applicant, said that the HVAC units are on top of the building. Councilwoman Roney suggested that if the HVAC could be removed to one side, the roof of the building could be solar ready.

When Councilwoman Turner asked if Planning staff had any concerns of the loss of industrial land, Mr. Palmquish said that as far as a conditional zoning, it supports goals in our Comprehensive Plan and Planning staff has no concerns.

Mr. Palmquist noted that project condition 12 should read "Sardis Road", not "Greymont Lane."

Mr. Allen spoke in support of this project in that Asheville needs housing.

Mr. Allen responded to Councilwoman Turner when she asked what the projected revenue of this building will be.

Mayor Manheimer opened the public hearing at 5:37 p.m.

Andrew Paul spoke in support for this project as we need housing

Mayor Manheimer closed the public hearing at 5:39 p.m.

Councilwoman Ullman moved to approve the conditional zoning request for the property located at 230 Sardis Rd from Industrial (IND) to Residential Expansion - Conditional Zone (RES EXP-CZ) as well as amend the Future Land Use Map from Industrial/Manufacturing to Residential Neighborhood, and find that the request is reasonable, is in the public interest, is consistent with the city's comprehensive plan and meets the development needs of the community in that the request: 1) Prioritizes greater densities of development overall, throughout the city as appropriate; 2) Increases the rental housing supply; and, 3) Eliminates gaps in the city-wide sidewalk network, with Condition 12(2) amended to substitute the reference to Greymont Ln with Sardis Rd related to maximum street tree distance from edge of pavement. This motion was seconded by Councilman Hess and carried unanimously.

ORDINANCE BOOK NO. 36 – PAGE 391

B. PUBLIC HEARING TO CONDITIONALLY REZONE 383 N. LOUISIANA AVENUE FROM OFFICE DISTRICT TO OFFICE DISTRICT - CONDITIONAL ZONE

ORDINANCE NO. 5205 - ORDINANCE TO CONDITIONALLY REZONE 383 N. LOUISIANA AVENUE FROM OFFICE DISTRICT TO OFFICE DISTRICT - CONDITIONAL ZONE

Urban Planner Sam Starr-Baum said that this is the consideration of an ordinance to conditionally rezone 383 N. Louisiana Avenue from Office District to Office District - Conditional Zone.This public hearing was advertised on February 27 and March 6, 2026.

Project Location and Contacts:

- The project site totals 3.13 acres on one parcel addressed as 383 N Louisiana Avenue, and identified in the Buncombe County Tax Record as PIN: 9638-29-1363
- Owner(s): Betty Hampton, Marlisa Faris, John Drake, and Mark Drake
- Applicant: Civil Design Concepts/Warren Sugg, P.E.

Summary of Petition:

Project Site

- The project site totals 3.13 acres on one parcel addressed as 383 N Louisiana Avenue
- The site is currently zoned Office (OFF I).
- The site is designated "Traditional Neighborhood" on the city's Future Land Use (FLU) Map. A change in the FLU designation will not be required.
- The project includes 89 affordable housing units in one apartment building.
- The current site is undeveloped, and is within the neighborhood boundary of the Poder Emma Legacy Neighborhood
- This project qualifies for a reduced review threshold given the size and affordability components being met under UDO Section 7-5-9. Accordingly, this is a level II conditional zoning to the Office - Conditional Zone (OFF I-CZ) district, rather than the usual level III conditional zoning to a Residential Expansion (RES-EXP) District.
- This project is proposed as a Conditional Zoning because the underlying zoning district, OFF I, has a 4,000 square foot building footprint maximum. The proposed building exceeds this by 27,898 square feet

Overall Project Proposal

- New building construction includes a total of 89 units on one 3/4 story building.
    - 100% of the units will be designated affordable at 80% AMI or below.
- Other site improvements include off-street parking, new sidewalks, and amenities such as a playground and pavilion near open space for recreation

Staff Recommendation:

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

Consistency with the Comprehensive Plan and Other Plans:

Living Asheville Comprehensive Plan (2018)

- The proposed development supports a number of goals in the Living Asheville Comprehensive Plan, including:
    - **Encourage Responsible Growth** - by providing infill development in targeted growth areas.
    - **Increase and Diversify the Housing Supply** - by providing lower housing prices relative to incomes and providing greater choice in housing options.
    - **Promote the Development and Availability of Affordable and Workforce Housing** - by supporting more housing supported through grant funds and other housing programs and provide for affordable housing closer to jobs and other services.

- The proposed use and design is consistent with the existing Future Land Use designation of Traditional Neighborhood:
    - In a traditional neighborhood, the types of housing can vary and often include a mix of housing types such as single family with accessory dwelling units, duplexes, townhomes and multifamily apartments usually located seamlessly together.
    - Traditional neighborhoods offer opportunities for infill housing in order to

improve the supply and mix of housing options. The traditional neighborhood development pattern is also encouraged in other residential neighborhoods throughout the city, such as the residential neighborhood future land use category, to improve connectivity and access. Commercial uses will be inappropriate in a traditional neighborhood.

- Appropriate zoning districts within the Traditional Neighborhood Future Land Use Category may include: RS4, RS8, RM6, RM8, RM16, NB, Office, and , corresponding conditional zoning (CZ) districts, Residential Expansion and the future Neighborhood Center District.

Compatibility Analysis:

- In addition to the compatibility with surrounding residential land uses, this development is within 1,500 ft. of an identified "Urban Center" (Living Asheville, P 341.) that exists along the corridor of Tunnel Road. The Urban Center is currently served by a transit line that connects to the site as well as auto and pedestrian connectivity. The proposed use is compatible with both the underlying Traditional neighborhood Future Land Use District and the adjacent Urban Center that provides multiple services, employment, and recreational/entertainment opportunities for residents.
- The proposed multi-family residential project is compatible with the surrounding land uses, including:
  - The identified Urban Center immediately to the south of the subject site. The urban center includes a mix of retail and restaurants, and includes the grocery store at the intersection of Patton Ave and New Leicester Highway. This area is also serviced by the West 5 (W5) and West East 1 (WE1) Asheville Rides Transit lines.
  - Residential single-family uses to the north and east of the project site buffered by landscaping and topography, providing a transitional area for the uses.
  - Commercial and mixed-uses along Patton Avenue.

Council Goal(s):

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

UDO Compliance:

UDO Provision	Requirement	Proposed
Gross Floor Area:	There are no GFA maximums for residential projects in the Office District.	GFA: 119,204 s.f.
Maximum Building Footprint	4,000 s.f.	31,898 s.f.
Density:	–	89 units
Lot Size Minimum:	–	–
Lot Width Minimum:	50'	331'
Building Height(s):	40'	55'

<table>
<tr><td>Building Setbacks:</td><td>Front: 15’
Rear: 15’
Side: 0’</td><td>Front: 15’
Rear: 15’
Side: 15’</td></tr>
<tr><td>Vehicle Parking Spaces:</td><td>178 maximum</td><td>116 provided</td></tr>
<tr><td>Bicycle Parking Spaces:</td><td>9</td><td>10</td></tr>
<tr><td>Open Space:</td><td>20%/.62 ac.</td><td>20.4/.64 ac.</td></tr>
<tr><td>Impervious Surface Area:</td><td>80% maximum</td><td>54.3%/1.7 ac</td></tr>
<tr><td>Sidewalks:</td><td>10’ sidewalks required</td><td>5’ sidewalks proposed</td></tr>
<tr><td>Tree Canopy Preservation:</td><td>11%/14,998 s.f.</td><td>14%/18,767 s.f.</td></tr>
<tr><td>Applicable Landscaping Standards</td><td><table>
<tr><td>Property Line Buffer</td><td>Does apply</td></tr>
<tr><td>Street Buffer</td><td>Does not a…</td></tr>
<tr><td>Street Trees</td><td>Does apply</td></tr>
<tr><td>Parking Landscaping</td><td>Does apply</td></tr>
<tr><td>Building Landscaping</td><td>Does apply</td></tr>
<tr><td>Screening</td><td>Does apply</td></tr>
</table></td><td>
The Type A 20’ buffer applies to the north east portion of this property, as it is adjacent to residential zoning.
Screening is provided for the dumpster on site.
Some building impact landscaping is also being proposed as open space and tree canopy preservation. While 50% of open space can be TCP area, building impact landscaping cannot be all three simultaneously.
</td></tr>
</table>

<u>Site Layout and Design</u>

- Maximum building height for multifamily buildings in the OFF-I district is 40 feet. The maximum building height of the proposed project is approximately 48’, as measured to the ceiling of the highest occupiable floor of the apartment building. A technical modification has been added to the project conditions document to address the excessive height.
- Maximum density in the OFF-I district is 50 units/acre for projects meeting affordability criteria, which would be 186 units total for the proposed project site. The density for this project is below the maximum at 29 units/acre.
- The applicant is able to meet all relevant setbacks as part of this development.
- The proposed project would result in a total impervious area of 54.3% or 1.7 ac. The maximum impervious area allowed is 80%.

<u>Landscaping and Open Space</u>

- Landscape requirements apply, including street trees, parking lot, building impact, and property line buffers.

    - The immediate property to the east is a single family residential structure/zone, and a property buffer must be provided. The submitted plans show the appropriate buffer.
- The project is classified as “suburban” under the Tree Canopy Preservation standards and has a classification of “Class A” Urban Resource Management District. Based on these classifications and the preserved tree canopy on site, a total of 11% or 14,998 s.f. of tree canopy preservation is required. The applicant has exceeded this amount with 14% or 18,767 s.f. shown.
- Open Space is required at a rate of 20% of the site as the project intends to meet the incentive requirements for affordability and or stormwater management resulting in .62 acres of required open space. The project will provide this along the southeastern portion of the lot with a mix of natural and active open space.
- Additional outdoor amenities will be provided and detailed at Final TRC for open space designated as recreational and or public amenities as found in UDO Sec. 7-11-4(d).

<u>Access, Sidewalks and Parking</u>

- Access to the site will be provided by a single access road connected to North Louisiana Avenue.
- The project proposes 116 parking spaces. This project has no minimum parking requirement, but does have a maximum of 178 vehicular parking spaces. Required accessible spaces are shown at 10 spaces distributed throughout the site.
- Bicycle parking is required at a rate of ten percent of the total number of vehicle parking spaces. This requires 11 spaces and the project proposes 10 spaces.
    - The one space discrepancy is likely an error in minor plan changes made between TRC and PZC submissions over the holidays. Rather than add a technical modification, staff feel confident that this matter can be resolved prior to the project’s appearance at City Council.
- The OFF I -CZ district requires new 10 foot-wide sidewalks be constructed, both along the primary access corridor and internally throughout the site.
    - The project will require a technical modification for most of the pedestrian facilities to allow for the reduced width to 5 feet.

<u>Technical Modifications</u>

- The project is seeking technical modifications to development standards through the conditional zoning process including:
    - Five foot-wide sidewalks internal to the site instead of the required 10 foot-wide standard.
    - Five foot-wide sidewalks along N Louisiana Ave instead of the required 10 foot-wide standard..
    - Exceeding the minimum Office-1 district building footprint maximum of 4,000 s.f.
        - The current building footprint is 31,898 which is 27,898 in excess of the zoning requirement.
    - 8’ of additional building height in excess of the 40’ maximum standard in the OFF-I zoning district.

Committee(s):

- Technical Review Committee (TRC) - December 1, 2025 - approved with conditions.
- Planning and Zoning Commission (PZC) - February 4, 2026 - recommend approval (7-0) with the addition of the following conditions:

    1) That Condition #4 of the Exhibit E - Project Conditions be revised to specify the range of off-street parking spaces from 104 to 128 spaces

    2)That the following condition be added to the Exhibit E - Project Conditions:

    -All units (100%) shall be leased to households earning less than 80% of the Area Median Income (AMI) for Asheville, NC as established by HUD.

The minimum affordability period for all units shall be 30 years and shall commence on the date of issuance of a Certificate of Occupancy for the property

-All of the affordable units will also accept, but are not restricted to, HUD (Housing Choice) vouchers.

-Prior to issuance of Certificate of Occupancy for the property, the Developer shall record a Declaration of Restrictions setting forth the Affordability Terms, which shall become effective upon the execution and recording thereof. The Affordability terms must be met as evidenced by the North Carolina Finance Agency's Low-Income Housing Tax Credit program-qualified occupancy of all units in the development; and,

3) The Planning and Zoning Commission recommends that the applicant team work with the City Transportation Department to explore widening of external sidewalks along North Louisiana Avenue and Hazel Mill to 6 feet.

Mr. Starr-Baum reviewed the existing and proposed zoning, the aerial imagery and the future land use map. According to the site plan, there will be 89 units (100% AH @ 80% AMI or below; ¾ story split - maximum height of 48'; 27,898 square foot footprint - 4,000 allowed in Office; and 116 parking spaces - 178 maximum. Regarding the conditions, (1) Project proposes a minimum 5' wide sidewalk within the internal site layout instead of the required 10' width; (2) Project proposes a minimum 5' wide sidewalk along N. Louisiana Ave instead of the required 10' width. - *The Planning and Zoning Commission recommends that the applicant team work with the City Transportation Department to explore widening of external sidewalks along North Louisiana Avenue and Hazel Mill to 6 feet*; (3) Project proposes exceeding the minimum Office-1 district building footprint maximum of 4,000 s.f, with a footprint of 31,898; and (4) Project proposes 8' of additional building height in excess of the 40' maximum standard in the OFF-I zoning district. He then showed building elevations. He said the Technical Review Committee approved the project with conditions. The Planning & Zoning Commission voted unanimously to approve the project. 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 conditional zoning.

In response to Councilwoman Turner, Mr. Starr-Baum said that sidewalk modifications requested by applicants are, in part, due to cost, room, availability, and right-of-way challenges.

In response to Councilwoman Ullman, Mr. Palmquist said there are 31 one-bedroom units, 36 2-bedroom units, and 22 3-bedroom units. Mr. Derek Allen, attorney for the applicant, passed out an apex on Hazel Mill unit mix and rents.

In response to Councilwoman Roney about if there is a renewable plan or anything that would prohibit a renewable plan in the future, Mr. Allen said that there are incentives that may be available in this project, but they are yet to be determined.

Mayor Manheimer opened the public hearing at 6:01 p.m.

Two individuals, one being Andrea Golden, representing the Emma Neighborhood Council, spoke in support of the conditional zoning for this affordable housing project.

Mayor Manheimer closed the public hearing at 6:06 p.m.

Councilwoman Roney moved to approve the conditional zoning request for the property located at 383 N. Louisiana Avenue from Office (OFF I) to Office - Conditional Zone (OFF I-CZ) and find that the request is reasonable, is in the public interest, is consistent with the city's comprehensive plan and meets the development needs of the community in that the request: 1)

provides infill development in targeted growth areas; 2) increases the supply of housing in proximity to schools, transit and parks; and, 3) rezones property to"transit-supportive" density in nodal clusters along or near transit corridors. This motion was seconded by Vice-Mayor Mosley and carried unanimously.

ORDINANCE BOOK NO. 36 – PAGE 400

V. UNFINISHED BUSINESS:

A. RESOLUTION NO. 26-51 - RESOLUTION REGARDING 2025-29 CONSOLIDATED PLAN AMENDMENT TO ADD AFFORDABLE RENTAL CONSTRUCTION AS A PRIORITY NEED AND GOAL

Community Development Division Manager James Shelton said that this is the consideration of a resolution approving the proposed amendment of the City's 2025-2029 Consolidated Plan to add affordable rental construction as a priority need and goal and submission to the US Dept. of Housing & Urban Development; and further authorizing the City Manager to execute any documents necessary to give effect to this resolution.

Background:

- The City develops a Consolidated Plan every five years, which establishes the five-year needs, priorities, strategies, and performance targets for housing and community development for implementing federal formula grant funding from the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) and HOME Partnership Act (HOME) programs.
- City Council approved the submission of the City's 2025-2029 Consolidated Plan in Resolution 25-145.
- The 2025-2029 Asheville Area Housing Needs Assessment (the Bowen Report) indicated a profound need for new affordable rental units.
- Currently, the 2025-2029 Consolidated Plan does not include Affordable Rental Construction as a goal and priority need, meaning no such projects, like multifamily new construction, may be undertaken.
- This activity type was not included because other activities (down payment assistance, rental assistance, and homeowner rehab/repair) were prioritized in the 2025-2026 program year, however, new rental construction will be prioritized in future years of the plan.
- On January 14th, 2026, the Asheville Regional Housing Consortium voted unanimously to recommend amending the 2025-2029 Consolidated Plan to add Affordable Rental Construction as a goal and priority need.
- City Council held a public hearing and received Council feedback on February 24, 2026.

Mayor Manheimer said that this public hearing was held on February 24, 2026.

Councilwoman Turner moved to approve the proposed amendment of the City's 2025-2029 Consolidated Plan to add affordable rental construction as a priority need and goal and submission to the US Dept. of Housing & Urban Development; and further authorizing the City Manager to execute any documents necessary to give effect to this resolution. This motion was seconded by Councilwoman Ullman and carried unanimously.

RESOLUTION BOOK NO. 46 – PAGE 271

VI. NEW BUSINESS:

VII. INFORMAL DISCUSSION AND PUBLIC COMMENT:

Several individuals spoke to City Council about various matters, some being, but are not limited to: spend more money on the Walton Street pool to return it to the way it was; concern that the City put a dog park in Aston Park; concern of the redesign of our public transit network and the human costs of removing routes; and need to have resilient development.

VIII. ADJOURNMENT:

Mayor Manheimer adjourned the meeting at 6:17 p.m.

_____ _____

CITY CLERK MAYOR