



# MINUTES

January 7, 2026

## REGULAR MEETING OF THE CITY COUNCIL

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

Present: Mayor Barbara G. Volk, Mayor Pro Tem Dr. Jennifer Hensley, and Council Members: Lyndsey Simpson, and Gina Baxter

Staff Present: City Manager John Connet, Deputy City Manager Brian Pahle, City Clerk Jill Murray, City Attorney Angela Beeker, Budget & Evaluation Director Adam Murr, Communications Coordinator Brandy Heatherly, IT Manager Jay Heatherly, and others

Absent: Council Member Melinda Lowrance

### **1. CALL TO ORDER**

Mayor Volk called the meeting to order at 5:47 p.m. and welcomed those in attendance. A quorum was established with all members in attendance.

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

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

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

#### **In Person:**

Ken Fitch spoke against using historic Rosa Edwards field being used for a Safety City and said surely there is somewhere else to make this happen.

Brett Werner spoke about how great City staff is, specifically, when over the holidays he accidentally locked his keys in his car while in Pisgah Forest and how Matt Manley happened upon him and helped him unlock his vehicle. He also encouraged everyone to be patient and kind when listening to the public hearing and remember that this is part of the democratic process. Lastly, he spoke about the Safety City proposal and questioned how the \$350,000 will be spent and asked that council elaborate on the use of the money.

Mary Jo Padgett spoke against using historic Rosa Edwards Park for a proposed Safety City and believes there should be a public hearing regarding it.

### **4. CONSIDERATION OF AGENDA**

***Council Member Gina Baxter moved that City Council approve the agenda as presented. A unanimous vote of the Council followed. Motion carried.***

### **5. CONSENT AGENDA**

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

**A. Adoption of City Council Minutes – Jill Murray, City Clerk**  
**December 4, 2025 Regular Meeting**

**B. Approval of Vehicle & Equipment Management Policy & Procedure – Caitlyn Gendusa Public Works Superintendent-Sustainability**

Resolution #R-26-01

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO ADOPT THE VEHICLE & EQUIPMENT MANAGEMENT POLICY**

**WHEREAS**, the City of Hendersonville City Council adopted the Sustainability Strategic Plan on May 2, 2024 which includes a transportation related action to reduce City fleet fuel usage by 40%; and

**WHEREAS**, The purpose of this policy is to specify vehicle and equipment requirements for standardization, turning in a vehicle, sustainable fleet transition, and replacement; and

**WHEREAS**, there continues to be opportunities to save Hendersonville taxpayer money by reducing vehicle related fuel costs by prioritizing low emission vehicles and fuels where feasible.

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

1. The Vehicle & Equipment Management Policy, is hereby approved.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 7<sup>th</sup> day of January, 2026.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

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

**C. The City of Hendersonville is requesting approval to submit an application for the PARTF Helene Recovery Fund grant program – *Blake Fulgham, Management Analyst II***

Resolution #R-26-02

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL  
IN SUPPORT OF APPLICATION FOR THE PARKS AND  
RECREATIONTRUST FUND HELENE RECOVERY FUND**

**WHEREAS**, the North Carolina Parks & Recreation Authority was allotted \$4,158,875 in funds through the *Disaster Recovery Act* of 2025 for use in areas affected by Hurricane Helene.

**WHEREAS**, the City of Hendersonville is committed to providing its citizens and visitors with safe, accessible, and valuable parks and recreational infrastructure with the goal of providing the highest quality of life for its citizens.

**WHEREAS**, the City of Hendersonville wishes to pursue funding opportunities that would allow the City to repair and improve damaged recreational infrastructure at Patton Park to provide increased resiliency to future natural disaster and storms.

**WHEREAS**, the City's financial resources have limited the City's ability to restore all damaged infrastructure within our parks and green spaces network to pre-Helene conditions.

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

1. The City hereby endorses the application for the Parks and Recreation Trust Fund Helene Recovery Fund and, if awarded, provide dollar-for-dollar matching funds for the project, as well as staff assistance for the duration of the project; and
2. The City Manager is authorized to execute said application.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 7<sup>th</sup> day of January, 2026.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

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

**D. The City of Hendersonville seeks approval to apply for the Federal Transit Administrations Enhanced Mobility of Seniors and Individuals with Disabilities Program (Section 5310) – *Blake Fulgham, Management Analyst II***

Resolution #R-26-03

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL IN SUPPORT OF  
APPLICATION FOR THE FEDERAL TRANSIT ADMINISTRATION ENHANCED MOBILITY OF  
SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAM,  
SECTION 5310 PROGRAM GRANT OPPORTUNITY**

**WHEREAS**, the Federal Transit Administration has developed a grant program the provides financial assistance to develop new transit systems as well as maintain, improve, and operate currently existing transit systems; and

**WHEREAS**, the City of Hendersonville is committed to providing its citizens and visitors with safe and accessible travel within the community; and

**WHEREAS**, in accordance to the U.S. Access Board on PROWAG, section R308.2 states that “*Accessible pedestrian signals* shall have an audible and *vibrotactile* walk indication during the *walk interval* only. The audible walk indication shall be audible from the beginning of the associated *crosswalk*. Following the audible

**WHEREAS**, the City’s financial resources have limited the City’s ability to implement the new pedestrian signals with appropriate audible and vibrotactile capabilities; and

**WHEREAS**, according to the 2023 American Community Survey 5-year estimates, the City’s disabled population consists of 17.9% of the City’s population, which is 3.9% higher than the state of North Carolina and 4.2% higher than the United States statistic.

**WHEREAS**, the City of Hendersonville plans to install new audible and vibrotactile street crossing technology throughout the Historic Hendersonville Main St. during instances of roadway & crosswalk/curbing infrastructure repairs that occur within a designated pedestrian crosswalk.

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

1. The City hereby endorses the application for the Enhanced Mobility of Seniors and Individuals with Disabilities Program Section 5310 Program grant opportunity and, if the grant is awarded, agrees to provide matching funding up to 20%, and any staff assistance for the duration of the Project; and
2. The City Manager is authorized to execute said application.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 7<sup>th</sup> day of January, 2026.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

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

**E. January 2026 Budget Amendments – Jennifer Floyd, Management Analyst**

**TO MAYOR & COUNCIL**  
**APPROVAL: January 07, 2026**

**FISCAL YEAR 2026**  
**FORM: 01072026-01**

**BUDGET AMENDMENT**

FUND 010

| ACCOUNT NUMBER  | DESCRIPTION OF ACCOUNT    | EXISTING BUDGET | INCREASE | DECREASE | REVISED BUDGET |
|-----------------|---------------------------|-----------------|----------|----------|----------------|
| 010-0000-420050 | Grant Revenue             | 28,000          | 5,000    | -        | 33,000         |
| 010-0000-460090 | Contribution/Donation     | 11,616          | 5,000    | -        | 16,616         |
| 010-1535-519200 | Contracted Services       | 105,000         | -        | 10,000   | 95,000         |
| 010-1555-534000 | Non-Capital Equipment     | -               | 20,000   | -        | 20,000         |
| FUND 010        | <b>TOTAL REVENUES</b>     | 39,616          | 10,000   | -        | 49,616         |
| General Fund    | <b>TOTAL EXPENDITURES</b> | 105,000         | 20,000   | 10,000   | 115,000        |

An amendment reflecting an increase of \$5,000 in grant revenue (NCLM RMS Grant), an increase of \$5,000 in contribution donations revenue (Friends of Downtown), and an increase of \$20,000 in Non-Capital Equipment in the Public Works Streets Dept for the purchase of barricade related items.

The City Manager and City Clerk certify budget ordinance amendment 01072026-01 was approved by City Council on January 07, 2026.

**TO MAYOR & COUNCIL**  
**APPROVAL: January 07, 2026**

**FISCAL YEAR 2026**  
**FORM: 01072026-02**

**BUDGET AMENDMENT**

FUND 410

| ACCOUNT NUMBER  | DESCRIPTION OF ACCOUNT    | EXISTING BUDGET | INCREASE | DECREASE | REVISED BUDGET |
|---|---------------------------|-----------------|----------|----------|----------------|
| 410-0000-470100-23021   | Transfer In (from #21017) | 158,500         | -        | -        | 158,500        |
| 410-1002-550103-23021   | Capital Outlay - CIP      | 158,500         | -        | 32,788   | 125,712        |
| 410-1002-598901-23021   | Transfer Out (to #HEE01)  | -               | 32,788   | -        | 32,788         |
| FUND 410 #23021   | <b>TOTAL REVENUES</b>     | 158,500         | -        | -        | 158,500        |
| City Hall 3rd Floor   | <b>TOTAL EXPENDITURES</b> | 158,500         | 32,788   | 32,788   | 158,500        |
| 410-HEE01   | FEMA/Grant Reimbursements | 295,000         | -        | -        | 295,000        |
| 410-1002-470100-HEE01   | Transfer In (from #23021) | -               | 32,788   | -        | 32,788         |
| 410-HEE01   | Helene Expenditures       | 295,000         | -        | -        | 295,000        |
| 410-1002-534000-HEE01   | Non-Capital Equipment     | -               | 32,788   | -        | 32,788         |
| FUND 410 #HEE01   | <b>TOTAL REVENUES</b>     | 295,000         | 32,788   | -        | 327,788        |
| Ops Helene Project  | <b>TOTAL EXPENDITURES</b> | 295,000         | 32,788   | -        | 327,788        |
| An amendment transferring \$32,788 out of the City Hall 3rd Floor Project (#23021) into the Operations Center Helene Project (#HEE01) to cover the cost of furniture. |                           |                 |          |          |                |

The City Manager and City Clerk certify budget ordinance amendment 01072026-02 was approved by City Council on January 07, 2026.

**TO MAYOR & COUNCIL**  
**APPROVAL: January 07, 2026**

**FISCAL YEAR 2026**  
**FORM: 01072026-03**

**BUDGET AMENDMENT**

FUND 064

| ACCOUNT NUMBER  | DESCRIPTION OF ACCOUNT    | EXISTING BUDGET | INCREASE | DECREASE | REVISED BUDGET |
|-----------------|---------------------------|-----------------|----------|----------|----------------|
| 064-0000-470030 | Insurance Proceeds        | 19,079          | 1,571    | -        | 20,650         |
| 064-7455-524010 | R&M Buildings             | 24,079          | 1,571    | -        | 25,650         |
| FUND 064        | <b>TOTAL REVENUES</b>     | 19,079          | 1,571    | -        | 20,650         |
| Parking Fund    | <b>TOTAL EXPENDITURES</b> | 24,079          | 1,571    | -        | 25,650         |

An amendment reflecting an increase to insurance proceeds to cover the repair/replacement of an arm in the parking deck entryway.

The City Manager and City Clerk certify budget ordinance amendment 01072026-03 was approved by City Council on January 07, 2026.

**TO MAYOR & COUNCIL**  
**APPROVAL: January 07, 2026**

**FISCAL YEAR 2026**  
**FORM: 01072026-04**

**BUDGET AMENDMENT**

FUND 010

| ACCOUNT NUMBER  | DESCRIPTION OF ACCOUNT    | EXISTING BUDGET | INCREASE | DECREASE | REVISED BUDGET |
|-----------------|---------------------------|-----------------|----------|----------|----------------|
| 010-0000-470030 | Insurance Proceeds        | 685             | 22,056   | -        | 22,741         |
| 010-1400-524030 | R&M Trucks                | 113,500         | 22,056   | -        | 135,556        |
| FUND 010        | <b>TOTAL REVENUES</b>     | 685             | 22,056   | -        | 22,741         |
| General Fund    | <b>TOTAL EXPENDITURES</b> | 113,500         | 22,056   | -        | 135,556        |

An amendment reflecting an increase to insurance proceeds to cover the repair of 14-138.

The City Manager and City Clerk certify budget ordinance amendment 01072026-04 was approved by City Council on January 07, 2026.

**TO MAYOR & COUNCIL**  
**APPROVAL: January 07, 2026**

**FISCAL YEAR 2026**  
**FORM: 01072026-05**

**BUDGET AMENDMENT**

FUND 010

| ACCOUNT NUMBER  | DESCRIPTION OF ACCOUNT        | EXISTING BUDGET | INCREASE | DECREASE | REVISED BUDGET |
|-----------------|-------------------------------|-----------------|----------|----------|----------------|
| 010-0000-598901 | Transfer Out (to 410, #25002) | 573,136         | 25,000   | -        | 598,136        |
| 010-1010-534000 | Non-Capital Equipment         | 110,290         | -        | 25,000   | 85,290         |
| FUND 010        | <b>TOTAL REVENUES</b>         | 573,136         | 25,000   | -        | 598,136        |
| General Fund    | <b>TOTAL EXPENDITURES</b>     | 110,290         | -        | 25,000   | 85,290         |

An amendment reflecting a transfer out from the General Fund to project #25002 for the Downtown Camera Project in FY26.

The City Manager and City Clerk certify budget ordinance amendment 01072026-05 was approved by City Council on January 07, 2026.

**TO MAYOR & COUNCIL**  
**APPROVAL: January 07, 2026**

**FISCAL YEAR 2026**  
**FORM: 01072026-06**

**BUDGET AMENDMENT**

FUND 010 | 301

| ACCOUNT NUMBER         | DESCRIPTION OF ACCOUNT        | EXISTING BUDGET | INCREASE | DECREASE | REVISED BUDGET |
|------------------------|-------------------------------|-----------------|----------|----------|----------------|
| 010-0000-598901        | Transfer Out (to 301, #G2505) | 573,136         | 3,380    | -        | 576,516        |
| 010-1565-531225        | Supplies & Materials          | 2,000           | -        | 998      | 1,002          |
| 010-1565-531225        | Tranining                     | 1,000           | -        | 1,000    | -              |
| 010-1565-532250        | Outreach                      | 4,200           | -        | 1,070    | 3,130          |
| 010-1502-532400        | Misc. Expenditures            | 3,000           | -        | 312      | 2,688          |
| FUND 010               | <b>TOTAL REVENUES</b>         | -               | -        | -        | -              |
| General Fund           | <b>TOTAL EXPENDITURES</b>     | 583,336         | 3,380    | 3,380    | 583,336        |
| 301-0000-420050-G2505  | Grant (2025 EECBG)            | 128,928         | -        | -        | 128,928        |
| 301-0000-470100-G2505  | Transfer In (From 010)        | -               | 3,380    | -        | 3,380          |
| 301-1565-550103-G2505  | Capital Outlay - CIP          | 128,928         | 3,380    | -        | 132,308        |
| FUND 301 #G2505        | <b>TOTAL REVENUES</b>         | 128,928         | 3,380    | -        | 132,308        |
| Ops. Energy Efficiency | <b>TOTAL EXPENDITURES</b>     | 128,928         | 3,380    | -        | 132,308        |

An amendment reflecting a transfer into Operations Center Energy Efficiency Project (#G2505) from the general fund to cover the cost of additional smart pivot thermostats.

The City Manager and City Clerk certify budget ordinance amendment 01072026-06 was approved by City Council on January 07, 2026.

**TO MAYOR & COUNCIL**  
**APPROVAL: January 07, 2026**

**FISCAL YEAR 2026**  
**FORM: 01072026-07**

**BUDGET AMENDMENT**

FUND 010

| ACCOUNT NUMBER  | DESCRIPTION OF ACCOUNT    | EXISTING BUDGET | INCREASE | DECREASE | REVISED BUDGET |
|-----------------|---------------------------|-----------------|----------|----------|----------------|
| 010-0000-410001 | Local Sales & Use Tax     | 6,980,919       | 40,000   | -        | 7,020,919      |
| 010-1002-519200 | Contracted Services       | 46,400          | 40,000   | -        | 86,400         |
| FUND 010        | <b>TOTAL REVENUES</b>     | 6,980,919       | 40,000   | -        | 7,020,919      |
| General Fund    | <b>TOTAL EXPENDITURES</b> | 46,400          | 40,000   | -        | 86,400         |

An amendment leveraging higher than anticipated FY26 local option sales tax revenues to fund a \$40,000 design of the Main St. Fountain.

The City Manager and City Clerk certify budget ordinance amendment 01072026-07 was approved by City Council on January 07, 2026.

**F. Monthly Property Tax Collector's Report - *Tammy Heide, Deputy Tax Collector***

**6. PRESENTATIONS**

**A. Introduction of Employees who graduated from the fire academy on December 4, 2025 – *Justin Ward, Interim Fire Chief***

Interim Fire Chief Justin Ward introduced the newest graduates of the fire academy. From left to right: Jerry Villars, Octaveus Askew, Kristopher Miller and Josh Gomez.



**B. Fiscal Year 2025 Audit Presentation – Krystal Powell, Finance Director**

Travis Keever with Gould Killian CPA Group gave the following PowerPoint presentation and although they are still in the process, they expect to issue an unmodified (clean) opinion in compliance with federal and state grant terms.

## City of Hendersonville North Carolina



### 2025 Annual Audit Summary

## Audit Summary

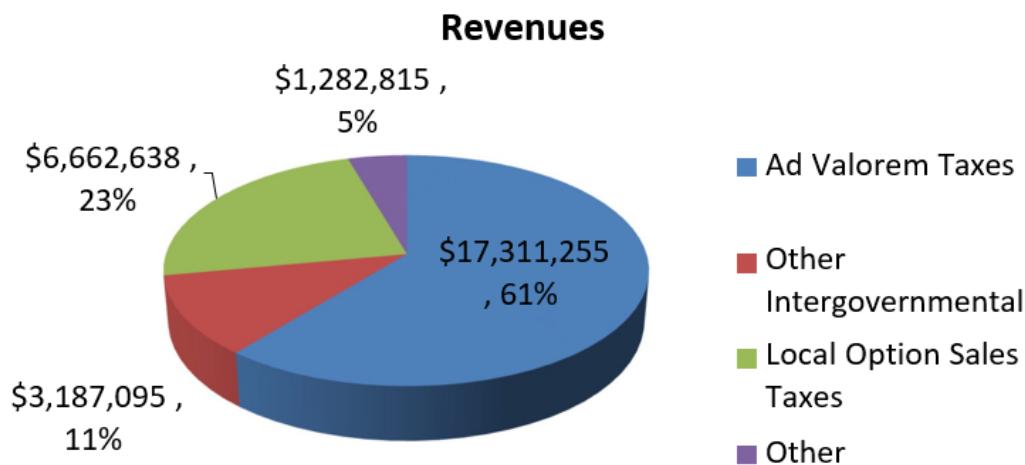
- Thank you for allowing us to serve as your auditors
- Special thanks to Krystal and the staff of the finance department for their hard work and cooperation in completing the audit
- We issued an unmodified (clean) opinion on the June 30, 2025 financial statements
- We reported 1 material weakness in internal control over financial reporting
- We reported no instances of material noncompliance with laws and regulations
- We are in the process of performing a single audit on 6 separate grant programs
  - No material weaknesses in internal controls over compliance are expected
  - We expect to issue an Unmodified (clean) opinion on compliance with federal and state grant terms



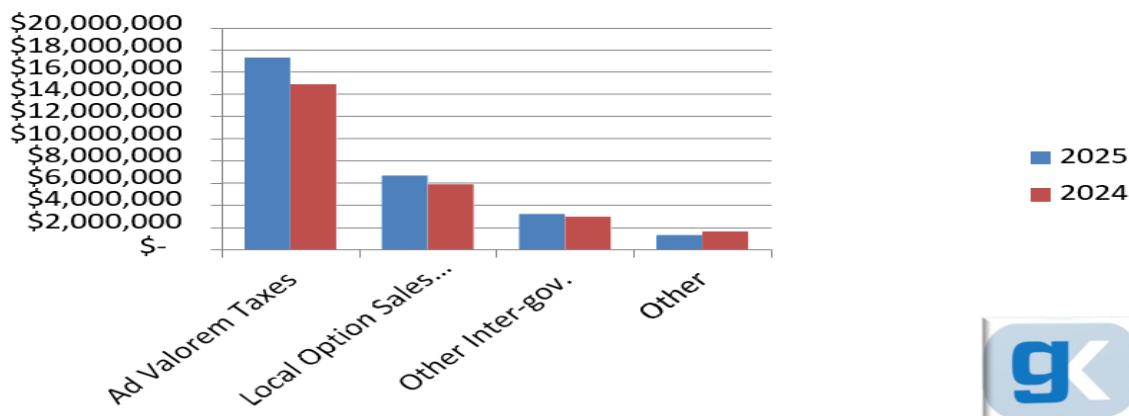
## Financial Performance Indicator of Concern

- We noted 1 material weakness in internal controls related to a correction of a prior year error in the beginning balance of the City's construction in progress asset accounts.
  - In prior years, there was a deficiency in the reconciliation process around construction in progress likely stemming from an over-reliance on the software.
  - Beginning net position was increased by \$388,285 for governmental activities and \$894,939 for business-type activities.

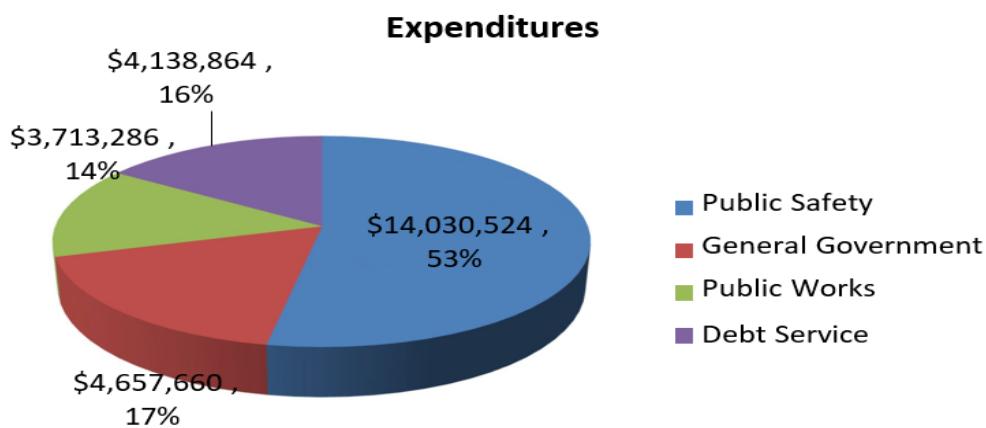
## General Fund Summary



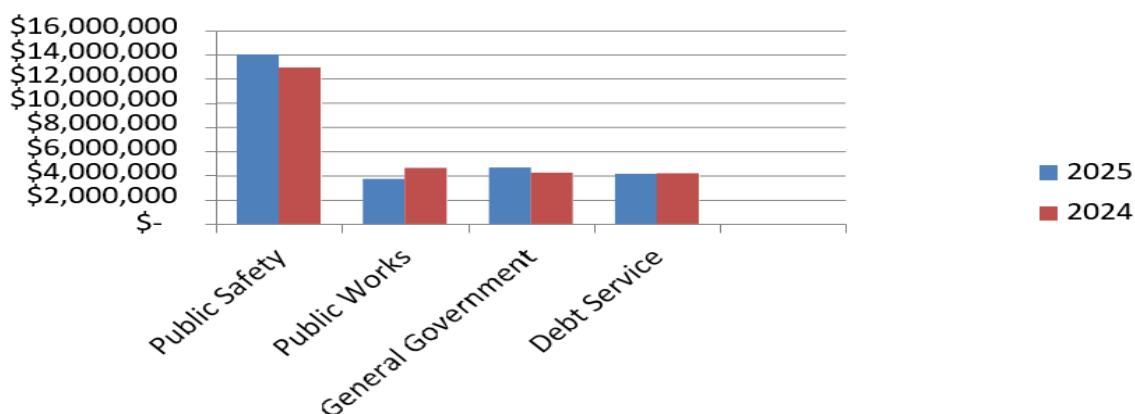
## General Fund – Revenue Comparison



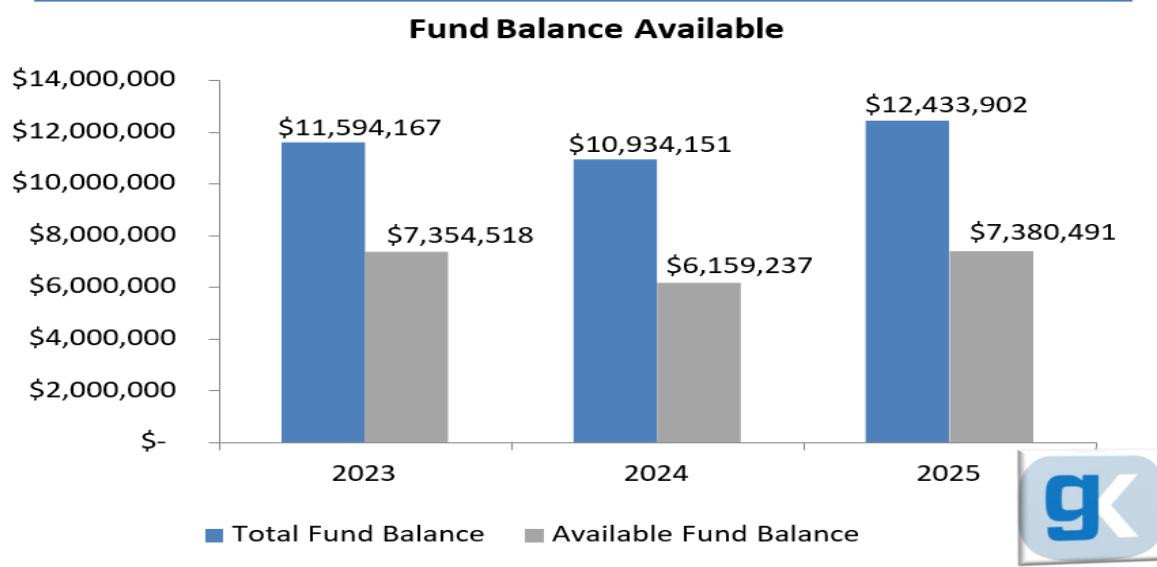
## General Fund Summary



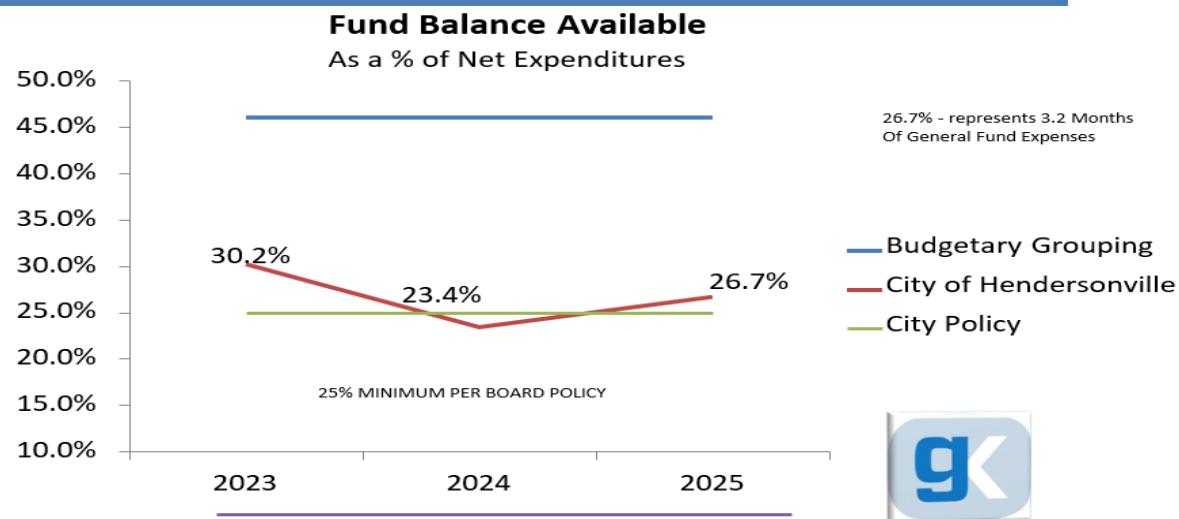
## General Fund Summary



## General Fund Summary



## General Fund Summary



## Enterprise Fund Summary

| Water and Sewer Fund  | 2024         | 2025        |
|---|--------------|-------------|
| Working capital<br>(current assets-current liabilities)     | \$12,608,305 | \$8,413,736 |
| Working capital in months expenditures<br>(budgetary basis) | 6.5 months   | 3.75 months |
| Unrestricted net position                                   | 12,191,586   | 9,121,847   |
| Operating income (loss)                                     | 490,056      | 2,269,980   |
| Change in net position                                      | 12,755,424   | 7,793,746   |
| Cash flows from operating activities                        | 5,661,711    | 4,503,277   |
| Net increase (decrease) in cash                             | (747,443)    | (4,284,450) |

## Property Tax Collection

|   | 2023          | 2024          | 2025          |
|---|---------------|---------------|---------------|
| Property tax rate                       | 0.52/\$100    | 0.49/\$100    | 0.52/\$100    |
| Current year<br>\$ collected (incl. MV) | \$ 11,887,462 | \$ 14,807,794 | \$ 17,082,230 |
| Current year<br>% collected (incl. MV)  | 98.71%        | 99.30%        | 99.45%        |



## CITY OF HENDERSONVILLE 2025 Annual Financial Report

### C. Leading for Results Graduate Recognition – Brian Pahle, Deputy City Manager

Deputy City Manager Brian Pahle recognized Budget & Evaluation Director Adam Murr for graduating from the UNC School of Government Leading for Results - Fellows program. On December 12, 2025, Adam successfully completed the Leading for Results program at the UNC School of Government as a Civic Fellow. Adam was among 24 individuals from across North Carolina identified as a critical leader in their local government and was selected in a competitive process from over 150 applicants to the program. The Leading for Results program focuses on personal and organizational leadership. Participants were introduced to models of leadership as well as management and leadership tools and strategies. Civic Fellows had the opportunity to gain insight into their individual leadership styles and strengths and practice ways to increase their effectiveness within their organizations.

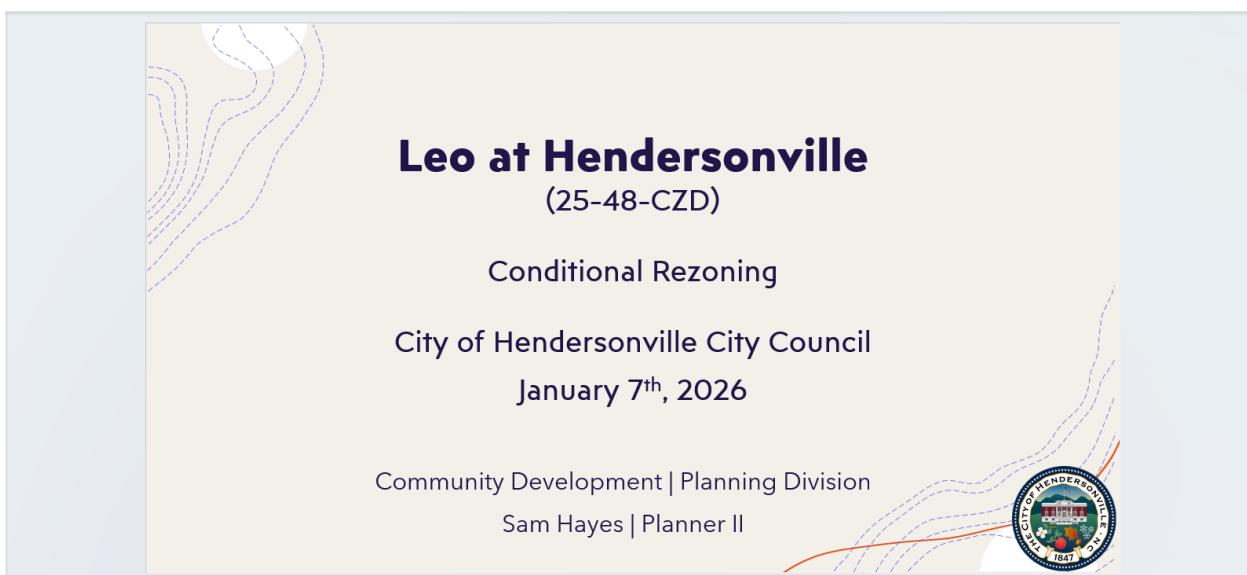


Before beginning the public hearing, Sam Hayes introduced the City's new Planner, Hanna Slice.

## **7. PUBLIC HEARINGS**

### **A. Rezoning: Conditional Zoning District – LEO at Hendersonville (25-48-CZD) – Sam Hayes, Planner II**

Sam Hayes explained that the City of Hendersonville received an application for a Conditional Rezoning from Scott Weathers of Advenir Azora Development (Applicant) and Jeffrey Justus (Owner). The request is to rezone the property located at 1741 Haywood Road (PIN 9569-22-9206) from R-15 Medium Density Residential to PRD-CZD (Planned Residential Development – Conditional Zoning District) to allow for the construction of a 180-unit residential project. The proposed development includes a mix of duplexes, triplexes, and quadplexes. At its December 11 meeting, the Planning Board recommended denial of the proposed plan. The Board's primary concerns centered on the extent of grading required and the resulting impacts on the site. Additional concerns were raised regarding the absence of a secondary access point, though such access is not required by ordinance, as well as the project's overall compatibility and impact on the surrounding community.



Good afternoon madame mayor and city council. Lew asked me if I would start by introducing our new planner. Hannah Slice started on Monday! She comes to us from South Carolina where she previously worked as the sustainability planner for the city of Greenville and most recently as an adjunct professor at Clemson's Landscaping Architecture program.

The City is in receipt of a conditional rezoning application for a project called Leo at Hendersonville. The project is for 180 two, three, and four family units on Haywood Road.



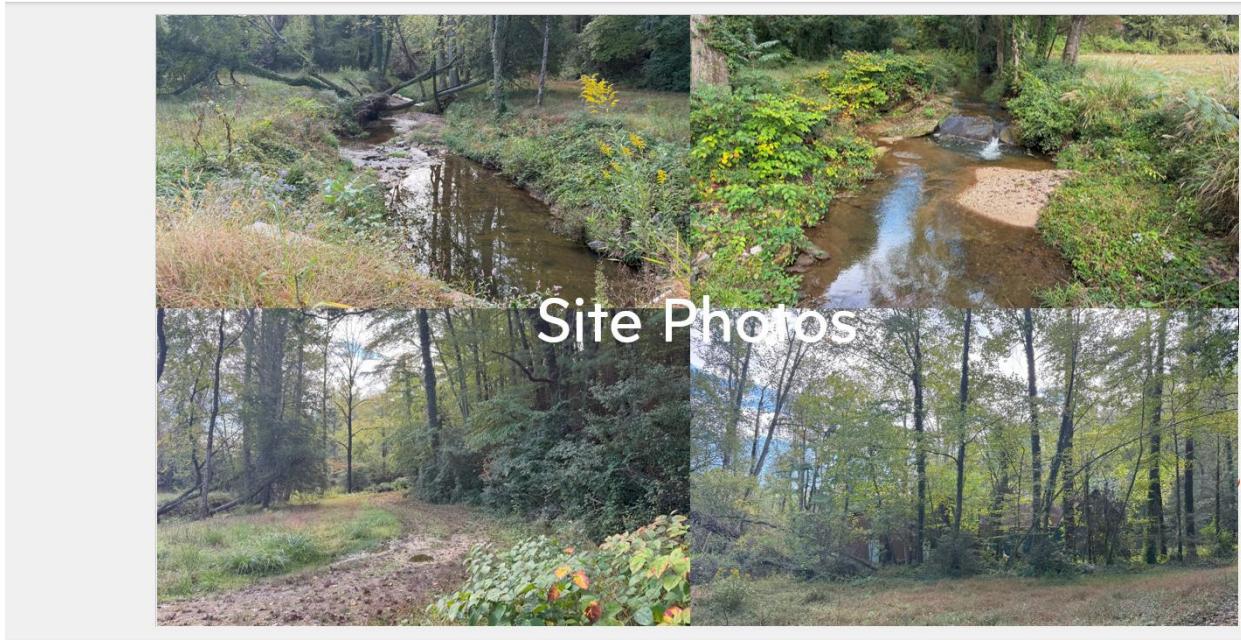
The project's address is 1741 Haywood Road. The applicant is Scott Weathers with Advenir Azora Development and the property owner is Jeffrey Justus. The existing zoning is R-15 medium density residential, and the applicant has requested to rezone this property to Planned Residential development conditional zoning district. The property is 21.25 acres.

As mentioned before the project is proposed 180 units of two, three, and four family residential dwellings. The project density is 8.47 units per acre.

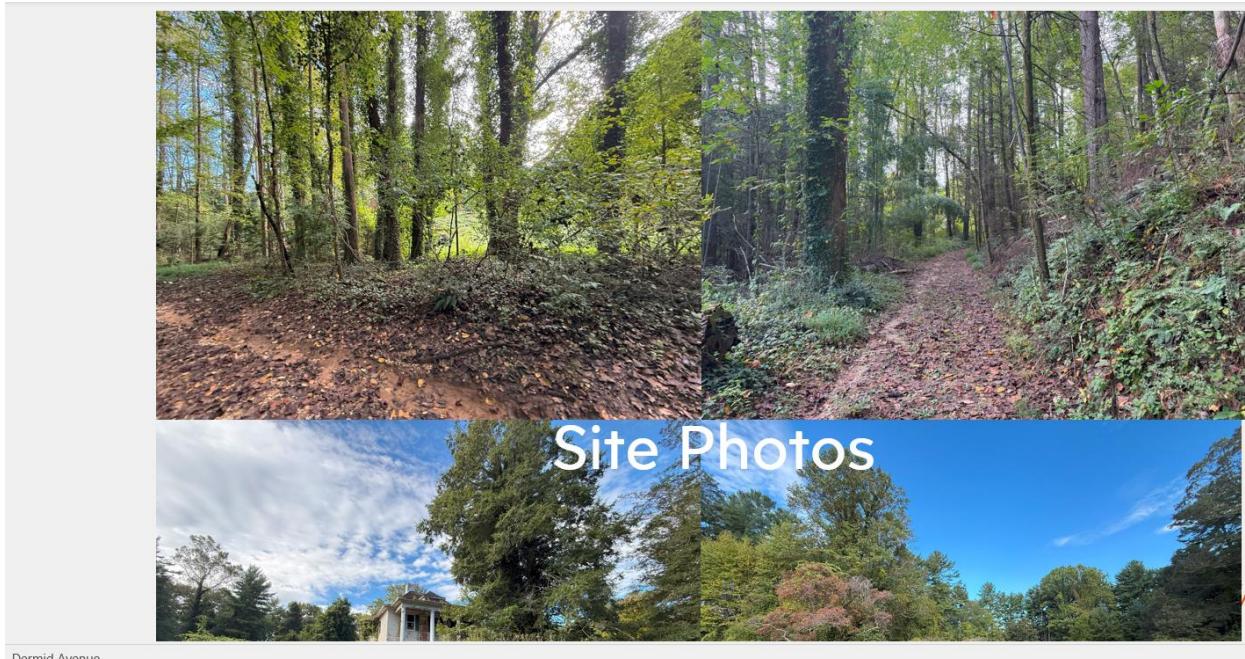
Utilizing the City's new  $\frac{1}{2}$  unit density calculations for units under 1,200 square feet, this project comes in at 5.74 units per acre. The project is proposed to be rentals, however per state law, the City is not able to regulate rentals vs. owner occupied dwellings. The future land use designation for the property is Family/Neighborhood Living.



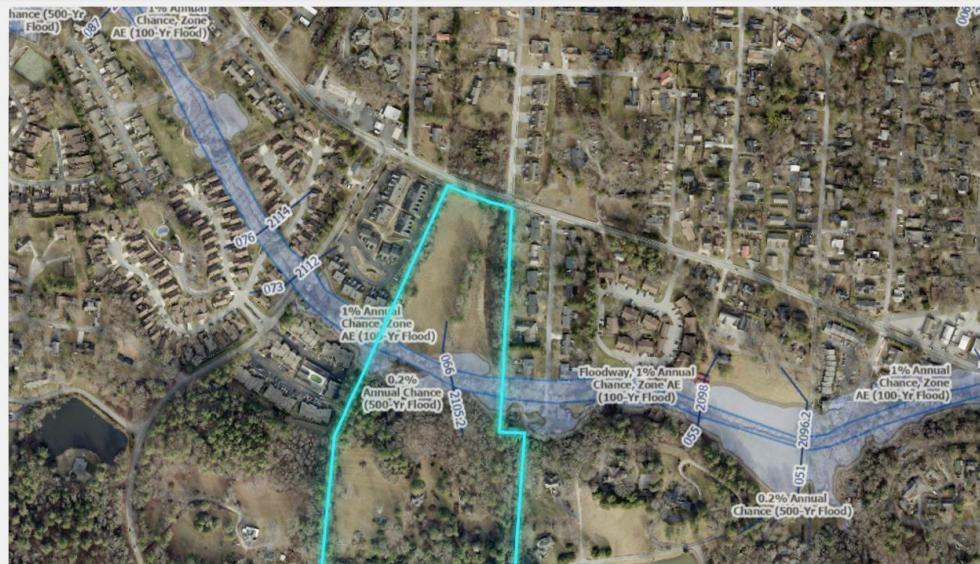
Dermid Avenue



Dermid Avenue



Dermid Avenue



Here you can see an aerial image of the subject property highlighted in blue. There is 100 year and 500 year floodplain that runs through the middle of the property. There is also some delineated wetlands on the property that have been noted on the site plan.

## Neighborhood Compatibility Meeting

**+ Dates:** June 30<sup>th</sup>, 2025 and August 19<sup>th</sup>, 2025

**+ Attendees:**

- + 115 at June 30<sup>th</sup> meeting
- + 135 at August 19<sup>th</sup> meeting

**+ Topics Discussed:**

- + Concerns over increased traffic on Haywood Road (191)
- + Concerns over the compatibility with the surrounding neighborhoods
- + Questions about the affordability of the project rents

**NEIGHBORHOOD COMPATIBILITY MEETING**  
**OFFICIAL NOTIFICATION**  
 by The City of Hendersonville  
 for:  
**CONDITIONAL REZONING**

For Additional Information Call:  
 (828) 697-3010 or Visit  
[www.hendersonville.gov/public-notices-hearings](http://www.hendersonville.gov/public-notices-hearings)

about building setbacks, buffering of the property, and fencing used on the site

+ Questions about the site's stormwater retention



A neighborhood compatibility meeting was held on June 30<sup>th</sup> 2025. At this meeting, there were 115 people in attendance both in person and online. A continuation of that meeting was held on August 19<sup>th</sup> at Blue Ridge Community College. There were 135 people in attendance at that meeting, all in person as no online option was provided.

Topics of concern at both of these meetings were surrounding traffic on Haywood Road. Concerns over compatibility with the surrounding neighborhoods. Questions about the affordability of the project. Questions and concerns over the building setbacks, buffering of the property, and the fencing that will be utilized in portions of the property. Questions about the project's stormwater retention.

## By-Right Development

### + R-15 - Medium Density Residential

- + Single family and two family residential is allowed
- + ADUs are also allowed
- + Minor Planned Residential Developments (50 units or less)
- + Minimum lot size of 15,000 SF

### + Minor Planned Residential Development

- + 50 units by right
- + Density of 4 units per acre or 8 units per acre at "half density" standard

### + All developments mentioned above would be subject to administrative approval. Anything that goes above 50 units would require a conditional rezoning.

(If subdivided, approximately 61 lots could be created. This does not take into account the subdivisions requirements which would require public roads to be constructed, parkland dedication. It also doesn't take into account the unconstructable areas of the property, such as those areas that are steep slope, wetlands, or in the floodplain.)

Recently adopted small lots and flag lots is not applicable. No more than 6 units and maximum acreage is 2 acres.

#### Aggregate development standards

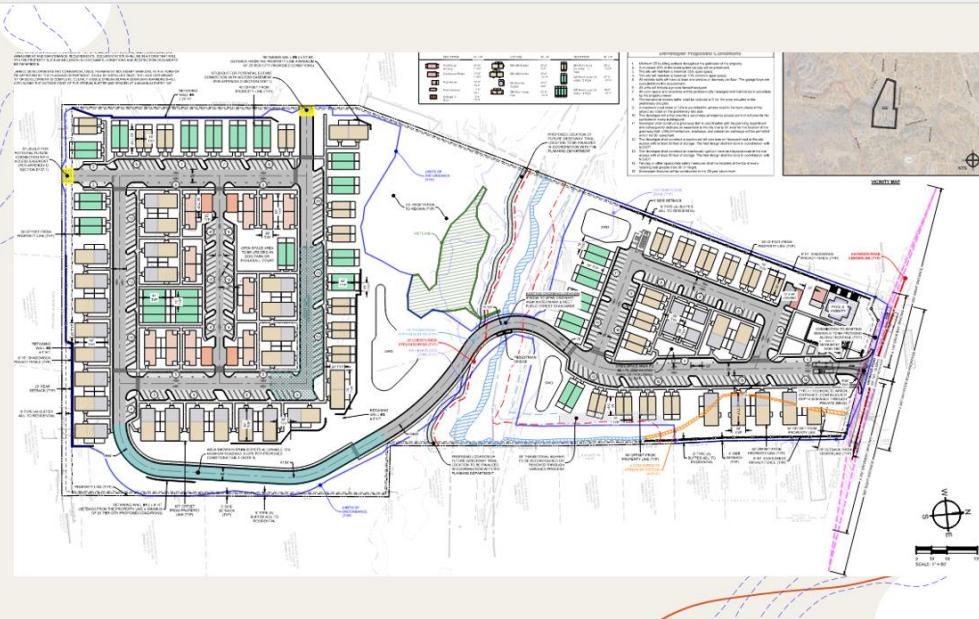
- a) The same person has control of the developments;
- b) The same person has ownership or a significant legal or equitable interest in the developments;
- c) There is common management controlling the form of physical development or disposition of parcels of the development;
- d) There is a reasonable closeness in time between the completion of some or all of one development and the submission of an application for authorization of other development which is indicative of a common developmental effort;

e) A master plan or series of plans or drawings exists covering the developments sought to be aggregated;

f) There is a voluntary sharing of infrastructure that is indicative of a common development effort or is designated specifically to accommodate the developments sought to be aggregated;

g) There is a common advertising scheme or promotional plan in effect for the developments sought to be aggregated.

## Site Plan



180 units proposed (122 units on the upper section and 58 units on the lower section)

PRD does not allow more than 10 units per acre

- 8.47 units per acre

- 5.74 units per acre utilizing the city's 1/2 unit calculation for units under 1200 square feet.

#### Traffic:

One entrance is provided into the site. The only recommendations made by the Traffic Impact Analysis was for a left turn lane into the site. Our traffic consultant also recommended a right turn lane into the site. The developer has proposed two conditions that address the recommendations from the TIA and our traffic consultant. I'll address those when I go through the

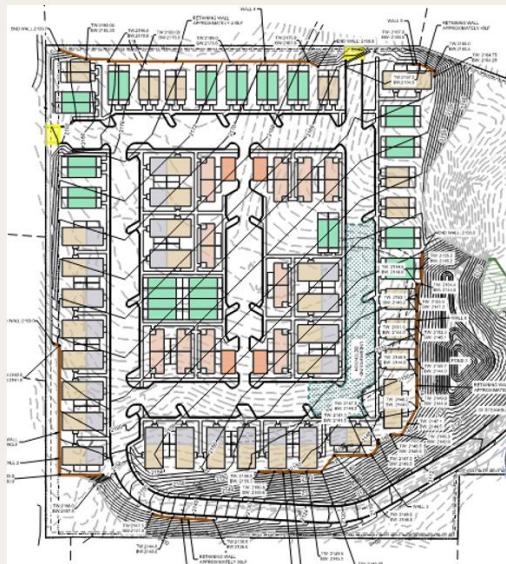
#### Center of the property

- Point out wetlands
- Point out greenway
- There are several retention ponds throughout the property, as well as some underground retention ponds.

Several areas have been created throughout the property to provide open space. You can see the front of the property with its pool and open space, the center of the lower section of the property, and open space on the upper portion of the property.

Area of disturbance – point out the blue line

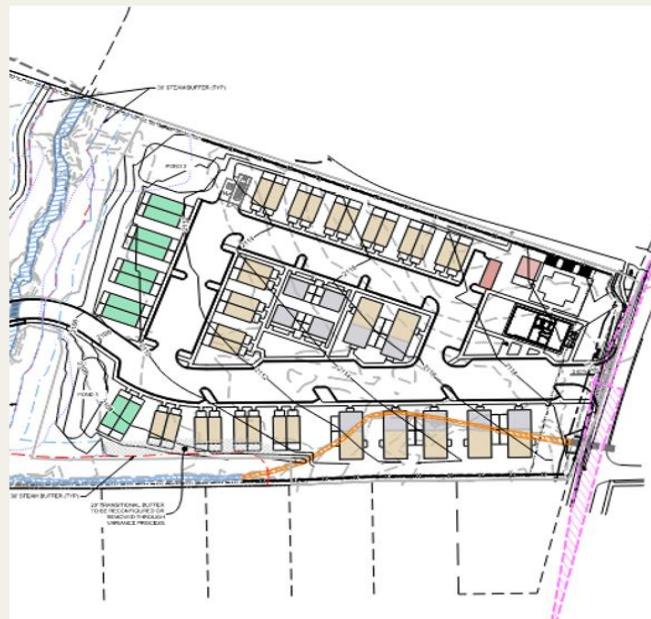
## Site Plan



- The upper portion of the property includes 122 units.
- There are several retaining walls utilized on the upper portion of the property.
  - Point toe by building - averages around 6' in height
  - 90 foot wall averages around 4 feet in height
  - Back wall about 26' in height

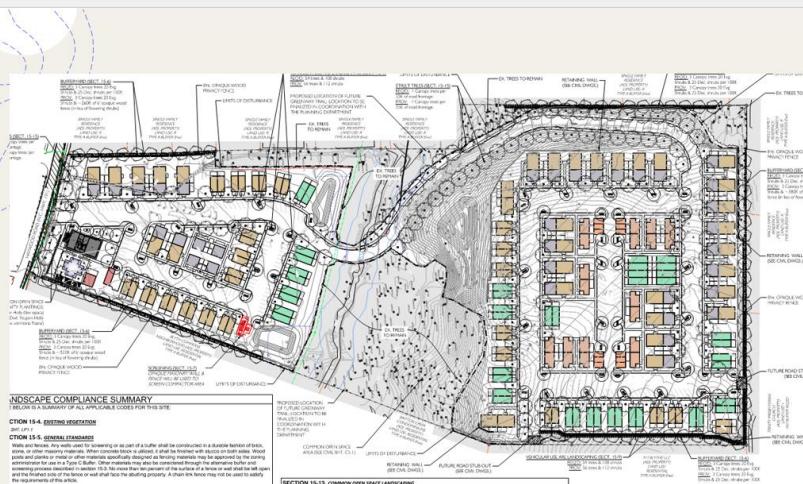
There are two stub outs on the property.

## Site Plan



Lower section closes to haywood road.  
Piped stream  
Community building with pool, clubhouse, and open space.

## Landscaping Plan



There is an additional retaining wall that staff has concerns over given its height of approximately 16' and its placement 5' from the property line. The wall also sits within the required 8' landscaping buffer, and staff has informed the applicant that they will need a condition if this retaining wall is to remain in its current location.

## Proposed Conditions (Developer Agreed)

### Developer Proposed Conditions :

1. Minimum 25' building setback throughout the perimeter of the property.
2. A minimum of 40% of the existing tree canopy will be preserved.
3. The site will maintain a minimum of 55% open space.
4. The site will maintain a minimum of 16% common open space.
5. All exterior walls will have at least one window or doorway per floor. The garage bays are excluded from this requirement.
6. All units will include a private fenced backyard.
7. All open space and amenities will be professionally managed and maintained in perpetuity by the property owner.
8. Transitional stream buffer shall be reduced to 0' for the area indicated below in the site plan.

## Proposed Conditions (Developer Agreed)

### Developer Proposed Conditions :

9. A maximum road slope of 12% is permitted for access road to the back phase of the project as noted on the preliminary site plan.
10. The developer will either provide a secondary emergency access point or will provide fire sprinklers in every building/unit.
11. Developer shall construct a greenway trail in coordination with the planning department and subsequently dedicate an easement to the city that is 50' wide for the location of the greenway trail. Utility infrastructure, roadways, and pedestrian pathways will be permitted within the 50' easement.
12. The developer shall construct a westbound left turn lane on Haywood road at the site access with at least 50 feet of storage. The final design shall be done in coordination with NCDOT.
13. The developer shall construct an eastbound right turn lane on Haywood road at the site access with at least 50 feet of storage. The final design shall be done in coordination with NCDOT.
14. Fencing or other appropriate safety measures shall be installed at the top of every retaining wall greater than 30" in height.
15. Stormwater features will be constructed to the 25-year storm level.

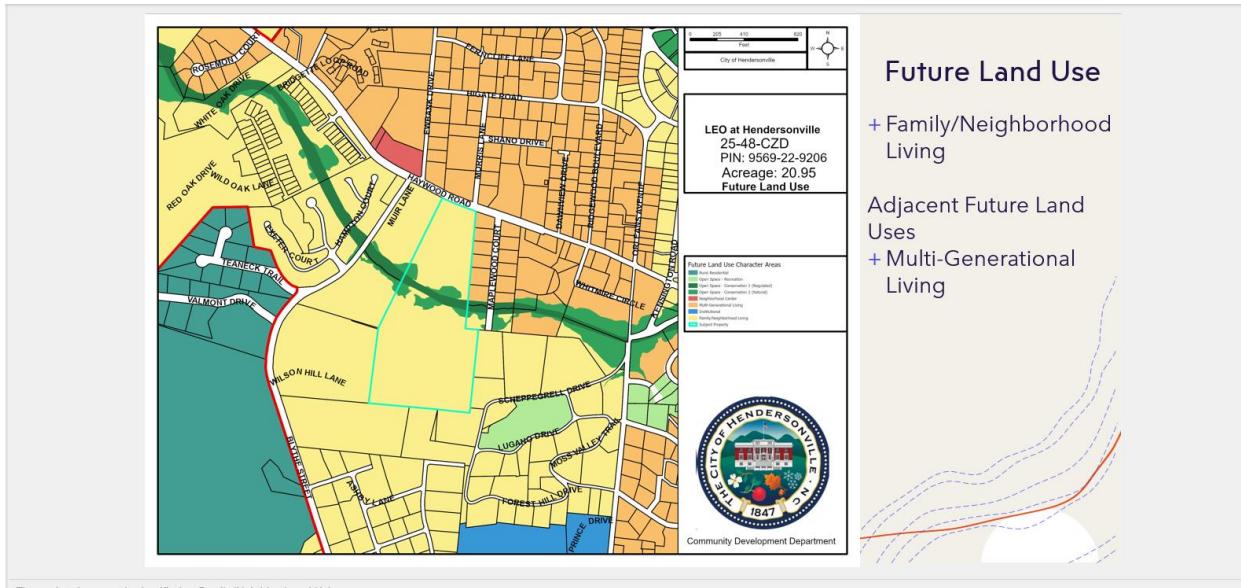
## Proposed Conditions

### City Proposed Conditions :

1. The retaining wall on the eastern boundary measuring approximately 90' and the retaining wall on the western boundary measuring approximately 45' shall be setback from the property line 25'.

Retaining wall setback from the adjacent property line:

- The reasoning for this is grounded in safety concerns if the walls were to fail and mitigating the potential impact on neighboring property values and the potential interference with the enjoyment of neighboring property.



The project is currently classified as Family/Neighborhood Living. Adjacent Future Land Uses are Multi-Generational Living. The applicant has requested that the future land use be changed to multi-generational living. - In the staff analysis of comprehensive plan consistency, we deemed it to be somewhat inconsistent with the future land use designation for family/neighborhood living, and in the consistency statement for the entire comprehensive plan, we said that it was inconsistent.

|  |  |
|--|--|
| <b>General Rezoning Standards:</b><br><b>1) COMPREHENSIVE PLAN CONSISTENCY</b> | <b>LAND SUPPLY, SUITABILITY &amp; INTENSITY</b> <ul style="list-style-type: none"> <li>The subject property is noted as being "underdeveloped" on the Land Supply Map [Consistent]</li> <li>The subject property is "most suitable" on the Residential Suitability Map. [Consistent]</li> <li>The subject property is classified as being suitable for "low-intensity" development on the Development Intensity Map. [Inconsistent]</li> </ul> |
|  | <b>FUTURE LAND USE &amp; CONSERVATION MAP</b> <ul style="list-style-type: none"> <li><b>Designation:</b> Family/Neighborhood Living</li> <li><b>Character Area Description:</b> Somewhat Inconsistent</li> <li><b>Zoning Crosswalk:</b> Consistent</li> </ul>  |

Classified as low intensity on the development intensity map. The project was found to be inconsistent with this designation due to the level of development and the [parcels](#) location in a periphery area of the city's jurisdiction.

Staff found this to be somewhat inconsistent with the character area description, given the proposal's inclusion of duplexes, triplexes, and quadplexes; minimum lot sizes that are significantly smaller than the stated 1/3- to 1/8-acre range; and the lack of conservation design in exchange for reduced minimum lot sizes.

1/3 acre = 64 units  
 1/8 acre = 170 units

|   |   |
|---|---|
| <b>General Rezoning Standards:</b><br><b>2) COMPATIBILITY</b> | <b>RELEVANT GEN H GOALS</b> <ul style="list-style-type: none"> <li><b>Vibrant Neighborhoods:</b> <ul style="list-style-type: none"> <li>The design allows people to connect to nearby destinations, amenities, and services. [Somewhat Consistent]</li> </ul> </li> <li><b>Healthy and Accessible Natural Environment:</b> <ul style="list-style-type: none"> <li>Natural system capacity (floodplains for stormwater; habitats to support flora/fauna; tree canopy for air quality, stormwater management, and microclimate) is maintained. [Somewhat Inconsistent]</li> <li>Development is compact (infill/redevelopment) to minimize the ecological footprint. [Somewhat Inconsistent]</li> </ul> </li> <li><b>Authentic Community Character:</b> <ul style="list-style-type: none"> <li>Historic preservation is utilized to maintain the city's identity. [Inconsistent]</li> </ul> </li> <li><b>Safe Streets and Trails:</b> <ul style="list-style-type: none"> <li>Interconnectivity is promoted between existing neighborhoods through the building out of street networks, including retrofits and interconnectivity of new developments. [Somewhat Inconsistent]</li> </ul> </li> </ul> |
|   | <b>GEN H GUIDING PRINCIPLES</b> <ul style="list-style-type: none"> <li><b>Connectivity:</b> <ul style="list-style-type: none"> <li>The development encourages multimodal design solutions to enhance mobility. [Somewhat Consistent]</li> </ul> </li> </ul>   |

The project was found to be consistent with 25 of the goals and guiding principles in the comprehensive plan. I am going to briefly details staff's rationale for each goal and guiding principle area that was found to be somewhat consistent, somewhat inconsistent, or inconsistent.

**Vibrant Neighborhoods:**

- The design allows people to connect to nearby destinations, amenities, and services. [Somewhat Consistent]
  - While the development is proposing amenities such as a greenway access and sidewalks along 191, the property is disconnected from surrounding neighborhoods.

**Healthy and Accessible Natural Environment**

- Natural system capacity (floodplains for stormwater; habitats to support flora/fauna; tree canopy for air quality, stormwater management, and microclimate) is maintained. [Somewhat Inconsistent]
  - The extensive grading proposed for the property will significantly impact the site. While the applicant is providing stream bank and wetland protections as required by the City's ordinance, the level of grading across the remainder of the site has the potential to degrade the site's natural habitat.

- Development is compact (infill/redevelopment) to minimize the ecological footprint. [Somewhat Inconsistent]
  - The mass grading on the upper portion of the site will have significant impact. The decrease in the number of units and the implementation of alternative grading such as terraced grading could have lesser impacts.

#### Authentic Community Character

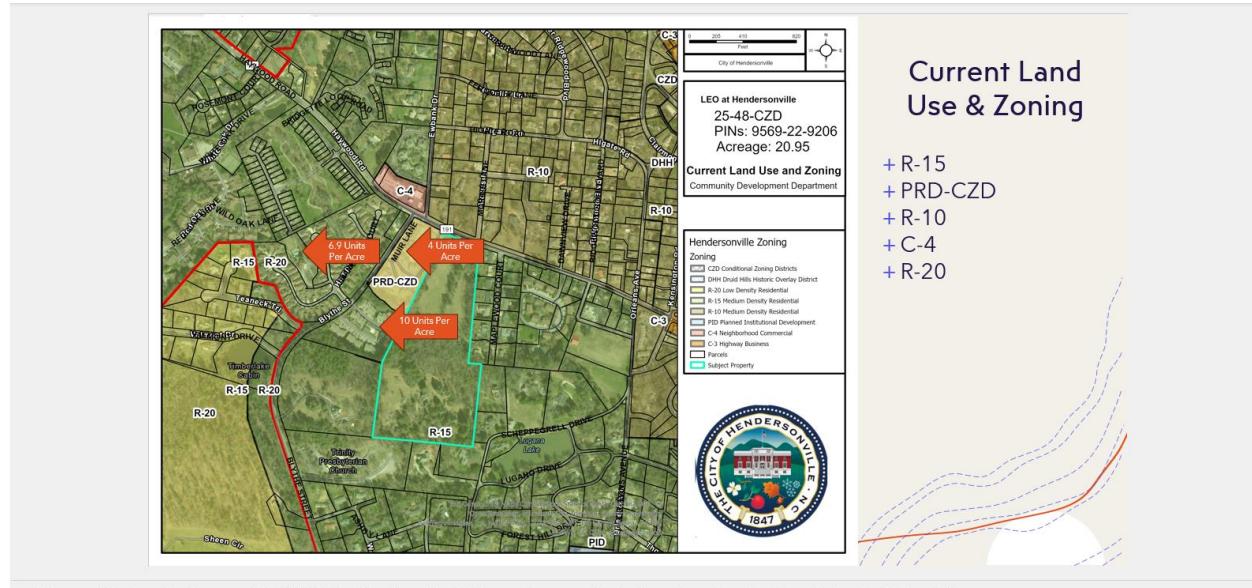
- Historic preservation is utilized to maintain the city's identity.
  - The property was identified in a 2000 historic architectural survey as potentially eligible for listing in the National Register of Historic Places. The survey documents several historic buildings on the property, including a historic house dating to circa 1906. The estate, buildings, entrydrive, undeveloped setting, and view were all identified as important elements of the site's historic character.

#### Safe streets and trails

- Interconnectivity is promoted between existing neighborhoods through the building out of street networks, including retrofits and interconnectivity of new developments. [Somewhat Inconsistent]
  - The development does not connect to existing neighborhoods adjacent to the site, primarily because the property is landlocked on three sides, with access only along the frontage on Highway 191.

#### Connectivity

- The development encourages multimodal design solutions to enhance mobility.
  - While the development incorporates elements that support pedestrian and vehicular movement, it does not adequately prioritize or integrate transit-oriented design solutions. The site lacks clear connections to existing or planned transit services, as well as features that would support convenient and accessible transit use. Without meaningful consideration of transit access and integration, the development falls short of encouraging a fully multimodal approach to mobility.



The current land use for the property is R-15 Medium Density residential Surrounding properties to the east, south, and west are all also classified as R-15. I'll mentioned that many of the properties along Haywood Road that are R-15 zoning utilized a previous zoning known as Planned Unit Development (PUD) which allowed multi-family townhome projects and higher density project to be constructed by-right.

The adjacent Britton Creek development has a density of 10 units per acre  
And Plantation Walk has approximately 6.9 units per acre

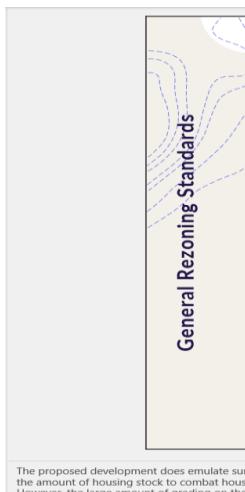
An adjacent PRD-CZD known as Blythe Commons is at 4 units per acre.

| General Rezoning Standards | 2) Compatibility      | Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property.   |
|----------------------------|-----------------------|--|
|                            | 3) Changed Conditions | Whether and the extent to which there are changed conditions, trends or facts that require an amendment.   |
|                            |                       | <ul style="list-style-type: none"> <li>The proposed development is located in a transition area from urban downtown Hendersonville to rural county. Stretching along Haywood Road are a number of subdivision that were established at various period throughout history. To the east and north are primarily single family subdivisions, while to the west there are primarily duplexes and townhomes. This development primarily features duplexes and town homes, which is compatible with the developments to the west, however, the density is less compatible with properties to the east.</li> <li>Additionally, the large amount of grading on the site has a severe impact on adjacent properties and is incompatible with the types of development on some sides of the subject property.</li> </ul> |
|                            |                       | <ul style="list-style-type: none"> <li>The subject property was previously proposed for development as a multi-family apartment building project. The project was withdrawn, and this is the latest iteration of the project. There have been some changes to the ordinance, and the City's comprehensive plan was updated.</li> </ul>   |

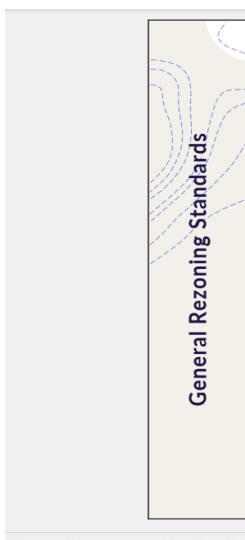
The proposed development is located in a transitional area. Stretching along Haywood road are a number of developments established at various periods throughout history. The east and north are primarily single family subdivisions established from the early 1900s through the 50s and 60s. To the west there are several large developments of townhomes and condos.

The large amount of grading on the southern portion of the property and use of retaining walls very close to the property line make the proposed project incompatible with the surrounding single-family properties.

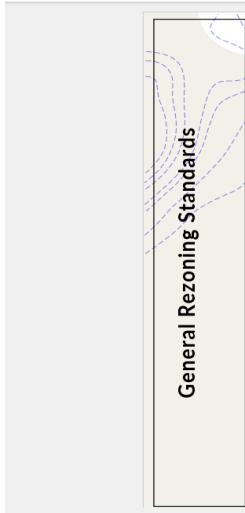
As for changed conditions, the subject property was previously proposed for development as a multi-family apartment building project. The project was withdrawn. This project is the latest iteration of the project. There have been several changes to our ordinance to promote housing production and the city has adopted a new comprehensive plan.

|   |   |
|---|---|
|  <p>General Rezoning Standards</p> | <p>Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare.</p>   |
|   | <ul style="list-style-type: none"><li>The proposed development does emulate surrounding developments along Haywood Road. The proposed <u>transportation</u> mitigation would decrease the negative impact on Haywood Road. Additionally, Hendersonville is attempting to increase the amount of housing stock to combat housing affordability challenges. However, the large amount of grading on the site has the potential to <u>negatively</u> impact the environment health of the site overall and could impact adjacent properties.</li></ul> |

The proposed development does emulate surrounding developments along Haywood Road. The proposed transportation mitigation would decrease the negative impacts on Haywood Road. Additionally, Hendersonville is attempting to increase the amount of housing stock to combat housing affordability challenges. However, the large amount of grading on the site has the potential to negatively impact the environment health of the site overall and could impact adjacent properties.

|  |  |
|--|--|
|  <p>General Rezoning Standards</p> | <p>Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment.</p>  |
|  | <ul style="list-style-type: none"><li>The site will be served by public utilities. The developer is currently proposing the water/sewer lines on the property to be private. The sewer lines would likely need to be public, but this is something that will be resolved at final site plan.</li></ul> |

The site will be served by public utilizes. The developer is currently proposing to have the water and sewer lines on the property be private.

|   |  |
|---|--|
|  <p>General Rezoning Standards</p> | <p>Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife.</p>   |
|   | <ul style="list-style-type: none"><li>The site overall presents a moderate to high impact on the natural environment. As previously mentioned, significant grading is required, which necessitates the construction of several retaining walls throughout the property. While the developer is generally complying with the City's stream buffer protections, there is one exception: a condition has been included to reduce the 20-foot transitional buffer to 0 feet along a small portion of the stream on the eastern side of the site plan. The applicant is seeking to mitigate some of the harmful impacts through the preservation of a larger amount of tree canopy than required by ordinance. These trees are primarily concentrated in a wetlands portion of the property running along Brittain Creek.</li></ul> |

The site overall presents moderate to high impact on the natural environment. As previously mentioned the significant grading proposed on the southern portion of the property. This would necessitate the construction of several retaining walls throughout the property.

| <h2>Planning Board Recommendation</h2>          |   |
|---|---|
|   | <p>The City of Hendersonville Planning Board made a motion recommending <b>denial</b>, finding the petition to be inconsistent with the comprehensive plan and finding it to be unreasonable and not in the public interest based on the information from the staff analysis and the public comments presented at their meeting on <u>December 11<sup>th</sup>, 2025</u>.</p> |
| <p><b><u>The motion carried 6 to 0.</u></b></p> |   |

The Planning Board made a motion recommending approval at its April 10<sup>th</sup> meeting. The motion carried 6 to 0.

## DRAFT: Comprehensive Plan Consistency Statement

The petition is found to be inconsistent with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

*The petition proposes duplexes, triplexes, and quadplexes that are not consistent with the Future Land Use designation of Family/Neighborhood Living, which is intended to support lower-intensity, neighborhood-scale development. The proposal also fails to incorporate a conservation design—typically expected as a tradeoff for smaller lot sizes or increased density—because the development requires extensive grading that significantly alters the site's natural topography. The scale of grading and overall design are not compatible with the character of adjacent developments.*

City staff deemed the petition to be inconsistent with the comprehensive plan.  
- If you decide to recommend approval for the project, there is a recommendation to change the future land use designation to Multi-Generational Living.

## DRAFT: Approval Reasonableness Statement

We find this petition to be **reasonable** and in the public interest based on the information from the staff analysis and the public hearing, and because:

### [Rationale for Approval]

1. The addition of 180 units supports the City's goal of increasing the overall housing supply.
2. The proposed development utilizes existing infrastructure and aligns with the City's objective to encourage infill development.
3. The project incorporates "missing middle housing" principles by offering a range of housing sizes, consistent with the City's goal to provide diverse housing options for a variety of residents.
4. The proposed development is in alignment with the surrounding developments.

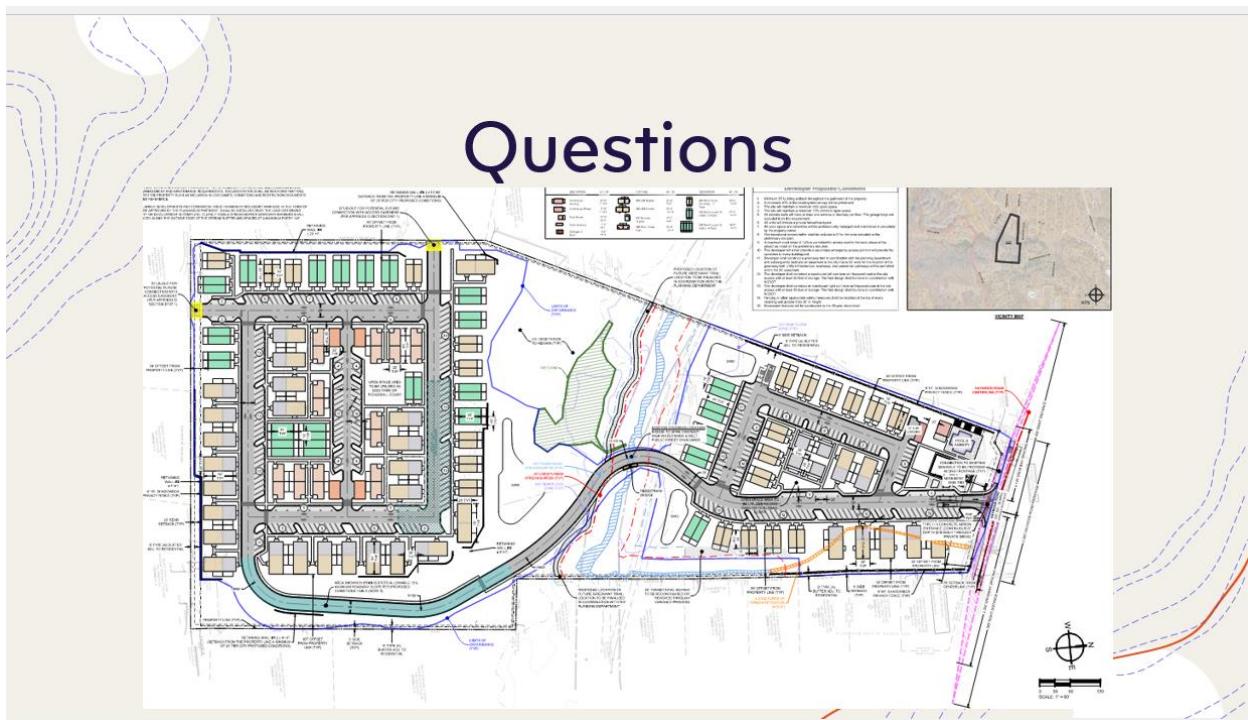
Additionally, staff has drafted the following statement of reasonableness...

## DRAFT: Denial Reasonableness Statement

We do not find this petition to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

### [Rationale for Denial]

1. The proposed development does not provide adequate site access for emergency services and lacks interconnectivity.
2. The proposed development is incompatible with the surrounding developments.
3. The grading of the proposed development will significantly alter the natural environment of the site and significantly impact some adjoining neighbors



Justice Mullen, law partner of Romeo, Harrelson & Coiner of 136 South King Street, Hendersonville, NC explained that their plan meets all the city's guidelines and that they have done what was asked of them.

Marc Mariano, Chief Executive Officer of Advenir Azora Development, gave the following lengthy PowerPoint presentation explaining why the rezoning should be approved.



## LEO at Hendersonville – Site Plan

- **180, 1, 2, and 3 Bedroom**  
Homes ranging from 625 – 1500 SF
- **Amenities including – Pool, Fitness Center, Lounge, Pickleball Court, Dog Park, and Greenway Trail**
- **25-year storm water retention system**
- **25' minimum building setbacks**
- **Over 60% Open Space**
- **Over 20% Common Open Space**
- **Over 45% existing tree canopy save with an additional 13% of new canopy**



## CRAFTSMAN STYLE HOMES THROUGHOUT HENDERSONVILLE



## LEO PRODUCT

### ACTUAL LEO PRODUCT

FULLY COMPATIBLE  
WITH THE  
HENDERSONVILLE  
FABRIC OF DESIGN





ACTUAL LEO  
PRODUCT

FULLY COMPATIBLE  
WITH THE  
HENDERSONVILLE  
FABRIC OF DESIGN

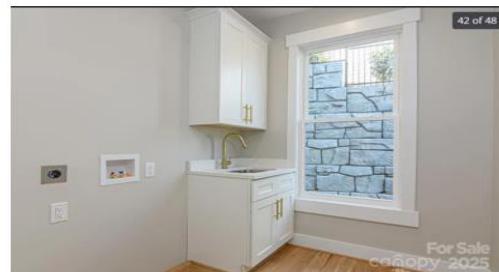


• \$7,500/MONTH  
BEFORE  
MAINTENANCE,  
WITH A  
\$237,000  
DOWN  
PAYMENT

**\$1,185,000**

131 Dawn Mist Ct, Hendersonville, NC 28791

4 beds 3 baths 3,038 sqft



2 MILE NORTH –  
CANTRELL FARMS  
– FOR SALE

\$3600/MONTH  
BEFORE ANY  
MONTHLY  
MAINTENANCE

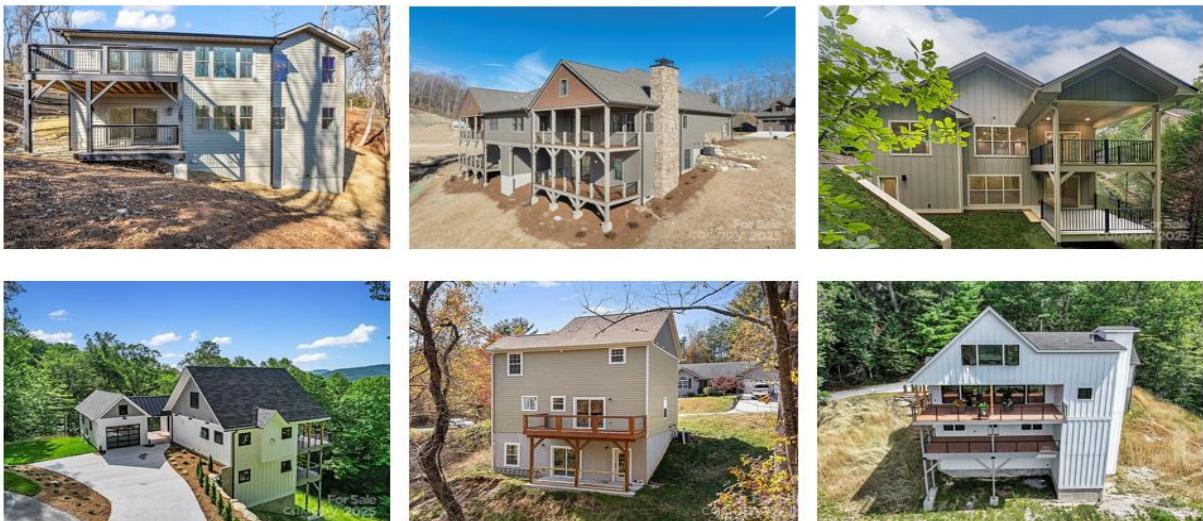


CARRIAGE CREST –  
\$5100/MONTH BEFORE  
MONTHLY  
MAINTENANCE, WITH  
\$158K DOWNPAYMENT





## EXISTING HENDERSONVILLE HOMES BUILT INTO SLOPES



## NEW LARGER SCALE DEVELOPMENT IN HENDERSONVILLE VIEW FROM STREET

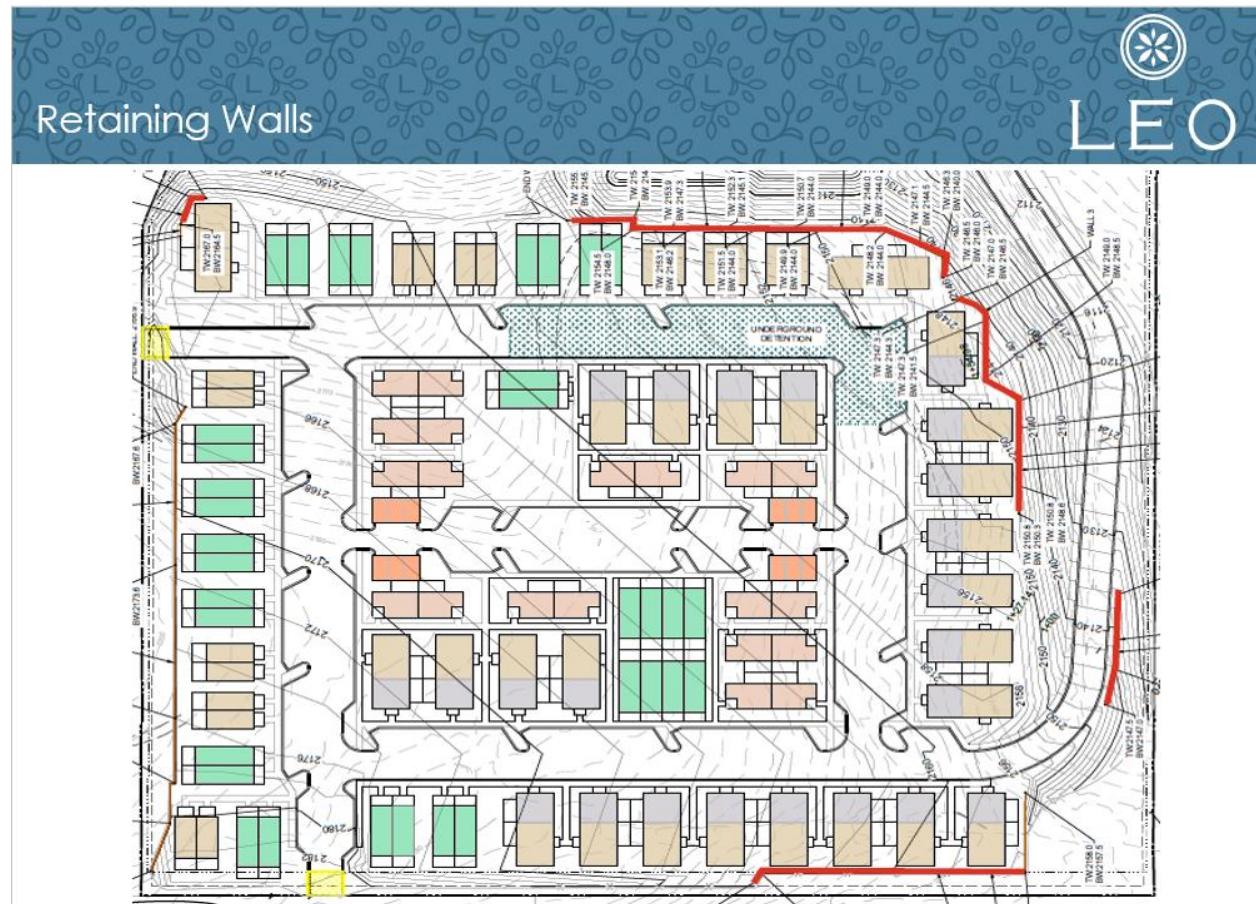




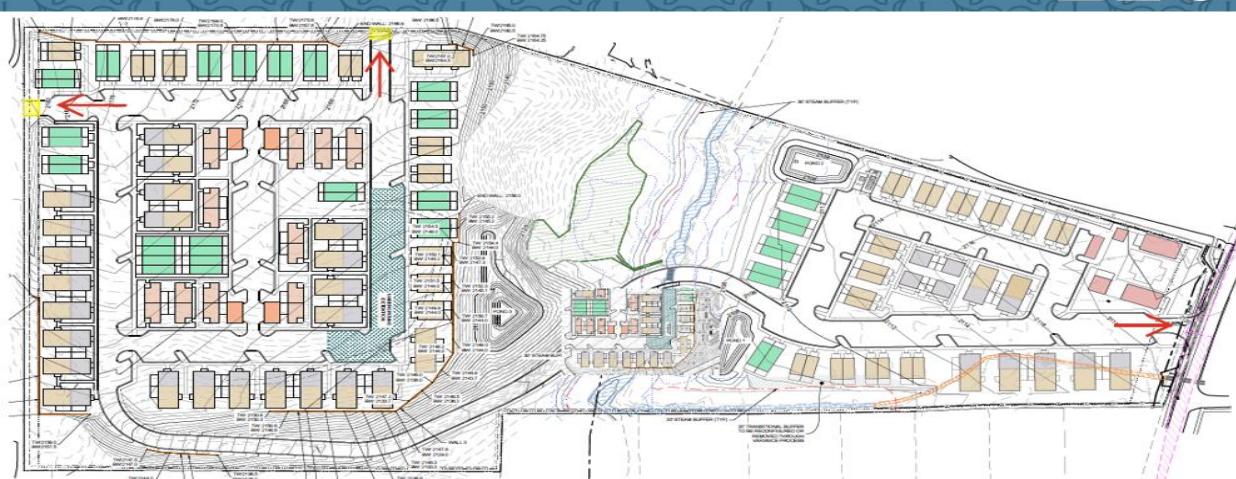
Scott Weathers of Advenir Azora Development continued with PowerPoint.



- Retaining Walls
- Traffic and Egress
- Stormwater/Flooding
- Adherence to the Future Land Plan



## Traffic & Egress



## Adherence to the Future Land Use Plan

 LEO

## Family Neighborhood Living

- The area is characterized by moderate-density residential Development. It is comprised of single-family detached homes on lots typically ranging from 1/3 acre to 1/8<sup>th</sup> Acre
- Improved open spaces in the form of pocket and neighborhood parks are interspersed, and greenway trails within are located to connect such parks as well as provide links to trails and walkways in neighboring development
- Conservation design, which includes more open space in exchange for smaller minimum lot sizes, may be a preferred approach to residential development, especially if higher gross densities can be achieved

## Adherence to the Future Land Use Plan



## Adherence to the Future Use Plan



## Issues &amp; Opportunities

- Community Character
- Land Use & Development
- Housing
- Open Space
- Infrastructure
- Sustainable & Resilient Future
- Aging Population

## Adherence to the Future Use Plan



## Goals and Objectives

- Vibrant Neighborhoods
- Abundant Housing Choices
- Healthy and Accessible Natural Environment
- Authentic Community Character
- Safe Street & Trails
- Reliable & Accessible Utility Services
- Satisfying Work Opportunities
- Welcoming & Inclusive Community
- Accessible & Available Community Uses and Services
- Resilient Community

## Adherence to the Future Land Use Plan



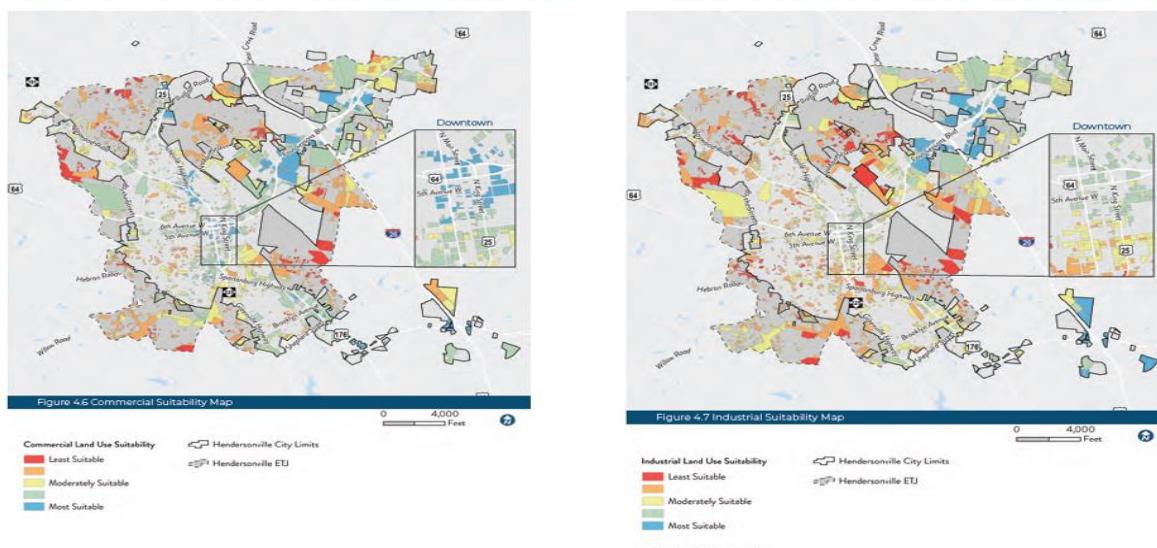
## GEN H Plan Guiding Principles

- Compact Development
- Sense of Place
- Conserved and Integrated Open Space
- Desirable and Affordable Housing
- Connectivity
- Efficient, Accessible Infrastructure
- Mix of Uses

## Adherence to the Future Land Use Plan



## Adherence to the Future Land Use Plan



## Chapter 4 – Vision for the Future

- Historic preservation is utilized to maintain the city's identity - Inconsistent
- Natural system capacity (floodplains for stormwater; habitats to support flora/fauna; tree canopy for air quality, stormwater management, and microclimate) is maintained – Somewhat Inconsistent
- The design allows people to connect to nearby destinations, amenities, and services - Somewhat Consistent
- Interconnectivity is promoted between existing neighborhoods through the building out of street networks, including retrofits and interconnectivity of new developments – Somewhat Inconsistent
- Development is compact (infill/redevelopment) to minimize the ecological footprint – Somewhat Inconsistent
- A diverse range of open space elements are incorporated into the development - Somewhat Inconsistent

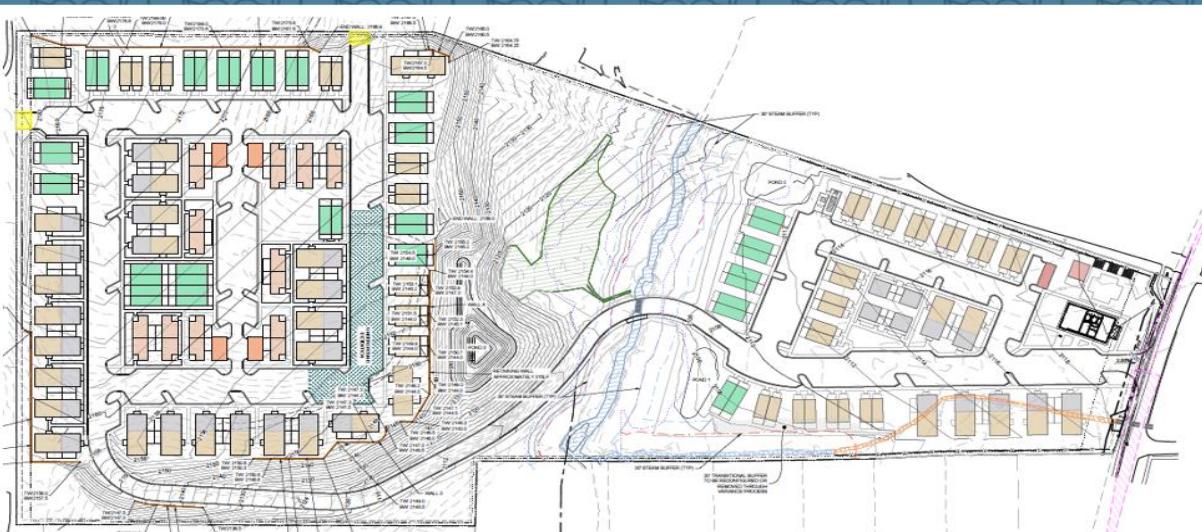
Chapter 4 – Vision for the Future



The LEO Living Experience



LEO at Hendersonville Site Plan



*~Mayor Volk asked for a brief recess at 8:20 p.m. and returned to session at 8:28 p.m.~*

The City Clerk confirmed this public hearing has been advertised in accordance with North Carolina General Statutes.

The public hearing was opened at 8:30 p.m.

**In Person:** The following people spoke against the rezoning: Eric Vining, Sydney Mace, Jeannie Moore, Eugene Carr, Bob Carlsen, Deborah Rhineheart, Sharon Pearson, Jessica Cevallos, Richard Vickers, Jerry Smith Jr., Ken Fitch, Bryan Hodge, John Binford, Alberto Cevallos & Mary Young.

**Via Zoom:** Shannon Kagan spoke against the rezoning as well.

The public hearing was closed at 9:30 p.m.

Mayor Pro Tem Hensley said we embarked on a relatively lengthy comprehensive plan that took a couple of years for us to do and I really appreciate how Lew talked about how this is a future plan and there are existing neighborhoods that are more dense than this proposed neighborhood. We are trying to be smarter and better about how we develop our land here. I actually spoke with Mr. Withers about 3 or 4 years ago. You came to us about a very similar development and great concept on Upward Road which was a great location for this type of development. It was near the highway, it was near a grocery store, there was four-lane highway access. I have a teen driver right now who drives these roads every day. You are all my neighbors as well so protecting these neighborhoods and voting down something that is not compatible with this area which is why I am saying no tonight. However, I want to say something. This project is called LEO, Love Each Other of Hendersonville and so to come in here and make disparaging and disrespectful comments to my neighbors is shameful and I do not appreciate it.

Council Member Gina Baxter agreed with Mayor Pro Tem Hensley and added that something that continues to float around in my mind is the voice of Jeff Miller saying “people have the right to develop but not overdevelop” and in this case, I think we are well past the line of compatibility. This is a project that I would love to support in a location that makes sense. I think there is a real need for missing middle and for rental units and I also think that the density and the grading, we know from past experience, cannot always be predicted and we can't make that kind of decision lightly when these neighbors took their time and energy and effort for almost a year now to show up and sit here for hours to ensure that their community stays safe, I think for all of those reasons, I am right there with Jen.

Council Member Lyndsey Simpson agrees with Jen and Gina and added that I like this concept. I liked it a lot better when it was on Upward Road. I think that was a more compatible location. We have heard a lot of information and we've heard the developers and all of the public coming to speak to us but we have also been reviewing and discussing this project for a year and there's still too many concerns with the density and grading impacts and it just occurred to me that we did the TIA in September and December and depending on what weeks in September and December we did that, Hendersonville Elementary School would not have been in session so that would have affected the TIA pretty significantly so like I said, I do love the concept but do not think it's a compatible location for it.

***Council Member Jennifer Hensley moved City Council deny an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject (PIN: 9569-22-9206) from R-15 to PRD-CZD, Planned Residential Development – Conditional Zoning District, based on the following:***

- 1. The petition is found to be inconsistent with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:***

***The petition proposes duplexes, triplexes, and quadplexes that are not consistent with the Future Land Use designation of Family/Neighborhood Living, which is intended to support lower-intensity, neighborhood-scale development. The proposal also fails to incorporate a conservation design—typically expected as a tradeoff for smaller lot sizes or increased density—because the development***

*requires extensive grading that significantly alters the site's natural topography. The scale of grading and overall design are not compatible with the character of adjacent developments.*

2. *We do not find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:*

1. *The proposed development does not provide adequate site access for emergency services and lacks interconnectivity.*
2. *The proposed development is incompatible with the surrounding developments.*
3. *The subject property is not conducive to the intensity of proposed grading, which will significantly alter the natural environment of the site, and could negatively impact some of the neighboring properties.*

*A unanimous vote of the Council followed. Motion carried.*

## **8. NEW BUSINESS**

### **A. Ratification of Property Purchase from Housing Assistance Corporation – John Connet, City Manager**

City Manager John Connet explained that the City of Hendersonville recently purchased the parcel directly adjacent to this parcel for our first affordable housing project. The purchase of this small tract from HAC will provide the City with frontage on W. Allen and S. Oak Street. The tax value for the project is \$2,800.

*City Council Member Lyndsey Simpson moved that the City Council ratify the purchase of the property located at the intersection of W. Allen Street and S. Oak identified as PIN 9568563497 from Housing Assistance Corporation for the amount of \$3,000. A unanimous vote of the Council followed. Motion carried.*

Resolution #R-26-04

### **RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL APPROVING THE PURCHASE OF REAL PROPERTY**

**WHEREAS**, the City of Hendersonville received a grant from Dogwood Trust to fund affordable housing initiatives as contained in the grant agreement dated November 29, 2021, as amended by that document on January 15, 2025 (“Grant Agreement”); and

**WHEREAS**, certain property became available for sale by the Housing Assistance Corporation, consisting of a 6854 SQ. FT. strip of land being more particularly described as follows:

BEING all of that lot identified as “Tract for Recombination 6854 SQ. FT.”, on that plat recorded in Plat Book 2019 at Page 11847 of the Henderson County Registry, reference to which is hereby made for a more particular description, hereinafter “Subject Property”); and

**WHEREAS**, the City of Hendersonville wishes to purchase the Subject Property with grant funds for the purpose of combining it with that property previously purchased by the City of Hendersonville for affordable housing, located on Spring Street;

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

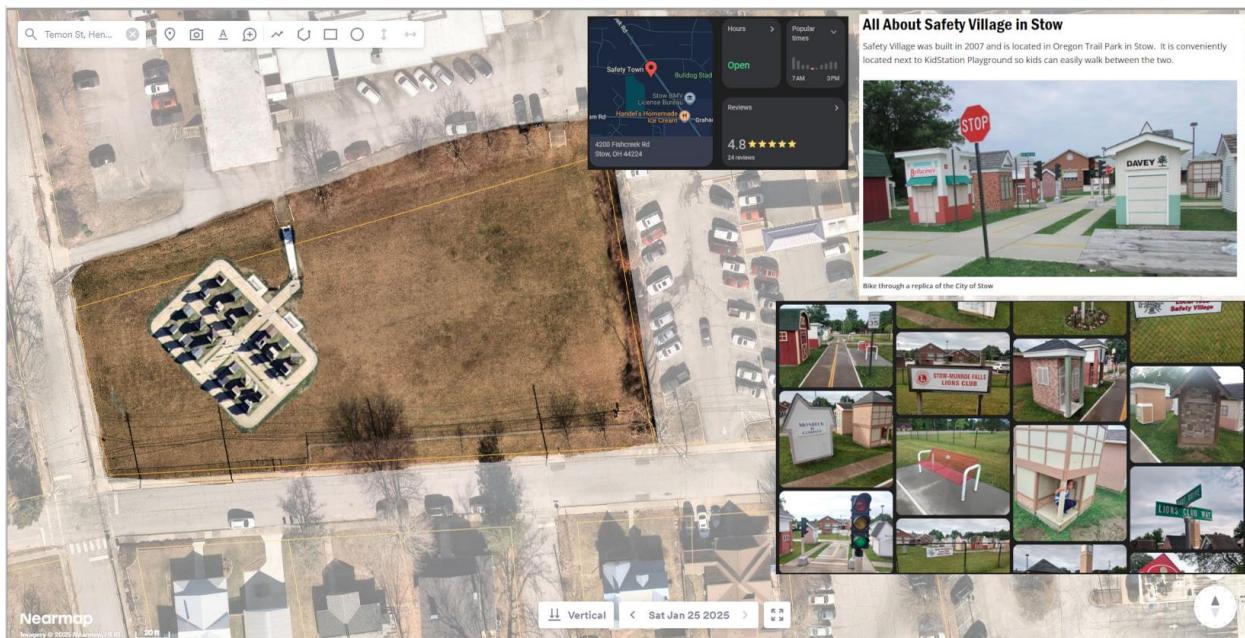
2. The City Manager is authorized to act on behalf of the City of Hendersonville to purchase the Subject Property for the amount of \$3,000, and to pay closing costs for such purchase in accordance with the **CONTRACT FOR PURCHASE AND SALE OF REAL PROPERTY**, attached hereto as Exhibit A, and incorporated herein by reference.
3. The City Manager, City Attorney, City Finance Director and City Staff are authorized to take such other actions as may be necessary to carry out the purchase, including but not limited to closing on the purchase and payment of all closing costs, attorneys fees, and other expenses required to be paid as part of the purchase.
4. All actions of the City Manager, City Attorney, City Finance Director and City Staff already taken in furtherance of this property purchase are hereby ratified and approved.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 7<sup>th</sup> day of January, 2026.

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

**B. Request to approve Safety City Concept for Rosa Edwards Park – Jennifer Hensley, Mayor Pro Tem**

Mayor Pro Tem Hensley is leading a countywide effort to construct a Safety City/Town facility in the City of Hendersonville. The staff is proposing to design and construct the facility at Rosa Edwards Park on 3<sup>rd</sup> Avenue. We will review the concept with City Council and request permission to continue the development of the site. She added that with the opening of the Ecusta Trail and we're always hearing about safety and connections and crossing streets and she remembered a program she did when she was in Kindergarten called Safety City that is still going on today and there are learning life skills about stranger danger, fire safety, police safety, how to navigate roadways and how to cycle safely and we would like to follow a similar model here. As far as the location is concerned, it is not set in stone, but it is an underutilized park, and we are just suggesting paving a section of it and add more trees and greenery.



*Consensus of Council was to allow staff to develop this and come back with a plan and perhaps have a community meeting at the library or something similar.*

**9. BOARDS & COMMITTEES**

**A. Appointment of Bicycle Steering Committee – Blake Fulgham, Management Analyst II**

Assistant City Manager Brent Detwiler explained that the City of Hendersonville staff, in conjunction with McAdams (planning consultant), have finalized the scope of the grant-funded 2026 Bicycle Plan. An integral part of the development of the plan will be the participation of a Steering Committee. This committee will be made up of area stakeholders who will provide feedback, assist in engagement efforts, review draft plans, and help shape the final product. City Staff have used NCDOT's guidance for the make-up of the committee (presented at the December City Council meeting) and put together a balanced and well-rounded list of individuals that could potentially serve as Steering Committee members. Staff are requesting City Council's feedback on this list of potential members and ultimately appoint the members to the Steering Committee. Going forward, with City Council's blessing, Staff will invite the appointees to serve on the Bicycle Plan Steering Committee. We do not anticipate 100% participation from the list. The current list consists of 28 names. A manageable number of committee members would be around 20+/. As you can see, staff do not have names for some of the recommended categories. City Council is welcome to fill those gaps as needed. Staff have also developed alternates for some of the key positions, particularly for bicycle advocacy groups and small business owners, if needed.

**Potential Members of a Bicycle and/or Pedestrian Plan Steering Committee**

| <b>2026 Bicycle Plan Steering Committee</b>        | <b>Name</b>                       | <b>Organization</b>                             |
|--|-----------------------------------|---|
| City Council Members                               | Jennifer Hensley                  | City of Hendersonville                          |
| City Council Members                               | Gina Baxter                       | City of Hendersonville                          |
| Planning Board Representative                      | Mark Russell                      | City of Hendersonville                          |
| Planning staff                                     | Matthew Manley                    | City of Hendersonville                          |
| Police representative                              | Kenny Hipps                       | City of Hendersonville                          |
| Assistant City Manager                             | Brent Detwiler                    | City of Hendersonville                          |
| Admin representative                               | Blake Fulgham                     | City of Hendersonville                          |
| Medical facility or health representative          | Milton Butterworth                | Pardee  |
| Medical facility or health representative          | Stacy Nash                        | HC Community Health Direct.                     |
| Aging Adult or representative of aging adults      | Anita Harrison                    | AARP Volunteer                                  |
| Chamber or Major Employer                          | Bob Williford                     | Chamber   |
| Downtown Business Owners                           | Oliver Wall                       | Mast General                                    |
| School system representative                       | Pete Barnet                       | Safety Director for School District             |
| Major community representative                     | Jeff Miller                       | Former City Council                             |
| Community physical activity-centered organizations | ?                                 |   |
| Minority/Mixed Demographic Leader                  | Roxanne Pepper                    |   |
| Hispanic Population Representative                 | ?                                 |   |
| Knowledgeable bicycle advocate                     | Chris Dannals                     | Bike.Walk.HVL                                   |
| Knowledgeable bicycle advocate                     | Dawn Barr or Joe Sanders          | BRBC  |
| Local Bike Shop                                    | Kent Webb or Jordan Barrbitta     | Epic Cycle Shop                                 |
| Trail-Oriented Business                            | Bart Salvagio or Stephen Bradshaw | Lennox Station / Venture Ecusta                 |
| NCDOT Division Planning Engineer                   | Steve Williams                    | Div 14  |
| MPO/RPO representative                             | Sandy Broadwill                   | FBRMPO  |
| Safe Routes to School                              | Ada McGovern                      | FBRMPO  |
| Trail Advocates                                    | Suzanne Hale                      | Friends of the Oklawaha                         |
| Trail Advocates                                    | Laura Rice                        | Friends of the Ecusta Trail, Executive Director |
| Youth Advocate                                     | Savana Kawell                     | Black Bear Coffee                               |
| Faith-based organizations and churches             | Eric Gash                         | Speak Life Church                               |
| Persons with disabilities                          | ?                                 |   |
| Neighborhood Rep                                   | Dillion Paulus                    | Local Bike Commuter / West Side Resident        |
| Utility Company                                    | ?                                 | Duke Energy (Adam Arrowood), AT&T               |
| Unhoused Population                                | Alivea Turner                     | Love & Respect                                  |

***Council Member Gina Baxter moved that City Council approve the list of potential Bicycle Plan Steering Committee members. A unanimous vote of the Council followed. Motion carried.***

## 10. CITY MANAGER REPORT

### A. December 2025 Contingency and Adjustment Report – *John Connet, City Manager*

City Manager John Connet presented his contingency report for Council's review, and he revealed his "Mayor's Memory." On January 7, 1993, the council meeting was held at Tom's Park Activity Center, and I feel like this was a significant meeting, Mayor Michaellove talked with the Board of Elections and asked if they could hold the non-partisan election on March 2, 1993, which would be the first in the history of Hendersonville. He requested that Council pass a resolution to have an election on that date. Final motion by Commissioner Volk, it was unanimously approved to have a non-partisan City Council election on March 2, 1993 and a resolution was unanimously approved to have staggered terms for the first time. That same night a motion was approved to appoint Commissioner Volk to the Downtown Hendersonville Board with Police Chief Parks.

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

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

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

| FISCAL YEAR 2025 - 2026 (FY26)<br>BUDGET AMENDMENTS AND ADJUSTMENTS |                                      |                 | Completed<br>Proposed | Corrected<br>Denied | REVISED<br>BUDGET | DESCRIPTION     | APPROVED | TYPE       | AMENDMENT<br>NUMBER |
|---|--------------------------------------|-----------------|-----------------------|---------------------|-------------------|-----------------|----------|------------|---------------------|
| ACCOUNT NUMBER  | ACCOUNT DESCRIPTION                  | EXISTING BUDGET | INCREASE              | DECREASE            | REVISED BUDGET    |                 |          |            |                     |
| 010-1400-524020   | R&M Equipment                        | 46,800          | -                     | 5,680               | 41,120            | Fire Boat       | yes      | Adjustment | 12/9/2025           |
| 010-1400-534000   | Non-Capital Equipment                | 65,260          | -                     | 9,000               | 56,260            | Fire Boat       | yes      | Adjustment | 12/9/2025           |
| 010-1400-554001   | Capital Outlay- Equipment Other Than | 50,000          | 14,680                | -                   | 64,680            | Fire Boat       | yes      | Adjustment | 12/9/2025           |
| 010-1525-531600   | Leases/Subscriptions                 | 23,000          | -                     | 1,450               | 21,550            | Mower Lease     | yes      | Adjustment | 12/11/2025          |
| 010-1525-534000   | Non-Capital Equipment                | 15,966          | 1,450                 | -                   | 17,416            | Mower Lease     | yes      | Adjustment | 12/11/2025          |
| 010-1010-534000   | Non-Capital Equipment                | 127,730         | -                     | 4,400               | 123,330           | Council Tech    | yes      | Adjustment | 12/15/2025          |
| 010-1002-534000   | Non-Capital Equipment                | -               | 4,400                 | -                   | 4,400             | Council Tech    | yes      | Adjustment | 12/15/2025          |
| 010-1010-534000   | Non-Capital Equipment                | 123,330         | -                     | 19,040              | 110,290           | Verizon Connect | yes      | Adjustment | 12/15/2025          |
| 010-1521-519200   | Contract Services                    | 29,500          | 13,040                | -                   | 42,540            | Verizon Connect | yes      | Adjustment | 12/15/2025          |
| 020-2102-521001   | Supplies & Materials                 | 31,000          | -                     | 325                 | 30,675            | Verizon Connect | yes      | Adjustment | 12/15/2025          |
| 020-1521-519200   | Contract Services                    | 362             | 325                   | -                   | 687               | Verizon Connect | yes      | Adjustment | 12/15/2025          |
| 060-0000-534999   | Contingencies                        | 72,536          | -                     | 9,665               | 62,871            | Verizon Connect | yes      | Adjustment | 12/15/2025          |
| 060-1521-519200   | Contract Services                    | 10,900          | 9,665                 | -                   | 20,565            | Verizon Connect | yes      | Adjustment | 12/15/2025          |
| 067-7555-521040   | Construction & Repair Supplies       | 30,000          | -                     | 943                 | 29,057            | Verizon Connect | yes      | Adjustment | 12/15/2025          |
| 067-1521-519200   | Contract Services                    | 365             | 943                   | -                   | 1,308             | Verizon Connect | yes      | Adjustment | 12/15/2025          |
| 068-7855-519200   | Contract Services                    | 60,000          | -                     | 1,320               | 58,680            | Verizon Connect | yes      | Adjustment | 12/15/2025          |
| 068-1521-519200   | Contract Services                    | 2,174           | 1,320                 | -                   | 3,494             | Verizon Connect | yes      | Adjustment | 12/15/2025          |

## 11. CITY COUNCIL COMMENTS

There were no comments.

## 12 . CLOSED SESSION

*Council Member Lyndsey Simpson moved that City Council enter closed session pursuant to NCGS § 143-318.11 (a) (1) and (6) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes and to consider the qualifications, competence, performance, character, fitness of an individual public officer or employee.*

## 13 . ADJOURN

City Council went into closed session at 9:58p.m.

There being no further business, the meeting adjourned at 10:06 p.m. upon unanimous assent of the Council. No further action was taken.

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Barbara G. Volk, Mayor

ATTEST:

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Jill Murray, City Clerk