



MINUTES

February 5, 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, Council Member Melinda Lowrance and Gina Baxter

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

Absent: City Clerk Jill Murray

1. CALL TO ORDER

Mayor Volk called the meeting to order at 5:45p.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.

Assistant City Manager Brian Pahle began with some presentations for Chief D. James Miller who is retiring after 35 years as a firefighter.

First, he introduced Kyle Laughter from the Office of US Senator Ted Bud who read a note from the Senator that read "Dear Chief Miller, congratulations on your retirement with more than three decades of distinguished service in the fire and emergency response profession. Since entering the fire service in 1991 you have had an exceptional career marked by professionalism, courage, and leadership. From your early service as a firefighter and an EMT to your work in special operations, urban search and rescue, hazardous materials response, and incident management, you consistently answered the call to serve. After joining the Hendersonville Fire Department as Deputy Chief in 2016 and being sworn in as Fire Chief in March 2020, you lead the department to significant accomplishments and your steady leadership during and after Hurricane Helene, exemplify the highest standards of public service to the Hendersonville community. Your commitment to education, preparedness, and service beyond the department, including your continued involvement with Edneyville Fire and Rescue, reflects a career not only devoted to excellence but to giving back. I also wish to recognize the support of your wife Morgan and your six adult children whose sacrifices have been a central part of your service. You leave behind a stronger department and a safe city. On behalf of North Carolina, thank you for your service and best wishes for your well-earned retirement. On a personal note, Mr. Laughter thanked Chief Miller for being such a wonderful neighbor to his parents for so many years.

Next, Mr. Pahle introduced the command staff of the Hendersonville Fire Department who presented Chief Miller with a plaque of recognition.

Next, Mr. Pahle presented Chief Miller with a Resolution of Respect and Appreciation.

Resolution

Of Respect and Appreciation for

Fire Chief D. James Miller

WHEREAS, FIRE CHIEF DARREN JAMES MILLER (CHIEF MILLER), began his career in the fire service in 1991, serving the public for 35 years as a firefighter; and

WHEREAS, CHIEF MILLER held a variety of positions in the fire service including Firefighter, EMT, Paramedic, Lieutenant, Administrative Captain, Battalion Chief, and Assistant Chief, with specializations as a Type 2 Urban Search and Rescue Team Officer, Hazardous Materials Technician, Special Operations Toxicological Paramedic, and Gold Team member of a Division of Forestry Incident Management Team; and

WHEREAS, CHIEF MILLER began his service to the City of Hendersonville on August 1st, 2016, as Deputy Fire Chief, and was later promoted to Fire Chief on March 5th, 2020; and

WHEREAS, CHIEF MILLER served a distinguished career with the City of Hendersonville, elevating and improving the Fire Department in numerous ways, including:

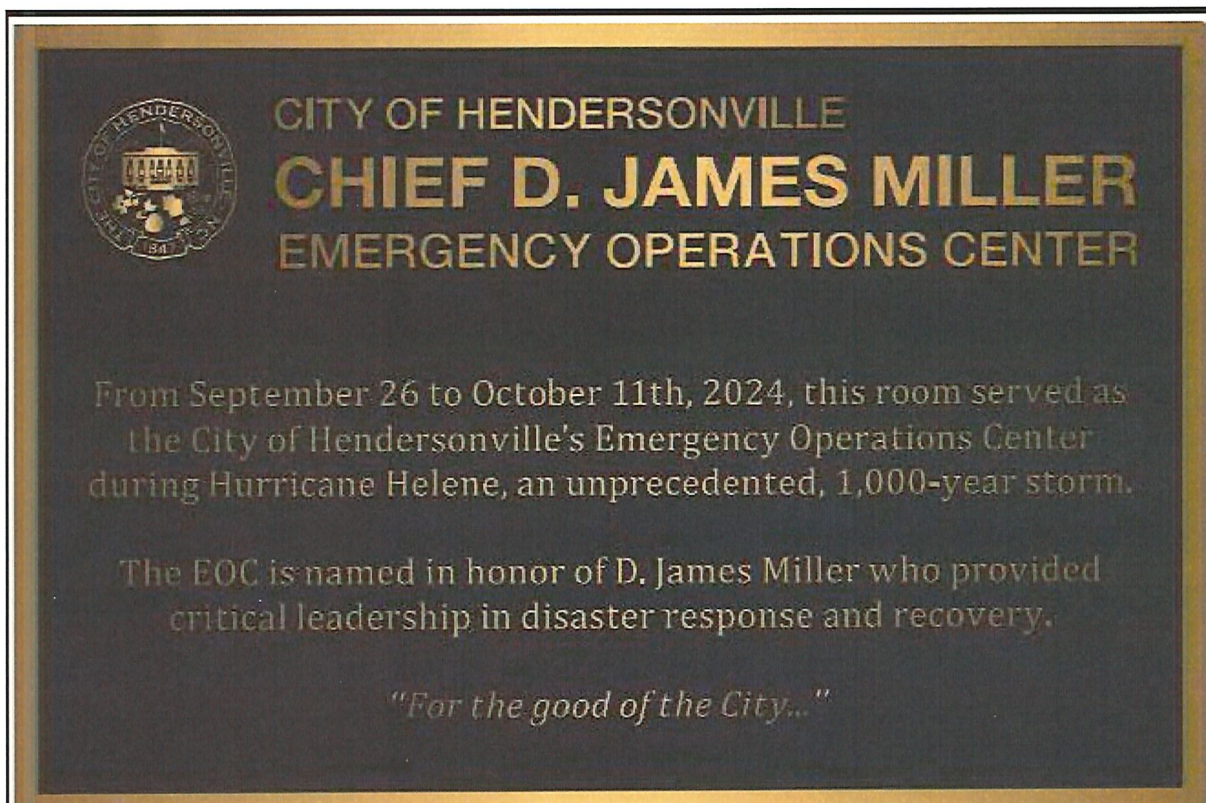
1. Designation as an ISO Class 1 agency rating, the highest possible Public Protection Classification awarded to fire departments, representing superior fire suppression capabilities and a level that less than 1% of fire departments across the nation are able to achieve.
2. The oversight and construction of the City's headquarter station, Fire Station #1, which served as the City's Emergency Operations Center during the historic tropical storm Helene.
3. Planning and replacement of Engines 9-1, Engine 9-2, and Tower 9-1.
4. Planning and purchase of Engine 9-3, in conjunction with the establishment of a third engine company, hiring twelve (12) new firefighters, establishing Battalion Chiefs, and ultimately improving the City's reliability measure to greater than 90%.
5. Creating strong relationships with our neighboring departments, internal departments and staff, and creating succession plans for advancement within our staff; and

WHEREAS, CHIEF MILLER has been an example leader for the City of Hendersonville, always keeping the best interests of the City at the forefront, and has provided tremendous value to all City stakeholders.

NOW, THEREFORE, be it resolved by the City Council of the City of Hendersonville that:

1. The Fire Station #1 Training Room be renamed, in appreciation of CHIEF MILLER'S sound leadership throughout Tropical Storm Helene and his 10 years of service to the City of Hendersonville, its staff, residents, businesses, and visitors, to the CHIEF D. JAMES MILLER EMERGENCY OPERATIONS CENTER; and
2. This resolution expresses the deep appreciation on behalf of the citizens of the City of Hendersonville for the valuable service which FIRE CHIEF D. JAMES MILLER has provided the City.

RESOLVED this 5th day of February 2026.



Next, Chief D. James Miller said a few words. "Thank you very much for the opportunity that you have afforded me. It has been an outstanding time. To my lovely wife for many years of sleepless nights, getting up, and me leaving, I owe a lot to her as well. To the men and women of

our organization, outstanding. It is a pleasure to stand in front of them, work with them and gather the things that they need to do the work. The men and women are obviously the ones that take care of the citizens and visitors of our community. They are the ones doing all the work. Administratively, I have always said that we are there to provide the tools that they need to get the job done and through city management and city council you've afforded us the opportunity to give to our community and to our visitors so thank you again for having faith in us doing that. To the other department heads, thank you, it was a lot of fun. I am blessed to have worked for a lot of people and Mr. Connet (I can say this because I'm not employed at this time), but Mr. Connet was outstanding, he was the best city manager I have ever worked for. He really did look out for every single person in the community. He definitely held everybody's feet to the fire as far as what everyone's expectations were from various departments. We didn't always agree on everything. He was always right, I am willing to admit that now, but there were some times that I didn't think that we should take the upper hand or turn the other cheek, but I was proved wrong by him. Mr. Pahle, I had a great opportunity with him. Mr. Connet gave Mr. Pahle the fire department as one of the departments he had to look after. I thought it was supposed to be easier than it was. We had some bumps along the road, and he certainly held my feet to the fire when they needed to be and he did give great constructive feedback, so I am very grateful to have had a good five or six years working underneath him. We got a lot accomplished and he was very supportive of me so thank you again, I'm very appreciative. I have been blessed to be here and been blessed to have worked for the citizens and visitors, and I am very thankful to each and every one of you. A lot goes unsaid. We have an outstanding fire prevention division, and we have a great life safety division, our inspections, our training, everything has been outstanding so the kudos should go to the men and women who make our work look easy. Thank you again, I appreciate it."



Finally, Justin Ward, with his wife Lacey holding the Bible and his children looking on, took the Oath of Office to be sworn in as the new Fire Chief for the City of Hendersonville. After that, Chief Miller pinned Chief Ward as the new Fire Chief saying he was very proud of Chief Ward.



City of Hendersonville Fire Chief

I, **Justin Ward**, do solemnly and sincerely swear that I will support and maintain the Constitution and laws of the United States, that I will be faithful and bear true allegiance to the State of North Carolina, and to the Constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability, so help me God.

I, Justin Ward, do swear that I will well and truly execute the duties of the office of the City of Hendersonville Fire Chief according to the best of my skill and ability, according to law, so help me God.

Justin Ward





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

There was no public comment.

4. **CONSIDERATION OF AGENDA**

Council Member Jennifer Hensley 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. Approval of Minutes – *Jill Murray, City Clerk*
January 7, 2026 Regular Meeting

B. Approval to Submit an Application for the Urban and Community Forestry Financial Assistance Program – *Caitlyn Gendusa Public Works Superintendent-Sustainability*

C. Reclassify the Police Administrative Assistant III Program Manager to Police Accreditation Coordinator – Jennifer Harrell, Human Resources Director

D. NCDOT Participation Agreement for Clear Creek Greenway – Brendan Shanahan, City Engineer

E. Monthly Property Tax Collector’s Report – Tammy Heide, Deputy Tax Collector

F. Utility Extension Agreement for the Lofts at Chadwick Apartments - Adela Gutierrez-Ramirez

Resolution #R-26-06

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A UTILITY EXTENSION AGREEMENT WITH THE LOFTS AT CHADWICK, LLC, FOR THE LOFTS AT CHADWICK APARTMENTS

WHEREAS, the City of Hendersonville owns, operates and maintains water and sewer systems to serve customers throughout Henderson County; and

WHEREAS, residential, commercial, and industrial developments often require public water and gravity sewer service as a part of their development projects; and

WHEREAS, the Developer extends public water and sewer lines to their site, which upon completion and acceptance, are provided to the City to own, operate, and maintain; and

WHEREAS, the City requires a Utility Extension Agreement to be executed to establish requirements of both the Developer and the City for the water line extension process; and

WHEREAS, The Lofts at Chadwick, LLC, the “Developer” and “Owner”, will enter into a Utility Extension Agreement with the City to provide water and sewer services to the Lofts at Chadwick apartments.

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

1. The Utility Extension Agreement with The Lofts at Chadwick, LLC, the “Developer” and “Owner” to provide water and sewer service to the Lofts at Chadwick Apartments is approved, as presented.
2. City Manager is authorized to execute the Utility Extension Agreement, and to approve and execute amendments to the Utility Extension Agreement in the future provided such amendments do not impose a financial obligation upon the City.
3. City Manager is authorized to acquire easements, rights-of-way, and other interests in real property consistent with the terms of the Utility Extension Agreement, provided that such acquisition does not impose a financial obligation upon the City.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of February 2026.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

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

G. Utility Extension Agreement for Camp Wayfarer - Adela Gutierrez-Ramirez

Resolution #R-26-07

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A UTILITY EXTENSION AGREEMENT WITH MARY KENSON LEWIS, AS TRUSTEE OF THE CAMP WAYFARER IRREVOCABLE REAL ESTATE TRUST DATED DECEMBER 2, 2024 AND ANY SUCCESSOR TRUSTEE FOR THE CAMP WAYFARER PROJECT

WHEREAS, the City of Hendersonville owns, operates and maintains water system to serve customers throughout Henderson County; and

WHEREAS, residential, commercial, and industrial developments often require public water service as a part of their development projects; and

WHEREAS, the Developer extends public water lines to their site, which upon completion and acceptance, are provided to the City to own, operate, and maintain; and

WHEREAS, the City requires a Utility Extension Agreement to be executed to establish requirements of both the Developer and the City for the water line extension process; and

WHEREAS, Mary Kenson Lewis, As Trustee Of The Camp Wayfarer Irrevocable Real Estate Trust Dated December 2, 2024 And Any Successor Trustee, the “Developer” and “Owner”, will enter into a Utility Extension Agreement with the City to provide water services to the Camp Wayfarer project.

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

1. The Utility Extension Agreement with Mary Kenson Lewis, As Trustee Of The Camp Wayfarer Irrevocable Real Estate Trust Dated December 2, 2024, the “Developer” and “Owner” to provide water service to the Camp Wayfarer project is approved, as presented.
2. City Manager is authorized to execute the Utility Extension Agreement, and to approve and execute amendments to the Utility Extension Agreement in the future provided such amendments do not impose a financial obligation upon the City.
3. City Manager is authorized to acquire easements, rights-of-way, and other interests in real property consistent with the terms of the Utility Extension Agreement, provided that such acquisition does not impose a financial obligation upon the City.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of February 2026.

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

H. Utility Extension Agreement for the Fletcher Crossing Project - Adela Gutierrez-Ramirez

Resolution #R-26-08

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A UTILITY EXTENSION AGREEMENT WITH KOMPO FAMILY COMPANY, LLC FOR THE FLETCHER CROSSING PROJECT

WHEREAS, the City of Hendersonville owns, operates and maintains water system to serve customers throughout Henderson County; and

WHEREAS, residential, commercial, and industrial developments often require public water service as a part of their development projects; and

WHEREAS, the Developer extends public water lines to their site, which upon completion and acceptance, are provided to the City to own, operate, and maintain; and

WHEREAS, the City requires a Utility Extension Agreement to be executed to establish requirements of both the Developer and the City for the water line extension processes; and

WHEREAS, Kompo Family Company, LLC, the “Developer” and “Owner”, will enter into a Utility Extension Agreement with the City to provide water service to the Fletcher Crossing project.

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

1. The Utility Extension Agreement with Kompo Family Company, LLC, the “Developer” and “Owner” to provide water service to the Fletcher Crossing project is approved, as presented.
2. City Manager is authorized to execute the Utility Extension Agreement, and to approve and execute amendments to the Utility Extension Agreement in the future provided such amendments do not impose a financial obligation upon the City.
3. City Manager is authorized to acquire easements, rights-of-way, and other interests in real property consistent with the terms of the Utility Extension Agreement, provided that such acquisition does not impose a financial obligation upon the City.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of February 2026.

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

I. Utility Extension Agreement for the Orchard Trace Subdivision - Adela Gutierrez-Ramirez

Resolution #R-26-09

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A UTILITY EXTENSION AGREEMENT WITH WILLOWBEND NC DEVELOPMENT, LLC, FOR THE ORCHARD TRACE SUBDIVISION

WHEREAS, the City of Hendersonville owns, operates and maintains water system to serve customers throughout Henderson County; and

WHEREAS, residential, commercial, and industrial developments often require public water service as a part of their development projects; and

WHEREAS, the Developer extends public water lines to their site, which upon completion and acceptance, are provided to the City to own, operate, and maintain; and

WHEREAS, the City requires a Utility Extension Agreement to be executed to establish requirements of both the Developer and the City for the water line extension process; and

WHEREAS, Willowbend NC Development, LLC, the “Developer” and “Owner”, will enter into a Utility Extension Agreement with the City to provide water service to the Orchard Trace Subdivision.

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

1. The Utility Extension Agreement with Willowbend NC Development, LLC, the “Developer” and “Owner” to provide water service to the Orchard Trace Subdivision is approved, as presented.
2. City Manager is authorized to execute the Utility Extension Agreement, and to approve and execute amendments to the Utility Extension Agreement in the future provided such amendments do not impose a financial obligation upon the City.
3. City Manager is authorized to acquire easements, rights-of-way, and other interests in real property consistent with the terms of the Utility Extension Agreement, provided that such acquisition does not impose a financial obligation upon the City.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of February 2026.

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

J. Annexation: Certificate of Sufficiency – 0 Signal Hill Road (25-97-ANX) - Sam Hayes, Planner II

Resolution #R-26-10

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-31

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

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

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held at the City Operations Center located at 305 William St. Hendersonville NC, 28792 at 5:45 p.m. March 5th, 2026, or as soon thereafter as it may be heard.

Section 2. The area proposed for annexation is described as follows:

Being all of that real property consisting of PINs 9567-07-6259, 9579-06-7975, 9579-06-5791, 9579-06-8507, -579-06-8507, 9579-06-8308, and 9579-06-8117 described in the plat recorded in Book 2026- _____ [to be inserted at recording of the plat] of the Henderson County Registry, said PINs 9567-07-6259, 9579-06-7975, 9579-06-5791, 9579-06-8507, -579-06-8507, 9579-06-8308, and 9579-06-8117 being described by metes and bounds as follows:

LYING AND BEING IN HENDERSONVILLE TOWNSHIP, HENDERSON COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1-A

BEGINNING AT A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE SOUTHWEST CORNER OF LOT 89, PLAT BOOK 2 PAGE 156; THENCE WITH THE EASTERN LINES OF PLAT BOOK 2021 PAGE 13157 THE FOLLOWING 4 CALLS & WITH THE WESTERN LINES OF LOTS 89 TO 124, PLAT BOOK 2 PAGE 156, N 00°02'11" E, A DISTANCE OF 7.99' TO AN EXISTING ANGLE IRON; THENCE N 00°02'11" E, A DISTANCE OF 78.25' TO AN EXISTING #5 IRON REBAR; THENCE N 00°18'23" E, A DISTANCE OF 590.02' TO AN EXISTING ½" IRON PIPE (PINCHED-TOP); THENCE N 00°11'58" E, A DISTANCE OF 223.37' TO AN EXISTING PLANTED STONE (9"x6"); THENCE WITH THE LINE OF ANGELA M. LAMB & BARBED WIRE FENCE LINE, S 85°39'59" E, A DISTANCE OF 148.11' TO AN EXISTING #6 IRON REBAR (BENT); THENCE S 86°44'47" E, A DISTANCE OF 38.61' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE NORTHEAST CORNER OF LOT 124, PLAT BOOK 2 PAGE 156 AND IN THE WESTERN MARGIN OF THE 30' RIGHT OF WAY FOR THE PLATTED LAFOLETTE STREET (NORTHERN SECTION OF RIGHT OF WAY NOT CURRENTLY IN USE AS A ROADWAY); THENCE WITH THE WESTERN MARGIN OF SAID 30' RIGHT OF WAY & THE EASTERN LINES OF SAID LOTS 124 TO 89, S 00°45'42" E, A DISTANCE OF 911.98' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP BEING THE SOUTHEAST CORNER OF LOT 89; THENCE WITH SEAN GIVENS LINE AND NORTHERN LINE OF LOT 88, N 82°45'42" W, A DISTANCE OF 203.86' TO THE POINT OF BEGINNING, HAVING AN AREA OF 4.04 ACRES, BEING LOTS 89-124, PB 2 PG 156, DB 4053 PG 669, TRACT 1 AS SHOWN ON SURVEY FOR TECO FUNDING, LLC BY RONALD J. CUTSHALL, PLS 4563.

TRACT 1-B

BEGINNING AT A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE NORTHWEST CORNER OF LOT 48 OF PLAT BOOK 2 PAGE 156 & BEING IN THE EASTERN MARGIN OF THE 30' RIGHT OF WAY FOR THE PLATTED LAFOLETTE STREET OF PLAT BOOK 2 PAGE 156, SAID POINT BEARS S 74°38'35" E 31.23' FROM THE NORTHEAST CORNER OF TRACT 1-A BEING THE NORTHEAST CORNER OF LOT 124 OF PLAT BOOK 2 PAGE 156; THENCE WITH THE SOUTH MARGIN OF THE SOUTHERN MARGIN OF THE VARIABLE WIDTH RIGHT OF WAY FOR THE PLATTED ALLEN STREET OF PLAT BOOK 2 PAGE 156, S 84°45'42" E, A DISTANCE OF 170.12' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE NORTHEAST CORNER OF LOT 43 OF PLAT BOOK 2 PAGE 156 & BEING IN THE WESTERN MARGIN OF THE 20' RIGHT OF WAY FOR THE PLATTED AMAZING GRACE LANE OF PLAT BOOK 2 PAGE 156; THENCE WITH SAID MARGIN OF RIGHT OF WAY, S 00°45'27" E, A DISTANCE OF 544.22' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP; THENCE WITH THE LINE OF KRISTIE GILLIAM, S 89°14'18" W, A DISTANCE OF 169.15' TO A CALCULATED POINT FALLING INSIDE A DWELLING MOSTLY ON THE PROPERTY OF KRISTIE GILLIAM; THENCE WITH EASTERN MARGIN OF SAID LAFOLETTE STREET THE FOLLOWING 2 CALLS, N 00°21'58" W, A DISTANCE OF 38.18' TO NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP; THENCE N 00°47'26" W, A DISTANCE OF 523.82' TO THE POINT OF BEGINNING, HAVING AN AREA OF 2.15 ACRES, BEING LOTS 43-66 PB 2 PG 156, DB 4053 PG 669 TRACT 1 AS SHOWN ON SURVEY FOR TECO FUNDING, LLC BY RONALD J. CUTSHALL, PLS 4563.

TRACT 1-C

BEGINNING AT A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE NORTHWEST CORNER OF LOT 31 & BEING IN THE EASTERN MARGIN OF THE 20' RIGHT OF WAY FOR THE PLATTED AMAZING GRACE LANE OF PLAT BOOK 2 PAGE 156; THENCE WITH SAID LOT 31, N 89°14'18" E, A DISTANCE OF 164.57' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP; THENCE WITH THE LINE OF HOME DEPOT USA, INC, S 00°45'42" E, A DISTANCE OF 146.14' TO AN EXISTING #5 IRON REBAR, CORNER TO SIGNAL RIDGE, LP; THENCE WITH LINE OF SIGNAL RIDGE, LP, S 00°45'42" E, A DISTANCE OF 78.86' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE SOUTHEAST CORNER OF LOT 23; THENCE S 89°14'18" W, A DISTANCE OF 164.58' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE SOUTHWEST CORNER OF LOT 23; THENCE N 00°45'27" W, A DISTANCE OF 225.00' TO THE POINT OF BEGINNING, HAVING AN AREA OF 0.85 ACRES, BEING LOTS 23-31 PB 2 PG 156, DB 4053 PG 669 TRACT 1, AS SHOWN ON SURVEY FOR TECO FUNDING, LLC BY RONALD J. CUTSHALL, PLS 4563.

TRACT 2

BEGINNING AT A CALCULATED POINT, BEING THE NORTHWEST CORNER OF LOT 18 & BEING IN THE EASTERN MARGIN OF THE 20' RIGHT OF WAY FOR THE PLATTED AMAZING GRACE LANE OF PLAT BOOK 2 PAGE 156; THENCE WITH SAID LOT 18, N 89°14'18" E, A DISTANCE OF 164.59' TO A CALCULATED POINT, THENCE WITH LINE OF SIGNAL RIDGE, LP, S 00°45'42" E, A DISTANCE OF 250.00' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE SOUTHEAST CORNER OF LOT 9 PLAT BOOK 2 PAGE 156; THENCE WITH SAID LOT 9, S 89°14'18" W, A DISTANCE OF 164.61' TO A CALCULATED POINT; THENCE N 00°45'27" W, PASSING A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP AT 2.98' FOR A TOTAL DISTANCE OF 250.00' TO THE POINT OF BEGINNING, HAVING AN AREA OF 0.94 ACRES, HAVING AN AREA OF 0.85 ACRES, BEING LOTS 9-18 PB 2 PG 156, DB 4053 PG 669 TRACT 1, AS SHOWN ON SURVEY FOR TECO FUNDING, LLC BY RONALD J. CUTSHALL, PLS 4563.

TRACT 3

BEGINNING AT A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE NORTHWEST CORNER OF LOT 42 & BEING IN THE EASTERN MARGIN OF THE 20' RIGHT OF WAY FOR THE PLATTED AMAZING GRACE LANE & SOUTHERN MARGIN OF THE VARIABLE WIDTH RIGHT OF WAY FOR THE PLATTED ALLEN STREET OF PLAT BOOK 2 PAGE 156; THENCE WITH SAID SOUTHERN MARGIN, S 84°45'42" E, A DISTANCE OF 165.45' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE NORTHEAST CORNER OF LOT 37 OF PLAT BOOK 2 PAGE 156; THENCE WITH THE LINE OF HOME DEPOT USA, INC, S 00°45'42" E, A DISTANCE OF 242.97' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE SOUTHEAST CORNER OF LOT 32; THENCE WITH LOT 32, S 89°14'18" W, A DISTANCE OF 164.57' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP; THENCE N 00°45'27" W, A DISTANCE OF 260.26' TO THE POINT OF BEGINNING, HAVING AN AREA OF 0.95 ACRES, BEING LOTS 32-36 PB 2 PG 156, DB 4053 PG 669 TRACT 1, AS SHOWN ON SURVEY FOR TECO FUNDING, LLC BY RONALD J. CUTSHALL, PLS 4563.

TRACT 4

BEGINNING AT A CALCULATED POINT, BEING THE NORTHWEST CORNER OF LOT 8 & BEING IN THE EASTERN MARGIN OF THE 20' RIGHT OF WAY FOR AMAZING GRACE LANE OF PLAT BOOK 2 PAGE 156; THENCE WITH SAID LOT 8, N 89°14'18" E, A DISTANCE OF 164.61' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP; THENCE WITH THE LINE OF SIGNAL HILL, LP THE FOLLOWING 2 CALLS, S 00°45'42" E, A DISTANCE OF 175.35' TO AN EXISTING ½" IRON PIPE; THENCE S 00°45'47" E, A DISTANCE OF 33.99' TO A CALCULATED POINT, BEING IN THE PAVING OF SIGNAL HILL ROAD (SR 1508) & BEING THE SOUTHEAST CORNER OF LOT 1; THENCE N 83°22'29" W, A DISTANCE OF 166.00' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP BEING IN THE SAID EASTERN RIGHT OF WAY FOR AMAZING GRACE LANE; THENCE WITH SAID RIGHT OF WAY, N 00°45'27" W, A DISTANCE OF 187.99' TO THE POINT OF BEGINNING, HAVING AN AREA OF 0.75 ACRES, BEING LOTS 1-8 PB 2 PG 156, DB 4053 PG 669 TRACT 1, AS SHOWN ON SURVEY FOR TECO FUNDING, LLC BY RONALD J. CUTSHALL, PLS 4563.

TRACT 5

BEGINNING AT AN EXISTING #6 IRON REBAR (BENT) IN THE NORTHERN LINE OF LOT 124, PLAT BOOK 2 PAGE 156, THENCE WITH THE LINE OF ANGELA M. LAMB FOR THE FOLLOWING 2 CALLS, N 01°46'19" E, A DISTANCE OF 398.52' TO AN EXISTING #5 IRON REBAR, MARKING A STREAMBANK MAINTENANCE EASEMENT (PLAT BOOK 2018 SLIDE 11488); THENCE N 01°44'57" E, A DISTANCE OF 146.69' TO A CALCULATED POINT IN OR NEAR CHERRY BRANCH, IN THE SOUTHERN LINE OF PLAT CABINET C SLIDE 285A; THENCE WITH THE SOUTHERN LINES OF LOTS 12, 13, & 14 OF PLAT CABINET C SLIDE 285A & GENERALLY WITH CHERRY BRANCH THE FOLLOWING 8 CALLS, N 89°38'11" E, A DISTANCE OF 24.20' TO A CALCULATED POINT; THENCE S 08°11'47" W, A DISTANCE OF 79.56' TO A CALCULATED POINT; THENCE S 65°51'16" E, A DISTANCE OF 29.66' TO A CALCULATED POINT; THENCE S 65°45'06" E, A DISTANCE OF 279.64' TO A CALCULATED POINT; THENCE S 14°11'04" W, A DISTANCE OF 34.36' TO A CALCULATED POINT; THENCE S 58°59'08" E, A DISTANCE OF 69.64' TO A CALCULATED POINT MARKING A CORNER OF A STREAMBANK MAINTENANCE EASEMENT (PLAT BOOK 2018 SLIDE 11488); THENCE WITH SAID EASEMENT THE FOLLOWING 2 CALLS, S 58°59'08" E, A DISTANCE OF 28.65' TO A CALCULATED POINT; THENCE S 58°59'08" E, A DISTANCE OF 36.57' TO A CALCULATED POINT; THENCE WITH THE LINE OF CAROLINA VILLAGE, LLC, S 00°57'33" E, A DISTANCE OF 45.91', CROSSING A PUBLIC SEWER LINE AND 30' SEWER EASEMENT, TO AN EXISTING #5 IRON REBAR; THENCE S 00°57'33" E, A DISTANCE OF 56.45' TO AN EXISTING 2" ANGLE IRON, CORNER OF HIGHLAND INVESTORS LIMITED PARTNERSHIP; THENCE WITH THE LINE OF HOME DEPOT USA, INC., S 00°44'07" E, A DISTANCE OF 57.23' TO A CALCULATED POINT, MARKING THE SOUTHERN POINT OF SAID DRAINAGE EASEMENT; THENCE S 00°44'07" E, A DISTANCE OF 101.07' TO AN EXISTING 1" IRON PIPE, IN THE NORTHERN MARGIN OF A PLATTED RIGHT OF WAY FOR ALLEN STREET, PLAT BOOK 2 PAGE 156, THENCE WITH SAID MARGIN OF RIGHT OF WAY, N 86°44'47" W, A DISTANCE OF 384.68' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE NORTHEAST CORNER OF LOT 124, PLAT BOOK 2 PAGE 156; THENCE N 86°42'21" W, A DISTANCE OF 38.60' TO THE POINT OF BEGINNING, HAVING AN AREA OF 3.67 ACRES, BEING DEED BOOK 4053 PAGE 669 TRACT 5, AS SHOWN ON SURVEY FOR TECO FUNDING, LLC BY RONALD J. CUTSHALL, PLS 4563. SEE PLAT BOOK 2018 SLIDE 11488 FOR STREAMBANK MAINTENANCE EASEMENTS & PLAT BOOK 1999 SLIDE 3086 FOR PERMANENT DRAINAGE EASEMENT ENCUMBERING THIS TRACT.

TRACT 6

BEGINNING AT A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP, BEING THE NORTHWEST CORNER OF LOT 22 & BEING IN THE EASTERN MARGIN OF THE 20' RIGHT OF WAY FOR AMAZING GRACE LANE OF PLAT BOOK 2 PAGE 156; THENCE WITH LINE OF LOT 22, N 89°14'18" E, A DISTANCE OF 164.58' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP; THENCE WITH LINE OF SIGNAL RIDGE, LP, S 00°45'42" E, A DISTANCE OF 100.00' TO A CALCULATED POINT, BEING THE SOUTHEAST CORNER OF LOT 19; THENCE S 89°14'18" W, A DISTANCE OF 164.59' TO A CALCULATED POINT, BEING THE SOUTHWEST CORNER OF LOT 19; THENCE WITH SAID RIGHT OF WAY LINE, N 00°49'20" W, A DISTANCE OF 7.02' TO A NEW #5 IRON REBAR WITH COLE IDENTIFICATION CAP; THENCE N 00°45'09" W, A DISTANCE OF 92.98' TO THE

POINT OF BEGINNING, HAVING AN AREA OF 0.38 ACRES, BEING LOTS 19-22 PB 2 PG 156, DB 4053 PG 669 TRACT 1, AS SHOWN ON SURVEY FOR TECHO FUNDING, LLC BY RONALD J. CUTSHALL, PLS 4563.

Re: Petition for Contiguous Annexation
Petitioners: Herta G Suess Trust
File No. 25-97-ANX

Section 3. Notice of the public hearing shall be published once in The Hendersonville Times-News, a newspaper having general circulation in the City of Hendersonville, at least 10 days prior to the date of the public hearing.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of February 2026.

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

K. Cherry and Beech St. Sidewalks Change Order 1 - *Richard Shook, Civil Engineer*

Resolution #R-26-11

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO APPROVE A CHANGE ORDER FOR THE CITY CHERRY AND BEECH ST SIDEWALKS PROJECT

WHEREAS, the City of Hendersonville, North Carolina awarded a contract to Trace and Company for the Cherry and Beech St Sidewalks Project; and

WHEREAS, the City Council previously authorized the City Manager to approve change orders up to a cumulative total of 10% of the original contract amount of \$303,338.50; and

WHEREAS, the City Engineer therefore recommends that the City Manager be authorized to approve Change Order 1 for the construction of the Cherry and Beech St Sidewalks Project.

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

1. The City Manager is authorized to execute a change order to the contract for the construction of the Cherry and Beech St Sidewalks to Trace and Company in the amount of \$54,409.66 which includes additional compacted ABC stone, asphalt pavement, stormwater pipe, and other quantity overages necessary to complete the scope of the work..

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of February 2026.

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

L. Patton & Whitmire Concept Design - *Richard Shook, Civil Engineer*

Resolution #R-26-12

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO APPROVE A CONTRACT AMENDMENT FOR THE CONCEPT DESIGN OF PATTON AND WHITMIRE

WHEREAS, the City of Hendersonville, North Carolina awarded a contract to CPL Architects and Engineering for the concept level design of Patton Park and Pool & Whitmire Activity Center; and

WHEREAS, the City Council previously authorized the City Manager to approve contract amendments up to a cumulative total of 10% of the original contract amount of \$242,106.00; and

WHEREAS, The City Manager has previously approved one contract amendments with a cumulative total of \$13,500.00.

WHEREAS, the City Engineer therefore recommends that the City Manager be authorized to approve Contract Amendment 2 for the concept design of the Patton Park and Pol & Whitmire Activity Center.

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

1. The City Manager is authorized to execute a contract amendment for additional professional services related to the concept design of the Patton Park and Pool & Whitmire Activity Center with CPL Architects and Engineers in the amount of \$15,000.00 which includes categorized assessment research and letters for each site outlining the replacement needs for each for FEMA review and funding.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of February, 2026.

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

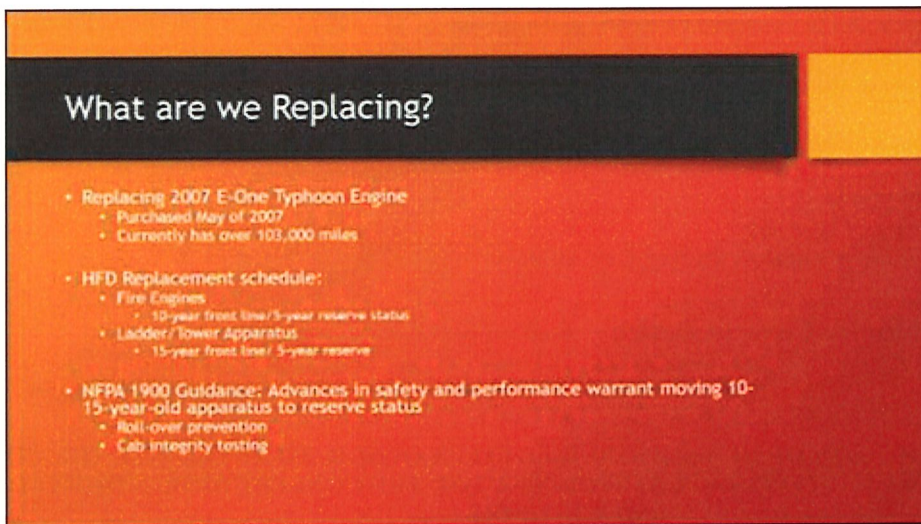
6. PRESENTATIONS

A. Consideration of Fire Apparatus Purchase – *Justin Ward, Interim Fire Chief*

Fire Chief Justin Ward gave a brief PowerPoint presentation on the purchase of a new Fire Apparatus.



This is a picture of the 2007 E-one up for replacement



In the last 10-15 years, much progress has been made in upgrading functional capabilities and improving safety features of fire apparatus.

A few of these safety upgrades include

- roll-over stability,
- tire pressure indicators
- seat belt warning systems
- acceleration and top speed limitations
- Enhanced step and work surface lighting
- Cab integrity testing
- Increased use of retroreflective striping on the rear of the apparatus
- DEF system for enhanced sustainability measures

HFD Replacement Schedule

Apparatus	Year	Make	Current Mileage	Replacement Year
Engine 9	2024	Smeal	10,858	2039
Engine 9-2	2017	Pierce	69,493	2032
Engine 9-3	2020	Smeal	35,155	2035
Engine 9-4	2013	Pierce	100,979	2028
Engine 9-5	2007	E-one	103,766	2027
Tower 9	2022	Smeal	15,404	2042

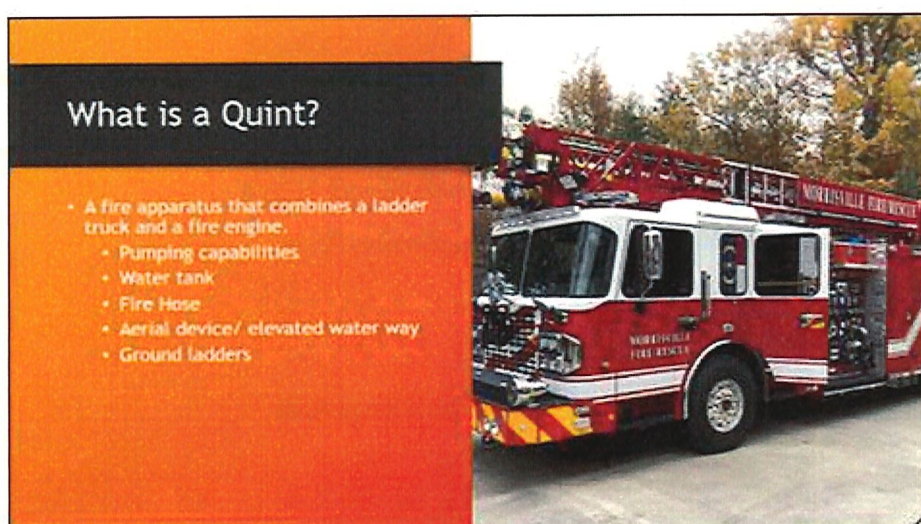
According to NFPA 1900, "In the fire service, there are fire apparatus with 8-10 years of service that are simply worn out."

This is the replacement schedule for our current fleet.

Pricing History

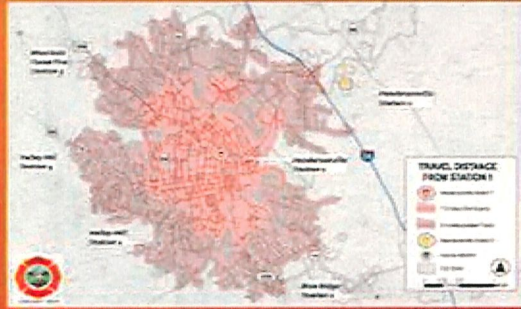
- Cost of last Apparatus purchased in 2023-
 - Engine \$739,365
 - Tower- \$1,456,503
- Price on new Engine in 2026
 - Engine- \$1,194,834 build time over 860 days
 - Quint- \$1,640,000 build time 600 days

* Almost a \$500 price increase in 6 years from ordering for the exact same engine spec.



- A versatile apparatus that combines the essential function of both a fire engine and a ladder truck into one vehicle.
- These have larger water tanks compared to our current ladder truck of 300 gallons.

Current ISO Travel Distances



- Currently we receive credit for one ladder truck from FS 1.

Station 2 Travel Distance- Engine



Currently only receive credit for engine company at FS 2

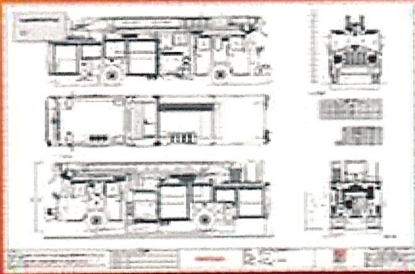
Station 2 Travel Distance- Ladder



- This would increase our ladder service distances and help benefit our ISO for the future.
- Currently Station 2 covers
 - 104 Multi family buildings over 2 stories
 - 8 hotels
 - 3- large industrial buildings over 135,00 SF each
 - 5- large retail box spaces (Lowes, HD, Sams, Walmart, Blue Ridge Mall)
- Under permitting
 - 1- 4-story hotel
 - 20- 3-story apartments
 - 1- industrial building over 250,000 SF
- This does not include any of the town homes

Purposed Apparatus

- Increase ISO response for a ladder truck.
- Larger pump capacity.



Adopted
Budget
06/05/2025

Ordinance #0-25-27

CAPITAL PROJECT ORDINANCE FOR THE EXECUTION, ACQUISITION, CONSTRUCTION, AND INSTALLATION OF THE FIRE ENGINE 9-5 REPLACEMENT PROJECT #25010

BE IT ORDAINED by the Governing Board of the City of Hendersonville, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1: The project authorized is a City project described as the Fire Engine 9-5 Replacement Project, #25010.

Section 2: The following amounts are appropriated for the project(s):

Account Codes				Account Name	Total Budget
Fund	Dept	Account	Project		
410	1400	550103	25010	Capital Outlay- CIP	\$850,000
Total Project Appropriation					\$850,000

Section 3: The following revenues are anticipated to be available for the project(s):

Account Codes				Account Name	Total Budget
Fund	Dept	Account	Project		
410	0000	470010	25010	Debt Proceeds (FY28 IFC)	(\$850,000)
Total Project Appropriation					(\$850,000)

Debt Amortization

		Fiscal Year	27 IFC: Fire Engine 9-5 Replacement (Quint)			
			Principal	Interest	Debt Service	Balance
Project ID	Fire Engine 9-5 Replacement (Quint)	2026	1,640,000	706,419	2,426,419	-
Amount	1,640,000	2027	-	-	-	1,640,000
Term	15	2028	74,021	87,740	161,761	1,565,979
Principal Deferral	0	2029	77,981	83,780	161,761	1,487,997
Rate	5.35%	2030	82,153	79,600	161,761	1,405,844
Timing (FY)	2027	2031	86,549	75,213	161,761	1,319,295
Structure	Level D/S	2032	91,179	70,582	161,761	1,228,116
Funding Type	IFC	2033	96,057	65,704	161,761	1,132,059
Debt/Non-Debt	Debt	2034	101,196	60,565	161,761	1,030,863
		2035	106,690	55,831	161,761	924,253
		2036	112,334	49,448	161,761	811,940
		2037	118,322	43,439	161,761	693,617
		2038	124,653	37,109	161,761	568,964
		2039	131,329	30,440	161,761	437,643
		2040	138,347	23,414	161,761	299,295
		2041	145,749	16,012	161,761	153,547
		2042	153,547	0,215	161,761	-

The National Society
of the
Sons of the American Revolution®



This Certificate of Commendation
Is presented to



City of Hendersonville

In Recognition of Exemplary Patriotism
In the display of
The Flag of the United States of America



FEB. 5 2026
Date

President

Flag Chairman

C. Community Engagement Presentation – Jennifer Floyd, Management Analyst

Management Analyst Jennifer Floyd gave the following PowerPoint presentation updating City Council on two community engagement initiatives – Build Hendersonville and Core of the City Academy.



02/05/2026



CURRENT INITIATIVES

BUILD
Hendersonville



BUILD Hendersonville

Participatory Budgeting Process: a process in which community members decide how to spend a portion of the City's budget

FY27 Build Budget: \$25,000

Eligible Applicants: City Residents and Business Owners

Requirements: Funding may only be used for improving or adding an asset. It cannot be used for programs or new staff.

BUILD HENDERSONVILLE - OVERVIEW

Applications

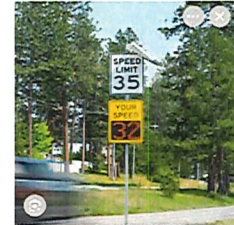
Opened: October 20th

Closed: December 19th



Projects

23 Project Ideas Submitted



Radar Speed Signs | Trafficalm
Trafficalm

Review

Phase 1: Manager's Review

Phase 2: City-wide Voting

Phase 3: Departmental Review



BUILD HENDERSONVILLE - REVIEW

PHASE 1 – COMPLETE

Manager's Review

- Jurisdiction
- Project Cost
- Applicant Participation
- Strategic Alignment
- Neighborhood Signatures

BUILD HENDERSONVILLE SCORE CARD			
Project Title			
Submitted By			
Neighborhood Buy In			
	0 - No	5 - Yes	
Proposed Participation			
Organizational Sponsor	Enter Number		
Signature Sheet Count			
City Wide Voting			
Strategic Alignment			
	1 - Not Aligned	3 - Somewhat Aligned	5 - Clear Alignment
Strategic Plan Alignment			
Feasibility			
	0 - No	5 - Yes	
Fits within \$25k Budget			
Within Staff Capacity			
Total Score	0		

10 projects advanced to Phase 2

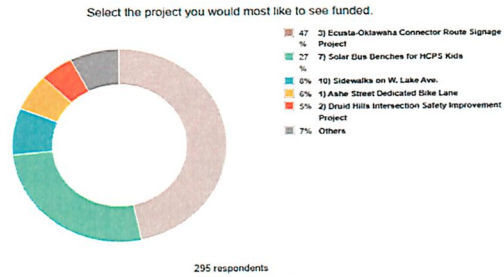


BUILD HENDERSONVILLE - REVIEW

PHASE 2 – IN PROGRESS

Citywide Voting:

- Opened January 28th
- Closes February 9th



PHASE 3

Departmental meetings to determine staff capacity

BUILD
Hendersonville

www.hvlnc.gov/buildhendersonville



8 sessions held March 10th – April 28th

Participants will hear from every department

Includes equipment and facility tours

Free to attend and dinner will be served

Applications are open until February 20th

Requirements to Graduate
Attend 6 of the 8 sessions
Complete one extracurricular activity

www.hvlnc.gov/COTC

CORE OF THE CITY ACADEMY- SELECTION



20 Seats Available
77 Applicants

PROPOSED CRITERIA

Residency
15 City Residents
5 At-Large

Age

Occupation

THANK YOU CITY STAFF!

7. PUBLIC HEARINGS

A. Rezoning: Conditional Rezoning – 1207 Kanuga Rd Rezoning | R-15 to C-4 CZD (25-93-CZD) – Matthew Manley, AICP – Long Range Planning Manager

Matt Manley explained that the City of Hendersonville is in receipt of a Conditional Zoning District petition from Greg Grooms of Blue Pinnacle Homes [applicant / property owner], to rezone a 0.81 Acre parcel at 1207 Kanuga Rd (PIN: 9568-61-2215) from R-15, Medium Density Residential to C-4 CZD, Neighborhood Business Conditional Zoning District. The property is located at the corner of Drake St and Kanuga Rd near the intersection of Kanuga Rd and State St. The confluence of Shepherd Creek and Mud Creek is in close proximity though the subject property is primarily outside of the 100-yr floodplain. The Future Land Use Character Area designation of the property is Family Neighborhood Living, however it is located in close proximity to parcels designated as Neighborhood Center. As a CZD, if approved, the development and use of the property would be limited to the stated list of uses and the proposed developed depicted on the preliminary site plan. The Planning Board unanimously supported the rezoning on January 15, 2026.

**1207 KANUGA RD
(R-15 to C-4 CZD)**


(25-93-CZD)

Conditional Rezoning

City of Hendersonville City Council

February 5, 2026

Community Development | Planning Division
Matthew Manley, AICP | Long-Range Planning Manager



Location:
Address: 1207 Kanuga Rd
PIN: 9568-61-2215

Applicant / Owners:
Greg Grooms, Blue Pinnacle Homes [Applicant]

Acreage:
.081 Acres

Current Zoning: R-15, Low Density Residential
Proposed Zoning: C-4 Neighborhood Business CZD
Future Land Use Designation: Family Neighborhood Living

Project Background



Neighborhood Compatibility Meeting

+ **Dates:** December 4th, 2025

+ **Attendees:**

- + In-person - 2
- + Online - 1
- + City Staff - 3
- + Applicant - 1

+ **Topics Discussed:**

- + Tree preservation / erosion
- + Parking / # of Employees
- + Building Height
- + Sidewalks

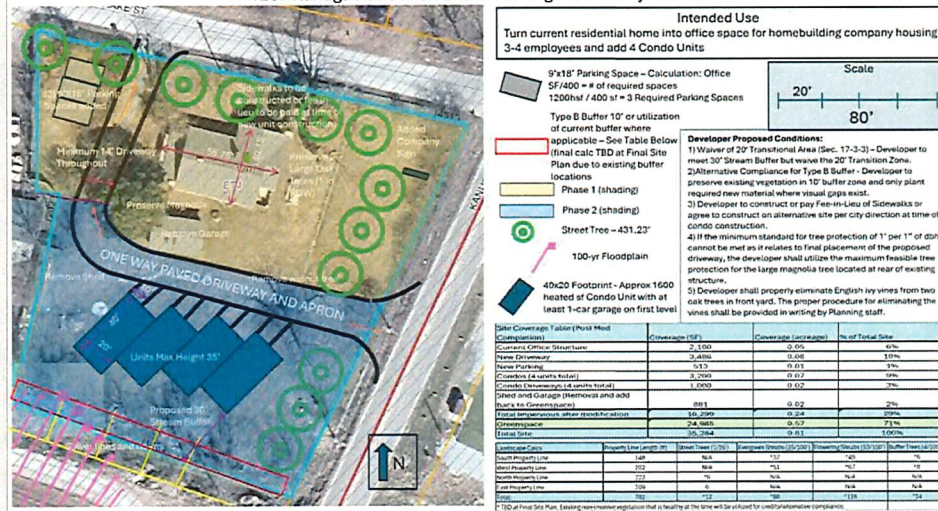


- + Stream Buffers
- + Floodplain / Stormwater
- + Residential Unit Cost
- + Traffic Impacts



Site Photos

1207 Kanuga Rd. Conditional Rezoning Preliminary Site Plan



Site Plan Summary:

The project is separated into two phases.
 Phase 1 - Offices, business, professional and public
 Current proposal: 3-4 employees for home building business
 Phase 2 - Residential, Single-Family Attached - 4 Units

Buildings:
 Existing Residential Building to be converted to office:
 1,200 Sq Ft of Gross Floor Area
 2,100 Sq Ft of Building Footprint

Proposed Residential Units:
 1,600 Sq Ft of Gross Floor Area
 800 Sq Ft of Footprint
 1-Car garage on 1st Level
 Max Height of 35'

Transportation
 Kanuga Rd and Drake St are both NCDOT-maintained roads
 The site plan shows one ingress point off of Kanuga Rd to a one-way driveway that curves around the rear of the site to one egress point onto Drake St.
 Proposed full movement ingress and full movement egress
 Ingress and egress will require approval from NCDOT

Sidewalks
 Required: Construction or a Fee-in-Lieu of Sidewalks is required along Kanuga Rd and Drake St
 Developer Proposed Condition to Waive Kanuga Rd requirement

Lighting
 All site lighting will be required to conform to the City's lighting standards for stream buffers and nonresidential developments.

Parking for Professional Office
 Required: 1 per each 400 square feet of GFA
 Total Required- 3
 Total Provided- 3

Natural Resources
 Stream Buffer The USGS topo map indicates a blueline stream running just south of, and parallel to, the southern boundary of the subject property.
 Developer is proposing condition to waive the 20' Transitional Area while maintaining the 30' Stream Buffer. Staff will also note that, per ordinance, creek could be piped and Stream Buffer would not apply.
 There is a small portion of 100-Year Floodplain in the southwest corner of the property in the Stream Buffer. There is no proposed impact to 100-Yr. Floodplain


Tree preservation
 The site currently has 7,700 Sq Ft of existing tree canopy (22%) of the site.
 The proposed site plan does not trigger Tree Canopy Preservation requirements.
 Developer Proposed Trees to be Preserved - 2 large oak trees near the existing structure on north side of property and 1 large magnolia tree at rear of existing structure plus any canopy in the Stream Buffer. These trees account for the majority of the mapped canopy on the site.
 Developer Proposed Trees to be Removed - 1 Walnut tree near Kanuga at proposed driveway. Potentially some other "scrub" trees to be removed.

Planting requirements.
 The site will be required to provide the following landscaping:
 Buffer Plantings on South Side Only
 Vehicular Screening Planting Strip on upper West Side
 Street Trees
 The landscaping requirements will be met through new plantings and the utilization of tree credits for qualifying trees and alternative compliance for existing buffer shrubs.

Conditions

+ Developer-Proposed Conditions:


- +1) Waiver of 20' Transitional Area (Sec. 17-3-3) - Developer to meet 30' Stream Buffer but waive the 20' Transition Zone.
- +2) Alternative Compliance for Type B Buffer - Developer to preserve existing vegetation in 10' buffer zone and only plant required new material where visual gaps exist.
- +3) Developer to construct or pay Fee-in-Lieu of Sidewalks or agree to construct on alternative site per city direction at time of condo construction.

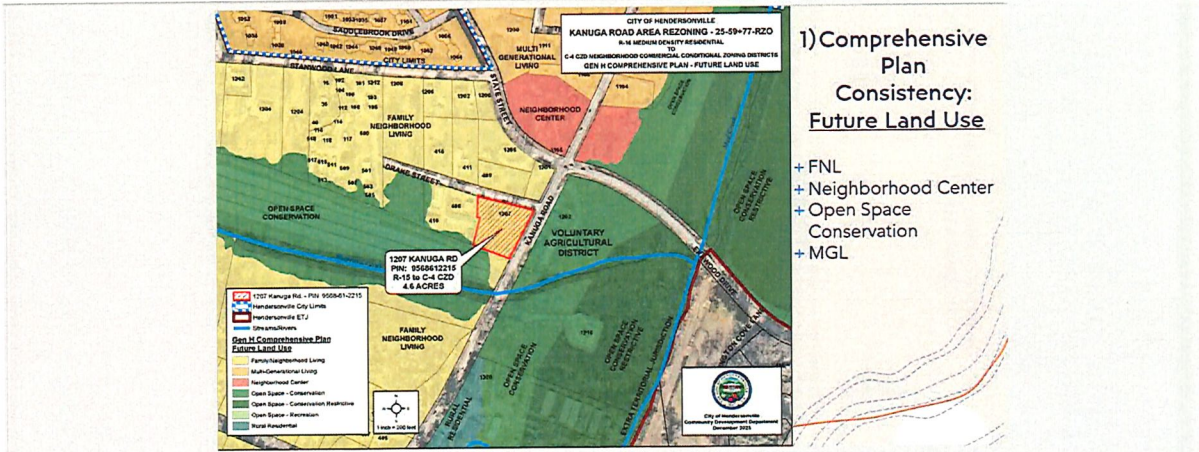


Conditions

+ City-Proposed Condition [Developer-Agreed]:

- +1) If the minimum standard of 1' per 1" of dbh cannot be met as it relates to final placement of the proposed driveway, the developer shall utilize the maximum feasible tree protection for the large magnolia tree located at rear of existing structure. [developer agreed]
- +2) Developer shall properly eliminate English ivy vines from two oak trees in front yard. The proper procedure for eliminating the vines shall be provided in writing by Planning staff. [developer agreed]





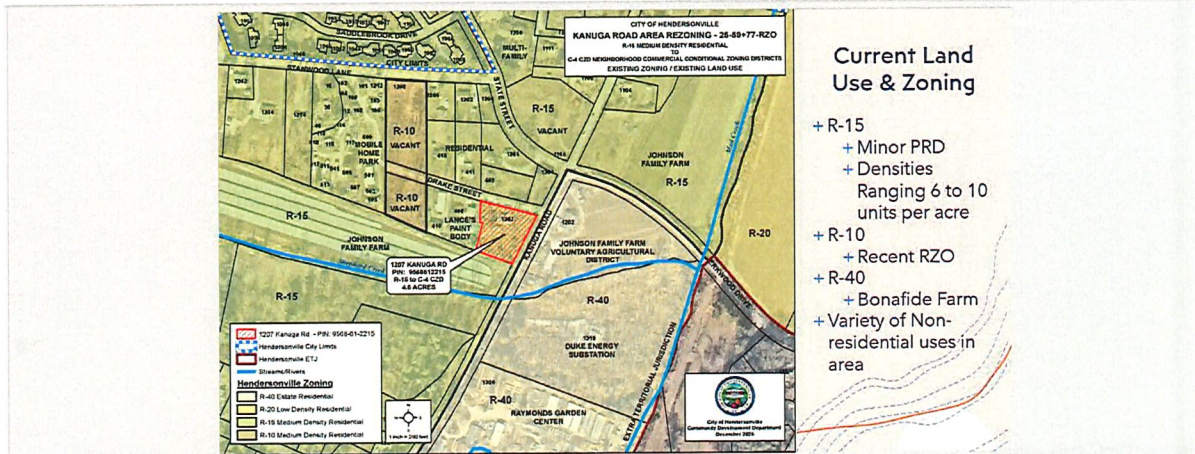
1) Comprehensive Plan Consistency: Future Land Use

- + FNL
- + Neighborhood Center
- + Open Space Conservation
- + MGL

According to the City's Gen H Future Land Use & Conservation Map, the subject property is designated as Family Neighborhood Living (FNL) with a fraction of the parcel noted as Open Space - Conservation (OS-C). The parcels to the west are also characterized as FNL with OS designated along the Shepherd Creek floodplain. To the north of Slawwood Ln, properties shift to the Multi-Generational Living designation. Across Kanuga Rd, properties located in the Mud Creek floodplain are all designated as OS. Most notably, a concentration of the "Neighborhood Center" character area is found at the intersection of State St and Kanuga Rd. This Neighborhood Center character was intended to identify the area around this intersection as a small node of neighborhood-scale business activities - reflecting both current and future economic opportunities. However, it was Planning Board's finding that the proposed rezoning was consistent with Family Neighborhood Living due to the existing residential structure being utilized for a small office and the residential uses would be

General Rezoning Standards: 1) COMPREHENSIVE PLAN CONSISTENCY	LAND SUPPLY, SUITABILITY & INTENSITY	<p>Land Supply: One subject property is <u>not</u> classified as Undeveloped or Underdeveloped. The other two are not.</p> <p>Land Suitability: The subject property was <u>not</u> evaluated for suitability. Adjacent suitability is <u>moderate to suitable</u> for commercial and residential uses and not suitable for industrial uses.</p> <p>Intensity Node: The subject property is <u>not</u> located in an Intensity Node. The Intensity Node for the Southside of Hendersonville is in close proximity with "Busy Bend" located less than 1 mile away.</p> <p>Development Intensity: Low. In general terms, this area is not identified for Intense infill development though Neighborhood Center is located just a few parcels away.</p> <p>Focus Area: The subject property is not located in a Focus Area.</p>
	FUTURE LAND USE & CONSERVATION MAP	<ul style="list-style-type: none"> • Character Area Designation: Family Neighborhood Living • Character Area Description: Inconsistent with FNL / Consistent with Neighborhood Center [Staff Recommendation] • Zoning Crosswalk: Inconsistent

1) Continuing our review of the Comprehensive Plan Consistency. Staff finds the staff proposed zoning to C-4 CZD is Inconsistent with the Character Area Description for Family Neighborhood Living. The designation would need to be amended to Multi-Generational Living or Neighborhood Center for Consistency.



Current Land Use & Zoning

- + R-15
- + Minor PRD
- + Densities Ranging 6 to 10 units per acre
- + R-10
- + Recent RZO
- + R-40
- + Bonafide Farm
- + Variety of Non-residential uses in area

2) Taking a look at the rezoning criteria of Compatibility - The subject property is located in the City of Hendersonville Extra-Territorial Jurisdiction (ETJ) and is located in the R-15, Medium Density Residential zoning district. A majority of properties in the vicinity are also zoned R-15 however a parcel to the west was recently rezoned to R-10, Medium Density Residential. Across Kanuga Rd to the East, the properties are zoned R-40, Low Density Residential. The closest commercial zoning is near Kanuga Rd, at Hebron Rd. Though this area is primarily residential in character there are agricultural, utility and commercial uses in close proximity to the subject property. Abutting the property to the south and across Kanuga Rd to the east, are parcels associated with the Johnson Family Farm. The Johnson Family Farm has status as a Bonafide farm (Vol. Ag District) and thus is exempt from zoning. As a result of this, the farm operates agricultural related commercial uses (retail, food trucks, etc) at corner of Kanuga Rd & State St. Duke Energy operates a substation to the south of the Johnson Family Farm. Adjacent to the Duke Energy parcel and further to the south is Raymond's Garden Center plant nursery. And behind the subject property is a Paint & Body shop. To north along State St is a small apartment complex. It should also be noted that the Shepherd Creek and Mud Creek floodplains are a defining feature of this area. A very small portion of the subject property is in the 100 Yr Floodplain while all of the surrounding agricultural, commercial and utility uses are in the Floodway + Floodplain.

General Rezoning Standards: 2) COMPATIBILITY	EXISTING CONDITIONS	<ul style="list-style-type: none"> Variety of existing commercial uses Heavily trafficked intersection Limited use of single-family residential Floodplain limitations
	GEN H GOALS	<p>C-4 Compatibility</p> <p>Vibrant Neighborhoods: Consistent</p> <p>Abundant Housing Choices: Consistent</p> <p>Healthy and Accessible Natural Environment: Somewhat Consistent</p> <p>Authentic Community Character: Somewhat Consistent</p> <p>Safe Streets and Trails: Consistent</p> <p>Reliable & Accessible Utility Services: Consistent</p> <p>Satisfying Work Opportunities: Consistent</p> <p>Welcoming & Inclusive Community: N/A</p> <p>Accessible & Available Community Uses and Services: N/A</p>
	GEN H GUIDING PRINCIPLES	<p>Mix of Uses: Consistent</p> <p>Compact Development: Consistent</p> <p>Sense of Place: Somewhat Consistent</p> <p>Conserved & Integrated Open Spaces: Somewhat Consistent</p> <p>Desirable & Affordable Housing: Consistent</p> <p>Connectivity: Somewhat Consistent</p> <p>Efficient & Accessible Infrastructure: Consistent</p>

Continuing our review of Compatibility the EXISTING CONDITIONS in the area are summarized
 The existing conditions for the subject property are largely impacted by their location along a highly-trafficked corridor at or in proximity to a key intersection. The future single/two-family residential uses at this location is limited. The development proposed under C-4 CZD Zoning is found to be compatible with the surrounding land uses and aligns with the Goals & Guiding Principles of the Gen H Comprehensive Plan – especially as it relates to providing a mix of housing types and mix of uses and preferred patterns of development around key nodes.

General Rezoning Standards: 2) COMPATIBILITY	<p>DESIGN GUIDELINES ASSESSMENT (Chapter V)</p>	<p>The existing buildings on Locust St from Lynn St to 8th Ave are excellent example of historic buildings that reflect the type of traditional design that is promoted by the <i>Downtown Design Guidelines</i>. But because no new development is proposed, a full assessment of the building and site design was not performed.</p>
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Since these properties are included in the study area for the Downtown Master Plan, staff considered the implications of the Design Guidelines. However, since no new development is proposed, a full analysis of the Downtown Design Standards was not performed.

General Rezoning Standards	3) CHANGED CONDITIONS	<ul style="list-style-type: none"> 1207 Kanuga Rd subject property was recently sold to a new owner. Commercial activities located across the street from the Subject Properties at the Johnson Farm have been added in the last 10 years and have continued to grow and evolve in that time frame. This property at the corner of Kanuga Rd and State St/Erkwood Rd is a Bonafide Farm in a Voluntary Agricultural District which makes it exempt from Zoning per state law. According to state statute Chapter 106 – Article 61, Voluntary Agricultural Districts and Enhanced Voluntary Agricultural Districts, in exchange for the preservation of farmland, enjoy other special provisions including tax exemptions, waiver of utility assessments, priority consideration for grants, special noticing requirements, and allowances to sell up to 25% non-farm products. Additionally, a property to the west was recently rezoned from R-15 to R-10
	4) PUBLIC INTEREST	<p>Strategic Housing Plan – Objective: "Promote Mixed-Use and Infill Development" Action 3.03: "Integration of "Missing Middle" housing"</p> <p>Mix of Uses/Nodal Development - The integration of mixed uses at various scales can reduce vehicular trips, combat automobile congestion, create jobs, and increase local spending. When applied at the neighborhood scale, a mix of uses can improve safety and vibrancy. When scale is maintained and new non-residential uses are concentrated around key intersections, negative impacts associated with commercial activity can be contained.</p>

For the 3rd Criteria, **Changed Conditions** – The presence of a Bonafide Farm and the increase of commercial activities in this area have increased opportunities for appropriate commercial uses around the intersection of Kanuga Rd and State St.
Public Interest – Staff finds that the proposal aligns with Objectives and Actions identified in the City's recently-adopted Strategic Housing Plan and that the introduction of a mix of uses at a compatible scale can provide a number of benefits.

General Rezoning Standards	5) PUBLIC FACILITIES	<ul style="list-style-type: none"> Kanuga Road, Drake St, and State St/Erkwood Dr are NCDOT maintained roads. Kanuga Rd is a Minor Arterial, Drake St is a Local Street and State St/Erkwood Dr is a Major Collector according to their NCDOT Functional Classifications. The Comprehensive Transportation Plan designates these roads as Minor Thoroughfares with Drake St as a Local Street. There are high volumes of traffic at this location. The intersection of Kanuga Rd & State St is a "High Injury Intersection" and Kanuga Rd south of this intersection is a "High Injury Network" route according to the French Broad River MPO's "Safe Streets 4 All" Safety Action Plan. An improvement project for this portion of Kanuga Rd (to Price Rd) is currently unfunded, but is included in the SPOT Prioritization 8.0 (carried over from 7.0). There are no funded STIP projects in the immediate area though the White St/South Main St enhancements are in close proximity. The subject property is served by City of Hendersonville water and City sewer services are available.
	6) EFFECT ON NATURAL ENVIRONMENT	<ul style="list-style-type: none"> Tree Canopy – some tree removal and some tree preservation proposed. Landscaping requirements will result in a net gain for tree canopy. Stream Buffer required on southern property line Minor presence of 100 yr floodplain on southwest side of property

The 5th Criteria is **Public Facilities** – Staff finds that the street network in this area lends itself to non-residential uses on the major routes while residential uses should be confined to local streets. The traffic patterns and safety concerns along this corridor have been identified in the regional Safety Action Plan. There are existing City utilities available to the subject property.
 For the 6th Criteria, **Effect on Natural Environment** – There is proposed to be a net gain in tree canopy with the proposed project. A condition is proposed to reduce the Transition Area but maintain the 30' stream buffer. The 100-year floodplain on the site is undisturbed by the proposal.

PLANNING BOARD: Comprehensive Plan Consistency Statement

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

The petition for C-4 CZD zoning is consistent with the Future Land Use and Conservation Map Designation of 'Family Neighborhood Living' because of the small-scale of the proposed commercial use and the fact that it is going in an existing residential structure which maintains the neighborhood character. Additionally, the proposed residential units would be permitted by-right under current residential zoning.

For your consideration, staff has developed the following Comprehensive Plan Consistency Statement.

Greg Grooms, owner of Blue Pinnacle Homes, gave the following PowerPoint presentation.

Intended Use
Turn current residential home into office space for homebuilding company housing 3-4 employees and add 4 Condo Units

9'x18' Parking Space - Calculation: Office SF/400 = # of required spaces
1200hsf / 400 sf = 3 Required Parking Spaces

Type B Buffer 10' or utilization of current buffer where applicable - See Table Below (final calc TBD at Final Site Plan due to existing buffer locations)

Phase 1 (shading)
Phase 2 (shading)
Street Tree - 431.23'
100-yr Floodplain
40x20 Footprint - Approx 1600 heated sf Condo Unit with at least 1-car garage on first level

Developer Proposed Conditions:
1) Waiver of 20' Transitional Area (Sec. 17-3-3) - Developer to meet 30' Stream Buffer but waive the 20' Transition Zone.
2) Alternative Compliance for Type B Buffer - Developer to preserve existing vegetation in 10' buffer zone and only plant required new material where visual gaps exist.
3) Developer to construct or pay Fee-in-Lieu of Sidewalks or agree to construct on alternative site per city direction at time of condo construction.
4) If the minimum standard for tree protection of 1" per 1" of dbh cannot be met as it relates to final placement of the proposed driveway, the developer shall utilize the maximum feasible tree protection for the large magnolia tree located at rear of existing structure.
5) Developer shall properly eliminate English ivy vines from two oak trees in front yard. The proper procedure for eliminating the vines shall be provided in writing by Planning staff.

Site Coverage Table (Post Mod Completion)	Coverage (SF)	Coverage (acreage)	% of Total Site
Current Office Structure	2,100	0.05	0%
New Driveway	3,488	0.08	3%
New Parking	513	0.01	1%
Condos (4 units total)	3,200	0.07	0%
Condo Driveways (4 units total)	1,000	0.02	3%
Shed and Garage (Removal and add back to Greenspace)	881	0.02	2%
Total Impervious after modification	10,299	0.24	29%
Greenspace	24,985	0.57	71%
Total Site	35,284	0.81	100%

Landscape Calc	Property Line Length (ft)	Street Trees (1/25')	Evergreen Shrubs (25/100')	Flowering Shrubs (33/100')	Buffer Trees (4/100')
South Property Line	348	N/A	*37	*49	*5
West Property Line	292	N/A	*31	*67	*8
North Property Line	222	*6	N/A	N/A	N/A
East Property Line	209	6	N/A	N/A	N/A
Total:	782	*12	*68	*116	*14

*TBD at Final Site Plan. Existing non-invasive vegetation that is healthy at the time will be utilized for credits/alternative compliance.

Scale
20' 80'

Site Coverage Table (Post Mod Completion)

Completion	Coverage (SF)	Coverage (acreage)	% of Total Site
Current Office Structure	2,100	0.05	0%
New Driveway	3,488	0.08	3%
New Parking	513	0.01	1%
Condos (4 units total)	3,200	0.07	0%
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Landscape Calc

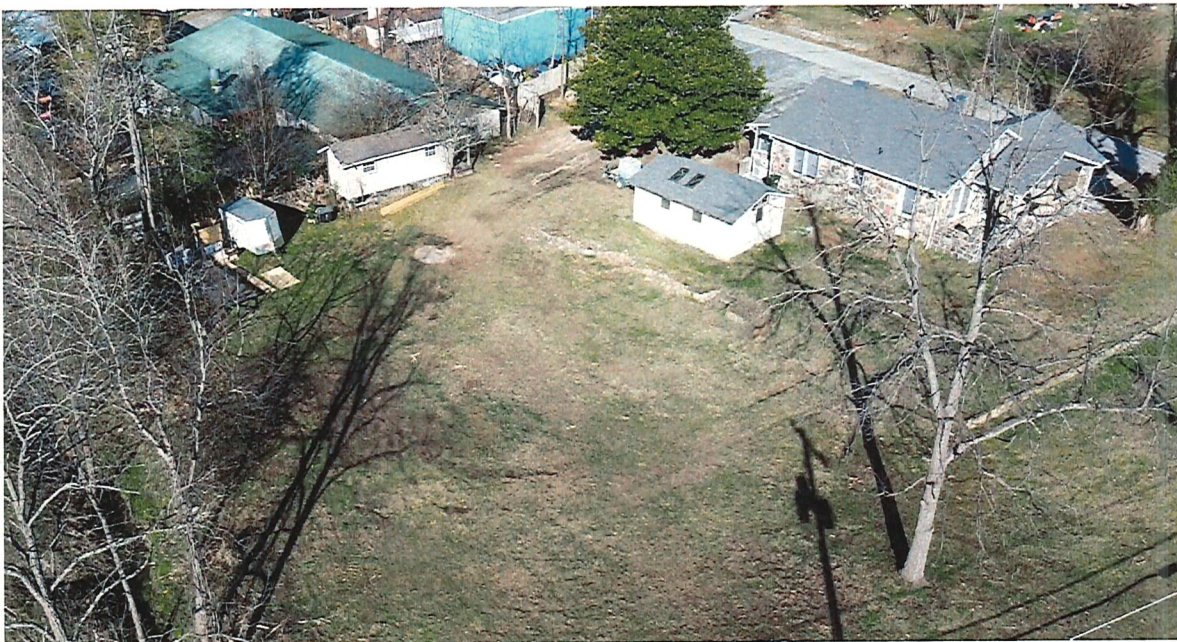
Property Line Length (ft)	Street Trees (1/25')	Evergreen Shrubs (25/100')	Flowering Shrubs (33/100')	Buffer Trees (4/100')
South Property Line	348	N/A	*37	*49
West Property Line	292	N/A	*31	*67
North Property Line	222	*6	N/A	N/A
East Property Line	209	6	N/A	N/A
Total:	782	*12	*68	*116

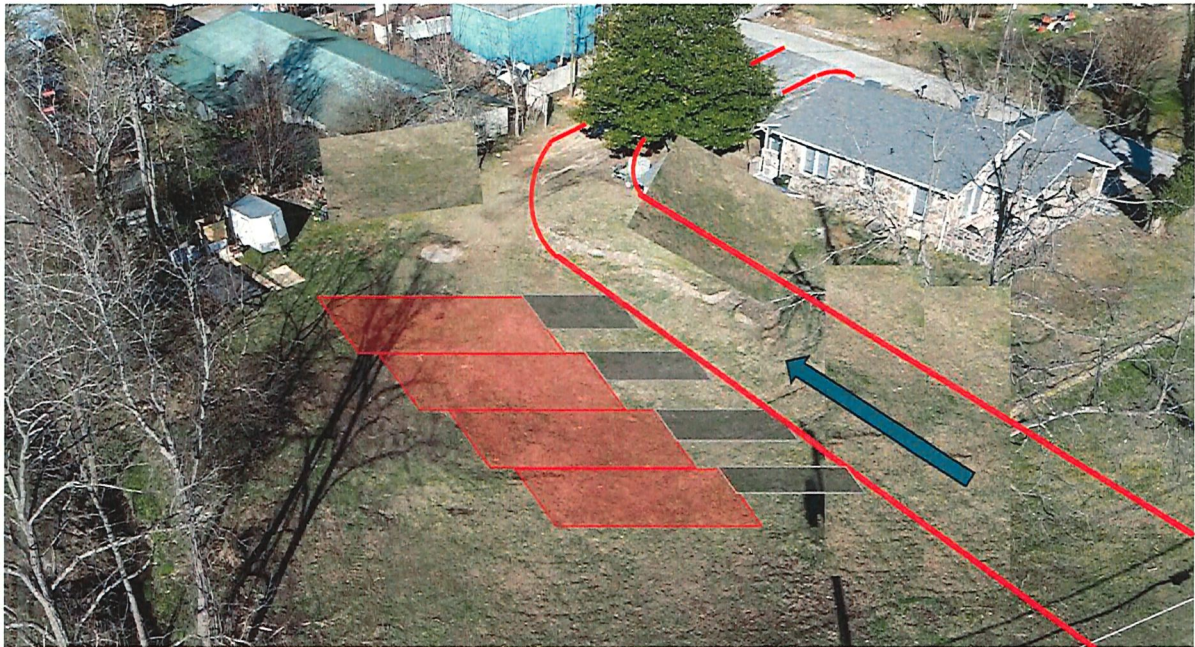
*TBD at Final Site Plan. Existing non-invasive vegetation that is healthy at the time will be utilized for credits/alternative compliance.

Prepared by Greg Grooms, Blue Pinnacle Homes, LLC 1-23-26

1207 Kanuga Rd. Conditional Rezoning Preliminary Site Plan

Taken from Southeast Corner





*Not to scale

1207 Kanuga Rd. Conditional Rezoning Preliminary Site Plan

Taken from Northeast Corner



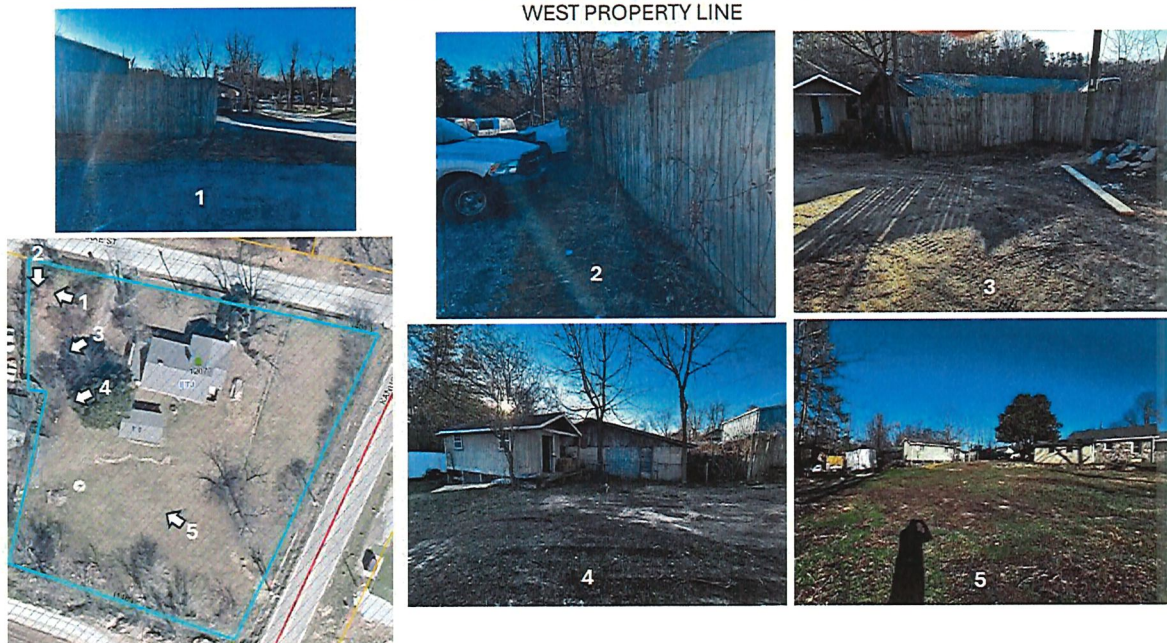
1207 Kanuga Rd. Conditional Rezoning Preliminary Site Plan

Taken from Northwest Corner



1207 Kanuga Rd. Conditional Rezoning Preliminary Site Plan

WEST PROPERTY LINE

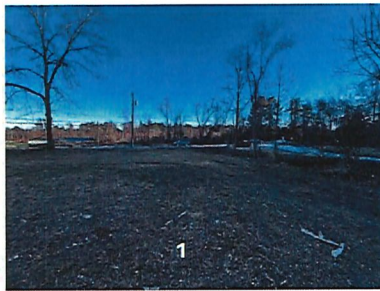


1207 Kanuga Rd. Conditional Rezoning Preliminary Site Plan

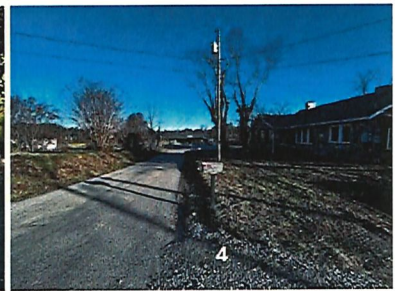
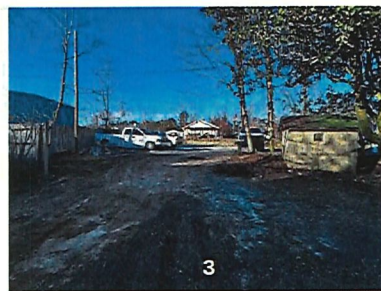
SOUTH PROPERTY LINE



1207 Kanuga Rd. Conditional Rezoning Preliminary Site Plan
EAST PROPERTY LINE



1207 Kanuga Rd. Conditional Rezoning Preliminary Site Plan
NORTH PROPERTY LINE



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

The public hearing was opened at 7:14 p.m.

In Person: Ken Fitch said that given the historic character of the site and its historic stonework features, I would suggest we waive the fee in lieu on the condition that the historic stonewall features on site be retained and maintained except for the proposed entry on Kanuga.

The public hearing was closed at 7:16 p.m.

Council Member Lyndsey Simpson moved City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINs: 9568-61-2215) from R-15, Medium Density Residential Zoning District to C-4 CZD, Neighborhood Commercial Conditional Zoning District for the renovation and reuse of an existing structure for a professional office and construction of 4 townhomes based on the preliminary site plan and list of conditions [dated 12/31/25] submitted by and agreed to by the applicant and presented at this meeting and subject to the following:

- 1. The development shall be consistent with the site plan, including the list of applicable conditions contained therein, and the following permitted uses*

Permitted Uses:

1. *1 – professional office building*
2. *4 - Residential dwellings, Single-Family Attached*

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

The petition for C-4 CZD zoning is consistent with the Future Land Use and Conservation Map Designation of Family Neighborhood Living because of the small-scale of the proposed commercial use and the fact that it is going in an existing residential structure which maintains the neighborhood character. Additionally, the proposed residential units would be permitted by-right under current zoning.

3. We 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 zoning is compatible with surrounding residential & non-residential land uses*
2. *The proposed zoning allows for a mix of uses at an intersection which experiences significant vehicular traffic*
3. *The proposed zoning allows for nodal development with non-residential uses confined by floodplains and located along the minor arterial roadway*
4. *Surrounding low density residential uses primarily front and gain access from Local streets.*

A unanimous vote of the Council followed. Motion carried.

Ordinance #O-26-01

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE, FOR CERTAIN PARCEL (POSSESSING PIN NUMBER 9568-61-2215), BY REASSIGNING THE ZONING DESIGNATION FROM R-15, MEDIUM DENSITY RESIDENTIAL TO C-4 CZD, NEIGHBORHOOD BUSINESS CONDITIONAL ZONING DISTRICT

IN RE: Parcel Numbers: 9568-61-2215
1207 Kanuga Rd (R-15 to C-4 CZD) | File # 25-93-CZD

WHEREAS, the City is in receipt of a Conditional Rezoning application from applicant and property owner, Greg Grooms of Blue Pinnacle Homes, LLC., for the redevelopment of an existing building into office space and the addition of four residential units; and

WHEREAS, Planning Board took up this application at its rescheduled regular meeting on January 15, 2026; voting 6-0 to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on February 5, 2026, and

WHEREAS, City Council has found that this zoning map amendment is consistent with the City's comprehensive plan, and

WHEREAS, City Council has found that this zoning map amendment is reasonable and in the public interest for the reasons stated, and

WHEREAS, City Council has conducted a public hearing as required by the North Carolina General Statutes on February 5, 2026,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Number: 9568-61-2215 by changing the zoning designation from R-15, Medium Density Residential to C-4 CZD, Neighborhood Business Conditional Zoning District
2. Development of the parcel pursuant to this Ordinance is subject to the following.

- a. Development shall comply with the site plan submitted by the applicant dated [January 23, 2026], including the conditions listed therein.
- b. Permitted uses shall include:
 - i. Office, business, professional and public
 - ii. Residential dwellings
3. Except where modified by the terms of this Ordinance, development of the parcel(s) shall occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville, North Carolina.
4. Except where explicit relief is granted by the terms of this Ordinance, the development of the parcel(s) shall occur in accordance with all applicable standards within local ordinances and policies.

This ordinance shall be not be effective until the list of use(s) and conditions, established herein, is consented to in writing by the applicant and all owners of the subject property. Upon such written consent, this ordinance shall be effective retroactive to the date of its adoption.

Adopted this 5th day of February 2026.

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

B. Zoning Text Amendment: C-2 Dimensional Standards (25-92-ZTA) – Matthew Manley, AICP – Long Range Planning Manager

Matt Manley explained that the City of Hendersonville has initiated a zoning text amendment to modify the dimensional standards of the C-2, Secondary Business Zoning District. The proposed updates to this zoning district are precipitated by changes to state law, specifically the ‘downzoning’ law which went into effect late last year. This law eliminated the City’s authority to rezone property at its discretion. It requires property owner consent for any rezoning that would be deemed a “downzoning” according to the definition provided in the law. According to the Comprehensive Plan the C-2 Zoning District has very limited applicability when it comes to achieving the vision set out in the Gen H Plan. There are multiple reasons for this, one of which is the Dimensional Standards which require a 15’ front setback and a min. lot size of 8,000/6,000 Sq Ft. The C-2 Secondary Business zoning district is primarily located in the periphery of Downtown. Substantial front setbacks are suburban in nature and contrary to the traditional urban pattern of development called for in the Gen H Plan. In large part, C-2 has been replaced by the CMU Zoning District in many areas outside of downtown. However, key portions of the City, such as the Kanuga Rd are still zoned C-2. While fulling replacing C-2 with CMU zoning would help to guide future development in alignment with the vision established in the Gen H Plan, due to downzoning laws, this type of “area rezoning” is impractical if not infeasible. As a temporary fix to this, staff is proposing to reduce the min. lot size and front setback in C-2 to, at a minimum, not prohibit new development from aligning with the Downtown Design Standards found in Chapter 5 of the Gen H Plan. Planning Board unanimously supported the proposed amendment at their meeting on January 15, 2026.

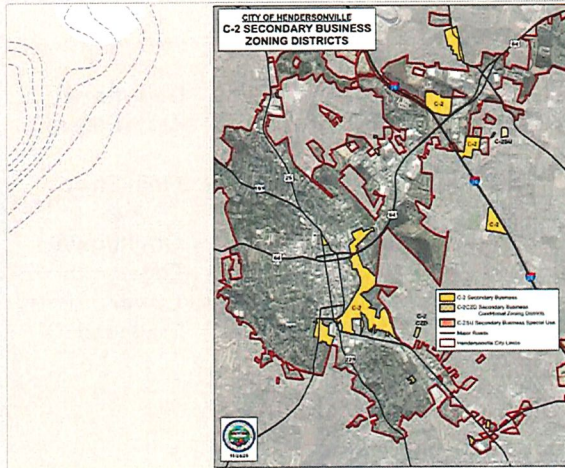
C-2 Dimensional Standards
(25-92-ZTA)
Zoning Text Amendment
City of Hendersonville City Council
February 5, 2026
Community Development | Planning Division
Matthew Manley, AICP | Long-Range Planning Manager

- + **Project Name:**
 - + C-2 Dimensional Standards
 - + 25-92-ZTA
- + **Applicant/Owner:**
 - + City of Hendersonville
- + **Articles Amended:**
 - + **Zoning Ordinance**
 - + Article V - Section 5-7 (C-2)
- + **Zoning Districts Impacted:**
 - + C-2

Project Background



This ZTA is specifically to reduce the dimensional standards of the C-2 Secondary Business Zoning District. In many ways, this is another Zoning Text Amendment that is being pursued by Staff in response to the 2024 Downzoning Law. Prior to that law, the City would have been more likely to use parcel based rezonings as a more fine-tuned tool to accomplish the ends that are too be achieved with this amendment. However, reducing the dimensional standards of an existing zoning district is an alternative solution that is still at the City's disposal.



Secondary Business Zoning District: C-2

This map illustrates the area that would be impacted by the proposed changes. As you can see, C-2 zoning is not too widespread across the City + ETJ making up 3% of the City's Zoning. While it was initially used as a Zoning District for the areas just outside of downtown, it has morphed and been used in different ways. There are a few areas of C-2 adjacent to I-26 and out Howard Gap Rd that are either vacant or underutilized and appear to generally be used for low density residential mixed with manufacturing and storage. The C-2 Districts that are on the periphery of downtown are the principal focus of this proposed text amendment due to their potential for redevelopment.

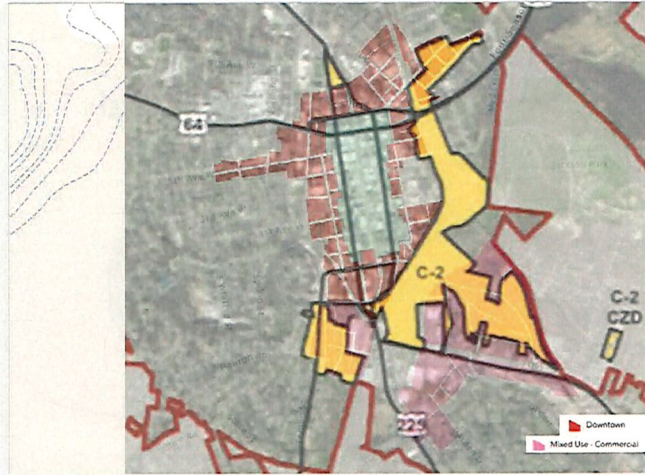
ZONING ORDINANCE ARTICLE V. ZONING DISTRICT CLASSIFICATIONS Section 5-7 C-2, Secondary Business Zoning District

5-7-3. Dimensional requirements.

Minimum lot area in square feet:	8,000 (6,000 for residential use); 0
Minimum lot width at building line in feet:	None except for structures containing dwelling units which shall have a minimum lot width at building line of 50 feet;
Minimum yard requirements in feet:	<p>Front: 4 5 if sidewalk is 5' wide or less; 0 if sidewalks are greater than 5' wide;</p> <p>Side: 0 or 5 (Side yards are not required, but when provided must be a minimum of five feet. Common wall construction is permitted in the C-2 Zoning District Classification. On all corner lots, a ten-foot side yard setback is required.)</p> <p>Rear: None except for structures containing dwelling units which shall have a minimum setback of ten feet. Otherwise, rear yards are not required unless the C-2 Zoning District Classification abuts an established residential district. In this case, the rear yard setback requirement shall be a minimum of ten feet.</p>
Maximum height in feet:	48

Proposed Amendment:

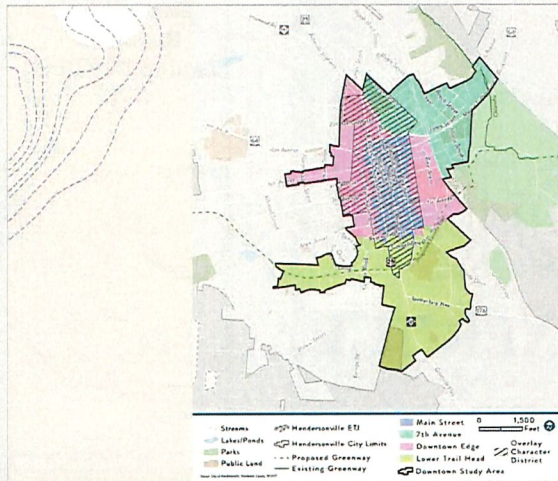
Taking a look at the proposed language the first change is to eliminate the min. lot size. This will essentially allow for townhome developments. The second change relates to the elimination of lot width for residential uses, again to allow for Townhomes. Third is the reduction of the front setback. A min. 15' front setback is not even enough to allow parking in the front. If you have to set back that far, then you may as well set everything as far back as you can and place parking in the front. This results in the type of suburban development that we have seen be the predominate land use pattern in the C-2 zoning district. Staff has proposed some nuance to allow for sidewalk expansion in certain areas. The last change simply clarifies an existing standard for the side setback and eliminates the ~~sideyard~~ requirement for corner lots.



Future Land Use Map:

- Downtown
- Mixed-Use - Commercial

As we begin to look at the Comprehensive Plan Consistency, I want to highlight that the primary purpose of the zoning text amendment is to allow for better implementation of the City's adopted vision for growth and development. CLICK
 You can see the areas that are zoned C-2 fall along: 1) 7th Ave; 2) Kanuga & White St; and 3) S Grove St & the Above the Mud proposed trail. Each of these areas are identified for walkable urban development in the Gen H Plan. I will provide more information on this shortly.
 I will also note there is also a significant amount of property in the floodplain along the RR Tracks east of Downtown that is zoned C-2 for which the Future Land Use Map calls for Conservation Open Space.

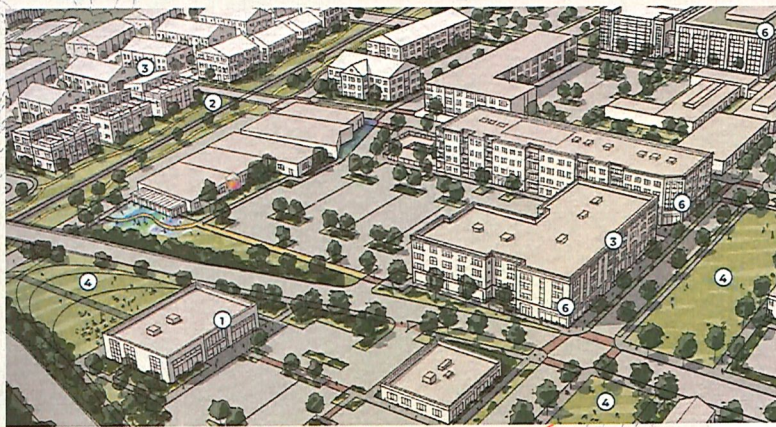


Downtown Master Plan:

- Main Street
- 7th Ave
- Downtown Edge
- Lower Trailhead

Continuing to look at Comprehensive Plan Consistency, I wanted to highlight the Downtown Master Plan Study Area. As you all may recall, the Downtown Master Plan provides us with a set of design standards that should be employed to shape future development and redevelopment to create a dense, walkable, high quality environment in the city core. The "Downtown" study area is broken into 4 subdistricts with C-2 Zoning being located in 3 of them:
 - 7th Ave.
 - Downtown Edge and
 - Lower Trailhead.

Downtown Master Plan: Downtown Edge Focus Area



Focus Area Concepts were developed for each of these subdistricts. These concepts illustrate the type of development that is desired and that can be achieved by utilizing the Design Standards outlined in Downtown Master Plan. One of the key ways to achieve this vision is by bringing building edges up to the sidewalk and by placing parking to the side or rear of lots or better yet, providing parking in consolidated locations such as parking decks.

Required Setback Line by Frontage Type (From future back of curb, measured in ft)		
A	Frontage Type: Primary	20'
	Frontage Type: Primary-Other	10'
	Frontage Type: Secondary	10'
Build-To-Zone (From setback line, measured in ft)**		
B	Frontage Type: Primary	0-20'
	Frontage Type: Primary-Other	0-20'
	Frontage Type: Secondary	0-20'
Minimum Build-To-Percentage		
C	Frontage Type: Primary	80%
	Frontage Type: Primary-Other	80%
	Frontage Type: Secondary	80%
D	Side Setback Line (ft)	None, unless abutting single-family residential zoning, then 2'
E	Rear Setback Line (ft)	None, unless abutting single-family residential zoning, then 2'

Figure 5.2a - Setback by Frontage Type

*Retained street. D' setback and D'10' build-to-line
**Build-to-Zone of 10' maximum is permitted if outdoor seating or other public open space amenity is proposed along frontage. To be approved by the Community Development Director.

Allowing for range within the build-to-zone allows for the inclusion of public spaces and other features that add to the public realm

Downtown Master Plan:

Design Standards for Private Development, such as max setback lines, Build-to-Zones and Build-to-Percentage, compliment and interface with a well-designed public space

Figure 5.22 - Landscaping Submittal

Downtown Master Plan:

Figure 5.23 - Plaza Submittal

Currently, new development in the C-2 Zoning District cannot be designed to be in conformance with the Downtown Master Plan Design Guidelines. Adjusting the dimensional requirements in C-2 will allow new developments that choose to develop in conformance with our design standards to do so. Furthermore, as the City pursues formal adoption of these Design Standards as part of a Downtown Design Overlay District, these adjustments to C-2 will allow those new design standards to align with the standards of the underlying zoning district.

General Rezoning Standards: 1) COMPREHENSIVE PLAN CONSISTENCY	LAND SUPPLY, SUITABILITY & INTENSITY	<ul style="list-style-type: none"> • Supply: N/A • Suitability: N/A • Intensity: N/A
	FUTURE LAND USE & CONSERVATION MAP	<p>Character Area Designations: Downtown Mixed-Use - Commercial</p> <p>Character Area Descriptions: Consistent</p> <p>DOWNTOWN - This is the heart of the community and center of civic activities. In addition to governmental uses, it includes a mix of retail, restaurant, service, office, and civic uses. A variety of residential housing types complement the nonresidential uses and ensure a vibrant center with a 24/7 population. The mix of uses can be horizontal or vertical, with changes between floors of the same building. <u>Buildings of two or more stories are common, and streets feature short block lengths and pedestrian facilities.</u> Open spaces include plazas and formal greens</p> <p>MIXED-USE COMMERCIAL - These areas are centers of activity with a mix of retail, restaurant, service, office, and civic uses, as well as various residential housing types. The mix can be horizontal or vertical, with changes in use between floors of the same building. <u>Buildings of two or more stories are common, and streets feature short block lengths and pedestrian facilities.</u> Open spaces include plazas, formal greens, and pocket parks. This activity center is intended to be the City's most intense district outside of the Downtown character area.</p> <p>Zoning Crosswalk: Consistent</p> <p>Focus Area: Downtown Edge, 7th Ave, & Lower Trailhead</p>

1) In summary for the first Criteria considered for a text amendment which is Comprehensive Plan Consistency, Staff finds the proposed changes to the dimensional standards in C-2 to be consistent with the Gen H Comprehensive Plan Character Area Descriptions for Downtown & Mixed-Use - Commercial

General Rezoning Standards: 2) COMPATIBILITY	EXISTING CONDITIONS	Current C-2 <u>Dimensional</u> Standards would not allow for townhome development nor traditional urban development / walkable urban form.
	RELEVANT GEN H GOALS	Vibrant Neighborhoods: [Consistent] Abundant Housing Choices: [Consistent] Healthy and Accessible Natural Environment: [Consistent] Authentic Community Character: [Consistent] Safe Streets and Trails: [Consistent] Satisfying Work Opportunities: [Consistent] Welcoming & Inclusive Community: [Consistent] Accessible & Available Community Uses & Services: N/A Resilient Community: [Consistent]
	GEN H GUIDING PRINCIPLES	Mix of Uses: [Consistent] Compact Development: [Consistent] Sense of Place: [Consistent] Conserved & Integrated Open Spaces: [Inconsistent] Desirable & Affordable Housing: [Consistent] Connectivity: [Consistent] Efficient & Accessible Infrastructure: [Consistent]

For considering Compatibility, staff reviewed the proposed changes with Existing Conditions and the Goals and Guiding Principles of the Gen H Comprehensive Plan. We find that the proposed amendment is Compatible given that it allows for a desired pattern of development which is compatible with the traditional urban form found in portions of the C-2 Zoning District. Further, we find the amendment to be compatible given its alignment with the Goals and Guiding Principles of the Gen H Plan.

General Rezoning Standards: 2) COMPATIBILITY	DOWNTOWN MASTER PLAN: DESIGN GUIDELINES ASSESSMENT (Chapter V)	<p>Focus Areas - [Consistent] Includes Lower Trailhead + Downtown Edge + 7th Ave</p> <p>Public Realm - [Consistent] - Placing buildings adjacent to public edge is a key element of Design Guidelines</p> <p>Site Design - [Consistent] Allows for Build-to-Zone (max. setbacks) and Build-to-Percentage to be achieved in alignment with existing traditional urban development. And allows for Parking to be placed to the rear/side.</p> <p>Building Design - [Consistent] Allows for and compliments designs intended to provide primary access and activated ground floors along street frontages</p>
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Staff also considered the changes at a high level with the Design Guidelines from the Downtown Master Plan finding the proposals to be consistent with three Focus Areas where C-2 Zoning is present. The Lower Trailhead, Downtown Edge & 7th Ave Focus Areas. It is also consistent with the recommendations for Public Realm, Site Design and Building Design. Most notably for the Site Design standards, the reduced setbacks allow for the type of Build-to-Zone standards that are outlined in the Downtown Master Plan. These standards essentially work as maximum setbacks rather than minimum setbacks.

General Rezoning Standards	3) CHANGED CONDITIONS	<ul style="list-style-type: none"> SB382 - Downzoning Law Based on the City's Future Land Use Map, the areas zoned C-2 should be rezoned to CMU or a similar mixed use zoning district. However, due to changes to state law making this large-scale rezoning difficult, staff is proposing changes to the dimensional standards in C-2 as a temporary measure until the zoning district and/or additional design standards can be codified. This is step one of a larger process to address quality urban development in the City's core.
	4) PUBLIC INTEREST	<ul style="list-style-type: none"> The proposed amendment would allow for developers to pursue implementation of the City's Downtown Master Plan Design Guidelines (Chapter 5).

The 3rd Criteria Considered is **Changed Conditions** - As mentioned previously, the text amendment is in response to changes in state law and limitations in the City's authority to implement the Vision of the Gen H plan through area-wide rezonings.

The 4th Criteria Considered is **Public Interest** - Allows for developers to pursue implementation of the City's Downtown Master Plan - Design Standards

General Rezoning Standards	5) PUBLIC FACILITIES	<ul style="list-style-type: none"> The proposed text amendment would facilitate infill commercial and residential development which allows for greater utilization of existing infrastructure without the need for utility expansion and increased cost of maintenance. .
	6) EFFECT ON NATURAL ENVIRONMENT	<ul style="list-style-type: none"> There are no known environmental impacts and no immediate development proposed.

For **Public Facilities**, Staff found that the proposed text amendments have the potential to allow for greater utilization of existing Public Facilities by creating opportunities for infill development. For **Natural Environment**, There are no specific environmental impacts associated with this text amendment.

PLANNING BOARD: Comprehensive Plan Consistency Statement

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

The proposed text amendment aligns with the Gen H Comprehensive Plan Future Land Use Map and Downtown Master Plan

Staff proposes the following Comprehensive Plan Consistency Statement

COMMITTEE RECOMMENDATION

+The Legislative/Long-Range Committee did not review this item due to the holiday schedule

I want to quickly note that the Legislative / Long Range Committee of the Planning Board did meet and discuss this [item](#) and a thorough conversation was had and it resulted in some modifications to the proposal that were presented today.

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

The public hearing was opened at 7:41 p.m.

In Person: Ken Fitch stated that we often do not think of these connections to increase growth, density and development in these seemingly simple deliberations in these amendments, but they do have a connection and a line of impact, and those impacts are very much on the minds of the

workforce families of the city. So, when we make these decisions, we have to realize that it has lines to other impacts in the life of the residents of the city.

The public hearing was closed at 7:47 p.m.

Council Member Jennifer Hensley moved City Council adopt an ordinance amending the official City of Hendersonville Zoning Ordinance Article V. – ‘Zoning District Classifications’, Section 5-7 to update the Dimensional Standards for the C-2, Secondary Business Zoning District based on the following:

1. The petition is found to be consistent with the Gen H Comprehensive Plan based on the information from the staff analysis and the public hearing, and because:

The proposed amendment aligns with the Gen H Comprehensive Plan Future Land Use Map & Downtown Master Plan.

2. We find this petition, in conjunction with the recommendations presented by staff, to be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- 1. The proposed amendment allows for greater utilization of private property.*
- 2. The proposed amendment creates an opportunity to accommodate infill development.*
- 3. The proposed amendment allows for walkable, urban development.*

A unanimous vote of the Council followed. Motion carried.

Ordinance #O-26-02

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE CITY OF HENDERSONVILLE ZONING ORDINANCE, ARTICLE V. – ‘ZONING DISTRICT CLASSIFICATIONS’, SECTION 5-7-3 ‘C-2, SECONDARY BUSINESS ZONING DISTRICT – DIMENSIONAL REQUIREMENTS’ TO REDUCE FRONT SETBACKS AND MINIMUM LOT SIZE STANDARDS

WHEREAS, the Planning Board reviewed this petition for a zoning text amendment at its regular meeting on January 15, 2026; voting 8-0 to recommend City Council adopt an ordinance amending the City of Hendersonville Zoning Ordinance, and

WHEREAS, City Council took up this application at its regular meeting on February 5, 2026, and

WHEREAS, City Council has found that this zoning text amendment is consistent with the City’s comprehensive plan, and that it is reasonable and in the public interest for the reasons stated, and

WHEREAS, City Council has conducted a public hearing as required by the North Carolina General Statutes on February 5, 2026,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville to amend City of Hendersonville Zoning Ordinance, ‘Article V. – Zoning District Classifications’, Section 5-7-3 ‘C-2, Secondary Business Zoning District – Dimensional Requirements’ to Reduce Front Setbacks and Minimum Lot Size Standards

ZONING ORDINANCE

ARTICLE V. ZONING DISTRICT CLASSIFICATIONS

SECTION 5-7. - C-2, SECONDARY BUSINESS ZONING DISTRICT

5-7-3. Dimensional requirements.

Minimum lot area in square feet:	8,000 (6,000 for residential use). 0
Minimum lot width at building line in feet:	None except for structures containing dwelling units which shall have a minimum lot width at building line of 50 feet.
Minimum yard requirements in feet:	Front: 15 5 if sidewalk is 5’ wide or less; 0 if sidewalks are greater than 5’ wide
	Side: 0 or 5 (Side yards are not required, but when provided must be a minimum of five feet. Common wall construction is permitted in the C-2 Zoning District Classification. On all corner lots, a ten-foot side yard setback is required.)
	Rear: None except for structures containing dwelling units

	which shall have a minimum setback of ten feet. Otherwise, rear yards are not required unless the C-2 Zoning District Classification abuts an established residential district. In this case, the rear yard setback requirement shall be a minimum of ten feet.
Maximum height in feet:	48

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of February 2026.

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

8. NEW BUSINESS

A. Resolution for the City of Hendersonville to Apply for a USDOT BUILD Grant for the Hendersonville Downtown Streets Modernization Project: New Streets for New Business – Brent Detwiler, Assistant City Manager, Public Services

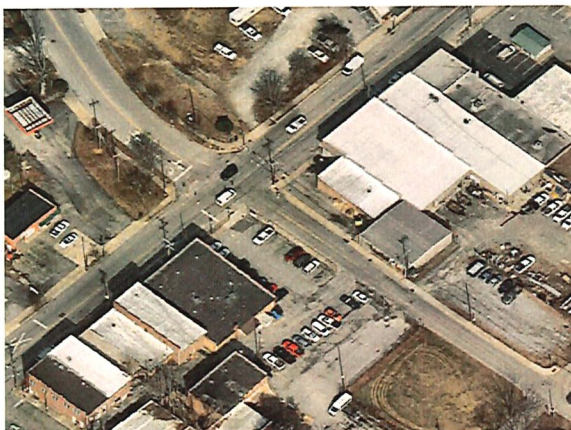
Brent Detwiler explained that the City applied for a BUILD Grant through the US Department of Transportation in 2025 and we were not selected and we were awarded a Project of Merit and that didn't get us as far as we hoped and based on new requirements, we have to file a full resubmission. The good news is there is more money available. He gave the following PowerPoint presentation.



2026 USDOT BUILD Grant

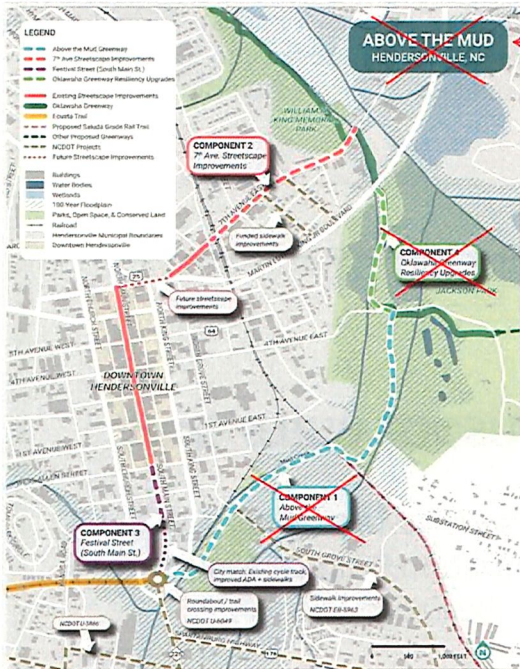
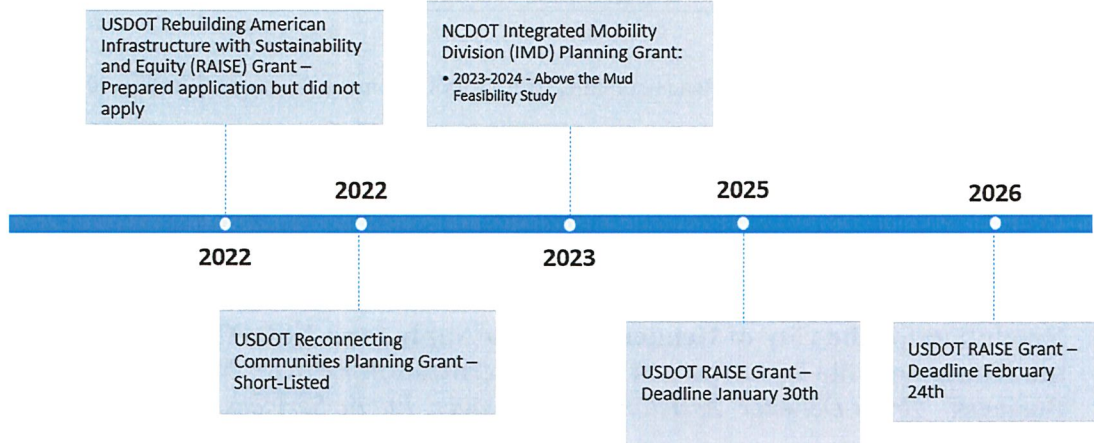
Hendersonville Downtown Streets Modernization Project: *New Streets for New Business*

Why We're Back in 2026



- 2025 BUILD application designated Project of Merit
- USDOT revised BUILD NOFO for 2026
- Changes to Areas of Persistent Poverty / HDC definitions
- Full resubmission required

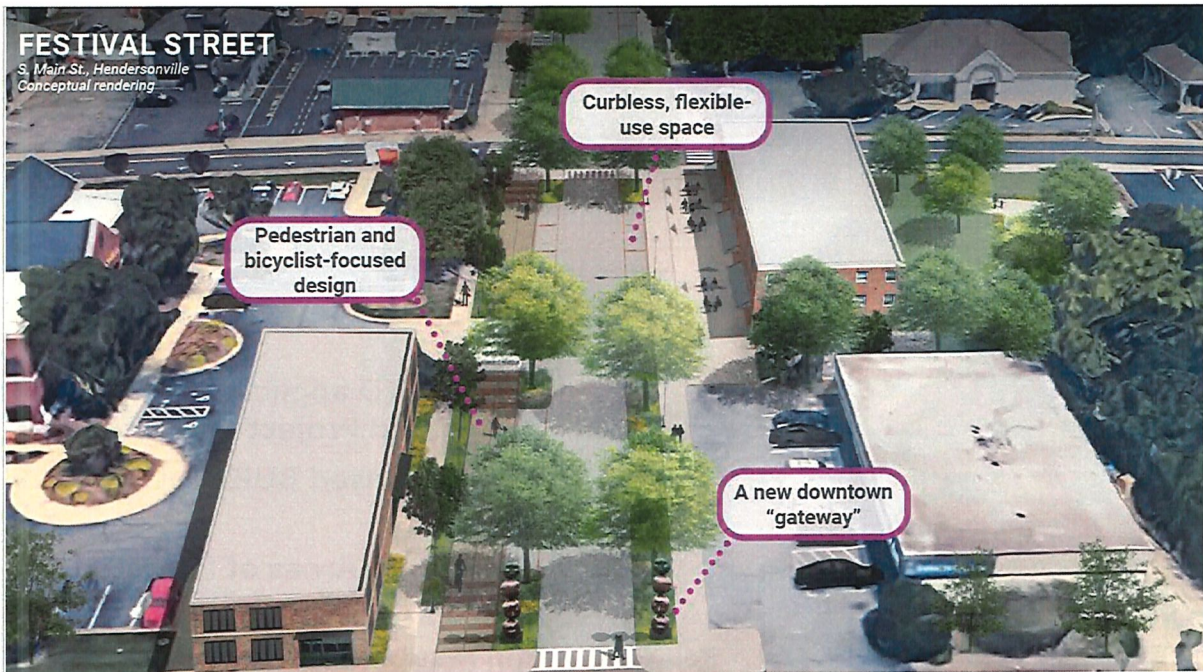
Project Background



Hendersonville Downtown Streets Modernization Project: New Streets for New Business

Project Components

- ~~**COMPONENT 1**
Above the Mud Trail
A 1.56 mile separated shared use pathway for bicyclists and pedestrians through central areas, connecting the Oklawaha Greenway to the regional Costa Trail, future Saluda Grade Trail, and downtown Hendersonville.~~
- ~~**COMPONENT 2**
7th Avenue Streetscape Improvements
A safe and walkable .41 mile connection between northeastern neighborhoods and downtown with improved sidewalks, lighting, green infrastructure, pedestrian amenities, and ADA compliance.~~
- ~~**COMPONENT 3**
Festival Street
A .28 mile pedestrian-focused street and flexible event space catalyzing economic development for businesses, with limited automobile access, connecting downtown to three regional trails.~~
- ~~**COMPONENT 4**
Oklawaha Greenway Boardwalk (on existing trail)
A .33 mile elevated boardwalk, retrofitting the existing trail to be safer and stormwater resilient trail connection for pedestrians and bicyclists along the Oklawaha Greenway.~~



Project Benefits

- Improved pedestrian and bicycle safety
- Strong alignment with USDOT Safety & Economic Competitiveness
- Supports downtown vitality and local businesses
- Builds on prior City investments



Funding Snapshot



- Total Project Cost: ~\$21.6M



- BUILD Request: ~\$18.8M



- Local Match: ~\$2.8M



- Match value from 7th Ave Small Business Grant, SW Grant, Force Account Sidewalk, Water Upgrades

Community Engagement

- 2022 RAISE – Kick-off Public Meeting (well-attended)
- 2023-2024 Above the Mud Feasibility Study - Steering Committee, Public Meetings, 2 Surveys
- 2025 RAISE:
 - Stakeholder Group Kick-off – November 14, 2024
 - Community survey launch – November 27, 2024
 - Promoted survey/raised awareness at Housing Listening Sessions and Turkey Trot – Nov-Dec
 - Door-to-Door outreach in Green Meadows / 7th Ave Area – December 19, 2024
 - Community survey closed – December 31, 2024
 - 36 Letters of Support Received to date
- 2026 RAISE:
 - Working on Letters of Support (11 Received to date)





Questions?

Council Member Gina Baxter moved that City Council approve the resolution to submit a BUILD Grant application to USDOT for the Hendersonville Downtown Streets Modernization Project: New Streets for New Business. A unanimous vote of the Council followed. Motion carried.

Resolution #R-26-13

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL IN SUPPORT OF AN APPLICATION FOR USDOT BUILD GRANT FUNDING TO CONSTRUCT THE HENDERSONVILLE DOWNTOWN STREETS MODERNIZATION PROJECT

WHEREAS, the City Council of the City of Hendersonville considers safe vehicular, bicycle, and pedestrian transportation infrastructure to be of utmost importance to the region by providing Western North Carolina with modern transportation opportunities as well as increased economic viability and community development; and

WHEREAS, the United States Department of Transportation has established a Better Utilizing Investments to Leverage Development (BUILD) Grant Program that provides funding for surface transportation infrastructure projects that will have a significant local or regional impact; and

WHEREAS, the Hendersonville Downtown Streets Modernization Project will provide modern transportation infrastructure that will spur small-town economic development, jobs, and tourism while helping to rebuild a region devastated by Hurricane Helene; and

WHEREAS, the project is expected to generate significant rural economic impact, bringing residents and tourists safely into Downtown Hendersonville, and improve safety;

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

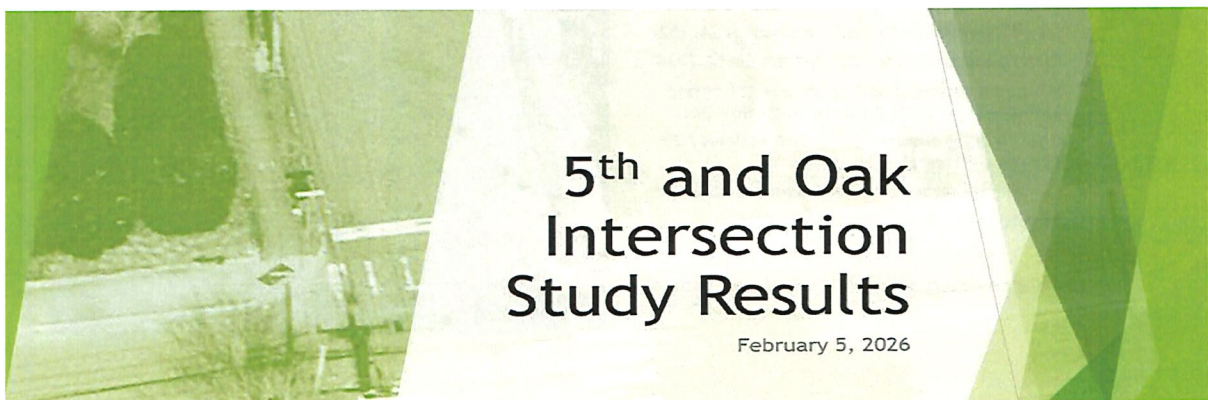
1. The City of Hendersonville shall submit an application to USDOT for a BUILD Grant to fund the design and construction of the Hendersonville Downtown Streets Modernization Project in Henderson County; and
2. The Mayor and/or City Manager shall hereby be authorized on behalf of the City of Hendersonville to execute any and all documents required for the City to complete and submit the grant application for up to \$25,000,000.00 in funding with commitment of \$2,800,000.00 in matching funds from the City.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of February 2026.

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

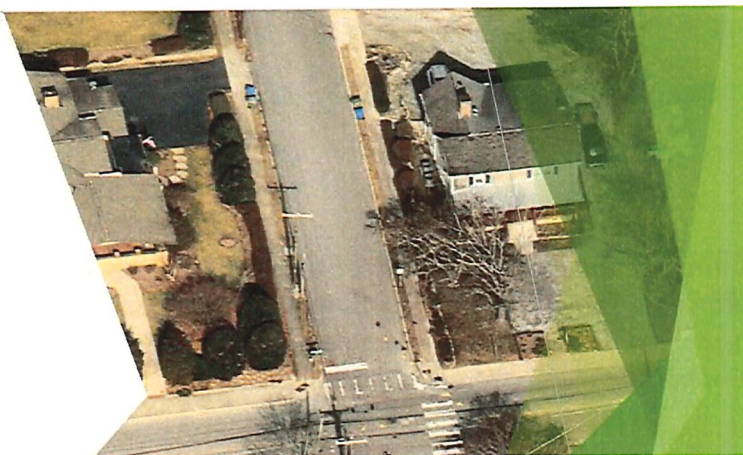
B. 5th Ave W and N Oak St Intersection Study Findings – Brent Detwiler, Assistant City Manager, Public Services

Brent Detwiler explained that a few months ago, City Council asked staff to examine the intersection of 5th Avenue W and N Oak Street since there have been several vehicular crashes. McAdams performed an intersection study, and the findings were discussed in the following PowerPoint presentation.

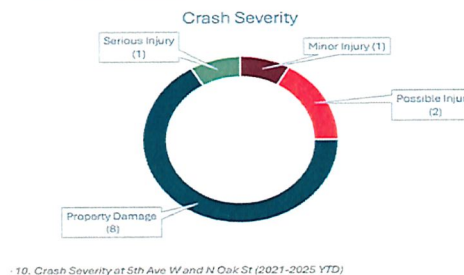
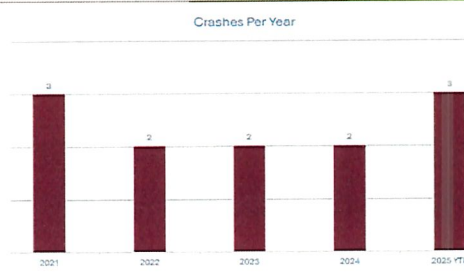


CRASH DATA

- ▶ 12 reported crashes over ~4.5 years
- ▶ 100% involved failure to yield to 5th Ave W cross traffic
- ▶ 75% involved northbound Oak St traffic
- ▶ 2 injury crashes; 1 serious injury
- ▶ Sight distance frequently cited



- ▶ McAdams recently completed an intersection study. The following elements were considered:
 - ▶ Existing roadway geometry + traffic control
 - ▶ Grid network + system traffic control patterns
 - ▶ Traffic volumes + speed data
 - ▶ Capacity analysis
 - ▶ Intersection sight distance
 - ▶ Crash history



Recommendations

- ▶ **All-Way Stop is Warranted:**
 - ▶ Based on crash history and sight-distance constraints, an all-way stop at 5th Ave W & N Oak St is a justified and implementable safety improvement.
- ▶ **Not the Only Long-Term Option:**
 - ▶ Other geometric or physical changes could be explored but would require additional study, design, and funding.
- ▶ **Other Options Considered (Not Recommended at This Time):**
 - ▶ Sight-line improvements & traffic calming: Effectiveness uncertain given permanent obstructions and maintenance needs.
 - ▶ Mini-roundabout / traffic circle: Would require corridor-wide treatments and further engineering analysis.
- ▶ **Near-Term Path Forward:**
 - ▶ An all-way stop provides a low-cost, effective safety solution and could serve as an interim measure if more extensive improvements are pursued in the future.

Implementation

- ▶ Clear vegetation to maximize sight lines at the intersection.
- ▶ Install permanent "Stop" signs and "All-Way" plaques on 5th Ave W approaches.
- ▶ Install Permanent "Stop Ahead" signs on 5th Ave W approaches.
- ▶ Remove "Cross Traffic Does Not Stop" Plaque on N. Oak St approaches.
- ▶ Install "All-Way" plaques on N Oak St approaches.
- ▶ Modifications to Stop Warning Flashers to indicate all way stop conditions and to match nearby system all-way stop flashers for consistency (e.g., replace yellow flashers with red flashers for 5th Ave W approaches).



Questions



Council Member Jennifer Hensley moved that City Council approve the proposed ordinance to direct staff to add an all-way stop at the intersection of 5th Avenue W and N Oak Street as presented by the finding of the recently completed intersection study. A unanimous vote of the Council followed. Motion carried.

NOTE: THE TITLE OF THIS ORDINANCE SHOULD BE AS FOLLOWS: "AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO IMPLEMENT AN ALL-WAY STOP AT THE INTERSECTION OF 5TH AVENUE AND OAK STREET"

Ordinance #O-26-03

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND SECTION 50-144 OF THE CODE OF ORDINANCES TO ESTABLISH A TWENTY-FIVE MILES PER HOUR SPEED LIMIT ON A PORTION OF CHADWICK AVENUE

WHEREAS, the City of Hendersonville maintains and regulates City streets; and

WHEREAS, 5th Avenue West runs in an East-West direction, and is intersected by several City streets, include Oak Street which runs in a North-West direction, the intersection of 5th Avenue West and Oak Street sometimes hereinafter referred to as "Subject Intersection"); and

WHEREAS, Oak Street has stop signs on either side of 5th Avenue West, and all of the northbound and south bound traffic must therefore stop at the Subject Intersection prior to crossing 5th Avenue West; and

WHEREAS, there are no stop signs on 5th Avenue West at the Subject Intersection, and therefore eastbound and westbound traffic on 5th Avenue West are not required to stop at the Subject Intersection; and

WHEREAS, all of the other intersections along 5th Avenue West are signalized; and

WHEREAS, at least 12 crashes were reported at the Subject Intersection from January 1, 2021 to June 5, 2025, as a result of north and southbound traffic on Oak Street not stopping or failing to yield to cross traffic on 5th Avenue West; and

WHEREAS, City Council asked that the Subject Intersection be studied to see if traffic control measures could be implemented to reduce traffic crashed at the Subject Intersection; and

WHEREAS, the City contracted with the McAdams Firm to perform an engineering study of the Subject Intersection, and the study indicated that, although the level of traffic at the Subject Intersection does not support making the Subject Intersection a signalized intersection, implementing an all-way stop at the Subject Intersection was warranted; and

WHEREAS, City Council has determined that it is in the best interests of the public health and safety to implement the warranted traffic control measures;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina that the intersection of 5th Avenue and Oak Street shall be an all-way stop intersection.

The recommendations contained in the McAdams Study to implement the all-way stop at the Subject Intersection shall be put into place.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of February, 2026.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

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

9. CITY MANAGER REPORT

A. January 2026 Contingency and Adjustment Report – John Connet, City Manager

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 a summary of all amendments and adjustments occurring thus far in the fiscal year.

FISCAL YEAR 2025 - 2026 (FY26)		Completed		Corrected		REVISED BUDGET	DESCRIPTION	APPROVED	TYPE	AMENDMENT NUMBER
BUDGET AMENDMENTS AND ADJUSTMENTS		Proposed	Denied	Proposed	Denied					
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE						
010-000-534999	Contingencies	20,300	-	17,682		2,618	GFW, Comp. Correction - Audit & Claims	yes	adjustment	12/22/2025
010-1002-502091	Worker's Comp. Insurance	1,748	11,028	-		12,776	GFW, Comp. Correction - Audit & Claims	yes	adjustment	12/22/2025
010-1005-502091	Worker's Comp. Insurance	41	3	-		42	GFW, Comp. Correction - Audit & Claims	yes	adjustment	12/22/2025
010-1008-502091	Worker's Comp. Insurance	198	185	-		383	GFW, Comp. Correction - Audit & Claims	yes	adjustment	12/22/2025
010-1300-502091	Worker's Comp. Insurance	39,260	4,662	-		43,922	GFW, Comp. Correction - Audit & Claims	yes	adjustment	12/22/2025
010-1400-502091	Worker's Comp. Insurance	40,119	885	-		41,004	GFW, Comp. Correction - Audit & Claims	yes	adjustment	12/22/2025
010-1502-502091	Worker's Comp. Insurance	1,534	236	-		1,770	GFW, Comp. Correction - Audit & Claims	yes	adjustment	12/22/2025
010-1521-502091	Worker's Comp. Insurance	3,336	330	-		3,666	GFW, Comp. Correction - Audit & Claims	yes	adjustment	12/22/2025
010-1523-502091	Worker's Comp. Insurance	948	350	-		1,298	GFW, Comp. Correction - Audit & Claims	yes	adjustment	12/22/2025
010-1555-502091	Worker's Comp. Insurance	8,252	6	-		8,258	GFW, Comp. Correction - Audit & Claims	yes	adjustment	12/22/2025
010-1521-552001	Capital Outlay - Equipment Other Than Vehicles	35,000	-	27,000		8,000	Mechanic Tool Kits	yes	adjustment	12/30/2025
010-1521-554000	Non-Capital Equipment	-	27,000	-		27,000	Mechanic Tool Kits	yes	adjustment	12/30/2025
060-7050-531210	Permits, Licenses, and Fees	190,000	-	8,000		182,000	Increased cost for Daupler	yes	adjustment	12/30/2025
060-7002-519200	Contract Services	55,000	8,000	-		63,000	Increased cost for Daupler	yes	adjustment	12/30/2025

B. Mayor’s Memory – John Connet, City Manager

John Connet said as we continue our trip down memory lane reminding everyone that Mayor Volk is retiring in December and in her honor, I go through some minutes in her almost 37-year tenure that show the impact that Mayor Volk has had on our community. This month, I am looking at February 1996, so at the February 8, 1996 meeting there were various items on the agenda and a couple of the highlights include an agreement to extend water to Mills River Village Phase II, 3200 linear feet extended out towards Mills River. We also extended water to Kenmure Phase IV but I think the most important thing, and it was brought up a couple of times tonight, related to 7th Avenue. There was discussion regarding establishing the 7th Avenue Committee, the members of the 7th Avenue Merchants Association addressed the Council regarding their concerns about the perception of the area, crime in the area and how could the city and the public work together to improve the 7th Avenue area. One of the things that was asked was there was a “needs study” previously completed prior to this date about possibly relocating the police and fire department closer to the area and we have accomplished that as part of your tenure. Also, setting up a formal committee, which became the 7th Avenue Committee and ultimately has been brought in-house as part of our downtown organization. So, kind of a start to our historic work on 7th Avenue. There was a second meeting in February, and I think this was even more impactful, where Charles Willis of Willis Engineers submitted and reviewed a preliminary engineering report and process design at the Wastewater Treatment Plant. City Council received two options. The first dealt with renovating the existing plant. The second option, which was his preference, was moving off-site and building what is now the current 4.8 million gallons per day plant. So again, just showing your impact on our community over the last 37 years and we will continue to do this all the way up until December, so thank you very much.

10. CITY COUNCIL COMMENTS

There were no comments.

11 . CLOSED SESSION


Council Member Lyndsey Simpson moved that City Council enter closed session pursuant to NCGS § 143-318.11 (a) (1), (4) 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, to discuss matters relating to the location or expansion of industries and businesses in the area served by the public body and to consider the qualifications, competence, performance and character, fitness conditions of an individual public officer.

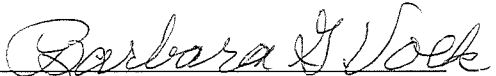
12 . ADJOURN

City Council went into closed session at 8:15p.m.

There being no further business, the meeting adjourned at 8:45 p.m. upon unanimous assent of the Council. No further action was taken.

ATTEST:


Jill Murray, City Clerk


Barbara G. Volk, Mayor