



MINUTES

October 2, 2025

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, Melinda Lowrance

Staff Present: City Manager John Connet, Deputy City Manager Brian Pahle, City Attorney Angela Becker, Budget & Evaluation Director Adam Murr, Communications Director Allison Justus and others

Absent: City Clerk Jill Murray

1. CALL TO ORDER

Mayor Volk called the meeting to order at 5:45 p.m. and welcomed those in attendance. A quorum was established with all members in attendance.

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

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

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

In Person:

Mimi Coffman of Fairway Knoll Drive, spoke about the absolute need for a dedicated space for seniors and handicapped individuals especially now that they are demolishing the Whitmire Center and not replacing it.

Chris Dannals of Kensington Road, the director of Bike/Walk Hendersonville, spoke about the transportation bond. He emphasized that our region has the highest per capita pedestrian fatality rate in the state and Henderson County has twice the pedestrian and bike fatality rate as Mecklenburg County (Charlotte). He asked, as we think about the transportation bond, are we going to prioritize the Pavement Condition Index or safety. Smooth roads are nice but safe roads are necessary.

4. CONSIDERATION OF AGENDA

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

5. CONSENT AGENDA

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

A. Adoption of City Council Minutes – Jill Murray, City Clerk
September 4, 2025 Regular Meeting
September 24, 2025 Second Monthly Meeting

B. Donations for Brooklyn Community Garden – Caitlyn Gendusa Public Works
Superintendent-Sustainability

C. Revision of the Personnel Policy-Amending Article IV, Section 3 – Meredith Troughton, Assistant HR Director

Resolution #R-25-95

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL AMENDING THE CITY OF HENDERSONVILLE PERSONNEL POLICY

WHEREAS, the City of Hendersonville maintains a Personnel Policy. The purpose of which is to establish a system of personnel administration for recruiting, selecting, employing, developing, and maintaining an effective and responsible workforce; and

WHEREAS, the City of Hendersonville wishes to amend Article IV. Section 3 – Selection: by adding G.S. 160A-164.2 (b) which requires an applicant for employment to work with children in any capacity, shall be subject to a criminal history record check conducted by the State Bureau of Investigation if the applicant is offered the position.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that from and after the effective of October 1st, 2025, Article IV. Section of the Personnel Policy attached to this resolution is hereby adopted.

This policy will become effective as of October 2, 2025.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of October, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

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

D. City Operations Building Finish Renovations Change Order 3 – Richard Shook, Civil Engineer

Resolution #R-25-96

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE CITY MANAGER TO APPROVE A CHANGE ORDER FOR THE CITY OPERATIONS BUILDING FINISH RENOVATIONS PROJECT

WHEREAS, the City of Hendersonville, North Carolina awarded a contract to Enterprises G, Inc. for the City Operations Building Finish Renovations; 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 \$427,182.00; and

WHEREAS, The City Manager has previously approved change orders with a cumulative total of 10% of the original contract amount.

WHEREAS, the City Engineer therefore recommends that the City Manager be authorized to approve Change Order 3 for the construction of the City Operations Building Finish Renovations.

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 City Operations Building Finish Renovations to Enterprises G, Inc. in the amount of \$34,563.96 which includes external sealing of the building, additional electrical troubleshooting, and minor adjustments to finishes.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of October, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

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

E. Request to Approve Acceptance of the Awarded NCDOT IMD Multimodal Bicycle Planning Grant – Blake Fulgham, Management Analyst II

Resolution #R-25-97

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORISE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR THE BICYCLE AND PEDESTRIAN PLANNING GRANT (TIP #-M-0574F, WBS Elements- 51759.8.8)

WHEREAS, the North Carolina Department of Transportation has established a grant that provides funding to municipalities for the development of Comprehensive Municipal Bicycle and Pedestrian Plans; and

WHEREAS, the City of Hendersonville has a desire to provide its citizens with safe, convenient, and more complete bicycling infrastructure within the community; and

WHEREAS, the City of Hendersonville's last Bicycle Plan was adopted in 2018; and

WHEREAS, the City's financial and technical resources have limited its ability to update its Bicycle Plan; and

WHEREAS, the City of Hendersonville desires a Bicycle Plan update to obtain the following objectives:

1. Provide for multimodal forms of transportation.
2. Provide guidance for modifying infrastructure to safely accommodate cycling in appropriate locations.
3. Ensure that the North Carolina Department of Transportation (NCDOT) funded projects incorporate the City of Hendersonville's objectives.
4. Move towards an effective network for active transportation, recreation, and exercise.
5. Have an approved plan that will support funding from NCDOT for cycling transportation improvements.
6. Ensure land use decisions effectively incorporate multimodal objectives.

WHEREAS, the City of Hendersonville has since been designated as a recipient to receive grant funds to complete the Bicycle Plan Update (TIP #-M-0574F, WBS Elements- 51759.8.8). The City's funding match is 20% of total costs of \$13,000 with NCDOT funding the remaining amount, for a project total of \$65,000.

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

1. The City agrees to participate in certain costs and to assume certain responsibilities in the manner and to the extent as hereinafter set out in the Agreement; and
2. The City Manager is authorized to enter into an Agreement with the North Carolina Department of Transportation for the New Bicycle Plan (TIP #-M-0574F, WBS Elements- 51759.8.8).

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of October, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

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

F. Sole Source Purchase of SCADA System Upgrade - Logan Hickey, Chad Freeman, Adam Steurer & Darren Allman

Resolution #R-25-98

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO AUTHORIZE THE SOLE-SOURCE AND STANDARDIZATION PURCHASE OF SCADA SYSTEM UPGRADES FOR WATER AND SEWER

WHEREAS, the City of Hendersonville's Finance Department is submitting this request on behalf of the City's Water & Sewer Departments; and,

WHEREAS, the City uses SCADA (Supervisory Control and Data Acquisition) systems for transmitting data and monitoring tanks, flow, generators, and more. Department has communicated that this is the most vital system within the City of Hendersonville; and,

WHEREAS, Fortech is our service provider for our SCADA controls system wide for years and will be required to be used for these additions to our existing system. Fortech is using compatible equipment and systems to tie in correctly to existing infrastructure. We are very happy with their product and service. It is not advantageous to entertain another vendor for this work, because an outside vendor would only consider pulling all Fortech equipment out and starting over with their own equipment; and,

WHEREAS, per General Statute # 143-129e(6), we are waiving competition where "standardization or compatibility is the overriding consideration"; and,

WHEREAS, staff are requesting to continue to utilize Fortech for this SCADA system and services by requesting that Council approve this sole source and standardization request spending up to \$250,000.00 in Fiscal Year 2026; and,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that city staff is authorized to purchase SCADA system upgrades from SNF Water Science for FY25/26 within budgeted funds available.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of October, 2025.

Barbara G. Volk, Mayor

Attest: /s/Jill Murray, City Clerk

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

G. Resolution to Apply for State Revolving Fund Supplemental Appropriations for Hurricanes Helene and Milton and Hawaii Wildfires to Support the Wastewater Treatment Facility Flood Mitigation Project - Devin Owen, Utilities Engineer

Resolution #R-25-99

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO APPLY FOR STATE REVOLVING FUND SUPPLEMENTAL APPROPRIATIONS FOR HURRICANES HELENE AND MILTON AND HAWAI'I WILDFIRES TO SUPPORT THE WASTEWATER TREATMENT FACILITY FLOOD MITIGATION PROJECT

- WHEREAS,** the North Carolina Department of Environmental Quality (NCDEQ) Division of Water Infrastructure (DWI) administers a funding program for investment in drinking water, wastewater, and stormwater systems, and
- WHEREAS,** the American Relief Act, 2025 (PL 118-158) includes Supplemental Appropriations for the State Revolving Funds (SRF) for drinking water facilities and wastewater treatment works impacted by Hurricane Helene and for decentralized wastewater treatment systems in areas affected by Hurricane Helene (SA-HMW), and
- WHEREAS,** the City of Hendersonville has need for and intends to complete a Wastewater Treatment Facility Flood Mitigation project, and
- WHEREAS,** the City of Hendersonville intends to request State loan and/or grant assistance for the project, and

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

1. That the City of Hendersonville, the Applicant, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.
2. That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.
3. That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.
4. That the governing body of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Hendersonville to make a scheduled repayment of the loan, to withhold from the City of Hendersonville any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.
5. That Adam Steurer, Utilities Director, the Authorized Representative and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.
6. That the Authorized Representative, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.
7. That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, ordinances, and funding conditions applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of October, 2025.

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

H. Resolution to Apply for State Revolving Fund Supplemental Appropriations for Hurricanes Helene and Milton and Hawaii Wildfires to Support the Water system Resiliency Looping Project - Devin Owen, Utilities Engineer

Resolution #R-25-100

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO APPLY FOR STATE REVOLVING FUND SUPPLEMENTAL APPROPRIATIONS FOR HURRICANES HELENE AND MILTON AND HAWAI'I WILDFIRES TO SUPPORT THE WATER SYSTEM

RESILIENCY LOOPING PROJECT

- WHEREAS, the North Carolina Department of Environmental Quality (NCDEQ) Division of Water Infrastructure (DWI) administers a funding program for investment in drinking water, wastewater, and stormwater systems, and
- WHEREAS, the American Relief Act, 2025 (PL 118-158) includes Supplemental Appropriations for the State Revolving Funds (SRF) for drinking water facilities and wastewater treatment works impacted by Hurricane Helene and for decentralized wastewater treatment systems in areas affected by Hurricane Helene (SA-HMW), and
- WHEREAS, the City of Hendersonville has need for and intends to complete a Water System Resiliency Looping project, and
- WHEREAS, the City of Hendersonville intends to request State loan and/or grant assistance for the project, and

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

1. That the City of Hendersonville, the Applicant, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.
2. That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.
3. That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.
4. That the governing body of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Hendersonville to make a scheduled repayment of the loan, to withhold from the City of Hendersonville any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.
5. That Adam Steurer, Utilities Director, the Authorized Representative and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.
6. That the Authorized Representative, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.
7. That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, ordinances, and funding conditions applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of October, 2025.

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

I. October 2025 Budget Amendments - Jennifer Floyd, Management Analyst

TO MAYOR & COUNCIL
APPROVAL: October 02, 2025

FISCAL YEAR 2025
FORM: 10022025-01

BUDGET AMENDMENT					
FUND 010 060 080					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-0000-470100	Transfer In (From 080, FY25)	602,670	24,532	-	627,202
010-0000-470900	Fund Balance Appropriated (FY25)	1,499,095	-	24,532	1,474,563
FUND 010	TOTAL REVENUES	602,670	24,532	24,532	627,202
	TOTAL EXPENDITURES	1,499,095	-	-	1,474,563
060-0000-470100	Transfer In (From 080, FY25)	-	16,777	-	16,777
060-0000-470900	Fund Balance Appropriated (FY25)	1,547,882	-	16,777	1,531,105
FUND 060	TOTAL REVENUES	-	16,777	16,777	16,777
	TOTAL EXPENDITURES	1,547,882	-	-	1,531,105
080-0000-470900	Fund Balance Appropriated	-	41,309	-	41,309
080-0000-598901	Transfer Out (to 010, FY25)	-	24,532	-	24,532
080-0000-598901	Transfer Out (to 060, FY25)	-	16,777	-	16,777
FUND 080	TOTAL REVENUES	-	41,309	-	41,309
	TOTAL EXPENDITURES	-	41,309	-	41,309
An amendment transferring the remaining balance of the Health and Welfare Fund (not active) to the General Fund and Water and Sewer Fund.					
The City Manager and City Clerk certify budget ordinance amendment 10022025-01 was approved by City Council on October 02, 2025.					

TO MAYOR & COUNCIL
APPROVAL: October 02, 2025

FISCAL YEAR 2026
FORM: 10022025-02

BUDGET AMENDMENT

FUND 010					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-0000-460090	Contributions/Donations (Blue Ridge Bike Club)	-	6,500	-	6,500
010-1200-519200	Contracted Services	50,000	6,500	-	56,500
FUND 010	TOTAL REVENUES	-	6,500	-	6,500
	TOTAL EXPENDITURES	50,000	6,500	-	56,500
An amendment increasing General Fund budget by \$6,500 to reflect a contribution from the Blue Ridge Bike Club. The amendment also increases the Community Development Department's contracted services budget by \$6,500. The City will use these funds to provide NCDOT \$13,000 to complete a bicycle planning project. The estimated total cost of the plan is \$65,000 (\$13,000 City Funds + \$52,000 NCDOT Funds).					

The City Manager and City Clerk certify budget ordinance amendment 10022025-02 was approved by City Council on October 02, 2025.

TO MAYOR & COUNCIL
APPROVAL: October 02, 2025

FISCAL YEAR 2025
FORM: 10022025-03

BUDGET AMENDMENT

FUND 010					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-0900-560500	Debt Interest	1,081,400	41,000	-	1,122,400
010-1002-539991	Disaster Event Non-Reimbursable Expenditures	-	150,980	-	150,980
010-1007-519200	Contract Services	8,150	-	4,000	4,150
010-1007-531205	Advertising	12,500	-	7,500	5,000
010-1007-532260	Service Excellence	5,000	-	4,000	1,000
010-1008-531255	Bank Service Charges	25,000	-	15,000	10,000
010-1014-519104	Prof Services-Engring	32,000	-	5,080	26,920
010-1014-531210	Permits, License And Fees	23,000	-	11,000	12,000
010-1200-519104	Prof Services-Engring	43,008	-	16,000	27,008
010-1200-519200	Contract Services	44,746	-	17,000	27,746
010-1200-531225	Training/Training	7,746	-	1,525	6,221
010-1200-531605	Lease/Rental - Building/Land	10,000	-	5,000	5,000
010-1300-519199	Contracted Services	62,060	-	15,000	47,060
010-1300-531100	Fuel	134,033	-	15,000	119,033
010-1300-531600	Lease/Rental- Equipment	46,840	8,650	-	55,490
010-1300-531215	Dues & Subscriptions	30,035	-	15,000	15,035
010-1400-519103	Prof Services-Medical	43,500	-	9,176	34,324
010-1400-531600	Lease/Rental- Equipment	-	16,651	-	16,651
010-1502-519200	Contracted Services	50,400	-	35,000	15,400
010-1555-521040	Construction & Repair Supplies	111,900	-	20,000	91,900
010-1560-554001	Capitall Outlay Equipment/Other Than Vehicles	22,919	-	22,000	919
FUND 010	TOTAL REVENUES	-	-	-	-
	TOTAL EXPENDITURES	1,794,237	217,281	217,281	1,794,237
A budget amendment in the General Fund to cover expenditure accounts where appropriate as the City approaches end-of-year.					

The City Manager and City Clerk certify budget ordinance amendment 10022025-03 was approved by City Council on October 02, 2025.

TO MAYOR & COUNCIL
APPROVAL: October 02, 2025

FISCAL YEAR 2025
FORM: 10022025-04

BUDGET AMENDMENT

FUND 060					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
060-1002-501920	Salaries - FEMA Non-Reimburseable	-	18,000	-	18,000
060-1002-502050	Retirement Expense	63,629	2,100	-	65,729
060-1002-502901	FEMA Straight-Time - FICA & Benefits Expense	-	1,450	-	1,450
060-1002-519204	FEMA Reimbursable - Contracted Services	-	579,000	-	579,000
060-1002-539005	Health And Welfare Expenditures	-	49,000	-	49,000
060-1002-539990	FEMA Reimbursable Expenditures	-	210,500	-	210,500
060-1008-531255	Bank Service Charges	95,000	-	26,000	69,000
060-1010-519200	Contract Services	245,256	-	15,000	230,256
060-1010-523003	Utilities - Telephone & Internet	65,450	-	35,000	30,450
060-1010-531210	Permits, License And Fees	174,599	-	35,000	139,599
060-1014-519104	Prof Services-Engring	53,400	-	14,000	39,400
060-1502-501901	Salaries - FEMA Regular	-	500	-	500
060-1502-501910	Salaries - FEMA Overtime	-	900	-	900
060-1502-502910	FEMA Overtime - FICA & Benefits Expense	-	160	-	160
060-1521-519200	Contract Services	700	280	-	980
060-1523-501910	Salaries - FEMA Overtime	-	3,000	-	3,000
060-7002-519200	Contract Services	103,500	-	13,000	90,500
060-7002-523001	Utilities - Electricity	1,200,000	-	60,000	1,140,000
060-7032-555003	Capital Outlay - Plants, Pump Stations	204,560	-	90,000	114,560
060-7035-519200	Contract Services	110,000	-	27,000	83,000
060-7035-521050	Laboratory Supplies	65,000	-	22,000	43,000
060-7035-522001	Chemicals	635,000	-	46,000	589,000
060-7035-524010	R & M - Bulidings	45,000	-	25,000	20,000
060-7055-519200	Contract Services	157,407	-	90,000	67,407
060-7055-524070	R & M - Paving Cut Repairs	200,000	-	30,000	170,000
060-7055-531100	Fuel	75,000	-	15,000	60,000
060-7132-555003	Capital Outlay - Plants, Pump Stations	72,000	-	60,000	12,000
060-7135-519205	Sludge Management	615,000	-	75,000	540,000
060-7135-524020	R & M - Equipment	142,800	-	50,000	92,800
060-7135-553000	Capital Outlay - Land Improvements	33,000	-	33,000	-
060-7155-519200	Contract Services	280,000	-	103,890	176,110
FUND 060	TOTAL REVENUES	-	-	-	-
	TOTAL EXPENDITURES	4,636,301	864,890	864,890	4,636,301
A budget amendment in the Water and Sewer Fund to cover expenditure accounts where appropriate as the City approaches end-of-year.					

The City Manager and City Clerk certify budget ordinance amendment 10022025-04 was approved by City Council on October 02, 2025.

FUND 067					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
067-0900-560001	Debt Principal	68,125	800		68,925
067-0900-560500	Debt Interest	13,945	2,000		15,945
067-1005-501901	Salaries - FEMA Regular	-	380		380
067-1007-501920	Salaries - FEMA Non-Reimbursable	-	260		260
067-1014-501901	Salaries - FEMA Regular	-	700		700
067-1502-501901	Salaries - FEMA Regular	-	200		200
067-1525-501910	Salaries - FEMA Overtime	-	13,900		13,900
067-1555-501910	Salaries - FEMA Overtime	-	9,000		9,000
067-7555-501030	Salaries - Incentive Payments	-	3,100		3,100
067-7555-519200	Contract Services	117,500		30,340	87,160
FUND 067	TOTAL REVENUES	-	-	-	-
	TOTAL EXPENDITURES	199,570	30,340	30,340	199,570
A budget amendment in the Stormwater Fund to cover expenditure accounts where appropriate as the City approaches end-of-year.					

The City Manager and City Clerk certify budget ordinance amendment 10022025-05 was approved by City Council on October 02, 2025.

FUND 068					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
068-0900-560001	Debt Principal	157,227	6,000	-	163,227
068-0900-560500	Debt Interest	23,071	1,800	-	24,871
068-1002-501901	Salaries- FEMA Regular	-	510	-	510
068-1007-501001	Salaries - Regular	12,807	760	-	13,567
068-1502-502901	FEMA Straight-Time - FICA & Benefits Expense	-	250	-	250
068-1502-502910	FEMA Overtime - FICA & Benefits Expense	-	250	-	250
068-7855-519200	Contract Services	66,000	-	9,570	56,430
FUND 068	TOTAL REVENUES	-	-	-	-
	TOTAL EXPENDITURES	259,105	9,570	9,570	259,105
A budget amendment in the Environmental Services Fund to cover expenditure accounts where appropriate as the City approaches end-of-year.					

The City Manager and City Clerk certify budget ordinance amendment 10022025-06 was approved by City Council on October 02, 2025.

FUND 010					
ACCOUNT NUMBER	DESCRIPTION OF ACCOUNT	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET
010-0000-460090	Contributions/Donations (NCAPC)	6,500	5,116	-	11,616
010-1300-531215	Dues & Subscriptions	25,068	5,116	-	30,184
FUND 010	TOTAL REVENUES	6,500	5,116	-	11,616
	TOTAL EXPENDITURES	25,068	5,116	-	30,184
An amendment increasing General Fund budget by \$5,116 to reflect a contribution from the North Carolina Association of Police Chiefs. The amendment also increases the Police Department's dues & subscriptions budget by \$5,116. The City will use these funds to provide to cover the cost of Essential Personnel, the department's personnel management software.					

The City Manager and City Clerk certify budget ordinance amendment 10022025-07 was approved by City Council on October 02, 2025.

J. October Project Ordinances and Reimbursement Resolutions - Adam Murr, Budget & Evaluation Director

Ordinance #O-25-52

GRANT PROJECT ORDINANCE FOR
THE EXECUTION, ACQUISITION, CONSTRUCTION, AND INSTALLATION OF THE WASH CREEK
STORMWATER PROJECT #G2603

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 grant project ordinance is hereby adopted:
Section 1: The project authorized is a City project described as the Wash Creek Stormwater Project, #G2603.

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

Account Codes				Account Name	Total Budget
Fund	Dept.	Account	Project		
301	7555	550102	G2603	Capital Outlay – Services & Fees	\$150,000

Total Project Appropriation \$150,000

Section 3: The following revenues are anticipated to be available via grant proceeds:

Account Codes				Account Name	Total Budget
Fund	Dept.	Account	Project		
301	0000	420050	G2603	Grant (HMG/Advanced Asst.)	(\$150,000)
Total Project Appropriation					(\$150,000)

Section 4: The Finance Director is hereby directed to maintain within the General Fund, the Grant Project Fund, and the Stormwater Fund sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable.

Section 5: Funds may be advanced from the General Fund and Stormwater Fund as necessary for the purpose of making payments as due. Reimbursement requests shall be made in an orderly and timely manner.

Section 6: The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and Section 4.

Section 7: The Finance Director is further instructed to include a detailed analysis of past and future revenues and expenses during each annual budget submission made to the Governing Board.

Section 8: Copies of this grant project shall be furnished to the City Clerk, Finance Director, and City Manager for direction in carrying out this project.

Section 9: The City Manager, or designee, is authorized to declare the project completed, close the project ordinance, and distribute remaining project funds to the appropriate operating fund or reserve fund.

ADOPTED by the City Council of the City of Hendersonville, North Carolina, on this 2nd day of October, 2025.

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

Resolution #R-25-101

**HENDERSONVILLE, NORTH CAROLINA
DECLARATION OF OFFICIAL INTENT TO REIMBURSE**

BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina, this declaration (the "Declaration") is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of HENDERSONVILLE, North Carolina (the "Issuer") with respect to the matters contained herein.

Expenditures to be Incurred. The Issuer anticipates incurring expenditures (the "Expenditures") for EXECUTION, ACQUISITION, CONSTRUCTION, AND INSTALLATION OF THE WASH CREEK STORMWATER PROJECT (#G2603), ORDINANCE #O-25-52 (the "Projects").

Plan of Finance. The Issuer intends to finance the costs of the Project(s) with the grant revenue to be issued by the Issuer (the "Borrowing"), the interest on which is to be excluded from gross income for Federal income tax purposes.

Maximum Principal Amount of Debt to be Issued. The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is \$150,000.

Declaration of Official Intent to Reimburse. The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

ADOPTED by the City Council of the City of Hendersonville, North Carolina, on this 2nd day of October, 2025.

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

6. PRESENTATIONS

A. Recognition of Bill and Elizabeth Moss – *John Connet, City Manager*

Resolution #R-25-106

Resolution of Respect and Appreciation Honoring Bill and Elizabeth Moss

WHEREAS, on this second day of October, 2025, Bill Moss and Elizabeth Wilson Moss are leaving Hendersonville to start a new adventure as “Grammy and PawBill”, as they are known to their three grandchildren, and as “Mom and Dad” to their two children in Boise, Idaho, where they all reside. We, the Governing Body, employees, and residents of the City of Hendersonville, wish to acknowledge publicly the contributions made by Bill and Elizabeth Moss; and

WHEREAS, Bill Moss is a Chapel Hill native and graduated with a journalism degree in 1976 from the University of North Carolina at Chapel Hill. He paid his dues with stints at the Marshville Home News, the Thomasville Times, the Salisbury Post, the Knoxville News-Sentinel, the St. Pete Times and the Roanoke Rapids Daily Herald before coming to Hendersonville in 1998 as executive director of the daily Times-News, a New York Times regional paper at the time; and

WHEREAS, Bill Moss, founder of the newspaper, the Hendersonville Lightning, “went live” with the Lightning newspaper on April 24, 2012, and the first issue debuted on May 9, 2012, after which he quickly picked up 1,150 paid subscriptions and launched a free website; and

WHEREAS, the Lightning is a paid circulation paper and qualifies to carry legal ads and public notices which is important reading for the Hendersonville community. The Lightning has served news for Hendersonville, Henderson County, Mills River, Fletcher, Flat Rock, Laurel Park, Etowah, Edneyville, Green River and Saluda for the past 13 years; and

WHEREAS, in 2014’s NCPA newspaper contest, the Lightning won 10 awards and the Lightning quickly became known for excellence in journalism. Over the course of eight years the Lightning has won nearly 100 awards and Bill’s success also made national news when it was featured in Forbes Magazine; and

WHEREAS, Elizabeth Wilson Moss grew up in South Jersey before graduating from the University of Florida with a degree in journalism and communications. Following an award-winning career as a newspaper reporter and magazine editor for the Miami Herald, the St. Petersburg Times, the Boston Globe, Florida Trend Magazine, and the Times-News of Hendersonville, she continued to serve the Hendersonville community in various capacities. She served as the Director of Community Affairs and Outreach in Pardee UNC Health Care’s Administration. Elizabeth also worked as a fundraiser and major gifts officer for the Pardee Hospital Foundation.

WHEREAS, Elizabeth Wilson Moss is retiring on October 3, 2025, after eight years as Executive Director of Interfaith Assistance Ministry (IAM). IAM provides crisis assistance with a range of essential items and services, including food for a week for each family member, clothing, linens, personal hygiene supplies, heat and utility bills, rent and mortgage payments, medications, pet food, and other basic needs; and

WHEREAS, under her tenure as executive director, Elizabeth has grown IAM including the planning and construction of the IAM Thrift Store, the addition of the IAM Mobile Pantry which provides weekly food in the lowest income areas of our community where transportation access is limited, and she pursued and provided two ongoing new revenue streams and raised \$5 million dollars in grants. IAM has provided services to one in nine families in Henderson County; and

WHEREAS, her community involvement and volunteer service include past president of Hendersonville Kiwanis Club, vice chair of United Way of Henderson County, a co-founding chair of Women United, past president of Safelight’s Board of Directors, a co-founding chair of HC Women United, a Henderson County Chamber Board member, president of Henderson County’s Partnership for Health, chair of the Hendersonville Y’s Annual Campaign, a children’s Sunday school teacher, Vacation Bible School director and an elder and deacon at First Presbyterian Church of Hendersonville, Henderson County’s Education Foundation Board, vice chair of Henderson County’s Parks and Recreation Advisory Board, president of Hendersonville High School’s Band Boosters and has held various PTO positions at Henderson County Schools.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hendersonville, on behalf of the employees and residents of the City of Hendersonville and customers of the Hendersonville Lightning, that the Mayor and City Council extend to Bill and Elizabeth Moss their sincere appreciation for all of their loyal and dedicated service to the City of Hendersonville and surrounding area.

ADOPTED this 2nd day of October, 2025.

B. Proclamation-Fire Prevention Week – Nate Young, Fire Marshal/Barbara G. Volk, Mayor

PROCLAMATION
City of Hendersonville
Fire Prevention 2025

WHEREAS, the city of Hendersonville, North Carolina is committed to ensuring the safety and security of all those living in and visiting Hendersonville; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires caused 3,670 civilian deaths in the United States in 2023, according to the National Fire Protection Association® (NFPA®), and fire departments in the United States responded to 345,000 home fires; and

WHEREAS, smoke alarms sense smoke well before you can, alerting you to danger in the event of fire in which you may have as little as 2 minutes to escape safely; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; and

WHEREAS, the city of Hendersonville residents should be sure everyone in the home understands the sounds of the smoke alarms and knows how to respond; and

WHEREAS, the city of Hendersonville residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, the city of Hendersonville residents will make sure their smoke and carbon monoxide (CO) alarms meet the needs of all their family members, including those with sensory or physical disabilities; and

WHEREAS, the city of Hendersonville first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, the city of Hendersonville residents that are responsive to public education measures are better able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, the 2025 Fire Prevention Week™ theme, “Charge into Fire Safety™: Lithium-Ion Batteries in Your Home,” works to educate everyone about using these batteries safely. The campaign stresses how important it is to BUY, CHARGE, and RECYCLE safely when it comes to lithium-ion batteries.

NOW, THEREFORE, I Barbara G. Volk, Mayor of Hendersonville, NC, do hereby proclaim October 5-11, 2025, as Fire Prevention Week throughout this city, and I urge all the people of Hendersonville to plan and practice a home fire escape for Fire Prevention Week 2025 and to support the many public safety activities and efforts of the city of Hendersonville’s fire and emergency services.

PROCLAIMED this 2nd day of October, 2025.

C. NCLM Risk Reduction Review Award – Blair Myhand, Police Chief and Chet Afler

The Hendersonville Police Department has successfully completed the North Carolina League of Municipalities Law Enforcement Risk Management Review, affirming its commitment to operational excellence, public trust, and professional accountability. By meeting the standards across more than 40 key areas of potential liability, the department has demonstrated leadership in mitigating risk, enhancing officer safety, and strengthening community engagement. This comprehensive evaluation highlights the department’s attention to detail, strategic planning, and dedication to continuous improvement. Notably, the department’s integration of CALEA accreditation reinforces a culture of excellence and accountability. This successful review serves as a testament to the department’s strong leadership, ethical foundation, and tireless commitment to risk-conscious, service-oriented policing. The Hendersonville Police Department stands as a model for professional law enforcement in North Carolina.

Chief Myhand introduced Chet Afler of the North Carolina League of Municipalities who presented the award.

D. Henderson County Behavioral Health Coalition Update – Melissa Witmeier, Public Health Strategist,- Behavioral Health

Melissa Witmeier, Public Health Strategist for Behavioral Health for Henderson County, gave an update on behavioral health in Henderson County and showed the following PowerPoint presentation.

HENDERSON COUNTY

BEHAVIORAL HEALTH STRATEGIES & COALITION



Melissa Witmeier - Public Health Strategist for Behavioral Health
mwitmeier@hendersoncountync.gov



MELISSA WITMEIER

PUBLIC HEALTH STRATEGIST FOR BEHAVIORAL HEALTH

25 years in the field of Suicidology, behavioral health, and program development
Crisis hotline trainer supervisor
Federal suicide prevention grant director
Community behavioral health center director of operations

INITIAL MENTAL HEALTH GAPS ANALYSIS

Initial assessment for Henderson County Partnership for Health completed April 2024

Gaps Analysis

1. Single Point of Entry, Integrated Service Entry and Accessibility
2. Behavioral Health Workforce Development
3. Comprehensive Substance Use Disorder Support
4. Targeted Care for Serious Mental Health Conditions
5. Effective Waitlist and Crisis Management
6. Upstream Efforts
7. Service Expansion and Grant Collaboration
8. Technology-Enhanced Healthcare Access
9. Acute, Urgent and Specialized Care Development
10. Resource Visibility and Isolation Reduction
11. Housing Solutions (Sober Living & Rapid Rehousing)
12. Criminal Justice System Collaboration
13. Enhancing Information Sharing

INITIAL SUICIDE PREVENTION NEEDS ANALYSIS

Initial assessment completed April 2024

Needs Analysis

1. Sustainable Resource Mapping
2. Resource Coordination to Prevent Duplication
3. Discharge Planning and Care Coordination
4. Adoption of Common Language and Standardized Screening Protocols
5. Strengthen School-Based Mental Health Programs
6. Suicide Prevention, Intervention and Roleplay Trainings
7. Lethal Means Restriction and Safe Storage Campaigns
8. Parent Education
9. Behavioral Health Training and Funding
10. Grief and Loss; Self-Harm Behavior (NSSI) Resources
11. Develop Suicide Loss Survivor Community Support Networks
12. Expanded Behavioral Health Coalition
13. Increase Public Awareness and Education
14. Promote Resilience and Mental Wellness

2024 STRATEGY IDENTIFICATION

Zero Suicide

Comprehensive framework in health and behavioral health centers to identify champions; train systems; and identify, transition and treat people at risk of suicide

Sources of Strength

EB Program to train adult advisors and peer leaders to bring strength based messaging and community involvement to youth

Suicide Postvention including Psychological Autopsies

Helping families and communities after the death of a suicide griever and process the death.

CALM Training

Lethal means safety training to reduce access to the methods people use to kill themselves

ZERO SUICIDE

Identifying champions within systems

Introducing common language & screening tools

Launching training & support for community members

- QPR - On-going
- CSIW – On-going
- CALM – Begins in early 2026
- Postvention/Grief – SOSL Support Group on-going
- CAMS – Identifying Funding

Writing grants for Care Transitions with UCF

Helping with policy & procedure development with partners



SOURCES OF STRENGTH

Funding secured through US Department of Education (Project SERV) & Community Foundation of Henderson County

- 2 Local Certified SOS Trainers (1 HCPS & 1 HCDPH)
- 2 pilot schools started - NHHS & HMS
- 5 schools to launch in next 3 months
- Funded Crisis Counselor
- Stipends for 2 school adult advisors per school
- Funding for peer leaders to start programs and campaigns



OTHER STRATEGIES

Survivors of Suicide Loss Support Group

Launched 02/2025

Created Henderson County Survivors of Suicide Loss Pamphlet

Held Grief & Loss Workshops

Public Awareness Campaigns

May - Mental Health Awareness Month

September - National Recovery and Suicide Prevention Awareness Months

Held First Henderson County Behavioral Health Conference

Launched 03/2025

Started Henderson County Behavioral Health Coalition

Launched 04/2025



From Community Health Assessment to Community Health Improvement Plan

CHA TO CHIP

Mental Health & Suicide Prevention



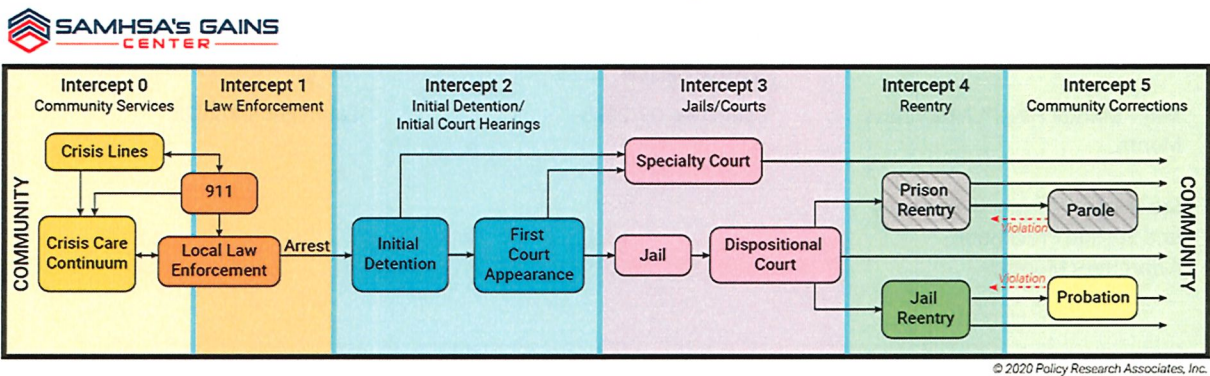
Community Health Improvement Plan Scorecard

Henderson County Behavioral Health Coalition	Sequential Intercept Model (SIM) Mapping	Sources of Strength	EB Mental Health & Suicide Prevention Trainings	Other Strategies
Meeting since April 2025 Over 150 registered Identified priority strategies Possible website & calendar Conference scheduled for March 2026	Request from NCDHHS HCBHC recommends timeframe or need vote Suggest early 2026	2 Locally Certified Trainers 2 HCPS schools launched 3 HCPS schools launch soon, 2 schools end of year	QPR Suicide Prevention Workshops Ongoing CRM Trainings with BCBSNC YMHFA with HCPS CALM Training 2026 CAMS 2026	LE Deflection HPD Pardee ABHU Advent AIOF Suicide Postvention Strategies Care Transitions Community Paramedic Safe Messaging

SIM

Sequential Intercept Model Mapping

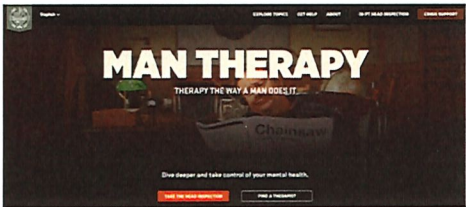
Intersection of Criminal Justice, Substance Use and Mental Health Systems



FUTURE STRATEGIES

2024 National Strategy for Suicide Prevention
County-wide Behavioral Health Plan
Suicide Prevention Workgroup
Targeted Public Awareness Campaigns - “Crisis to Care”

NCDMHDDSUS Strategic Plan
Behavioral Health Urgent Care
Henderson County Senior Center
Third Spaces for Behavioral Health



YOU ARE APPRECIATED!**THANK YOU**

Melissa Witmeier
mwitmeier@hendersoncountync.gov

7. PUBLIC HEARINGS

A. Rezoning: Standard Rezoning 824 400 Locust Street + Small Area Rezoning (25-58-RZO) – Matthew Manley, AICP, Long-Range Planning Manager

Matt Manley explained that the City of Hendersonville is in receipt of a Zoning Map Amendment application from Daniel Huggins & Hailey Lamoreux (Applicants / Owners) for 824 Locust St Suite 400 (PIN: 9569-80-3332) totaling 0.22 Acres located at the corner of Locust St and Lynn St. The property is currently zoned I-1, Industrial. The petitioner is requesting that the property be rezoned to CMU (Central Mixed Use). Additional properties in the area have consented to the rezoning as well – Dennis Dunlap at 415 8th Ave E (PIN: 9569-80-4238), Kari Moer at 824 Locust St Suite 200 (PIN: 9569-80-2395), and Daniel Mock with AYD Partners at 0 Lynn St (PIN: 9569-80-3335). Planning Staff initially identified the need for a rezoning of the I-1 properties in this area over 4 years ago. Though a ‘small area rezoning’ did not take place at that time, with the submittal of this rezoning application, Planning Staff has opened the opportunity for select properties to join in on the rezoning. Per new state laws, property owners must consent to rezonings of this nature. Property owners have expressed mixed feelings about the proposed changes to their zoning. Properties that participate in the rezoning would benefit in the following ways:

- 1) CMU Zoning would eliminate non-conformities under I-1 and make buildings and lots conforming under CMU;
- 2) CMU Zoning would allow current land uses to continue unimpacted;
- 3) CMU Zoning would permit additional desired future land uses that I-1 zoning does not;
- 4) CMU Zoning would prevent incompatible uses allowed under I-1.

LOCUST ST REZONING (I-1 to CMU)

(25-58-RZO)

Standard Rezoning

City of Hendersonville City Council

October 2, 2025

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



Location:

824 400 Locust St (applicant)

415 8th Ave E (consented)

824 200 Locust St (consented)

0 Lynn St (consented)

Applicant/ Owners:

Daniel Huggins & Hailey Lamoreux (Applicants / Owners)

City of Hendersonville (Applicant)

Dennis Dunlap (Consenting Property Owner)

Karl Moers (Consenting Property Owner)

Daniel Mock (Consenting Property Owner)

Acreage:

1.08 (consented)

Current Zoning:

I-1 Industrial

Proposed Zoning:

CMU, Central Mixed Use

Future Land Use Designation:

Downtown

Project Background

This rezoning is a bit unique. We have applicants, Daniel Huggins and Hailey Lamoreux, that have submitted a petition for a standard rezoning for their property at 824 Ste 400 on Locust St. This is the last building to the northwest in the row of buildings on Locust St located between Lynn St and 8th Ave. This application is serving as a catalyst for a small area rezoning for the surrounding properties, all of which are zoned I-1. Staff is also proposing that each of these properties be rezoned to CMU. You may recall that a nearly identical situation was before you in November of last year. Just one block over from here, the entire block from Track St to 7th and Maple to Locust St was rezoned from C-2 to CMU. In that case, we had a single applicant that initiated the rezoning and we had a staff recommendation that the entire block be rezoned to maintain conformity and to align with the Comprehensive Plan and Changing Conditions in the 7th Ave District. The long-held prevailing opinion amongst City Planning staff, as well as the Vision reflected in the City's adopted plans, is that the 7th Ave District should not be zoned I-1 or C-2 but should rather be zoned to an urban mixed use district similar to that found in and around Main St.

So we have an identical situation here where best practice would be for the City to pursue a small area rezoning to modernize development standards and align the zoning with the emerging revitalization trends in this area. But what makes the situation unique and different from last November is that in December of last year, the NC General Assembly passed a bill (382) that stripped the authority of municipalities to rezone properties, in certain situations, without owner's consent. This proposed small area rezoning is one of those situations. This is based on one basic fact that the current zoning of I-1 allows more permitted uses than are permitted under CMU. This difference in the total number of permitted uses is the sole determining factor making this a "downzoning" which requires property owner's consent. There are several other facts of the situation that suggests that rezoning to CMU would, in reality, be far more favorable to the property owners than the current I-1 zoning. But those other important considerations are not part of the new downzoning law and cannot be given consideration. As such, we have invited neighboring property owners to give consent to rezone their property and to take advantage of this opportunity with the application fees being waived. To date, in addition to the original applicant we have three property owners that have consented to participate in this round of the rezoning and then another 3 properties will be presented to Planning Board next week for a total of 7 out of the 9 eligible properties that will ultimately be participating in this area rezoning.

To achieve these outcomes, starting in early August, staff developed a communication plan and began engaging with all of the property owners using multiple formats for communication including hosting a meeting for them on Aug 26 at Southern Appalachian. This meeting was well-attended by all property owners and all of the information was clearly communicated in both verbal and written form. Despite significant displays of skepticism and distrust staff worked together to convey all of the facts as clearly as possible and to build trust with the owners.

A summary of the key points that were conveyed to the property owners included:

- 1) All of the existing businesses and uses of these properties would still be allowed under CMU – so no impact on existing businesses
- 2) I-1 allows other uses that CMU does not. Many of those uses would be incompatible with this area – so there is the potential for negative impacts from potentially permissible uses such as adult book stores, video gambling, storage yards, body shops with outdoor storage, treatment plants, concrete plants, etc.
- 3) CMU allows other uses that I-1 does not that would be considered the highest and best economic uses for this area based on prevailing market trends. These additional uses complement and conform with the emerging identity of the district – in other words, there are potential new economic opportunities that would be gained under CMU with new uses it provides such as: multi-family residential (no density cap), music and art studios, professional office, etc.
- 4) Taxes would not be impacted. Each of these properties is already taxed at the highest rate. This has been confirmed with the County Tax Assessor's office.
- 5) The existing buildings are non-conforming, meaning if substantially damaged they could not be rebuilt without meeting I-1 setbacks (30' front / 20' side and rear). Most buildings have 0' setbacks. Additionally, these properties do not meet the minimum lot size for I-1 which is 40,000 Sq Ft (roughly 1 acre). The average lot size of parcels along Locust St is under 11,000 Sq Ft. The smallest parcel is 3,000 Sq Ft. Also new additions to these buildings would have to meet these setbacks or go through a variance process.
- 6) CMU setbacks would make these buildings legally conforming, no longer subject to the Non-conforming standards and allowing for maximum use of the property and help to protect the existing character of the district.

Site Photos

CITY OF HENDERSONVILLE

PROPOSED REZONING - LOCUST STREET & 9TH AVENUE EAST

FROM: I-1 INDUSTRIAL TO: CMU CENTRAL MIXED USE

2045 COMPREHENSIVE PLAN FUTURE LAND USE PLAN

City of Hendersonville

Community Development Department

August 2025

Seventh Avenue MSD

2045 Comprehensive Plan - Future Land Use

Downtown

Family/Neighborhood Living

Institutional

Multi-Generational Living

Potential Small Area Rezoning

Consenting Properties

1 inch = 200 feet

1) Comprehensive Plan Consistency: Future Land Use

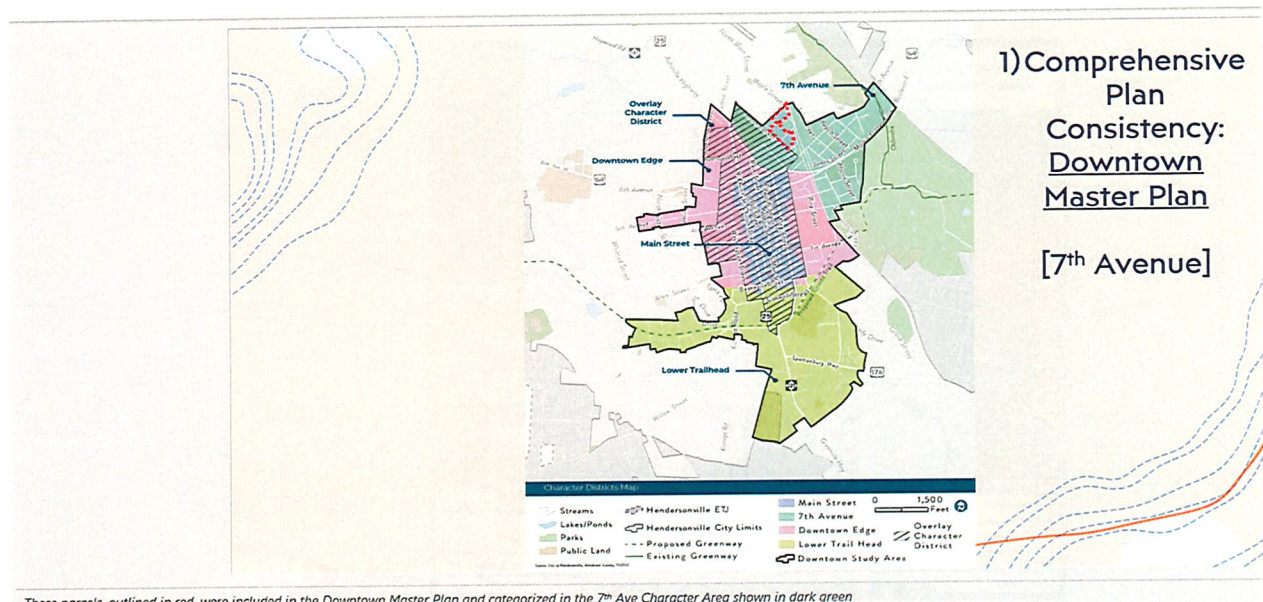
+ Downtown

+ MGL

+ Institutional

+ FNL

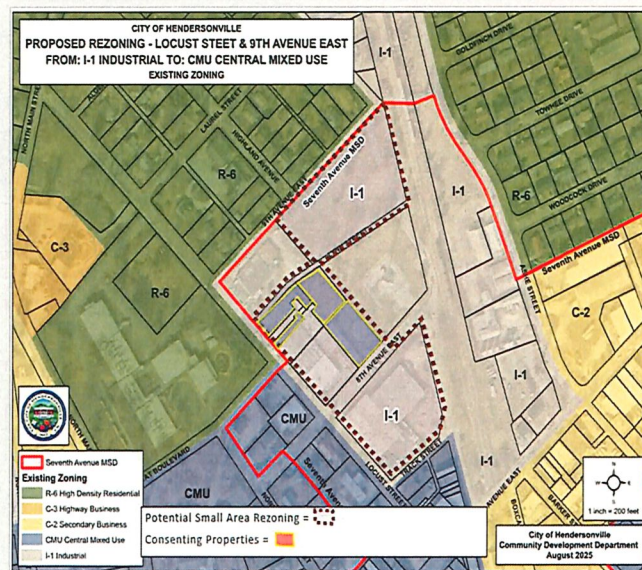
The subject property is designated as Downtown in the Gen H Comprehensive Plan Future Land Use Map.



In the Downtown Master Plan, the properties were included in the 7th Ave Focus Area. In this conceptual future growth scenario, all of the buildings in this proposed rezoning area are proposed to be preserved with Townhomes shown on the vacant lot behind Miller's Linen Service. The townhomes and the preservation of existing form is supported by CMU zoning while the I-1 zoning would not permit townhomes and makes the existing buildings non-conforming.

General Rezoning Standards: 1) COMPREHENSIVE PLAN CONSISTENCY	LAND SUPPLY, SUITABILITY & INTENSITY	<p>Land Supply - The applicant property was <u>not</u> identified as. Other properties in the potential rezoning area (primarily the vacant properties) were identified as Underutilized in the Land Supply Map.</p> <p>Suitability - These underutilized properties were identified as Moderate to Highly Suitable for all three - Residential, Industrial and Commercial uses.</p> <p>Development Intensity - The subject property is <u>located in</u> an area designated as Highest.</p> <p>Focus Area - The subject property is <u>located in</u> the 7th Ave Focus Area and adjacent to the Downtown Edge Focus Area. The existing buildings are shown to be preserved. The vacant lot on Lynn St is shown as townhomes. It states that new uses in the area should be "...a mix of residential and commercial uses. New development should be sensitive to the character and form of the surrounding context."</p> <p>Focused Intensity Node - Downtown is its own Focused Intensity Node.</p> <p>Downtown Master Plan - The properties are <u>located in</u> the Downtown Master Plan and designated in the 7th Ave Downtown Character Area. Locust St is designated as a Downtown street type.</p>
	FUTURE LAND USE & CONSERVATION MAP	<ul style="list-style-type: none">• Character Area Designation: Downtown• Character Area Description: Consistent with CMU• Downtown Character Area Designation: 7th Ave• Downtown Character Area Description: Consistent with CMU• Zoning Crosswalk: Consistent with CMU

1) Continuing our review of the Comprehensive Plan Consistency, Staff finds the staff proposed zoning to CMU is Consistent with the Character Area Description for Downtown.



Current Land Use & Zoning

- + I-1
- + CMU
- + R-6
- + C-2

2) Taking a look at the topic of Compatibility - The subject properties and proposed properties are all in the corporate limits of the City of Hendersonville and currently zoned I-1, Industrial, Central Mixed Use (CMU) Zoning is located across the street and continues south towards Main St. The properties are located in 7th Ave Municipal Service District (MSD). They are situated in a historic part of town located between the 7th Ave Depot Historic National Register District and the Cold Springs Park National Register Historic District.

The principal property contains a two/three story brick building original constructed in 1926 as a Coca-Cola plant. The other properties which have also consented to the rezoning are retail and micro-brewery with one vacant property. The land uses in this area are typical of an area transitioning from a mid-century railroad-oriented industrial district to a revitalized urban mixed-use node. The evolving character of the area has developed over the last 15 years due to a variety of public and private investments. The future economic opportunities for this area better align with the uses and standards permitted under CMU.

General Rezoning Standards:
2) COMPATIBILITY

EXISTING CONDITIONS	<ul style="list-style-type: none">• Current minimum lot size for I-1 = 40,000 Sq Ft<ul style="list-style-type: none">• The average lot size along Locust St = 10,890 Sq Ft• The average lot size per suite = 6,000 Sq Ft• The smallest parcel = 3,000 Sq Ft• Current minimum setbacks for I-1 = 30' front / 20' side + rear<ul style="list-style-type: none">• The existing building setbacks = 0'• Existing Conditions do not match Current Zoning																						
GEN H GOALS	<table><tr><th>I-1 Compatibility</th><th>CMU Compatibility</th></tr><tr><td>Vibrant Neighborhoods: Inconsistent</td><td>Vibrant Neighborhoods: Consistent</td></tr><tr><td>Abundant Housing Choices: Inconsistent</td><td>Abundant Housing Choices: Consistent</td></tr><tr><td>Healthy & Accessible Natural Environment: Inconsistent</td><td>Healthy & Accessible Natural Environment: Consistent</td></tr><tr><td>Authentic Community Character: Inconsistent</td><td>Authentic Community Character: Consistent</td></tr><tr><td>Safe Streets and Trails: Inconsistent</td><td>Safe Streets and Trails: Consistent</td></tr><tr><td>Reliable & Accessible Utility Services: Inconsistent</td><td>Reliable & Accessible Utility Services: Consistent</td></tr><tr><td>Satisfying Work Opportunities: Consistent</td><td>Satisfying Work Opportunities: Consistent</td></tr><tr><td>Welcoming & Inclusive Community: Inconsistent</td><td>Welcoming & Inclusive Community: Consistent</td></tr><tr><td>Accessible / Available Community Services: Consistent</td><td>Accessible / Available Community Services: Consistent</td></tr><tr><td>Resilient Community: Inconsistent</td><td>Resilient Community: Inconsistent</td></tr></table>	I-1 Compatibility	CMU Compatibility	Vibrant Neighborhoods: Inconsistent	Vibrant Neighborhoods: Consistent	Abundant Housing Choices: Inconsistent	Abundant Housing Choices: Consistent	Healthy & Accessible Natural Environment: Inconsistent	Healthy & Accessible Natural Environment: Consistent	Authentic Community Character: Inconsistent	Authentic Community Character: Consistent	Safe Streets and Trails: Inconsistent	Safe Streets and Trails: Consistent	Reliable & Accessible Utility Services: Inconsistent	Reliable & Accessible Utility Services: Consistent	Satisfying Work Opportunities: Consistent	Satisfying Work Opportunities: Consistent	Welcoming & Inclusive Community: Inconsistent	Welcoming & Inclusive Community: Consistent	Accessible / Available Community Services: Consistent	Accessible / Available Community Services: Consistent	Resilient Community: Inconsistent	Resilient Community: Inconsistent
I-1 Compatibility	CMU Compatibility																						
Vibrant Neighborhoods: Inconsistent	Vibrant Neighborhoods: Consistent																						
Abundant Housing Choices: Inconsistent	Abundant Housing Choices: Consistent																						
Healthy & Accessible Natural Environment: Inconsistent	Healthy & Accessible Natural Environment: Consistent																						
Authentic Community Character: Inconsistent	Authentic Community Character: Consistent																						
Safe Streets and Trails: Inconsistent	Safe Streets and Trails: Consistent																						
Reliable & Accessible Utility Services: Inconsistent	Reliable & Accessible Utility Services: Consistent																						
Satisfying Work Opportunities: Consistent	Satisfying Work Opportunities: Consistent																						
Welcoming & Inclusive Community: Inconsistent	Welcoming & Inclusive Community: Consistent																						
Accessible / Available Community Services: Consistent	Accessible / Available Community Services: Consistent																						
Resilient Community: Inconsistent	Resilient Community: Inconsistent																						
GEN H GUIDING PRINCIPLES	<table><tr><td>Mix of Uses: Inconsistent</td><td>Mix of Uses: Consistent</td></tr><tr><td>Compact Development: Inconsistent</td><td>Compact Development: Consistent</td></tr><tr><td>Sense of Place: Inconsistent</td><td>Sense of Place: Consistent</td></tr><tr><td>Conserved/Integrated Open Spaces: Inconsistent</td><td>Conserved/Integrated Open Spaces: Consistent</td></tr><tr><td>Desirable & Affordable Housing: Inconsistent</td><td>Desirable & Affordable Housing: Consistent</td></tr><tr><td>Connectivity: Inconsistent</td><td>Connectivity: Consistent</td></tr><tr><td>Efficient & Accessible Infrastructure: Inconsistent</td><td>Efficient & Accessible Infrastructure: Consistent</td></tr></table>	Mix of Uses: Inconsistent	Mix of Uses: Consistent	Compact Development: Inconsistent	Compact Development: Consistent	Sense of Place: Inconsistent	Sense of Place: Consistent	Conserved/Integrated Open Spaces: Inconsistent	Conserved/Integrated Open Spaces: Consistent	Desirable & Affordable Housing: Inconsistent	Desirable & Affordable Housing: Consistent	Connectivity: Inconsistent	Connectivity: Consistent	Efficient & Accessible Infrastructure: Inconsistent	Efficient & Accessible Infrastructure: Consistent								
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Efficient & Accessible Infrastructure: Inconsistent	Efficient & Accessible Infrastructure: Consistent																						

I will quickly summarize the analysis of Compatibility by pointing out the stark contrast between how CMU aligns with the City's Goals & Guiding Principles where I-1 does not. Staff has highlighted the different aspects of the Goals and Guiding principles where they differed between I-1 and CMU. Staff found that I-1 was Inconsistent with 8 of the 10 Gen H Goals while CMU was Consistent or Somewhat Consistent with all 10 Goals. Similarly, I-1 was Inconsistent with all 7 of the Gen H Guiding Principles. Conversely, CMU was Consistent with all 7 Guiding Principles.

<p>General Rezoning Standards: 2) COMPATIBILITY</p> <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>
---	--

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">Changes in District Character (new businesses and reinvestments)
	4) PUBLIC INTEREST	<ol style="list-style-type: none">Preservation of existing characterProtection from incompatible uses (adult entertainment, video gambling, storage yards, body shops with outdoor storage, etc.)New Compatible usesAlignment with community-informed plans

For the 3rd Criteria, **Changed Conditions** - Staff finds that the changed conditions related to the fact that The 7th Ave District, including Locust St, has been one of the most rapidly changing areas in Hendersonville over the last 5-10 years. Both public and private investments have stabilized and celebrated the historical integrity of the district while providing new life in the form of public infrastructure and vibrant economic opportunity. The former industrial roots of the buildings along Locust St are evolving to house a mix of uses that serve a variety of urban needs and appetites. Recent updates to the I-1 Zoning District Standards requires that areas of the City that are no longer functioning as Industrial Districts update their zoning designation to accommodate appropriate and compatible uses and dimensional standards.

For the 4th Criteria, **Public Interest** - Adoption of CMU zoning would have a range of positive impacts for the community that have been covered throughout this presentation.

General Rezoning Standards	5) PUBLIC FACILITIES	<ul style="list-style-type: none">Rezoning to CMU allows new opportunities for reinvestment in the city core and greater utilization of existing infrastructure.
	6) EFFECT ON NATURAL ENVIRONMENT	<ul style="list-style-type: none">There is no immediate development proposed on the subject properties and no predicted impact on the natural environment as a result of this rezoning. .
	COMMITTEE RECOMMENDATION	The Current Planning Committee reviewed this item prior to today's meeting.

The 5th Criteria is **Public Facilities** – The Subject Properties would remain to be served with City Services.

For the 6th Criteria, **Effect on Natural Environment** – No impact to Natural Environment

<div><div>PLANNING BOARD: Comprehensive Plan Consistency Statement</div><div><p>The petition is found to be <u>Consistent</u> with the <i>City of Hendersonville Gen H Comprehensive Plan</i> based on the information from the staff analysis and the public hearing, and because:</p><p><i>The proposed zoning of CMU aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for ‘Downtown’.</i></p></div></div>

For your consideration, the Planning Board reviewed this proposal and unanimously recommended the following Comprehensive Plan Consistency Statement.

PLANNING BOARD: Reasonableness Statement

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

[Rationale for Approval]

- CMU Zoning is more compatible than I-1 Zoning due to the differences in dimensional standards and permitted uses.
- CMU Zoning would better protect the existing character of the built environment and support recent investments in the emerging economic future of the 7th Ave / Locust St district
- CMU would protect against incompatible Industrial uses
- Other neighboring properties zoned I-1 were provided an opportunity to rezone their properties to CMU to avoid any appearance of spot zoning and to create a cohesive zoning district. However, due to new requirements under S.B. 382, property owners must provide their consent for a rezoning of this nature. Though adjacent property owners were provided the information and opportunity to consent to the rezoning only those included in the motion have consented.

Additionally, Planning Board recommended the following list of Rationale for Approval. The last one specifically addresses the reasonableness as it relates to questions of spot zoning – ultimately this issue is being resolved with the participation of additional property owners.

DRAFT: Reasonableness Statement

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

[Rationale for Denial]

- CMU Zoning would reduce the number of permitted uses
- CMU Zoning would reduce the required dimensional standards (setbacks, min. lot size, etc.)
- CMU Zoning would further shift the area from its industrial roots

Daniel Huggins introduced himself and his wife and thanked Council for their time. He feels the zoning aligns with their plans. The plan is to restore the facade and to preserve its historical significance.

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

The public hearing was opened at 6:51 p.m.

There was no public comment.

The public hearing was closed at 6:51 p.m.

Council Member Jennifer Hensley moved that City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of properties possessing PINS: 9569-80-3332 & 9569-80-4238 & 9569-80-3335 & 9569-80-2395, from I-1, Industrial Zoning District to CMU, Central Mixed Use Zoning District, based on the following:

1. 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 because:

The proposed zoning of CMU aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for 'Downtown'.

2. Furthermore, 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. *CMU Zoning is more compatible than I-1 Zoning due to the differences in dimensional standards and permitted uses.*
2. *CMU Zoning better protects the existing character of the built environment and supports recent reinvestment in the economic vitality of the 7th Ave District*
3. *CMU Zoning will protect against incompatible Industrial uses.*
4. *Other neighboring properties zoned I-1 were provided an opportunity to rezone their properties to CMU to avoid any appearance of spot zoning and to create a cohesive zoning district. However, due to new requirements under S.B. 382, property owners must provide their consent for a rezoning of this nature. Though adjacent property owners were provided the information and opportunity to consent to the rezoning only those included in the motion have consented.*

A unanimous vote of the Council followed. Motion carried.

B. Zoning Text Amendment: CMU Lot Size + On-Street Parking (25-55-ZTA) –
Matthew Manley, AICP, Long-Range Planning Manager

Matt Manley explained that the City of Hendersonville has received an application from Sarah Schafer with Watermark Landscape Architecture to amend the City's Zoning Ordinances for the Central Mixed Use Zoning District (CMU) to reduce minimum lot size requirements and allow for on-street parking to count towards minimum parking requirements. The proposed changes would allow for housing types such as townhomes (single-family attached) which involve subdivisions of land into small individual lots equivalent to the footprints of the individual attached units. The existing 8,000 Sq Ft min. lot size makes townhome projects infeasible. Additionally, the proposed changes would better utilize land in the urban core by not requiring as much land be dedicated to surface parking. The proposed changes acknowledge that on-street parking is prevalent in the urban core. There exist an interconnected street network making up many small blocks. This configuration accommodates on-street parking where spaces are occupied and freed up in frequent intervals with peak times during normal business hours. Residential units would utilize on-street primarily during non-peak hours. The proposed changes are consistent with the Gen H Plan. The Planning Board unanimously recommended approval of the text amendment and directed staff to pursue requirements for Bicycle Parking in the CMU zoning district.

CMU MIN. LOT SIZE + ON-STREET PARKING

(25-55-ZTA)

Zoning Text Amendment

City of Hendersonville City Council

October 2nd, 2025

Community Development | Planning Division

Matthew Manley, AICP | Long-Range Planning Manager



Project Background

+ **Project Name:**

- + CMU Min. Lot Size + On-Street Parking
- + 25-55-ZTA

+ Applicant/Owner:

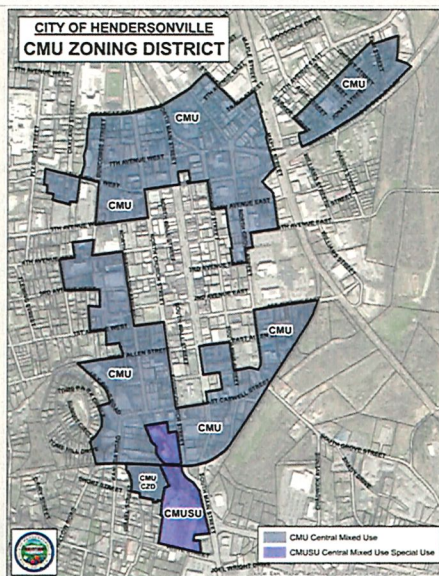
- + Watermark Landscape Architects

+Articles Amended:

- + **Zoning Ordinance**
 - + Section 15-19 (CMU)
 - + Section 6-5 (Off-Street Parking)
 - + Section 7-3-4 (Site Plan Components)

+Zoning Districts Impacted:

- + CMU



**Central Mixed
Use Zoning
District:
CMU**

This map illustrates the area that would be impacted by the proposed changes. Though I will note that the 7th Ave MSD has no parking requirements.

**Proposed
Amendment:**
CMU

5-19-3 Development standards.

5-19-3.1 Parking and loading. For non-residential developments, the requirements of section 6-5, below, shall apply. Residential developments shall be provided with a minimum of one on- or off-street parking space per dwelling unit. As far as practicable, in consideration of site constraints and reasonable development requirements, parking for non-residential and multi-family residential developments shall be situated to the side or rear of principal structures.

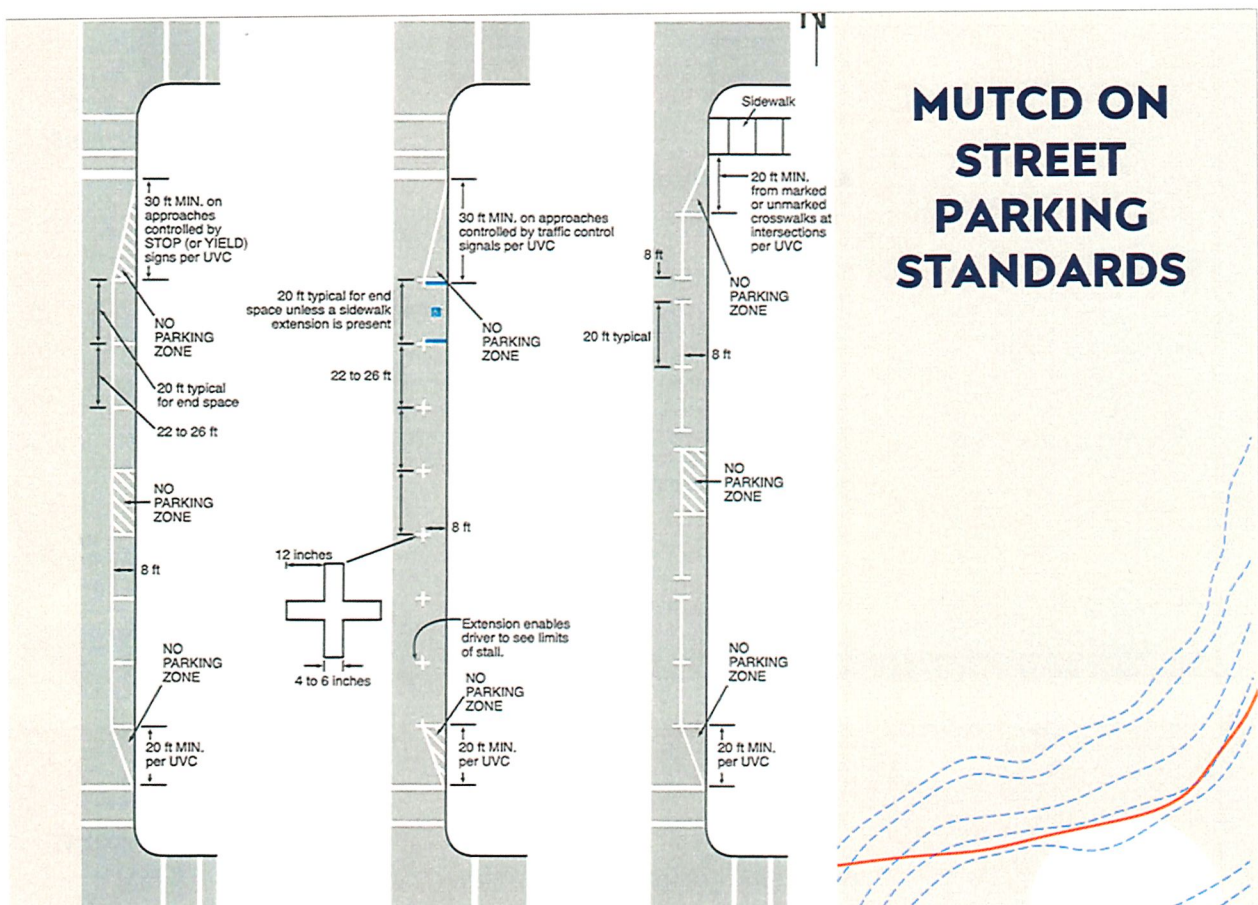
The specific request made by the applicant was to eliminate Min. Lot Size Requirements and allow On-Street Parking to count towards Parking Requirements. The following language was devised by Staff to address the applicant's request. The first item is to add on-street parking the language. The language that is shown in red has been relocated in this same section of the ordinance.

a) On-street parking.

- i. On-street parking may not exceed 33% of a development's total parking requirement.
- ii. Only eligible on-street parking spaces may be utilized to meet parking requirements. To be eligible, an on-street parking space must either be:
 - a. An existing delineated parking space within the right-of-way directly abutting the frontage of the development or
 - b. A newly-delineated on-street parking space subject to the following:
 - 1. Newly-delineated on-street parking spaces shall meet MUTCD Standards.
 - 2. Proposed newly-delineated on-street parking shall be illustrated in a site plan in accordance with Article VII and reviewed and approved by NCDOT (for state-maintained roads) or the City of Hendersonville Public Works Director (for local streets).
 - 3. Installation of newly-delineated on-street parking spaces shall be the responsibility of the developer.

**Proposed
Amendment:**
CMU

The abundance of the new language is as follows:



**Proposed
Amendment:**
CMU

a) Off-street parking.

- i. As far as practicable, in consideration of site constraints and reasonable development requirements, off-street parking for non-residential and residential developments shall be situated to the side or rear of principal structures.
- ii. All off-street parking areas shall be separated from the back of the curb by a planting strip at least five feet in width and screened from view from public streets by principal structures or by shrubs and/or evergreen trees planted at the most appropriate spacing for the species used. The reviewing authority may authorize the use of walls and or fences not exceeding ~~four~~ five feet in height in lieu of a vegetative screen where site constraints or design considerations justify such substitution.

The language from the first paragraph has been relocated here under a new sub-heading specific to Off-Street Parking Requirements.

5-19-3.2 Dimensional requirements.

Minimum lot area in square feet:	8,000.0
Minimum lot width:	None
Minimum yard requirements in feet:	12 feet measured from the back of the curb of any street. Rear and side yards are not required if yards do not border a street. However, if yards are provided, they must be a minimum of five feet measured from the property line.
Maximum building height in feet:	36 feet; provided, however, structures containing at least three floors limited to residential uses may be constructed to a height not exceeding 64 feet.

Proposed Amendment:

CMU

This table shows the reduction of the min. lot size from 8,000 Sq Ft to 0 sq ft.

ARTICLE VI. - GENERAL PROVISIONS

Sec. 6-5. - Off-street parking.

6-5-5 - Minimum design requirements.

6-5-5.1 Motor vehicle parking spaces shall measure nine feet by ~~eighteen~~ 18 feet (9'x18').

6-5-5.2 All parallel motor vehicle parking spaces shall measure ~~nine~~ eight feet six inches by ~~twenty-two~~ 22 feet (8.5'x22').

6-5-5.3 Parking spaces shall be designed to prevent a vehicle from protruding or overhanging a sidewalk. Residential driveways shall provide a minimum of twenty-two feet (22') of clearance from the back of existing or planned sidewalks.

Proposed Amendment:

CMU

To ensure that there is continuity across the code, some additional changes and clarifications were made in the Parking Section of the ordinance. Staff has also used the opportunity to clarify the minimum depth of a driveway to ensure that parking spaces do not protrude or overhang into sidewalks.

ARTICLE VII. – DEVELOPMENT REVIEW

7-3-4 - Review of final site plans.

j) All proposed streets and/or driveways with proposed names, pavement widths and rights-of-way, and showing sight distances and their relationship to all street and driveway intersections within a 200-foot radius of the intersection of such entrances and exits with any public road. All alleys, driveways, curb cuts for public streets and handicap ramps, loading areas and provisions for off-street and on-street parking spaces and sidewalks; calculations indicating the number of parking spaces required and the number provided. All streets shall be clearly identified as public or private; a typical cross-section of public or private streets and/or driveways shall be included;

Proposed Amendment:

CMU

These proposed changes in Article VII clarify that on-street parking should be included on a site plan if it is being provided

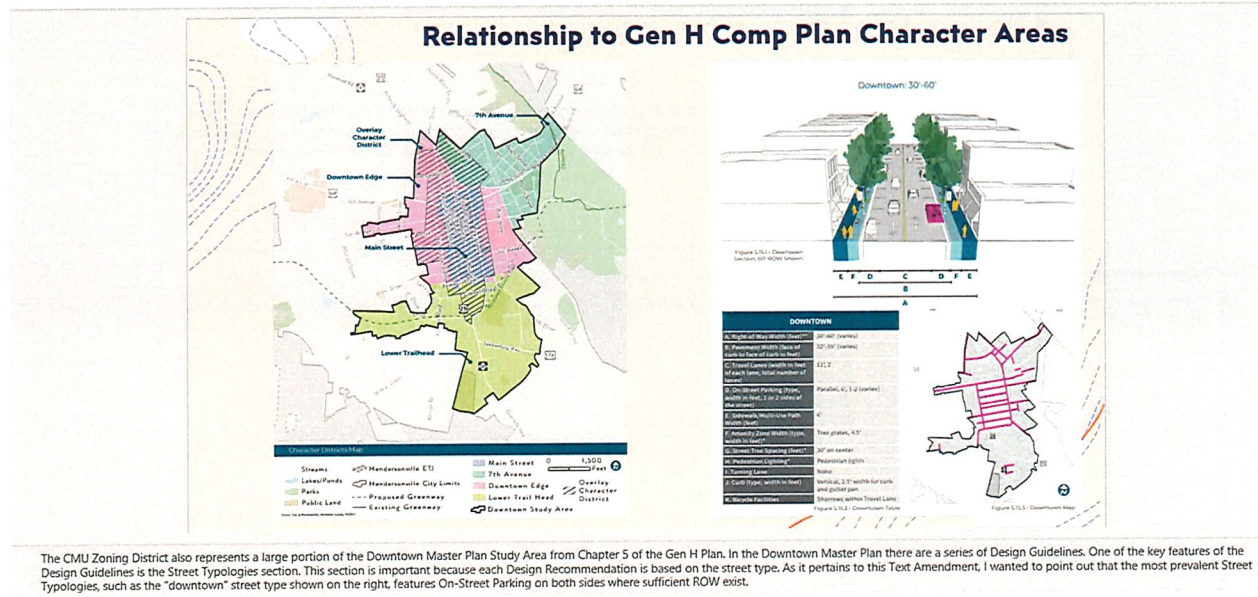
General Rezoning Standards: 1) COMPREHENSIVE PLAN CONSISTENCY	LAND SUPPLY, SUITABILITY & INTENSITY	<ul style="list-style-type: none">• Supply: N/A• Suitability: N/A• Intensity: The proposal aligns with the development pattern of Option 2 in Figure 4.9 – Alternative Growth Map
	FUTURE LAND USE & CONSERVATION MAP	Character Area Designations: Downtown Character Area Descriptions: Consistent Zoning Crosswalk: Consistent Focus Area: Downtown Edge - Consistent
	COMMITTEE RECOMMENDATION	The Legislative Committee has not reviewed this item to date.

1) Now that we have reviewed the proposed text amendments, let's take a look at the first Criteria considered for a text amendment which is **Comprehensive Plan Consistency**. Staff finds the proposal to be **consistent** with the Gen H Comprehensive Plan Character Area Descriptions for the Downtown Character Area

Relationship to Gen H Comp Plan Character Areas

DOWNTOWN (DT)

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. Buildings of two or more stories are common, and streets feature short block lengths and pedestrian facilities. Open spaces include plazas and formal greens.



General Rezoning Standards: 2) COMPATIBILITY	DESIGN GUIDELINES ASSESSMENT (Chapter V)	<ul style="list-style-type: none">• Focus Areas - [Consistent with Downtown Edge + 7th Ave]
		<ul style="list-style-type: none">• Public Realm - [Consistent - On-street parking is key feature of proposed street typologies]
		<ul style="list-style-type: none">• Site Design - [Consistent - Proposes Parking Maximums]
		<ul style="list-style-type: none">• Building Design - N/A

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 the Focus Areas of Downtown Edge & 7th Ave, the recommendations for Public Realm and Site Design considerations.

General Rezoning Standards: 2) COMPATIBILITY	EXISTING CONDITIONS	<p>Interconnected small blocks allow for on-street parking dispersed across the district. Blocks are 266' long (stop bar to stop bar). The number of available on-street parking spaces would be based on conditions (driveways, utilities, hydrants, etc.)</p> <p>Lot sizes across the district range in size.</p>
	RELEVANT GEN H GOALS	<p>Vibrant Neighborhoods: [Consistent] Abundant Housing Choices: [Consistent] Healthy and Accessible Natural Environment: [Somewhat Consistent] Authentic Community Character: [Consistent] Safe Streets and Trails: [Consistent] Satisfying Work Opportunities: N/A Welcoming & Inclusive Community: N/A Accessible & Available Community Uses & Services: N/A Resilient Community: N/A</p>
	GEN H GUIDING PRINCIPLES	<p>Mix of Uses: N/A Compact Development: [Consistent] Sense of Place: [Consistent] Conserved & Integrated Open Spaces: [Consistent] Desirable & Affordable Housing: [Consistent] Connectivity: [Consistent] Efficient & Accessible Infrastructure: [Consistent]</p>

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 the nature of the urban core of the city and how the proposed changes align with the Goals & Guiding Principles of the Gen H Plan.

General Rezoning Standards	3) CHANGED CONDITIONS	<ul style="list-style-type: none">• There is growing interest for infill development around the City's urban core as some of the few remaining vacant parcels are being pursued for residential development.
	4) PUBLIC INTEREST	<ul style="list-style-type: none">• The proposed amendment would allow for compatible infill attached single-family development and greater utilization of land for its highest and best use. Additional delineated on-street parking spaces could also result from the proposed language.

The 3rd Criteria Considered is Changed Conditions - The text amendment is in response to demand to maximize utilization of developable land

The 4th Criteria Considered is Public Interest - Changes to min. lot size would allow for compatible infill development. Use of on-street parking may increase demand on existing parking spaces but also result in the delineation of new parking spaces.

General Rezoning Standards	5) PUBLIC FACILITIES	<ul style="list-style-type: none">The proposed text amendment would facilitate infill development in downtown Hendersonville. Infill development allows for greater utilization of existing infrastructure without the need for utility expansion and increased cost of maintenance. Existing on-street parking spaces would have additional users. Some additional public on-street spaces could be created where new development occurs where no on-street spaces are currently delineated.
	6) EFFECT ON NATURAL ENVIRONMENT	<ul style="list-style-type: none">There are no known environmental impacts and no immediate development proposed.

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. 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 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Descriptions.

Staff proposes the following Comprehensive Plan Consistency Statement

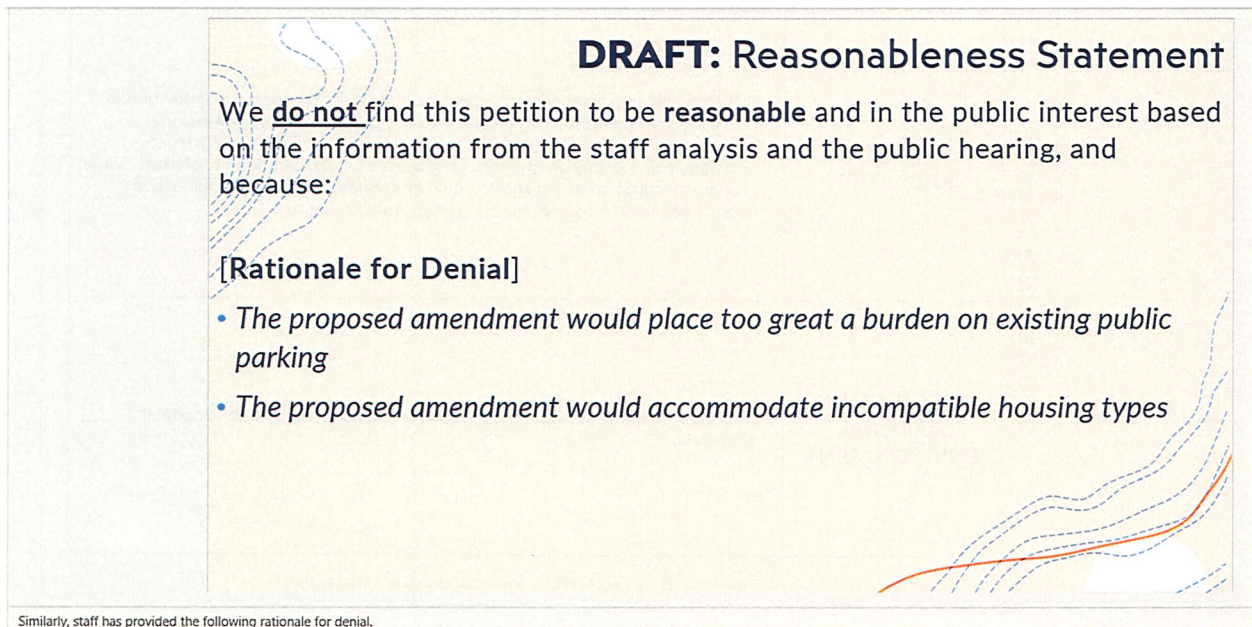
PLANNING BOARD: Reasonableness Statement

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

[Rationale for Approval]

- The proposed amendment creates an opportunity to accommodate infill development*
- The proposed amendment allows for greater utilization of existing infrastructure*
- The proposed amendment increases opportunities for additional housing in city core*

As well as the following Rationale for Approval. You are encouraged to chose those rationale that you most agree with, as well as to provide your own rationale.



DRAFT: Reasonableness Statement

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

[Rationale for Denial]

- The proposed amendment would place too great a burden on existing public parking
- The proposed amendment would accommodate incompatible housing types

Similarly, staff has provided the following rationale for denial.

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

The public hearing was opened at 7:03 p.m.

Ken Fitch spoke mostly “for” the project but said site specific assessments may be unwise.

The public hearing was closed at 7:09 p.m.

Council Member Gina Baxter moved that City Council adopt an ordinance amending the official City of Hendersonville Zoning Ordinance Article V. – Zoning District Classifications, Article VI. General Provisions, & Article VII. Development Review to eliminate minimum lot size requirements and to allow qualifying on-street parking to count towards minimum parking requirements in the CMU 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 amendments align with the Gen H Comprehensive Plan Future Land Use & Conservation Map and the Character Area Descriptions.

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 creates an opportunity to accommodate infill development*
- 2. The proposed amendment allows for greater utilization of existing infrastructure*
- 3. The proposed amendment increases opportunities for additional housing in city core.*

A unanimous vote of the Council followed. Motion carried.

C. Rezoning: Conditional Zoning District – Compleat KiDZ (25-60-CZD) – Sam Hayes, Planner II

Sam Hayes explained that the proposed project would rezone the properties located at 913 and 917 9th Avenue West from PID-CZD to MIC-CZD. These two parcels together total approximately 0.95 acres. In 2023, the properties were rezoned to MIC-CZD for a proposed daycare center. However, because it was a conditional zoning district, the approved use was limited to that specific purpose. The current applicant now seeks to convert the existing building into office space, which requires a new rezoning request. They are proposing to rezone the property to MIC-CZD to align with the intended office use. The submitted site plan meets the zoning and landscaping requirements for the MIC-CZD district. However, due to existing site constraints—primarily the presence of an existing building—the developer has proposed several conditions as part of the request.

Compleat KiDZ
(25-60-CZD)

Conditional Rezoning

City of Hendersonville City Council
October 2nd, 2025

Community Development | Planning Division
Sam Hayes | Planner II



The city is in receipt of an application for a conditional rezoning.

Clinic 65.5 PM peak hours
Total – 387.5

Office – 166 total
24 am
23 pm

50 employees



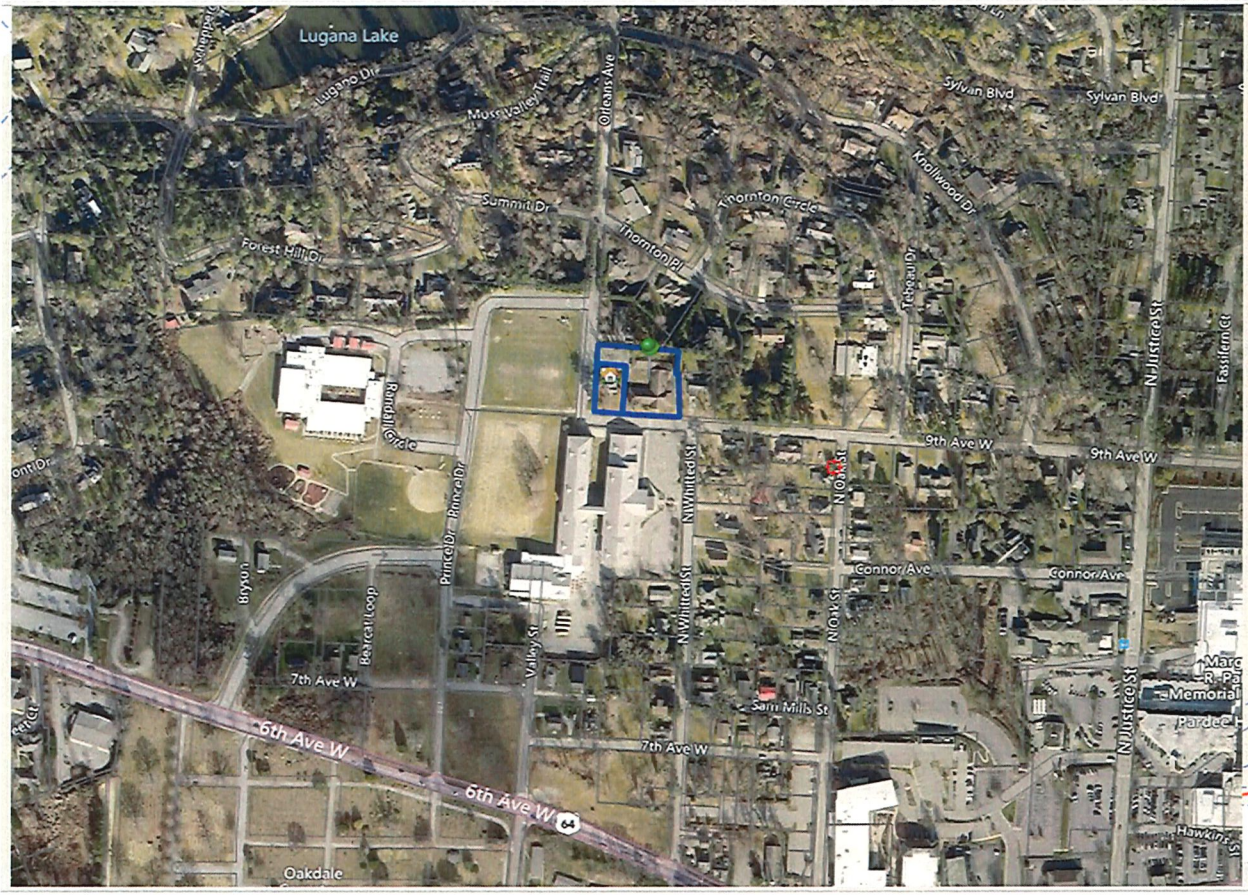
The two properties in question are located at 913 and 917 9th Avenue. The applicant is Kathryn Thomas who works for Carepartners, the parent company for Compleat KIDZ. The property is owned by New Leaf Sales LLC. The current zoning is PID-CDDZ Planned Institutional Development Conditional Zoning District. The applicant is requesting to rezone the property MID-CZD or Medical Institutional and Cultural – Conditional Zoning District. The subject properties are combined .95 acres.

The subject properties are a combined .95 acres. The applicant is proposing to use the existing building as a space to assist children with things such as physical therapy, occupational therapy, speech therapy, and behavioral therapy. The current zoning of PID-CZD only allows for the use of a childcare center. Therefore a rezoning was necessary to allow the new use. The city would classify this use as office, business, professional, and public. This use is included in MIC, but not in PID, resulting in a rezoning. I'm happy to alaborate on this if needed.



9th Avenue

Orelans Avenue



Neighborhood Compatibility Meeting

- + **Dates:** July 24th, 2025
- + **Attendees:**
 - + In-person - 2 residents
 - + Online - 1 residents
- + **Topics Discussed:**
 - + Concerns related to traffic impacting the adjacent schools and residential areas.
 - + Questions pertaining to the number of employees who would be working at the facility.
 - + Questions about the hours of operation of the clinic and how that would interact with school drop off.
 - + Questions pertaining to if a traffic study will be required for this project.

NEIGHBORHOOD COMPATIBILITY MEETING

OFFICIAL NOTIFICATION
by The City of Hendersonville
for:

CONDITIONAL REZONING

For Additional Information Call:
(828) 697-3910 or Visit
www.hendersonville.nc.gov/public-notices-hearings

Items Discussed:
Concerns related to traffic impacting the adjacent schools and residential areas
Questions pertaining to the number of employees who would be working at the facility
Questions about the hours of operation of the clinic and how that would interact with school drop off.
Questions pertaining to if a traffic study will be required for this project.

Site Plan

Existing Building

New Parking (20 Spaces)

Legend

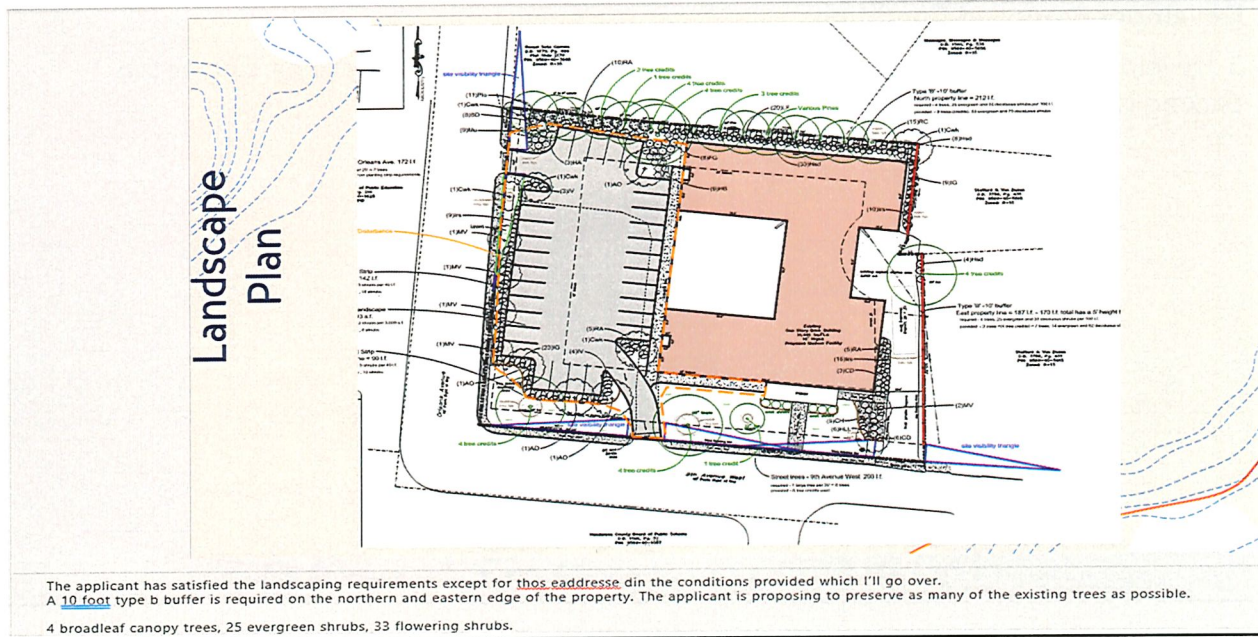
Conditions

- 1) This is an existing building setback to setback on the north Section 5-10-3 in it
- 2) Developer require along the eastern s in all areas that car

Existing building – 11,441 square feet and will not be expanded or altered on the exterior.
Parking – required 29 spaces, and 30 spaces are provided.
Entrance and exit – Once way entrance off of orleans avenue and a one way exit onto 9th avenue.
Sidewalk – There is currently sidewalk that runs along 9th avenue. The applicant will construct the remaining sidewalk along their property on orleans avenue.

The Site Plan was reviewed by the **Development Review Committee**. The details of the staff review were provided in the Staff Report. The following is an overview of Comments and Conditions provided by each Department. The List of Conditions is also summarized on an upcoming slide.

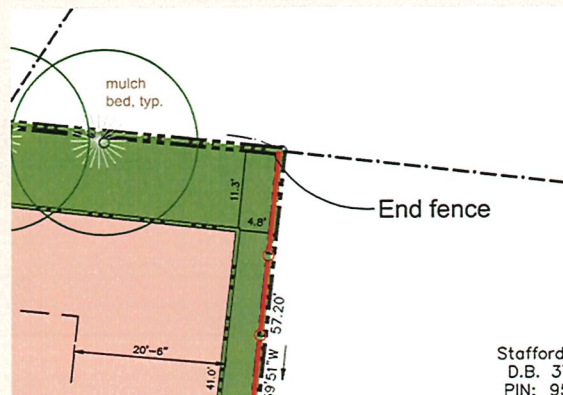
- The **Community Development Dept** Comments were all resolved or addressed by developers conditions. Planning Staff offered no city-initiated conditions on this project.
- The **Stormwater Administrator, NCDOT Staff, Public Works Director, Fire Marshal, and City Engineer** had comments, all of which have been resolved by the Developer or will be at Final Site Plan.



Proposed Conditions (Developer Proposed)

Developer Proposed Conditions :

1. This is an existing building. Developer requests to be granted relief from the 25' building setback to provide a 4'-8" setback on the rear property line and a 9'-8" setback on the north side property line; to reduce the setbacks requirements in Section 5-10-3 in the rear NE corner.

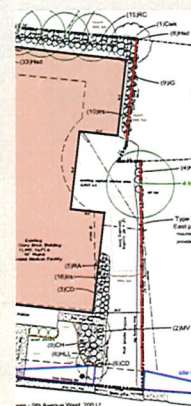


Stafford
D.B. 378
PIN: 956

Proposed Conditions (Developer Proposed)

Developer Proposed Conditions :

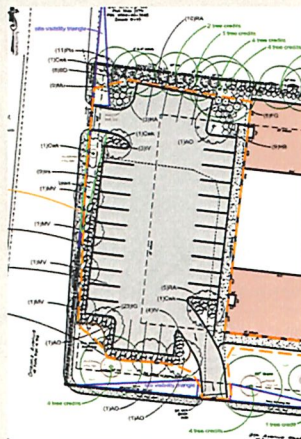
2. Developer requests to reduce the buffer plantings requirements in section 15-6 along the eastern side of the property. A 5' height wood panel fence will be installed in all areas that can not meet the size and planting requirements.



Proposed Conditions (Developer Proposed)

Developer Proposed Conditions :

3: Developer requests to utilize the peninsula planting areas adjacent to parking as the parking island size requirements in Section 15-9.

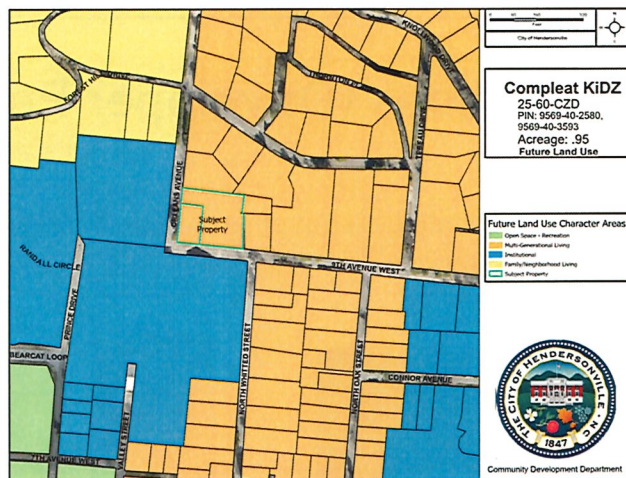


Proposed Conditions (Developer Proposed)

Developer Proposed Conditions :

1. This is an existing building. Developer requests to be granted relief from the 25' building setback to provide a 4'-8" setback on the rear property line and a 9'-8" setback on the north side property line; to reduce the setbacks requirements in Section 5-10-3 in the rear NE corner.
2. Developer requests to reduce the buffer plantings requirements in section 15-6 along the eastern side of the property. A 5' height wood panel fence will be installed in all areas that can not meet the size and planting requirements.
3. Developer requests to utilize the peninsula planting areas adjacent to parking as the parking island size requirements in Section 15-9.

1. This is an existing building. Developer requests to be granted relief from the 25' building setback to provide a 4'-8" setback on the rear property line and a 9'-8" setback on the north side property line; to reduce the setbacks requirements in Section 15-10-3 in the rear NE corner.
2. Developer requests to reduce the buffer plantings requirements in section 15-6 along the eastern side of the property. A 5' height wood panel fence will be installed in all areas that can not meet the size and planting requirements.
3. Developer requests to utilize the peninsula planting areas adjacent to parking as the parking island size requirements in Section 15-9.



Future Land Use

- + Multi-Generational Living
- + Institutional
- + Family/Neighborhood Living

The subject property and the surrounding parcels are designated as **multi-generational living** on the future land use plan.

This character area is characterized by mixed residential development and limited amounts of small scaled neighborhood-serving commercial. It is comprised of a variety of homes, mixing detached and attached units with a lesser amount of multi-family units. The combination of housing types are intended to create intergenerational neighborhoods. Improved open spaces in the form of greens, pocket parks, and neighborhood parks are interspersed.

There is a good amount of institutional and family neighborhood living in the immidiete vicinity.

General Rezoning Standards: 1) COMPREHENSIVE PLAN CONSISTENCY	LAND SUPPLY, SUITABILITY & INTENSITY	<ul style="list-style-type: none">• The subject property was excluded from the Land Supply Map analysis.• The subject property was excluded from the Suitability Assessment analysis.
	FUTURE LAND USE & CONSERVATION MAP	<ul style="list-style-type: none">• Designation: Multi-Generational Living• Character Area Description: Somewhat Consistent• Zoning Crosswalk: Inconsistent

The subject parcel was excluded from the Land Supply Map and Suitability Assessment analysis.

Staff found this to be consistent with the character area description, and the zoning crosswalk.

Staff found it to be somewhat consistent with the character area description and inconsistent with the zoning crosswalk.

Current Land Use & Zoning

- + PID-CZD
- + R-15
- + R-6

Compleat KiDZ
25-60-CZD
Conditional Rezoning
(PID-CZD to MHC-CZD)
PINs: 9560-40-2580, 9560-40-3593
Acreage: .95 Acres

Current Zoning Map

Parcels
Streets
Zoning
CZD Conditional Zoning Districts
R-15 Medium Density Residential
R-6 High Density Residential
PID Planned Institutional Development
Subject Property

Community Development Department

The subject property is currently zoned PID-CZD. The adjacent properties are zoned R-15. The property across 9th and Orleans is zoned PID

The uses surround the property are Hendersonville Middle School and residential. There is a daycare at the other end of the block on 9th Avenue.

General Rezoning Standards	2) Compatibility	Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property.
		<ul style="list-style-type: none">• The subject property currently has one structure on it. This structure will be used by the applicant for their medical offices. No expansion of the structure is proposed. The adjacent property that sits on the corner of 9th and Orleans Avenue will be incorporated into the plan as part of the parking lot. There is a school across 9th and Orleans from the property.
	3) Changed Conditions	Whether and the extent to which there are changed conditions, trends or facts that require an amendment.
		<ul style="list-style-type: none">• The subject property was previously zoned to enable a childcare center. This venture never was realized, and therefore, the applicant is proposing a changed use.

- The subject property currently has one structure on it. This structure will be used by the applicant for their medical offices. No expansion of the structure is proposed. The adjacent property that sits on the corner of 9th and Orleans Avenue will be incorporated into the plan as part of the parking lot. There is a school across 9th and Orleans from the property.
- The subject property was previously zoned to enable a childcare center. This venture never was realized, and therefore, the applicant is proposing a changed use.

General Rezoning Standards	4) Public Interest	Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare.
		<ul style="list-style-type: none">The applicant will activate an unused building, thereby improving the safety of the area from unwanted activity in the building. This will also bring a vital service for families with children with autism. The close proximity to the schools in the area may create opportunities for children to utilize these services.

- The applicant will activate an unused building, thereby improving the safety of the area from unwanted activity in the building. This will also bring a vital service for families with children with autism. The close proximity to the schools in the area may create opportunities for children to utilize these services.

General Rezoning Standards	5) Public Facilities	Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment.
		<ul style="list-style-type: none">The subject property will be served by City of Hendersonville services. The subject property is located near one of the city's main entry corridors.

The subject property will be served by city services.

General Rezoning Standards	6) Effect on Natural Environment	Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife.
		<ul style="list-style-type: none">No major impact will be made to the environment from the development of this project.

There are no major impacts to the environment from this development.

DRAFT: Comprehensive Plan Consistency Statement

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

The petition is consistent with a range of Goals, Guiding Principles, and the Future Land Use Designation as defined in Chapter IV of the Gen H Comprehensive Plan.

Considering the analysis of the rezoning criteria, staff has drafted the following Comprehensive Plan Consistency Statement...

DRAFT: Approval Reasonableness Statement

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

[Rationale for Approval]

1. The petition utilizes an existing building and existing infrastructure.
2. The petition is in close proximity to schools, medical facilities, and existing neighborhoods making it an ideal location for the services offered.
3. The petition will improve pedestrian connectivity in the area.

DRAFT: Denial Reasonableness Statement

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

[Rationale for Denial]

- The petition will impact traffic in the area, causing safety issues for neighboring schools and residential areas.
- The proposed use is not appropriate for the area.

Jennifer Lahn, Regional Vice President of Real Estate Facilities for Kare Partners spoke and said that they have been in touch with both schools and have discussed that we can tweak our hours if need be to help with any traffic issues. We are excited to be coming to Hendersonville.

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

The public hearing was opened at 7:27 p.m.

Ken Fitch spoke for this project but feels that they should specifically define the zoning as “pediatric.” He also suggested possibly stating whether this is a local, county or state jurisdiction.

Community Development Director Lew Holloway added that we do not have pediatric as a type of use, but we do have other uses that are reflective of the concerns he has that could accommodate that use. Without a zoning text amendment, we cannot introduce a new use.

The public hearing was closed at 7:32 p.m.

Council Member Melinda Lowrance moved that City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning -designation of the subject property (PINs: 9569-40-2580 and 9569-40-3593) from PID-CZD (Planned Institutional Development – Conditional Zoning District) to MIC-CZD (Medical, Institutional, and Cultural – Conditional Zoning District) based on the site plan [dated September 22nd, 2025] and list of conditions 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:

- *Office, business, professional, and public*

2. The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and because:

The petition is consistent with a range of Goals, Guiding Principles, and the Future Land Use Designation as defined in Chapter IV of the Gen H Comprehensive Plan.

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 petition utilizes an existing building and existing infrastructure.*
- 2. The petition is in close proximity to schools, medical facilities, and existing neighborhoods making it an ideal location for the services offered.*
- 3. The petition will improve pedestrian connectivity in the area.*

A unanimous vote of the Council followed. Motion carried.

~Mayor Volk asked for a brief recess at 7:36 p.m. and returned to session at 7:42 p.m.~

8. NEW BUSINESS

A. 2025 General Obligation (GO) Bond Resolution of Intent and Statement of Fact – Adam Murr, Budget & Evaluation Director

Budget & Evaluation Director Adam Murr explained that in alignment with City Council's strategic goals, the City of Hendersonville is considering the issuance of up to \$10,000,000 in revenue bonds. Bond proceeds would support a wide range of transportation projects, including the acquisition, construction, reconstruction, widening, paving, and resurfacing of streets and sidewalks. Eligible projects may also include curbs, gutters, drainage systems, bridges, overpasses, crossings, lighting, traffic controls, bicycle lanes, landscaping, streetscaping, pedestrian enhancements, and the acquisition of land, rights-of-way, and easements.

This agenda item authorizes City staff to publish a Notice of Intent to Apply to the Local Government Commission (LGC) for Approval of Bonds and to make the required statements of fact related to the proposed issuance.

Next Steps:

- October 7, 2025: Staff will advertise the Notice of Intent.
- October 20, 2025: Staff will file the application with the LGC.
- November 6, 2025: Introduction of the bond order resolution setting a public hearing date.
- December 4, 2025: Public hearing on the bond order.

Council Member Jennifer Hensley moved that City Council adopt (1) the Resolution Directing the Publication of the Notice of Intent to Apply to the Local Government Commission and (2) the Resolution Making Certain Statements of Fact as presented. A unanimous vote of the Council followed. Motion carried.

RESOLUTION #R-25-102

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HENDERSONVILLE, NORTH CAROLINA
DIRECTING THE PUBLICATION OF NOTICE OF INTENTION TO APPLY TO THE LOCAL
GOVERNMENT COMMISSION FOR APPROVAL OF BONDS**

WHEREAS, the City Council (the “*City Council*”) of the City of Hendersonville, North Carolina (the “*City*”) is considering the issuance of general obligation bonds of the City which shall be for the following purposes and in the following maximum amount:

\$10,000,000 of bonds to provide funds to pay the capital costs of acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading and improving streets and sidewalks, including, without limitation, curbs, gutters, drains, bridges, overpasses, crossings, lighting, traffic controls, signals and markers, bicycle lanes, and landscape, streetscape and pedestrian improvements, and the acquisition of land, rights-of-way and easements in land required therefor.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the City Clerk is hereby directed to cause a copy of the “NOTICE OF INTENTION TO APPLY TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF BONDS” to be published in a newspaper of general circulation in the City.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of October, 2025.

RESOLUTION #R-25-103

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HENDERSONVILLE, NORTH CAROLINA
MAKING CERTAIN STATEMENTS OF FACT CONCERNING PROPOSED BOND ISSUE AND
AUTHORIZING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION**

WHEREAS, the City Council (the “*City Council*”) of the City of Hendersonville, North Carolina (the “*City*”) is considering the issuance of general obligation bonds of the City which shall be for the following purposes and in the following maximum amounts:

\$10,000,000 of bonds to provide funds to pay the capital costs of acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading and improving streets and sidewalks, including, without limitation, curbs, gutters, drains, bridges, overpasses, crossings, lighting, traffic controls, signals and markers, bicycle lanes, and landscape, streetscape and pedestrian improvements, and the acquisition of land, rights-of-way and easements in land required therefor.

WHEREAS, certain findings of fact by the City Council must be presented to enable the Local Government Commission of the State of North Carolina (the “*Commission*”) to make certain determinations as set forth in Section 159-52 of the North Carolina General Statutes, as amended.

NOW, THEREFORE, BE IT RESOLVED that the City Council, meeting in open session on the 2nd day of October, 2025, has made the following factual findings in regard to this matter:

A. **Facts Regarding Necessity of Proposed Financing.** The proposed bonds are necessary or expedient to pay the capital costs of acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading, and improving streets and sidewalks as set forth above.

B. **Facts Supporting the Amount of Bonds Proposed.** The sums estimated for these bonds are adequate and not excessive for the proposed purposes. Estimates for the proposed projects have been carefully analyzed and determined by persons knowledgeable about the projects.

C. **Past Debt Management Procedures and Policies.** The City’s debt management procedures and policies are good and have been carried out in compliance with law. The City employs a Finance Director to oversee compliance with applicable laws relating to debt management. The City Council requires annual audits of City finances. In connection with these audits, compliance with laws is reviewed. The City is not in default in any of its debt service obligations. The City Attorney reviews all debt-related documents for compliance with laws.

D. **Past Budgetary and Fiscal Management Policies.** The City’s budgetary and fiscal management policies have been carried out in compliance with laws. Annual budgets are closely reviewed by the City Council before final approval of budget ordinances. Budget amendments changing a function total or between functions are presented to the City Council at regular City Council meetings. The Finance Director presents financial information to the City Council which shows budget to actual comparisons annually and otherwise as the City Manager deems necessary or as a member of the City Council may request.

E. **Increase in Taxes.** The increase in taxes, if any, necessary to service the proposed debt will not be excessive. The schedule for issuance anticipates issuing all of the bonds in one or more series during the seven years following the approval of the bond order.

F. **Marketing of Bonds.** The proposed bonds can be marketed at reasonable rates of interest.

G. *Estimated Interest.* The assumptions to be used by the City’s Finance Director in preparing the statement of disclosure to be filed with the City Clerk pursuant to Section 159-55.1(a) of the General Statutes of North Carolina are reasonable.

BE IT FURTHER RESOLVED that the City Council hereby authorizes and directs the Finance Director of the City to file with the Commission an application for its approval of General Obligation Transportation Bonds hereinbefore described, on a form prescribed by said Commission, and (1) to request in such application that said Commission approve the City’s use of Parker Poe Adams & Bernstein LLP, as bond counsel for the City and (2) to state in such application such facts and to attach thereto such exhibits in regard to such General Obligation Transportation Bonds and the City’s financial condition, as may be required by said Commission.

BE IT FURTHER RESOLVED that this Resolution shall become effective on the date of its adoption.

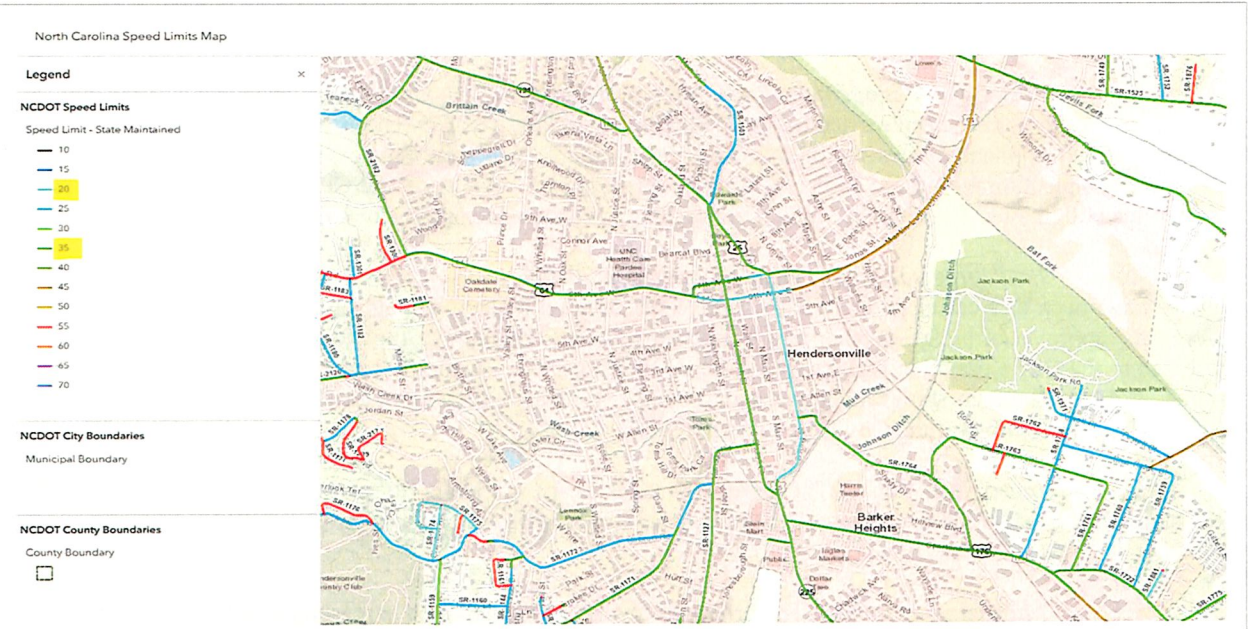
Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of October, 2025.

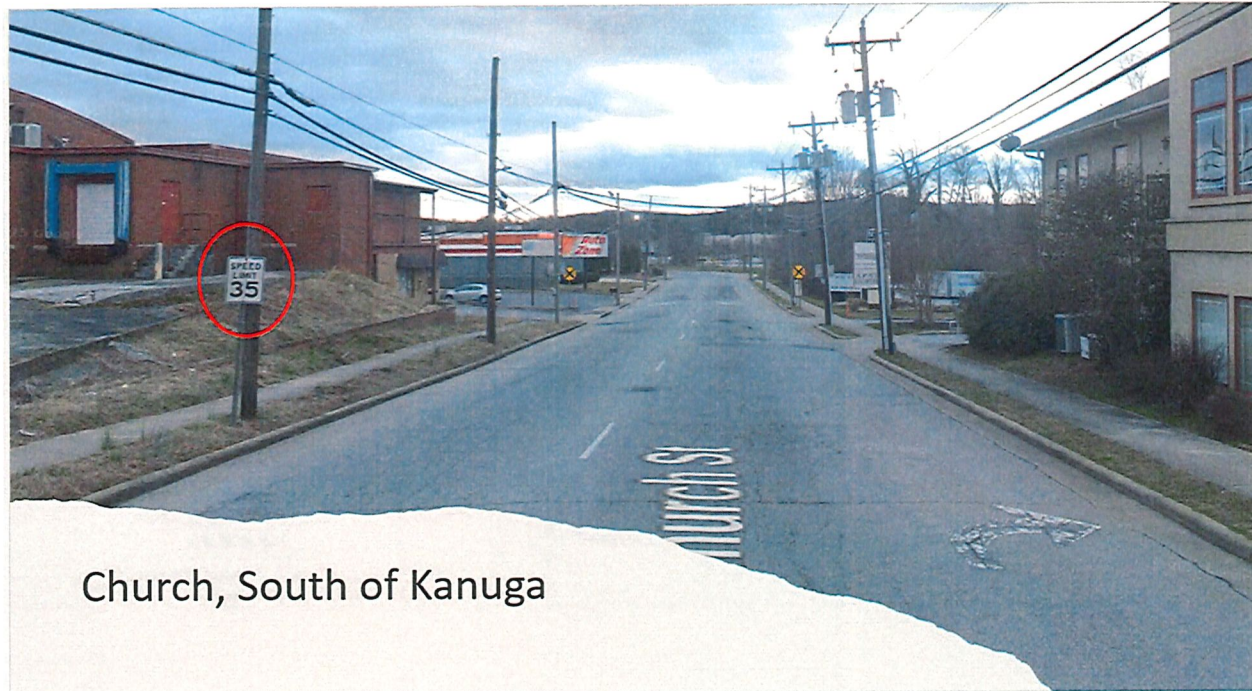
B. Request for NCDOT to Reduce Church Stret and King Street Speed Limit – Brent Detwiler, Assistant City Manager – Public Services

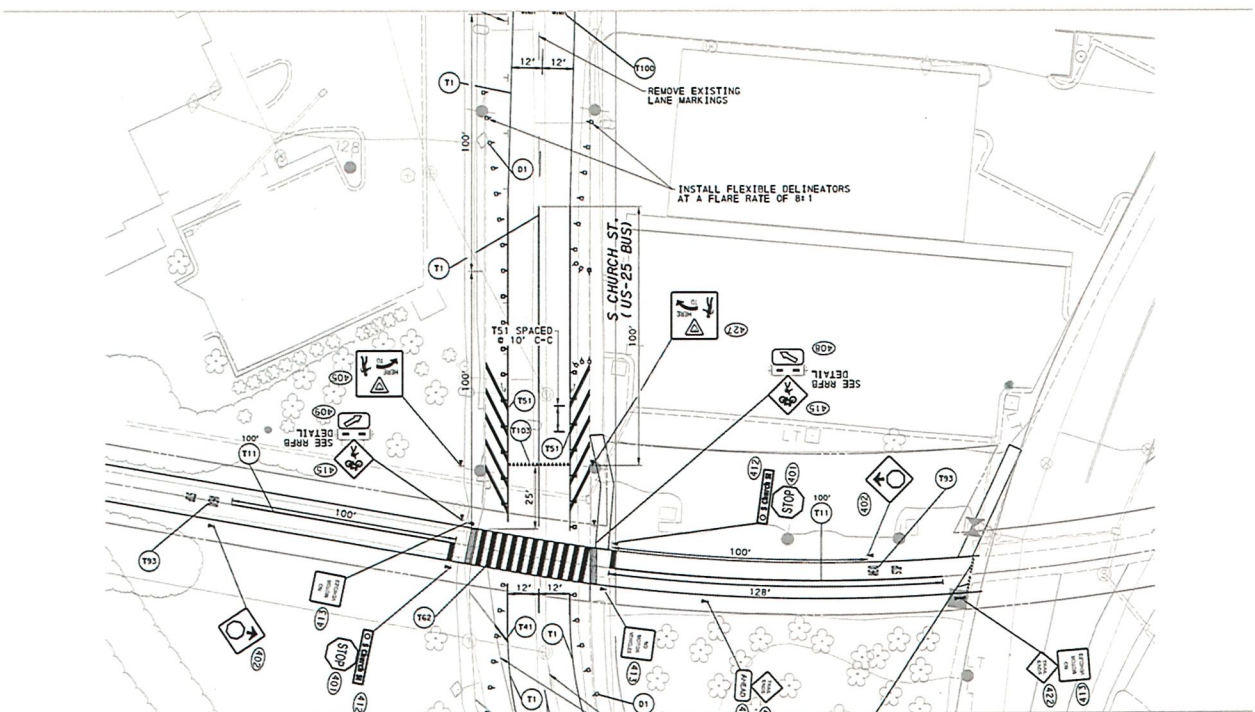
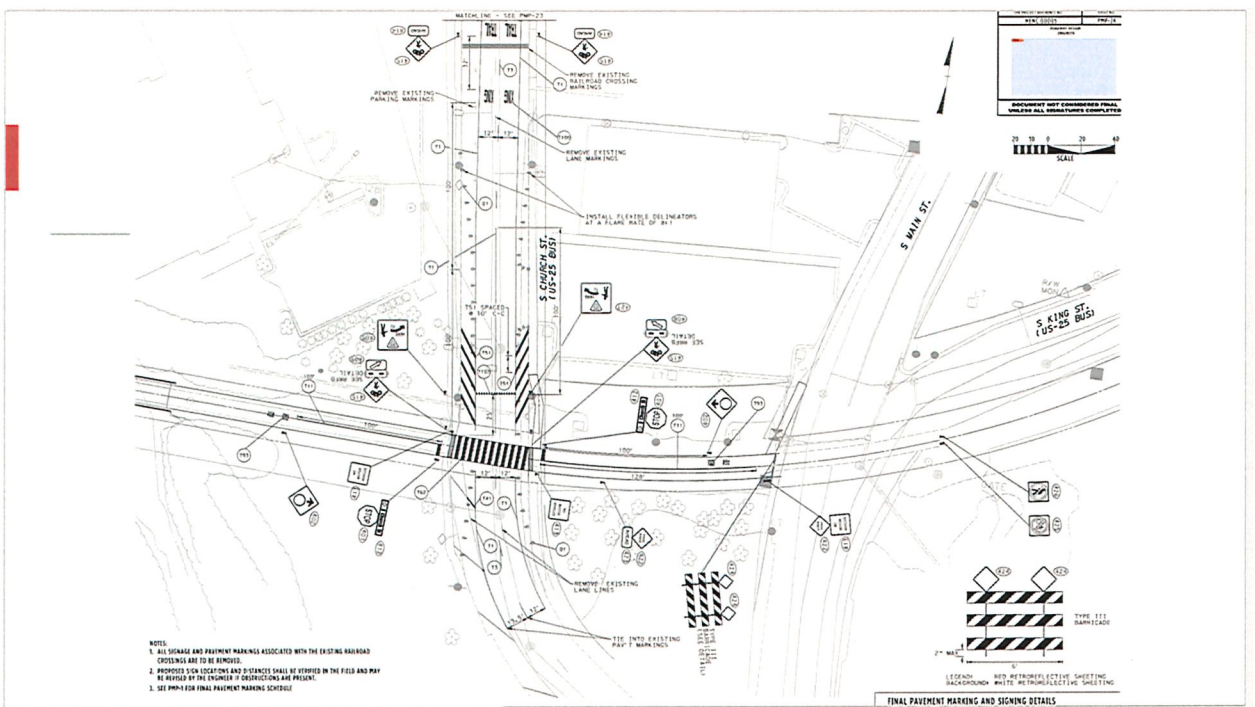
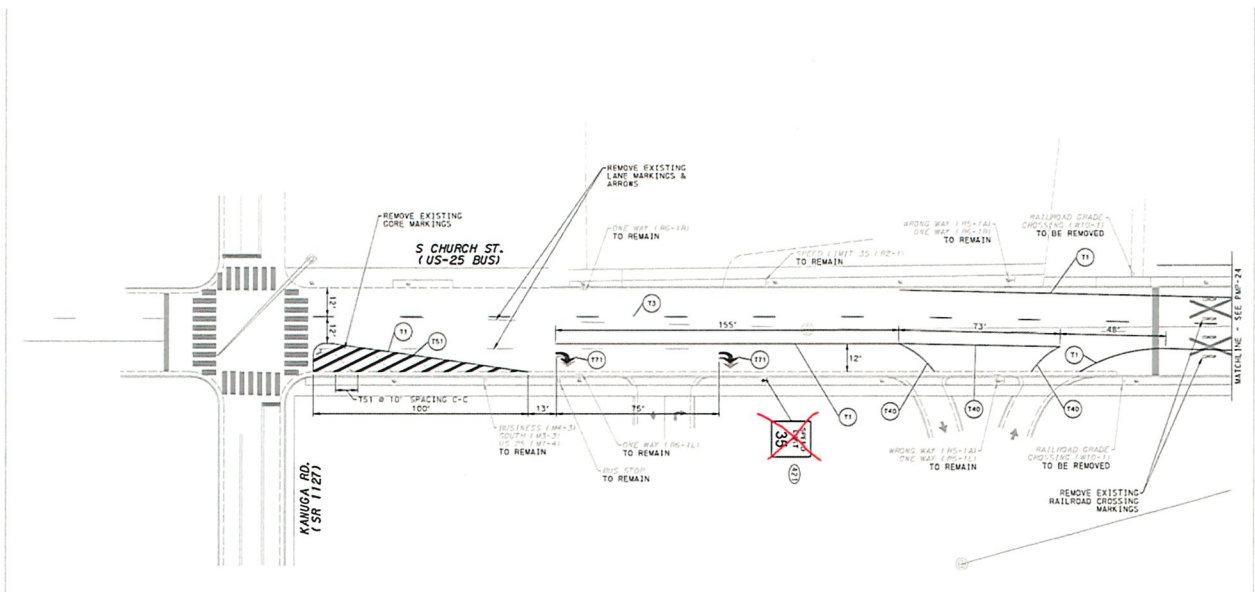
Brent Detwiler explained that there have been numerous concerns raised to City staff and others in the community regarding the road and Ecusta Trail intersections and bike and pedestrian safety since the trail opened this summer, notably at Church Street. It has been noted that the posted speed limit on Church Street just north of the trail crossing is 35 miles per hour (mph). Other sections of Church Street are posted at 20 mph. Further investigation has revealed that the North Carolina Department of Transportation (NCDOT) has data and mapping that indicate all of Church Street and part of King Street is 35 mph. Staff is presenting a resolution for Council to request that NCDOT reduce the speed limit to 20 mph for both Church Street and King Street, and we welcome your questions.

Request for NCDOT to
Reduce Church Street and
King Street Speed Limit

October 2, 2025







NCDOT Church St Paving

- Update as of 9/30/25:
 - Milling subcontractor may start 2nd week of October
 - Option to possibly self-perform milling work
 - As soon as a confirmed date is known, NCDOT will issue a press release (and let our staff know)



Questions

Council Member Lyndsey Simpson moved Council to request the North Carolina Department of Transportation reduce the speed limit from 35 mph to 20 mph on Church Street and King Street; replace signs as necessary to reflect the 20-mph speed limit; and update records, maps, and data accordingly. A unanimous vote of the Council followed. Motion carried.

Resolution #R-25-104

REQUEST TO THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO REDUCE THE SPEED LIMIT ON CHURCH STREET AND KING STREET IN DOWNTOWN HENDERSONVILLE

WHEREAS, there are several sections of Church Street and King Street in downtown Hendersonville that are listed as 35 miles per hour (mph) with the remainder of the road sections posted at 20 mph speed limit; and

WHEREAS, there are many pedestrians that utilize these corridors, and the City would like to encourage and provide the safest possible environment for drivers and pedestrians to reduce the likelihood of accidents; and

WHEREAS, these sections of streets are state-owned rights-of-way, City Council wishes to reduce the 35-mph speed limit to 20 mph making the speed limit consistent throughout the entire lengths of Church Street and King Street.

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

1. It requests the North Carolina Department of Transportation reduce the speed limit from 35 mph to 20 mph on Church Street and King Street; replace signs as necessary to reflect the 20-mph speed limit; and update records, maps, and data accordingly.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of October, 2025.

Barbara G. Volk, Mayor

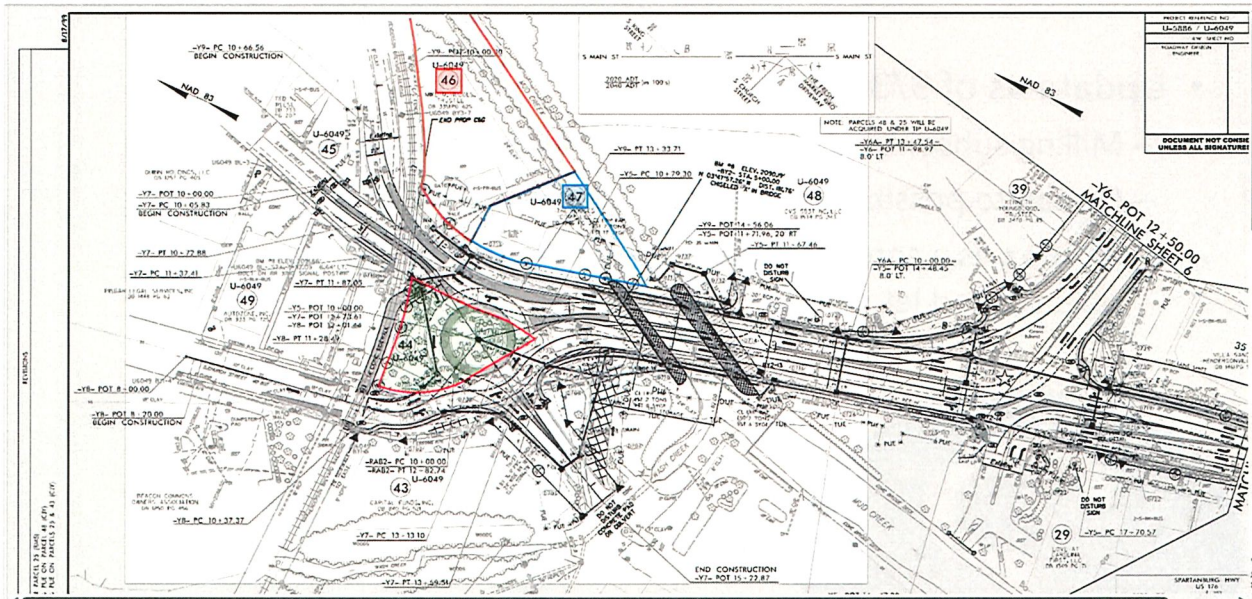
Attest: /s/Jill Murray, City Clerk

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

C. NCDOT Purchase of S. Main Street Property and Honor Air Park – *Angela Beeker, City Attorney*

City Attorney Angela Beeker explained that the NCDOT has made an offer to purchase the City-owned parcel on South Main Street that is the current home to Honor Air Park. The acquisition is

needed for the construction of the U-5886 S Main/White Street Road Improvement project. As part of the acquisition, NCDOT has agreed to deed two parcel remnants along S King Street to the City of Hendersonville, which could be used for a future Above the Mud greenway project. NCDOT has also agreed to work with the City on other parcel remnants along White Street.



Council Member Jennifer Hensley moved City Council adopt the Resolution by the City of Hendersonville to Accept the Contingent Offer of Just Compensation from the North Carolina Department of Transportation for the South Main Street Widening Project. A unanimous vote of the Council followed. Motion carried.

Resolution #R-25-105

**RESOLUTION BY THE CITY OF HENDERSONVILLE TO ACCEPT THE CONTINGENT OFFER OF
JUST COMPENSATION FROM THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
FOR THE SOUTH MAIN STREET WIDENING PROJECT**

WHEREAS, the North Carolina Department of Transportation (“NCDOT”) is conducting a project to widen the Bridge over Mud Creek (Bridge 143) to five lanes along N.C. 225 from South King Street to U.S. 176; and

WHEREAS, NCDOT must acquire right of way from the City as part of this project, said right of way being all of that real property described in Deed Book 1357 at page 559, Henderson County Registry (the “City Property”); and

WHEREAS, NCDOT has conducted an appraisal and has determined the fair market value for the City Property required for the road widening project; and

WHEREAS, NCDOT has also acquired right of way from private property owners resulting in remnants of property adjacent to real property owned by the City; and

WHEREAS, as additional consideration for the City Property, NCDOT has offered to convey to the City the remnants of that Parcel described in Deed Book 4235 at page 151, Henderson County Registry (“Parcel 46”) and that Parcel described in Deed Book 4235 at page 143, Henderson County Registry, (“Parcel 47”); and

WHEREAS, NCDOT has submitted a Contingent Offer to Purchase Real Property for the City Property in the amount of \$443,250.00, together with a Negotiated/Auction Sale of Residue for the remnants of Parcels 46 and 47; and

WHEREAS, City staff have determined that this offer is reasonable and recommend City Council approve the offer as presented.

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

1. The Contingent Offer to Purchase Real Property for the U-6049 project is accepted and approved.
2. The City Manager is authorized to execute the Negotiated/Auction Sale of Residue for the remnants of Parcels 46 and 47.
3. The City Manager, City Attorney, and City Clerk are authorized to take all actions necessary to execute the Offer and complete the sale of the real property described hereinabove.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 2nd day of October, 2025.

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

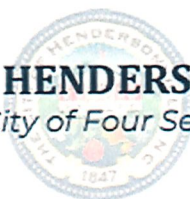
D. Approval of Letter to Henderson County Board of Commissioners – John Connet, City Manager

City Manager John Connet explained that City Council directed staff to draft a letter to Henderson County Board of Commissioners. The proposed letter is attached for your review.

Council Member Lyndsey Simpson moved that City Council approve the proposed letter as written.

CITY COUNCIL:
BARBARA G. VOLK
Mayor
Dr. Jennifer Hensley
Mayor Pro Tem
LYNDESEY SIMPSON
MELINDA P. LOWRANCE
GINA BAXTER

CITY OF HENDERSONVILLE
The City of Four Seasons



OFFICERS:
JOHN F. CONNET
City Manager
ANGELA S. BEEKER
City Attorney
JILL MURRAY
City Clerk

October 2, 2025

William G. Lapsley, Chairman
Henderson County Board of Commissioners
1 Historic Courthouse Square, Suite 1
Hendersonville, NC 28792

RE: Interlocal Agreement

Dear Chairman Lapsley,

The Hendersonville City Council recognizes that circumstances in the North Carolina General Assembly will likely make it difficult for any local legislation to be enacted before the 2026 "Short" Session. The City Council also believes that any disagreements between the City of Hendersonville and Henderson County can and should be resolved by our local governing boards within their existing authority, without the need for legislative intervention.

With this in mind, the City Council proposes that the two governing boards move forward by amending the existing City/County Interlocal Agreement to address the following priorities:

1. Creation of a Joint Water and Sewer Commission
2. Development of contracts, including performance standards, with the rural fire departments directly adjacent to the City of Hendersonville
3. Implementation of utility rate equalization
4. Joint water and sewer planning to ensure adequate, efficient and responsible utility service throughout Henderson County

The City Council understands that the Henderson County Board of Commissioners does not wish to formalize a Joint Planning Area (JPA) boundary. Nevertheless, it is the City's intent to restrict annexation to the area depicted on the attached Joint Planning Area Map. This map is substantially identical to earlier versions, with the exception of adjustments along Kanuga and Willow Roads, where the planning boundary has been drawn closer to the existing city limits. The City also proposes that both local governments collaborate to establish mutually beneficial land use maps to guide future development within the JPA.

160 Sixth Ave. E.
Hendersonville, NC 28792-4328

www.hvlnl.gov

828.697.3000

The City Council has attached our latest Supplemental Interlocal Agreement, Joint Planning Area Map and Implementation Schedule for your review and consideration. These items are intended solely as a framework to help guide future discussions on an amended interlocal agreement between our local governments.

Thank you for your consideration in this matter. The City Council looks forward to receiving a formal written response from the Henderson County Board of Commissioners.

Sincerely,

Barbara Volk, Mayor

Jennifer Hensley, Mayor Pro Tem

Gina Baxter, Council Member

Melinda Lowrance, Council Member

Lyndsey Simpson, Council Member

Cc: Henderson County Board of Commissioners
Senator Tim Moffitt
Representative Jennifer Balkcom
Representative Jake Johnson

9. BOARDS & COMMITTEES

A. Consideration of Vacancy Appointment to the Planning Board – *Jill Murray, City Clerk*

Council will need to make a “city” appointment to the Planning Board to fill their final remaining vacancy since the passing of Peter Hanley.

Council Member Lyndsey Simpson moved to appoint Betsey Zafra.

Council Member Jennifer Hensley moved to appoint Andrea Martin.

Mayor Volk went in order of nomination and the board moved to appoint Betsey Zafra 4-1 to the Planning Board effective immediately. Since she is filling a vacancy, her term will expire in December, 2025, after which she can apply to her first full three-year term. A unanimous vote of the Council followed. Motion carried.

10. CITY MANAGER REPORT

B. September 2025 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			
BUDGET AMENDMENTS AND ADJUSTMENTS					Proposed	Denied			
ACCOUNT NUMBER	ACCOUNT DESCRIPTION	EXISTING BUDGET	INCREASE	DECREASE	REVISED BUDGET		DESCRIPTION	APPROVED	AMENDMENT NUMBER
064-7455-521001	Supplies & Materials	25,000	-	3,030	21,970		Software Costs- App Associated & Achiev	yes	Adjustment 9/3/2025
064-1010-519200	Contracted Services	12,630	570		13,200		App Associates	yes	Adjustment 9/3/2025
064-1010-531210	Permits, Licenses, Fees	4,185	2,460		6,645		Achieve It	yes	Adjustment 9/3/2025
068-7855-531100	Fuel	63,000	-	3,314	59,686		Software Costs- App Associated & Achiev	yes	Adjustment 9/3/2025
068-1010-519200	Contracted Services	18,945	854		19,799		App Associates	yes	Adjustment 9/3/2025
068-1010-531210	Permits, Licenses, Fees	6,277	2,460		8,737		Achieve It	yes	Adjustment 9/3/2025
067-7855-531100	Fuel	63,000	-	3,314	59,686		Software Costs- App Associated & Achiev	yes	Adjustment 9/3/2025
067-1010-519200	Contracted Services	18,945	854		19,799		App Associates	yes	Adjustment 9/3/2025
067-1010-531210	Permits, Licenses, Fees	6,277	2,460		8,737		Achieve It	yes	Adjustment 9/3/2025
067-0000-534999	Contingency	48,031	-	3,314	44,717		Software Costs- App Associated & Achiev	yes	Adjustment 9/3/2025
067-1010-519200	Contracted Services	18,945	854		19,799		App Associates	yes	Adjustment 9/3/2025
067-1010-531210	Permits, Licenses, Fees	6,277	2,460		8,737		Achieve It	yes	Adjustment 9/3/2025
060-0000-534999	Contingency	87,525	-	14,989	72,536		Software Costs- App Associated & Achiev	yes	Adjustment 9/3/2025
060-1010-519200	Contracted Services	269,775	12,529		282,304		App Associates	yes	Adjustment 9/3/2025
060-1010-531210	Permits, Licenses, Fees	185,360	2,460		187,820		Achieve It	yes	Adjustment 9/3/2025
010-0000-534999	Contingency	50,080	-	23,780	26,300		Software Costs- App Associated & Achiev	yes	Adjustment 9/3/2025
010-1010-519200	Contracted Services	325,047	13,384		338,431		App Associates	yes	Adjustment 9/3/2025
010-1010-531210	Permits, Licenses, Fees	225,600	16,396		241,996		Achieve It	yes	Adjustment 9/3/2025
060-1010-521310	Permits, Licenses, and Fees	187,820	-	14,150	173,670		Cityworks PLL	yes	Adjustment 9/4/2025
060-1010-523004	Cellphone Stipend	3,360	-	291	3,069		Cityworks PLL	yes	Adjustment 9/4/2025
060-1010-519200	Contracted Services	282,304	14,441		296,745		Cityworks PLL	yes	Adjustment 9/4/2025
021-2202-519104	Prof Services Eng	10,000	-	570	9,430		Achieve IT	yes	Adjustment 9/4/2025
021-1010-531210	Permits, Licenses, and Fees	-	570		570		Achieve IT	yes	Adjustment 9/4/2025
064-7455-554001	Capital Outlay Equipment/Other Than Vehicles	20,950	-	20,950	-		Parking Deck Kiosk	yes	Adjustment 9/11/2025
064-7455-524010	R&M Buildings	3,129	20,950	-	24,079		Parking Deck Kiosk	yes	Adjustment 9/11/2025
010-1521-521001	Supplies & Materials	30,000	-	1,400	28,600		Fleet Tablets and Keyboards	yes	Adjustment 9/22/2025
010-1521-523003	Utilities- Telephone & Internet	2,400	1,400	-	3,800		Fleet Tablets and Keyboards	yes	Adjustment 9/22/2025

11. CITY COUNCIL COMMENTS

There were no comments.

12 . CLOSED SESSION


City staff is requesting a closed session to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes and to consider the qualifications, competence, performance, character, fitness of an individual public officer or employee.

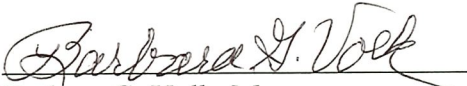
Council Member Lyndsey Simpson moved that City Council enter closed session pursuant to NCGS § 143-318.11 (a) (1) and (6) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the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

13 . ADJOURN

City Council went into closed session at 8:12p.m.

There being no further business, the meeting adjourned at 8:55 p.m. upon unanimous assent of the Council. No further action was taken.

ATTEST: 
Jill Murray, City Clerk


Barbara G. Volk, Mayor

