

Thursday – September 19, 2024 - 11:00 a.m.

#### Agenda Briefing Worksession - For September 24, 2024, Council Meeting

Present: Mayor Esther E. Manheimer, Presiding; Vice-Mayor Sandra Kilgore; Councilwoman S. Antanette Mosley; Councilwoman Kim Roney; Councilwoman Sheneika Smith; Councilwoman Sage Turner; Councilwoman Maggie Ullman; City Manager Debra Campbell; City Attorney Brad Branham; and City Clerk Magdalen Burleson

City Council held an agenda briefing worksession to discuss the upcoming and future agenda items. In addition, City Council reviewed upcoming City Council committees that will be taking place during the next two weeks.

Discussion occurred on the following other issues and updates:

- Overview of the Disposition of City-Owned Land Guidelines
- Encampment Response Protocol
- Community Space Upfit Update

At 12:54 p.m., Mayor Manheimer adjourned the agenda briefing worksession.

Tuesday – September 24, 2024 - 3:00 p.m.

#### Equitable and Affordable Housing and Stability

Present: Mayor Esther E. Manheimer, Presiding; Vice-Mayor Sandra Kilgore; Councilwoman S. Antanette Mosley; Councilwoman Kim Roney; Councilwoman Sheneika Smith; Councilwoman Sage Turner; Councilwoman Maggie Ullman; City Manager Debra Campbell; City Attorney Brad Branham; and City Clerk Magdalen Burleson

City Manager Campbell said that in 2019 we had a worksession on affordable housing. We have learned a lot in those five years. We have some opportunities to address the issue of affordable housing in our community. This issue is not unique to Asheville; however, we will discuss those that are unique to Asheville.

Director of Planning & Urban Design Stephanie Dahl said that the following are the key takeaways from this presentation: (1) Staff have a detailed 12-18 month work plan to continue to advance Council's Equitable and Affordable Housing and Stability priority; (2) This work builds on the body of research and community engagement that has been done through the Comprehensive Plan, the Affordable Housing Plan, the Missing Middle Housing Study, Cease the Harm Audit and existing neighborhood plans, as well as best practices identified in other communities; (3) At the core of the work plan is an intentional anti-displacement strategy that connects implementation of the Affordable Housing Plan and updates to the Unified Development Ordinance (UDO) to promote the production of additional housing types and options in appropriate geographic locations; the potential passage of an Affordable Housing Bond in November is a key milestone in this work; (4) Staff is developing a regulatory/zoning tool that promotes housing options across neighborhoods based on a) geographic levels of vulnerability to displacement b) infrastructure readiness and c) access to existing transit routes. Based on the proposed schedule, Council will be asked to consider adoption of the final concept by January 2025; and (5) The community will be able to track progress on the Equitable + Affordable Housing work plan through regular updates provided at Board and Commission and Council Committee meetings; staff will communicate any key Council decision making points to the public in advance.

Director of Community & Economic Development Nikkik Reid said that regarding the background and context of housing in Asheville, one of the Council's priorities is "Equitable and Affordable Housing and Stability." Strategies are (1) *Implement anti-displacement strategies while increasing housing supply* in strategic areas/corridors and *reducing barriers to construction*; (2) *Incentivize access for low income residents/ households* with emphasis on equitable growth; and (3) *Continue to update the Unified Development Ordinance*.

Ms. Reid said that regarding the public sector promotion of equitable and affordable housing and stability in Asheville (1) The City's Role in Housing Development: (a) Rules and Regulations for Development; (b) Providing Financial Subsidies for Affordability; (c) Use of City-owned Land; (d) Providing Infrastructure; and (e) Acting as Coordinator/ Collaborator/Convenor; and (2) The City is part of a larger housing ecosystem, and must consider partners and other factors when doing this work: (a) Availability of labor, materials cost and supply chain, topography, population growth, real estate ownership, interest rates; (b) Real estate brokers, landlords, not-for-profits, for profit developers, financiers including banks, philanthropy, tax credit investors; (c) Federal and state financial subsidies and programs; and (d) Community acceptance and advocacy.

In a snapshot, Asheville's housing supply is (1) Limited housing diversity and an aging housing stock (a) More than half of homes in Asheville are single-family detached; and (b) More than half of City's housing was developed before 1980; (2) There is a shortage of affordable and available rental units for low-income households; (3) Homeownership is becoming unattainable for most households based on income; and (4) Racial / ethnic disparities in housing and access are a significant issue.

Ms. Dahl said that the background in the regulatory role is (1) The City can promote more housing options through: (a) The removal of barriers in the City's development ordinances and other development regulations or review processes, and (b) Adopting new and/or revising existing ordinances that allow for additional housing options; and (2) Updates to development ordinances are part of implementing the City's Comprehensive Plan (2018) and other plans and studies, and reflect current data, and best practices. Since the 2018 adoption of Living Asheville, the City's Comprehensive Plan, the following housing-related initiatives were undertaken to improve quality of life for residents in Asheville: (1) Plans and Studies: South Slope Vision Plan; Missing Middle Housing Study and Anti-Displacement Assessment; and Downtown Patton Avenue Corridor Study; and (2) Ordinance Changes: Manufactured Housing Replacement Protections; Tree canopy and open space provisions; Urban Centers Initiative (promoting mixed use and higher density urban infill); Hotel Overlay and Short Term Rental updates; Additional neighborhood meeting requirements; Subdivision requirements in historic districts; Small Backyard Lots (Missing Middle); and Other housekeeping (e.g. 160D/home occupation),

Ms. Reid said some background in the City in the funding role is that (1) the City does not build or own housing units — the City funds partner agencies and developers to Make investments in affordable homes; Provide down payment assistance to home buyers; Provide funds for homeowner repairs (CDBG funding); and Purchase land and existing homes for future affordable homes; (2) Totals since 2001: 2,315 affordable housing units subsidized by the City, including sources such as Land Use Incentive Grant (LUIG), Housing Trust Fund (HTF), and the 2016 Housing Bond. (a) 36% of these units are at 60% AMI or below; (can include voucher holders at 50% AMI and below); (b) 64% of these units are at 80% AMI or below (can include voucher holders at 50% AMI and below); and (c) This number also includes units dedicated through Conditional Zoning; (3) Of that total, funds from the 2016 Housing Bond supported: (a) The purchase of 32.5 acres of land; (b) 776 total housing units with a subsidy of approximately \$27,400 per unit (i) 408 affordable housing units constructed; (ii) 368 affordable housing units either under construction or in the pipeline to be constructed; and (iii) For every \$1 of City bond funds invested in housing units, \$8.50 was leveraged from other sources (Federal, state, local

government, foundations and lenders).; and (4) According to available data, at least 107 affordable units are set to expire over the next decade.

Ms. Reid showed a chart of the 2016 affordable housing bond. The City affordable housing funding typically contributes less than 10% of a project's total development costs. The 2016 Bond leveraged over \$202 million in other funding (Federal, State, County and private funds) for the creation of housing units. Lessons learned from the 2016 Housing Bond initiative are (1) The Housing Trust Fund has seen the most straightforward success and highest leverage of Affordable Housing Bond funding - Flexible funding source that can be used for a range of housing types and populations; (2) The COVID-19 pandemic disrupted the housing market and caused major delays in construction and lending due to a number of factors; (3) Investing in capacity building for new non-profit organizations (ABCLT & Haywood Street Community Development) takes time to pay off; (4) Creating new programs and policies takes time; plan for this time requirement when starting new initiatives; and (5) Bonds pay for capital costs only; be skillful about non-bond funding for operational costs.

Ms. Reid provided the strategy overview on anti-displacement strategies, programmatic considerations, and regulatory considerations including discussion of a Neighborhood Housing Overlay. She said that the Fiscal Year (FY) 2024-25 Strategic Priority Alignment is with Equitable & Affordable Housing & Stability and Houselessness Strategies. FY 2024-25 Strategic Priority Goals are (1) Equitable and Affordable Housing and Stability - (a) Implement anti-displacement strategies while increasing housing supply in strategic areas/corridors and reducing barriers to construction; (b) Incentivize access for low income residents/ households with emphasis on equitable growth; and (c) Continue to update the Unified Development Ordinance; and (2) Houselessness Strategies - Through partnerships, make homelessness rare, brief and non recurring by targeting strategies recommended by the National Alliance to End Homelessness.

Ms. Reid said that regarding anti-displacement, in this initiative, we are addressing physical and economic displacement: Housing displacement that comes from factors such as rent increases, properties being sold to new owners/in migration, the cost to address the physical deterioration of homes, home price increases, etc. Their approach/why: "if permitting more housing raises concerns about gentrification and displacement, the solution isn't to permit less housing - which we need - it's to tackle those unintended consequences head-on, both in the ways we encourage development (regulations) and with protections and mitigations against harm (programming)" - Shane Phillips, Author of The Affordable City. There's no such thing as "no growth." Cities and towns generally have three paths: (1) growing housing stock; (2) growing housing prices; and (3) stagnation and decline. Since 2010, Buncombe County's population has grown due to in-migration. The City's population is projected to grow due to a continued increase in in-migration, gaining 30,000 new residents by 2050. These new residents are projected to be in 13,713 households. She used a chart to show housing scarcity is worsening. Asheville's housing production has slowed since 2007. Asheville's population growth is outpacing housing production. Housing scarcity drives up prices and contributes to displacement.

Ms. Reid said that the City of Asheville's existing and past work reflects ongoing efforts for anti-displacement: (1) Community Development Block Funds (CDBG) are used for home repair programs, legal services that include eviction prevention, financial education & empowerment, case management for people experiencing homelessness; (2) CDBG - CV (COVID-19) funding used for eviction prevention and utility assistance; (3) Federal HOME funds are used for tenant-based rental assistance, affordable rental and affordable homeownership; and (4) Housing Trust Funds investments including down payment assistance, affordable rental housing, and affordable homeownership.

Ms. Dahl provided the Fiscal Year 2025 anti-displacement work plan overview. While this work will continue across many fiscal years, the strategy presented today includes action

steps to be initiated or completed within a 12-18 month timeframe. Proposed actions were selected based on: (1) The overall synthesis of the “right next step(s)” based on recommendations from plans, research, and reports that have been developed over the past several months; (2) The community's capacity to partner in these efforts; and (3) The ability to expand existing programs to reach more residents.

Ms. Dahl said that in year one, *these objectives can tie together the recommendations from the Affordable Housing Plan, the Missing Middle Report, other reports and studies, and community input including neighborhood plans.* (1) Improve access to affordable housing; (2) Increase City investments in programs that help low-income individuals or families stay in their homes; (3) Make it easier to develop housing overall and provide incentives for affordable housing; and (4) Promote additional housing options across the City as appropriate: enable the strongest residential growth in walkable and transit- supportive urban corridors and nodes.

Ms. Reid said that regarding improved access to affordable housing, (1) Develop an Affordable Housing Centralized Rental Registry and application portal to simplify access to affordable housing so that eligible residents can efficiently find and secure homes. (*Affordable Housing Plan*); (2) Collect demographic data on housing projects that have been funded with City resources. (*Affordable Housing Plan, Cease the Harm Audit*); (3) Require all developments that receive City funding to accept rental assistance. (*Affordable Housing Plan*); and (4) Increase awareness of existing resources and rights. (*Affordable Housing Plan, Missing Middle Report, and Cease the Harm Audit*).

Ms. Reid said that the City will increase City investments in programs that help low-income individuals or families stay in their homes by (1) Expanding home repair resources for low-income families. (*Affordable Housing Plan, Missing Middle Report, and Cease the Harm Audit, Neighborhood Plans*); and (2) Increase funding for tax relief for low-income families. (*Affordable Housing Plan, Missing Middle Report, and Cease the Harm Audit*).

Ms. Dahl said that the City will make it easier to develop housing overall and provide incentives for affordable housing by (1) Increase regulatory incentives citywide to increase affordable housing production (e.g. density bonus, benefits/incentives table). (*Affordable Housing Plan*); (2) Modify review thresholds for residential developments within corridors and mixed-used districts with further incentives for affordability. (*Affordable Housing Plan*); (3) Modify Land Use Incentive Grant program to correspond with updated regulatory requirements and to create equitable outcomes. (*Affordable Housing Plan*); and (4) Remove barriers to housing development city-wide. (*Living Asheville, Missing Middle Study, Affordable Housing Plan*).

Ms. Dahl said that the City will promote additional housing options across the City as appropriate - enable the strongest residential growth in walkable urban corridors and nodes (1) Focus first on zoning changes that will make it easier to develop in urban corridors and nodes like downtown. (*Council Direction*); (2) Consider adopting a zoning overlay to (a) enable the widest range of housing types in neighborhoods shown to be less vulnerable; and (b) enable a smaller range of housing types in areas where residents are vulnerable to displacement; and (3) Identify and allow appropriate neighborhood-scale multifamily development across the City. (*Missing Middle Study, Comprehensive Plan*).

Ms. Dahl said that regarding overlay to promote additional housing options in Asheville, (1) The purpose of zoning overlays are to supplement underlying zoning districts and their general requirements with additional development regulations that address special area-specific conditions that may be *more* or *less* restrictive; (2) Experience creating and utilizing overlay districts to achieve development and community goals: the Hotel Overlay, Downtown Design Review Overlay, all Historic District Overlays, etc.; (3) Today, staff is providing an overview of a draft concept for a Neighborhood Housing Overlay; the concept is strongly rooted in

recommendations from the Missing Middle Housing Study; and (4) There are several next steps; additional engagement with neighborhood leaders is the most immediate one.

Ms. Dahl said that staff’s proposed draft Neighborhood Housing Overlay Concept is that the Draft Overlay takes a tiered approach to enabling more housing options across the city; with each tier progressively allowing more housing options based on locational attributes: (1) Access to transit-supportive corridors (ten-minute walk); (2) Proximity to goods, services, amenities (current or future pedestrian orientation); and (3) Having been analyzed as being lower in vulnerability to displacement.

Ms. Dahl showed an example of a tiered overlay district as follows:

TIER	Description of Change	Examples of Potential Housing Options
<b>TIER A</b>	Allows the fewest amount of additional housing types;	Duplexes, townhomes
<b>TIER B</b>	Allows a mid-level range of additional housing types	Quadplexes
<b>TIER C</b>	Allows the most diverse and higher levels of housing types	Multi-family under 20 units

Using a map, Ms. Dahl said mapping considerations are (1) This Missing Middle Housing study strategy map displays: (a) Green areas that are poised for the widest range of housing types in neighborhoods; and (b) Red areas are those most vulnerable and could see benefit from the recommended anti-displacement strategies; (2) This spatial data is the starting point to develop each Neighborhood Housing Overlay Tier; (3) Grey shading indicates areas within a ten-minute walk to higher frequency transit routes (30 minute bus service); and (4) This spatial data helps distinguish Tier C areas (which would allow the most diverse housing types).

Ms. Dahl said that regarding the overlay process and time frame, (1) This is a multi-part process that includes: (a) Engagement with impacted communities, boards, commissions and Planning & Economic Development Committee; and (b) Drafting of a zoning text amendment for the requirements of each district tier and a zoning map amendment to place the overlay districts; (2) Staff will provide frequent updates to Council prior to filing any zoning map amendments; (3)

The proposed Neighborhood Housing Overlay standards will be voted on as a text amendment first; and (4) The map amendment of the Neighborhood Housing Overlay will be voted on after the standards are agreed upon/adopted.

Ms. Reid explained the work plan distribution that regulatory and zoning strategies would be reviewed by the Planning & Zoning Commission, and the Planning & Economic Development Committee and then City Council. The programmatic and funding strategies would be reviewed by the Affordable Housing Advisory Committee, and the Housing & Community Development Committee and then City Council. Other committees may also be reviewing these strategies.

Ms. Reid said that regarding communications and engagement, (1) Staff are using the input collected in recent past processes as well as continuing to engage our dynamic community; (2) Special attention will be paid to neighborhood engagement with areas deemed vulnerable to displacement; (3) Staff will use the full suite of communication channels available (website, publicinput.com, social media, etc.); (4) There are significant touchpoints with Boards and Commissions, Council Committees and at City Council meetings; and (5) City Manager's Development Forum - The Development Services Department, supported by Planning and Urban Design and Community and Economic Development, will host a City Manager's Development Forum with a focus on housing.

Ms. Reid then gave a timeline of each of the strategies for October - November, 2024; December 2024 - January 2025; and February 2025 - June 2025.

Ms. Reid said the next steps include (1) This work plan contains strategies from the Year One Implementation of the Affordable Housing Plan. The Affordable Housing Plan includes additional strategies outlined for future years; (2) Staff will continue to engage the community, evaluate outcomes and adjust the plan to be in alignment with community and Council goals; and (3) October Updates to Council Committees: (a) HCD will hear updates on partnership with local non-profits and AHAC to create a centralized rental registry and application portal for properties with dedicated units supported by the City/County; (b) HCD will hear update on monitoring procedures and data reporting for City-funded projects; and (c) PED will review Batch One: UDO Ordinance Revisions.

Throughout the presentation and discussion, Ms. Reid, Ms. Dahl and Affordable Housing Officer Sasha Vrtunski responded to various questions/comments from Council, some being, but are not limited to: what might other programs be used with the bonds, other can capital; do you have any data before the recession, given what happened to the population growth; does the data regarding housing scarcity include single-family housing; staff will give a better breakdown of the number of units built; further clarification on the starting point of the mapping considerations; pleased to see that we will be going out to communities for their input; what is the reasoning behind the priority of timing in the tiers for the overlay district; are we working with partners on simplifying access to the Centralized Rental Registry; we can add a requirement to verify non-discrimination regarding source of income as a condition for receiving City dollars; include the Human Relations Council as one of the advisory boards for their review; can we look at what type of collaboration for anti-displacement for renters; request that the Neighborhood Housing Overlay review go to the Housing & Community Development Committee as well; would like to see the down payment assistance program in tandem with the community heroes program be considered again; want to make it easier for developers to include affordability in their projects



without a City subsidy; suggestion that perhaps an insert in the water bill letting everyone know about the tax relief program for low-income residents; and where are renters fitting into this and how are we going to make sure that we are meeting their needs. All those questions/comments that could not be readily answered would be provided to City Council.

It was the consensus of Council to instruct staff to move forward with these strategies and build more anti-displacement strategies as well.

At 4:38 p.m., Mayor Manheimer adjourned the worksession.

Tuesday – September 24, 2024- 5:00 p.m

Regular Meeting

Present: Mayor Esther E. Manheimer, Presiding; Vice-Mayor Sandra Kilgore; Councilwoman S. Antanette Mosley; Councilwoman Kim Roney; Councilwoman Sheneika Smith; Councilwoman Sage Turner; Councilwoman Maggie Ullman; City Manager Debra Campbell; City Attorney Brad Branham; and City Clerk Magdalen Burleson

### **PLEDGE OF ALLEGIANCE**

Mayor Manheimer led City Council in the Pledge of Allegiance.

### **I. PROCLAMATIONS:**

#### **A. PROCLAMATION PROCLAIMING OCTOBER 2024 AS “DOMESTIC VIOLENCE AWARENESS MONTH”**

Councilwoman Ullman read the proclamation proclaiming October 2024, as "Domestic Violence Awareness Month" in the City of Asheville. She presented the proclamation to April Burgess-Johnson, Helpmate Executive Director, who briefed City Council on some activities taking place during the month..

### **II. CONSENT AGENDA:**

#### **A. APPROVAL OF THE COMBINED MINUTES OF THE AGENDA BRIEFING WORKSESSION HELD ON AUGUST 22, 2024, AND THE FORMAL MEETING HELD ON AUGUST 27, 2024**

#### **B. RESOLUTION NO. 24-207- RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH B.H. GRANING LANDSCAPES. INC. FOR THE FISCAL YEAR 2024-25 UTILITY CUT CONCRETE REPAIR PROJECT**

**Action Requested:** Adoption of a resolution authorizing the City Manager to execute a contract with B.H. Graning Landscapes, Inc. in the amount of \$171,690.00 plus a 31.0% contingency of \$53,224.00, for a project total of \$224,914.00, for the Fiscal Year (FY) 2024-25 Utility Cut Concrete Repair contract.

#### **Background:**

- The City of Asheville Public Works Streets Division administers the Street Cut Utility Program.
- This program is an enterprise fund that is supported by the participation and work generated by partner agencies (Current members: Metropolitan Sewerage District,

Dominion Energy, City of Asheville Water Resources, and City of Asheville Stormwater Division. Future potential member: Duke Energy), and individual permit fees from other, typically lower volume customers.

- As part of this program, both internal and external utilities partner with the Streets Division to make repairs to City-owned infrastructure that results from utility improvements and repairs.
- At times these activities cut into concrete infrastructure such as curbs and sidewalks. When this occurs, the Utility Cut Program must have a method to address these areas.
- City staff are currently in discussions with Duke Energy to join the Utility Cut Program. If they join, this will create an increased utilization of this contract and funds.
- As part of the Fiscal Year 2025 budget, the City of Asheville will be adding an internal concrete crew to handle these repairs.
- This contract is in effect until this crew can be onboarded.
- The contract was advertised on August 6, 2024 and bids were opened on August 23, 2024.
- Six bids were received:

B.H. Graning Landscapes, Inc. of Sylva, NC	\$171,690.00
Appalachian Paving and Concrete of Swannanoa, NC	\$188,975.00
J&E Concrete Construction, LLC of Statesville, NC	\$199,460.00
Enterprises G, Inc. of Black Mountain, NC	\$227,902.50
Cinderella Partners, Inc of Indian Trail, NC	\$333,819.75
Dan Grady Company, LLC of Sylva, NC	\$355,900.00
- The contract work is expected to begin in late September and to last until the new internal crew is staffed.

**Vendor Outreach Efforts:**

- Staff performed outreach to minority and women owned businesses through solicitation processes which include posting on the State's Interactive Purchasing System and requiring prime contractors to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers for subcontracted services.
- Staff also checked the City of Asheville list of certified MWBE business, the NC Historically Underutilized Business database, and the NCDOT MWBE database for potential contractors. Three companies from an identified disparity group were found in the ten-county area and staff directly contacted those companies. The companies did not submit a bid for this contract.
- Two companies with ownership from identified disparity groups (Hispanic) that were not directly contacted because they were not in the City of Asheville spreadsheet or NCDOT database submitted bids. In addition, one woman owned business submitted a bid.
- B.H. Graning, the lowest bidder, is not an MWBE contractor.
- Subcontractors will not be used on this contract.

**Council Goal(s):**

- Transportation and Accessibility

**Committee(s):**

- None

**Pro(s):**

- Provides for the timely repair of concrete infrastructure that has been damaged by the installation of utilities.

**Con(s):**

- None



**Fiscal Impact:**

- The Street Cut Utility Program is an enterprise fund that is funded by fees paid by the four partner agencies participating in the program.
- The partners will be billed 100% of the repair cost, meaning that the City realizes full cost recovery.
- Funding for this contract is available in the FY 2024-25 Street Cut Utility Fund operating budget.

**Motion:**

- Motion to adopt a resolution authorizing the City Manager to execute a contract with B.H. Graning Landscapes, Inc. in the amount of \$171,690.00 plus a 31.0% contingency of \$53,224.00, for a project total of \$224,914.00, for the Fiscal Year (FY) 2024-25 Utility Cut Concrete Repair contract. The City Manager is further authorized to execute any change orders or amendments that may be necessary.

**RESOLUTION BOOK NO. 45 - PAGE 176**

**C. RESOLUTION NO. 24-208 - RESOLUTION RATIFYING ADDITIONAL SPENDING UNDER THE CONTRACT WITH AGILEASSETS FOR THE PAVEMENT MANAGEMENT SYSTEM SOFTWARE**

**Action Requested:** Adoption of a resolution ratifying the City's contract with AgileAssets for the pavement management system.

**Background:**

- In 2015, the City began using AgileAssets as an integral part of the pavement management process.
- This system uses the data from the pavement condition surveys, that are completed every four years, to optimize the resurfacing budget to maintain the pavement condition score as high as possible.
- A pavement management system (PMS) is a valuable tool for repaving efforts to accurately assess the condition of roads by analyzing collected data on pavement conditions, such as surface distress, roughness, and structural integrity.
- The existing contract with AgileAssets expired on January 31, 2024, but the City has continued to receive services through to the present date.
- In order to pay the accrued invoices (\$16,174.44) for the period in which the City was continuing to receive services, but lacked a written contract, ratification from Council is required.
- The Public Works Department will continue using a pavement management system service through a short-term contract entered into through a co-op, which is an exception to the full competitive bidding process, until a new Request for Proposals is released in the Spring of 2025.

**Vendor Outreach Efforts:**

- This is a contract ratification and no additional outreach is required.

**Council Goal(s):**

- Improve and Maintain Infrastructure and Core Services

**Committee(s):**

- None

**Pro(s):**

- Directly integrates with our asset management system.
- Current system of record.
- Industry leader in pavement management.

**Con(s):**

- Reoccurring financial impact.

**Fiscal Impact:**

- \$16,174.44 for previously rendered services.
- Funding for this contract is available in the FY 2024-25 Streets Capital Resurfacing budget.

**Motion:**

- Motion to adopt a resolution ratifying the City's contract with AgileAssets for the pavement management system.

**RESOLUTION BOOK NO. 45 - PAGE 177**

**D. RESOLUTION NO. 24-209 - RESOLUTION APPROVING THE DOCUMENTATION AND AUTHORIZING OFFICERS OF THE CITY OF ASHEVILLE TO PURSUE ON BEHALF OF THE CITY DEBT FINANCING ASSOCIATED WITH THE REFUNDING OF THE \$42 MILLION 2022 LIMITED OBLIGATION BONDS**

**Action Requested:** Adoption of the resolution approving the documentation and authorizing officers of the City to pursue on behalf of the City debt financing associated with the refunding of the \$42 million 2022 Limited Obligation Bonds (LOBs).

**Background:**

- The City has been utilizing a multi-year Capital Improvement Program (CIP) and Debt Model since fiscal year 2013-14.
- As a part of that multi-year financial model, the City routinely enters into short-term draw programs with financial institutions through the issuance of interim Limited Obligation Bonds (LOBs).
- The short term draw programs provide cash to reimburse the City for capital expenses prior to the issuance of long term fixed rate financing.
- The City issued its most recent interim LOBs in June 2022 in an amount not to exceed \$42 million.
- As of August 2024, the City has fully utilized the \$42 million interim LOBs amount to reimburse itself for expenses associated with a number of capital projects including the Broadway Public Safety Station, the Dr. Wesley Grant Sr. Southside Community Center, City Hall elevator modernization, Muni Golf Course repairs, and the annual street resurfacing program.
- In order to refund the principal drawn on this short-term loan, the City intends to issue 20-year, fixed-rate LOBs in October 2024.
- The issuance of the Refunding LOBs required a public hearing which was held at the September 10, 2024 City Council meeting.
- Staff is seeking Council adoption of the approving resolution associated with this refunding.

**Council Goal(s):**

- A Financially Resilient City

**Pro(s):**

- Converts Limited Obligation Bond (LOBs) short-term variable-rate debt to long-term fixed-rate refunding bonds on a schedule that allows the City to meet its capital project cash flow needs.
- Spreads capital costs over a longer term to better match assets' lives.

**Con(s):**

- None

**Fiscal Impact:**

- The exact amount of the debt service on the LOBs will be determined after sale of the debt in October; however estimated debt service on these LOBs has already been included in the City's multi-year Capital Improvement Program and Debt Model.

**Motion:**

- Motion to adopt the resolution approving the documentation and authorizing officers of the City to pursue on behalf of the City debt financing associated with the refunding of the \$42 million 2022 Limited Obligation Bonds (LOBs).

**RESOLUTION BOOK NO. 45 - PAGE 178**

**E. RESOLUTION NO. 24-210 - RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT AMENDMENTS FOR THE ANNUAL PAYMENTS TO BUNCOMBE COUNTY FOR THE ONGOING EXISTING PUBLIC SAFETY INTEROPERABILITY SYSTEM/CENTRALIZED DATA ENTRY (PSIP/CDE); AND A CONTRACT CHANGE ORDER FOR THE ANNUAL PAYMENTS TO BUNCOMBE COUNTY FOR THE COUNTY ID BUREAU INTERLOCAL AGREEMENT**

**Action Requested:** Adoption of a resolution authorizing the City Manager to execute 1) a contract change order in the amount of \$762,010 for the annual payments to Buncombe County for the Public Safety Interoperability System and Centralized Data Entry (PSIP/CDE) interlocal agreements, and 2) a contract change order in the amount of \$595,690 for the annual payments to Buncombe County for the County Identification (ID) Bureau interlocal agreement.

**Background:**

- The City of Asheville and Buncombe County have interlocal agreements regarding the provision of certain joint public safety-related services.
- Both PSIP and CDE are utilized by APD on a daily basis.
- CDE services ensure that the information entered into PSIP (known generally as the countywide Records Management System, or RMS) is accurate and continually updated.
- This is crucial for both incident and collision reports completed by APD officers, as both state and federal statutes mandate that these documents are reported to the State of North Carolina and the federal Department of Justice.
- The PSIP utilized by the APD (RMS) is shared with all public safety entities throughout Buncombe County, including Asheville Fire and Buncombe County EMS.
- The PSIP manages calls for service by the public, evidence and property control management, and case management by criminal investigators.
- The Public Safety Interoperability System/Centralized Data Entry information system and the Identification (ID) Bureau are both operated as County services.
- Based on the interlocal agreements, the City pays 50% of the cost of the County Identification (ID) Bureau program and approximately 31% of the cost of the Public Safety Interoperability System and Centralized Data Entry (PSIP/CDE) programs.

- Each year during the annual budget process, the County provides the City with estimates for the City's share of each program's cost.
- For fiscal year 2024-25, the County estimates that the City's share of the PSIP/CDE costs will be \$762,010 and the City's share of the ID Bureau will be \$595,690.
- The requested contract change orders will allow staff to encumber those amounts in the City's financial system. The County bills the City quarterly based on actual expenses.

**Council Goal(s):**

- A Financially Resilient City

**Pro(s):**

- Provides authorization for the City to formally encumber annual amounts to pay existing interlocal agreements.

**Con(s):**

- None

**Fiscal Impact:**

- Funding for these contracts is available in the Non-Departmental and Police Department operating budgets.

**Motion:**

- Motion to authorize the City Manager to execute (1) a contract change order in the amount of \$762,010 for the annual payments to Buncombe County for the Public Safety Interoperability System/Centralized Data Entry (PSIP/CDE) interlocal agreements, and 2) a contract change order in the amount of \$595,690 for the annual payments to Buncombe County for the County Identification (ID) Bureau interlocal agreement.

**RESOLUTION BOOK NO. 45 - PAGE 183**

**F. RESOLUTION NO. 24-211 - RESOLUTION AUTHORIZING THE CITY MANAGER TO RENEW THE AUTOMATIC AID AGREEMENT BETWEEN THE CITY OF ASHEVILLE AND REEMS CREEK FIRE DEPARTMENT**

**Action Requested:** Adoption of a resolution authorizing the City Manager to renew the automatic aid agreement between the City of Asheville and Reems Creek Fire Department.

**Background:**

- In August 2013, City Council approved a resolution authorizing a multi-year agreement with Reem's Creek Fire Department for automatic aid service.
- The City of Asheville has a need to strengthen its standard of response and cover in the Beaverdam Valley and the Reem's Creek Fire Department is the most appropriate organization to provide the service.
- The initial agreement costs were \$82,656 and as stipulated in the agreement, the costs are to be adjusted every year based on the consumer price index.
- After 11 years of positive consumer price index increases, the renewal for Fiscal Year (FY) 2023-24 services cost and are budgeted at \$113,274.20
- The term of the renewal agreement will end June 30, 2025.

**Vendor Outreach Efforts:**

- No other vendors are able to provide this service.
- There are no Minority & Women-Owned Business Enterprise (MWBE) firms able to provide this service.

**Council Goal(s):**

- Improve and Maintain Infrastructure and Core Services

**Committee(s):**

- None

**Pro(s):**

- Allows the standard of cover to be met greater than 90% of the time.

**Con(s):**

- Increasing cost to maintain existing level of service.

**Fiscal Impact:**

- Funding for this agreement is available in the Fire Department's operating budget.

**Motion:**

- Motion to adopt a resolution authorizing the City Manager to enter into a renewal agreement for automatic aid service between the City of Asheville and Reems Creek Fire Department

**RESOLUTION BOOK NO. 45 - PAGE 184**

**G. RESOLUTION NO. 24-212 - RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PARKER TECHNOLOGY, LLC FOR THE PURPOSE OF PROVIDING CONTINUED 2407 VIDEO-BASED CUSTOMER SERVICE AT CITY PARKING GARAGES**

**Action Requested:** Adoption of a resolution authorizing the City Manager to enter into a contract with Parker Technology, LLC for the purpose of providing continued 24-7 video-based customer service at City parking garages, for an amount not to exceed \$273,000, for a three-year contract with options to renew for two additional one-year periods.

**Background:**

- Parker Technology, LLC is the current vendor for video-based customer service at the City's parking garages.
- After going through a competitive Request for Proposals (RFP) process in July 2024, Parker Technology, LLC was re-selected as the most qualified firm to provide 24-7 real-time video-based call center services at all of the City of Asheville's parking garages.
- Customers experiencing an issue when attempting to enter or exit a garage facility can press a button on the entry/exit equipment that automatically connects the customer to a Parker Technology representative via a live video feed to request assistance with using the equipment.

**Vendor Outreach Efforts:**

- The City of Asheville has used Parker Technology, LLC to provide 24-7 video-based customer service since early 2017; the current contract was ending and the City determined that it would be beneficial to conduct a new competitive procurement process in order to ensure that the City received the best value for the service provided.
- The City of Asheville issued an RFP for the service on June 14, 2024. Staff held an optional pre-bid meeting on June 20th with two potential vendors participating. Another two potential vendors submitted questions prior to the submission deadline.
- Only two bids were submitted, one from the current vendor Parker Technology, and one from Genesis.

- Neither proposal was from an MWBE firm and both firms proposed to self-perform the service.
- The two proposals were scored by a broad-based internal committee, including Transportation and Finance department staff and Parker Technology was selected by the committee.

**Council Goal(s):**

- Improve and Maintain Core Services

**Committee(s):**

- None

**Pro(s):**

- This action will support the continuation of existing parking garage call center service.

**Con(s):**

- None

**Fiscal Impact:**

- The total contract amount is \$160,000.00 for the initial three-year period. If the two optional one-year periods are exercised, the total contract amount will not exceed \$273,000.
- Funding for the first year of the contract has already been budgeted for in Fiscal Year 2025 and additional funds will be budgeted in future annual Parking Services operating budgets.

**Motion:**

- Motion to adopt a resolution authorizing the City Manager to enter into a contract with Parker Technology, LLC for the purpose of providing continued 24-7 video-based customer service at City parking garages, for an amount not to exceed \$273,000, for a three-year contract with options to renew for two additional one-year periods.

**RESOLUTION BOOK NO. 45 - PAGE 185**

**H. ORDINANCE NO. 5099 - ORDINANCE ENACTING (1) A 25 MPH SPEED LIMIT ON HAYWOOD ROAD FROM PATTON AVENUE TO OAKWOOD STREET AND HAYWOOD ROAD FROM WESTWOOD PLACE TO RIVERVIEW DRIVE; AND (2) A 35 MPH SPEED LIMIT ON SWANNANOA RIVER ROAD FROM BYSON STREET TO TUNNEL ROAD**

**Action Requested:** Adoption of an ordinance enacting (1) a 25 mph speed limit on Haywood Road (US 19-23 Business) from Patton Avenue to Oakwood Street and Haywood Road (S.R. 3548) from Westwood Place to Riverview Drive and (2) a 35 mph speed limit on Swannanoa River Road (N.C. 81) from Bryson Street (N.C. 81) to Tunnel Road (US 70).

**Background:**

- N.C. General Statute § 20-141 gives the City the authority to regulate speed limits within its corporate limits.
- City staff received requests from constituents to consider changes to speed limits.
- Haywood Road (US 19-23 Business and SR 3548) and Swannanoa River Road (N.C. 81) are state maintained streets within the city limits.
- The North Carolina Department of Transportation (NCDOT) conducted a traffic-engineering study for US 19-23 Business (Haywood Road) from Patton Avenue to

Oakwood Street and SR-3548 (Haywood Road) from Westwood Place to Riverview Drive and determined that the speed limit should be reduced from 35 miles per hour to 25 miles per hour.

- NCDOT conducted a traffic-engineering study for NC-81 (Swannanoa River Road) from Bryson Street to US 70 (Tunnel Road) and determined that the speed limit should be reduced from 45 miles per hour to 35 miles per hour.
- The Asheville Police Department has reviewed the subject actions and they concur with them.
- NCDOT will install the appropriate signs on US 19-23 Business (Haywood Road), SR-3548 (Haywood Road) and NC-81 (Swannanoa River Road).

**Council Goal(s):**

- Improve and Maintain Core Services

**Committee(s):**

- MMTC - August 28, 2024 - Presented for information. The MMTC voiced concurrence with the recommended speed limit changes.

**Pro(s):**

- City staff have been able to respond favorably to constituent requests.
- Provides a more appropriate posted speed limit in residential and commercial areas.
- Provides more appropriate posted speed limits for pedestrians, transit, and bicycle riders.

**Con(s):**

- None

**Fiscal Impact:**

- No cost to the City

**Motion:**

- Motion to approve an ordinance enacting (1) a 25 mph speed limit on Haywood Road (US 19-23 Business and SR 3548) and (2) a 35 mph speed limit on Swannanoa River Road (N.C. 81)

**ORDINANCE BOOK NO. 35 - PAGE 363**

- I. **RESOLUTION NO. 24-213 - RESOLUTION ACCEPTING A RESCISSION OF \$1,374,797 OF SECTION 5307 URBAN FEDERAL TRANSIT GRANT FUNDS FROM BUNCOMBE COUNTY; AGREES TO COMPLY WITH ANY LAWFUL AND REASONABLE CONDITIONS IMPOSED UPON SUCH FUNDS; AUTHORIZES EXPENDITURES FROM SUCH FUNDS; AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS WITH STATE OR FEDERAL ENTITIES RELATED TO THIS FUNDING OR CONTRACTS OR AGREEMENTS WITH BUNCOMBE COUNTY RELATED TO THIS FUND**

**ORDINANCE NO. 5100 - BUDGET AMENDMENT TO BUDGET THE FUNDS IN THE TRANSIT SERVICES OPERATING AND MULTI-YEAR FUNDS FOR FISCAL YEAR 2025**

**Action Requested:** Adopt a resolution accepting a rescission of \$1,374,797 of 5307 Urban Federal Transit Grant Funds from Buncombe County; agrees to comply with any lawful and reasonable conditions imposed upon such funds; authorizes expenditures from such funds; authorizes the City Manager to execute contracts with state or federal entities related to this



funding or contracts or agreements with Buncombe County related to this funding; and approves a budget amendment to budget the funds in the Transit Services Operating and Multi-Year Funds for Fiscal Year 2025.

**Background:**

- The City’s share of dedicated Federal Transit Administration (FTA) non-competitive formula grant funding has decreased over the past several years due to changes to the allocation formula made by the Metropolitan Planning Organization (MPO) in 2015.
- Rising operational costs and a reduced percentage of FTA formula grant funding has limited the City’s ability to invest in growth of the transit system or needed capital.
- A solicitation is currently advertised to select a firm to conduct a Transit Comprehensive Operational Assessment (TCOA).
- The TCOA will include recommendations for improved efficiency and effectiveness that will ultimately provide a path to align resources and service demands.
- On July 16th, the Buncombe County Board of Commissioners approved the rescission of \$1,374,797 in FTA grant funds to the City. The following four conditions were outlined by the County with regard to rescinding the funds:
  - Accepting the funds under the expectation that no additional funds will be requested for the continued operation of the New Leicester Highway Extension & Route 170 in FY2025 (accounts for \$268,960 of the rescission);
  - Rescinding \$138,830 in FY2025 Section 5310 Traditional funds to Buncombe County to support County transportation for older adults and individuals with disabilities (representing a trade of 5310 for 5307 and accounts for \$138,380 of the rescission);
  - Evaluating WE2 Route changes to improve safer connection to Buncombe County’s Enka-Candler Trailblazer Route; and
  - Evaluating increased trip frequency for the S3 and S6 routes serving south Asheville.
- The net positive impact of the rescinded funds will be \$967,007 available in Fiscal Year (FY) 2025.

<b>Buncombe Total Rescission for FY2025</b>	<b>\$1,374,797</b>
FY2025 City Annual Request for continued 170 and New Leicester Route support	\$268,960
FY2025 5310 Funds Awarded to City to transfer to Buncombe	\$138,380
<b>Total new funding available for the City FY2025</b>	<b>\$967,007</b>

- The TCOA will include the assessments requested by Buncombe County including examining a potential WE2 route change and evaluation of southern route frequency expansion for the S3 and S6 routes, both of which run along Hendersonville Road.

- The accepted funds will be budgeted in the Transit Operating and Multi-Year Fund for FY2025 and expenditure of the funds will be brought forward to Council for subsequent action as necessary (e.g. purchase of buses,, etc.).
- Being mindful of potential service delivery and equipment recommendations from the upcoming TCOA, staff have developed several recommendations/options for programming the rescinded FTA funds from Buncombe County. While these options are not being considered or authorized for expenditure as part of Council action on September 24th, staff proposes to accept the funds and budget approximately \$655,000 of the funds into the Transit Multi-Year Capital Fund for the purchase of one additional bus, and budget the remaining funds into the Transit Operating Fund for future use and separate Council action.
- Staff will ask Council to consider a contract for the purchase of four buses later this fall. The FY2025 budget included funding for the purchase of three buses, the rescinded funds from Buncombe County will allow for the purchase of a fourth bus.

**Council Goal(s):**

- Improve and Maintain Core Services

**Committee(s):**

- Transit Committee - Discussed opportunities for the rescinded funds with the Transit Committee on September 17, 2024

**Pro(s):**

- Acceptance of the Buncombe County rescinded transit funds results in approximately \$967,007 in net new grant revenue for the Transit Fund, which can be programmed in accordance with the federal regulations for the expenditure of 5307 Urban Transit Funds.
- The funds will enhance the City's ability to continue to provide ART transit service.

**Con(s):**

- The rescinded funds are one-time (non-recurring) funds and require a 20% local match.

**Fiscal Impact:**

- Accept \$1,374,797 in 5307 Urban Transit Funds from Buncombe County to be budgeted within the Transit Operations Fund for FY2025.
- Expenditure of the funds will require separate and future Council actions. E.g., budget amendment and authorization to purchase new buses.
- The rescinded funds are one-time (non-recurring) funds and require a 20% local match.
- The local match required for the acceptance of these additional funds is already budgeted in the FY2025 Transit Operations Fund.

**Motion:**

- Move to adopt a resolution accepting a rescission of \$1,374,797 of 5307 Urban Federal Transit Grant Funds from Buncombe County; agrees to comply with any lawful and reasonable conditions imposed upon such funds; authorizes expenditures from such funds; authorizes the City Manager to execute contracts with state or federal entities related to this funding or contracts or agreements with Buncombe County related to this funding; and approves a budget amendment to budget the funds in the Transit Services Operating and Multi-Year Funds for Fiscal Year 2025.

**J. RESOLUTION NO. 24-214- RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES CONTRACT AMENDMENT WITH EQUINOX ENVIRONMENTAL CONSULTATION AND DESIGN OF ASHEVILLE FOR THE SWANNANOA RIVER GREENWAY PROJECT**

**Action Requested:** Adoption of a resolution authorizing the City Manager to execute a professional services contract amendment with Equinox Environmental Consultation and Design (Equinox) of Asheville for the Swannanoa River Greenway Project, in the amount of \$20,000.00 increasing the contract amount to \$778,402.70

**Background:**

- The City of Asheville entered into a design contract with Equinox in July 2018 for a feasibility analysis of potential greenway routes within the Swannanoa River area.
- In June of 2020, a contract amendment with Equinox was issued for completing design, construction documents and permitting for a total fee of not to exceed \$657,930.42
- The City of Asheville has been awarded funding through the Tourism Product Development Fund \$2.3M to help cover project construction costs.
- This contract amendment is needed to include construction administration and observation services from the design team through the one year construction period.
- The constructed greenway will be approximately 1 mile in length connecting Glendale Avenue to Bleachery Boulevard.
- The scope of work includes a 10-foot wide asphalt pathway, several retaining walls, stormwater improvements, landscaping, site lighting and bioretention ponds.
- Construction is scheduled to begin in late September 2024 and is anticipated to be complete by September 2025.

**Vendor Outreach Efforts:**

- Staff performed outreach to minority and women owned businesses on August 28, 2017, through solicitation processes using the State's Interactive Purchasing System and requesting prime contractors to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers for subcontracted services.

**Council Goal(s):**

- Enhances alternative transportation goals and vision.
- Provides safe travel ways

**Pro(s):**

- Increases access to the City's growing inventory of greenways
- Works towards defining Asheville as a recreation destination

**Con(s):**

- None

**Fiscal Impact:**

- Funding for this contract is currently budgeted in the General Capital Projects Fund.

**Motion:**

- Motion to adopt a resolution authorizing the City Manager to execute a professional services contract amendment with Equinox Environmental Consultation and Design (Equinox) of Asheville for the project known as the Swannanoa River Greenway Phase II, in the amount of \$20,000.00 increasing the contract amount to \$778,402.70

**RESOLUTION BOOK NO. 45 - PAGE 188**

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

Mayor Manheimer said that members of Council have been previously furnished with a copy of the resolutions and ordinances on the Consent Agenda and they would not be read.

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

**III. PRESENTATIONS & REPORTS:**

**A. MANAGER’S REPORT**

**Community Engagement Academy**

Communication & Public Engagement Manager Kristina Israel, said that the Community Engagement Academy is a CAPE-led project funded by a 2021 American Rescue Plan Act grant. Eighteen community members completed 6 weeks of training this spring and summer. Community Connectors are equipped to enhance public engagement efforts through their networks. Three of the 18 new Community Connectors were recognized by City Council.

**Community Responder Program Name Change to Asheville Fire Department Resource and Engagement Support Team**

Business Manager of the Asheville Fire Department Beth Bechel outlined the key takeaways from her presentation as follows: (1) The Community Responder pilot program became permanent as of July 1, 2024; (2) This program was developed to proactively support individuals in crisis by connecting them to resources and respond to business concerns; (3) Staff has completed an assessment of the pilot program to solidify the scope and objectives of the team; and (4) As a part of that assessment, staff is recommending to rename the program to AFD-REST (Asheville Fire Department Resource and Engagement Support Team). She said with the passing of the FY 25 budget the Community Responder Program became permanent. The team consists of 5 firefighters and 3 civilians (1 supervisor and 2 peer support specialists), Each day from 9am - 9pm there is a single team of 2-3 staff working throughout the city limits. The team proactively engages with those in crisis, supports relevant calls for service when available, and responds to reports of encampments.

She then outlined the challenges/opportunities as follows:

Challenge	Opportunity
<ul style="list-style-type: none"><li>● Defining the scope<ul style="list-style-type: none"><li>○ What specifically should the team focus on</li><li>○ Supplementing not duplicating</li><li>○ Lack of specific historical data for decision making</li></ul></li></ul>	<ul style="list-style-type: none"><li>● Asses the pilot program to define a clear scope for the team including objectives</li><li>● Strengthen relationships with partners to help support overall missions</li><li>● Refine data collection to link to</li></ul>

	outcomes
<ul style="list-style-type: none"> <li>● Confusion with Community Paramedics <ul style="list-style-type: none"> <li>○ The two teams support a similar population but vary in scope and objective.</li> <li>○ Confusion with internal and external partners</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>● Re-name the program to better define the team and alleviate confusion.</li> </ul>

The objectives were (1) Enhance Public Safety for All (a) Support Gaps in Service; (b) Encampment Response; (c) Provide Business Support/Education; and (d) Return APD/AFD Apparatus to service; (2) Provide Direct Crisis Care (a) Connect Individuals to Resources; and (b) Provide for Immediate Needs; and (3) Identify Areas for Growth/Improvement.

She pointed out that the Asheville Fire Department Resource and Engagement Support Team name (1 represents the purpose of the team; (2) doesn't duplicate other known team names; (3) was discussed with internal and external partners; and (4) was reviewed through a Communication/Marketing and Responsiveness to Constituents Lens.

Next steps include (1) Finalize program design with year one goals and objectives; (2) Finalize a communication and engagement plan to include marketing the re-name; and (3) Hire remaining staff this fall (two peer support specialists).

Councilwoman Roney appreciated “what I’ve learned here in follow up from our agenda briefing, and support the rebranding of our community responder program. My biggest concern at the agenda briefing was around not confusing our community around the purpose, skills, and services of community responders, which is a new public service here and growing across the nation as cities work to send the right person with the right tools and training during times of crisis--and I hear that here. Also, I appreciate that our Community Responders through the Asheville Fire Department are now the primary response for encampment outreach. I have seen the powerful work Community Responders do. I recently had the honor of working with community members and a Mikey, one of our community responders to reverse an overdose. On my way home from a City Council meeting this summer, I was on the bus driven by Zacheus, a new bus driver who noticed while pulling out of the transit center that a person at the intersection was experiencing an overdose. He took the initiative to ask if anyone on the bus had narcan, and I did, so I got off the bus to help with overdose reversal. Confirming that people at the intersection had called 911, I found the person not breathing and very purple. While we waited for emergency response, I joined in relief efforts with a couple other neighbors until Mikey and fellow firefighter/community responders arrived and took over. We got to see the person recover and even talk with the firefighters. I know our Community Responders step into situations like this regularly, delivering community safety and literally saving the day. We have our County Manager here in the audience, so I want to extend thanks to you and your staff as well. The narcan spray we administered before Community Responders arrived was from the overdose reversal training with Buncombe Health and Human Services staff who host drop-in training on the first Friday of every month. Please extend my appreciation with Mitchell and your team hosting training at HHS. This is a note of personal appreciation for the excellent work of a transit driver and community responder who went above and beyond and saved a life.”

**City of Asheville Career Fair/Block Party - September 26, 2024**

The City’s Career Development Outreach Consultant Ronnie Copeland outlined the key

takeaways from her presentation as follows: (1) The City of Asheville will host a Block Party Career Fair highlighting the many exciting opportunities for people looking to work and contribute to the community; (2) Representatives from our Human Resources team will be on site to help guide applicants to opportunities that meet their skills and career goals; (3) This is a collaborative effort between the City of Asheville, Asheville City Schools, Buncombe County Schools, the Chamber of Commerce (Inclusive Hiring Partners), Justice Resource Center, Goodwill, and Asheville Housing Authority; and (4) The following high schools have committed to attending: Asheville High School, AC Reynolds, Buncombe Center for Career Innovation, Transitional Studies through A-B Tech Community College, and Asheville Middle School.

She said the community can expect (1) Engagement with City staff to learn more about career opportunities with the City of Asheville; (2) Staff can guide applicants to positions that meet their skills and career goals; (3) Get tips and feedback to polish your resume; (4) Enjoy music, food trucks, activities; and (5) This event is family-friendly.

She reiterated the Career Fair Block Party will be held at Harrah's Cherokee Center - Asheville (due to weather), on September 26, 2024, from 11 a.m. - 4 p.m.

#### **IV. PUBLIC HEARINGS:**

##### **A. PUBLIC HEARING TO PERMANENTLY CLOSE APPROXIMATELY 140 FEET OF SAWYER STREET, AN OPEN RIGHT-OF-WAY CONNECTING TO COXE AVENUE, BETWEEN THE PARCELS ADDRESSED AT 50 AND 52 COXE AVENUE**

##### **RESOLUTION NO. 24-215 - RESOLUTION TO PERMANENTLY CLOSE APPROXIMATELY 140 FEET OF SAWYER STREET, AN OPEN RIGHT-OF-WAY CONNECTING TO COXE AVENUE, BETWEEN THE PARCELS ADDRESSED AT 50 AND 52 COXE AVENUE**

City Engineer Christopher Cairns said that this is the consideration of a resolution to permanently close approximately 140 feet of Sawyer Street, an open right-of-way, connecting to Coxe Avenue, between the parcels addressed as 50 and 52 Coxe Avenue. This public hearing was advertised on August 30, September 6, 13 and 20, 2024.

#### **Background:**

- North Carolina General Statute § 160A-299 grants cities the authority to permanently close streets and alleys.
- The statute requires City Council to consider whether the closure of the right of way has a negative impact to the public interest and whether the closure would be detrimental to individual property rights.
- Buncombe County, the owner, petitioned for this closure in association with the future development of an affordable housing project that the Buncombe County Commissioners approved conceptually at the April 2, 2024 Board of Commissioners Meeting. Units are planned to be designated for 80% Area Median Income or below.
- The County has not yet submitted a development plan/application to the City. The requested right-of-way closure is being requested in advance in order to allow the County to move forward with a future development application.
- This portion of right-of-way is currently in active use and maintained by the City.
- The City Transportation Department has requested that the County provide a public access easement contiguous with the closure area in order for pedestrian, bicycle, and potentially delivery access to remain in place in perpetuity.

**Council Goal(s):**

- A Well-Planned and Livable Community

**Committee(s):**

- Technical Review Committee - May 6, 2024 - Recommended approval
- Multimodal Transportation Commission - May 22, 2024 - Recommended approval

**Pro(s):**

- The County wishes to close this short section of right-of-way in order to combine the parcels at 50 and 52 Coxe Avenue into a single larger parcel.
- The benefit to doing this for the County is that they will be able to apply for and receive more affordable housing tax incentives for one single larger parcel, than they would if they applied for incentives for two separate, smaller parcels.
- A public access easement will be recorded to ensure future public access for pedestrians, bicyclists, and possibly delivery vehicles is provided in perpetuity.

**Con(s):**

- The existing right-of-way is currently open and in active use. This action would close the proposed portion of the right-of-way and the land would become Buncombe County property.
- However, the County has agreed to provide a public access easement across the closure area in order for pedestrian, bicycle, and possibly delivery vehicles to continue to access the remainder of Sawyer Street in perpetuity.

**Fiscal Impact:**

- This action requires no City resources and has no fiscal impact.

Mr. Cairnes outlined the following key takeaways from his presentation as follows: (1) Buncombe County petitioned for this closure in association with the future development of a 200 unit, affordable apartment complex to be built at 50/52 Coxe Avenue; (2) Closing the right-of-way would essentially combine the parcels at 50 and 52 Coxe Avenue, which will allow the County to access additional federal affordable housing tax incentives; and (3) The City has requested that a public access easement be granted to allow pedestrian, bicycle, and potentially delivery access to remain in place in perpetuity.. He said that Buncombe County, the Owner of 50 and 52 Coxe Avenue, petitioned for this closure in association with the future development of a 200 unit, affordable apartment complex that the Buncombe County County Commissioners approved conceptually at the April 2nd, 2024 BoCC Meeting. Units will be designated for 80% Area Median Income. The 140 Ft. of right-of-way is located between 50 and 52 Coxe Avenue, closed right-of-way to be divided evenly between the parcels. The closure is for a section of Sawyer Street that is currently in use and maintained by the City. The County wishes to close this short section of right-of-way in order to combine the parcels at 50 and 52 Coxe Avenue, which will allow the County to access additional federal affordable housing tax incentives. The recording of the closure will take place only if the Council approves the future Conditional Zoning application to be brought forward at a future meeting. The City Transportation Department has requested that the County provide a public access easement contiguous with the closure area in order for pedestrian, bicycle, and potentially delivery access to remain in place in perpetuity. He then showed maps of the right-of-way closure, along with views from the east and west from the Coxe Avenue intersection. The Technical Review Committee reviewed the request on May 6, 2024, and recommended approval to the closure. The Multimodal Transportation Committee reviewed the request at their May 22, 2024, meeting and also recommended approval of the closure.

Mayor Manheimer opened the public hearing at 5:34 p.m.



David Moritz said that he has a piece of property at the corner of Sawyer Street. He said he has not been provided any information on the impact for the entrance of his project which he is already entitled, but has not started yet because of the cost of construction.

Jared Wheatley spoke in support of this closing.

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

Assistant Planning & Urban Design Director Chris Collins said that Mr. Moritz has a micro-housing project which was approved as a Level II project. Mr. Moritz' project does have access off Sawyer Street but not at the portion to be closed. He also noted that no parking is required for the project.

Mayor Manheimer said that members of Council have been previously furnished with a copy of the resolution and it would not be read.

Councilwoman Roney moved to permanently close 140 feet of Sawyer Street, an open right-of-way, connecting to Coxe Avenue, between the parcels addressed as 50 and 52 Coxe Avenue. This motion was seconded by Councilwoman Mosley and carried unanimously.

#### **RESOLUTION BOOK NO. 45 – PAGE 189**

#### **B. PUBLIC HEARING TO AMEND THE ADOPTED URBAN VILLAGE MASTER PLAN FOR 5 MICHAEL STREET FOR THE PURPOSE OF AMENDING THE SITE PLAN AND PROPOSED MIX OF LAND USES**

#### **ORDINANCE NO. 5101 - ORDINANCE AMENDING THE ADOPTED URBAN VILLAGE MASTER PLAN FOR 5 MICHAEL STREET FOR THE PURPOSE OF AMENDING THE SITE PLAN AND PROPOSED MIX OF LAND USES**

Councilwoman Turner moved to recuse Vice-Mayor Kilgore from participating in this matter due to a conflict of interest. This motion was seconded by Councilwoman Ullman and carried unanimously (Vice-Mayor Kilgore did not vote).

Principal Planner Will Palmquist said that this is the consideration of an amendment to the adopted Urban Village Master Plan for 5 Michael Street for the purpose of amending the site plan and proposed mix of land uses. This public hearing was advertised on September 13 and 20, 2024.

#### **Project Location and Contacts:**

- The project site consists of 42 parcels and totals approximately 10 acres at 5 Michael St.
- PINs: 9649-00-6784; 9649-00-6986; 9649-00-6992; 9649-00-7749; 9649-00-7774; 9649-00-7782; 9649-00-7790; 9649-00-7805; 9649-00-7856; 9649-00-7879; 9649-00-8627; 9649-00-8754; 9649-00-8810; 9649-00-8866; 9649-00-8957; 9649-00-9507; 9649-00-9549; 9649-00-9694; 9649-00-9717; 9649-00-9902; 9649-01-7367; 9649-01-8263; 9649-01-8377; 9649-01-8471; 9649-01-8487; 9649-01-9064; 9649-01-9293; 9649-01-9556; 9649-01-9677; 9649-10-0704; 9649-10-0745; 9649-10-0879; 9649-10-0895; 9649-10-1965; 9649-11-0279; 9649-11-0425; 9649-11-0461; 9649-11-0630; 9649-11-1149; 9649-11-1182; 9649-11-1215; 9649-11-2125.
- Owners: Blue Ridge Views NC LLC, W Carter, and William H. Kilgore Heirs.

#### **Summary of Petition:**

Project Site

- The project site consists of 42 properties totaling approximately 10 acres.
- The project site is currently vacant.
- The site is adjacent to Isaac Dickson Elementary School to the west.
- A stream is located at the rear of the site that flows west to the French Broad River.
- Hill Street is served by ART Route N3 transit service and bus stops are located on both sides of Hill St across from Isaac Dickson Elementary School.
- The site is designated “Employment / Anchor Institution” and “Traditional Neighborhood” on the Living Asheville Comprehensive Plan Future Land Use Map. A change to the Future Land Use map is not required.

#### Urban Village Master Plan & Amendment Process

- This project is being reviewed as an amendment to the previously approved Urban Village Master Plan, which was originally adopted in 2007 and amended in 2009.
- The existing, adopted master plan, known at the time as “Montford Commons,” proposed 305 residential units, 42,500 s.f. of commercial, and 67,500 s.f. of office.
- Revisions to the adopted master plan can be reviewed by the director of Planning & Urban Design, except in the specific instances, for which approval by City Council is required, which for this project specifically include: 1) Changing the proposed mix of uses in any category by 25% or more (+22% in residential, -61% in commercial, and -93 in office); and, 2) Increasing the maximum building height from 4 to 6 stories.
- The type of review requested is not a conditional zoning amendment and only changes to the approved master plan are being reviewed at this time.
- The Urban Village district allows for general approval of a master site plan with subsequent administrative review as a Level II project, in phases as necessary.
- The future Level II review of the final project must meet all requirements of the Urban Village district, as well as be in general conformance with the adopted master plan. This future review is ministerial in nature and will be conducted by the Technical Review Committee.

#### Urban Renewal of the Hill Street Neighborhood

- The existing parcel boundaries are vestiges of former residential properties within the former Hill Street neighborhood which were demolished as a result of urban renewal in order to construct the Crosstown Expressway, known today as I-240, which was completed in 1960.
- The Hill Street neighborhood is described as being “densely developed with one- and two-story frame houses, several tenements, and churches” in the [Asheville African American Heritage Resource Survey](#).
- The Survey notes that the Hill Street School was “the largest and most prominent building in the neighborhood,” and also that while much of the houses in the neighborhood have been demolished, “there remains a small group of houses on Bay and Jason streets that retain elements of the early-twentieth-century neighborhood”.

#### Overall Project Proposal

- The project proposes new development located across five buildings on the site with a mix of residential and commercial uses totaling 377 residential units and 20,600 s.f. of commercial, including:
  - West Building
    - 147 residential units (141 1/2-bedroom units, six 3-bedroom units)
    - 8,600 s.f. commercial
    - 6 stories, 71’ in height, 182,059 g.s.f.
    - 2 levels of below-grade parking
    - Located at front of site along Hill St between Michael St and New Barfield Ave

- Rooftop pool and amenity space on top of parking deck level
  - East Building
    - 86 residential units (81 1/2-bedroom units, five 3-bedroom units)
    - 4,000 s.f. restaurant and 8,000 s.f. office/commercial
    - 6 stories, 71' in height, 108,546 g.s.f.
    - 1 level of below-grade parking
    - Located at the interior of the site along Michael St
    - Amenity area on top of parking deck level
  - Forest Building
    - 126 residential units (86 1/2-bedroom units, 40 3-bedroom units)
    - 6 stories, 266,790 g.s.f.
    - 2 levels of below-grade parking
    - Located at the rear of the site along the creek
  - Creek Buildings
    - 18 residential units (1/2-bedroom units)
    - 1 story tall
    - 1 level of below-grade parking
    - Located across the creek along Gudger St

#### Design & Site Layout

- The intent of the UV district is for buildings to be between two and six stories. Single-story buildings shall not exceed 50% of total g.f.a. Any structure taller than four stories shall be designed with a cornice at the fourth story level, with those portions of the structure taller than four stories being set back at a minimum of ten feet from the cornice level. Any structure taller than six stories shall be located internally to the site unless the surrounding context supports such height.
  - The project proposes buildings up to six stories in height. The “Creek Buildings” proposed at 1-story each account for 6.9% of the overall project g.f.a.
- Block length. Block length may vary but shall not exceed 500 feet in length. For blocks on local streets that are 350 feet or longer, a mid-block pedestrian street crossing is required

#### Access and Connectivity

- The project proposes access at two points on Hill St (New Barfield Ave and a relocated Michael St), and at two points on Gudger St. A significant amount of right-of-way is proposed to be closed, including large portions of existing Michael and Jason Streets.
- A traffic impact analysis will be required for all Urban Village projects and shall be submitted with the Level II application
- The project site is located within the area of two proposed City greenways: The Reed Creek Greenway, which would connect from the east, along the rear and western sides of the site to Hill St and across I-240 via the existing pedestrian bridge, and the Montford Commons Greenway, which would run along the rear of the site along the creek.
  - The applicant has expressed a willingness to work with the City to accommodate these proposed greenway connections.
- Hill Street is served by ART Route N3 transit service and bus stops are located on both sides of Hill St across from Isaac Dickson Elementary School.
- A bus shelter is required for UV districts. Larger projects may require more shelters as determined by the Traffic Impact Analysis and or by the transit director.
- Sidewalks in Urban Village Districts shall be required along one side of access streets and both sides of internal streets throughout the development. The sidewalk shall be a minimum of seven feet wide in the Urban Village District. In solely residential areas containing less than eight units per acre, sidewalks are only required to be five feet wide.

#### Parking

- Off-street parking is not required in the UV district and also sets a maximum parking amount based on the minimum required parking amount as prescribed by the UDO. Parking spaces located in structured parking are exempt from this maximum parking count. No more than 50% of proposed parking spaces shall be provided as off-street surface parking.
- On-street parking is required for all local and collector streets and may be in the form of parallel or angle parking spaces.
- The project proposes a total of 859 parking spaces with approximately 30 of those spaces located in a surface parking lot. On-street parking is proposed along portions of Michael St and Road A.

**UDO Compliance**

<b>UDO Provision</b>	<b>Requirement (Urban Village)</b>	<b>Proposed</b>
Gross Floor Area:	n/a	598,549 s.f.
Density:	n/a	37.6 units/acre
Lot Size Minimum:	n/a except a minimum of 5 acres for establishment of UV district	10.02 acres
Lot Width Minimum:	n/a	varies
Building Height(s) Maximum:	15' min, 100' max	6 stories, 71' max
Building Setbacks Minimum:	No minimum, 15' maximum with allowances in specific circumstances	Buildings located at edge of sidewalk
Vehicle Parking Spaces:	No minimum off-street parking required	859 spaces
Bicycle Parking Spaces:	5% of vehicular parking spaces	5% of vehicular parking spaces
Street Design:	Internal streets shall contain: pedestrian zone area, travel lane area, center medians if any, and on-street parking.	Complies at master plan level with and future compliance of Level II review TBD.
Building Orientation:	Buildings shall be oriented towards their primary access street. On corner lots, the building must be located at the corner. Building sides should appear similar to their fronts.	Complies at master plan level with and future compliance of Level II review TBD.
Building Entrances:	Well-defined entrances facing the street at regular intervals.	Complies at master plan level with and future compliance of Level II review TBD.

Windows, doors, and openings:	<ul style="list-style-type: none"> <li>• 45% minimum opening at first-floor street frontage for mixed-use buildings</li> <li>• 30% minimum opening at first-floor street frontage for residential-only buildings</li> <li>• 30% minimum opening at upper stories</li> </ul>	Complies at master plan level with and future compliance of Level II review TBD.
Open Space:	5% minimum of project area	5% minimum of project area
Impervious Surface Area:	No maximum.	60%
Sidewalks:	Minimum 7' in width	TBD
Tree Canopy Preservation:	Management District: Suburban Classification: Class C Existing Canopy: TBD	TBD
Applicable Landscaping Standards	Property Line Buffer	Does apply ▾
	Street Buffer	Does apply ▾
	Street Trees	Does apply ▾
	Parking Landscaping	Does apply ▾
	Building Landscaping	Does apply ▾
	Screening	Does apply ▾

**Consistency with the Comprehensive Plan and Other Plans:**

Living Asheville Comprehensive Plan (2018)

- The proposed development supports the following goals in the Living Asheville Comprehensive Plan:
  - **Encourage Responsible Growth** - by providing infill development in targeted growth areas.
  - **Increase Mixed-Use Development Along Transit Corridors** - by encouraging large scale land assemblage and integrating these developments with the surrounding area, including the creation of walkable, urban street grid patterns.
  - **Increase and Diversify the Housing Supply** - by increasing the rental housing supply.
- The proposed development is compatible with the Future Land Use designations of "Employment / Anchor Institution" and "Traditional Neighborhood".
  - **Employment / Anchor Institution**: "...Envisions externalizing mixed-use and multifamily housing in these areas to better integrate institutions with the

surrounding community. These areas should also include transit facilities with strong multimodal access and connections to the region, and safe pedestrian routes throughout the centers.

- **Traditional Neighborhood:** “Traditional neighborhoods are often located nearby neighborhood centers that contain a mix of residential and small-scale commercial and office uses”.

**Compatibility Analysis:**

- The proposed mixed-use project is generally compatible with the surrounding land uses, including:
  - Institutional uses, such as Isaac Dickson Elementary School, Montford North Star Academy, and Asheville Visitor Center, to the west and the east.
  - Mixed-uses in Downtown, across I-240 to the south.
  - Single-family residences to the north within the Montford neighborhood.

**Council Goal(s):**

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

**Committee(s):**

- Technical Review Committee (TRC) - July 1, 2024 - Approved with conditions.
- Planning & Zoning Commission (PZC) - September 4, 2024 - Approved (Vote 6:0)

**Staff Recommendation:**

- Staff recommends approval of this Urban Village master plan amendment request based on the reasons stated above.

Mr. Palmquist reviewed the aerial imagery being 42 properties totaling approximately 10 acres; Currently vacant; Former Hill Street neighborhood; Isaac Dickson Elementary school to the west; Stream located to the north; ART Route N3 along Hill St; and Walkable to Downtown via Montford Ave and I-240 pedestrian bridge. He then reviewed the existing zoning as (1) UV Master Plan for this site was initially adopted in 2007 (Ord. No. 3538); (2) Amended in 2009 (Ord. No. 3736); and (3) Formerly known as “Montford Commons.” He then reviewed the future land use map. Regarding the urban renewal of the Hill Street neighborhood, vestiges of former residential properties within the former Hill Street neighborhood which were demolished as a result of urban renewal in order to construct the Crosstown Expressway, known today as I-240, which was completed in 1960; and the Hill Street neighborhood is described as being “densely developed with one- and two-story frame houses, several tenements, and churches” in the Asheville African American Heritage Resource Survey. Regarding the Urban Village Master Plan and amendment process, (1) This project is being reviewed as an amendment to the previously approved Urban Village Master Plan; (2) The type of review requested is not a conditional zoning amendment and only changes to the approved master plan are being reviewed at this time - No project conditions associated with this master plan amendment; (3) The Urban Village district allows for general approval of a master site plan with subsequent administrative review as a Level II project, in phases as necessary; (4) Revisions to the adopted master plan can be reviewed by the director of Planning & Urban Design, except in the specific instances, for which approval by City Council is required, which for this project specifically include (a) Changing the proposed mix of uses in any category by 25% or more (i) +22% in residential; (ii) -61% in commercial; and (iii) -93% in office; and (b) Increasing the maximum building height’ and (5) The future Level II review of the final project must meet all requirements of the Urban Village district, as well as be in general conformance with the adopted master plan. This future review is ministerial in nature and will be conducted by the Technical Review Committee. Regarding the master site plan, there are five buildings with 337 residential units, 20,600 s.f. of commercial, and 859 parking spaces (1)

**West Building** - 147 units & 8,600 s.f. of comm; 6 stories, 71' in height, 182,059 g.f.a'; and 2 levels of below-ground parking; (2) **East Building** - 86 units & 12,000 s.f. of comm.; 6 stories, 71' in height, 108,546 g.f.a.; and 1 level of below-ground parking; (3) **Forest Building** - 126 units; 6 stories, 266,790 g.f.a.; and 2 levels of below-ground parking; and (4) **Creek Buildings** - 18 units; 1 story; and 1 level of below-ground parking. He said that the Technical Review Committee reviewed the project on July 1, 2024, and approved with conditions. Also, the Planning & Zoning Commission on September 4, 2024, approved the project on a 6-0 vote. He then explained how the project was consistent with the Living Asheville Comprehensive Plan. He said that staff concurs with the Planning & Zoning Commission and recommends approval of the Urban Village Master Plan amendment.

Councilwoman Mosley was grateful to the developer for having the community involved at the start of this project.

Mr. Derek Allen, attorney for the development team, reviewed the background of the project and stated all the community involvement held. He said they will have a minimum of 5% affordable housing in this project. He urged Council to approve the two amendments to the Master Plan.

Mr. Chris Day, with Civil Design Concepts, explained the exact changes from the old plan to the new plan and showed renderings of the project. He noted that they are asking for a revision from 309 units to 377 units.

In response to Councilwoman Roney when she asked if there are any reasons for barriers for future renewable energy options for this development, Mr. Day said that they do anticipate some of the roof surface will be air conditioning units, but again they are at the very first stage of this Master Plan. At this stage he can't confirm what they have room for, but they may be able to consider something in the future.

Councilwoman Ullman was concerned with the large amount of parking - 2.5 spaces per unit. She asked that he show where the parking is and how much is subsurface. Mr. Day said that they are in early stages of detail regarding parking and that was the maximum amount they could build.

In response to Councilwoman Turner, City Attorney Branham said that there is a general prohibition of short-term rentals in this zoning district.

Mayor Manheimer opened the public hearing at 6:27 p.m.

Two individuals spoke in support of these amendments to the Urban Village Master Plan.

Mayor Manheimer closed the public hearing at 6:31 p.m.

Mayor Manheimer said that members of Council have previously received a copy of the ordinance and it would not be read.

Councilwoman Mosley moved to approve the Urban Village master plan amendment request for property located at 5 Michael St, and find that the request is reasonable, is in the public interest, is consistent with the city's comprehensive plan and meets the development needs of the community in that the request: 1) provides infill development in targeted growth areas; 2) encourages large scale land assemblage and integrates these developments with the surrounding area; and, 3) increases the rental housing supply. This motion was seconded by Councilwoman Ullman and carried on a 6-0 vote (Vice-Mayor Kilgore did not vote).



**ORDINANCE BOOK NO. 35 – PAGE 376**

**C. PUBLIC HEARING TO CONSIDER REZONING 107 GLENDALE AVENUE FROM RS-8 RESIDENTIAL SINGLE-FAMILY HIGH DENSITY DISTRICT TO RM-16 RESIDENTIAL MULTI-FAMILY HIGH DENSITY DISTRICT**

**ORDINANCE NO. 5102 - ORDINANCE TO REZONE 107 GLENDALE AVENUE FROM RS-8 RESIDENTIAL SINGLE-FAMILY HIGH DENSITY DISTRICT TO RM-16 RESIDENTIAL MULTI-FAMILY HIGH DENSITY DISTRICT**

Principal Planner Will Palmquist said that this is the consideration of an ordinance to rezone 107 Glendale Avenue from RS-8 Residential Single-Family High Density District to RM-16 Residential Multi-Family High Density District. This public hearing was advertised on September 13 and 20, 2024.

**Project Location and Contacts:**

- The rezoning petition consists of one property totalling 0.89 acres and located at 107 Glendale Ave (PIN 9658-20-6956).
- Owner: New Vision Trust
- The current use of the property is a single-family detached house.
- The project site is within the greater Oakley neighborhood, predominated by single-family houses, and approximately one-quarter to one-half mile from the commercial and industrial uses around the intersection of Thompson St and Glendale Ave.
- A CSX railroad line is located at the rear of the project site.

**Summary of Petition:**

- The applicant requests a rezoning of one property to the Residential Multi-Family High Density (RM-16) District.
- The property is currently zoned Residential Single-Family High Density (RS-8).
- The subject property is designated “Traditional Neighborhood” on the city’s Future Land Use (FLU) Map. A change to the FLU Map is not required.

**Staff Recommendation:**

- Staff recommends approval of this rezoning request based on the reasons stated below.

**Comprehensive Plan Consistency:**

- The proposed rezoning supports a number of goals in the Living Asheville Comprehensive Plan including:
  - **Encourage Responsible Growth** - by prioritizing greater densities of development overall, throughout the city as appropriate.
  - **Increase and Diversify the Housing Supply** - by promoting zoning policies to encourage more housing by expanding areas permitting higher-density development.
- The proposed rezoning is compatible with the Future Land Use designation of “Traditional Neighborhood” which is described, in part, that “types of housing can vary and often include a mix of housing types such as single family with accessory dwelling units, duplexes, townhomes and multifamily apartments usually located seamlessly together”.
- Residential Multi-Family High Density (RM-16) is cited as an appropriate zoning district within the Traditional Neighborhood Future Land Use category.

**Compatibility Analysis:**

- The purpose of the Residential Multi-Family High Density (RM-16) district is, “to permit a full range of high density multi-family housing types along with limited institutional, public and commercial uses appropriate within high density residential areas.
- It is intended that this district be located near employment centers, shopping facilities, roads and other urban infrastructure capable of handling the demand generated by high density residential development.”
- The proposed rezoning petition is compatible with the surrounding land uses, including:
  - Residential Multi-Family High Density (RM-16) zoned property directly to the west of the subject property.
  - Residential Single-Family High Density (RS-8) zoned property directly to the east of the subject property and the general surrounding area.
  - Commercial uses located to the north and west of the site, zoned Commercial Industrial (CI).

**Council Goal(s):**

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

**Committee(s):**

- Planning & Zoning Commission (PZC) - September 4, 2024 - Approved (Vote 5:1)

**Pro(s):**

- Allows for the development of more residential units and in a variety of housing types, as compared to the existing zoning district.
- Would not cause the existing single-family house on-site to become a non-conforming use nor have non-conforming features.

**Con(s):**

- None identified.

**UDO District Comparison**

<b>UDO Provision</b>	<b>Residential Single-Family High Density (RS-8)</b>	<b>Residential Multi-Family High Density (RM-16)</b>
Allowed uses:	<ul style="list-style-type: none"><li>• Single-Family Detached</li><li>• Townhouse</li><li>• Accessory Dwelling Unit</li><li>• Cottage Development</li><li>• Limited public, institutional, and recreational uses</li></ul>	<ul style="list-style-type: none"><li>• Single-Family Detached</li><li>• Townhouse</li><li>• Duplex</li><li>• Multi-Family</li><li>• Accessory Dwelling Unit</li><li>• Cottage Development</li><li>• Limited public, institutional, and recreational uses</li></ul>
Density:	n/a	2 units per first 2,500 s.f. of lot area & 1 unit per each additional 1,000 s.f.
Structure Size:	n/a	Max. 4,000 s.f. footprint Max. 12,000 s.f. gross floor area

Lot Size Minimum:	Min. 4,500 s.f.	Min. 2,500 s.f.
Lot Width Minimum:	Min. 40'	Min. 40'
Building Height:	Max. 40'	Max. 40'
Building Setbacks:	Front: 15', Side: 6', Rear: 15'	Front: 15', Side: 6', Rear: 15'

Mr. Palmquist reviewed the existing and proposed zoning, the aerial imagery and the existing future land use map. He said the Planning & Zoning Commission approved the rezoning on September 4, 2024, on a 5-1 vote. He then reviewed a chart of the RS-8 vs. RM-16 provisions, along with the pros and cons of the rezoning. He then explained the compatibility analysis and how the project was consistent with the Living Asheville Comprehensive Plan. He said that staff concurs with the Planning & Zoning Commission and recommends approval of the proposed zoning.

Mayor Manheimer opened the public hearing at 6:36 p.m.

Jared Wheatley spoke in opposition of this rezoning as he felt this is not a good straight rezoning given our current work regarding anti-displacement.

Robert Robinson felt we need more housing on transit corridors.

Mayor Manheimer closed the public hearing at 6:42 p.m.

Mayor Manheimer said that members of Council have previously received a copy of the ordinance and it would not be read.

Councilwoman Ullman moved to approve of the rezoning request for the property located at 107 Glendale Ave from Residential Single-Family High Density (RS-8) to Residential Multi-Family High Density (RM-16) and find that the request is reasonable, is in the public interest, is consistent with the city's comprehensive plan and meets the development needs of the community in that the request: 1) prioritizes greater densities of development overall, throughout the city as appropriate; and, 2) promotes zoning policies to encourage more housing by expanding areas permitting higher-density development. This motion was seconded by Vice-Mayor Kilgore and carried on a 4-3 vote, with Councilwoman Mosley, Councilwoman Roney and Councilwoman Smith voting "no."

**ORDINANCE BOOK NO. 35 – PAGE 389**

**D. PUBLIC HEARING TO CONSIDER AN AMENDMENTS TO ARTICLE 19 OF CHAPTER 7 THE CODE OF ORDINANCES TO UPDATE THE TREE CANOPY PROTECTION STANDARDS**

**ORDINANCE NO. 5103 - ORDINANCE AMENDING ARTICLE 19 OF CHAPTER 7 OF THE CODE OF ORDINANCES TO UPDATE THE TREE CANOPY PROTECTION STANDARDS**

Assistant Director of Planning & Urban Design Chris Collins said that this is the consideration of an ordinance amendment to Article 19 of Chapter 7 the Code of Ordinances to update the tree canopy protection standards. This public hearing was advertised on September 13 and 20, 2024.

**Background:**

- Article 19 was originally adopted by Council in September of 2020 with plans to revisit and update the ordinance periodically. Since that time, staff has noted several areas for improvement and worked with key stakeholders to develop new preservation incentives for inclusion in the ordinance.
- The amendments were originally planned to be heard with general landscaping requirement updates to the UDO. However, given the technical nature of the 7-19 amendments and the temporary pause on the general landscaping amendments, 7-19 changes are now moving forward independently.
- The proposed amendments are focused on creating code elements that support the lessons learned by staff and developers to make the code more usable and therefore effective at Tree Canopy Preservation.
- Additionally, the amendments create a new definition for “Heritage Trees” encompassing very large canopy trees while allowing additional incentives for preservation alongside disincentives for removal of these trees.
- The Planning & Zoning Commission recommended approval of this amendment with a modification to allow 200% canopy credit for heritage tree preservation while utilizing any allowed canopy credit measurement system. The modification has been incorporated into the ordinance.

**Comprehensive Plan Consistency:** This proposal best aligns with the *Living Asheville Comprehensive Plan* themes of ‘A Livable Built Environment’ and ‘Harmony with the Natural Environment’ plan sections that include the following goals:

- Make Streets More Walkable, Comfortable and Connected;
- A Healthy and Expanding Urban Tree Canopy;
- Protect Land and Water Assets; and
- Encourage Naturalized Stormwater Management Techniques, Goal 25, Outcome 2: Minimize growth of impervious surfaces citywide.

In addition, this proposal is consistent with and supports the *Planning for Climate Resilience* (Appendix D of the Comprehensive Plan) as a means to reduce vulnerability and risk due to climate change.

**Council Goal(s):**

- A well-planned and livable community
- A clean and healthy environment

**Committee(s):**

- Urban Forestry Commission: Recommended Approval by a vote of 7-0 on 08/02/2024
- Planning & Zoning Commission: Recommended Approval with one amendment by a vote of 6-0 on 09/04/2024.

**Pro(s):**

- Incentivizes the preservation of the City’s larger trees during land development activities.
- Improves the consistency, clarity and access to the UDO for applicants, citizens and staff.
- Supports the goals of the comprehensive plan aimed at providing greater predictability and transparency in Asheville’s regulatory process.
- Supports the Council goal of *Improve/Expand Core Services, and Neighborhood and Climate Resilience*.

**Cons:**

- None

**Fiscal Impact:**

- N/A

**Staff Recommendation:**

- Staff recommends approval of the proposed zoning text amendment to update the UDO standards for Tree Canopy Preservation in Articles II and XIX because this is consistent with the *Living Asheville* comprehensive plan in that it directly furthers several goals of the plan while promoting specific Council goals as well.

Mr. Collins provided the following key takeaways from his presentation: (1) City staff have inventoried needed changes to the Tree Canopy Preservation requirements as opportunities for improvement have arisen; (2) City staff have worked with the Urban Forestry Commission to create a mechanism to promote the preservation of very large canopy trees; and (3) This text amendment will fix several issues, simplify and clarify code provisions and introduce a new "Heritage Tree" classification that promotes the preservation of very large canopy trees. He said the progress to date is (1) tree canopy credit preserved - 2,481,992 square feet; (2) tree canopy credit planted - 336,850 square feet; and (3) tree canopy fee-in-lieu assessed - \$462,018. He said the incentives to preserve canopy over planting or paying are working thus far. He then gave an overview of the heritage trees update as follows: (1) Certain trees over 30, 24 or 15 inches in trunk diameter; (2) Requirement to show on site within disturbance area; (3) 200% Canopy Credit Given for Preservation; and (4) 200% Canopy Credit Replacement Required for Removal Permit. Updates for applicability and exemptions are (1) Expansion of existing buildings & open uses of land: (a) Moves to a percentage-based expansion with a 10,000 square foot base; and (b) Allows more rational basis for large buildings and sites; (2) Clarifies that parks and recreational uses require compliance; and (3) Exempts publicly funded transportation projects and on-property governmental & utility easements. Updates on the new measurement method includes (1) Direct Canopy Measurement; (2) Allows for More Accuracy; (3) Allows for More Credit For Larger Trees (Increased preservation incentive); and (4) Additional Option on All Sites. Regarding the update on tree removal permits, he explained the sections where a tree removal permit is required, and then they are not required. Other lessons learned, missed Code and clarification updates include (1) 20% Critical Root Zone (CRZ) Encroachment Allowance (Codified); (2) Aerial Measurement (a) Remove from small sites; and (b) Require GIS measurement; (3) Clarify that Fee-in-Lieu still requires a Tree Canopy Protection (TCP) Plan; (4) Boundary Tree CRZ's to be shown on plans; (5) Clarifies how to record a TCP plat; (6) Other clarifying language and cleanup; and (7) Defines "Open Use of Land". He said the Urban Forestry Commission recommended approval on a 7-0 vote at their August 2, 2024, meeting. In addition, the Planning & Zoning Commission recommended approval on a 6-0 vote at their September 4, 2024, meeting. He said that staff recommends approval of the proposed zoning text amendment to update the UDO standards for Tree Canopy Preservation in Articles II and XIX because this is consistent with the *Living Asheville* comprehensive plan in that it directly furthers several goals of the plan while promoting specific Council goals.

Councilwoman Ullman felt that we can address the housing crisis, and places where people can build and have heritage trees. The amount of thoughtful work from volunteers in our community is astounding.

Mr. Collins responded to Councilwoman Turner when she asked if there were some projects that were not able to get through because of our Tree Canopy Preservation ordinance.

Mayor Manheimer opened the public hearing at 7:09 p.m.

David Mortiz suggested the City swap 68 Haywood Street for the urban forest downtown at 11 Collier Avenue and save the 100 trees.

Chris Difiore spoke in support of these text amendments.

Mayor Manheimer closed the public hearing at 7:13 p.m.

Mayor Manheimer said that the City put in an application to the Tourism Product Development Fund for a grant to build out the Beaucatcher Greenway and make it a more accessible path.

Mayor Manheimer said that members of Council have previously received a copy of the ordinance and it would not be read.

Councilwoman Roney moved to approve the proposed text amendments to Articles II and Article XIX to the UDO and find that the proposed amendments are consistent with the city's comprehensive plan in that the amendment will 1) preserve and enhance the urban tree canopy creating a more comfortable environment; 2) better protect land and water assets improving the health of the community; and 3) build climate resilience by reducing risk and vulnerability to flooding, erosion and landslides. This motion was seconded by Councilwoman Smith and carried unanimously.

**ORDINANCE BOOK NO. 35 – PAGE 392**

**V. UNFINISHED BUSINESS:**

**VI. NEW BUSINESS:**

**A. RESOLUTION NO. 24-216 - RESOLUTION AUTHORIZING THE CITY MANAGER TO MODIFY THE DEED RESTRICTION AT 148 RIVER FORD PARKWAY (FORMERLY THE RAMADA INN PROPERTY) TO REQUIRE 50 UNITS OF PERMANENT SUPPORTIVE HOUSING AND 50 UNITS OF AFFORDABLE HOUSING**

**RESOLUTION NO. 24-217 - RESOLUTION RESCINDING RESOLUTION NO. 21-265 WHICH ALLOCATED \$500,000 IN AMERICAN RESCUE PLAN ACT (ARPA) FUNDING AND \$1 MILLION IN CITY CAPITAL FUNDING FOR THE PERMANENT SUPPORTIVE HOUSING AT 148 RIVER FORD PARKWAY (FORMERLY THE RAMADA INN PROPERTY) AND AUTHORIZING THE REALLOCATION OF THE \$500,000 IN ARPA FUNDS TO CODE PURPLE AND TO EMERGENCY SHELTER AND SUPPORTIVE SERVICES**

Homeless Strategy Manager Emily Ball said that this is consideration of adoption of a resolution authorizing the City Manager to amend the existing deed restriction on 148 River Ford Parkway to specify 50 units of supportive housing and 50 units of affordable housing and reallocation of \$500,000 in American Rescue Plan Act (ARPA) funding previously dedicated to permanent supportive housing at 148 River Ford Parkway; and (2) authorizing the City Manager to allocate the \$500,000 in ARPA funding for homelessness services to Code Purple in the amount of \$278,000 and to Emergency Shelter and Supportive Services in the amount of \$222,000 and receive recommendations from the Asheville-Buncombe Continuum of Care prior to awarding specific projects.

**Background:**

- 148 River Ford Parkway is the former site of the Ramada in Asheville.
- At this time, Shangri-La Industries no longer owns the former Ramada property they purchased to convert into Permanent Supportive Housing (PSH). The lender has now

completed the foreclosure process and owns the Ramada property so will make the final decision on the new buyer.

- The deed restriction on the Ramada property requires the former hotel to be used for 100 units of permanent supportive housing for chronically homeless people.
- In 2021, the City allocated \$1.5M in funding for supportive services for the previous PSH project at the Ramada site, however City funds were not released or paid.
- Friendship for Affordable Housing (FFAH) is a private, affordable housing developer under contract to purchase the property using private capital for acquisition and renovation (est. \$18M).
- Friendship originally proposed a permanent supportive housing development in partnership with the VA Medical Center (50 units for Veterans) and Homeward Bound (50 units for people exiting chronic homelessness).
- Based on feedback from the Continuum of Care, HCD, and community, Friendship has reconfigured the proposed project to:
  - Continue to use Friendship's private resources for acquisition and renovation, Housing Authority vouchers, and a partnership with the VA Medical Center for 50 units for Veterans
  - Remove the 50 units for people exiting chronic homelessness with support from Homeward Bound to become 50 units for people at or below 50% Area Median Income
- This reconfiguration removes the original request for \$1.5M in City funding and would require City Council action to modify the deed restriction from 100 units of permanent supportive housing to 50 units of permanent supportive housing and 50 units of affordable housing. The property will have an additional 13 affordable units without project-based vouchers or population specified.
- Friendship is scheduled to close on the property October 1, 2024, contingent on Council action.
- At their September 12, 2024 meeting, the Asheville-Buncombe Continuum of Care Board unanimously approved a recommendation that City Council modify the deed restriction as requested.
- Because the reconfigured project no longer includes a City funding request, \$500K in ARPA funding and \$1M in City capital funding are available to reallocate. The \$1M in City capital funding does not have time restrictions and staff is recommending to reconsider the use of the \$1M as part of the Fiscal Year 2026 budget development process.
- The \$500K in ARPA funding was previously authorized for this project and per Treasury guidance, must be allocated by December 31, 2024 to homeless services.
- At their September 12, 2024 meeting, the Asheville-Buncombe Continuum of Care Board unanimously approved a recommendation that City Council allocate the \$500K in ARPA funding as follows and receive recommendations from the CoC prior to awarding specific projects:
  - \$278K: Code Purple
  - \$221K: Emergency Shelter and Supportive Services

**Council Goal(s):**

- Quality affordable housing
- A Well-Planned and Livable Community

**Committee(s):**

- September 12, 2024 Continuum of Care Board:
  - Unanimously approved a recommendation to City Council to modify the deed restriction as requested and to allocate \$500K in ARPA funding to Code Purple and Emergency Shelter and Supportive Services and to receive recommendations from the Continuum of Care prior to awarding specific projects

- September 17, 2024 Housing and Community Development Committee:
  - Approved in a 2-0 vote (only two members of the Committee were present) a recommendation to allocate \$500k in ARPA funding to Code Purple and Emergency Shelter and Supportive Services and to receive recommendations from the Continuum of Care prior to awarding specific projects.
  - With only two members present, a motion was made but failed due to lack of a second to modify the deed restriction as requested.

**Pro(s):**

- Addresses public health and safety
- Creates needed permanent supportive housing units as well as deeply affordable housing units
- Leverages new investment of private-sector resources

**Con(s):**

- None

**Fiscal Impact:**

- None

Ms. Ball said the following are the key takeaways from her presentation (1) Friendship for Affordable Housing is a private affordable housing developer currently under contract with Stormfield Capital to purchase 148 River Ford Parkway, the former Ramada, to create 113 units of affordable housing. Closing is anticipated October 1, 2024 with occupancy projected for December 2025; (2) To accomplish this, Friendship is requesting a modification of the City's current deed restriction from 100 units of supportive housing to 50 units of supportive housing and 50 units of affordable housing. No City funds are requested to develop these units. Closing is also contingent on securing Project-Based Vouchers from the Housing Authority and process is currently underway; and (3) The Asheville-Buncombe Continuum of Care Board has unanimously recommended 1) that City Council modify the deed restriction as requested and 2) reallocation of ARPA funds originally authorized for this property. Regarding the background, in 2021, the City was able to secure a 50-year deed restriction on 148 River Ford Parkway for 100 units of supportive housing for the chronically homeless from the property owner, Shangri-La Industries. The property was foreclosed and is now owned by Stormfield Capital. The deed restriction on this private property conveys to any new buyer. Friendship for Affordable Housing is an affordable housing developer under contract to purchase 148 River Ford Parkway from Stormfield Capital. Friendship originally submitted a proposal to the City to create 100 units of supportive housing, including 50 units for veterans with services provided by the VA Medical Center and 50 units for people exiting chronic homelessness with services provided by Homeward Bound, contingent on \$1.5M in City funding for Homeward Bound's services. The City has committed to coordinating homelessness response with and through the Asheville-Buncombe Continuum of Care (CoC) and asked the CoC to vet the proposal and make a recommendation. After extensive vetting and discussion, the CoC Board voted 7 - 6 to recommend the initial project proposal. Based on feedback from the CoC, HCD, and community, Friendship reconfigured the project and revised their request. Proposed development would create: 50 supportive housing units for veterans; 50 affordable housing units for people at/below 50% AMI; and 13 affordable housing units (not population-specific).

The following chart is the proposed housing development:

Partner	Role	Funding Structure
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FFAH	Developer and owner	Private capital (~\$18M)
Asheville Housing Authority	Provide 100* project-based vouchers: - 50 Veteran - 50 affordable at/below 50% AMI	Federal HUD funding
Over-Brook Management	Property management and security	Contract with FFAH
Charles George VA Medical Center	Onsite supportive services for 50 Veterans	Federal VA funding

\*13 additional units are affordable but without project-based vouchers for 113 total units onsite.

She said that additional details include (1) Friendship is scheduled to close on the property October 1, 2024; (2) Closing is contingent on: (a) City Council action to modify the deed restriction from 100 units of permanent supportive housing to 50 units of permanent supportive housing and 50 units of affordable housing; and (b) Project-Based Vouchers from the Housing Authority; and (3) Project change means no City funding is necessary to create units, so \$1.5M in City funds available to be redirected elsewhere (a) \$500K is ARPA funding previously authorized for this project and per Treasury guidance must be used for homeless services; and (b) \$1M is City capital funding and can be reprogrammed at any time.

Regarding the CoC recommendation about the deed restriction, at their September 12, 2024 meeting, the CoC Board heard a presentation about the proposed reconfiguration and unanimously approved a recommendations to City Council to modify the deed restriction from 100 units of permanent supportive housing to 50 units of permanent supportive housing and 50 units of affordable housing. Discussion emphasized the need for CoC to plan for additional permanent supportive housing development.

Regarding the CoC recommendation about the ARPA funds, (1) Per Treasury guidance, City Council needs to reallocate ARPA funds into activities by October 11, 2024, with specific projects awarded afterwards; (2) CoC Board unanimously recommended that City Council consider allocating the \$500K in ARPA funding originally requested for 148 River Ford Parkway as follows: (a) \$278K: Code Purple - Based on cost estimate from ABCCM for coming winter to fill the gap between City/County budgeted funds of \$100K and full cost of operation; and (b) \$222K: Emergency Shelter and Supportive Services; and (3) If approved by City Council on September 24, 2024, process would be: (a) Staff initiate funding opportunity available to the CoC Membership; (b) CoC Funding Committee reviews requests received and develops recommendations for CoC Board; (c) CoC Board approves final recommendation to City Council; and (d) City Council makes final decisions this fall/winter.

Ms. Ball said that regarding the HCD recommendations, at their September 17, 2024 meeting, City Council's Housing and Community Development Committee: (1) Approved in a 2-0 vote (only two members of the Committee were present) a recommendation to allocated \$500K in ARPA funding to Code Purple and Emergency Shelter and Supportive Services and to receive recommendations from the Continuum of Care prior to awarding specific projects; and (2) With only two members present, a motion was made but failed due to lack of a second to modify the deed restriction as requested.

Staff recommended the following motions: (1) Motion to authorize the City Manager to modify the deed restriction at the former Ramada at 148 River Ford Parkway to 50 units of

permanent supportive housing and 50 units of affordable housing for persons making 50% or less of Area Median Income; and (2) Motion to authorize the allocation of \$500,000 in ARPA funding for homelessness services to Code Purple in the amount of \$278,000 and to Emergency Shelter and Supportive Services in the amount of \$222,000 and receive recommendations from the Asheville-Buncombe Continuum of Care prior to awarding specific projects.

Ayahlushim Getachew, Principal with FFAH, Jerry Kivett-Kimbr, licensed clinical social worker at the VA Hospital, and Ms. Ball responded to various questions/comments from Council, some being, but are not limited to: confirmation that vouchers would be available via a site-based wait list and individuals would be screened by the FFAH, which typically is done chronologically; what are the requirements for a voucher; information on the financial aspect of this project; FFAH has six projects fully running at this point and they have approximately 75 projects they developed and they understand how to balance security cost and they are analyzed on a monthly basis; possibility of a low tax income credit project on the adjoining parcel; hope that in the future there will be more veteran beds; what will be the VA staffing at the project; and confirmation that FFAH has operated other projects with supportive and non-supportive services.

Councilwoman Roney asked if there has been any new information since the Finance Committee that improved the outcome and made it more financially stable. She said that this should be easy to say yes, especially with the VA at the table. Given the information available to Council in public and private, check-in meetings, isn't as clear as it seems. She was really wrestling with this one, and wanted to hear public comment.

Mayor Manheimer provided Council with a brief update of the CoC meeting as it related to this topic. She was disappointed that there are only 50 units of permanent supportive housing, but we have a challenge. We have a group not asking the City for any money to transform a site to have 50 units for our veterans with permanent supportive housing. There are people all over the community that are using vouchers and they are good neighbors.

Vice-Mayor Kilgore moved to authorize the City Manager to modify the deed restriction at the former Ramada at 148 River Ford Parkway to 50 units of permanent supportive housing and 50 units of affordable housing. This motion was seconded by Councilwoman Turner.

Six individuals spoke in opposition to amend the deed restriction in that this is not a good blend of populations given some need support services; and this area is not the appropriate place for this project.

Two individuals supported the amendment noting that Council needs to address the structural root problem of homelessness.

Councilwoman Turner was concerned over the loss of the other 50 permanent supportive housing units and wondered if the CoC will be looking to find more of those units. Ms. Ball said that the CoC will be having a two day strategic planning meeting in November and she would be shocked if permanent supportive housing was not part of that meeting.

In response to Councilwoman Turner about the blending of individuals who need permanent supportive services and those that do not, Ms. Getachew explained that there are two separate buildings and one building will be for the veterans and the other building will be for the other units of affordable housing. There are some permanent supportive services in the affordable housing building, such as financial literacy classes, how to build a resume, dress for success classes, etc. She then explained how the voucher program works.

Mr. Kivett-Kimbr responded to Councilwoman Smith about the VA case worker/client ratio. Councilwoman Smith expressed concern about two different populations co-existing even if they are in two separate buildings. She felt that there should be onsite services for the civilians as well, because if there is an issue, then everyone will be impacted.

Councilwoman Roney said that she has heard from a lot of voices to just do something. Think of Sears building next to mall, where there was hope for something better, now it's been sitting empty for years. She is not on the CoC board, but as an individual member of CoC, reviewed our agreements and the NAEH report recommendations. Based on my interpretation, she'd be more inclined to support the original proposal or a next proposal with services for everyone, not just supporting half the residents. With the information she has, it seems we're operating from appropriate urgency, but also scarcity—this proposal feels like eating the scraps of bread instead of bringing the whole loaf. Maybe we missed the chance at a whole loaf. Thank you to our neighbors who have come out tonight and engaged at the CoC.

Ms. Ball said it is common to have a housing development where there is a mix of people that have different needs.

Mayor Manheimer said that members of Council have been previously furnished with copies of the resolutions and they would not be read.

The motion made by Vice-Mayor Kilgore and seconded by Councilwoman Turner carried on a 4-3 vote, with Councilwoman Mosley, Councilwoman Roney and Councilwoman Smith voting "no."

**RESOLUTION BOOK NO. 45 - PAGE 191**

Councilwoman Turner moved to authorize the allocation of \$500,000 in ARPA funding for homelessness services to Code Purple in the amount of \$278,000 and to Emergency Shelter and Supportive Services in the amount of \$222,000 and receive recommendations from the Asheville-Buncombe Continuum of Care prior to awarding specific projects. This motion was seconded by Councilwoman Roney and carried unanimously.

**RESOLUTION BOOK NO. 45 - PAGE 192**

**VII. INFORMAL DISCUSSION AND PUBLIC COMMENT:**

Several individuals spoke to City Council about various matters, some being, but are not limited to: universal basic income; conditional zoning thresholds, request for Council to adopt a resolution calling for a ceasefire in Gaza; invitation to Jewish Voice for Peace ritual event; support for anti-displacement strategies; and need to relocate speed limit sign on Woodfin.

Mayor Manheimer announced that the City Council Agenda Briefing worksession on October 3, 2024, and the City Council formal meeting on October 8, 2024, have been canceled.

**VIII. ADJOURNMENT:**

Mayor Manheimer adjourned the meeting at 8:49 p.m.

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CITY CLERK

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MAYOR