

AGENDA

CITY OF HENDERSONVILLE CITY COUNCIL – REGULAR MEETING

AUGUST 7, 2014 – 5:45 P.M.

Council Chambers – City Hall

1. **Call to Order**
2. **Invocation and Pledge of Allegiance**
3. **Public Comment Time:** *Up to 15 minutes is reserved for comments from the public for items not listed on the agenda*
4. **Consideration of Agenda**
5. **Consideration of Consent Agenda:** *These items are considered routine, noncontroversial in nature and are considered and approved by a single motion and vote.*
 - A. **Consideration of Minutes:**
 - i. July 3, 2014 Regular Meeting
 - B. **Consideration of Budget and Management Analyst Position**
 - C. **Consideration of Special Event Permits:**
 - i. String Quartet on the Street
 - ii. Outreach Ministry Gospel Singing
 - D. **Consideration of Petty Cash Policy**
 - E. **Consideration of Budget Amendment (Salaries)**
 - F. **Consideration of Findings of Fact and Conclusions of Law for the following Special Use Permits:**
 - i. Farnam/McCraw
 - ii. Foxchase, Phase II
6. **Presentation of Gold National Champion Medallion by National Champions Expos 13**
Presenter: Mike Andress

7. **Recognition of Special Guest Rafael Ángel Almeida Valdés from Colorado, Ciego de Avila, Cuba**
Presenter: Mayor Barbara Volk and Council Member Jerry Smith
8. **Public Hearing – Consideration of Request for the Rezoning of Grace Blue Ridge Church Property Located off of Florence Street from R-15 Medium Density Residential and C-3 Highway Business to C-2 Secondary Business**
Presenter: Planning Director Sue Anderson
9. **Public Hearing - Consideration of Request for the Rezoning of Two Vacant Parcels at Interfaith Assistance Ministry Property Located on Freeman Street from PCD Planned Commercial Development to C-3 Highway Business**
Presenter: Planning Director Sue Anderson
10. **Presentation on Budget Document**
Presenter: Administration Intern Brian Pahle
11. **Consideration of Parking on Half Moon Trail, Foxchase, Phase II**
Presenter: Public Works Director Tom Wooten
12. **Consideration of Parking Issues and a Comprehensive Parking Study Proposal**
Presenter: City Manager John Connet
13. **Consideration of the Installation of “Yield to Pedestrians” Signs at all Mid-block Crosswalks on Main Street**
Presenter: City Manager John Connet
14. **Consideration of Request of Southern Lights Square Dance Club for a Reduction in Building Rental Fees**
Presenter: Public Works Director Tom Wooten
15. **Comments from Mayor and City Council Members**
 - a. Scheduling of a Special Joint Meeting with Seventh Avenue Advisory Committee (*tentatively scheduled for August 11, 2014, 5:30 p.m.*)
16. **Reports from Staff**
17. **Consideration of Appointments to Boards and Commissions**
Presenter: City Clerk Tammie Drake
 - a. Appointments to Boards and Commissions
 - b. Announcement of Vacancies and Upcoming Appointments
18. **New Business**
19. **Adjournment**

July 3, 2014
Regular Meeting of the City Council
Council Chambers – City Hall
5:45 p.m.

Present: Mayor Barbara G. Volk, Mayor Pro Tem Ron Stephens and Council Members: Steve Caraker and Jeff Miller

Absent: Council Member Jerry Smith

Staff Present: Planning Director Sue Anderson, Police Chief Herbert Blake, City Manager John F. Connet, City Clerk Tammie Drake, Fire Chief Dorian Flowers, City Attorney Sam Fritschner, Personnel Officer David Sapp, Utilities Director Lee Smith, Finance Director Lisa White, Public Works Director Tom Wooten

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

2. Invocation and Pledge of Allegiance: A moment of silence for prayer was followed by the Pledge of Allegiance to the Flag.

3. Public Comment Time: *Up to 15 minutes is reserved for comments from the public for items not listed on the agenda.* Mayor Volk asked those speaking to limit their comments to three minutes.

Barbara Hughes, 315 N. Main Street, invited the Council to the 18th Annual Chalk It Up event stating the Advocate for the Arts has offered financial awards to the winners. She also invited the Council to “Live Shot” by WLOS at 4:30 a.m. on Monday, July 7. She expressed appreciation for their support.

Kathryn Gladwell, 3241 Greenville Highway (not inside the City), explained their plight of using a portion of their property, Hidden Valley, as a horse-riding ring for teaching students, etc.. Their horse farm is under a conservation agreement and they are in litigation with the Carolina Mountain Land Conservancy.

Virginia Spigener, 37 Glassy Lane, Flat Rock, voiced support of the horse farm and requested the Council to write their opinion of the situation.

Lauren McCarthy, 57 Glassy Lane, Flat Rock, also voiced support of the horse farm.

Mayor Volk thanked them for expressing their concern but the property is not located in the City so the City cannot take an official position on the issue.

4. Consideration of Agenda: Council Member Caraker moved Council’s approval of the agenda as amended. A unanimous vote of the Council followed. Motion carried.

5. Consideration of Consent Agenda: *These items are considered routine, non-controversial in nature and are considered and approved by a single motion and vote.*

A. Consideration of Minutes: May 27 Special Meeting, June 3 Regular Meeting

B. Consideration of Special Event: DJ at Patton Pool: Ms. Frady reported the Special Events Committee recommends approval of a special event, DJ at Patton Pool, to be held on June 20, June 27, and July 25. The

June 27 and July 25 events will include a movie. The DJ will perform from 7–90 p.m. and the movie will be from 9–11:00 p.m. These events are being held to bring additional patrons to Patton Pool.

C. Consideration of Agreement with Henderson County for Public Safety Answering Point (PSAP-911): City Attorney Fritschner presented an agreement with Henderson County explaining the State of North Carolina has recently approved a plan permitting secondary PSAP-911 (Public Safety Answering Point) providers such as the City of Hendersonville to receive its proper share of the funding that goes to the primary providers for PSAP services. In order to permit the City to receive its funding the City must approve an agreement with the primary provider, Henderson County. [The agreement is on file in the office of the City Clerk.]

D. Consideration of Contract to Audit Accounts – Carland & Andersen, Inc.: Ms. Lisa White presented the contract with Carland & Andersen, Inc. to perform an audit of the City of Hendersonville accounts. [The contract is on file in the office of the City Clerk.]

Council Member Caraker moved approval of the items listed on the consent agenda. A unanimous vote of the Council followed. Motion carried.

6. Recognition of Police Department Volunteers: Chief Herbert Blake joined Mayor Volk in presenting Certificates of Appreciation to Police Department Volunteers: Laurel Ivey for 7,500 volunteer hours, Margie Grey for 1,560 volunteer hours and Marge Newman (not present) for 1,560 volunteer hours. Mayor Volk expressed her appreciation to these volunteers.

7. Update on Hendersonville Sister Cities: Mr. Mike Swartzlander, Board member of HSC, provided an update to the Council on their activities including: programs on Japan, Paris, and a French culinary experience. They are planning to add another Sister City, Pallanza, Italy. A small delegation will visit with hopes to sign the official documents in Spring 2015. HSC will host five Russian delegates through the Open World program.

Mr. Schwartz explained programs are open to the public to expand cultural experience. He expressed appreciation for the Council's support. **No action was required or taken.**

8. Quasi-Judicial Public Hearing – Consideration of an Application for Special Use Review of Foxchase Phase II, Located at the Corner of Highway 64 East and Half Moon Trail and the Rezoning of the Property from HMU Highway Mixed Use to PRD Planned Residential Development: Mayor Volk explained the quasi-judicial procedures including those wishing to speak must be sworn in and Council may only consider facts in the case - not opinions. Four people were sworn in to provide testimony.

Mayor Volk asked for announcements of any conflict of interest of the Council. There was none. Mayor Volk asked if anyone present is aware of anything of value that has been given or promised for a vote in this case. There was none.

Mayor Volk opened the public hearing at 6:14 p.m. in accordance with North Carolina General Statutes by notice published in the Hendersonville Lightning.

Ms. Anderson entered file #P14-11-SUR into the record and asked Council to take official notice of the Zoning Ordinance, the official zoning map, the 2030 Comprehensive Plan and the Transportation Plan.

Ms. Sue Anderson, Planning Director, provided the following testimony:

The City of Hendersonville received a Special Use Permit application from EWA Hendersonville LLC for ten single-family dwelling units and one two-family dwelling unit to be located on parcel number 9670-91-5951

and to rezone this parcel from Highway Mixed Use to Planned Residential Development. The parcel consists of 3.96 acres located at the intersection of U.S. Highway 64 and Half Moon Trail.

The preliminary site plan for this project was previously approved under the Highway Mixed Use (HMU) zoning classification by the Planning Board on February 10, 2014. For final site plan approval, the applicant was required to meet the design standards listed in Section 5-23-5. Staff reviewed ten sets of submitted building drawings for compliance with the design standards.

A number of the applicant's designs do not meet two standards: Sections 5-23-5.2.2(a) and 5-23-5.2.2(b). Based on that fact, the applicant resubmitted the project as a Special Use Permit and requested rezoning to Planned Residential Development. Other than requirements for maximum building heights, Planned Residential Developments do not have design standards. She provided two examples of the proposed façade designs.

Existing land use and zoning: Adjacent land uses include single-family residential dwelling units located to the southwest and zoned HMU Highway Mixed Use. A Special Use Permit Planned Residential Development is located to the south and east and includes single-family residential dwelling units and one multi-family residential dwelling unit. A mini storage facility is located to the north across Half Moon Trail and is zoned HMU Highway Mixed Use.

Comprehensive Plan Consistency: The parcel is classified as Medium Intensity Neighborhood and Natural Resource/Agricultural on the 2030 Comprehensive Plan's Future Land Use Map. She reviewed the goals of both of the categories.

Plan Review: Planning Department staff reviewed the site plan and finds that it meets the requirements for preliminary site plans contained in Section 7-4-5.1 of the Zoning Ordinance.

Analysis: She reviewed the findings contained in Section 7-4-10.1 of the Zoning Ordinance:

- (A) Staff has not identified any issues concerning public health, safety or general welfare.
- (B) The property is currently served by water and sewer.
- (C) The applicant is not requesting any variances.
- (D) A neighborhood compatibility meeting concerning the application was held on May 5, 2014. She provided a copy of the neighborhood compatibility report and e-mails received.
- (E) The 2030 Comprehensive Plan's Medium Intensity Neighborhood goal is to "provide a transition between High and Low-Intensity Neighborhood and Regional Activity Centers and downtown and provide a transition between commercial and single-family development."

She reviewed the goal of the Natural Resource/Agricultural category stating it includes all areas located in the floodway.

The applicant has received a map amendment from the Federal Emergency Management Agency removing a majority of this property from the floodway designation.

The NCDOT Comprehensive Transportation Plan does not address Half Moon Trail since this road is a City-maintained street.

Planning Board Recommendation: The Planning Board voted unanimously to recommend that City Council adopt an ordinance changing the zoning designation of Parcel # 9670-91-5951 from HMU Highway Mixed Use to PRD Planned Residential Development Special Use, finding that the rezoning is consistent with the Comprehensive Plan, the rezoning is reasonable and in the public interest for the following reasons: the plan meets the zoning designation and community look of the development.

The Planning Board further recommended that the City Council approve the application for a Special Use Permit based on the site plan submitted by the applicant and subject to the following condition: No on-street parking shall be allowed on Half Moon Trail. The Public Works Director Tom Wooten and Parking Enforcement Officer Anita Lockhart looked at Half Moon Trail.

She reviewed the motion including the condition.

Council Member Caraker asked for the width of Half Moon Trail. Ms. Anderson stated it is 24 feet wide. She stated they received concerns from some of the community members in the upper portion about on-street parking on Half Moon Trail.

Council Member Caraker asked if on-street parking is allowed in the remainder of the development. Ms. Anderson stated the remainder of the development is private streets controlled by the homeowners association. Council Member Caraker asked what the width is for the remainder of the streets in the subdivision. Mr. Norwood stated 24 feet. Council Member Miller asked if there will be two separate HO associations. Mr. Norwood stated yes, this will be a separate one. Mayor Pro Tem Stephens asked how many cars can park in the driveway of these houses. Mr. Norwood stated two cars can park in the driveway. He stated the complaint came from the other neighborhoods that people are parking in the street but it is not a major problem. He stated parking will not affect him. Council Member Caraker stated parking is something the homeowner's association will handle.

Drew Norwood, Greenville, SC, one of the owners of Windsor-Aughtry Company, provided the following testimony: They formed a partnership with Eastland Capital (EWA). They purchased this development during the financial crisis then sold the lots. This piece was left out of the original approve PRD and zoned commercial. The bank sold Eastland all of the remaining lots and Eastland and he bought this piece because it was zoned commercial and they didn't want commercial there because they were building houses and didn't think it fit. He stated the bank would have sold it for commercial or apartments. They bought it for the purpose of putting houses there, just like the houses they built in the rest of it. They will build 10 single-family homes and one duplex. This is to make it fit with the rest of the units. One customer is waiting to close on the purchase to see if the rezoning from commercial is approved.

Mayor Pro Tem Stephens asking if it concerned him that there would be no on-street parking. Mr. Norwood stated he doesn't think it's a problem to have parking on the street. He stated a few people may complain. He stated they have 38 residents in one section and 17 in another but only two complaints. He stated he doesn't think it's a big deal but it won't stop him from doing what he needs to do if they cannot park. He stated he would prefer that they be able to park on-street but it's up to the Council. He asked that it be allowed. He stated it is a City street and the association has not voted to stop people from parking on those other streets and they could that if they wanted to. Council Member Caraker asked if they are ok with people parking on private streets. Mr. Norwood stated yes. Mayor Pro Tem Stephens commented from a practical standpoint, if someone buys a house and has a small party or family in, where would they park. Mr. Norwood agreed. Council Member Miller asked where the condition of no on-street parking came from. Mr. Norwood stated two people came to the meeting and the Planning Board agreed with them. Council Member Miller stated if Council passes this with the condition, the homeowner's association couldn't change it. Council Member Caraker agreed stating they would have to go through another hearing. Mr. Connet commented if it is a public street the Council could designate "no parking" at a future date like any other public street. Council Member Caraker stated it doesn't have to be a condition under special use because it would require a hearing to change it. Council Member Miller commented because it is a City street and if a problem arises or the homeowner's association requests it, it could be changed without going through special use process.

Mayor Volk opened the hearing for public comment. No one spoke in favor of the application. One person was sworn in to speak.

Stan Leddon, 78 Brookstone Court, stated if people are allowed to park on one side of the road, they will park on both sides of the road. He stated it is a City street and in case of snow, the plow has to come through there. He stated if cars are parked on the street, the plows cannot get through.

No one else expressed a desire to speak. The public hearing was closed at 6:32 p.m.

Mayor Pro Tem Stephens asked if parking can be restricted to one side of the street and agreed people should not be parking on both sides of the street. There was discussion of whether parking on only one side of the street should be included as a condition to the special use permit. City Attorney Fritschner advised it does not need to be a part of the special use permit because it was not included in the notice of the hearing. He advised it should be brought back for review at a subsequent Council meeting as it is not a decision that may be made by the Public Works Director. Mr. Connet stated the decision should be made by ordinance so it may be enforced by the Police Department.

Council Member Caraker moved City Council to adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of Parcel # 9670-91-5951 from HMU Highway Mixed Use to PRD Planned Residential Development Special Use, finding that the rezoning is consistent with the Comprehensive Plan, the rezoning is reasonable and in the public interest for the following reason: because the zoning will match the residential area surrounding it. He further moved City Council to approve the application from EWA Hendersonville LLC for a Special Use Permit based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the published List of Uses and Conditions. A unanimous vote of the Council followed. Motion carried.

Ordinance #14-0739

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF THE CITY OF HENDERSONVILLE
IN RE: Foxchase II; (File # P14-11-SUR)**

Be it ordained by the City Council of the City of Hendersonville:

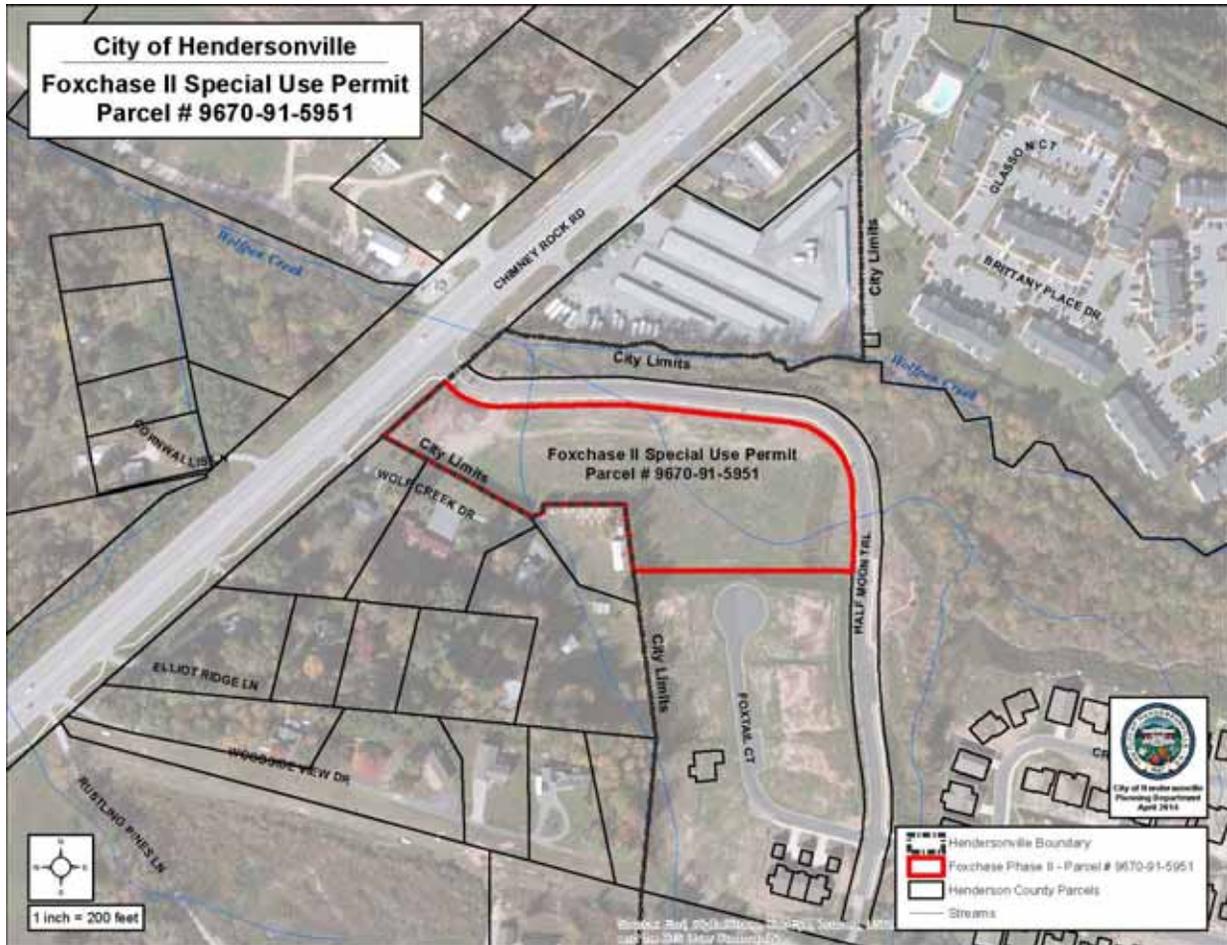
1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of Parcel Number 9670-91-5951 from City of Hendersonville HMU Highway Mixed Use to City of Hendersonville PRD Planned Residential Development Special Use.
2. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this third day of July 2014.

/s/Barbara G. Volk, Mayor

Attest: /s/Tammie K. Drake, City Clerk

Approved as to Form: /s/Samuel H. Fritschner, City Attorney



9. Public Hearing - Consideration of Petition for the Satellite Annexation of Property Located at 706 Upward Road: Ms. Anderson reported the City received a petition from Jack Jamison for the satellite annexation of 4,028 square feet (.092 acre) of the property identified as Parcel Identification Number 9588-20-9615 located at 706 Upward Road. The applicant intends to subdivide this parcel and does not wish to annex the entire parcel.

Ms. Anderson explained the Council accepted the Clerk's Certificate of Sufficiency at their June 3 meeting and recommended a public hearing at this meeting. She explained the standards of NCGS 160A-31.

Mayor Volk opened the public hearing at 6:38 p.m. in accordance with North Carolina General Statutes by notice published in the Hendersonville Lightning. No one expressed a desire to speak. The public hearing was closed.

Council Member Miller moved City Council adopt an ordinance annexing the property included in the Jack Jamison petition. The effective date is July 3, 2014. A unanimous vote of the Council followed. Motion carried.

Ordinance #14-0738

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE
CITY OF HENDERSONVILLE, NORTH CAROLINA
706 Upward Road**

WHEREAS, the City of Hendersonville has been petitioned, pursuant to North Carolina General Statutes (NCGS) 160A-58.1, as amended, to annex the area described herein; and,

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of said petition; and,

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at City Hall, Hendersonville, N.C. at 5:45 p.m., on the third day of July 2014, after due notice by publication as by law provided; and,

WHEREAS, the City Council further finds the areas described therein meets the standards of G.S. 160A-58.1(b), to wit:

- a. All of the proposed satellite corporate limits are less than three miles from the primary corporate limits of Hendersonville. The map distance is 1.2 miles.
- b. No point on the proposed satellite corporate is closer to the primary corporate limits of another city than to the primary corporate limits of Hendersonville.
- c. The area is situated so that the City of Hendersonville, if City Council so determines, will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits.
- d. The area proposed for annexation is not a subdivision as defined in GS 160A-376.
- e. The area within the proposed satellite corporate limits when added to the areas within all other satellite corporate limits does not exceed 10 percent (10%) of the area within the primary corporate limits of the City of Hendersonville. The total area within the satellite corporate areas, including land involved in this petition, constitutes 3.4 percent of the area within the primary corporate limits.

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

Section 1. By virtue of the authority granted by G.S. 160A-58.1, as amended, the following described area is hereby annexed and made part of the City of Hendersonville as of the third of July 2014.

DESCRIPTION OF PROPERTY:

Being Lot A containing 4,028 sq. ft. that is shown on a plat of survey by Steven Lloyd Waggoner under date of May 20th, 2014 and being job number 06-060. Being more particularly described by metes and bounds as follows: Beginning at a new iron pipe, said new iron pipe located in the right of way for Upward Road and standing in the line of the Corporate Limits of The City of Hendersonville and moving thence from said beginning point North 05 deg. 49 min. 59 sec. East 74.41 feet to an existing iron stake being a bed rail; thence turning South 89 deg. 12 min. 20 sec. East 11.28 feet to an existing iron stake being an angle iron; Thence South 88 deg. 50 min. 57 sec. East 64.98 feet to a new iron pipe; thence with the arc of a curve to the left having a radius of 7,660.00 feet an arc distance of 37.74 feet with a chord bearing of South 03 deg. 54 min. 01 sec. West and a chord distance of 37.74 feet to a new iron pipe; thence South 33 deg. 01 min. 22 sec. West 17.71 feet to a new iron pipe; thence North 56 deg. 58 min. 38 sec. West 21.50 feet to a new iron pipe; thence with the arc of a curve to the left having a radius of 21.50 feet an arc distance of 56.74 feet with a chord bearing of South 47 deg. 25 min. 10 sec. West and a chord distance of 41.65 feet to a new iron pipe; thence South 28 deg. 11 min. 02 sec. East 10.21 feet to a new iron pipe; thence North 78 deg. 59 min. 09 sec. West 28.23 feet to the point and place of beginning. This lot A being a portion of tax parcel 9588-20-9615.

Section 2. Upon and after the third day of July 2014, the above described territory, and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Hendersonville, and shall be entitled to the same privileges and benefits as other parts of the City of Hendersonville. Said territory shall be subject to municipal taxes according to NCGS 160A-31, as amended.

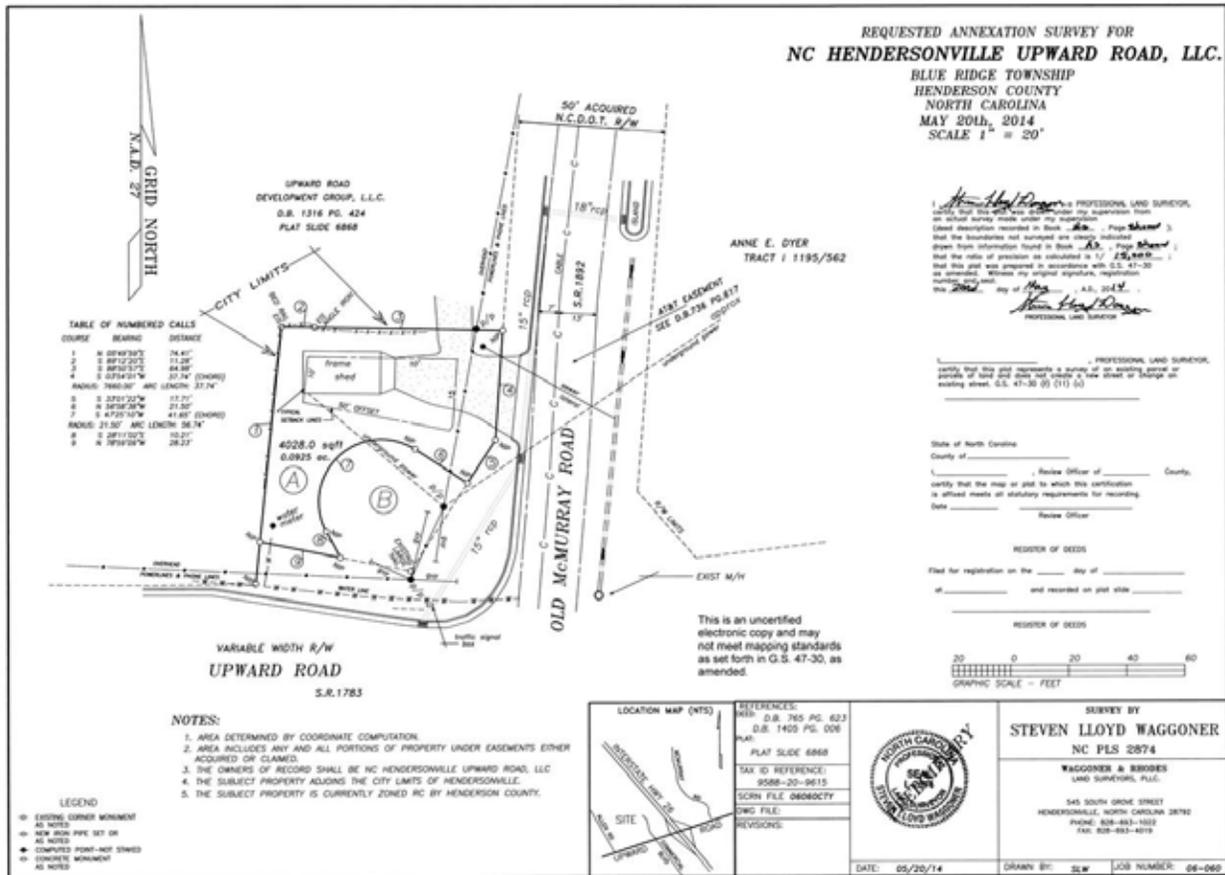
Section 3. The City Clerk of the City of Hendersonville shall cause to be recorded in the office of the Register of Deeds of Henderson County and at the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1, hereof, together with a duly certified copy of this ordinance.

ADOPTED this third day of July 2014.

/s/Barbara G. Volk, Mayor

Attest: /s/Tammie K. Drake, City Clerk

Approved as to Form: /s/Samuel H. Fritschner, City Attorney



10. Quasi-Judicial Public Hearing – Consideration of an Application to Modify and Reissue the Special Use Permit for Upward Road Development for Commercial Uses Located at the Intersection of Upward Road and Commercial Boulevard and to Rezone a Portion of the Property from Henderson County Regional Commercial to City of Hendersonville Planned Commercial Development: Mayor Volk explained the quasi-judicial procedures including those wishing to speak must be sworn in and Council may only consider facts in the case - not opinions. Three persons were sworn in to provide testimony.

Mayor Volk asked for announcements of any conflict of interest of the Council. There was none. Mayor Volk asked if anyone present is aware of anything of value that has been given or promised for a vote in this case. There was none.

Mayor Volk opened the public hearing at 6:40 p.m. in accordance with North Carolina General Statutes by notice published in the Hendersonville Lightning.

Ms. Anderson entered file #P14-17-SUR into the record. She requested Council take official notice of the Zoning Ordinance, the official zoning map, the 2030 Comprehensive Plan and the Comprehensive Transportation Plan. She provided the following testimony:

The City received an application from Neil Farnam, Jerry McCraw and Margaret McCraw for the following changes to an approved Special Use Permit:

1. Initially zone approximately 4,029 square feet of the property identified as PIN 9588-20-9615 to City of Hendersonville zoning classification PCD Planned Commercial Development following annexation;
2. Incorporate approximately 4,029 square feet of the property into an existing PCD;
3. Incorporate an additional entrance into the PCD from Old McMurray Road;
4. Re-issue the special use permit for parcel #9588-20-7713.

This application is for special use review. The preliminary site plan is subject to recommendation by the Planning Board and approval by City Council. The final site plan is subject to City staff approval.

She provided a history of the development including the original Special Use Permit and phasing plan. The NC State Legislature passed legislation that stopped the clock on development proposals from January 21, 2008 through December 31, 2011 due to the recession and therefore, the commencement of this project was required by May 3, 2014 with a completion date of May 4, 2016. A one-year extension was granted by the Council in April 2014 resulting in a commencement date of May 3, 2015 and completion date of May 4, 2017.

Staff has approved a subdivision plat for sections F, E and a portion of D. The parcel was intended for a fast food restaurant and is subject to staff approval of the final site plan. The road from McMurray Road will provide access to this parcel and a second entry from McMurray Road to this parcel is being requested and is shown on the revised preliminary site plan. This parcel may also be accessed via the private road that serves the entire site.

Section 5-15-5 allows for the subdivision of PCD's when the project is intended to function as a unified whole with common access, design and parking.

She reviewed the original project square footages and the proposed project square footages.

Request To Re-Issue The Special Use Permit:

Zoning Ordinance Requirements: For Special Use Permits, the Zoning Ordinance requires commencement (use, construction or activity) within two years of approval with an option to extend that date an additional two years. The Zoning Ordinance also requires that the right to construct improvements or otherwise develop the land shall be completed within three years of approval with an option to extend that date to a state mandated maximum of five years.

City Council may grant one or more completion extensions upon making the following determinations:

- a) The permit holder requested the extension prior to the expiration of the special use permit, as it may have been previously extended;
- b) The permit holder has proceeded with due diligence and good faith; and
- c) Conditions have not changed so substantially as to warrant City Council reconsideration of the approved special use.

Currently, the Special Use Permit has a commencement date of May 3, 2015 and completion date of May 4, 2017. Because of the State statute limitation, the applicant is requesting that City Council re-issue the Special Use Permit for this project so a new time frame can be established. The applicant is also requesting an extension of the completion date from three years to five years. The Phasing Plan approved in 2008 should be included with the re-issue of the Special Use Permit.

Existing Land Use And Zoning: The project site is currently zoned Planned Commercial Development (PCD). The applicant is requesting that 4,029 square foot of the property identified as PIN # 9588209615 be incorporated into the project site. This parcel is currently zoned Henderson County Regional Commercial.

Surrounding property uses include residential, retail, restaurant, and office.

Comprehensive Plan: The 2030 Comprehensive Plan Future Land Use map identifies these two parcels as a Regional Activity Center, which is intended to “meet the large-scale retail needs of Hendersonville residents while encouraging mixed-use, walkable design through redevelopment and infill projects.”

Plan Review: A review of the site plan reflects compliance with applicable sections of the Zoning Ordinance except for the following requirements:

Elevations: As outlined by Section 7-4-5.1(t) of the Zoning Ordinance, projects undergoing special use review are required to submit elevation drawings of the proposed facades of site buildings with the preliminary site plan. The previously approved Special Use Permit had a condition to allow the submission of elevation drawings showing the design of the facades of each building proposed for the project prior to approval of the final site plan. This condition has also been added to this re-issue request.

Exterior Setbacks: Section 5-15-4.1 of the Zoning Ordinance requires that “all buildings and structures shall be set back not less than 40 feet from the nearest right-of-way line for any street adjoining the site... Furthermore, such buildings and structures shall be set back not less than 25 feet from any exterior property line, which is not contiguous with a street or other right-of-way.”

In its current location, the 7,092 square foot retail building proposed for the project site is setback only 25 feet from Old McMurray Road. This is the required PCD setback for all structures from exterior property boundaries and not the required 40 foot setback from adjacent street rights-of-way. The applicant is working with NCDOT to officially abandon the section of the road directly adjacent to the retail building.

Traffic Impact Analysis and Upward Road Improvements: A traffic impact analysis was completed and submitted to the Planning Department in March 2007. As part of NCDOT Project# R-4430 (Upward Road widening), an approximately 90-foot right turn lane with a 70-foot taper has been added to the westbound intersection of Upward Road and the private road that serves this development. In addition, the Old McMurray Road intersection is now a right-in, right-out only due to the installation of an island separating the travel lanes on Upward Road.

The original Traffic Impact Analysis identified the need for a full right turn lane at the intersection of Upward Road and Old McMurray Road. An amendment to the original Traffic Impact Analysis was completed by Mattern & Craig, Consulting Engineers and Surveyors. This amendment, dated May 28, 2014, reviewed the proposed fast food restaurant, the change that the secondary road to the entire site from Old McMurray Road will now only serve the fast food restaurant and the addition of another driveway on Old McMurray Road to the fast food restaurant.

Access is also under review of the NCDOT who will issue a driveway permit and approve the access at the proposed location.

Analysis: She reviewed the finding required by Section 7-4-10.1 of the Zoning Ordinance stating”

- (A) Staff has not identified any issues concerning public health, safety, or general welfare.
- (B) Water service and sewer service currently exist on the site.
- (C) The applicant is not requesting any variances.
- (D) Since the applicant is requesting a re-issue of the special use permit, a new Neighborhood Compatibility meeting was held on May 14, 2014. Notice was provided by U.S. mail to the owners of record of all property situated within 400 feet of the subject property as required by Section 7-4-4.1 of the Zoning Ordinance. No members of the public were present at the Neighborhood Compatibility meeting.

(E) The 2030 Comprehensive Plan's Regional Activity Center category is intended to "meet the large-scale retail needs of Hendersonville residents while encouraging mixed-use, walkable design through redevelopment and infill projects."

NCDOT Project # R-4430 for the widening of Upward Road is scheduled for completion in the summer of 2014 and all necessary right-of-way has been acquired from this site.

Planning Board Recommendation: The Planning Board voted unanimously to recommend that City Council amend the official zoning map by initially zoning a portion of Parcel Identification Number 9588-20-9615 to City of Hendersonville zoning classification PCD Planned Commercial Development, finding that the zoning is consistent with the 2030 Comprehensive Plan and the Comprehensive Transportation Plan, and, that the zoning is reasonable and in the public interest for the following reasons: It is consistent with the previously approved special use permit.

The Planning Board further recommended City Council approve the issuance of a special use permit based on the site plan submitted by the applicant, subject to the limitations and conditions stipulated on the published List of Uses and Conditions and with an extended completion date of July 3, 2019.

Council Member Miller asked about abandonment of road.

Neil Farnum, 7 Park Road, Asheville, stated NCDOT is fine with abandonment of the back part of the road but all neighbors have to agree. Her attorney is in favor but there are other issues she is dealing with and is not ready to sign off. The abandonment is likely but not certain.

Council Member Miller asked if the motion would permit the project regardless of the abandonment. Ms. Anderson stated yes, but building #3 would have to meet the 40-foot setback or they could request variance. Council Member Miller asked Mr. Farnum if he can still work with the project without the road abandonment. Mr. Farnum stated yes.

Mayor Volk opened the public hearing was opened in accordance with NCGS by notice published in the Hendersonville Lightning. No one expressed a desire to speak. The public hearing was closed.

Council Member Caraker moved City Council to adopt an ordinance amending the official zoning map of the City of Hendersonville by initially zoning a portion of Parcel Identification Number 9588-20-9615, as shown in Exhibit A attached hereto, to City of Hendersonville zoning classification PCD Planned Commercial Development, finding that the zoning is consistent with the 2030 Comprehensive Plan and the Comprehensive Transportation Plan, and, that the zoning is reasonable and in the public interest for the following reasons: the project matches development around it. A unanimous vote of the Council followed. Motion carried.

Ordinance #14-0737

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF THE CITY OF HENDERSONVILLE
IN RE: Upward Road Property
(File # P14-17-SUR)

Be it ordained by the City Council of the City of Hendersonville:

1. Pursuant to Section 4-2 and Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by initially zoning a portion of Parcel Identification Number (PIN) 9588209615, shown as lot "A" in Exhibit A attached hereto, to City of Hendersonville zoning classification PCD Planned Commercial Development.
2. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this third day of July 2014.

/s/Barbara G. Volk, Mayor

Attest: /s/Tammie K. Drake, City Clerk

Approved as to Form: /s/Samuel H. Fritschner, City Attorney

Ms. Anderson reviewed the factors contained in Section 11-4 of the Zoning Ordinance, that must be considered by City Council prior to adopting or disapproving an amendment to the text of the City's Zoning Ordinance.

Mayor Volk opened the public hearing at 7:02 p.m. in accordance with North Carolina General Statutes by notice published in the Hendersonville Lightning. No one expressed a desire to speak. The public hearing was closed.

Council Member Miller moved City Council adopt an ordinance amending the City of Hendersonville Zoning Ordinance Article V Zoning District Classifications, Section 5-10-1 Permitted Uses, Section, Section 5-10-4 Special Uses and Section 5-10-8 Prohibited Uses. A unanimous vote of the Council followed. Motion carried.

Ordinance #14-0740

AN ORDINANCE AMENDING ARTICLE V SECTION 5-10-1 PERMITTED USES, SECTION 5-10-4 SPECIAL USES AND SECTION 5-10-8 PROHIBITED USES OF THE ZONING ORDINANCE OF THE CITY OF HENDERSONVILLE PERTAINING TO THE MEDICAL, INSTITUTIONAL AND CULTURAL ZONING DISTRICT CLASSIFICATION

WHEREAS, the General Assembly of the State of North Carolina has granted authority to municipalities to adopt, administer and enforce zoning and subdivision regulation ordinances, building codes, and minimum housing standards and other related measures; and

WHEREAS, the General Assembly of the State of North Carolina has granted authority to municipalities to amend, supplement, change, modify or repeal zoning regulation ordinances; and

WHEREAS, the City of Hendersonville desires to amend those regulations with regards to the Medical, Institutional and Cultural zoning district.

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

1. Article V Zoning District Classifications, Section 5-10-1 Permitted Uses is hereby amended to include the following permitted use:

Schools, post secondary, business, technical & vocational

2. Article V Zoning District Classifications, Section 5-10-4 Special Uses is hereby amended to read as follows:

5-10-4 Special Uses. The following uses and structure size shall be permitted in the MIC Medical Institutional Cultural Zoning District Classification only upon issuance of a special use permit ~~pursuant to Article VII and shall be subject to special requirements contained in Section 16-4, below: and shall be processed under special use review in accordance with Section 7-4 of the Zoning Ordinance. Such development or redevelopment shall not require rezoning of the property to a special use or planned development district.~~

a) Telecommunications towers, subject to special requirements contained in Section 16-4, below:

b) Any development or redevelopment involving more than 50,000 ft² of gross floor area:

3. Article V Zoning District Classifications, Section 5-10-8 Prohibited Uses is hereby repealed.
4. Any person violating the provisions of this ordinance shall be subject to the penalties set forth in Section 9-8 of the Zoning Ordinance.
5. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.
6. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.
7. The enactment of this ordinance shall in no way affect the running of any amortization provisions or enforcement actions, or otherwise cure any existing zoning violations.
8. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this third day of July, 2014

/s/Barbara G. Volk, Mayor

Attest: /s/Tammie K. Drake, City Clerk

Approved as to Form: /s/Samuel H. Fritschner, City Attorney

12. Consideration of Paving Contract: Mr. Wooten provided the following summary for the bids opened at 9:00 a.m. on July 3, 2014 stating Southeastern Asphalt \$443,779.97 was the low bidder and recommended they be awarded the contract.

Trace and Company	\$571,628.24
Tarheel Paving	\$476,902.15
JLS Company	\$698,873.80
Rogers Group	\$613,245.25
Southeastern Asphalt	\$443,779.97
APAC Harrison Construction	\$699,549.88

Mr. Wooten reviewed the 2013-14 street maintenance project stating the City resurfaced 3.09 miles, and crack-sealed 3.63 miles. He stated additional funds included in this year's budget will improve the street score.

There was discussion of the asphalt. Mr. Wooten explained the paving/asphalt has to comply with NCDOT standards. He stated samples will be collected, etc.

After discussion, **Council Member Caraker moved approval of the low bidder, Southeastern Asphalt, for the FY 2014 - 2015 resurfacing contract as recommended by staff. A unanimous vote of the Council followed. Motion carried.**

13. Consideration of Emergency Operations Plan: Police Lieutenant Chris Leroy presented an Emergency Operations Plan for City operations during times of disaster. He explained the City is required to provide safe and responsible areas for the public and citizens during times of disaster.

Lieutenant Leroy explained the continuity of operations plan was developed using the "all hazards" approach which allows for flexibility and adaptability to any type of disaster that may develop.

Lieutenant Leroy explained the plan incorporates an incident command system which is also flexible to allow adaptation to any event whether it is a disaster or special event. The system allows everyone to be on the same page so everyone knows who to contact regarding public safety or health. He defined an ICS as a standardized on-scene incident management concept designed specifically to allow responders to adopt an integrated organizational structure equal to the complexity and demands of any single incident or multiple incidents without being hindered by jurisdictional boundaries.

As part of the plan, three separate emergency operations centers were identified: the primary center is City Hall, the secondary center is Fire Station #2, and the tertiary site is the Water Treatment Plant in Mills River. Lieutenant Leroy explained if there is a hazmat incident, the Water Treatment Plant may become the primary center. He stated the temporary command post at this site may be operational within 30 minutes if needed.

Future Development: Lieutenant Leroy explained key employees from the City will be selected to participate in the City's "Disaster Readiness Team". This team will identify potential disaster and develop "pre-disaster operations plans". This will allow for quicker response of City resources when a disaster strikes.

Mayor Volk expressed appreciation to Lieutenant Leroy for his work on the plan.

Council Member Caraker moved Council to approve the Continuity of Operations Plan. A unanimous vote of the Council followed. Motion carried. [The plan is available in the office of the City Clerk.]

13. Comments from Mayor and City Council Members:

Council Member Caraker reported a suggestion was made at the MPO meeting to take away funds for small projects to be used for the I-26 connector project "Bowen Bridge". He stated Hendersonville and Fletcher were

represented at the meeting. He reported he voted against the suggestion because local citizens will have to determine the route and what they are willing to give up to get it. He reported a passionate conversation about the inland port in South Carolina and their connection through Western North Carolina into Tennessee and Virginia. He opined that is a regional issue and other states should be involved in getting that done. He stated the vote was 9-2 but the Bowen Bridge project will remain on NCDOT's list of projects in the research and study phase. Mayor Volk expressed appreciation to Council Member Caraker for looking out for the City and its citizens.

14. Reports from Staff:

15. Consideration of Appointments to Boards and Commissions

a. Consideration of Appointments:

Downtown Advisory Committee: City Clerk Tammie Drake reported the terms of three members will expire in August: Mike Hall, Becky Sherman Banadyga, and Cindy Carter Jones. Mr. Hall would like to continue serving, Ms. Banadyga declined reappointment so someone could serve and Ms. Jones has not yet responded. **Council Member Caraker nominated Mike Hall and Michelle Sparks for a two-year term on the Downtown Advisory Committee. A unanimous vote of the Council followed. Motion carried.**

Firemens' Relief Board: Mrs. Drake reported there is a vacancy on this board. There was discussion of the purpose of the Board including reviewing/approving scholarship funds and supplemental retirement funds. Chief Flowers explained the funds come from insurance premiums. Mr. Connet explained there are five positions on the Board: two positions are appointed by the firefighters and currently Captain Scott Justus and Captain Tim Cagle are serving, one position is appointed by the State Insurance Commission (Mr. Ed Jones) and two appointments are for the City Council. Currently Mayor Volk serves on this Board. **Council Member Caraker volunteered to serve on this Board. A unanimous vote of the Council followed. Motion carried.**

b. Announcement of Vacancies and Upcoming Appointments: Mrs. Drake announced the vacancies on the Board of Adjustment alternative position and the Environmental Sustainability Board. Three members' terms on the Board of Adjustment will expire in September and will be considered for reappointment at the August meeting. **No action was required or taken.**

14. New Business: There was one.

15. Adjournment: The meeting adjourned at 7:28 p.m. upon unanimous assent of the Council.

Barbara G. Volk, Mayor

Tammie K. Drake, City Clerk



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Administration

Date Submitted: 7/28/2014

Presenter: John Connet

Date of Council Meeting to consider this item: 8/7/2014

Nature of Item: Council Action

Summary of Information/Request:

Item # 05b

In an attempt to improve the efficiency and effectiveness of the organization, I would like to create a Budget and Management Analyst position. This position will work closely Finance Director and report to the City Manager. Their responsibilities will be to manage the budget and performance management processes and assist the City Manager and Finance Director with special projects. This position will replace the Customer Service Supervisor position, pay grade 14, that is vacant and will not be filled. The position will be classified in Pay Grade 12, which is paid in a lower range than the previous Customer Service Supervisor position.

Budget Impact: \$ 34,981-\$53,228 Range Is this expenditure approved in the current fiscal year budget? Yes If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move that the City Council approve to creation of the Budget and Management Analyst position.

Attachments:

Job Description

CITY OF HENDERSONVILLE
BUDGET AND MANAGEMENT ANALYST

General Statement of Duties

Performs difficult professional analytical, technical and financial functions for the managerial and financial operations of the City.

Distinguishing Features

Performs advanced professional work in the preparation and administration of the City's operating and capital budgets. Work includes: a variety of budgeting tasks involving statistical financial reports, budgetary accounting, generating spread sheets and graphics on fiscal matters, generating a variety of records and financial reports, and performing related fiscal duties. Assisting with year-end audit procedures and other duties. Work is performed under regular supervision and is evaluated through observation, conferences, review of work. Position works closely with Finance Director and reports to City Manager

Duties and Responsibilities

Essential Duties and Tasks

Assists the City Manager and Finance Director with budget preparation by overseeing the budget process, developing best practices, policies and procedures, complying with Local Government Budget and Fiscal Control Act, existing policies and rules. Analyzes and monitor's department and fund budgets by generating and reviewing reports, preparing reports for managers and Council, assisting with questions, reviewing and approving change requests, identifying budget overruns, implementing corrective actions, analyzing trends, preparing council agenda items with budget impacts.

Detailed Budgeting Duties Include:

- Assist in the preparation of the City budget by researching, and analyzing revenue sources: evaluates the impact of economic variables.
- Forecasting revenues and expenditures in all budgeted funds.
- Working closely with department heads to understand services, assist in developing budgets and outcomes and monitoring progress.
- Assist departments with input of departmental requests into computerized budgeting system.
- Prepares ad hoc financial reports, statistical analysis and presentation as required.
- Analyzing enterprise fund rates.
- Provide departments and City Management with complex management and research analysis used to drive organizational and budgetary decision-making.
- Perform thorough programmatic, service, and policy analysis of budget requests and make associated recommendations to City Management
- Develop and complete various budget and financial reports as needed or requested.
- Recommending budget amendments.
- Develop and preparing budget document, presentations and application for GASB Budget Award
- Generate variety of spreadsheets and graphics depicting financial conditions and status.
- Performs complex research
- Provide financial support to various departmental inquiries.

- Assist with annual audit.

Additional Job Duties:

- Provide back up where needed for absent staff members.
- Perform related duties as required.

Recruitment and Selection Guidelines

Knowledge, Skills, and Abilities

Must be an excellent communicator who possesses the ability to work with a diverse group of individuals while reflecting outstanding interpersonal and customer service skills.

Must be comfortable working independently as well as part of a team.

Must possess strong computer skills and a very high level of analytical and problem solving skills.

Knowledge of the principles and practices of public finance, budgeting and accounting.

Knowledge of economic trend forecasting and analysis techniques. Knowledge of Generally Accepted Accounting Principles (GAAP), Fund Accounting, general ledger accounting; Working knowledge of laws, general statutes, rules, and regulations governing specific municipal accounting tasks; thorough knowledge of accounting principles and practices.

Considerable knowledge of computer operations as they relate to assigned tasks including the use of various financial package applications and various spreadsheets.

Ability to perform a variety of fiscal or accounting functions and to change priorities quickly and maintain accuracy level; make arithmetic computations and perform accounting processes with speed and accuracy; develop and maintain working relationships with a variety of people including vendors, general public, and other employees and supervisors and to serve as a lead worker in providing technical guidance and/or teaching others; communicate effectively in oral and written forms; perform accounting processes with speed and accuracy.

Physical Requirements

- Work is typically performed while sitting at a desk; intermittent standing or stooping is required. Employee uses equipment requiring a high degree of dexterity.
- Occasionally required to exert up to 10 pounds of force to move objects; and/or a negligible amount of force frequently or constantly to move objects.
- Must possess the visual acuity to prepare data and statistics, work with accounting processes, operate a computer terminal, and do extensive reading.

Desirable Education and Experience

- Any combination of education and experience equivalent to graduation from an accredited college or university with a degree in business administration, public administration, management science, or a related field and a minimum of five years of experience in public finance or budget administration. A master's degree in public administration, business administration or related field is preferred and may be substituted for experience.

Special Requirements

- Possession of a valid driver's license.



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

Submitted By: Susan G. Frady

Department: Zoning

Date Submitted: 7/17/14

Presenter: Susan G. Frady

Date of Council Meeting to consider this item: 8/7/14

Nature of Item: Council Action

Summary of Information/Request:

Item # 05ci

String Quartet on the Street

On July 17, 2014, the Special Events Committee met and reviewed an application from Downtown Advisory Committee, sponsor of the String Quartet on the Street to be held on Saturday, August 9th, 2014 from 11:00 a.m. – 1:30 p.m. This will be held on the stage in the 400 block on the east side of Main Street.

This is a new event. The street and sidewalk will not be closed. Set-up will include a 10x10 tent on stage and a table with additional information about the string quartet on the sidewalk.

The Special Events Committee voted unanimously to recommend that Council approve the event permit for the String Quartet on the Street event.

Budget Impact: \$0 _____ Is this expenditure approved in the current fiscal year budget? Yes If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move that City Council approve the special event permit for the String Quartet on the Street.

Attachments:

None



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Susan G. Frady

Department: Zoning

Date Submitted: 7/18/14

Presenter: Susan Frady

Date of Council Meeting to consider this item: 8/7/14

Nature of Item: Council Action

Summary of Information/Request:

Item # 05cii

Outreach Ministry Gospel Singing

On July 17, 2014, the Special Events Committee reviewed an application from Outreach Ministry, sponsor of the Outreach Ministry Gospel Singing to be held on Friday, August 22, 2014 from 4:00 p.m. – 8:00 p.m.

The event is to be held at Sullivan Park. No power or clean-up will be needed.

The Special Events Committee voted to recommend that Council approve the event permit for the Outreach Ministry Gospel Singing.

Budget Impact: \$0 Is this expenditure approved in the current fiscal year budget? Yes If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move that City Council approve the special event permit for the Outreach Ministry Gospel Singing.

Attachments:

None



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

Submitted By: Lisa White

Department: Finance

Date Submitted: 07/30/14

Presenter: Lisa White

Date of Council Meeting to consider this item: 08/07/14

Nature of Item: Council Action

Summary of Information/Request:

Item # 05d

Presentation of proposed new Petty Cash Policy

Purpose:

A new Petty Cash Policy has been created to provide guidelines for the appropriate establishment, use, and accountability of petty cash funds. The purpose of the policy is to improve internal controls over cash and ensure the safekeeping of public funds.

Objective of the policy:

- To safeguard public cash against waste, fraud, and inefficiency.
- To ensure a higher level of accuracy and reliability in the accounting records.
- To reduce the opportunity for errors or losses.

Budget Impact: \$ Net zero Is this expenditure approved in the current fiscal year budget? No If no, describe how it will be funded.

No budget needed

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move that Council approve the Petty Cash Policy as presented.

Attachments:

Petty Cash Policy



CITY OF HENDERSONVILLE

PETTY CASH POLICY

DATE: August 7, 2014

POLICY STATEMENT

Petty cash accounts are to be used for small, incidental purchases for City purposes. Procedures are hereby established to encourage an effective administration and internal control of cash handling operations throughout the City.

PURPOSE

The purpose of this Policy is to communicate the effective use and security of the City's petty cash accounts. This policy guides individual departments on the use of petty cash, their responsibilities in preventing loss and/or discrepancies in the balance of petty cash account, and satisfying financial audit requirements through compliance with established procedures.

This policy defines the policies and procedures to be followed when starting, administering and ending the use of petty cash accounts for small incidental cash purchases by employees.

The City's policy is to create a petty cash account for a department when appropriate to improve operations based on providing availability to cash for small purchases of products and services where it is not practical or efficient to make the purchase through the normal process of a purchase order.

PROCEDURES

Request for Petty Cash – Creating a new Petty Cash Account

Requests for establishment of petty cash accounts from Departments should be directed to the Finance Department. All requests are subject to the approval of the department's supervisor, and the Finance Director. The custodian must be an employee of the City and must accept responsibility for the account. To create the new account the employee/custodian should complete an Accounts Payable check request for the approved amount with the petty cash account number provided by the Finance Department. The Custodian and the department head must sign this form. The custodian will receive the funding check after signing and agreeing to the terms of the petty cash policy.

This procedure should also be followed if a custodian or department head would like to request an increase in the total amount of their petty cash account.



CITY OF HENDERSONVILLE PETTY CASH POLICY

DATE: August 7, 2014

Expenditures and Reimbursements

A receipt must be obtained for each petty cash expenditure. Such receipts normally include cash register or vendor receipts, paid vendor invoices, or only if no other receipt is available a properly approved "Petty Cash Receipt" see [Appendix A](#). For each expense, the following information must be documented.

- a. Department – department of the custodian of the petty cash
- b. Date of purchase or reimbursement
- c. Dollar Amount
- d. Purpose or description of purchase
- e. General ledger account code where expenditure should be charged
- f. Custodian signature / City employee who dispersed payment
- g. Signature of person who received money. (Example: employees who make purchases and are reimbursed through petty cash must sign the Petty Cash Receipt that they received the money)

To obtain replenishment of petty cash accounts, an Accounts Payable Check Request Form must be used. The form, with all applicable receipts attached and individual expenditures itemized and coded, shall be submitted to the Accounts Payable Department for processing. See [Appendix B](#). The Accounts Payable Check Request Form must be signed by the custodian of record ***and*** the department head or supervisor to which the expenses are being charged. Replenishment of petty cash must be made at least at the end of each quarter so that expenditures may be charged to the correct period.

Prohibited Uses

1. Petty cash reimbursement checks may not be deposited into personal bank accounts to obtain cash.
2. Departments may not establish bank accounts for petty cash accounts
3. Petty cash accounts must not be commingled with other monies, such as personal accounts of employees or City revenue collections.
4. Purchases of goods and services for more than \$50 should not ordinarily be made with petty cash. A check request or a City purchasing card, rather than petty cash accounts, should be used instead.
5. Petty cash accounts may not be expended for:
 - a. Employment salary and travel expenses or similar payments to employees or any individuals
 - b. Cashing/Payment of personal checks or IOU's
 - c. Payroll advances, travel advances, and loans to employees
 - d. Cashing checks for employees or other individuals
 - e. Reimbursement for entertainment expenses. Such expenditures must be submitted to Accounts Payable on a travel request.



CITY OF HENDERSONVILLE PETTY CASH POLICY

DATE: August 7, 2014

f. Petty Cash accounts should not be used for any meals, purchasing food, beverages or kitchen supplies, a travel request or check request should be made for these expenditures.

Maintenance and Security of Accounts

1. Petty cash accounts should be properly secured at all times. When not in the physical possession of the custodian the petty cash box or funds must be in a locked cabinet/ locked desk drawer or locked office. Access to the accounts should be restricted to one-person (e.g., the petty cash custodian or the Department Supervisor only in the absence of the custodian).
2. Cash on hand and receipts for disbursements must always equal the assigned amount of the petty cash account. Therefore, the custodian responsible for the petty cash account must keep a log of each transaction with paid receipt describing the goods or service purchased.

Review and Reconciliation of Petty Cash Accounts

The Petty Cash custodian is responsible to count the petty cash account at the end of each month to ensure that the account has the correct total of petty cash and reimbursement vouchers. A record of these counts is to be reviewed and signed off by the department head each month. All receipts should be coded by the custodian and turned in to Accounts Payable for replenishment monthly so that the department's expenditures can be properly recorded.

Annually, the petty cash custodian and department head shall review each petty cash account under their control and prepare a report/memo verify the following:

- a. The account is still needed for the amount authorized
- b. The sum of cash on hand and receipts for unreimbursed expenditures is equal to the amount which has been authorized.
- c. The accounts are secured at all times.
- d. The current custodian is the custodian of record.
- e. This petty cash policy and supplemental guidelines have been reviewed and the account is being used in accordance with this policy.

The verification report/memo and all of the monthly reconciliation forms should be submitted to the Finance Department by July 15 following each fiscal year.

Records kept by individual departments should provide clear documentation of petty cash expenses. This information should always be readily available for review by the Finance Department or outside auditor.

Petty cash accounts are subject to unannounced verifications by the Finance Department or outside auditor.



CITY OF HENDERSONVILLE PETTY CASH POLICY

DATE: August 7, 2014

Changes to a Petty Cash Account

When responsibility of the petty cash fund is transferred to another person, the original custodian must replenish the fund to its original cash balance by requesting reimbursement for all vouchers and receipts. The department head must notify the Finance Department of the change of custodian. The new custodian should count the petty cash account immediately upon receipt and notify the department head and Finance Department of any discrepancy in the account balance. The new custodian must sign the petty cash policy and provide the signed form to the Finance Department.

In case of theft, the Police department and the Finance Director's Office should be immediately notified. A copy of the Incident Report must be submitted to the Finance Director.

Closing a Petty Cash Account

When petty cash is no longer needed for a department the custodian shall bring notify the Finance department who will prepare a deposit form with the department's petty cash account number. The custodian will take this deposit form and the cash to the W&S payment window for deposit to close the account. The W&S employee will sign in receipt of the cash and provide the custodian with a receipt.

Custodian signature and department head signature indicates that each has read the policy and understands and commits to adhere to the policy:

Custodian Signature: _____

Printed Custodian Name: _____

Date signed: _____

Department Head Signature: _____

Printed Department Head Name: _____

Date Signed: _____

City of Hendersonville - Petty Cash Receipt

Department: _____ Date: _____

Amount \$	
Description:	
Account #:	
Dispersed by:	
Received by:	

City of Hendersonville - Petty Cash Receipt

Department: _____ Date: _____

Amount \$	
Description:	
Account #:	
Dispersed by:	
Received by:	

City of Hendersonville - Petty Cash Receipt

Department: _____ Date: _____

Amount \$	
Description:	
Account #:	
Dispersed by:	
Received by:	



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

Submitted By: Lisa White

Department: Finance

Date Submitted: 07/30/14

Presenter: Lisa White

Date of Council Meeting to consider this item: 08/07/14

Nature of Item: Council Action

Summary of Information/Request:

Item # 05e

Budget Amendment to correct salary budget for fiscal year 2015. HR Director's spreadsheet contained several errors in some cells which calculated department splits. In addition he budgeted for only active employee insurance but did not include retiree insurance.

\$93,072.00 in General Fund,
\$33,688.00 in Water & Sewer Fund,
\$16,625.00 in Sanitation Fund

Budget Impact: \$ 183,396. Is this expenditure approved in the current fiscal year budget? No If no, describe how it will be funded.

Transfers from Contingency in Gen Fund & WS Fund and increase to revenue budget in Sanitation Fund

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move that Council approve the Budget Amendment as presented.

Attachments:

Budget Amendment

BUDGET AMENDMENT

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	INCREASE	DECREASE
ORG	OBJECT			
104150	512900	Salaries Part-time - Legal Department	\$ 11,121.00	
104150	518100	Fica - Legal	\$ 851.00	
104250	518900	Retiree Insurance PW Fleet	\$ 7,200.00	
104310	518900	Retiree Insurance-Police	\$ 2,900.00	
104340	518900	Retiree Insurance -Fire	\$ 63,800.00	
104520	518900	Retiree Insurance- PW Traffic	\$ 7,200.00	
109910	599100	Contingency		\$ 93,072.00
607110	512100	Salaries W&S Admin		\$ 35,589.00
607110	512900	Salaries Part-time - W&S Admin	\$ 5,892.00	
607110	518100	Fica - W&S Admin		\$ 2,272.00
607110	518200	Retirement - W&S Admin		\$ 2,150.00
607113	512100	Salaries W&S Finance	\$ 59,070.00	
607113	518100	Fica W&S Finance	\$ 4,519.00	
607113	518200	Retirement - WS Finance	\$ 4,218.00	
609910	599100	Contingency		\$ 33,688.00
684710	512100	Salaries - Sanitation	\$ 14,500.00	
684710	518100	Fica -	\$ 1,110.00	
684710	518200	Retirement -	\$ 1,015.00	
680014	451800	ESF Base Charge Revenue		\$ 16,625.00
		TOTALS IN BALANCE	\$ 183,396.00	\$ 183,396.00

To Correct Fiscal Year 2015 Salary Budget Worksheet

SUBMITTED BY FINANCE DIRECTOR

Date: 8/7/2014

APPROVED BY CITY COUNCIL:

DATE:



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Sam Fritschner

Department: Legal

Date Submitted: 07/30/2014

Presenter: Sam Fritschner

Date of Council Meeting to consider this item: 08/07/2014

Nature of Item: Council Action

Summary of Information/Request:

Item # 05fi

Proposed Findings of Fact and Conclusions of law are attached with respect to the Farnam/McCraw Special Use Permit extension application

Budget Impact: \$0 Is this expenditure approved in the current fiscal year budget? Yes If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move adoption of the proposed Findings of Fact and Conclusions of Law for the application of Farnam and McCraw for extension of the Special Use Permit.

Attachments:

Proposed findings and conclusions

**STATE OF NORTH CAROLINA
HENDERSON COUNTY**

**BEFORE THE
HENDERSONVILLE CITY COUNCIL
FILE NO. P14-17-SUR**

**FINDINGS OF FACT
CONCLUSIONS OF LAW
AND DECISION**

**IN RE THE APPLICATION OF
NEIL FARNAM, JERRY MCCRAW and
MARGARET MCCRAW for a
SPECIAL USE PERMIT FOR
PIN 9588-20-9615 and 9588-20-7713**

This matter came before the Hendersonville City Council on the application of Neil Farnam, Jerry McCraw and Margaret McCraw for a Special Use Permit with respect to PIN 9588-20-9615 for the following changes to an approved Special Use Permit:

1. Initially zone approximately 4,029 square feet of the property identified as PIN 9588-20-9615 to City of Hendersonville zoning classification PCD Planned Commercial Development following annexation;
2. Incorporate approximately 4,029 square feet of the property into an existing PCD;
3. Incorporate an additional entrance into the PCD from Old McMurray Road;
4. Re-issue the special use permit for parcel #9588-20-7713.

ISSUES

Section **7-4-13** of the Zoning Ordinance states, in pertinent part:

7-4-13 Expiration and Revocation of Special Use Permits. A special use permit or modification of a special use permit shall run with the land covered by the permit or modification. Once construction authorized by a special use permit or modification of special use permit is started, no development other than that authorized by the permit or modification shall be approved on that land unless the permit or modification is first modified in accordance with Section 7-6-3 or voided or revoked in accordance with the provisions of this section.

7-4-13.2 Completion. Unless a different period of time is authorized by City Council, the right to construct improvements or otherwise develop land pursuant to a special use permit shall expire three years after issuance of the special use permit. If all of the construction and actions

authorized or required by a special use permit are not completed within the time established for completion, or any authorized extensions thereof, the permit holder may request an extension of the completion time limit from City Council. Council may grant one or more extensions upon making the following determinations:

- a) The permit holder requested the extension prior to the expiration of the special use permit, as it may have been previously extended;
- b) The permit holder has proceeded with due diligence and good faith; and
- c) Conditions have not changed so substantially as to warrant City Council reconsideration of the approved special use.

TESTIMONY

The testimony is reflected in the minutes of the 3 July 2014 regular meeting of the City Council, which minutes are incorporated herein by reference.

FINDINGS OF FACT

- 1. The permit holder requested the extension prior to the expiration of the special use permit, as it may have been previously extended;
- 2. The permit holder has proceeded with due diligence and good faith; and
- 3. Conditions have not changed so substantially as to warrant City Council reconsideration of the approved special use.

CONCLUSIONS OF LAW

- 1. Based on the foregoing findings of fact, the Council determines that the existing Special Use Permit for the site should be extended.

DECISION

For the above reasons,

The City Council approves the request for an extension of the existing special use permit in conformance with the application, subject to the attached list of conditions.

I. Stipulated Uses:

Only the following uses are authorized for the referenced development:

Hotels, retail stores, restaurants, restaurants – drive-in, and banks

II. Recommended Conditions:

(1) May Be Attached to Special Use Permit and Satisfied Prior to Issuance of a Zoning Compliance Permit:

- (a) The 2008 approved Phasing Plan is part of this Special Use Permit;
- (b) Final plans for the project shall comply with approved preliminary plans, the conditions agreed to on the record of this proceeding and applicable provisions of the Zoning Ordinance;
- (c) Submission of elevations showing the design of the facades of each site building proposed for the project prior to approval of each final site plan;
- (d) Submittal of a plat showing the combination of all associated parcels prior to the approval of the final site plan;
- (e) Proof of NCDOT abandonment of portions of Old McMurray Road adjacent to the east of the proposed retail building, allowing for an exterior lot setback of 25 feet, prior to approval of the final site plan;
- (f) The completion date for this Special Use Permit has been extended from three years to five years. The completion date is July 3, 2019.



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Sam Fritschner

Department: Legal

Date Submitted: 07/30/2014

Presenter: Sam Fritschner

Date of Council Meeting to consider this item: 08/07/14

Nature of Item: Council Action

Summary of Information/Request:

Item # 05fii

Attached are proposed findings of fact and conclusions of law for the Wolf Chase Special Use Permit application.

Budget Impact: \$n/a _____ Is this expenditure approved in the current fiscal year budget? Yes If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move adoption of the proposed Findings of Fact and Conclusions of Law for the application of EWA Hendersonville LLC for a Special Use Permit.

Attachments:

None Proposed Findings of Fact and Conclusions of Law

**STATE OF NORTH CAROLINA
HENDERSON COUNTY**

**BEFORE THE
HENDERSONVILLE CITY COUNCIL
FILE NO. P14-11-SUR**

**FINDINGS OF FACT
CONCLUSIONS OF LAW
AND DECISION**

**IN RE THE APPLICATION OF
EWA HENDERSONVILLE LLC for a
SPECIAL USE PERMIT FOR
PIN 9670-91-5951**

This matter came before the Hendersonville City Council on the application of EWA Hendersonville LLC for a Special Use Permit with respect to PIN 9670-91-5951 for ten single-family dwelling units and one two-family dwelling unit to be located on parcel number 9670-91-5951. The application includes no variance request.

ISSUES

Section **7-4-10.1** of the Zoning Ordinance states, "no special use permit shall be approved by City Council unless each of the following findings is made."

- (A) The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.
- (B) There are, or will be at the time they are required, adequate public facilities to serve the use or development as specified in Section 7-11.
- (C) The use or development complies with all required regulations and standards of the Zoning Ordinance or with variances thereto, if any, granted pursuant to Section 7-4-14, and with all other applicable regulations.
- (D) The use or development is located, designed, and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located.
- (E) The use or development conforms to the general plans for the physical development of the City as embodied in this chapter and in the Land Development Plan (LDP) and the Thoroughfare Plan.

The burden of establishing these findings of fact shall lie upon the applicant. There exists a legal presumption that a use is compatible with their neighborhood where the use is permitted.

TESTIMONY

The testimony is reflected in the minutes of the 3 July 2014 regular meeting of the City Council, which minutes are incorporated herein by reference.

FINDINGS OF FACT

1. No substantial evidence was adduced convincing the council that the proposed use would be detrimental to the public health, safety or general welfare.
2. The property is currently served by water and sewer.
3. The applicant is not requesting any variances.
4. The Council finds the evidence credible and compelling and therefore finds as a fact that the use is compatible with the neighborhood in which it is situated.
5. The 2030 Comprehensive Plan's Medium Intensity Neighborhood goal is to "provide a transition between High and Low-Intensity Neighborhood and Regional Activity Centers and downtown and provide a transition between commercial and single-family development."
6. The use or development conforms to the general plans for the physical development of the City as embodied in this chapter and in the Land Development Plan (LDP) and the Thoroughfare Plan.

CONCLUSIONS OF LAW

1. The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
2. There are adequate public facilities to serve the use or development as specified in Section 7-11;
3. The development complies with all required regulations and standards of the zoning ordinance or with variances thereto, if any, granted pursuant to Section 7-4-14, and with all other applicable regulations;
4. The development is located, designed, and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located; and

5. The development conforms to the general plans for the physical development of the City as embodied in this chapter and in the Land Development Plan and the Thoroughfare Plan.

6. The project fulfills the requirements for the special use permit.

DECISION

For the above reasons,

The City Council approves the request for an amended Special Use Permit in accordance with the application as contained in File No. P14-11-SUR, with the following stipulations:

List of Uses & Conditions

I. Stipulated Uses:

Only the following uses are authorized for the referenced development:
Residential Dwellings, Single-Family and Two-Family

II. Conditions:

Shall Be Attached to the Special Use Permit:

Final plans for the project shall comply with approved plans, the conditions agreed to on the record of this proceeding and applicable provisions of the Zoning Ordinance.



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

Submitted By: Tammie Drake

Department: Administration

Date Submitted: 07/30/14

Presenter: Mike Address

Date of Council Meeting to consider this item: 08/07/14

Nature of Item: Presentation Only

Summary of Information/Request:

Item # 06

The Mountain Expo team that practices at Berkeley Mills Park Baseball field would like to come to the City Council meeting and present the Gold National Champion Medallion to City Council as a show of appreciation for use of our facility.

Budget Impact: \$ _____ Is this expenditure approved in the current fiscal year budget? No If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

n/a

Attachments:

None



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

Submitted By: Tammie Drake

Department: Administration

Date Submitted: 07/30/14

Presenter: Mayor Volk/Council Member Smith

Date of Council Meeting to consider this item: 08/07/14

Nature of Item: Presentation Only

Summary of Information/Request:

Item # 07

Council Member Jerry Smith would like to recognize a special guest, Rafael Ángel Almeida Valdés, from Colorado, Ciego de Avila, Cuba and present him with some tokens from the City.

Budget Impact: \$ _____ Is this expenditure approved in the current fiscal year budget? No If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

n/a

Attachments:

None



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

Submitted By: Sue Anderson, Planning Director

Department: Planning

Date Submitted: July 15, 2014

Presenter: Sue Anderson

Date of Council Meeting to consider this item: August 7, 2014

Nature of Item: Council Action

Summary of Information/Request:

Item # 08

File # P14-27-Z

The City is in receipt of a zoning map amendment application from Charles Morris, President of Grace Blue Ridge Church, for parcel number 9578-21-5868 located off of Florence Street. The applicant is requesting to rezone this parcel from City of Hendersonville R-15 Medium Density Residential and C-3 Highway Business to C-2 Secondary Business. The parcel contains 1.72 acres and is the location of the Grace Blue Ridge Church. Approximately 2/3 of the parcel is zoned C-3 Highway Business.

Budget Impact: \$ 0 Is this expenditure approved in the current fiscal year budget? No If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move City Council to adopt an ordinance amending the official zoning map of the City of Hendersonville, changing the zoning designation of parcel number 9578-21-5868 from City of Hendersonville R-15 Medium Density Residential and C-3 Highway Business to C-2 Secondary Business, finding that the rezoning is consistent with the Comprehensive Plan, the rezoning is reasonable and in the public interest.

Attachments:

Memo

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Planning Department
RE: Grace Blue Ridge Church Rezoning
FILE #: P14-27-Z
DATE: July 15, 2014

PROJECT HISTORY

The City is in receipt of a zoning map amendment application from Charles Morris, President of Grace Blue Ridge Church, for parcel number 9578-21-5868 located off of Florence Street. The applicant is requesting to rezone this parcel from City of Hendersonville R-15 Medium Density Residential and C-3 Highway Business to C-2 Secondary Business. The parcel contains 1.72 acres and is the location of the Grace Blue Ridge Church. Approximately 2/3 of the parcel is zoned C-3 Highway Business.

COMPREHENSIVE PLAN CONSISTENCY

According to GS160A-383, zoning map amendments shall be made in accordance with a comprehensive plan. The 2030 Comprehensive Plan's Future Land Use Map identifies this parcel as High Intensity Neighborhood and Medium Intensity Neighborhood. The High Intensity Neighborhood future land use category is intended to encourage low-maintenance high-density housing that supports Neighborhood and Regional Activity centers and downtown and provides a transition between commercial and single-family development. The primary and secondary recommended land uses for the High Intensity Neighborhood land use category are as follows:

Primary

- Single-family attached and multi-family residential
- Planned Residential Development
- Open Space

Secondary

- Public and institutional uses
- Offices and retail along thoroughfares
- Recreational amenities

The Medium Intensity Neighborhood future land use category is intended to provide a transition between high and low intensity neighborhood areas while providing a wide range of housing formats and price points.

The primary and secondary recommended land uses for the Medium Intensity Neighborhood land use category are as follows:

Primary

- Single-family attached and multi-family residential
- Open Space

Secondary

- Limited multi-family
- Planned Residential Developments
- Local public and institutional uses
- Recreational amenities

The Future Land Use map can be found on page nine.

PROPOSED ZONING CLASSIFICATION

The applicant is requesting the parcel to be rezoned to C-2 Secondary Business which is designed primarily to accommodate a) existing developments of mixed commercial and light industrial uses, and b) certain commercial and light industrial uses compatible with one another but inappropriate in certain other zoning district classifications.

Following is a list of permitted and conditional uses for both the C-2 Secondary Business zoning district and the C-3 Highway Business zoning district. Uses allowed in C-2 that are not allowed in C-3 include neighborhood community centers and light manufacturing.

C-2 Secondary Business

Permitted Uses

Accessory dwelling units
Accessory uses & structures
Adult care centers
Animal hospitals & clinics
Automobile car washes
Automobile sales & service establishments
Banks and other financial institutions
Bed & breakfast facilities
Business services
Congregate care facilities
Construction trades facilities
Convenience stores
Cultural arts buildings
Dance and fitness facilities
Dry cleaning and laundry establishments
Farm equipment sales & service
Funeral homes

Golf driving ranges & par three golf courses
Greenhouses & nurseries, commercial
Home occupations
Hotels and motels
Laundries, coin-operated
Music and art studios
Neighborhood community centers
Newspaper offices and printing establishments
Nursing homes
Offices, business, professional and public
Parking lots and parking garages
Parks
Personal services
Planned residential developments
Progressive care facilities
Public & semi-public buildings
Recreational facilities, indoors

Permitted Uses Continued

Recreational facilities, outdoors, commercial
Religious institutions
Repair services, miscellaneous
Residential care facilities
Residential dwellings, single-family
Residential dwellings, two-family
Rest Homes
Restaurants
Retail stores
Schools, post-secondary, business, technical and vocational
Schools, primary & secondary
Service stations

Shelter facilities
Signs
Telecommunications antennas
Theaters, indoor
Wholesale businesses

Conditional Uses

Animal kennels
Automotive paint and body work
Bus stations
Child care centers
Civic clubs & fraternal organizations
Light manufacturing
Private clubs
Public utility facilities

C-3 Highway Business

Permitted Uses

Accessory dwelling
Accessory uses & structures
Adult care centers
Animal hospitals & clinics
Automobile car washes
Automobile sales & service
Automotive paint & body work
Banks and other financial institutions
Bed & breakfast facilities
Business services
Congregate care facilities
Construction trades facilities
Convenience stores
Cultural arts buildings
Dance and fitness facilities
Dry cleaning and laundry establishment
Farm equipment sales & service
Food processing establishments
Funeral homes
Golf driving ranges & par three golf courses
Greenhouses & commercial nurseries
Home occupations
Hotels and motels
Laundries, coin-operated
Mobile homes sales establishments

Music and art studios
Newspaper offices and printing establishments
Nursing homes
Offices, business, professional and public
Parking lots and parking garages
Parks
Personal services
Planned residential developments
Progressive care facilities
Public & semi-public buildings
Recreational facilities, indoors
Recreational facilities, outdoors
Religious institutions
Repair services, miscellaneous
Residential care facilities
Residential dwellings, single-family
Residential dwellings, two-family
Rest homes
Restaurants
Restaurants, drive-in
Retail stores
Schools, post-secondary, business, technical and vocational
Schools, primary & secondary
Service stations

Permitted Uses Continued

Shelter facilities
 Signs
 Telecommunications antennas
 Telecommunications towers
 Theaters, indoor
 Wholesale businesses

Conditional Uses

Animal boarding facilities
 Bus stations
 Child care centers
 Civic clubs & fraternal organizations
 Mini-warehouses
 Private clubs
 Public utility facilities

Listed in Table A is an outline of the dimensional requirements for the C-3 Highway Business and C-2 Secondary Business zoning districts.

Table A

Zoning	C-3	C-2
Minimum Lot Area	10,000 Commercial 6,000 Residential	8,000 Commercial 6,000 Residential
Minimum Lot Width at Building Line	80' Commercial 50' Residential	0' Commercial 50' Residential
Minimum Front Yard	35' Commercial 20' Residential	15' Commercial 20' Residential
Minimum Side Yard	15' Commercial 8' Residential	0' - 5'
Minimum Rear Yard	20' Commercial 10' Residential	0' Commercial - 10' if adjacent to residential / 10' Residential
Maximum Building Height	48' Commercial 35' Residential	48'

SURROUNDING LAND USE & ZONING CLASSIFICATION

Adjacent parcels to the north are zoned R-15 Medium Density Residential and C-3 Highway Business and include single family residences and Duke Power's maintenance facility. Adjacent parcels to the south and east are zoned R-15 Medium Density Residential and C-3 Highway Business and include single family residences, a mobile home park and a daycare. Adjacent parcels to the west are zoned R-15 Medium Density Residential and include a single family residence, a duplex and a light manufacturing facility. The Zoning Map can be found on page 10.

PLANNING BOARD RECOMMENDATION

The Planning Board took this matter up at its regular meeting of January 13, 2014. The Planning Board voted unanimously to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of parcel number 9578-21-5868 from City of Hendersonville R-15 Medium Density Residential and C-3 Highway Business to C-2 Secondary Business, finding that

the rezoning is consistent with the Comprehensive Plan, the rezoning is reasonable and in the public interest because it is a public benefit.

ZONING ORDINANCE GUIDELINES

Per Section 11-4 of the City's Zoning Ordinance, the following factors shall be considered prior to adopting or disapproving an amendment to the City's Official Zoning Map:

1. Comprehensive Plan Consistency. Consistency with the Comprehensive Plan and amendments thereto.
2. Compatibility with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property.
3. Changed conditions. Whether and the extent to which there are changed conditions, trends or facts that require an amendment.
4. Public Interest. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare.
5. Public facilities. Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment.
6. Effect on natural environment. Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife.

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF
HENDERSONVILLE**

IN RE: FILE NO. P14-31-Z

Be it ordained by the City Council of the City of Hendersonville:

1. Pursuant to Article XI Amendments of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of parcel 9578-21-5868 from City of Hendersonville R-15 Medium Density Residential and C-3 Highway Business to C-2 Secondary Business.
2. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 7th day of August 2014.

Barbara Volk, Mayor

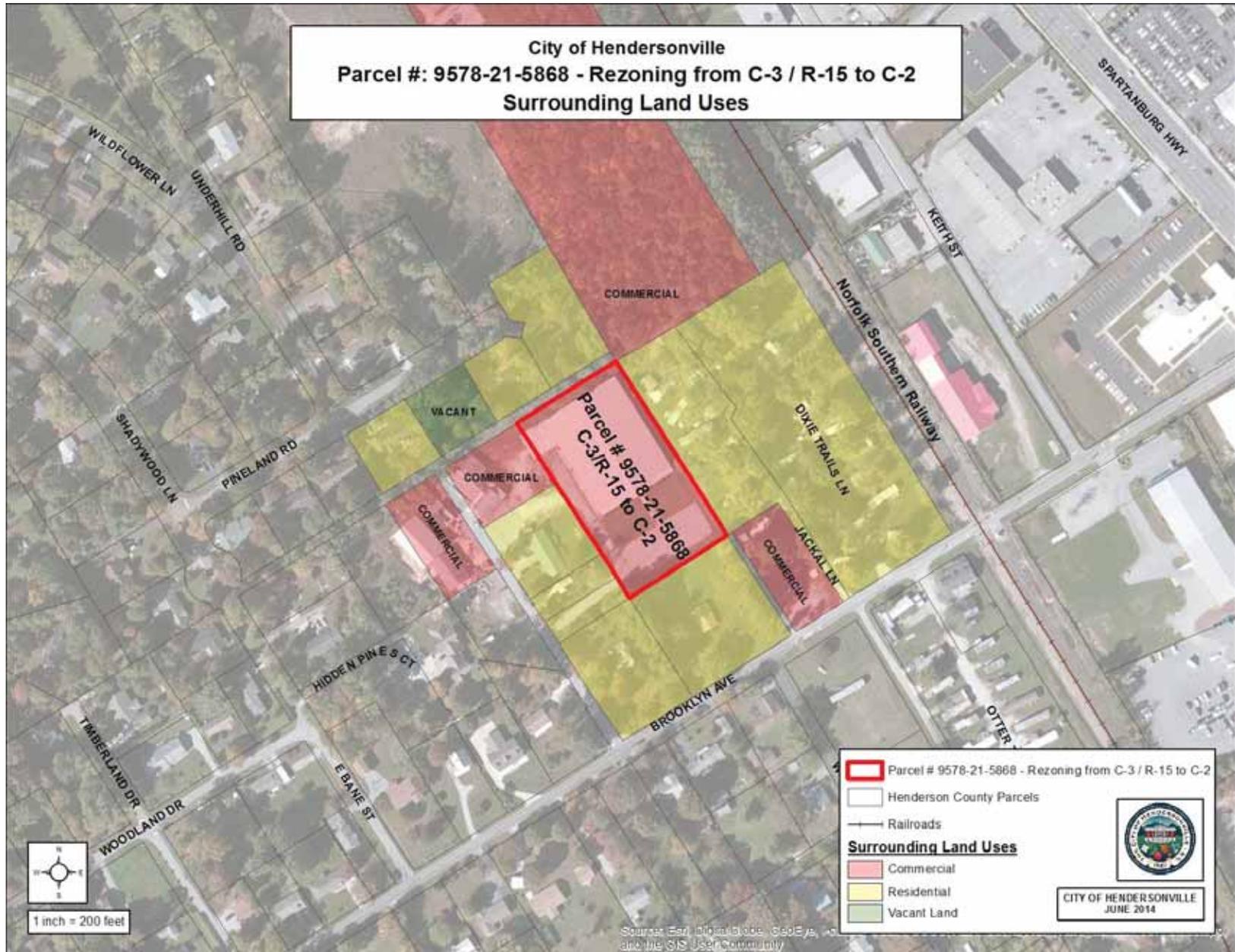
ATTEST:

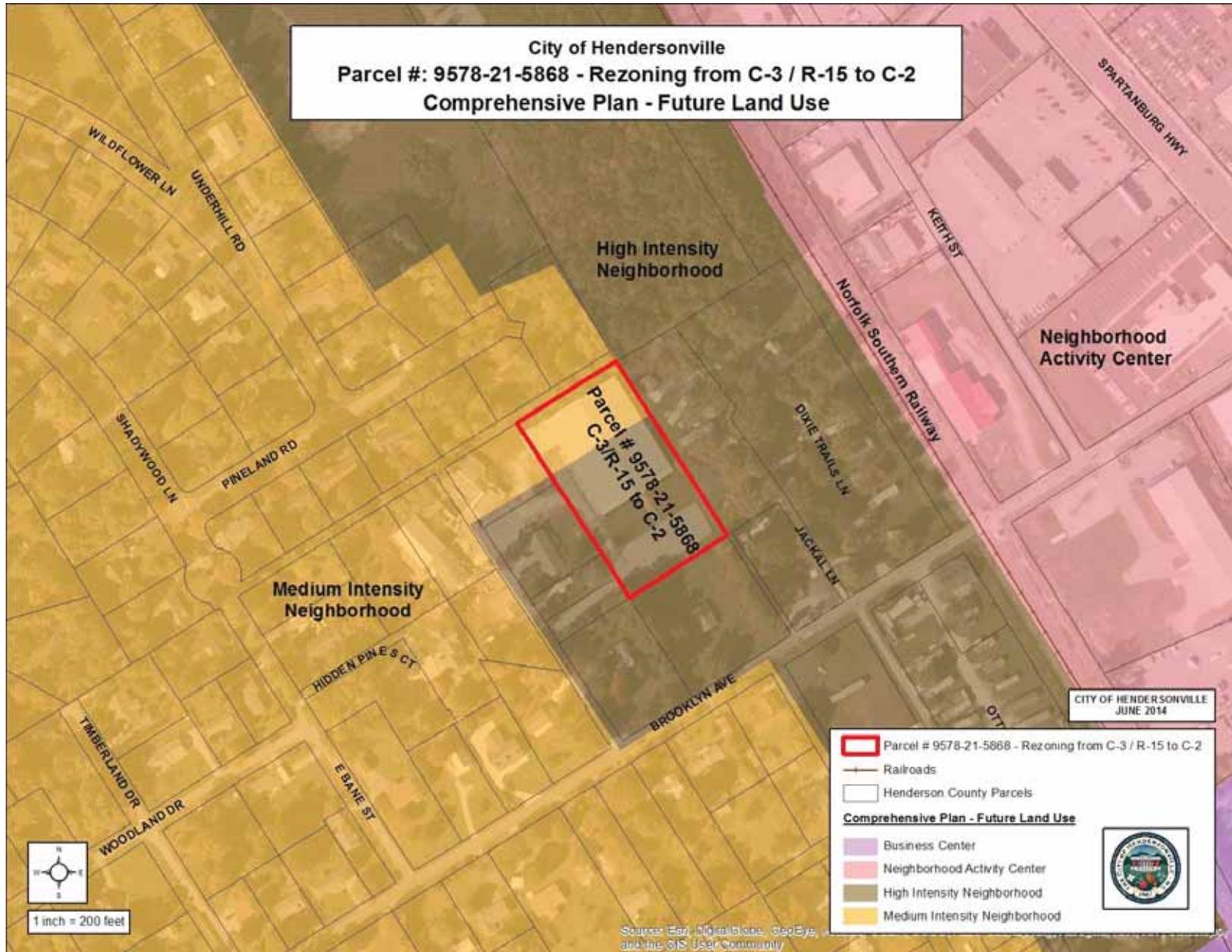
Tammie K. Drake, CMC, City Clerk

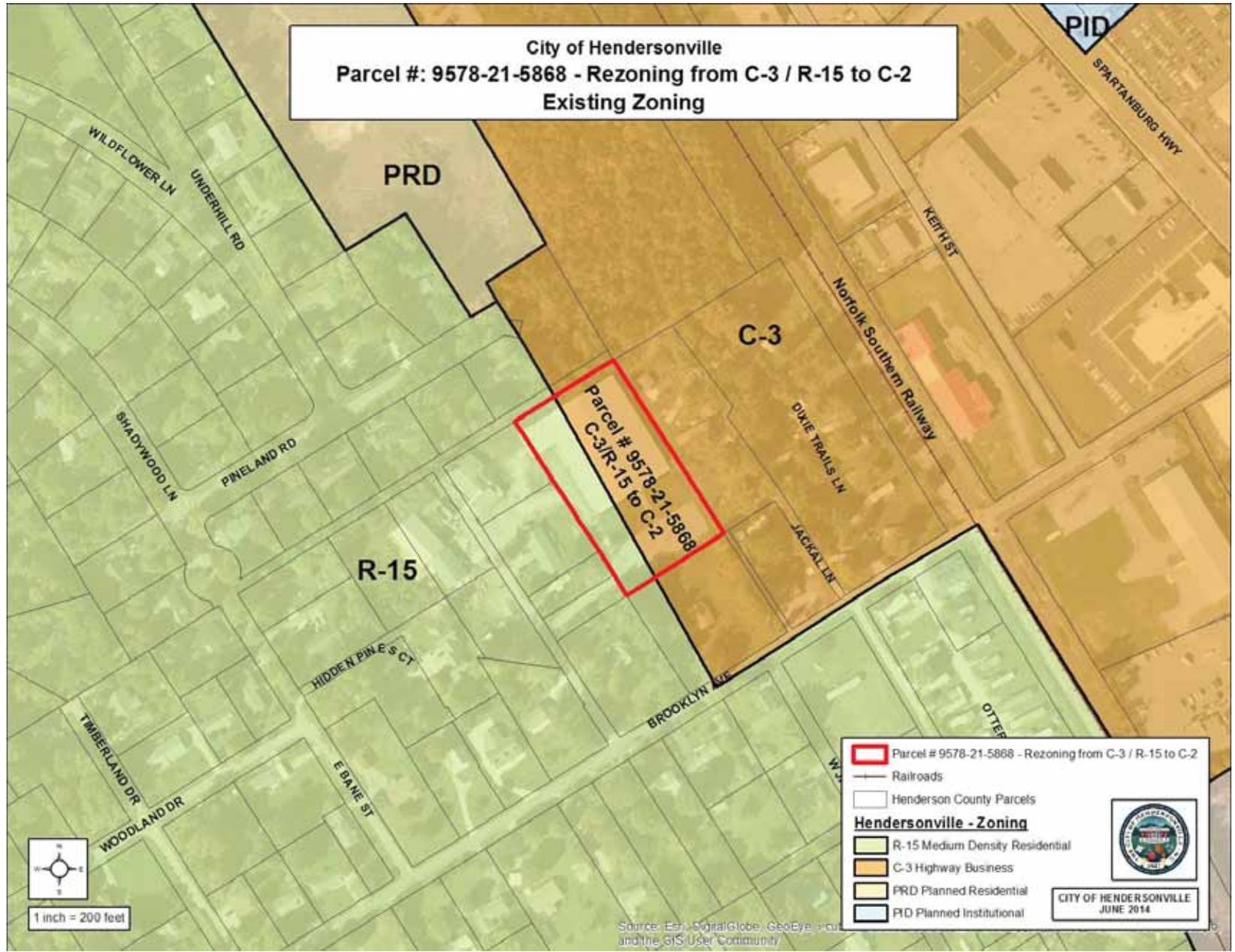
Approved as to form:

Samuel H. Fritschner, City Attorney









City of Hendersonville

PLANNING BOARD REPORT

Project Name: Grace Blue Ridge Rezoning

File Number: P14-27-Z

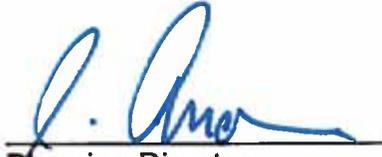
Approval – The map amendment is consistent with all of the objectives and policies for growth and development contained in the City of Hendersonville’s Zoning Ordinance, 2030 Comprehensive Plan and Comprehensive Transportation Plan.

Denial – The map amendment is not consistent with all of the objectives and policies for growth and development of the City of Hendersonville’s Zoning Ordinance, 2030 Comprehensive Plan and Comprehensive Transportation Plan.

This report reflects the recommendation of the Planning Board, this the 14th day of July, 2014.

Attest:


Planning Board Chair



Planning Director



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Sue Anderson, Planning Director

Department: Planning

Date Submitted: July 15, 2014

Presenter: Sue Anderson

Date of Council Meeting to consider this item: August 7, 2014

Nature of Item: Council Action

Summary of Information/Request:

Item # 09

File # P14-31-Z

The City is in receipt of a zoning map amendment application from David Cook of Interfaith Assistance Ministry for parcel numbers 9579-35-2013 and 9579-35-0042 located on Freeman Street. These two parcels are located adjacent to each other and are under the same approved Special Use Permit. Parcel number 9579-35-2013 includes 1.05 acres and parcel number 9579-35-0042 includes .61 acres. Both properties are vacant. The applicant is requesting to rezone these parcels from City of Hendersonville PCD Planned Commercial Development to C-3 Highway Business.

Budget Impact: \$0 _____ Is this expenditure approved in the current fiscal year budget? No If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move City Council to adopt an ordinance amending the official zoning map of the City of Hendersonville, changing the zoning designation of parcel numbers 9579-35-2013 and 9579-35-0042 from City of Hendersonville PCD Planned Commercial Development Special Use to C-3 Highway Business, finding that the rezoning is consistent with the Comprehensive Plan, the rezoning is reasonable and in the public interest.

Attachments:

Memo

M E M O R A N D U M

TO: Honorable Mayor and City Council

FROM: Planning Department

RE: IAM Rezoning

FILE #: P14-31-Z

DATE: June 23, 2014

PROJECT HISTORY

The City is in receipt of a zoning map amendment application from David Cook of Interfaith Assistance Ministry for parcel numbers 9579-35-2013 and 9579-35-0042 located on Freeman Street. These two parcels are located adjacent to each other and are under the same approved Special Use Permit. Parcel number 9579-35-2013 includes 1.05 acres and parcel number 9579-35-0042 includes .61 acres. Both properties are vacant. The applicant is requesting to rezone these parcels from City of Hendersonville PCD Planned Commercial Development to C-3 Highway Business.

On September 7, 2006, City Council approved a special use permit to construct three office/retail buildings totaling 26,370 ft² and to rezone these two parcels from RCT Residential Commercial Transition to PCD Planned Commercial Development. The reason for the special use permit was due to the fact that there would be three separate buildings on one proposed parcel. Special use review provides an alternative to traditional zoning by coupling an application for rezoning with an application for a special use permit specifying the intended uses along with a site specific plan.

On September 4, 2008, City Council granted a two year extension of the Special Use permit for both commencement and completion. The revised date for commencement was September 7, 2010 and completion was September 7, 2011. Due to acts of the NC Legislature, the development clock was stopped for three years, changing the required commencement date to September 7, 2013.

Per Zoning Ordinance Section 7-4-13 Expiration and Revocation of Special Use Permits, if the use, construction or activity authorized by City Council is not commenced with the required time frame, the Special Use permit expires. Since no work has started and the commencement date has passed, this Special Use permit is expired.

The Planned Commercial Development zoning category is only used in conjunction with Special Use permits. Therefore, since the Special Use permit has expired, the parcels will need to be rezoned.

COMPREHENSIVE PLAN CONSISTENCY

According to GS160A-383, zoning map amendments shall be made in accordance with

a comprehensive plan. The 2030 Comprehensive Plan's Future Land Use Map identifies these parcels as a Regional Activity Center. Regional Activity Centers are intended to "meet the large-scale retail needs of Hendersonville residents while encouraging mixed-use, walkable design through redevelopment and infill projects."

The Future Land Use map can be found on page nine. The primary and secondary recommended land uses for a Regional Activity Center land use category are as follows:

Primary

- Community/regional retail sales and services
- Restaurants

Secondary

- Multi-family residential
- Offices
- Public and institutional uses
- Pedestrian amenities

PROPOSED ZONING CLASSIFICATION

The two parcels are proposed to be rezoned to C-3 Highway Business which is designed primarily to encourage the development of recognizable, attractive groupings of facilities to serve persons traveling by automobile and local residents.

Following is a list of permitted and conditional uses for the C-3 Highway Business zoning district. Uses with a dotted line are also allowed as either a permitted or conditional use in the RCT Residential Commercial Transition zoning district.

C-3 Highway Business

Permitted Uses

Accessory dwelling
Accessory uses & structures
Adult care centers
Animal hospitals & clinics
Automobile car washes
Automobile sales & service
Automotive paint & body work
Banks and other financial institutions
Bed & breakfast facilities
Business services
Congregate care facilities
Construction trades facilities
Convenience stores
Cultural arts buildings
Dance and fitness facilities
Dry cleaning and laundry establishment
Farm equipment sales & service
Food processing establishments

Funeral homes
Golf driving ranges & par three golf courses
Greenhouses & commercial nurseries
Home occupations
Hotels and motels
Laundries, coin-operated
Mobile homes sales establishments
Music and art studios
Newspaper offices and printing establishments
Nursing homes
Offices, business, professional and public
Parking lots and parking garages
Parks
Personal services
Planned residential developments
Progressive care facilities

Permitted Uses Continued

Public & semi-public buildings
 Recreational facilities, indoors
 Recreational facilities, outdoors
Religious institutions
 Repair services, miscellaneous
Residential care facilities
 Residential dwellings, single-family
Residential dwellings, two-family
 Rest homes
Restaurants
 Restaurants, drive-in
Retail stores
 Schools, post-secondary, business,
 technical and vocational
 Schools, primary & secondary
 Service stations

Shelter facilities
Signs
Telecommunications antennas
 Telecommunications towers
 Theaters, indoor
 Wholesale businesses

Conditional Uses

Animal boarding facilities
 Bus stations
Child care centers
Civic clubs & fraternal organizations
 Mini-warehouses
 Private clubs
Public utility facilities

Listed in Table A is an outline of the dimensional requirements for the C-3 Highway Business zoning district.

Table A

Zoning	C-3
Minimum Lot Area	10,000 Commercial / 6,000 Residential
Minimum Lot Width at Building Line	80' Commercial / 50' Residential
Minimum Front Yard	35' Commercial / 20' Residential
Minimum Side Yard	15' Commercial / 8' Residential
Minimum Rear Yard	20' Commercial / 10' Residential
Maximum Building Height	48' Commercial / 35' Residential

SURROUNDING LAND USE & ZONING CLASSIFICATION

Adjacent parcels to the north are zoned C-3 Highway Business and RCT Residential Commercial Transition and include a bank, restaurant and single family residence. Adjacent parcels to the south and east are zoned RCT Residential Commercial Transition and include single family residences and a church. Adjacent parcels to the west are zoned RCT Residential Commercial Transition and PCD Planned Commercial Development and include an office, a single family residence and the Blue Ridge Mall. The Zoning Map can be found on page 10.

PLANNING BOARD RECOMMENDATION

The Planning Board took this matter up at its regular meeting of January 13, 2014. The Planning Board voted unanimously to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning

designation of parcel numbers 9579-35-2013 and 9579-35-0042 from City of Hendersonville PCD Planned Commercial Development Special Use to C-3 Highway Business, finding that the rezoning is consistent with the Comprehensive Plan, the rezoning is reasonable and in the public interest because of the need for the community to have these services.

ZONING ORDINANCE GUIDELINES

Per Section 11-4 of the City's Zoning Ordinance, the following factors shall be considered prior to adopting or disapproving an amendment to the City's Official Zoning Map:

1. Comprehensive Plan Consistency. Consistency with the Comprehensive Plan and amendments thereto.
2. Compatibility with surrounding uses. Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property.
3. Changed conditions. Whether and the extent to which there are changed conditions, trends or facts that require an amendment.
4. Public Interest. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare.
5. Public facilities. Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment.
6. Effect on natural environment. Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, storm water management, streams, vegetation, wetlands and wildlife.

Applicant Standards Submittal

Section 11-4 Standards The advisability of amending the text of this Zoning Ordinance or the Official Zoning Map is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt or disapprove the proposed amendment to the text of this Ordinance or the Official Zoning Map, the City Council shall consider the following factors among others:

a) **Comprehensive Plan Consistency.** Consistency with the Comprehensive Plan and amendments thereto.

The proposed zoning is consistent with the Comprehensive Plan in an identified Regional Activity Center & Activity Node.

b) **Compatibility with surrounding uses.** Whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject property.

Proposed use is compatible with adjacent uses.

c) **Changed conditions.** Whether and the extent to which there are changed conditions, trends or facts that require an amendment.

The general area is identified as a transitional area.

d) **Public Interest.** Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern that benefits the surrounding neighborhood, is in the public interest and promotes public health, safety and general welfare.

Proposed zoning is consistent with adjacent properties and transitional commercial of adjacent land areas.

e) **Public facilities.** Whether and the extent to which adequate public facilities and services such as water supply, wastewater treatment, fire and police protection and transportation are available to support the proposed amendment.

Adequate public facilities are available to the property at this time.

f) **Effect on natural environment.** Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment including but not limited to water, air, noise, stormwater management, streams, vegetation, wetlands and wildlife.

The proposed amendment will not create significantly adverse impacts on the environment of the area.

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF
HENDERSONVILLE**

IN RE: FILE NO. P14-31-Z

Be it ordained by the City Council of the City of Hendersonville:

1. Pursuant to Article XI Amendments of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of parcel numbers 9579-35-2013 and 9579-35-0042 from City of Hendersonville PCD Planned Commercial Development Special Use to C-3 Highway Business.
2. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 7th day of August 2014.

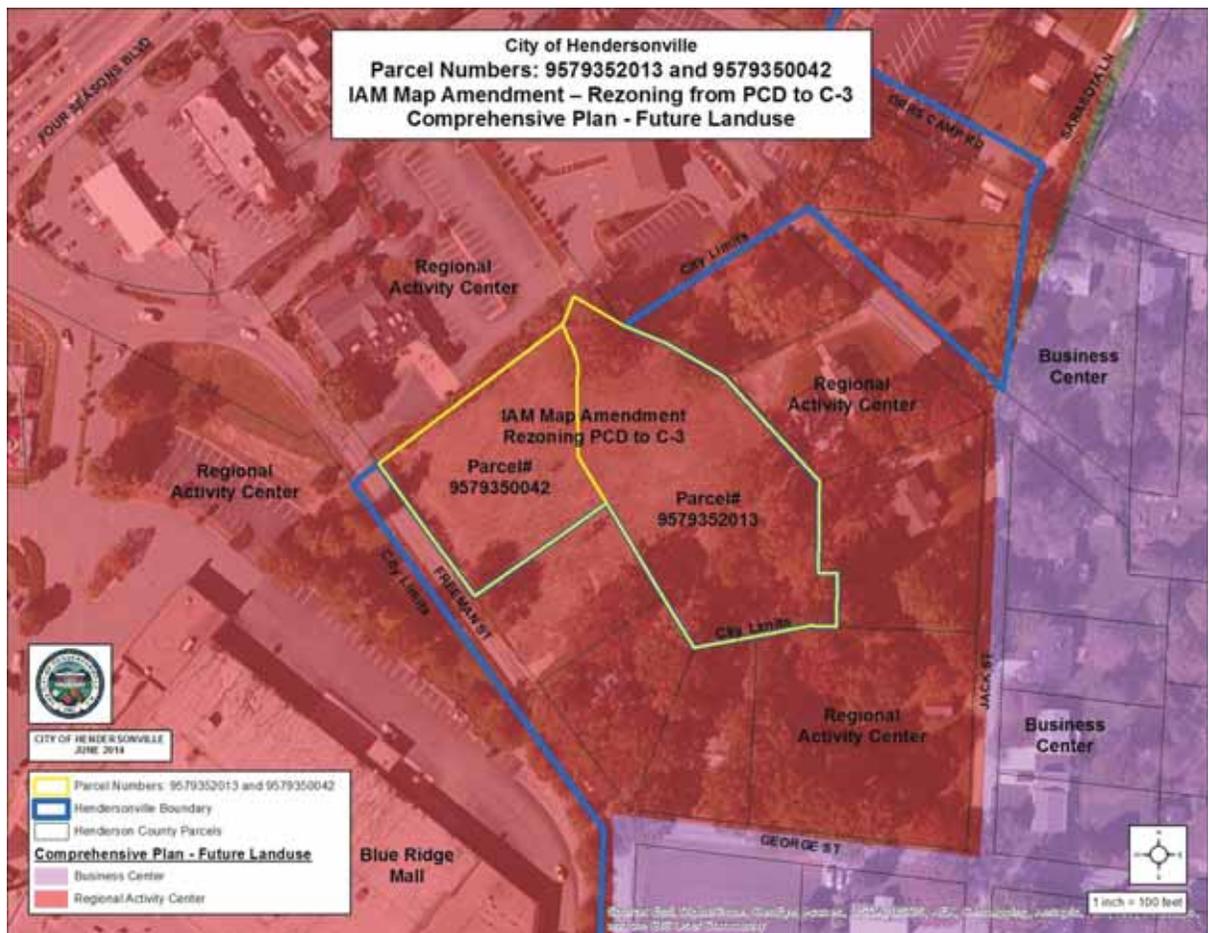
Barbara Volk, Mayor

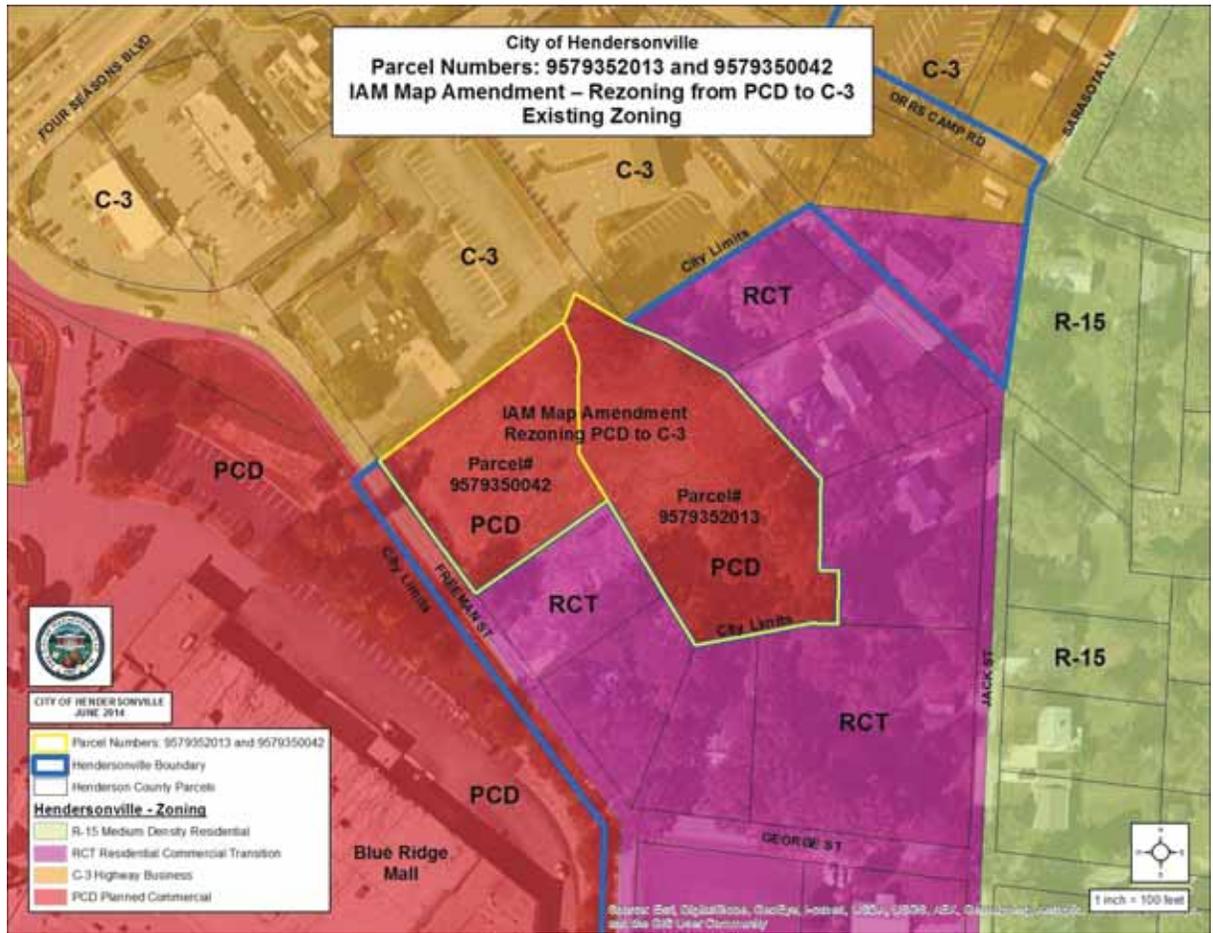
ATTEST:

Tammie K. Drake, CMC, City Clerk

Approved as to form:

Samuel H. Fritschner, City Attorney





City of Hendersonville

PLANNING BOARD REPORT

Project Name: IAM Rezoning

FILE #: P14-31-Z

Approval – The map amendment is consistent with all of the objectives and policies for growth and development contained in the City of Hendersonville's Zoning Ordinance, 2030 Comprehensive Plan and Comprehensive Transportation Plan.

Denial – The map amendment is not consistent with all of the objectives and policies for growth and development of the City of Hendersonville's Zoning Ordinance, 2030 Comprehensive Plan and Comprehensive Transportation Plan.

This report reflects the recommendation of the Planning Board, this the 14th day of July, 2014.

Attest:



Planning Board Chair



Planning Director



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

Submitted By: Brian Pahle

Department: Administration

Date Submitted: 7/29/2014

Presenter: Brian D. Pahle

Date of Council Meeting to consider this item: 08/07/14

Nature of Item: Presentation Only

Summary of Information/Request:

Item # 10

Presentation of revised budget document for fiscal year ending June 30th, 2015. This document was revised in accordance with Government Finance Officers Association (GFOA) best practices and is being submitted for the Distinguished Budget Presentation Award. This presentation will briefly explain the award criteria and highlight some major changes in the budget document.

Budget Impact: \$ _____ Is this expenditure approved in the current fiscal year budget? Yes If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

Attachments:

None



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

Submitted By: Tom Wooten

Department: Public Works

Date Submitted: 7/30/2014

Presenter: Tom Wooten

Date of Council Meeting to consider this item: August 7, 2014

Nature of Item: Council Action

Summary of Information/Request:

Item # 11

At the July City Council meeting, Council heard residents from Fox Chase speak about safety concerns if on-street parking was allowed along Half Moon Trail. Chief Herbert Blake and I met with three residents about those concerns and discussed the issues with them. We also visited Half Moon Trail and parked along the edge of the road to see how much space would be left for vehicles. There's excess room for vehicles to pass if one car is allowed to park along the edge of the road. If parking were allowed on both sides of Half Moon Trail, vehicles could still get through however, larger trucks and delivery trucks would not be able to get between the two parked cars. We have narrower streets in town where parking is allowed and there are rarely any vehicle accidents. We believe on-street parking may help address some of the speeding concerns along the road.

Options:

Allow on-street parking on both sides of Half Moon Trail which is currently allowed and requires no action by City Council.

Allow on-street parking along one side of Half Moon Trail which would require a resolution prohibiting parking on one side of Half Moon Trail (please specify which side).

Allow no parking along Half Moon Trail which would require a resolution prohibiting parking on both sides of Half Moon Trail.

Budget Impact: \$ _____ Is this expenditure approved in the current fiscal year budget? Yes If no, describe how it will be funded.

If signs are required, it would cost a few hundred dollars to purchase the signs and post.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move to approve the resolution allowing parking along one side of Half Moon Trail.

Attachments:

Map of Half Moon Trail

Photo of Half Moon Trail with a vehicle parked along the road.





RESOLUTION # _____

A RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR TO DESIGNATE TRAFFIC AND PARKING CONTROL LOCATIONS WITHIN THE PUBLIC RIGHT-OF-WAY ON HALF MOON TRAIL

WHEREAS the Public Works Director is authorized pursuant to Ordinance section 50-181 "with the approval of the City Council" "to designate, lay off and indicate . . . by appropriate signs and markings: Parking spaces and zones, no parking zones, limited parking zones, reserved parking zones . . . yield right-of-way intersections [and] streets to be laned for traffic . . . "; and

WHEREAS the City Council has recently approved certain uses with respect to areas near Half Moon Trail, and

WHEREAS the City Council considers it desirable that appropriate steps be taken to assure the public safety and welfare with respect to parking and driving on public portions of Half Moon Trail;

NOW, BE IT THEREFORE RESOLVED that the City Council does hereby authorize the Public Works Director to establish within the public right-or-way of Half Moon Trail any measures permitted pursuant to Ordinance Section 50-181 and

IT IS FURTHER RESOLVED that the Public Works Director in establishing such measures be encouraged to consult such persons as may seem to him convenient in establishing such measures.

Adopted this 7th day of August 2014.

Barbara Volk
Mayor, City of Hendersonville

ATTEST:

Tammie K. Drake, MMC
City Clerk



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Administration

Date Submitted: 7-30-2014

Presenter: John Connet

Date of Council Meeting to consider this item: 8-7-2014

Nature of Item: Council Action

Summary of Information/Request:

Item # 12

City staff will provide an update regarding several parking issues that have arisen over the last six months. These issues are more thoroughly discussed in the attached memorandum. Staff will also request that the City Council take the following action:

1. Approve the leasing of 20 underutilized metered spaces in the Dogwood Parking Lot for leased parking with the condition that they may be used on the weekends and during special events by residents and visitors. This will generate \$4,800 in additional annual revenue.
2. Approve the hiring of Dixon Resources Unlimited to conduct a comprehensive parking study for Downtown Hendersonville.
3. Approve the budget amendment allocating funding for the study.

Budget Impact: \$24,875 Is this expenditure approved in the current fiscal year budget? No If no, describe how it will be funded.

Additional funding is available from revenues to cover this study. A Budget Amendment is attached

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move that the City Council approve the leasing of twenty underutilized parking spaces in the Dogwood Parking Lot under the condition that they are available on weekends and during special events for residents and visitors.

I move that the City Council approve the hiring of Dixon Resources Unlimited to conduct a comprehensive parking study for Downtown Hendersonville with a not to exceed cost of \$24,875 and the required budget amendment.

Attachments:

Parking Memorandum

Proposed budget amendment

Dixon Resources Unlimited Proposal is in your Dropbox folder

Memo

To: Mayor and City Council
From: John Connet, Clerk
cc: Tammie Drake, City Clerk
Date: July 30, 2014
Re: Parking Issues Update and Recommendations

Over the last several months, City staff has received several concerns regarding parking in the downtown area. In addition, staff has been working to implement Phase II of the parking recommendations from last year's parking workshop. Therefore, I have prepared the following memorandum as an update on several issues and recommendations for action at your August 7th City Council meeting.

The following are parking issues that have been brought to our attention over the last several months and our proposed solutions:

- **3 hour parking limitation in the same block over a 24 hour period** – In the last six months staff has had two complaints from downtown property owners regarding tickets they have received for parking in the same block for more than three hours in a twenty four hour period. In both cases, the property owners had not exceed the three hour limit by parking for three hours straight, but they had been in and out of their properties numerous times during the day and exceeded the three hour limit after numerous visits. Both property owners were concerned about the regulation and not knowing about the regulation itself. (City Code Reference Sec. 50-247 Parking in limited parking zone)

Recommendation - Develop a brochure explaining all the existing parking rules and regulations in the Downtown area and distribute to property and business owners. Also, place the information on the City and Downtown Hendersonville websites. Secondly, request that this provision be reviewed as part of a comprehensive parking study discussed later in this memorandum.

- **Loading Zones** – Staff has received several request for loading zones in the downtown area to serve quick service (florist, bakeries, print shops, etc.) businesses. We have resisted the granting of these requests because they reduce the number of three hour parking spaces, but we do think that some of the requests have merit.

Recommendation – Staff would like to work with a parking consultant to develop a criteria for when we should permit the installation of loading zones and at what locations to best serve a group of businesses.

- **Request for designating parking at Historic Courthouse** – City staff had a request from Henderson County to designate parking spaces along 2nd Avenue for their volunteers. Staff felt that this would set a bad precedent and reduce the number of spaces in the downtown area. However, staff found them an acceptable alternative method of providing parking for their volunteers and resolved the issue.

Recommendation – No further action is required.

- **Parking Spaces for New Business** – City staff has received a request from a new business to assist them with finding initially eighteen (18) and ultimately forty (40) parking spaces in the downtown area. This business is relocating from the Greenville, SC and Asheville areas with the potential of moving their headquarters from Florida.

Recommendation – Convert twenty underutilized metered parking spaces in the Dogwood lot, at least temporarily, for the use by this business and others. We would also like to develop a lease agreement that would allow us to utilize the leased parking spaces on the weekends and with proper notice during special events for residents and visitors. In addition, staff would like to explore the possibility of leasing spaces in the Curb Market parking lot that could be sub-leased to other businesses in the downtown area.

- **Improvements to Maple Lot** - City Staff is planning to make improvements to the Maple Lot after the first of the calendar year. These improvements include removal of the trees along Fifth Avenue and King Street to improve visibility of the lot, repair of the curb and gutter and drainage systems and resurface the lot. Staff may also explore alternative meter devices as part of the improvements, but that will be determined at a later date.

Recommendation – No further action is required.

- **Comprehensive Parking Study** – One of the recommendations from the parking workshop was to conduct a comprehensive parking study for the downtown area. Therefore, staff has requested and received proposals from four parking consultants to conduct a comprehensive parking study. The study will examine current and future supply and demand, best locations for metered parking, meter equipment recommendations and parking policies. The proposals were priced from approximately \$25,000 to \$80,000. After interviewing three firms, staff believes Dixon Resources Unlimited will best suit our needs for a comprehensive parking study. The owner has extensive experience in municipal parking operations and once served as a Parking Enforcement Officer. Dixon's proposal is attached to this memorandum.

Recommendation – Contract with Dixon Resources Unlimited to conduct a comprehensive parking study for the City of Hendersonville at a cost of \$ 24,875.

I look forward to discussing these matters with you at your August 7th meeting. If you have any questions or need additional information, please feel free to contact me at (828) 23-3201.

BUDGET AMENDMENT

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	INCREASE	
ORG	OBJECT			
100060	461100	PARKING METER REVENUE	(6,900.00)	
100030	433200	BEER & WINE EXCISE TX	(3,665.00)	
100060	461400	FACILITY RENT INCOME	(6,980.00)	
100060	461000	MONTHLY PKING REVENUE	(7,455.00)	
104120	519000	PROFESSIONAL SERVICES	25,000.00	
		TOTALS IN BALANCE	\$ -	\$ -

Increase to revenue budgets. Review of year ending collections for several revenue lines shows that revenues received as of 6-30-14 were higher than projected/budgeted for the next fiscal year 2015. In addition, the City will be renting additional parking spaces, which increases the monthly parking revenues over what had been originally budgeted. Therefore by increasing these revenue line budgets we can provide for the additional expense of the needed parking study.

SUBMITTED BY CITY MANAGER

Date: 8/7/2014

APPROVED BY CITY COUNCIL:

DATE:



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Administration

Date Submitted: 7-30-2014

Presenter: John Connet

Date of Council Meeting to consider this item: 8-7-2014

Nature of Item: Discussion/Staff Direction

Summary of Information/Request:

Item # 13

Councilman Miller has requested that the City install Yield to Pedestrians signs at all mid-block crosswalks on Main Street. The signs were previously located at the crosswalks, but were removed as part of the revitalization project. The only sign that remains is the sign near the Visitor Center. Staff will provide additional background information regarding these signs and the pros and cons of installation. Ultimately, we request concurrence from the entire City Council on the re-installation of these signs.

Budget Impact: \$ _____ Is this expenditure approved in the current fiscal year budget? Yes If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move that the City reinstall the Yield to Pedestrian signs at all the mid-block crosswalks on Main Street.

Attachments:

Additional information from engineering department

- Static signs
- Active signs
- Pavement markings
- Signals and signal timing
- Physical separation
- Lighting

The findings are fairly mixed and in some cases inconsistent; however, this is not surprising considering the wide range of countermeasures installed, the various pedestrian safety problems at hand, the diverse locations and study sites at which the countermeasures were installed, and the somewhat different approaches to data collection and evaluation used by the three field teams. These were studies conducted in the field with real-world variables that cannot be controlled. Nonetheless, there were many notable and promising findings from the field tests and evaluations. A summary of the findings is as follows:

STATIC SIGNS

- **TURNING TRAFFIC YIELD TO PEDESTRIANS signs.** Installed at eight sites across the three field test locations, driver yielding behavior was the primary MOE for assessing the effectiveness of these signs. While there were a few significant changes found across the eight sites, there were inconsistencies in what changes were found and at which sites. These findings limit the conclusions that can be made regarding the effectiveness of these signs.
- **In-street pedestrian signs.** Installed at nine sites across the three field deployment locations, in-street pedestrian crossings signs appear to be highly effective at increasing driver yielding to pedestrians. The location at the roadway centerline appears to capture drivers' attention more effectively than roadside signs, as evidenced by large increases in driver yielding at all but one of the nine sites. However, all three study teams noted that while these signs were effective at changing driver behaviors, they had a very short lifespan at the many of the sites. These issues can be overcome in a number of ways, including:
 - Placing the signs on raised medians as opposed to at street level
 - Placing only one sign at the crosswalk as opposed to using multiple signs on the approach
 - Avoiding use of the signs in locations with high truck or bus traffic
 - Carefully considering turning movements and lane width when determining locations for sign installation
- **Pedestrian zone signs.** Installed at one site in Miami, the results indicate that the countermeasure was not effective in reducing speed or increasing driver yielding / braking in the presence of pedestrians. The researchers have suggested that this ineffectiveness may be related to the low speeds observed prior to deployment, and therefore there was not much margin for improvement.



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Tom Wooten

Department: Public Works

Date Submitted: 07/23/14

Presenter: Tom Wooten

Date of Council Meeting to consider this item: 08/07/14

Nature of Item: Council Action

Summary of Information/Request:

Item # 14

Jim Robson with Southern Lights Square Dance Club has asked if the building rental fee could be adjusted for their club because they are experiencing some financial difficulties at this time. Southern Lights Square Dance Club has been renting the Whitmire Building for over twenty years. Currently, they have two dances per month. Their club is working on ways to correct their problem such as raising their membership rates by \$10 per person however this will not resolve the issue. They are asking if their rent could be lowered from \$100 per session to \$75 per session (\$200 per month to \$150 per month). The club realizes the exceptional value of their current rental price but they need some help to try to regain their financial stability.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move to adjust the building rent for Southern Lights Square Dance Club from \$100 per rental to \$75 per rental.

Attachments:

None.



CITY OF HENDERSONVILLE

AGENDA ITEM SUMMARY

Submitted By: Tammie Drake

Department: Administration

Date Submitted: 07/15/14

Presenter: Tammie Drake

Date of Council Meeting to consider this item: 08/07/14

Nature of Item: Council Action

Summary of Information/Request:

Item # 17

a. Appointments for Consideration:

- Downtown Advisory Committee: The terms of three members are up for reappointment. Last month Mike Hall and Michelle Sparks (Artmob) were appointed. Since the meeting, Cindy Jones declined reappointment because her business is picking up. This is a stakeholder position meaning the individual must either be a full-time resident of the City, own or rent property within the MSD. Employees of downtown business are eligible. We have applications on file from: Mark Ray and Mia Freeman.

- Board of Adjustment: The terms of three members will expire in September: Bob Ward, Joe Poole and Karen Livingston. Mr. Poole declined reappointment. We have one application on file from Mike Egan.

- Environmental Sustainability Board (ESB): The terms of three members of this Board will expire in September: Geri Conley (serving as Secretary), Guri Andermann and Richard Cagle. Ms. Conley and Mr. Cagle would like to continue serving and I hope to hear from Ms. Andermann before the meeting. There are also two vacant positions on the Board: one City representative and one outside-City Representative. This Board was formed because the City is committed to preserving our natural resources, reducing our use of energy, and ultimately saving money for our taxpayers. The ESB advises the City Council on policies and practices dealing with the environment and energy conservation and assists with citizen-education efforts. The ESB consists of five City residents and up to four additional members residing outside the City may be appointed for their particular areas of expertise. The Chairman is chosen annually by the Board from among those who are City residents. We have applications from Mia Freeman and Albeiro Rodriguez (serving on Tree Board).

b. Announcement of Vacancies and Upcoming Appointments: Reminder of a vacancy in the alternate position on the Board of Adjustment and two positions on the ESB. Tamara Betteridge also resigned from the Tree Board.



Budget Impact: \$0 _____ Is this expenditure approved in the current fiscal year budget? No If no, describe how it will be funded.

N/A

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move to appoint ... to the Downtown Advisory Committee.

I move to appoint ... to the Board of Adjustment.

I move to appoint ... to the Environmental Sustainability Board.

Attachments: