Town of Woodfin
Town Council Meeting

Tuesday, March 19, 2024
5:00 pm

ACTION MEETING MINUTES

Council Members Present
Mayor Jim McAllister
Council Member Philip Cohen
Council Member Ken Kahn
Council Member Johanna Young
Vice Mayor Elisabeth Ervin
Council Member Eric Edgerton
Council Member Hazel Thornton

Council Members Absent
None

Town Staff Present
Shannon Tuch, Town Manager
Michael Dykes, Police Chief
Ricky Hurley, Planning Director
Gena Powers, Town Clerk / PIO
Sheri Powers, Finance & Budget Director
John Henning, Town Attorney
Adrienne Isenhower, Project Manager
Nate Oblon, Stormwater Administrator

The meeting video can be seen in its entirety at: https://youtu.be/RLYULxJj6Ek?si=_EuxHhBXDa6QV-HC .

Mayor McAllister called the meeting to order at 5:00 pm.

A. Approval of the Agenda (1:09)
Vice Mayor Ervin made a motion to approve the agenda. Council Member Young seconded the motion which passed unanimously, 6-0.

B. Consent Agenda (1:34)
1. Approval of the February 20, 2024, regular meeting minutes and March 5, 2024, budget work session minutes.
2. Approval of the Tax Collection Report for the period ending January 31, 2024.
3. Resolution 2024-03 requesting Woodfin's local delegation to the NC General Assembly to support a bill amending NC General Statute § 160A-314(a1) (4) regarding stormwater utility fee collection.

Council Member Edgerton made a motion to approve the Consent Agenda. Vice Mayor Ervin seconded the motion, which passed unanimously, 6-0.

C. Public Comment (4:15) – The public is invited to attend this meeting in person or view this meeting on Facebook Live: https://www.facebook.com/townofwoodfin. All documents related to agenda items not published on the website may be viewed in advance of the meetings in person at Town Hall, 90 Elk Mountain Rd, Woodfin.

There was no public comment.

Citizens may address the Board concerning various topics after being recognized by the mayor and are limited to 3 (three) minutes speaking time.

D. Presentations & Reports (4:46)
1. Presentation from Beloved Asheville – Co-directors Amy Cantrell and Ponkho Bermejo

2. Town manager report – Shannon Tuch, Town Manager

E. New Business (42:29)

1. Consideration of a lease proposal from Friends-Montessori for the Woodfin Community Center. Staff member presenting-Shannon Tuch.

Council Member Edgerton made a motion to authorize the town manager to enter into a lease agreement with the Friends-Montessori School for a period of two years, with an option to renew for one, one-year term. Council Member Young seconded the motion which passed unanimously, 6-0.

2. Consideration of an agreement between the Town of Woodfin and the Woodfin Community Garden Committee to establish a new community garden. Staff member presenting – Shannon Tuch.

Council Member Edgerton made a motion to authorize the town manager in consultation with the town attorney to negotiate and if appropriate enter into an agreement with representatives of the Woodfin Community Garden Committee for a period of one year, with an option to renew for two, one-year terms. Council Member Kahn seconded the motion which passed unanimously, 6-0.

3. Approval of Ordinance #2024-04 amending Chapters 6, 22, and 38 removing criminal penalties associated with certain violations. Staff member presenting – Shannon Tuch.

Vice Mayor Ervin made a motion to approve Ordinance #2024-04 removing criminal penalties associated with certain, non-public safety related violations. Council Member Cohen seconded the motion which passed unanimously, 6-0.

4. Public Hearing –Ordinance #2024-05-A request to conditionally rezone 12.42 acres located at 74 Washington Avenue from Residential District R-10 (R-10) to Community Shopping - Conditional Zone (CS-CZ). The property is identified in the Buncombe County tax record as PIN 9730-56-6180. The property owner is Buncombe County Board of Education, and the project contact is Ariel Regnier on behalf of the property owner. Staff member presenting – Ricky Hurley.

Mayor McAllister opened the Public Hearing at 6:35 pm.

There was no public comment.

Mayor McAllister closed the Public Hearing at 6:36 pm.

Vice Mayor Ervin made a motion to approve Ordinance #2024-05 the conditional zoning of 12.42 acres as shown on Exhibits A & B from R-10 Residential District to Community Shopping-Conditional Zone, subject to the conditions identified in the Exhibit D-Project Conditions and find that the request is reasonable, is in the public interest, is consistent with the Woodfin Together Comprehensive Plan, and meets the development needs of the community in that the request: 1. Protects land and buildings for small scale employment uses (1.2.5), 2. supports jobs that are locally accessible for residents to both live and work in Woodfin, and 3. Supports area partners and education institutions (3.2) Council Member Kahn seconded the motion which passed unanimously, 6-0.

5. Public Hearing – Ordinance #2024-08 - request to conditionally rezone 7.84 acres located at 99999 Reynolds Mountain Blvd from Community Shopping (CS) District to Community Shopping 2 – Conditional Zone (CS2-CZ). The property is identified in the Buncombe County tax record as PIN 9730-79-9689. The

applicant is Andera Gonzalez/Rocky River NC LLC on behalf of the property owner Shri Hari Krupa LLC. Staff member presenting – Ricky Hurley.

Mayor McAllister opened the Public Hearing at 6:55 pm.

There was no public comment.

Mayor McAllister closed the Public Hearing at 6:56 pm.

Council Member Edgerton made a motion to approve Ordinance #2024-08 the conditional zoning of 7.48 acres as shown on Exhibits A & B from Community Shopping to Community Shopping 2-Conditional Zone, subject to the conditions identified in the Exhibit D-Project Conditions and subject to one change as noted in the new condition 4 regarding the blended 60 percent rate median income for the community, and find that the request is reasonable, is in the public interest, is consistent with the Woodfin Together Comprehensive Plan, and meets the development needs of the community in that the request:1. Promotes a mix of housing types and affordability options by working with developers to incorporate income-restricted housing into new developments (1.1.2 & 1.2.4); 2. Promotes long-term fiscal responsibility by growth in areas with existing services. (1.2.6); 3. Supports walkable employment centers so that residents may both live and work in Woodfin (3.1.4). Vice Mayor Ervin seconded the motion which passed unanimously, 6-0.

6. Public Hearing – Expanding options for Manufactured Housing:
   a) Ordinance #2024-06-A request for text amendments to Chapter 54 of the Town of Woodfin Code of Ordinances to clarify and update definitions and development standards affecting Manufactured Housing, to create a new Manufactured Housing Overlay district and a new Manufactured Home Community district and;
   b) Ordinance #2024-07-A request to apply the Manufactured Housing Overlay to specific areas of the town by rezoning as provided for under GS 160D-910(e). Specifically described as Northside Estates development along Riverside Drive. Areas within the town limits west of the French Broad River and east of Olivette Road, south of Farm Road to include areas along Gorman Bridge Road but excluding Rock Springs and Crest Mountain subdivisions. Staff member presenting – Ricky Hurley.

Mayor McAllister opened the Public Hearing at 7:20 pm.

A representative from the Emma Neighborhood Council spoke in favor of these ordinances.

Mayor McAllister closed the Public Hearing at 7:22 pm.

Council Member Edgerton made a motion to approve Ordinance #2024-06 the proposed text amendment and find that it is reasonable, is in the public interest, is consistent with the *Woodfin Together* comprehensive plan, and meets the development needs of the community in that the request:1. Promotes an integrated mix of housing types and affordability options, discourages the displacement of existing residents, and protects existing affordable housing through regulatory tools. (1.1.2, 1.2.1, & 1.2.2), 2. Balances the supply of land for housing and employment. (3.1.5), 3. Ensures Woodfin is a place where residents have opportunities to engage on community issues, (4.4), 4. Modernizes zoning districts to better align with the FLUM while using zoning tools to protect manufactured housing (A.1.1 & A.1.3). Council Member Kahn seconded the motion which passed unanimously, 6-0.

Council Member Edgerton made a motion to approve Ordinance #2024-07 the proposed zoning map amendment, as shown in the attached Exhibit A and find that it is reasonable, is in the public interest, is consistent with the Woodfin Together comprehensive plan, and meets the development needs of the community in that the request: 1. Promotes an integrated mix of housing types and affordability options,

discourages the displacement of existing residents, and protects existing affordable housing through regulatory tools. (1.1.2, 1.2.1, & 1.2.2), 2. Balances the supply of land for housing and employment. (3.1.5), 3. Utilizes zoning tools to protect manufactured housing (A.1.1 & A.1.3). Council Member Cohen seconded the motion which passed unanimously, 6-0.

Vice Mayor Ervin made a motion to adjourn into closed session consistent with North Carolina General Statute §143-318.11 (a)(3): To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged; (5)(ii) the amount of compensation and other material terms of an employment contract or proposed employment contract; and (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee. Council Member Kahn seconded the motion, which passed unanimously, 6-0.

F. Executive Session (2:26:41) – The Town Council may adjourn to private chambers to discuss legal, personnel, contractual or similar matters protected by the NCGS §143-318.11. (a) including subsections:

1. (3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged; (5)(ii) the amount of compensation and other material terms of an employment contract or proposed employment contract; and (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee.

G. Adjournment-

Vice Mayor Ervin made a motion to adjourn the meeting. Council Member Kahn seconded the motion, which passed unanimously, 6-0.

Mayor McAllister adjourned the meeting at 7:55 pm.

TOWN OF WOODFIN
INCORPORATED
JUNE 1971
NORTH CAROLINA

James C. McAllister/Mayor

Attest: Gena Powers
Gena Powers/Town Clerk