

TOWN OF FLETCHER

PRESTON BLAKELY
MAYOR

MARK E. BIBERDORF
TOWN MANAGER



COUNCIL MEMBERS:
JIM PLAYER
TREVOR C. LANCE
KEITH REED
AMBER MCKINNEY

Town Council Regular Meeting May 11, 2026 at 6:00 PM

Call the meeting to order at: 6:00 PM

Moment of Silence:

Pledge of Allegiance:

Public Comments:

"We will strive to uphold each citizen's First Amendment right to free speech. We will ensure a level of civility and decorum. We ask that all speakers be respectful and adhere to the three-minute time limit. Council is not expected to debate/discuss issues during public comment."

Approval of minutes - corrections, additions or deletions

- 1) Agenda Review Meeting April 6, 2026
- 2) Regular Meeting April 13, 2026

Council Updates

Consent Agenda

- 3) Approval of amendment to the personnel policy manual to add Juneteenth as a paid employee holiday.
- 4) Approval of Proclamation R-26-02 in honor of Endangered Species Day.

Discussion Items

- 5)
Public Hearing: Zoning Text Amendment – Data Centers (26-02-ZTA) – Tyler Morrow–
Planning & Zoning Director
- 6) Public Hearing: Standard Rezoning and Special Use Permit Review – Birkshire Trace
(26-01-SUP) – Tyler Morrow, Planning & Zoning Director

Town Manager Report

Department Reports

7) April Reports

Adjourn

Upcoming Events

24th Annual Robert G. Parrish, Sr. Memorial Golf Tournament May 22, 2026

Agenda Review Meeting June 1, 2026, at 6:00 pm

Regular Meeting June 8, 2026, at 6:00 pm

June 12th Summer Concert - Sound Invasion Band

Budget year close out June ?

July 31st Summer Concert - Gotcha Groove Band

"This Institution is an equal opportunity provider."

Town of Fletcher
Town Council Agenda Review Meeting
Minutes
April 6, 2026

Call the meeting to order at: 6:00 PM

Those who were in attendance are as follows:

Mayor Preston Blakely
Mayor Pro-Tem Trevor Lance
Councilmember Keith Reed
Councilmember Jim Player
Councilmember Amber McKinney
Planning & Zoning Director Tyler Morrow
Town Manager Mark Biberdorf

Presentation of Flag Certificate by The Sons of the American Revolution — Michael Mills.

Moment of Silence:

No comments were made at this time.

Pledge of Allegiance:

No comments were made at this time.

Public Comments:

No comments were made at this time.

Approval of minutes - corrections, additions or deletions

Agenda Review Meeting March 2, 2026

Regular Meeting March 9, 2026

Pre-Budget Retreat Meeting March 24, 2026

No comments were made at this time.

Council Updates

Consent Agenda

Tax refunds/releases

Setting Public Hearing Date — Standard Rezoning and Special Use Permit Review – Birkshire Trace (26-01-SUP) – Tyler Morrow, Planning & Zoning Director

Adding Mars Hill and Marshall to the Asheville Regional Housing Consortium — Tyler Morrow, Planning and Zoning Director

Approval of Budget Amendment #5 (0-26-06) to the budget ordinance.

Mayor Blakely asked for any comments on the Consent Agenda at this time.

Council had no comments on the Consent Agenda at this time.

Discussion Items

Selection of an Individual for District 3 seat on the Planning & Zoning Board.

Mayor Blakely asked Leslie Cuveas to come up and speak about why she wanted to continue to serve (be reappointed) to the Planning & Zoning Board.

Discussion Followed:

The other candidate, Adam Eberhardt, did not attend this evening.

Presentation and annual report from Asheville Regional Airport—Lew Bleiweis, Executive Director.

Mayor Blakely stated that Lew Bleiweis will be here next week to give an annual report from Asheville Regional Airport.

Public Hearing for approval of Economic Incentives for project "Blaze" — Brittany Brady, President of the Henderson County Partnership for Economic Development.

Mayor Blakely stated that Brittany Brady will be here next week for the public hearing to discuss the incentives for project "Blaze".

Discussion on Resolution in support of HCA Leader Sam Hazen to visit Western NC for a meeting to discuss long-term improvements needed at Mission Health-Preston Blakely, Mayor.

Mayor Blakely went over a suggested resolution for council to support concerning HCA "Mission Hospital", stating that Land of Sky has asked for help with this.

Discussion Followed:

Council is agreeable to supporting this and the resolution will go on the Consent Agenda for approval at next week's meeting.

Resolution opposing state legislation that would place limits on local property tax authority - Mark Biberdorf, Town Manager

Town Manager Mark Biberdorf stated that a House Select Committee may be looking at a property tax reduction reform. What they are looking at is essentially changing the laws as to how you all set property taxes and not just setting the rate but any increases from year to year. We have historically never had a cap on it. They are taking a hard serious look at putting some restrictions in place to limit how any property tax increase could happen from year to year. This is a big deal because it is your only local source that you have within your control. Historically, here in Fletcher, we have kept the tax rate very low and still manage to maintain services for our residents. I know we have a budget coming up and there are some things there this year that need to be considered, and the Fire Department has asked for a 1.5 cent increase to get caught up on some things.

Discussion Followed:

Council approves/agrees with this Resolution, and it will be on the Consent Agenda for approval at the regular meeting next week.

Request for express design of key intersections and road extension in support of Town Center development - Mark Biberdorf, Town Manager

Town Manager, Mark Bibedorf, stated that he had talked to council about the re-engagement with Lewis Real Estate Group and them asking us to help with the transportation improvements. Tyler and I set up a meeting with the French Broad MPO to talk about transportation improvements and what would be required for development of the town center property. This is so we can get ahead in case Lewis Real Estate Group comes back with an offer on the town center property. You have notes in your packet about what we discussed and the next steps.

Discussion Followed:

Council will approve this plan next week.

Town Manager Report

On our legislative priorities list, I have contacted our state delegation to set up a time to meet with them, but I have not heard back from them as yet. I did submit all the information to them on the congressional side. We did meet last week with Kye Laughter from Senator Bud's office and had a good meeting with him. I am working on getting a meeting set up with Robin Ramsey of Senator Tillis' office and then circling back to Congressman Edwards' office as well.

So an update on the budget as we are now getting into crunch time on our revenue estimates and I should have that roughly by the middle of the month. So, by the middle of April we will

have a balanced revenue projection. On the expense side, we are trying to determine what we will be getting in health insurance, then the COLA and merit in the budget as well. I will have the budget balanced, and then I will have a recommended budget for you at the May 7th meeting.

Just a reminder that our annual Shred/Pill Drop event is set for Saturday, April 25, from 9:00 to noon in the Southside parking lot.

Mayor Blakely mentioned that he was approached by the Love & Respect group, and they would like to set up the shred event and give out information and supplies to the public.

It was mentioned that the individuals coming to this particular event may not need supplies or information. It may be better for them to participate in the fall shred/drop event at First Citizens Bank as more traffic/people come through that area or event.

Mayor Blakely said that he would mention it to them and tell them that they could come if they wanted to.

The last thing I wanted to mention is that we are in the middle of our Spring Litter Sweep and I encourage you to mention this to residents as we will provide the safety vests, trash bags and trash pick-up sticks. I will send out a connect call on this.

Department Reports

March Reports

Adjourn

Mayor Blakely asked for a motion to adjourn

Councilmember Jim Player motioned to adjourn, and it was seconded by Councilmember Keith Reed.

Motion all in favor.

Adjourned at: 6:43 pm

Upcoming Events

Regular Meeting April 13, 2026, at 6:00 pm

LGCCA April 21, 2026, at 3:00 pm "Flat Rock" hosting

Shred/Pill Drop event on Saturday, April 25, from 9:00 am to noon.

Agenda Review Meeting May 4, 2026 at 6:00 pm

Budget Workshop May 7, 2026 at 9:00 am

Regular Meeting May 11, 2026 at 6:00 pm

Approved.

Date

Signed

Town of Fletcher
Town Council Regular Meeting
Minutes
April 13, 2026

Call the meeting to order at: 6:00 PM

Those who were in attendance are as follows:

Mayor Preston Blakely
Mayor Pro-Tem Trevor Lance
Councilmember Keith Reed
Councilmember Amber McKinney
Councilmember Jim Player
Town Manager Mark Biberdorf

Presentation of Flag Certificate by The Sons of the American Revolution — Michael Mills.

Mayor Blakely accepted a flag certificate on behalf of the town from the Sons of the American Revolution.

Presentation of Proclamation in honor of the late Kenneth Youngblood.

Mayor Blakely read and presented the proclamation to the Youngblood family.

Moment of Silence:

Mayor Blakely led the group in a moment of silence.

Pledge of Allegiance:

Mayor Blakely led the group in the pledge of allegiance,

Public Comments:

No comments were made at this time.

Approval of minutes - corrections, additions or deletions

Agenda Review Meeting March 2, 2026

Regular Meeting March 9, 2026

Pre-Budget Retreat Meeting March 24, 2026

Mayor Blakely asked if there are any corrections or deletions to the minutes as presented and if not do i have a motion to approve the minutes.

Councilmember Keith Reed made a motion to approve the minutes, and it was seconded by Mayor Pro-Tem Trevor Lance.

Motion all in favor.

Council Updates

No comments were made at this time.

Consent Agenda

Tax refunds/releases

Setting Public Hearing Date — Standard Rezoning and Special Use Permit Review – Birkshire Trace (26-01-SUP) – Tyler Morrow, Planning & Zoning Director

Adding Mars Hill and Marshall to the Asheville Regional Housing Consortium — Tyler Morrow, Planning and Zoning Director

Approval of Budget Amendment #5 (0-26-06) to the budget ordinance.

Approval of Resolution R-26-05 for HCA Health/Mission Hospital.

Approval of Resolution R-26-04 opposing state legislation limiting local property tax authority.

Mayor Blakely asked if there were any comments or questions on the consent agenda from last week since the two items that were added.

There were no comments on the consent agenda at this time.

Mayor Blakely asked for a motion to approve the consent agenda.

Councilmember Jim Player motioned to approve the consent agenda, and it was seconded by Councilmember Amber McKinney.

Motion all in favor.

Discussion Items

Selection of an Individual for District 3 seat on the Planning & Zoning Board.

Mayor Blakely stated last week we heard from Ms. Leslie Cuevas, who has served the last 3 years on this board. This week we have Mr. Adam Eberhardt here who is also interested in serving on the planning board. He then asked Mr. Eberhardt to come to the podium to introduce himself and state as to why he would like to serve on the planning board.

Mr Eberhardt came to the podium, introduced himself to council and answered questions that they had for him.

Discussion Followed:

The town council unanimously selected Leslie Cuevas to serve another term on the Planning Board.

Presentation and annual report from Asheville Regional Airport—Lew Bleiweis, Executive Director.

Lew Bleiweis gave an update on Asheville Regional Airport and the progress that they have made over the last year.

Discussion Followed:

Public Hearing for approval of Economic Incentives for project "Blaze" — Brittany Brady, President of the Henderson County Partnership for Economic Development.

Emily Martin from the Partnership for Economic Development gave a presentation on the Economic Incentives for project "Blaze".

Discussion Followed:

Mayor Blakely asked for a motion to go into Public Hearing.

Mayor Pro-Tem Trevor Lance and Councilmember Jim Player motioned to go into public hearing, and it was seconded by Councilmember Keith Reed.

Motion all in favor.

Mayor Blakely asked for comments from the public at this time.

No comments were made at this time.

Mayor Blakely asked for a motion to close the Public Hearing

Councilmember Jim Player motioned to close the public hearing, and it was seconded by Councilmember Amber McKinney.

Motion all in favor.

Mayor Blakely asked for a motion to either approve or deny economic incentives for project

"Blaze".

Mayor Pro-Tem Trevor Lance motioned to approve economic incentives for project "Blaze" and it was seconded by Councilmember Jim Player.

Motion all in favor.

Request for express design of key intersections and road extension in support of Town Center development - Mark Biberdorf, Town Manager

Town Manager Mark Biberdorf stated that I talked with you last week about doing some proactive transportation engagement discussion with DOT and also our French Broad MPO. We met with them, and they came back with an update on potential improvements along HWY 25 that would help with traffic flow but also support further development of the Heart of Fletcher project. The express design will allow the MPO to submit this plan on our behalf to DOT to get them to come up with some design options and present an estimated cost. I ask by motion that we start this process and I think it will help us get this work going. Even if we do not reach a deal with Lewis Real Estate, there may be another potential developer that will help get the work going on potential transportation improvements.

Discussion Followed:

Mayor Blakely asked for a motion to support a request for the express design of key intersections for the Town Center Development.

Councilmember Jim Player motioned to support the express design of key intersections, and it was seconded by Councilmember Keith Reed.

Motion all in favor.

Town Manager Report

Last week I talked to you about our meetings with the legislative delegation, (priorities list) and we recently met with Kye Laughter from Senator Bud's office and next we will try and meet with Robin Ramsey from Senator Tillis's office. I recently submitted all of our information online with Congressman Edwards' office and sent a letter of support about trying to extend sewer to those three streets off of Fanning Bridge Road. I'll follow up to see if they have identified any funding sources for that.

On the Budget update, we are in the throes of the budget process and I mentioned last week we are working to finalize our revenue estimates. Probably by the end of this week or the beginning of next week, we will have a draft of what our revenues are looking like for the

upcoming fiscal year, particularly with putting the final touches on our expense requests. I will then work on a balanced budget to present to you during our May 7th budget workshop.

Our Spring shredding event/pill drop is coming up on Saturday, April 25th, from 9:00 until noon.

We are also in the middle of our spring litter sweep as we are trying to get people to organize a pick-up. I'll put out some additional information on this as well.

I was talking to our Planning & Zoning Director about public hearings. We have always had a practice of putting on the consent agenda to set a public hearing for the following months' meeting (usually land use issues). All require a public hearing, but there is not a requirement that you set a public hearing prior to holding the actual public hearing.

Discussion Followed:

Council agrees to no longer put this on the consent agenda prior to the actual public hearing.

Department Reports

March Reports

Adjourn

Mayor Blakely asked for a motion to adjourn

Councilmember Jim Player motioned to adjourn, and it was seconded by Councilmember Keith Reed.

Motion all in favor.

Adjourned at: 6:36 pm

Upcoming Events

**LGCCA April 21, 2026, at 3:00 pm "Flat Rock" hosting
Shred/Pill Drop event on Saturday, April 25, from 9:00 am to noon.
Agenda Review Meeting May 4, 2026 at 6:00 pm
Budget Workshop May 7. 2026 at 9:00 am
Regular Meeting May 11, 2026 at 6:00 pm**

Approved.

Date

Signed

MEMORANDUM

TO:

FROM:

COPY TO:

DATE:



SUBJECT: Approval of amendment to the personnel policy manual to add Juneteenth as a paid employee holiday.

Background:

Recommendation:

Attachments:

1. Personnel Policy Update for Juneteenth Holiday

MEMORANDUM

TO: MAYOR & TOWN COUNCIL
CC: MARK BIBERDORF, TOWN MANAGER
FROM: HEATHER N. TAYLOR, ASSISTANT TOWN MANAGER
SUBJECT: REVISION OF TOWN'S PERSONNEL POLICY- ADDITION OF JUNETEENTH HOLIDAY
DATE: 04/29/2026

As a result of Town Council's support during the June 2025 Council Meeting, the Juneteenth holiday was adopted as an official Town holiday effective June 2025. However, the Town's Personnel Policy was not formally amended to reflect this change.

To ensure consistency between current practice and adopted policy, I am requesting that the Town's Personnel Handbook be updated to include Juneteenth as an official holiday under:

- **Article VII, Section 2 – Holidays**

This revision will align the written policy with the Town's recognized holiday schedule and provide clarity for employees and administration moving forward.

PROCLAMATION TO PROCLAIM MAY 15, 2026, AS “ENDANGERED SPECIES DAY” IN THE TOWN OF FLETCHER

WHEREAS, plants, wildlife, and healthy natural habitats provide significant benefits to communities, including clean water, recreation, education, economic value, cultural meaning, and quality of life; and

WHEREAS, the United States has long recognized the importance of conserving imperiled species through the Endangered Species Act of 1973 and other conservation laws; and

WHEREAS, the Endangered Species Act has helped prevent the extinction of more than 99 percent of listed species and continues to support recovery efforts across the country; and

WHEREAS, North Carolina is home to a diverse range of native plants and wildlife, including species that are threatened, endangered, or otherwise at risk; and

WHEREAS, Western North Carolina’s rivers, streams, forests, and mountain ecosystems provide habitat for species such as the Eastern Hellbender, which depends on clean, cold, fast-flowing streams and has faced increased threats from habitat degradation and recent storm impacts; and

WHEREAS, the Town of Fletcher recognizes the importance of protecting natural resources, maintaining healthy waterways, expanding greenway connections, preserving public open space, and supporting responsible stewardship of the lands and waters that make our community special; and

WHEREAS, local waterways such as Cane Creek contribute to the larger watershed of the French Broad River—widely recognized as one of the oldest rivers in the world—highlighting the importance of protecting Fletcher’s natural resources as part of a historically and environmentally significant river system; and

WHEREAS, local conservation efforts, including care for Cane Creek, Hoopers Creek, Fletcher’s parks, greenways, floodplains, and natural areas, contribute to the health of wildlife habitat and the quality of life of Fletcher residents; and

WHEREAS, Endangered Species Day provides an opportunity to celebrate conservation success stories, raise awareness about species recovery, and encourage residents to help protect wildlife and natural habitats in their own community; and

WHEREAS, the Town of Fletcher joins communities across the country in recognizing the importance of conserving endangered and threatened species for current and future generations;

NOW, THEREFORE, BE IT RESOLVED that the Fletcher Town Council hereby proclaims May 15, 2026, as “Endangered Species Day” in the Town of Fletcher and encourages residents to learn more about endangered and threatened species, support habitat conservation, protect local waterways, and participate in stewardship efforts that strengthen Fletcher’s natural environment.

Adopted this the 11th day of May 2026.

Mayor Preston Blakely

ATTEST:

Christine Thompson, MMC, NCCMC
Town Clerk

MEMORANDUM

TO: Mayor and Town Council

FROM: Tyler Morrow, Planning & Zoning Director

COPY TO:

DATE: 5/11/2026

SUBJECT: Public Hearing: Zoning Text Amendment – Data Centers (26-02-ZTA) – Tyler Morrow– Planning & Zoning Director



Background:

Town Council directed staff to add Data Centers as a new defined use in the use table and to amend the Land Development Code to prohibit this use in all zoning districts within Town limits, similar to the current treatment of Cryptocurrency Mining Operations.

Recommendation:

Suggested motions are included in the packet.

Attachments:

1. Agenda Item- Data Centers 26-02-ZTA
2. Staff Report-Data Centers 26-02-ZTA
3. Ordinance-Article 2 and 18-Data Centers



TOWN OF FLETCHER PLANNING DEPARTMENT AGENDA ITEM COVER SHEET

Meeting Type: Town Council	Meeting Date: May 11 th , 2026
Title of Item: Public Hearing: Zoning Text Amendment – Data Centers (26-02-ZTA) – Tyler Morrow– Planning & Zoning Director	

SUGGESTED MOTION:

<u>For Approval</u>	<u>For Denial</u>
I move Town Council <u>adopt</u> an ordinance amending the official Town of Fletcher Land Development Code, amending Article 2. District Provisions and Article 18. Definitions to establish Data Centers as a defined use and prohibit it in all zoning districts based on the following: 1. The petition is found to be <u>consistent</u> with the Land Use Plan based on the information from the staff analysis and the public hearing, and because: The amendment is intended to protect the quality of life and well-being of residents, workers, and visitors by preventing a use that can have significant environmental and operational impacts. The scale and intensity of this use differ substantially from other uses currently present in Fletcher, making it incompatible with the community's existing development pattern and long-term land use goals. 2. We find this petition to be reasonable and	I move Town Council <u>deny</u> an ordinance amending the official Town of Fletcher Land Development Code, amending Article 2. District Provisions and Article 18. Definitions to establish Data Centers as a defined use and prohibit it in all zoning districts based on the following: 1. The petition is found to be <u>consistent</u> with the Land Use Plan based on the information from the staff analysis and the public hearing, and because: The amendment is intended to protect the quality of life and well-being of residents, workers, and visitors by preventing a use that can have significant environmental and operational impacts. The scale and intensity of this use differ substantially from other uses currently present in Fletcher, making it incompatible with the community's existing development pattern and long-term land use goals. 2. However, we do not find this petition to be reasonable and in the public interest based on

in the public interest based on the information from the staff analysis and the public hearing, and because: 1. The proposed text amendment removes a use that is incompatible with the Town's long-term goals and vision. 2. The proposed text amendment helps safeguard valuable environmental resources while supporting Fletcher's identity as an outdoor recreation hub. 3. The proposed text amendment protects the quality of life for Fletcher residents and visitors. [Discuss and Vote]	the information from the staff analysis and the public hearing, and because: 1. The proposed text amendment eliminates an emerging industrial use. [Discuss and Vote]
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Attachments:	1. Staff Report 2. Draft Ordinance
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TOWN OF FLETCHER

PRESTON BLAKELY
MAYOR

MARK E. BIBERDORF
TOWN MANAGER



COUNCIL MEMBERS:
TREVOR LANCE
JIM PLAYER
KEITH REED
AMBER MCKINNEY

Data Centers Zoning Text Amendment

Planning Department Staff Report
Tyler Morrow, Planning and Zoning Director

What are Data Centers?	2
Current Regulations for Similar Uses	3
Where would the Data Centers Likely be Built?.....	4
Town Council's Request to Staff	5
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Planning Board Summary and Recommendation:	6

What are Data Centers?

Data centers are the physical facilities that house the infrastructure of the internet. At their core, they are networked computer systems designed for data storage and processing, supported by equipment such as battery systems, backup generators, and cooling technology.

Industry analysts expect continued growth in data center construction, including both large “hyperscale” facilities and smaller “edge” centers distributed closer to users. Developers are drawn to sites with low latency, reliable and affordable electricity, and access to fiber infrastructure.

While data centers have traditionally clustered near major internet hubs and employment centers, the rise of cloud computing is driving expansion into smaller metropolitan and rural areas. Large technology firms often seek sites for expansive, single-story buildings, while colocation operators may pursue infill locations or existing structures with strong connectivity.

Because data centers consume significant electricity and require cooling, developers prefer areas with lower power costs, cooler climates, and reduced natural hazard risk.

From the outside, data centers often resemble typical commercial or light industrial buildings. However, their operational characteristics are usually very different from surrounding land uses. From a planning standpoint, the most significant distinctions involve their high electricity and water consumption, potential noise generation, heightened safety and security requirements, and relatively low employment densities.

In 2020, data centers consumed roughly 200 to 250 terawatt hours of electricity, about one percent of global demand. While efficiency gains have historically offset rising usage, growing demand from streaming, gaming, cloud computing, AI, and connected devices is expected to drive higher energy consumption. This figure does not include cryptocurrency mining, which alone used an estimated 60 to 70 terawatt hours in 2020, comparable to the annual electricity use of a mid-sized country.

Both data centers and cryptocurrency mining facilities generate significant waste heat and require substantial cooling, often relying on water. A medium sized data center can use more water annually than two 18-hole golf courses.

These facilities can also produce noise, particularly from rooftop or ground mounted cooling equipment, which may impact nearby properties, especially residential areas.

Because they operate continuously and house valuable equipment and sensitive data, data centers typically include enhanced security features such as fencing, gated access, and lighting.

Source- APA’s Zoning Practice June 2022 Issue “Zoning for Data Centers and Cryptocurrency Mining” By David Morley, AICP

Current Regulations for Similar Uses

In 2023, Council added “Cryptocurrency Mining Operations” as a use listed in the Use Matrix. Cryptocurrency Mining Operations are not currently permitted in any zoning district within the Town. They are defined as “The operation of specialized computer equipment for the purpose of mining one or more blockchain-based cryptocurrencies, such as Bitcoin. This activity, which is also termed “proof of work,” involves the solving of algorithms as part of the development and maintenance of a blockchain which is a type of distributed ledger maintained on a peer- to-peer network. Typical physical characteristics of cryptocurrency mining include specialized computer hardware for mining operations as well as equipment to cool the hardware and operating space. For the purposes of the associated regulations, cryptocurrency mining includes the commercial “creation” (“mining”) of virtual currency not recognized as legal tender of the U.S., but does not include the exchange of cryptocurrency, the use, creation, or maintenance of all types of peer-to-peer distributed ledgers. This definition does not include use of one or not more than five computers from which cryptocurrency is mined in an enclosed structure, provided the cryptocurrency is not mined for commercial purposes.”

As you will see, the current definition of Cryptocurrency Mining Operations is silent on overall data centers. While some data centers may include a cryptocurrency component, not all data centers involve cryptocurrency. Data centers can encompass a wide range of technological functions, such as hosting websites, providing cloud services, and supporting AI infrastructure. For these reasons, it would be my interpretation that our current definition and prohibition of Cryptocurrency Mining Operations does not extend to all data centers.

The ordinance does state, however, that “Any use not listed in the Use Matrix is prohibited unless the Administrator determines that it falls within the same class as a listed use as set forth.” Since data centers are not explicitly listed as a permitted use, it could be argued that they are already prohibited. However, without a clear definition or supplementary standards, an attorney could contend that a data center falls within an existing permitted industrial use category.

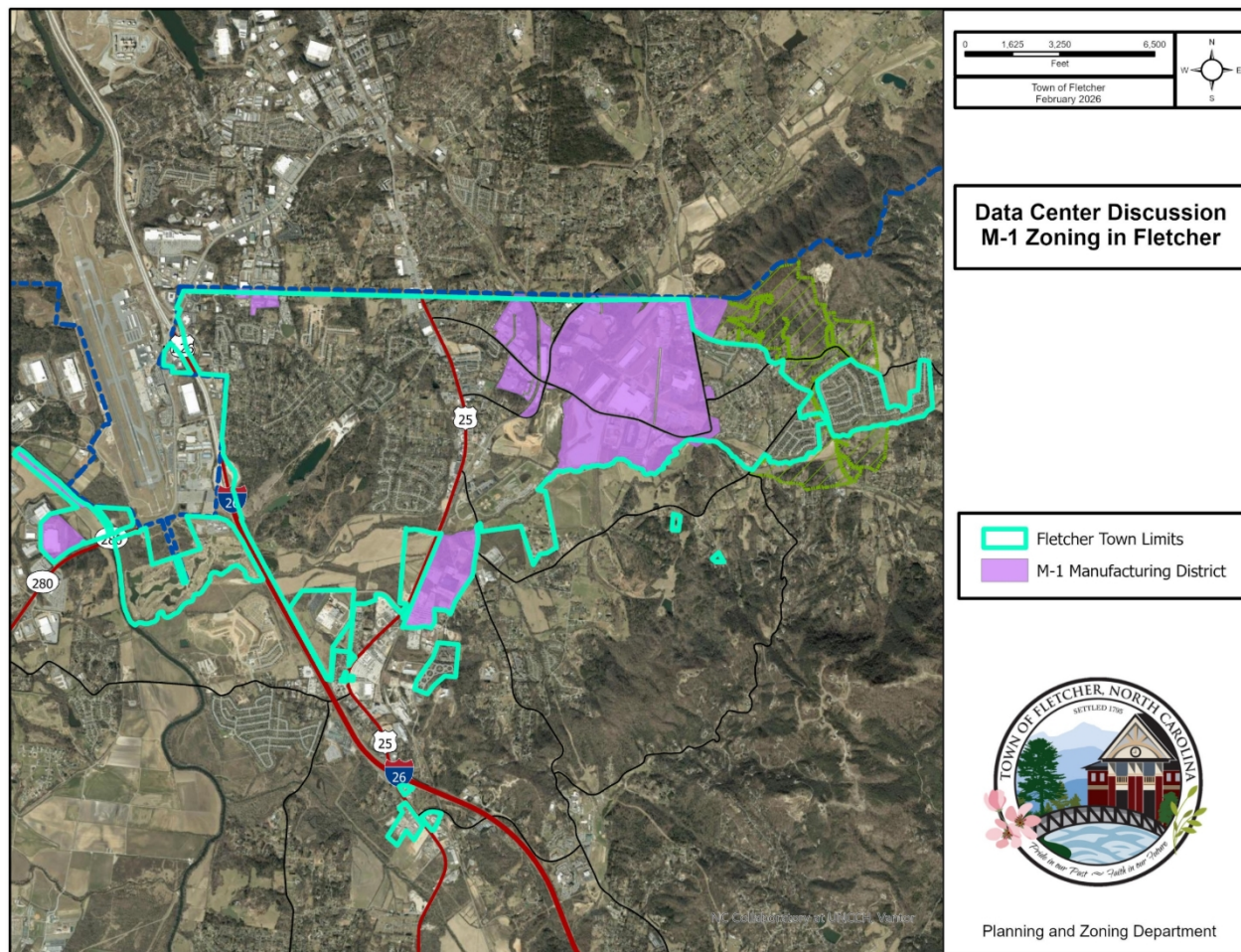


LAND DEVELOPMENT CODE

Town of Fletcher, NC

"Pride in Our Past, Faith in our Future"

Where would the Data Centers Likely be Built?



Based on the information outlined above regarding the size and configuration typically required for data centers, it is reasonable to conclude that such a facility in the Town of Fletcher would most likely only be located within the M-1 Manufacturing District. Properties within this district are generally larger in scale and capable of accommodating the square footage and building design commonly associated with data center development.

All the areas within the Town that currently hold this designation are shown in the above map in purple. The existing town limits are shown in Cyan.

However, at the direction of Town Council, the ordinance has been amended to specify that data centers would not be a permitted use in any zoning district. This approach clearly communicates to potential developers that the use is prohibited throughout Fletcher and leaves no room for interpretation.

Town Council’s Request to Staff

Town Council directed staff to add Data Centers as a new defined use in the use table and to amend the Land Development Code to prohibit this use in all zoning districts within Town limits, similar to the current treatment of Cryptocurrency Mining Operations.

The proposed text amendment carries out this direction. Staff has added Data Centers as a defined use within the use matrix and designated the use as not permitted in any zoning district in Fletcher. Additionally, a definition has been added to Article 18 to clearly establish what constitutes a data center for regulatory purposes.

The proposed definition of “Data Center” states “A building, structure, or group of buildings used for the storage, processing, management, transmission, or distribution of digital data through large-scale computer systems and associated information technology infrastructure. Such facilities typically contain servers, data storage systems, networking equipment, routers, switches, and related hardware designed to support remote computing, cloud services, digital communications, or off-site users. A data center may include supporting mechanical and electrical infrastructure necessary for continuous operation, including but not limited to electrical substations, high-capacity electrical service, backup generators, battery storage systems, cooling systems, ventilation equipment, and related utility infrastructure. This use may include server farms, data processing facilities, cryptocurrency or high-density computing operations, and other similar digital infrastructure facilities. Data centers are generally characterized by substantial electrical demand, specialized cooling requirements, and limited on-site staffing relative to the size of the facility.”

Research and development	—	—	—	—	P	P	P	P	P
Storage - Outdoor storage yard, primary use	—	—	—	—	—	—	—	—	PS
Storage - Warehouse, indoor storage	—	—	—	—	—	—	—	—	P
Wholesaling and distribution	—	—	—	—	—	—	—	SUP	PS
Asphalt Plant	—	—	—	—	—	—	—	—	—
Cryptocurrency Mining Operations	—	—	—	—	—	—	—	—	—
Data Centers	—	—	—	—	—	—	—	—	—

D Data Center: A building, structure, or group of buildings used for the storage, processing, management, transmission, or distribution of digital data through large-scale computer systems and associated information technology infrastructure. Such facilities typically contain servers, data storage systems, networking equipment, routers, switches, and related hardware designed to support remote computing, cloud services, digital communications, or off-site users. A data center may include supporting mechanical and electrical infrastructure necessary for continuous operation, including but not limited to electrical substations, high-capacity electrical service, backup generators, battery storage systems, cooling systems, ventilation equipment, and related utility infrastructure. This use may include server farms, data processing facilities, cryptocurrency or high-density computing operations, and other similar digital infrastructure facilities. Data centers are generally characterized by substantial electrical demand, specialized cooling requirements, and limited on-site staffing relative to the size of the facility.	 principal residential for one or two families. Detain: To store and slowly release stormwater runoff following precipitation by means of a surface depression or tank and an outlet structure. Detention Basin/Pond: Engineered facilities for storing or detaining <u>rain water</u> runoff from a site. Detention stores water on a site to allow time for pollutants <u>precipitate</u> out of the runoff. This cleans the water before it is allowed to flow to nearby surface waters (see watershed). Developable Acreage: That portion of a tract or parcel of <u>land</u> which can be developed under the provisions of this Code not including public rights-of-way, streams or other water bodies, wetlands under the jurisdiction of the US Army Corps of Engineers, or areas of flood hazard. Developer: The legal or beneficial owner or owners of a lot or of any land included in a proposed development, including the holder of an option or contract to purchase or other <u>persons</u> having enforceable proprietary interests in such land.
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Land Use Plan Consistency:



The proposed text amendment is consistent with the Land Use Plan's first goal, which is to provide the citizens of Fletcher with a quality environment for living, leisure activities, and work.

It is also consistent with the Land Use Plan's fourth goal, which is to discourage the development of incompatible land uses.

The proposed amendment removes data centers as a permitted use within the Town's jurisdiction. This action helps protect the quality of life and well being of residents, workers, and visitors by preventing a use that can have significant environmental and operational impacts. Data centers are known to require substantial amounts of electricity and water and can generate continuous mechanical noise from cooling and electrical systems. The scale and intensity of these impacts differ significantly from other uses currently present in Fletcher, making such facilities incompatible with the community's existing development pattern and land use goals.

Planning Board Summary and Recommendation:

THE PLANNING BOARD VOTED 7-0 TO RECOMMEND APPROVAL OF THE PROPOSED ZONING TEXT AMENDMENT.

Motion:

Motion made by: Robyn Mondin

Second: Leslie Cuevas

For: Robyn Mondin, Doug Ferguson, Julia Fogel, Bryan Gilbert, Lee Bowser, Leslie Cuevas, Jacob Compher

Against: None

Meeting Overview:

Staff presented the proposed text amendment. The Planning Board had no questions for staff. No members of the public were present. Following the presentation, the Board made a motion to recommend approval.

**AN ORDINANCE OF THE TOWN OF FLETCHER TOWN COUNCIL TO AMEND
THE TOWN OF FLETCHER LAND DEVELOPMENT CODE, BY AMENDING
ARTICLE 2. DISTRICT PROVISIONS AND ARTICLE 18. DEFINITIONS TO ADD
DATA CENTERS AS A DEFINED USE WITHIN THE USE MATRIX AND
ESTABLISH A CORRESPONDING DEFINITION FOR THE USE.**

WHEREAS, the proposed amendment establishes Data Centers as a defined use within the Town of Fletcher’s Land Development Code. Data Centers would not be permitted within any zoning district under the Town’s jurisdiction; and

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Fletcher, North Carolina that Article 2. District Provisions and Article 18. Definitions of the Land Development Code for the Town of Fletcher be amended as follows:

Article 2. District Provisions

2.4 Use Categories and Tables of Permitted Uses

Manufacturing/Wholesale/Storage									
Agribusiness	P	P	P	P	—	—	—	—	P
Agricultural Products	PS	PS	PS	PS	—	—	PS	PS	P
Asphalt Plant	—	—	—	—	—	—	—	—	—
Construction Services	—	—	—	—	—	—	—	PS	P
Cryptocurrency Mining Operations	—	—	—	—	—	—	—	—	—
Data Centers	—	—	—	—	—	—	—	—	—
Laboratory - Medical, analytical, research & development	—	—	—	—	—	SUP	SUP	SUP	P
Laundry, dry cleaning plant	—	—	—	—	—	—	P	P	P
Manufacturing, Light	—	—	—	—	—	—	P	P	P
Manufacturing, Neighborhood	—	—	—	—	—	P	P	P	P
Manufacturing, Heavy	—	—	—	—	—	—	—	—	P
Media production	—	—	—	—	P	P	P	P	—
Metal products fabrication, machine or welding shop	—	—	—	—	—	—	—	—	P
Mini-Warehouses	—	—	—	—	—	—	—	—	P
Research and development	—	—	—	—	P	P	P	P	P
Storage - Outdoor storage yard, primary use	—	—	—	—	—	—	—	—	PS
Storage - Warehouse, indoor storage	—	—	—	—	—	—	—	—	P
Wholesaling and distribution	—	—	—	—	—	—	—	SUP	PS

Article 18: DEFINITIONS

18.3 Definitions

Data Center: A building, structure, or group of buildings used for the storage, processing, management, transmission, or distribution of digital data through large-scale computer systems and associated information technology infrastructure. Such facilities typically contain servers, data storage systems, networking equipment, routers, switches, and related hardware designed to support remote computing, cloud services, digital communications, or off-site users. A data center may include

supporting mechanical and electrical infrastructure necessary for continuous operation, including but not limited to electrical substations, high-capacity electrical service, backup generators, battery storage systems, cooling systems, ventilation equipment, and related utility infrastructure. This use may include server farms, data processing facilities, cryptocurrency or high-density computing operations, and other similar digital infrastructure facilities. Data centers are generally characterized by substantial electrical demand, specialized cooling requirements, and limited on-site staffing relative to the size of the facility.

Adopted by the Town Council of the Town of Fletcher, North Carolina on this 11th day of May 2026.

Attest:

Preston Blakely, Mayor

Christine Thompson, Town Clerk

MEMORANDUM

TO: Mayor and Town Council
FROM: Tyler Morrow, Planning & Zoning Director
COPY TO:
DATE: 5/11/2026



SUBJECT: Public Hearing: Standard Rezoning and Special Use Permit Review – Birkshire Trace (26-01-SUP) – Tyler Morrow, Planning & Zoning Director

Background:

Application to rezone the subject property located at 196 Underwood Road (PINs 9643-73-8923, 9643-84-1236, 9643-84-3220, & 9643-84-4274) from C-2, Interstate Commercial District to NBD Neighborhood Business District.

Application for a special use permit for the subject property located at 196 Underwood Road (PINs 9643-73-8923, 9643-84-1236, 9643-84-3220, & 9643-84-4274) to allow for the development of a 115-unit low-income housing tax credit multi-family project. The subject property consists of approximately 7.71 acres.

Recommendation:

Suggested motions for both the standard rezoning and the special use permit are included in the packet.

Attachments:

1. Agenda Item- Birkshire Trace 26-01-SUP
2. Staff Report-Birkshire Trace 26-01-SUP
3. Site Plans and Renderings-Birkshire Trace 26-01-SUP
4. Proposed Zoning Map-Birkshire Trace
5. Ordinance-Standard Rezoning Birkshire Trace 26-01-SUP
6. Written Findings – Birkshire Trace 26-01-SUP
7. Application- Birkshire Trace SUP
8. ARDEN HOSPITALITY, LLC Annual Report
9. AVL Holdings LLC Annual Report



TOWN OF FLETCHER PLANNING DEPARTMENT AGENDA ITEM COVER SHEET

Meeting Type: Town Council	Meeting Date: May 11th 2026
Title of Item: Public Hearing: Standard Rezoning and Special Use Permit Review – Birkshire Trace (26-01-SUP) – Tyler Morrow, Planning & Zoning Director	

SUGGESTED REZONING MOTION(S):

<u>Approval:</u>	<u>Denial:</u>
I move the Town Council <u>adopt</u> an ordinance amending the official zoning map of the Town of Fletcher, changing the zoning designation of the subject property from C-2 Interstate Business District to NBD, Neighborhood Business District finding: 1. The petition is found to be inconsistent with the Town of Fletcher Land Use Plan based on the information from the staff analysis and the public hearing, and because: The petition proposes higher-density, multi-family residential outside of the Town Core. 2. However, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because: 1. The proposed development would provide affordable housing in a town and region that are currently experiencing extreme challenges with housing availability and affordability. 2. The proposed development would locate residents; who may or may not have access to personal vehicles in an area with numerous amenities within walking	I move the Town Council <u>deny</u> an ordinance amending the official zoning map of the Town of Fletcher changing the zoning designation of the subject property from C-2 Interstate Business District to NBD, Neighborhood Business District finding: 1. The petition is found to be inconsistent with the Town of Fletcher Land Use Plan based on the information from the staff analysis and the public hearing, and because: The petition proposes higher-density, multi-family residential outside of the Town Core. 2. We do not find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because: 1. The Town has already experienced an increase in higher-density, apartment-style development. The Town’s intent is to direct higher-density residential development toward the core of Town. 2. The proposed development would remove a commercially zoned property and replace it with a residential use, further reducing the amount of commercially zoned land

distance and within close proximity to an Asheville Transit stop. 3. The proposed density would not be inconsistent with the level of development intensity already present in and around the Airport Road commercial corridor. [DISCUSS & VOTE]	available along the Underwood Road corridor. 3. The proposed development has a higher residential density than the surrounding parcels. [DISCUSS & VOTE]
--	--

SUGGESTED SPECIAL USE PERMIT MOTION(S):

***This motion is not applicable if Town Council does not approve the rezoning of the subject property. ***

<u>Approval:</u> I move the Town Council <u>approve</u> the Special Use Permit associated with this petition, finding that the proposed development is consistent with Article 15.10 and that all nine (9) required criteria for the issuance of a Special Use Permit have been met. The development shall be constructed in accordance with the approved site plan. [DISCUSS & VOTE]	<u>Denial</u> I move the Town Council <u>deny</u> the Special Use Permit associated with this petition, finding that the proposed development is not consistent with Article 15.10 and that all nine (9) required criteria for the issuance of a Special Use Permit have been met. The following criteria have not been met [please state the criteria that was not met] [DISCUSS & VOTE]
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Attachments:	1. Staff Report 2. Preliminary Site Plan and Renderings Package 3. Proposed Zoning Map 4. Draft Standard Rezoning Ordinance 5. Draft Written Findings-Special Use Permit 6. Application 7. LLC Annual Reports
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TOWN OF FLETCHER

PRESTON BLAKELY
MAYOR

MARK E. BIBERDORF
TOWN MANAGER



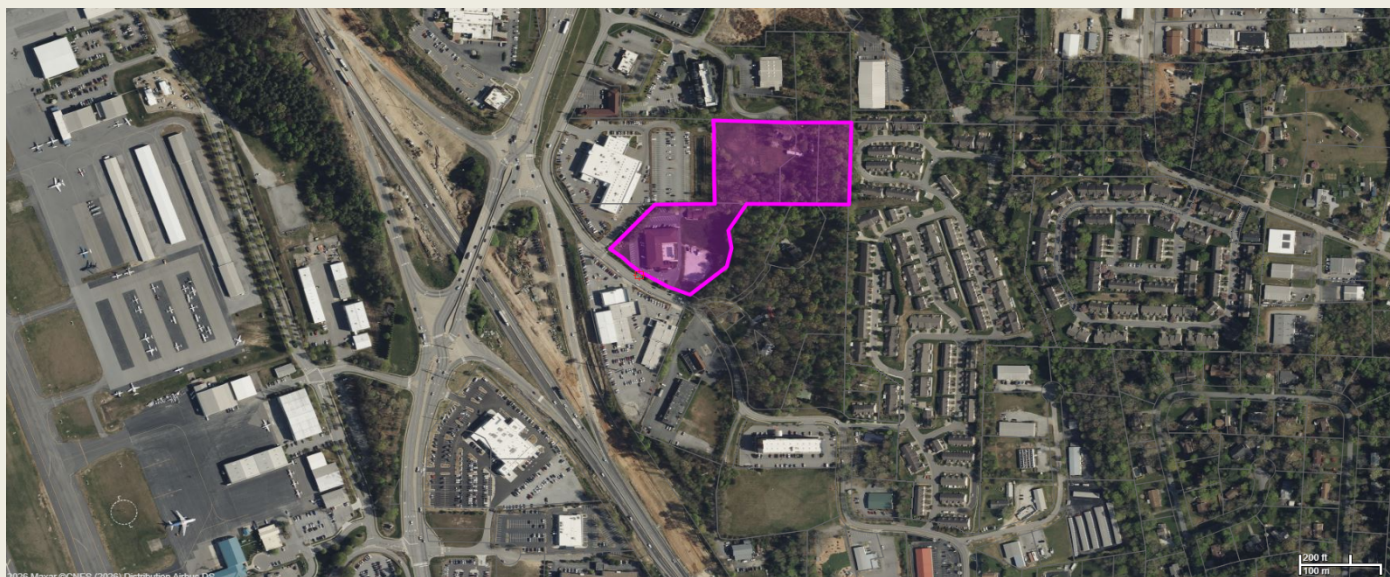
COUNCIL MEMBERS:
TREVOR LANCE
JIM PLAYER
KEITH REED
AMBER MCKINNEY

Standard Rezoning & Special Use Permit Birkshire Trace (26-01-SUP)

Planning Department Staff Report
Tyler Morrow, Planning and Zoning Director

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Project Summary

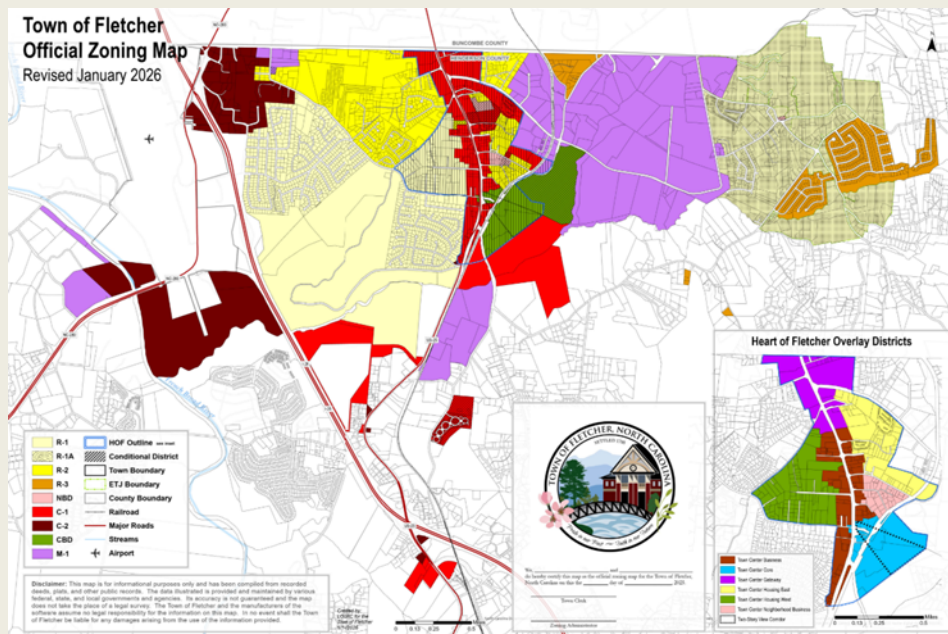


SITE VICINITY MAP

- **Project Name & Case #:**
 - Berkshire Trace
 - 26-01-SUP
- **Applicant:**
 - Dustin Mills of Taft Mills Group LLC
- **Property Owners:**
 - AVL Holdings LLC (PIN: 9643-73-8923)
 - Arden Hospitality, LLC (PINs 9643-84-1236, 9643-84-3220, & 9643-84-4274)
- **Property Address:**
 - 196 Underwood Road
- **Project Acreage:**
 - 7.71 Acres
- **Project overview**
 - 115 Unit Low Income Housing Tax Credit Multi-Family Project. (14.92 units per acre)

- **Parcel Identification (PIN):**
 - 9643-73-8923
 - 9643-84-1236
 - 9643-84-3220
 - 9643-84-4274
- **Current Parcel Zoning:**
 - C-2, Interstate Commercial District
- **Requested Zoning:**
 - NBD, Neighborhood Business District
- **Land Use Plan Designation:**
 - Mixed Use Residential (PIN 9643-73-8923)
 - Single Family Detached (PIN 9643-84-1236 & 9643-84-3220)
 - Not in Use (PIN 9643-84-4274)
- **Requested Uses:**
 - Dwelling-Multifamily more than 4 units in a building

Map Amendment Process:



As stated previously in this report, the subject property is currently zoned C-2 Interstate Business District. This zoning classification does not permit multi-family residential development. In 2017, Town Council approved amendments to the Land Development Code that removed targeted residential uses from the C-1 and C-2 zoning districts. The Land Use Plan was subsequently amended to reflect these changes.

Because the C-2 district does not allow multi-family residential development, the subject property must first be rezoned to a district where such use is permitted. Accordingly, the applicant has requested that the property be rezoned to NBD (Neighborhood Business District). Within the NBD district, multi-family residential development is permitted only with the approval of a Special Use Permit. Multi-family development is not permitted by right in this district and cannot be constructed without receiving Special Use Permit approval.

Therefore, the applications before the Planning Board and Town Council include two separate requests. The first is a standard rezoning request. If the rezoning request is approved, consideration would then move to the Special Use Permit application for the multi-family residential development in accordance with the standards of the Land Development Code and the site plan submitted by the applicant.

If the rezoning request is not approved, the Special Use Permit application would no longer be applicable and would become moot. However, it is possible for the rezoning request to be approved while the Special Use Permit is denied. In that scenario, the property would still be rezoned to NBD, and any use permitted within that zoning district could be developed on the property, provided the proposal complies with all other applicable review processes and requirements of the Land Development Code.

Special Use Permit Process:

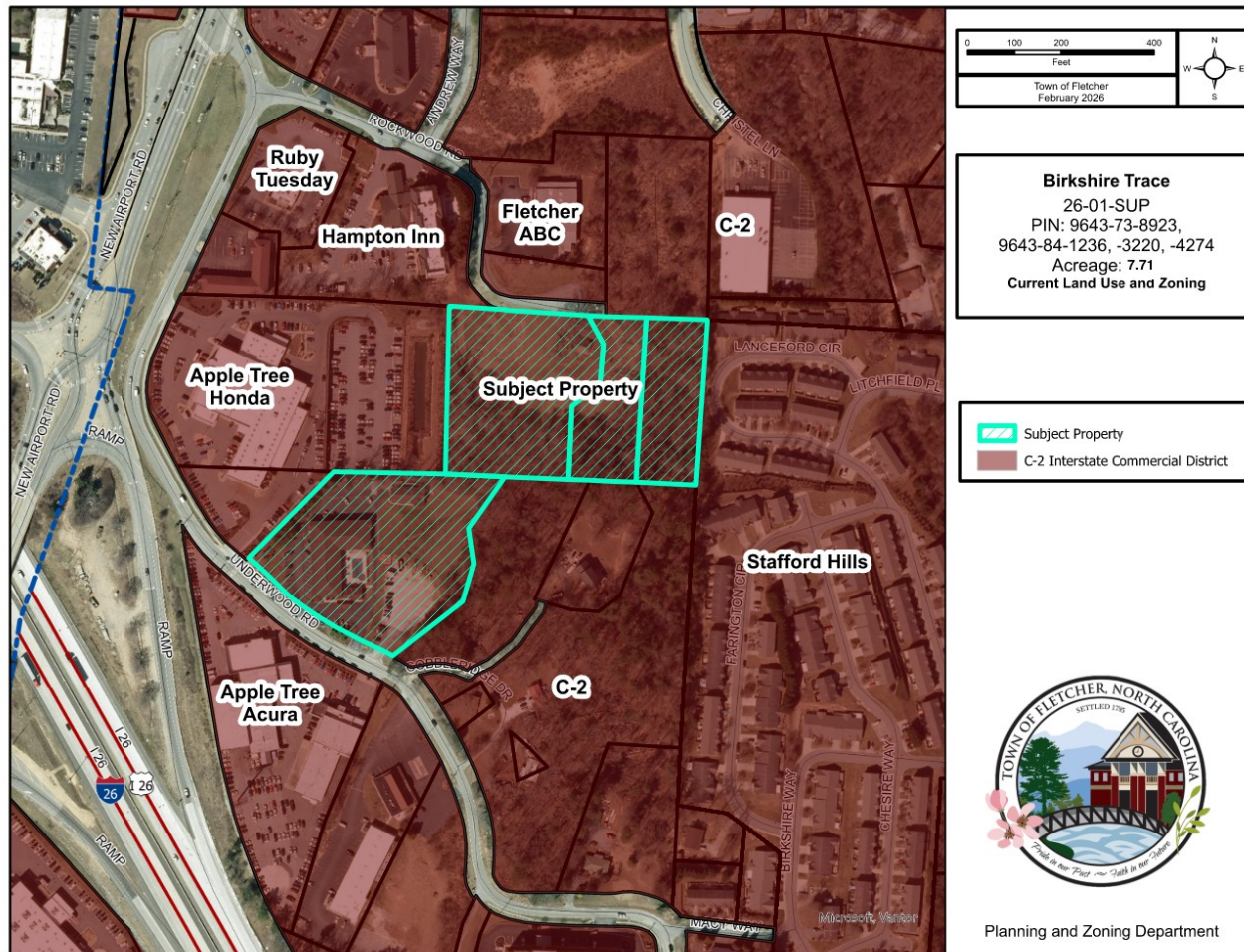
Upon application, the Town Council, following a recommendation from the Planning Board, may grant special use permits in specific cases. Such permits may be approved subject to appropriate conditions and safeguards, as authorized by this ordinance and identified as special uses within the applicable zoning districts.

All Special Use Permit Applications are Quasi-Judicial Proceedings. A quasi-judicial decision is a formal, court-like process used by local governments to apply specific zoning or development ordinances to individual situations. It requires finding facts, holding evidentiary hearings, and basing decisions on evidence rather than political discretion.

For the Town Council to approve a Special Use Permit, the following findings must be made:

1. A complete application has been submitted in accordance with the requirements of the Town Code.
2. The Town Council must determine that the proposed use will not negatively impact the health or safety of nearby residents or employees, will not harm the public welfare, and will not be detrimental to surrounding properties or public improvements. As part of its approval, the Town Council may impose reasonable conditions to ensure the proposed use complies with the intent and requirements of the Code.
3. Prior to issuing the Special Use Permit, the Town Council must adopt written findings confirming that the proposal complies with the specific standards for the requested special use as outlined in Article 3, and that appropriate provisions and arrangements have been made for all applicable requirements.
 1. Satisfactory ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow, and control.
 2. Provision of off-street parking and loading areas where required, with particular attention to the items listed above, and the economic, noise, glare and odor effects of the special use on adjoining properties in the area.
 3. Adequate and proper utilities, with reference to locations, availability, and compatibility.
 4. Buffering, with reference to type, location, and dimensions.
 5. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effect, and compatibility and harmonies with properties in the district.
 6. Playgrounds, open spaces, yards, landscaping, access ways, pedestrian ways, with reference to location, size, and suitability.
 7. Buildings and structures, with reference to location, size, and use.
 8. Hours of operation, with particular reference to protecting and maintaining the character of the neighborhood.
9. A site plan/preliminary plat has been submitted, as required in Article 16.3.

Existing Zoning & Land Use Map and Description



The subject property is zoned C-2, Interstate Commercial District, and all surrounding parcels carry the same C-2 zoning designation. The area is characterized by a mix of commercial uses, with car dealerships and hotels/motels being the most prominent. The subject site is currently developed with and operating as a Quality Inn. If the proposed project is approved, the existing motel use would cease and the building would be demolished. To the east of the subject property is the Stafford Hills development. According to Henderson County address data, this development consists of approximately 184 units on 16.82 acres, resulting in a density of 10.94 units per acre. Under the ordinance, Stafford Hills is classified as multi-family due to the number of units per building (C-2 no longer allows residential uses).

The subject property is within close proximity to the Airport Road commercial corridor. If approved, the proposed development would place future residents within walking distance of restaurants, retail establishments, a grocery retailer, and urgent care services. This proximity is particularly significant given that the project is proposed as an affordable housing development. Residents within this community may have limited access to personal vehicles, making walkability and access to nearby goods and services an important consideration. "ART" - Asheville Rides Transit's south bus route 3 serves Airport Road.

Site Images



This site photograph depicts the existing motel currently in operation on Underwood Road. If the proposed development is approved, the motel use would cease, and the structure would be demolished to accommodate the new project.



This photograph shows an existing single-family home located to the rear of the motel property. It is unclear whether the structure is currently occupied as a single-family residence; however, based on visual observations made during the site inspection, it appears that it may still be in use.



This photograph illustrates the typical conditions within the wooded portion of the site. The wooded area is generally located in the central portion of the property, situated between the two previously developed areas.



This photograph depicts the area identified as a stream on the most recent USGS quadrangle maps. At this time, staff has not been provided with documentation from the U.S. Army Corps of Engineers confirming whether the feature qualifies as a "Waters of the United States." If it is determined to meet that designation, it would be required to be protected in accordance with the Town's Land Development Code.



This photograph shows the second existing home located on the subject property. This residence currently has access from Rockwood Road.



This photograph illustrates the change in elevation between the existing motel site and the adjacent Apple Tree Honda development. As shown, the car dealership is situated at a significantly higher elevation than the motel property.



This photograph shows the existing cul-de-sac on Rockwood Drive in its current condition. According to mapping from North Carolina Department of Transportation, state maintenance of Rockwood Road terminates prior to this cul-de-sac, and the turnaround area is privately maintained.



This photograph shows the subject property as viewed from Rockwood Drive, looking south toward Underwood Road.

Site Plan Summary:

Site:

Gross Floor Area

- All Buildings- 140,740 SF

Individual footprints

- Building A-9,630 SF
- Building B-11,060 SF
- Building C- 9,630 SF
- Building D- 9,630 SF
- Building E- 9,630 SF

Building Design

- The project meets the design requirements for developments in NBD per Article 5 of the LDC.

Density

- Proposed: 14.92 units per acre
- Allowed: 16 units per acre

Height

- All Buildings-3 stories.
 - 32' in height per the LDC.
 - 44' 6" to the top of the roof.

Amenities

- Community Room
- Covered Picnic Area
- Playground
- Computer Center
- Exercise Room
- Outdoor Sitting Area with Benches
- Tot Lot

Landscaping:

Landscaping provided for the site:

- Street trees
- Interior parking lot landscaping

Existing Trees

- Existing vegetation is proposed to be preserved along much of the eastern property boundary to provide a buffer to the adjacent residential properties. However, the entire boundary is not buffered, particularly along the southeastern portion of the site.

Transportation:

Transportation

- The site plan shows two access points onto the subject property.
- One access will be off of Rockwood Road (NCDOT maintained), and the other will be off Underwood Road (Town maintained).

Sidewalks

- Sidewalks are proposed along all property frontages with a minimum width of five feet. The sidewalks will continue through the driveway crossings in accordance with the design standards of the Land Development Code.

Bike Parking

- The development is providing 10 bike spaces making it multi-modal friendly for residents who may not have a car.

TRC:

The project was reviewed by the Town's Technical Review Committee (TRC). During the meeting, no major concerns were raised regarding the ability to serve the site. Most comments were minor in nature and have either been addressed or can be resolved during the final site plan approval process. The TRC includes representatives from Fletcher Planning and Zoning, Fletcher Public Works, the Fletcher Fire Department, NCDOT, Henderson County Site Development, Buncombe County MSD, and the City of Hendersonville Water Department.

Parking:

Parking: 2 Spaces per 1 Bedroom Unit or 1 Space Per Bedroom

- Total required- 247
- Total provided- 247
 - 18 Handicap spaces provided

Land Use Plan Consistency:



Under North Carolina GS 160D-605, a land use plan consistency statement is a mandatory, board-approved document for zoning amendments that briefly explains how a proposed action aligns (or conflicts) with adopted comprehensive plans. It must be approved by the governing board during the vote and may include a statement of reasonableness.

The proposed development is inconsistent with the Land Use Plan's 10th goal of "Carefully manage allowances for higher density residential development, with the intent of limiting it to the center of Fletcher in a manner supportive of future Town Center growth, while at the same time preserving commercially zoned land for commercial uses".

The Plan states "2018 Update – In the five years since the 2013 Plan, Fletcher (and the region in general) has seen a rise in high density apartment style development. This update seeks to clarify the Town's intent to steer such development to the core center of Town in the immediate vicinity of the future Town Center, and to potentially further limit higher density residential in commercial zoning districts so as to preserve them for commercial growth and to aid in limiting the region wide sprawl being observed."

An inconsistency between a proposed map amendment and the Land Use Plan does not automatically prohibit approval. Rezoning requests that are inconsistent with the Land Use Plan may still be approved, provided the Town Council follows the applicable North Carolina General Statutes and adopts the required statements regarding plan consistency and reasonableness.

G.S. 160D-605 clarifies how to handle inconsistencies between plans and approved zoning actions. 160D clarifies (in G.S. 160D-605(a)) that if a zoning amendment is made that is inconsistent with the jurisdiction's duly adopted future land use map, then that future land use map is deemed to be amended. Note that this amendment is limited to the future land use map (and not other parts of a comprehensive plan), and it is only to conform the future land use map to the zoning amendment. As under previous law, no separate application for a plan amendment may be required in this situation.

G.S. 160D-501(c) requires that if the future land use map is deemed amended by adoption of an inconsistent zoning action, then that amendment must be noted in the plan itself, helping to ensure that the plan itself is updated for those consulting it after the zoning amendment is made.

G.S. 160D-605(a) also specifically allows concurrent consideration of requests for plan amendments and zoning amendments. This reflects the practice in some jurisdictions to require anyone proposing a zoning amendment that is inconsistent with the plan to also submit a plan amendment so both can be considered at the same time.

Planning Board Summary and Recommendation:

The Planning Board voted 5-1 to recommend denial of the standard rezoning and voted 5-1 to recommend denial of the Special Use Permit.

Motions:

Standard Rezoning for Recommending Denial

Motion made by- Doug Ferguson Second Robyn Mondin
For: Robyn Mondin, Mike Franklin, Doug Ferguson, Julia Fogel, Bryan Gilbert
Against: Lee Bowser

Special Use Permit for Recommending Denial

Motion made by- Robyn Mondin Second Doug Ferguson
For: Robyn Mondin, Mike Franklin, Doug Ferguson, Julia Fogel, Bryan Gilbert
Against: Lee Bowser

Overview Of The Developers Presentation From Meeting Minutes:

Mr. Folks (Developer) said Taft Mills Group is a real estate development company that specializes in building affordable multi-family housing. The company has been established for over 12 years and is based out of Greenville, North Carolina. They develop in North Carolina, South Carolina, Virginia, and Maryland, and have been consistently ranked one of the top 50 affordable housing developers in the country. They've received the highest housing honor from the North Carolina Housing Finance Agency. They build both family affordable housing and senior affordable housing. They build complexes from 48 units up to 180-200. The Low-Income Housing Tax Credit Program is a program that incentivizes and encourages private investment for the creation of affordable housing. Taft Mills Group is a for-profit company that will develop and own this property long-term. If a developer is awarded the tax credits, through the North Carolina Housing Finance Agency, that serves as a big funding source into development. It helps pay for the construction, which then allows a smaller mortgage on the property than would otherwise be possible. This keeps rents lower for a 30-year period. He said the amenities that are in close proximity to the site is part of the reason why this site was chosen. There's grocery, parks, shopping, and a transit stop in close proximity. He said 115 affordable housing units are proposed which would involve redeveloping what's currently an aging motel on the site and developing the undeveloped land. As stated, all of the units will be serving households at 60% of the area's median income. In Henderson County, for a family of three, this would be a little over \$50,000. One-, two-, and three-bedroom units will be available to serve a mix of housing sizes. Each building would be a three-story building. Mr. Folks added that the site plan is designed to create as much buffer as possible and preserve as much land as possible. In addition to the amenities around the site, they will also provide amenities on-site for the residents, with a community center, indoor exercise facility, business center, covered picnic areas throughout the site, playgrounds, top lots, and open green space for enjoyment. Onsite property management as well as on-site maintenance staff will be there every day. He said the proposed development will provide much needed affordable housing for working families in the Fletcher community.

Public Comments:

Wes Stroupe of 86 Lanceford Circle, said Lanceford Cir. is at the low point of the proposed development. He said there's a significant stormwater problem that comes off the subject property that regularly causes flooding in the Lanceford Circle portion of Stafford Hills. He said there have been multiple units flooded resulting in people spending a lot of money to fix their homes because that area's not in the floodplain, therefore they can't get flood insurance.

Jenifer Bubenik of 29 Farrington Circle addressed the board. She entered her opposition into the public record regarding the proposed rezoning of the property located at 196 Underwood Road from C2 Interstate Commercial to NBD Neighborhood Business District for the purpose of a multi-use housing development. Ms. Bubenik's opposition is based on the following critical factors. The current C-2 zoning supports regional commercial uses that contribute significantly to the tax base. Rezoning to NBD could displace these uses and reduce long term economic value. The site is heavily impacted by I-26 traffic, with high vehicle volumes, existing congestion, and limited road capacity on Underwood Road. Adding residential traffic without a traffic impact study raises serious concerns. The area is not suitable for walkability. There are no continuous sidewalks or bike lanes, and pedestrian conditions are unsafe, conflicting with the intent of the NBD district. Proximity to the interstate raises health and safety concerns, including air quality, noise, and exposure to pollutants, making the site less appropriate for residential use. The surrounding infrastructure is designed for high speed, high volume traffic, not residential or pedestrian activity, creating inherent safety conflicts. Rezoning would introduce residential use into a predominantly commercial corridor, creating an isolated residential area that may lead to conflicts with adjacent uses and is inconsistent with adopted plans.

Dawn Harris of 14 Yorktown Circle, (Stafford Hills), gave her opposition to the board. She said as a former property manager of Perry Lane Apartments, for five years, her concern is safety. From her experience she says affordable housing complexes bring crime, drugs, and convicted felons. She dealt with crime, drug activity and the death of an individual by overdose while at Perry Lane Apts.

Stormy Ellis, who resides at 21 S. Wildwood Ln spoke in opposition. She is an assistant district attorney in Buncombe County. Ms. Ellis once lived at 48 Lanceford Circle. She said the proposed retention pond for the apartments is higher than the properties on Lanceford Circle. Concrete berms were constructed, but the water continues to flow through the concrete blocks. It is her opinion that:

- New development will exacerbate the water drainage problem.
- The additional residents in the proposed 115 apartments will impact the existing traffic problem on Underwood Rd.
- The project will increase crime.
- There will be an issue for emergency vehicles to get in and out due to limited access.
- The ABC store in conjunction with low-income housing (is a cause of concern).

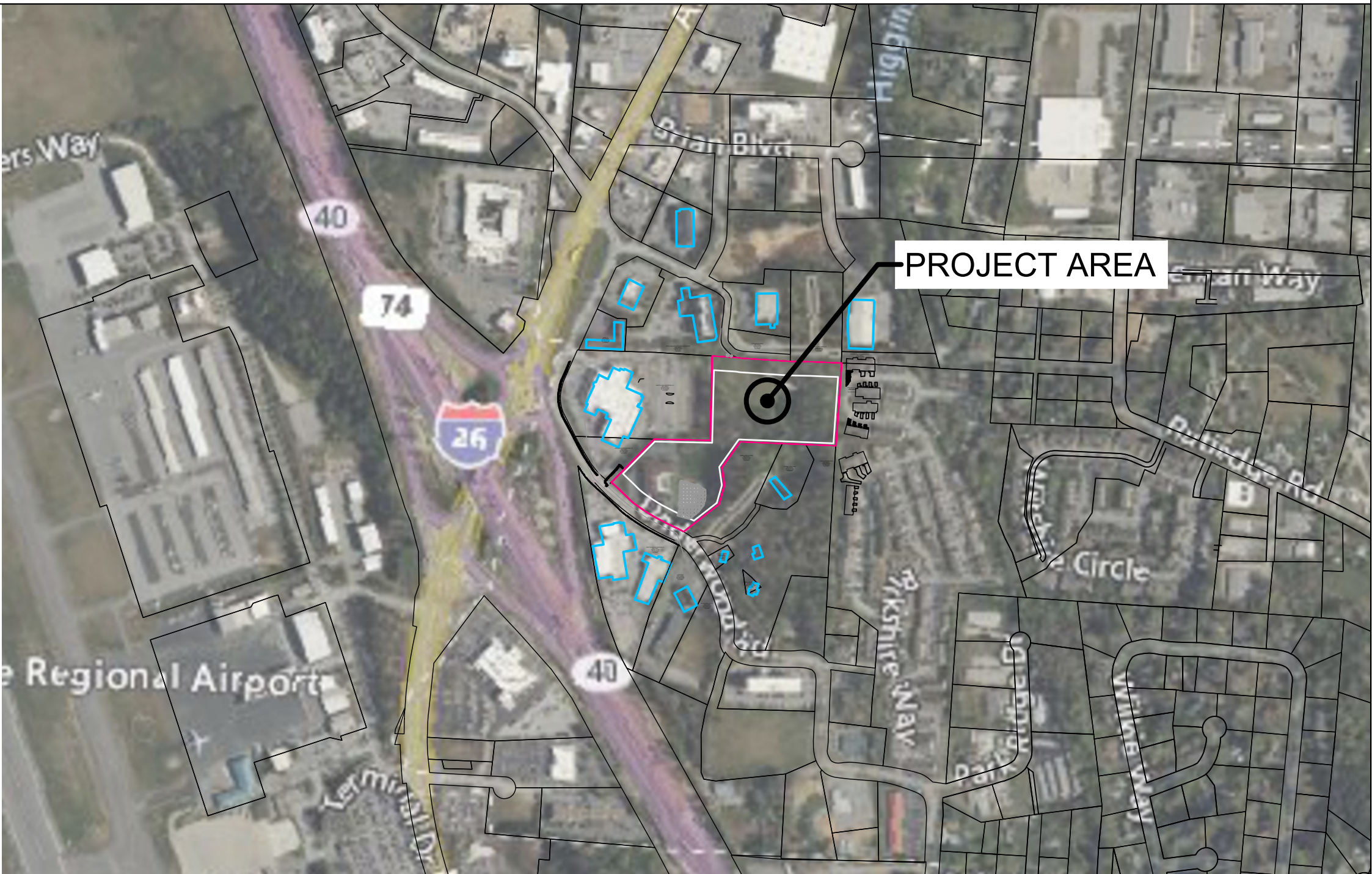
BIRKSHIRE TRACE

McMILLAN PAZDAN SMITH ARCHITECTURE

THREE NOTCH GROUP NO: R772525004
196 UNDERWOOD RD
FLETCHER, NC 28732



SITE MAP
1" = 200'



VICINITY MAP
1" = 500'

TAFT MILLS GROUP
TRISTAN D. WILLIAM
P.O. BOX 566
GREENVILLE, NC 27834
(252) 341-8150

PROJECT ENGINEER: JOHN KINNAIRD, PE
STREET ADDRESS: 122 LYMAN STREET, SUITE 10
CITY, STATE, ZIP: ASHEVILLE, NC 28801
PHONE: (828) 232-4700
E-MAIL: JOHN.KINNAIRD@3NOTCH.COM

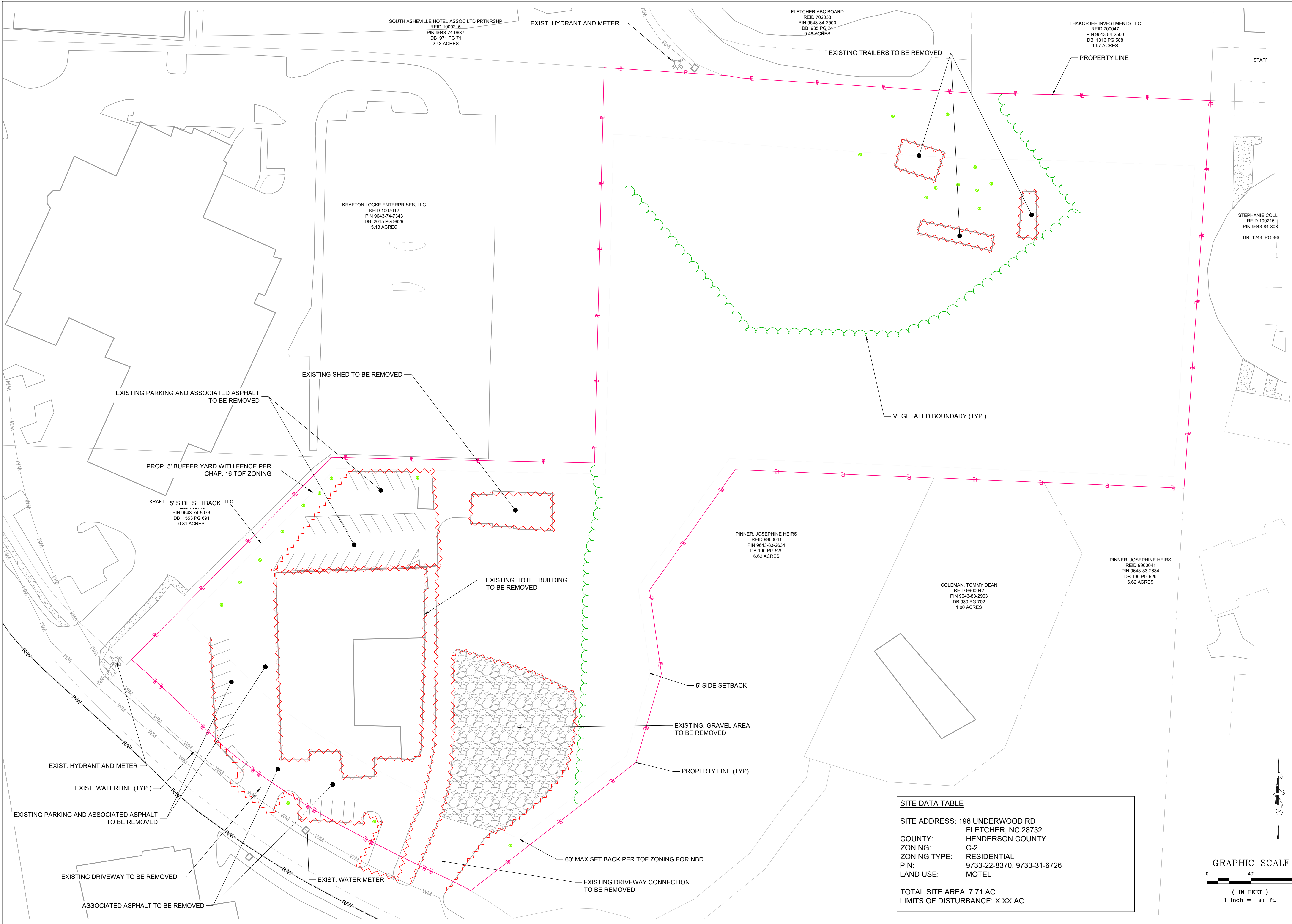


Know what's below.
Call before you dig.

SHEET NO	SHEET NAME
GENERAL	
C-000	COVER SHEET
C-100	DEMO
C-101	SITE PLAN
GENERAL	
A01	BUILDING A,B,C FLOOR PLANS
A02	BUILDING A AND C ELEVATIONS
A03	BUILDING B ELEVATIONS

DEVELOPMENT DATA		
ZONING:	C-2	
PARCEL ID NUMBER:	9643738923, 9643841236, 9643843220, 9643844274	
TYPE OF DEVELOPMENT:	RESIDENTIAL	
DISTURBED AREA:	7.0 AC	
TOTAL SITE AREA (Ac.):	7.71 AC	
NO. OF LOTS:	115 UNITS	
GROSS DENSITY (UNITS/Ac.):	14.90	
BUILDING SETBACKS:	FRONT:	MAX 60'
	SIDE:	5'
	REAR:	NONE
UTILITY PROVIDERS		
WATER PROVIDER: CITY OF ASHEVILLE		
SEWER PROVIDER: MSD BUNCOMBE		

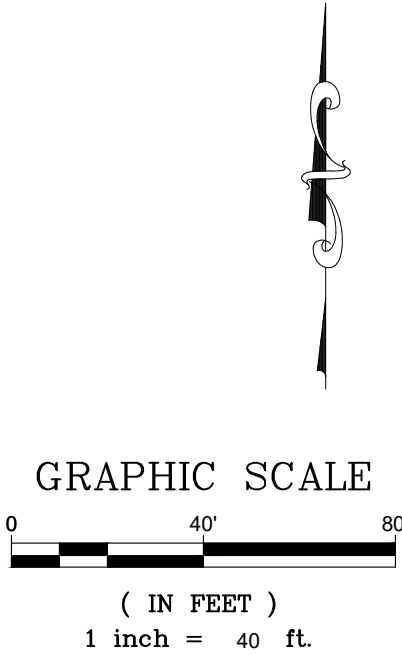
PROJECT NO:		DATE:		NO.	REVISION/SUBMISSION	DATE:
SHEET NO:		02/03/2026				
SCALE:						
C-000		BIRKSHIRE TRACE 196 UNDERWOOD RD FLETCHER, NC 28732				
DRAWING TITLE:		THREE NOTCH GROUP				
COVER		PRELIMINARY - NOT FOR CONSTRUCTION				
PROFESSIONAL SEAL:						
COA: ECA105 03/06/2026						
ADDRESS:						
122 LYMAN STREET SUITE 10 ASHVILLE, NC 28801 (828) 232-4700						



This document and its contents are property of Three Notch Group, Inc. and may not be distributed, reused, or modified without permission.

DATE:			
NO.			
REVISION/SUBMISSION			
PROFESSIONAL SEAL:			
COA: ECA105		03/06/2026	
ADDRESS:		122 LYMAN STREET SUITE 10 ASHVILLE, NC 28801 (828) 232-4700	
		PRELIMINARY - NOT FOR CONSTRUCTION	
BIRKSHIRE TRACE 196 UNDERWOOD RD FLETCHER, NC 28732		C-100	
PROJECT NO: SR172525004		DATE: 2/28/2026	
SHEET NO:		SCALE: AS SHOWN	
DRAWING TITLE:		DEMO	

SITE DATA TABLE	
SITE ADDRESS:	196 UNDERWOOD RD FLETCHER, NC 28732
COUNTY:	HENDERSON COUNTY
ZONING:	C-2
ZONING TYPE:	RESIDENTIAL
PIN:	9733-22-8370, 9733-31-6726
LAND USE:	MOTEL
TOTAL SITE AREA: 7.71 AC	
LIMITS OF DISTURBANCE: X.XX AC	



SITE DATA TABLE

SITE ADDRESS: 196 UNDERWOOD RD
FLETCHER, NC 28732
PROPERTY OWNERS: ARDEN HOSPITALITY LLC
AVL HOLDINGS LLC
HENDERSON COUNTY
COUNTY: C-2
ZONING TYPE: RESIDENTIAL
PIN: 9733-22-8370, 9733-31-6726
LAND USE: MULTI-FAMILY

TOTAL SITE AREA: 7.71 AC.
LIMITS OF DISTURBANCE: 7.00 AC.

FLETCHER ZONING NBD

SETBACKS:
FRONT - 80'
SIDE - 0'
REAR - 0'
MAX HEIGHT - 3 STORIES - 44'-6"
PARKING:
2 SPACES / 1 BEDROOM UNIT &
1 SPACE PER BEDROOM
OPEN SPACE DEDICATION:
600 SF PER UNIT - 69,000 SF
69,752 SF - OPEN SPACE PROVIDED

7.71 ACRES

TOTAL

140,740 GSF

UNITS:
115 TOTAL
1 BED - 24 (21%)
2 BED - 74 (64%)
3 BED - 17 (15%)

PARKING:
247 TOTAL REQUIRED
247 TOTAL PROVIDED
18 HANDICAP PROVIDED

NCHFA REQUIRED AMENITIES:

- COMMUNITY ROOM
- COVERED PICNIC AREA
- PLAYGROUND

NCHFA ADDITIONAL AMENITIES:

- COMPUTER CENTER
- EXERCISE ROOM
- OUTDOOR SITTING AREA WITH BENCHES
- TOT LOT

SOUTH ASHEVILLE HOTEL ASSOC LTD PRTRNSHP
REID 1000215
PIN 9643-74-9637
DB 971 PG 71
2.43 ACRES

KRAFTON LOCKE ENTERPRISES, LLC
REID 1007612
PIN 9643-74-7343
DB 2015 PG 9929
5.18 ACRES

FLETCHER ABC BOARD
REID 702038
PIN 9643-84-2500
DB 935 PG 74
0.48 ACRES

THAKORJEE INVESTMENTS LLC
REID 700047
PIN 9643-84-2500
DB 1316 PG 588
1.97 ACRES

STAFFORD HILL CONDOMIN
REID 1002577
PIN 9643-84-8426
DB 1571 PG 176
0.51 ACRES

STEPHANIE COLLINS
REID 1002151
PIN 9643-84-8088
DB 1243 PG 366

DATE:

NO. REVISION/SUBMISSION

PROFESSIONAL SEAL:

COA: ECA105

ADDRESS:
122 LYMAN STREET
SUITE 10
ASHVILLE, NC 28801
(828) 232-4700

THREE NOTCH GROUP

PRELIMINARY - NOT FOR CONSTRUCTION

BIRKSHIRE TRACE
196 UNDERWOOD RD
FLETCHER, NC 28732

PROJECT NO:
R77255004

DATE:
2/26/2019

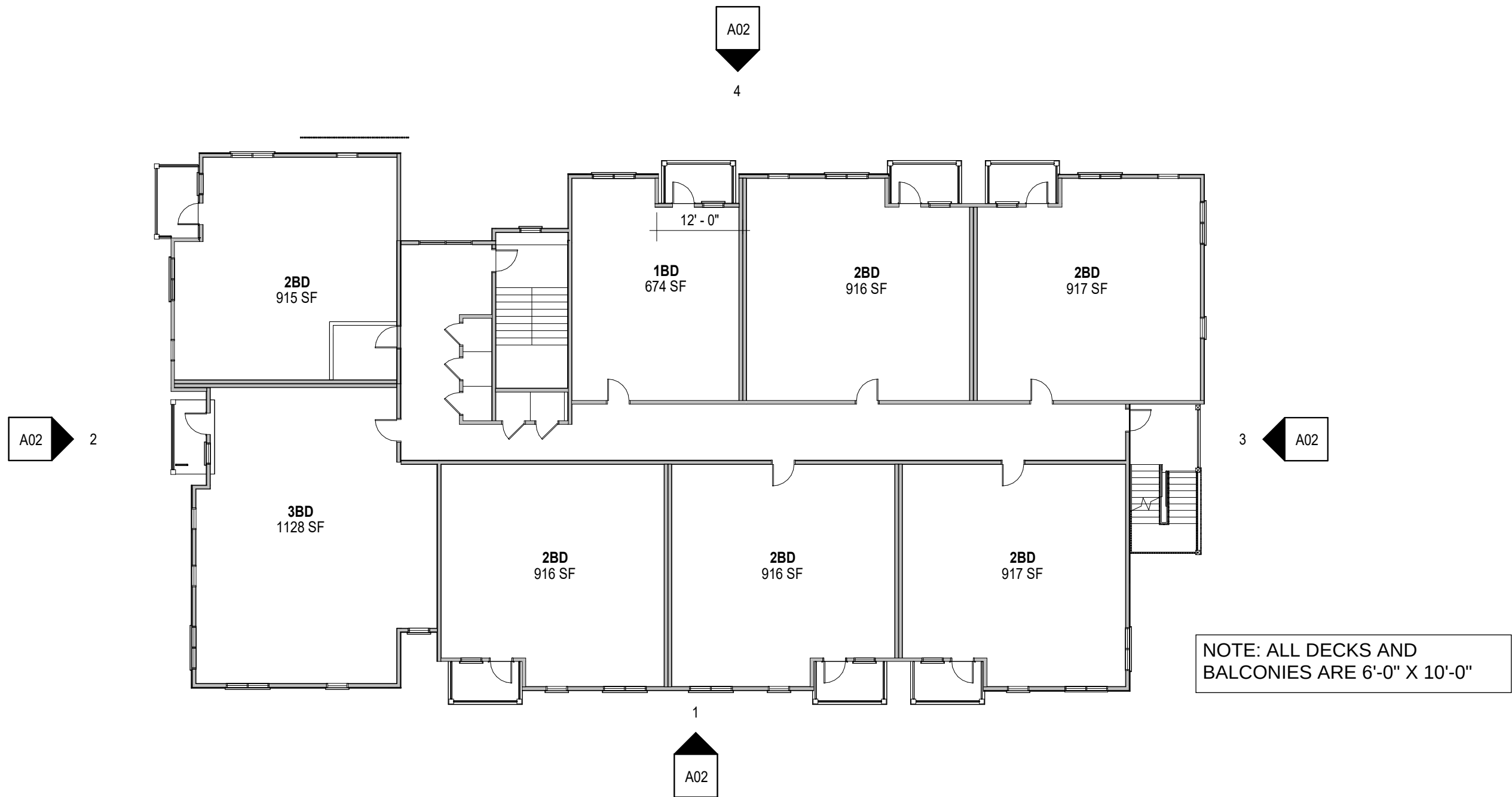
SHEET NO:
AS SHOWN

C-101

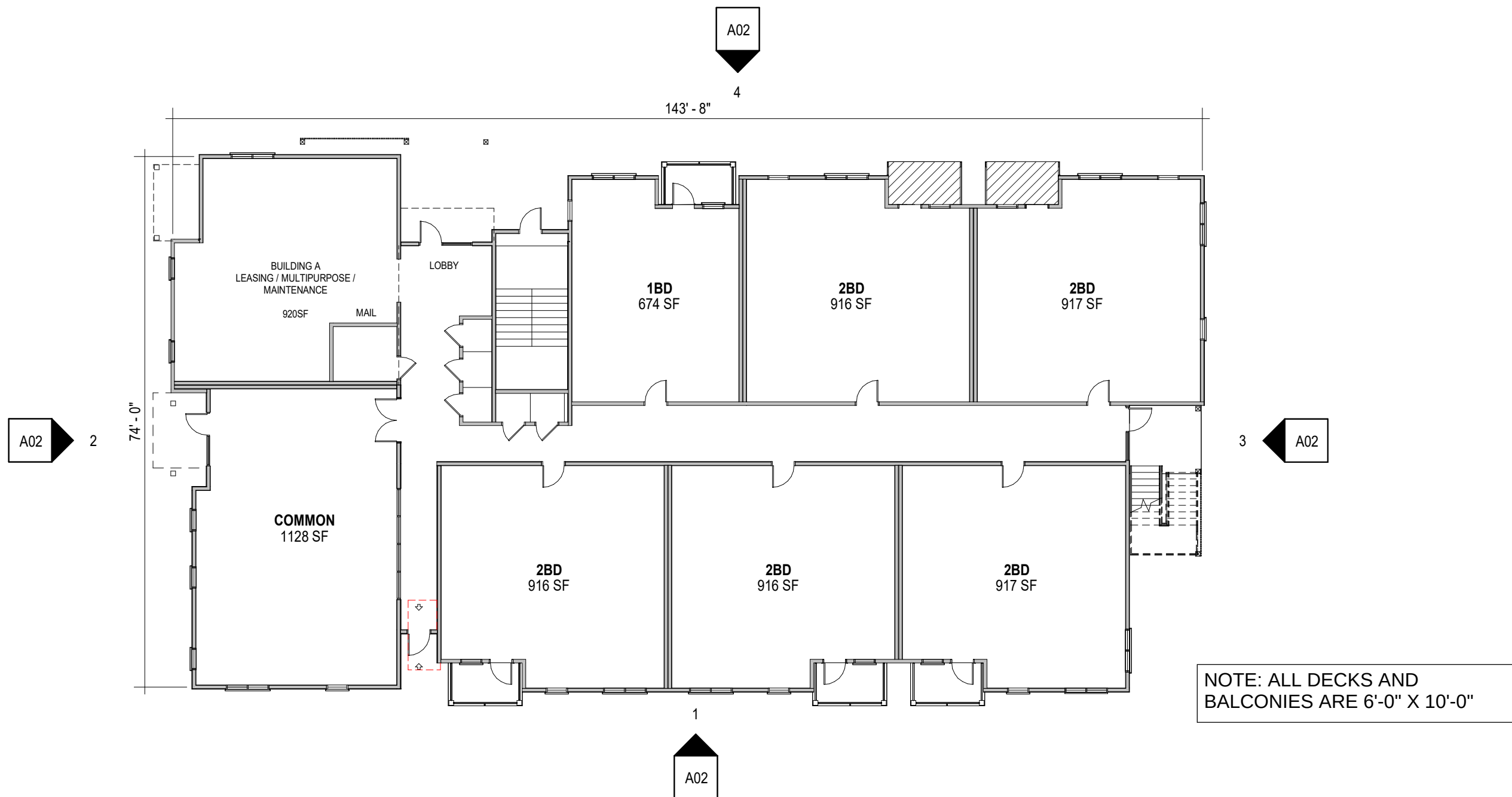
DRAWING TITLE:
SITE PLAN

Y:\Shared2_ENG\772550046_DESIGN\DWG_3_SheetMASTER PLAN.dwg

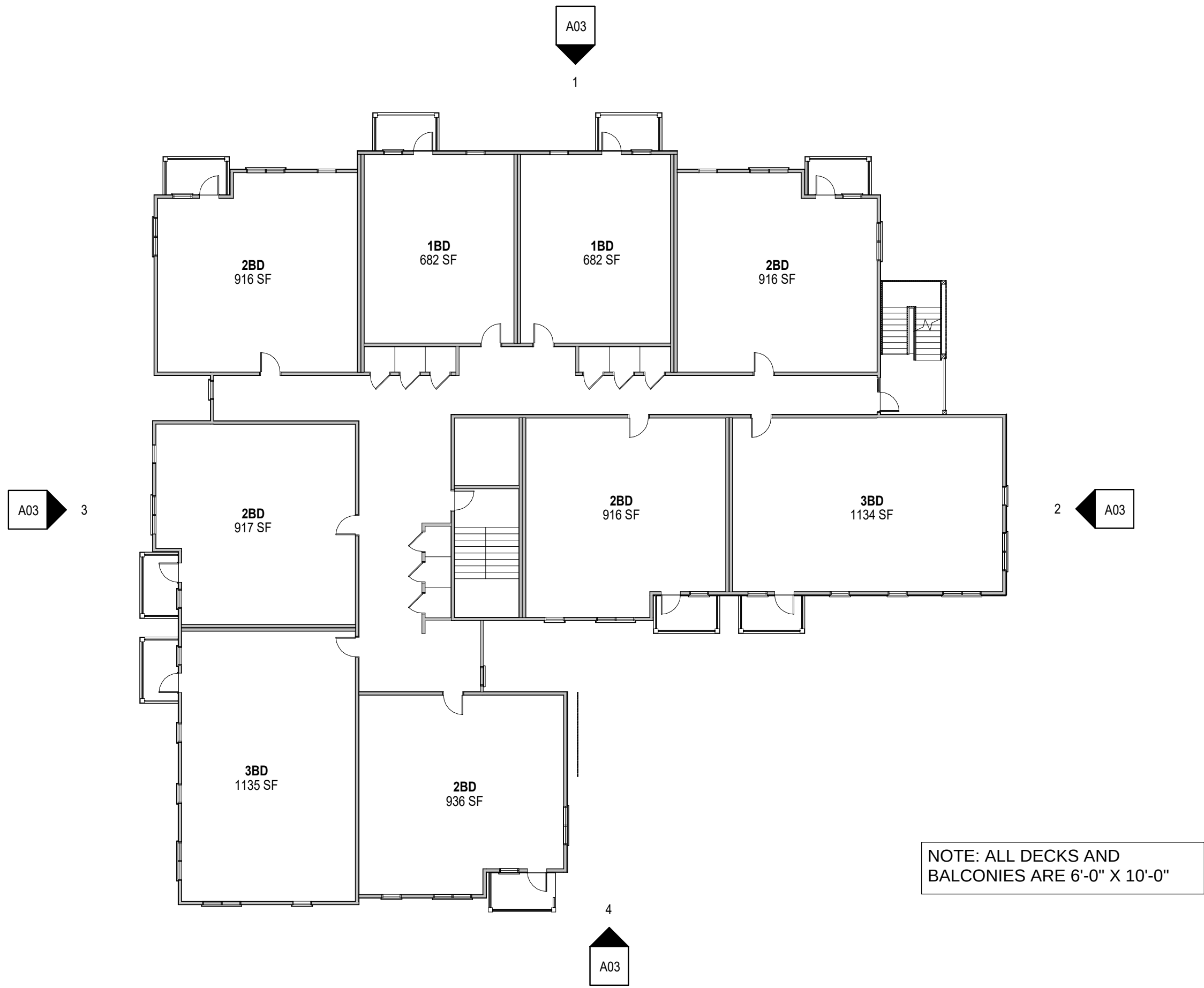
ALL DRAWINGS, SPECIFICATIONS AND COPIES THEREOF FURNISHED BY MCMILLAN PAZDAN SMITH ARCHITECTURE ARE AND SHALL REMAIN THE PROPERTY OF MCMILLAN PAZDAN SMITH ARCHITECTURE. THESE MATERIALS ARE TO BE USED ONLY IN CONNECTION WITH THE PROJECT SUBMITTED FOR REVIEW AND NOT TO BE REPRODUCED OR DISTRIBUTED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF MCMILLAN PAZDAN SMITH ARCHITECTURE. ANY REUSE, MODIFICATION, OR ALTERATION OF THESE MATERIALS WITHOUT THE WRITTEN CONSENT OF MCMILLAN PAZDAN SMITH ARCHITECTURE IS PROHIBITED. THESE MATERIALS ARE TO BE USED ONLY IN CONNECTION WITH THE PROJECT SUBMITTED FOR REVIEW AND NOT TO BE REPRODUCED OR DISTRIBUTED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF MCMILLAN PAZDAN SMITH ARCHITECTURE. ANY REUSE, MODIFICATION, OR ALTERATION OF THESE MATERIALS WITHOUT THE WRITTEN CONSENT OF MCMILLAN PAZDAN SMITH ARCHITECTURE IS PROHIBITED.



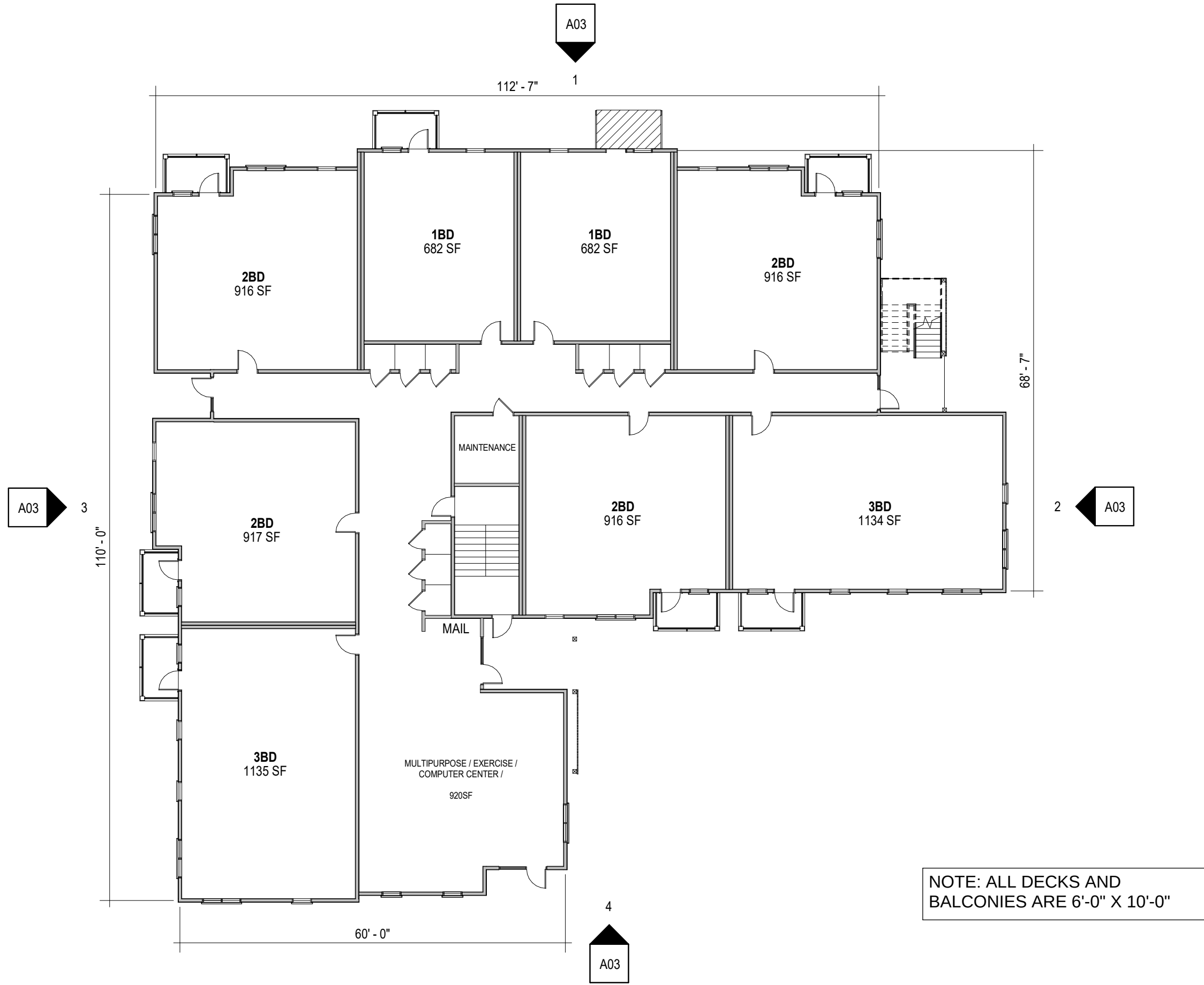
2
A01 1/16" = 1'-0"



1
A01 1/16" = 1'-0"



4
A01 1/16" = 1'-0"



3
A01 1/16" = 1'-0"



CONSULTANT LOGO

SEALS

TAFT-MILLS GROUP, LLC
CONDITIONAL ZONING DISTRICT
APPLICATION

BIRKSHIRE TRACE - 196 UNDERWOOD RD. FLETCHER, NC

SHEET ISSUE:
NO. DATE DESCRIPTION BY

NOT FOR CONSTRUCTION

PRINCIPAL IN CHARGE:
PROJECT ARCHITECT:
DRAWN BY:
SHEET TITLE:

NOT SET
NOT SET
Author

BUILDING A,B,C
FLOOR PLANS

SHEET NO.

PROJ. NO.
025963.00

A01

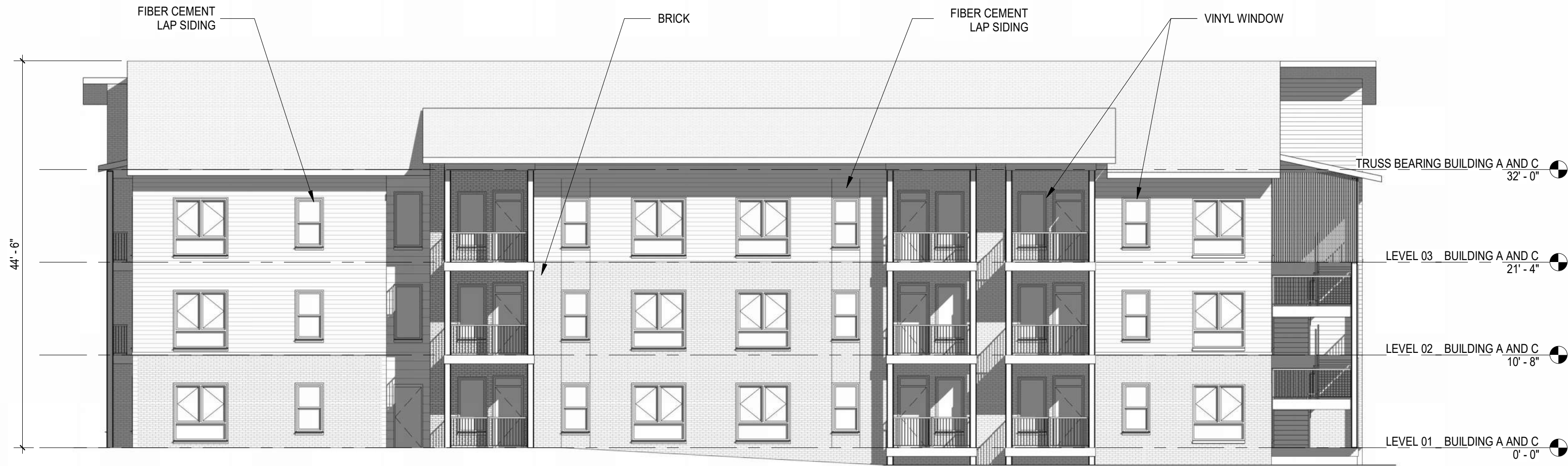
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4 NORTH ELEVATION _ BUILDING A, C, D AND E
A02 3/32" = 1'-0"



3 EAST ELEVATION _ BUILDING A, C, D AND E
A02 3/32" = 1'-0"



1 SOUTH ELEVATION _ BUILDING A, C, D AND E
A02 3/32" = 1'-0"



2 WEST ELEVATION _ BUILDING A, C, D AND E
A02 3/32" = 1'-0"

TAFT-MILLS GROUP, LLC
CONDITIONAL ZONING DISTRICT
APPLICATION

BIRKSHIRE TRACE - 196 UNDERWOOD RD. FLETCHER, NC

SHEET ISSUE:
NO. DATE DESCRIPTION BY

NOT FOR CONSTRUCTION

PRINCIPAL IN CHARGE:
PROJECT ARCHITECT:
DRAWN BY:
SHEET TITLE:

NOT SET
NOT SET
Author

BUILDING A AND C
ELEVATIONS

SHEET NO.

PROJ. NO.
025963.00

A02

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1 NORTH ELEVATION BUILDING B
A03 3/32" = 1'-0"



4 SOUTH ELEVATION BUILDING B
A03 3/32" = 1'-0"



2 EAST ELEVATION BUILDING B
A03 3/32" = 1'-0"



3 WEST ELEVATION BUILDING B
A03 3/32" = 1'-0"

TAFT-MILLS GROUP, LLC
CONDITIONAL ZONING DISTRICT
APPLICATION

BIRKSHIRE TRACE - 196 UNDERWOOD RD. FLETCHER, NC

SHEET ISSUE:
NO. DATE DESCRIPTION BY

NOT FOR CONSTRUCTION

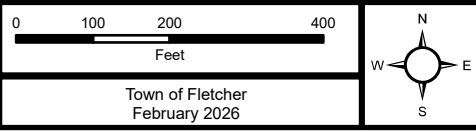
PRINCIPAL IN CHARGE:
PROJECT ARCHITECT:
DRAWN BY:
SHEET TITLE:

NOT SET
NOT SET
Author

BUILDING B
ELEVATIONS

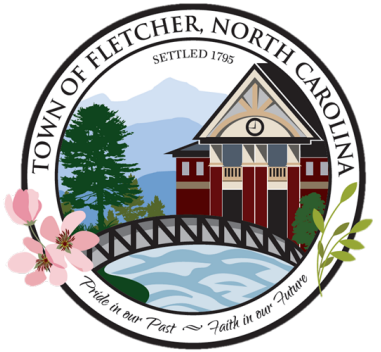
SHEET NO. PROJ. NO.
025963.00

A03



Birkshire Trace
26-01-SUP
PIN: 9643-73-8923,
9643-84-1236, -3220, -4274
Acreage: 7.71
Proposed Zoning

 Subject Property (NBD-SU)
 C-2 Interstate Commercial District



AN ORDINANCE OF THE TOWN OF FLETCHER TOWN COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF FLETCHER FOR CERTAIN PARCELS (POSSESSING PINS 9643-73-8923, 9643-84-1236, 9643-84-3220, 9643-84-4274) BY CHANGING THE ZONING DESIGNATION FROM C-2 INTERSTATE BUSINESS DISTRICT TO NBD, NEIGHBORHOOD BUSINESS DISTRICT

IN RE: Parcel Numbers: 9643-73-8923, 9643-84-1236, 9643-84-3220, 9643-84-4274
Birkshire Trace- 196 Underwood Road (File # 26-01-SUP)

WHEREAS, the Planning Board took up this application at its regular meeting on March 17th, 2026; voting 5-1 to recommend Town Council deny an ordinance amending the official zoning map of the Town of Fletcher, and

WHEREAS, Town Council took up this application at its regular meeting on May 11th, 2026, and

WHEREAS, Town Council has found that this zoning map amendment is inconsistent with the Town's land use plan, however found that it is reasonable and in the public interest for the reasons stated, and

WHEREAS, Town Council has conducted a public hearing as required by the North Carolina General Statutes on May 11th, 2026,

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Fletcher, North Carolina:

1. Pursuant to Article XV of the Land Development Code of the Town of Fletcher, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Numbers: 9643-73-8923, 9643-84-1236, 9643-84-3220, and 9643-84-4274, changing the zoning designation from C-2 Interstate Business District to NBD, Neighborhood Business District
2. Any development of this parcel shall occur in accordance with the Land Development Code of the Town of Fletcher, North Carolina.
3. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 11th day of May, 2026.

Preston Blakely, Mayor, Town of Fletcher

Attest:

Christine Thompson, Town Clerk

TOWN COUNCIL'S WRITTEN FINDINGS

Special Use Permit- Birkshire Trace (26-01-SUP)

FINDINGS OF FACT

1. AVL Holdings LLC (PIN: 9643-73-8923) and Arden Hospitality, LLC (PINs 9643-84-1236, 9643-84-3220, & 9643-84-4274) are the owners of the 4 parcels of land which make up the subject property. The property is most identifiable by the address of 196 Underwood Road. The subject property currently houses an operating motel as well 2 single family homes. The remaining portions of the property are largely vacant.
2. The lot is currently zoned NBD, Neighborhood Business District.
3. Dwelling-Multifamily more than 4 units per building requires a special use permit in Neighborhood Business District.
4. The applicants are proposing to construct a 115-unit low income house tax credit multifamily development on 7.71 acres for a total density of 14.92 units per acre.
5. On February 18th, 2026, Dustin Mills of Taft-Mills Group submitted a petition for a special use permit. This petition was assigned Case Number 26-01-SUP.
6. On March 17th, 2026, the Town of Fletcher Planning Board reviewed and recommended denial of the special use permit petition. The board voted 5-1.
7. On May 11th, 2026, the Town of Fletcher Town Council conducted a duly advertised and noticed evidentiary hearing on the special use permit petition.

CONCLUSION AND DECISION

1. Based on the application, the evidence presented, and the foregoing findings of fact, the Town of Fletcher Town Council voted **0 to 0** on May 11, 2026, concluding that Birkshire Trace **does/does not** meet each of the nine standards for a Special Use Permit set forth in Article 15.10 of the Town of Fletcher Land Development Code.
2. Dustin Mills of Taft Mills Group **is/is not** hereby granted a Special Use Permit to construct a 115-unit Low Income Housing Tax Credit multifamily development on the subject property (PINs 9643-73-8923, 9643-84-1236, 9643-84-3220, and 9643-84-4274), consisting of approximately 7.71 acres.
3. This decision, and any associated conditions, shall not become effective until consented to in writing by all parties.

Adopted this 11th day of May 2026.

Attest:

Preston Blakely, Mayor, Town of Fletcher

Christine Thompson, Town Clerk

With their signatures below, the undersigned applicant(s) and property owner(s) consent to and agree to all conditions imposed pursuant to the terms.

IN RE: Parcel Numbers: 9643-73-8923, 9643-84-1236, 9643-84-3220, 9643-84-4274
 Address: 196 Underwood Road
 Project: Birkshire Trace (File # 26-01-SUP)

Property Owner: AVL Holdings LLC (PIN: 9643-73-8923)

Applicant/Developer: Dustin Mills, Manager of Taft-Mills Group LLC

Signature:_____

Signature:_____

Printed Name:_____

Printed Name:_____

Title: Manager_____

Title: Manager_____

Date:_____

Date:_____

Property Owner: Arden Hospitality, LLC (PINs 9643-84-1236, 9643-84-3220, & 9643-84-4274

Signature:_____

Printed Name:_____

Title: Manager_____

Date:_____



Town of Fletcher

Planning and Zoning

300 Old Cane Creek Road, Fletcher, NC 28732

(828) 687-3985

Fax (828)687-7133

Special Use Permit Application

Application Number 26-01-SUP

Name of Project: Birkshire Trace

Address/Location of Property: 196 Underwood Road, Fletcher, NC 28732

PIN# 9643738923/9643841236/9643843220 PID# 9643844274

Type of Development:

☒ Residential ☐ Commercial ☐ Other

Current Zoning: C-2 interstate Proposed Zoning: NBD- Neighborhood
Commercial District Business District

List requested uses:

The requested zoning change will allow the development to accomodate multi-family units.

Total Acreage 7.71 Proposed Building Sq. Ft. 113,220 Dwelling Units 115 units

Name of Agent

Agent's Address

City, State, Zip

Telephone Number

Signature of Property Owner if other than Petitioner

DUSTIN MILLS, Taft-Mills Group

Name of Petitioner(s)

PO Box 566

Address of Petitioner(s)

Greenville, NC 27835

City, State, Zip
252-916-2691

Telephone Number

Signature

If an AGENT is filing the petition, you must have a signed Owner's Affidavit attached to the petition.

If you have any questions about filling out this application, please contact the Planning and Zoning Department at (828) 687-3985.

Received by

Tyler Morrow

Date

2-18-26

Owner's Affidavit

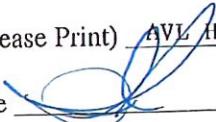
I (we) the undersigned do hereby give permission to (agent's name or organization)

Dustin Mills, Taft-Mills Group, LLC to file petition (application) for property(s)
located at 196 Underwood Road, Fletcher, NC 28732 with

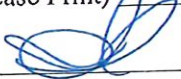
PIN (or PID)# 9643738923/9643841236** on this affidavit for the purpose of requesting a
** 9643843220/9643844274

Special Use Permit or Conditional Use Rezoning from the Town Council of the Town of
Fletcher, NC. I further understand that my signature is consent to all conditions and/or
stipulations that may be imposed or adopted by such Town Council as part of the petition
approval.

1. Owner's Name (Please Print) AVL Holdings, LLC. Satis Patel, Managing Member

Owner's Signature  Date 2/10/26

2. Owner's Name (Please Print) Arden Hospitality, LLC. Satis Patel, Managing Member

Owner's Signature  Date 2/10/26

3. Owner's Name (Please Print) _____

Owner's Signature _____ Date _____

4. Owner's Name (Please Print) _____

Owner's Signature _____ Date _____

Agent's (Contact) Information

Name: _____ Address: _____

Phone Number: _____ Fax Number: _____



LIMITED LIABILITY COMPANY ANNUAL REPORT

1/6/2022

NAME OF LIMITED LIABILITY COMPANY: Arden Hospitality, LLC

SECRETARY OF STATE ID NUMBER: 2726335

STATE OF FORMATION: NC

REPORT FOR THE CALENDAR YEAR: 2025

Filing Office Use Only
E - Filed Annual Report
2726335
CA202505702856
2/27/2025 04:39

SECTION A: REGISTERED AGENT'S INFORMATION

☐ Changes

1. NAME OF REGISTERED AGENT: Katherine Perez Posso

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

550 New Airport Rd

550 New Airport Rd

Fletcher, NC 28732-8618 Buncombe County

Fletcher, NC 28732-8618

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: Hotel

2. PRINCIPAL OFFICE PHONE NUMBER: (828) 687-0378

3. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS

550 New Airport Road

550 New Airport Road

Fletcher, NC 28732

Fletcher, NC 28732

6. Select one of the following if applicable. (Optional see instructions)

☐

The company is a veteran-owned small business

☐

The company is a service-disabled veteran-owned small business

SECTION C: COMPANY OFFICIALS (Enter additional company officials in Section E.)

NAME: Satis Patel

NAME: _____

NAME: _____

TITLE: Managing Member

TITLE: _____

TITLE: _____

ADDRESS: _____

ADDRESS: _____

ADDRESS: _____

PO Box 759

Fletcher, NC 28732-0759

SECTION D: CERTIFICATION OF ANNUAL REPORT. Section D must be completed in its entirety by a person/business entity.

Satis Patel

2/27/2025

SIGNATURE

DATE

Form must be signed by a Company Official listed under Section C of This form.

Satis Patel

Managing Member

Print or Type Name of Company Official

Print or Type Title of Company Official

This Annual Report has been filed electronically.

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525



LIMITED LIABILITY COMPANY ANNUAL REPORT

1/6/2022

NAME OF LIMITED LIABILITY COMPANY: AVL Holdings LLC

SECRETARY OF STATE ID NUMBER: 1468667

STATE OF FORMATION: NC

REPORT FOR THE CALENDAR YEAR: 2025

Filing Office Use Only
E - Filed Annual Report
1468667
CA202505704443
2/27/2025 01:25

SECTION A: REGISTERED AGENT'S INFORMATION

☐ Changes

1. NAME OF REGISTERED AGENT: Satis Patel

2. SIGNATURE OF THE NEW REGISTERED AGENT: _____

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

550 New Airport Road

550 New Airport Road

Fletcher, NC 28732 Buncombe County

Fletcher, NC 28732

SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: Property management

2. PRINCIPAL OFFICE PHONE NUMBER: (828) 684-1144

3. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS

550 New Airport Road

PO Box 759

Fletcher, NC 28732

Fletcher, NC 28732-0759

6. Select one of the following if applicable. (Optional see instructions)

☐

The company is a veteran-owned small business

☐

The company is a service-disabled veteran-owned small business

SECTION C: COMPANY OFFICIALS (Enter additional company officials in Section E.)

NAME: Satis Patel

NAME: _____

NAME: _____

TITLE: Member

TITLE: _____

TITLE: _____

ADDRESS: _____

ADDRESS: _____

ADDRESS: _____

PO Box 759

Fletcher, NC 28732-0759

SECTION D: CERTIFICATION OF ANNUAL REPORT. Section D must be completed in its entirety by a person/business entity.

Satis Patel

2/27/2025

SIGNATURE

DATE

Form must be signed by a Company Official listed under Section C of This form.

Satis Patel

Member

Print or Type Name of Company Official

Print or Type Title of Company Official

This Annual Report has been filed electronically.

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525

April Monthly Report – Fletcher Parks and Recreation Department

Monthly Report – April 2026

Programs & Events

For the Love of Pets Expo

The “For the Love of Pets” Expo was a great success this past Saturday, April 25th, at the Steelcase Shelter and surrounding grass area. From 11:00 AM to 2:00 PM, the event brought together pet lovers from across the community for a fun and engaging afternoon.

With approximately 40 vendors on site, attendees had the opportunity to connect with local rescues, pet professionals, and businesses offering a wide variety of products and services. Both the shelter and grass area remained busy throughout the event, with a steady flow of visitors enjoying everything from pet adoptions and educational resources to shopping and networking.

Brushes and Blooms

Brushes and Blooms, held on April 10, was a great success. The event was well attended, with 25 participants enjoying an evening of creativity and community. Attendees had a wonderful time painting in a relaxing and welcoming atmosphere. Overall, it was a fun and engaging event that brought people together to celebrate art and springtime.

Pickleball Clinic

The Beginner Pickleball Clinic on April 11 was a success, with 9 participants enjoying a fun and supportive introduction to the basics of the game by coach Katie.

Spring Yoga

Our 8-week Spring Yoga class reached full capacity and began on March 26. The session will run through May 14.

Facilities & Maintenance

Bill Moore Community Park & Kate’s Park

Our maintenance team continues to do an outstanding job ensuring both parks remain clean, safe, and welcoming for the community.

April – Maintenance Projects Completed:

- Preparing ballfields daily for games
- Pressure washing shelters weekly
- Mowing grounds five days per week

- Blowing off sidewalks near the playground
- Completing pesticide training (Aaron)
- Delivering and spreading mulch in garden areas
- Cleaning dugouts weekly
- Conducting routine playground safety inspections

New Hires

Wayne Waldbart will serve as our new park maintenance assistant as Lawson heads to the military—he was accepted into flight school.

David Olguin will serve as our new weekend park ranger.

Administration Monthly Report

Heather Taylor, Assistant Town Manager

April 2026

Assistant Town Manager:

Hurricane Helene/FEMA Park Recovery

- Participated in the closeout meeting with FEMA and North Carolina Emergency Management, and the Town officially received closeout approval for all four projects in late April. This marks the formal completion of the Town's recovery efforts associated with Hurricane Helene.

Website/Facebook

- Continued updating the Town's website to ensure current and accurate information.
- Posted regularly to the Town's Facebook page (several posts per week) to keep residents informed.

Finance:

2025 Property Taxes- As of the end of March, over 99.6% of the 2025 tax levy has been collected. Susan and Mishelle continue to actively pursue delinquent accounts.

Business Registration Revenue- Mishelle is preparing to issue beer/wine permit billings in early May.

Budget 26/27- During April, Mark and Heather worked to finalize budget requests in preparation for the May 7 budget workshop. Revenues were thoroughly reviewed and forecasted, while expenditures were closely scrutinized in light of the challenging fiscal outlook. Significant effort was placed on identifying ways to balance the budget responsibly, including evaluating operational needs, prioritizing essential services, and exploring areas for cost containment.

Trainings- Susan and Mishelle attended a School of Government training on Property Tax Collection in mid-April. Heather also participated in a webinar regarding the national penny shortage and its potential impact on local governments in processing cash payments.

Human Resource:

Employment

- *New Hires-* The Town welcomed two new hires within the Parks Department during April. Wayne Waldbart began employment with the Town on April 27, and David Olguin will join the department as the new Park Ranger on May 2. These additions will help strengthen departmental operations ahead of the busy summer season.

Wellness

- Employees logged over 40 hours of usage in the Town gym during April.
- Blood pressure screenings were offered during the month, with six employees participating in the free screening.
- Heather met with the Pardee@Work coordinator to discuss expanded wellness opportunities for Town employees. As part of these efforts, an employee survey will be distributed in early May to gauge interest in various wellness activities and help guide future programming.

Insurance

- Heather has been working with the Town's health insurance broker to review renewal rates for medical and dental coverage for the upcoming plan year (June 2026 – May 2027). An open enrollment meeting has been coordinated for May 13 to provide employees with the opportunity to learn more about the Town's new health insurance plan and ask questions regarding coverage options.

**Public Works Department
Monthly Report
April 2026**

Brush Pick Up

Public Works collected 2674 brush orders which produced 416 Cyds of brush.
Public Works collected 73 leaf orders for our annual spring cleanup. This produced 33 Cyds of leaves.

Vehicles

Maintenance was performed on 9 Police cars, 8 Public Works Vehicles and 3 P&R vehicles. The P&R bus was serviced, also.

The Public Works Sweeper that was rear ended while sweeping on US 25 has been totaled.

Sanitation

Public Works collected 184.25 tons of garbage for a daily average of 8.38 tons.
Public Works collected 9 white goods.

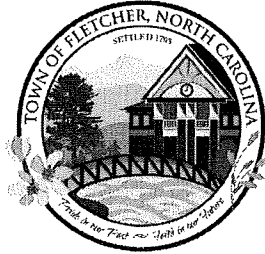
Streets

Construction has begun on the two streets to be re-surfaced this year. They are Meadow Pathway Dr. and Meadow Walk Ct. Approximate completion date of May 8th.

TOWN OF FLETCHER

PRESTON BLAKELY
MAYOR

MARK E. BIBERDORF
TOWN MANAGER



COUNCIL MEMBERS:
TREVOR LANCE
JIM PLAYER
KEITH REED
AMBER MCKINNEY

Planning & Zoning Department Monthly Update- April 2026

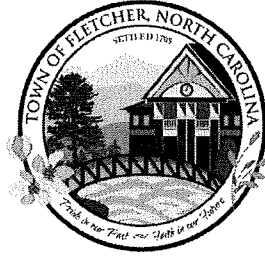
- ❖ The Planning Board met on April 21 for its regular meeting to consider a text amendment to add Data Centers to the Town's use table and prohibit the use within the Town's jurisdiction. The Planning Board unanimously recommended approval of the text amendment with a 7 to 0 vote.
- ❖ Tyler met with Chris Brown of McGill Associates to begin work on the draft stormwater plan and permit renewal, both due at the end of June. Tyler and Chris have completed initial markups and are in a strong position heading into the deadline. The draft plan has been provided to Mary Roderick with Land of Sky Regional Council for review and additional input. Once finalized, the draft will be submitted to the State for review. Following State acceptance, Tyler will coordinate with State staff to finalize the plan for the next five-year permit cycle.
- ❖ Tyler attended the Henderson County Transportation Advisory Committee meeting where NCDOT and local municipalities provided updates on current and upcoming projects. Tristian Winkler with Land of Sky Regional Council gave a presentation on express design concepts, which was timely given the Town's interest in pursuing express design for key Town Center intersections.
- ❖ Tyler attended a webinar hosted by the North Carolina Emergency Management Agency regarding proposed updates to the State's floodplain model ordinance. The proposed changes are minor and would require only small updates and definition adjustments to the Town's ordinance when staff time allows.
- ❖ Six of the eight Planning Board members, along with Tyler, are scheduled to attend a UNC School of Government training in Asheville on April 28. The training focuses on board roles and responsibilities in land use decisions. The Board's participation reflects a strong commitment to effective service and informed decision making.
- ❖ Tyler has continued working through a number of ongoing code enforcement cases, many of which involve junk vehicle and solid waste concerns.
- ❖ Tyler has also been addressing illicit discharge complaints reported by citizens and Town staff, and through direct inspections. A new GIS based reporting application has been developed to allow

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residents to report illicit discharges and stormwater infrastructure issues. The application notifies staff in real time, allows users to identify locations on a map, and supports uploading photos. This tool complements the existing stormwater hotline and provides an additional, user-friendly reporting option for the community.

A link to the app is below

<https://survey123.arcgis.com/share/3ddd3a907dc54112a25651efcf646a95>



FLETCHER POLICE DEPARTMENT

TEAMWORK - PROFESSIONALISM - DEDICATION

DANIEL D. TERRY
CHIEF

MEMORANDUM

To: Mark Biberdorf, Town Manager
From: Chief D. Terry
Date: May 4, 2026
Re: April 2026 Monthly Report

Training & Professional Development:

- Officer Greve attended a 4-day Chaplaincy course which provides the department with an additional layer of service that can be provided in specific challenging circumstances.
- Detectives Beauchamp and Gonzalez attended the annual Homicide Investigators Training Conference.
- Detective Gonzalez attended a range orientation class at the Justice Academy range in Edneyville. This will allow the department access to the Justice Academy range, providing more scheduling opportunities to enhance the department's firearm program.
- Sergeants Kilby and Wolfe continued the FBI LEEDA's Trilogy Series taking the 1-week Command Leadership Institute course hosted this month by the department and held in the Multi-Purpose Room. This was part two of a three part series.
- Sergeant Kilby provided active shooter response training to the Fletcher First Baptist Church security detail.

We had a total of 557 calls for service for the month of April. This does not include 1479 extra security checks. Fifty-eight incident reports were filed. Twenty-six of these incidents required some type of investigative follow-up to be conducted. Sixty-three citations were issued for a total of 72 charges. Fifteen auto accidents were reported and 21 arrests were made.

Activities of interest for the month of April include:

- During the month, officers made (9) warrants arrests, (11) marijuana related arrests, (6) DWI arrests, (1) fentanyl arrest, (1) methamphetamine arrest, and (1) cocaine arrest.
- Sergeant Diaz, along with Officers Cucchiara, Gibbard, and Interlicchia ran in the 2026 Henderson County Torch Run supporting the Special Olympics.

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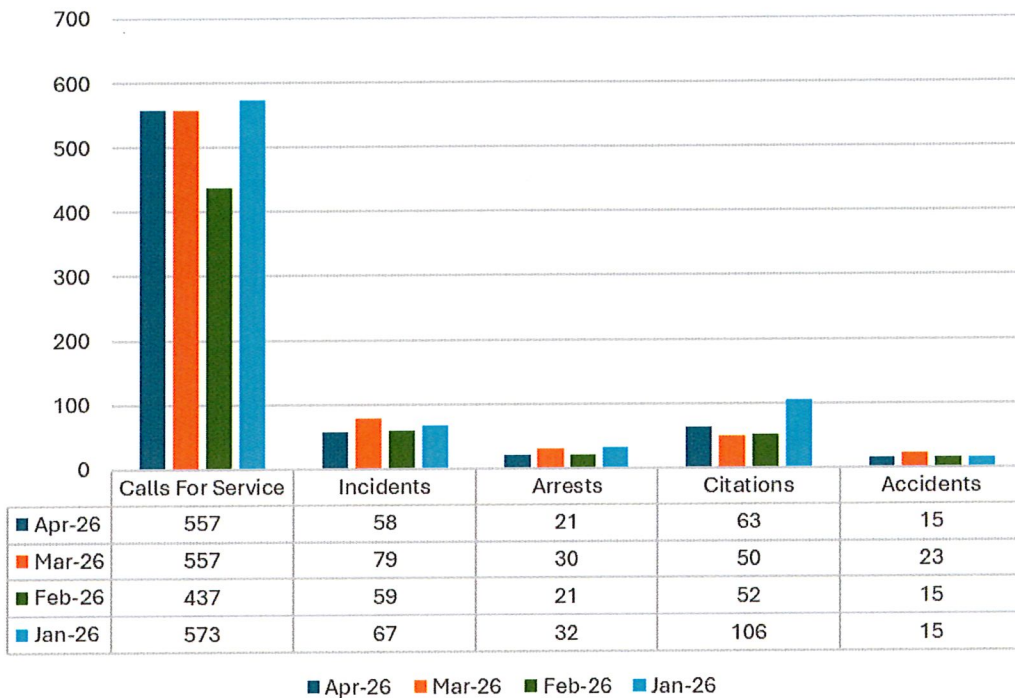
- A report was taken reference a larceny from the Ingles. It was learned that a male and female offender had been committing thefts at various Ingles stores throughout, Buncombe, Madison, and Henderson County, to include the Fletcher Ingles. Very specific items were taken and sold either on-line or to an identified conspirator. It was discovered that approximately \$20,000 in total had been paid to the offenders for the product they had stolen. Warrants were taken out on both offenders, charging them with Felony Larceny and Felony Conspiracy. They were located and while taking them into custody for the arrest warrants, they were found to be in possession of methamphetamine and charged accordingly. The investigation regarding the sale of the product to the co-conspirator (fence) is ongoing.
- In March 2025, the department reported on an investigation initiated by a local bank reference an attempt by a man to transfer money from his father's account. A search warrant of the man's home was obtained for the purpose of finding evidence to support the offense and officers found the man was in possession of child pornography. He was charged with multiple felonies. This month he pled guilty receiving a sentence of probation and requiring him to register as a sex offender from this point forward.
- Community engagement activities for the month of April included participation in the Special Olympics Torch Run, the annual shred event/pill drop hosted by the Town, providing active shooter critical response training to the Fletcher First Baptist security detail, attending Safelight's Annual Humanitarian Awards Luncheon, visiting the SonShine Preschool, assisting with training scenarios for the Basic Crisis Negotiators Course at the Justice Academy in Edneyville, hosting the Henderson County DSS Multi-Disciplinary Team Meeting, and attending the Henderson County Investigator's Meeting.

Respectfully Submitted,

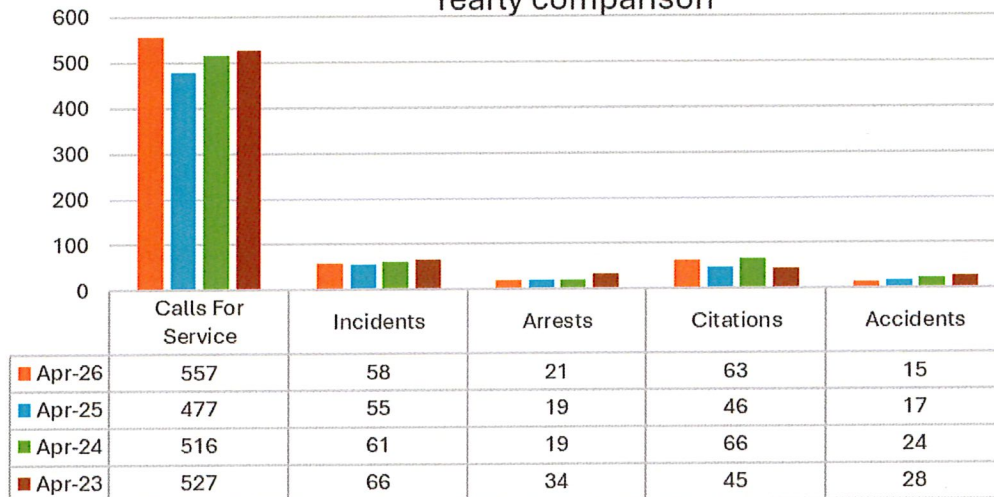
Chief Dan Terry

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Fletcher Police Department - April - 2026 Monthly Comparison



Fletcher Police Department - April. 2026 Yearly comparison



**FLETCHER POLICE DEPARTMENT
CRIMINAL INV DIVISION
APRIL 2026 STATISTICS**

OFFENSE	MONTHLY ACTIVITY 2026					CUMULATIVE 2026				
	ASSIGNED	CLEARED w/ ARREST	EXCEPTIONALLY CLEARED	ADMINISTRATIVELY CLEARED	UNFOUNDED	OPEN PENDING	CLEARED BY ARREST	EXCEPTIONALLY CLEARED	ADMINISTRATIVELY CLEARED	UNFOUNDED
ARSON										
ASSAULT/BATTERY							1			
B&E (COMMERCIAL)							2			
B&E (RESIDENTIAL)							1		1	
B&E (TO MOTOR VEHICLE)										
CHILD ABUSE (PHYSICAL/NEGLECT)	1					1			1	1
CRIMINAL DAMAGE										
CRIMINAL TRESPASS										
DEATH INVESTIGATIONS	1				1	2				1
DOMESTIC VIOLENCE										
DRUG INVESTIGATIONS										
ELDER ABUSE-FINANCIAL										2
ELDER ABUSE-PHYSICAL										
FINANCIAL CRIMES/ID THEFT	1		1	1		6	1	2	5	1
HARASSMENT/INTIMIDATION									1	
HOMICIDE										
LARCENY	1	1		1			3	1		
MISSING PERSON (ADULT)								1		
MISSING PERSON (JUVENILE)										
MOTOR VEHICLE THEFT/UUMV									1	
ROBBERY										
SEX OFFENSE									2	
SUICIDE/ATTEMPTED										
OTHER									2	
TOTAL	4	1	1	2	1	9	8	4	13	5
LAST MONTH	10	2	1	8	3					
YEAR-TO-DATE										

Department of Social Services		2026 YTD
TOTAL CASES REVIEWED	2	13
TOTAL CASES ASSIGNED	2	9

**60 % Clearance rate for
April 2026**

57% Year-To-Date

CITIZEN ASSIGNMENT LETTERS SENT 9 41

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