

Tuesday - October 1, 1996 - 3:00 p.m.

Worksession

Present: Mayor Russell Martin, Presiding; Vice-Mayor Barbara Field; Councilman Edward C. Hay Jr.; Councilman Thomas G. Sellers; Councilman James J. Skalski; and Councilman Charles R. Worley; City Attorney William F. Slawter; City Manager James L. Westbrook Jr.; and City Clerk Magdalen Burleson

Absent: Councilman M. Charles Cloninger

BELE CHERE REPORT

Mr. Irby Brinson, Parks & Recreation Director, said that the Asheville Parks and Recreation Department is requesting authority to conduct an in-depth study of Bele Chere by soliciting public input which will result in the development of a strategic plan.

The 1997 Bele Chere will represent the 19th year that this festival has been in existence. Over that period of time, Bele Chere has continued to grow and to be successful. Even though Bele Chere has been successful, the staff of Parks and Recreation feels that it would be beneficial to evaluate the current status of the festival and to develop a strategic plan for its future. Several controversial issues have surfaced over the past year which need to be addressed in order to improve the quality of the festival. In order to solicit as much input as possible from the community, the Parks and Recreation staff proposes to conduct a series of community forums based upon a format which will be established by staff. The Parks & Recreation Department will publicize the proposed meetings in order to obtain input from all interested parties. The purpose of the community forums will be to allow anyone who has an interest in Bele Chere to give staff feedback to help mold the festival's future. It is anticipated that these community forums will occur during October and November of 1996. The Parks and Recreation staff will then report back to City Council in late December of 1996 or early January of 1997 with recommendations.

The Parks and Recreation Department requests City Council approval in developing a strategic plan for Bele Chere.

It was the consensus of Council to appoint Tommy Sellers to the Bele Chere long range steering committee.

Upon inquiry of Vice-Mayor Field, Mr. Brinson said that the study would be done in-house.

Vice-Mayor Field felt that this strategic plan is very important because Bele Chere touches every part of the community. She also felt the plan should be long range, contain a well balanced view, and as in depth as possible.

Mayor Martin suggested that the Bele Chere festival be looked at every five years.

Mayor Martin asked that the record show that City Council has received this information and instructs the City Manager to place the item on the next formal City Council agenda.

-2-

UPDATE ON COMMUNITY ORIENTED GOVERNMENT AND LOGO APPROVAL

Ms. Robin Westbrook, Public and Community Involvement Coordinator, said that at the City Council mini-retreat recently, Council expressed the desire to approve

the logo that was being designed for Community Oriented Government. This logo has been completed and is ready for City Council approval.

We will also have the West Asheville Community Center set up as a Community Access Center by the City Council Community Meeting on October 29, 1996. City staff will be available from 3:00 p.m. - 7:00 p.m., just prior to the community meeting, for questions and information. Also at 6:00 p.m. Councilmen Cloninger and Worley will be available to answer questions regarding the Unified Development ordinance.

As a part of the community meeting, a short presentation will be given to explain the concept of Community Oriented Government and the types of information that will be available at the Access Center. We will also use this opportunity to survey those attending the meeting to find out what information/programs they would like to see in the building.

It is the recommendation of staff that the City Council approve the logo for Community Oriented Government.

Vice-Mayor Field said that the State Department of Commerce is offering grants for cities to get involved with technologies and she has been told that they felt Asheville's Community Oriented Government sounded like a positive possibility for an application. She said that the City would be required to match the grant \$1 for every \$2 received and the grant application would be in the amount of \$30,000. She said that she would be happy to pass the information onto staff for their review.

Upon inquiry of Councilman Worley, Ms. Westbrook said that the logo more than likely would remain black and white.

Ms. Westbrook answered questions from Council regarding the information that may be available on templates that might assist other groups in obtaining community input.

Vice-Mayor Field suggested a minor adjustment to the logo which all of Council felt was appropriate.

Mayor Martin asked that the record show that City Council has received this information and instructs the City Manager to place the item on the next formal City Council agenda.

CITY BUSINESS & DEVELOPMENT COMMISSION

City Clerk Burlison said that City Council needs to appoint two members to the City Business and Development Commission.

On August 13, 1996, City Council adopted Ordinance No. 2309 establishing the City Business and Development Commission.

The composition of that Commission consists of 13 members from various groups in addition to two members appointed by the City Council. One City Council appointee shall be appointed initially for a two year term and the other City Council appointee shall be appointed initially

-3-

for a three year term. All subsequent appointments will be for three year terms.

Vice-Mayor Field, Chairman of the Council Boards & Commissions Committee, said that the Committee has discussed these two appointments and feels that since

the City Business & Development Commission is the economic development arm to the City that Council appoint two members of Council.

It was the consensus of Council to appoint Councilman Sellers to the initial three-year term and Vice-Mayor Field to the initial two-year term.

Mr. H.K. Edgerton asked that ordinance establishing the City Business and Development Commission be amended to include NAACP representation on that Commission.

Mayor Martin said that the Council Boards & Commissions Committee would discuss that request.

Mayor Martin asked that the record show that City Council has received this information.

OTHER BUSINESS:

Request of Mr. Ralph Bishop

Mr. Ralph Bishop requested a certified copy of the September 24, 1996, minutes. City Clerk Burleson said that she would be happy to furnish him with a copy of those minutes after they were approved by City Council on October 8, 1996. She stated that he would also need to pay the established fee of \$3.00 for a certified copy.

Comments by Ms. Leni Sitnick

Ms. Leni Sitnick thanked Council for expanding CityWorks. She also suggested that the audio conditions in Room 623 and in the Council Chamber be improved. She asked Council to encourage people to duplicate visual aids so that the audience and Council can see the material being presented and also suggested that Council seriously consider their meetings be televised.

Ms. Sitnick also brought to Council's attention the "ugly" rumor of a Six Flags being built in West Asheville.

155 Acres Rezoning Request between Overlook Road and Hendersonville Road

Mr. Richard Green invited City Council to attend a meeting in South Asheville on Tuesday, October 8, 1996, at approximately 7:00 p.m. at T.C. Roberson High School Cafeteria to discuss many concerns they have regarding Council's refusal to ask the Planning & Zoning Commission to study a 155 acre area in South Asheville.

Ms. Trisha Noel urged Council to reconsider rezoning both 5 acre OI portions in the subject area. She stressed that six attempts have been made to rezone other properties in that immediate area to OI and if Council does nothing now, there is a chance that the OI zoning will

-4-

spread. She said that the area had been appropriately zoned until the spot zoning occurred approximately two years ago. She said that they need to protect the integrity of the neighborhood and schools.

Councilman Hay said that instituting a rezoning study of the entire 155 acres would delay implementing the UDO City-wide.

Vice-Mayor Field disagreed that the area was illegally spot zoned. She also said that if City Council rezoned the northern 5 acre OI portion that had a building on it, Council would be making that building a non-conforming use,

which she felt Council would be reluctant to do.

Mr. Gerald Green, Senior Planner, said that staff would be reluctant to recommend the creation of a non-conforming use, unless the use was totally out of character in the area - which, in this case, the building is not.

Discussion then surrounded how this area is designated in the 2010 Plan, the buffering requirements between OI and R-2, and what the preliminary mapping under the UDO calls for in this area.

Upon inquiry of Councilman Worley, Mr. Gerald Green said that all zoning classifications will change to some degree when the UDO is adopted, regardless of whether Council rezones this property now or not.

When Councilman Hay asked if the neighborhood had a legitimate concern about the spread of OI in the area (especially if OI touches R-2), Mr. Gerald Green said that nothing is an absolute. He said it would depend on the character of the area and the willingness of City Council to change that designation.

Upon inquiry of Councilman Hay, Mr. Gerald Green said that the Planning staff has started, on a preliminary basis, the study on the OI portion of the Morosani property, but it would be no problem to include the 5 acre northern OI portion.

Councilman Worley said that his number one goal is to get the UDO adopted at which time the entire area will be dealt with. He didn't object to adding the northern 5 acre OI portion, but he felt that Council may be right back where they are now - not agreeing to create a non-conforming use.

Councilman Skalski strongly felt that the entire 155 acres should be studied now. There is a very serious problem in that area and the neighborhood should not have to wait until adoption of the UDO.

Vice-Mayor Field asked Mr. Gerald Green if Council decided to direct the Planning & Zoning Commission to study both 5 acre OI tracts, would that bar Mr. Morosani from having a valid protest petition if he chose to file one. Mr. Gerald Green replied that it would have no affect.

Vice-Mayor Field felt that City Council is already dealing with the immediate problem being the OI portion of the Morosani property, but if the Planning staff doesn't think adding the northern 5 acre OI portion won't take anymore time, she would have no problem in asking the Planning & Zoning Commission to study that portion as well.

Mayor Martin and Councilman Sellers agreed with Vice-Mayor Field.

-5-

Ms. Laurel Eide stressed that there is a chance for the OI zoning to spread into the neighborhood. She pointed out, by using a map, where there are 42 undeveloped acres in the immediate area currently zoned R-2 that have the potential of being rezoned OI.

A resident of Oak Forest Subdivision said that she did not sign the 155 acre rezoning petition and did not want her property rezoned. She stated that many of the neighbors felt the same way.

Mayor Martin said that this Council felt they were doing the right thing for the neighborhood when they didn't request the Planning & Zoning Commission to study the entire 155 acres. He felt it wasn't right to down-zone property from

R-1 to R-1A.

Mr. Bill Koon, resident in the Oak Forest Subdivision, stated why he supported the 155 acre rezoning request.

Mr. Bruce Rogers, representing the Oak Forest Homeowners Association, hoped Council would request the entire 155 acres be studied in order to avoid undesirable development in the OI tracts.

When Councilman Hay asked if the Oak Forest Subdivision residents would be satisfied with Council asking for a study of the two five acre OI portions, Mr. Rogers felt they might be satisfied if they were rezoned to a more restrictive classification.

Mr. Richard Green called to Council's attention that the northern 10 acre tract was recently up for sale and if that earlier development would have occurred, the building presently on the northern 5 acre OI portion would have been bulldozed down. He also noted that the 2010 Plan seems to clearly indicate that the two tracts in question should be low density residential.

Ms. Janet Moore, resident of Oak Forest Subdivision, voiced concern over the quality of life in the neighborhood. She felt that keeping the OI portions would only generate more traffic and add more pressure on the already over-crowded schools in the area. She did not feel that this rezoning request was a public housing issue.

Mr. H.K. Edgerton wondered if the residents would be willing to have public housing built in their area.

Councilman Hay said that as long as the process moves forward, Council should consider adding the northern 5 acre OI portion to the study request.

Ms. Catherine Bolick, resident of Oak Forest Subdivision, urged Council to study rezoning the entire 155 acres. She said that they do not want high development to come into that area, specifically noting the already over-crowded schools.

Mayor Martin asked that the record show that the City Council has received additional information on this matter and instructed the City Manager to place this item on the next formal meeting agenda.

Comments by Mr. H.K. Edgerton

Mr. H.K. Edgerton, speaking on behalf of the NAACP, asked Council about the economic development component of the HOPE 1 program. He also asked about the Master Plan for the River.

-6-

Vice-Mayor Field responded that there were two documents available from RiverLink and that an effort is underway to get a comprehensive planning document.

City Manager Westbrook said that Mr. Edgerton would need to talk to the Housing Authority about the economic development component of the Hope 1 program.

Mr. Edgerton said that redevelopment plans are not doing anything good for the African-Americans in Asheville, especially when they are not included in the planning process. He then asked that the records reflect that he did not dislike Mayor Martin. He informed Council that he was trying to get African-

Americans more involved in their community.

CLOSED SESSION

At 5:00 p.m., Councilman Worley moved to go into closed session (1) to consult with the City Attorney in order to preserve the attorney-client privilege as authorized by G.S. 143-318.11 (a) (3); and (2) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body as authorized by G.S. 143-318.11 (a) (4). This motion was seconded by Councilman Sellers and carried unanimously.

At 5:50 p.m., Councilman Worley moved to come out of closed session. This motion was seconded by Councilman Sellers and carried unanimously.

ADJOURNMENT:

Mayor Martin adjourned the meeting at 5:50 p.m.

CITY CLERK MAYOR
