

Tuesday - March 21, 2000 - 3:00 p.m.

Worksession

Present: Mayor Leni Sitnick, Presiding; Vice-Mayor M. Charles Cloninger (participating by speaker phone); Councilwoman Barbara Field; Councilman Edward C. Hay Jr.; Councilman Brian L. Peterson; Councilwoman Terry M. Whitmire; and Councilman Charles R. Worley; City Attorney Robert W. Oast Jr.; City Manager James L. Westbrook Jr.; and Deputy City Clerk Phyllis Corns

Absent: None

CONSENT:

Shiloh Community Center Roof Replacement

Summary: The consideration of a resolution authorizing the City Manager to enter into a roof replacement contract with Carolina Mountain Roofing and Construction, Inc. for the Shiloh Recreation Center.

In an effort to maintain city facilities, City staff, through the capital improvement process, has determined the Shiloh Recreation Center requires roof replacement. Staff solicited sealed bids from seven roofing contractors, three of which were minority contractors, to supply and install a new roofing system. Staff received five qualified bids which are as follows:

Construction Advantage, Inc. \$99,630.00

Service One, Inc. \$92,143.00

Stroup Sheet Metal Works, Inc. \$99,800.00

Carolina Cornerstone Construction, Inc. \$87,957.00

Carolina Mountain Roofing and Const., Inc. \$69,400.00

Staff has reviewed all bids and determined that Carolina Mountain Roofing and Construction, Inc. is the lowest bidder and staff recommends acceptance of the total bid amount of \$69,400.00.

Approved funding is available in the capital improvement project account to pay for this roof replacement for Shiloh Recreation Center.

The Parks and Recreation Department requests City Council authorize the City Manager to enter into a contract for \$69,400.00 with Carolina Roofing and Construction, Inc.

Grant Application for Pack Square Renaissance Project from Asheville Merchants Foundation

Summary: The consideration of a resolution to apply and enter into an agreement with the Asheville Merchants Foundation for grant monies to assist with funding for Phase II of the Pack Square Renaissance Project.

The Pack Square Renaissance project is a public-private effort to develop and implement a plan for a redesigned Pack Square and City-County Plaza. Phase I of the project is currently underway and will involve the creation of a conceptual plan for this redesign. Phase II of the project will involve the development of a final plan and construction drawings and is estimated to cost in excess of \$150,000. The Pack Square Task

Force, which is comprised of both public and private sector individuals, has been leading the project. The Task force recognizes that the vast majority of the funding for the project will need to come from sources

-2-

other than the public sector. With this in mind, the Task Force is seeking grant monies to supplement private sector fundraising efforts.

The Planning and Development Department is requesting \$20,000 in grant funds from the Asheville Merchants Foundation. The grant does not require matching funds.

The Planning and Development Department recommends City Council adopt the resolution to apply and enter into an agreement with the Asheville Merchants Foundation for grant monies to assist with funding for Phase II of the Pack Square Renaissance Project.

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

UDO AMENDMENT REVIEW

City Attorney Oast said that these Unified Development Ordinance amendments are being brought before City Council in order that staff may respond to questions Council may have prior to the public hearings, which are scheduled on April 11, 2000. He advised Council that it would be inappropriate for Council to receive comments from the public at this worksession.

Charlotte Street Transition Overlay Zoning District and Application of that District to 43 Properties in that Area

Director of City Development Mike Matteson said that this is the consideration of an ordinance to amend the Unified Development Ordinance (UDO) to establish a Charlotte Street Transition Overlay District and application of this overlay district to 43 lots in the Charlotte Street area.

The Charlotte Street Transition Overlay District is an incentive based overlay zoning district designed to aid in the implementation of the Charlotte Street Corridor Plan. The Corridor Plan, adopted by City Council in January, 1999, recommends, among other things, compatible in-fill development which is more urban in nature and which relates to the street and sidewalk and serves the surrounding community. The overlay district provides property owners and developers with incentives, in the form of square footage bonuses, to develop property in a manner consistent with the recommendations of the plan. Structures may be larger than permitted in the underlying zoning district provided that certain design features or other elements are incorporated into a proposed development.

The Planning and Development Department is proposing to apply this overlay district to 43 properties in the Charlotte Street area. The underlying zoning district is CBI Community Business I.

City Council is asked to first consider the ordinance amendment to create the Charlotte Street Transition Overlay District and then to consider the application of the overlay district to the properties in question.

At their January 5, 2000, meeting, the Planning & Zoning Commission voted unanimously to recommended approval of both the ordinance amendment creating the Charlotte Street Transition Overlay District and the application of the overlay district to the properties in question. The Planning & Zoning Commission asked staff to make some minor changes to the proposed overlay district and those changes will be incorporated into the proposed district.

The Planning and Development Department staff is also recommending approval of both the ordinance amendment and the application of the overlay district.

-3-

Discussion surrounded the definition of "mixed use" vs. "multiple use". Mr. Shuford said that he would provide Council with information relative to "mixed use" and why they feel it is important from a planning standpoint.

Councilman Peterson felt there may be concerns from the business community regarding the incentive points and the appearance that the City is getting into the design process. It was his understanding developers want fixed rules and not so much discretionary items that drag the process out.

Councilwoman Field suggested a clarification on the point system.

Mr. Matteson responded to Councilman Peterson about his concerns relative to increased traffic if larger structures are allowed on Charlotte Street.

Councilwoman Whitmire asked if incentives could be included for affordable housing as part of the mixed use component. Mr. Matteson said that he would explore that option.

Councilwoman Field asked Mr. Matteson to review if requiring skylights to be flat might be a disincentive to putting skylights in at all.

Temporary Wireless Telecommunication Facilities at Approved Sites

Senior Planner Gerald Green said that this is the consideration of an amendment to the Unified Development Ordinance (UDO) which would allow temporary telecommunications facilities at approved sites.

The Planning and Zoning Commission, at their March 1, 2000, meeting, reviewed and recommended approval of an amendment to the UDO which would amend Section 7-14-2 to allow temporary telecommunications facilities at approved sites. The proposed amendment would permit a temporary telecommunications facility to be located at sites that have been approved for the location of a permanent facility (telecommunications tower, concealed telecommunications facility, or co-located facility). A temporary telecommunications facility could be placed on the approved site for a period of up to 6 months while the permanent facility is being constructed and/or installed. The time period for the temporary facility could be extended for another 6 months if the construction has begun but has not been completed. With the proposed amendment, telecommunications service providers could begin providing service from an approved site almost immediately instead of waiting for the construction and/or installation of the permanent facility.

The Planning and Zoning Commission voted 7 to 0 to recommend approval of the wording amendment. The Planning and Development staff recommends approval of the amendment.

Mr. Green responded to a question from Councilman Hay regarding notifying people that the telecommunications facility is only a temporary facility.

Mayor Sitnick asked that the record show that City Council has received this information and instructs the City Manager to proceed with the appropriate public hearings on April 11, 2000.

DISPOSAL OF SMOKING MATERIAL

Mr. Richard Grant, Solid Waste Manager, said that on October 12, 1999, City Council proposed an ordinance requiring businesses to install cigarette receptacles at entrances to their businesses and asked that the Downtown Commission make recommendations regarding the proper disposal of cigarette butts not only in the downtown area, but the entire City.

-4-

They felt that there is no need for over zealous ordinance enforcement and downtown merchants should not be singled out because litter problems exist throughout the City.

The City has two existing ordinances, Sections 15-5 and 16-3, which prohibit littering and require businesses to keep storefront sidewalks and gutters clean. While these ordinances deal with litter, they are difficult to enforce particularly when dealing with cigarette trash. In an effort to gain additional input on the problem, City staff made presentations to the Downtown Commission, Asheville Downtown Association and information was received from the Merchants Action Coalition. The majority of participants agreed the suggested ordinance requiring receptacles would not alleviate the problem and places responsibility on the business rather than the smoker.

The groups suggested the following approaches in lieu of the receptacle requirement:

- Develop an awareness and educational outreach program with the Downtown Commission targeting smokers, business owners, tenants and media. This campaign would promote litter laws, encourage merchants to keep sidewalks clean and establish ongoing physical and educational campaigns. Several slogans/messages have been suggested as well.
- Phase installing additional receptacles on downtown trashcans over the next several years. Investigate different types of receptacles for functionality and exposure. There are 245 trash containers in Biltmore and downtown areas, 28 having receptacles. Additionally there are 60 stand-alone receptacles in front of 38 buildings.
- Evaluate the placement of existing public trash receptacles to maximize their use.
- Use inmate labor to sweep sidewalks once per month (current) and coordinate with the Street Division sweeping operations. Downtown streets are swept 4 times per week and sidewalks once per week.
- Promote Adopt-A-Street programs in the downtown business areas.

Staff recommends approval of the suggestions received from the Downtown Commission, Asheville Downtown Association and Merchants Action Coalition.

Mayor Sitnick said that she has a citizen suggestion for the educational campaign – "Asheville, No Butts About It."

Upon inquiry of Mayor Sitnick, Mr. Grant said that non-retaining water receptacles range from \$90 to \$200.

Mayor Sitnick suggested a user fee because she would hate to make someone who never smokes pay for these receptacles. She wanted to see the outreach/educational program extend as much to the N. C. Dept. of Transportation as well as merchants because cigarette butts are a problem all over the City. She also requested all business organizations include information about this in their newsletters. She suggested including a notice about the existing ordinances in the water bill inserts and also that at the front-end of the campaign, the City have on display the two sidewalk sweepers to show that the City is doing their part as well.

Councilwoman Field also suggested the existing ordinances be placed on the Government Channel.

Councilwoman Whitmire suggested City staff to talk to three different PTO's or PTA's in order to get

feedback from parents about the use of the word "butt" in our slogans.

-5-

Public Works Director Mark Combs responded to a suggestion by Mayor Sitnick about all City employees being part of a litter patrol and having one staff person be the contact person for all complaints.

City Manager Westbrook said City staff will come back to City Council with the outreach program and also recommendations on stepped out enforcement on all litter.

It was the consensus of City Council to approve the recommendations received from the Downtown Commission, the Asheville Downtown Commission and the Merchants Action Coalition and to instruct City staff to work with the downtown groups to promote awareness and education of cigarette litter laws.

REVISIONS TO THE ASHEVILLE STANDARD SPECIFICATIONS AND DETAILS MANUAL

City Engineer Cathy Ball said that this is the consideration of adopting revisions to the Asheville Standard Specifications and Details Manual.

In May 1997, City Council adopted the Asheville Standard Specifications and Details Manual. This manual provided developers, engineers, architects and other design professionals with guidelines for development in the City of Asheville and the extraterritorial jurisdiction. Since that time some minor changes have been made and implemented in the Manual.

On November 9, 1999, City staff held a public meeting to get input on the revisions to the standards. Approximately 200 people were invited to attend. Approximately 25 people attended and provided input on the revisions to the Manual. In addition to public comment, other City departments suggested revisions to the Manual. Most of the public and other City department's comments are reflected in the revision to the Manual.

The major revisions consist of the following:

- Revising the streetscape requirements to reflect the recent changes proposed by the Transportation Advisory Committee to the N. C. Dept. of Transportation (i.e., 4 lanes with median divided);
- Allowing rolled (valley) curb for all residential streets;
- Allowing 6" of stone and 2" of asphalt on private parking lots;
- Incorporating the recent changes to the Unified Development Ordinance (UDO) regarding sidewalks;
- Adding the requirement that curb and gutter can be required by the City Engineer when necessary to control storm water runoff;
- Removing the section regarding Traffic Calming as it has recently been adopted as a separate policy by City Council;
- Allowing High-Density Polyethylene (HDP) Pipe to be used in the right-of-way for residential cul-de-sac and loop streets;
- Rewriting Section 6.00 "Water Distribution" to reflect recommended revisions from the Water Resources Department;
- Amending the Asheville Standard Specifications and Details Manual to be consistent with the requirements in the UDO (i.e., parking stall width); and
- Providing sample easements for water and storm water lines.

Staff will be working with Planning and Development Department in the next several months to ensure that the Asheville Standard Specifications and Details provide standards that promote "Smart Growth" as a part of new development consistent with City Council goals.

-6-

Staff recommends that adoption of the revisions to the Asheville Standard Specifications and Details Manual.

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