

Worksession

Present: Mayor Charles R. Worley, Presiding; Councilman Joseph C. Dunn; Councilman James E. Ellis; Councilwoman Diana Hollis Jones; Councilman R. Carl Mumpower; and Councilman Brian L. Peterson; City Attorney Robert W. Oast Jr.; City Manager James L. Westbrook Jr.; and City Clerk Magdalen Burleson

Absent: Vice-Mayor Terry M. Bellamy (maternity leave)

CONSENT:

Budget Amendment for Senior Opportunity Center

Summary: The consideration of a budget amendment, in the amount of \$10,174, from the Land-of-Sky Regional Council, Area Agency on Aging, to make improvements to the Senior Opportunity Center entrance.

The State of North Carolina provides senior center general-purpose funds through the Land-of-Sky Regional Council, Area Agency on Aging. This year, the City has received \$10,174, which will be used to improve the entrance of the Senior Opportunity Center. This project will include the construction of a drop-off driveway, landscaping and a small outdoor picnic/sitting area. The City is responsible for a matching amount of \$1,130, which will be covered through in-kind project management and labor.

City staff recommends City Council approve the budget amendment to make improvements to the Senior Opportunity Center.

Naming of Greenways

Summary: The consideration of a resolution naming existing greenways within the Asheville area.

Over the past several years, the Parks and Recreation Department and the Asheville Greenway Commission have been working on the construction of a number of greenways based upon the Greenway Master Plan. The Commission is recommending naming greenways after bodies of water located near the trail sites. The reason for this is to link one of the benefits of greenways to water quality issues. Greenways provide excellent buffers for purification of water systems. The Parks and Recreation Department and the Asheville Greenway Commission recommend City Council approval of the following names for existing greenways:

Glenn's Creek Greenway (Weaver Boulevard)
Reed Creek Greenway (Broadway)
French Broad River Greenway (French Broad River Park)
John P. Gregg Greenway (French Broad River Park IV)

City staff recommends City Council name the existing greenways in the Asheville area as recommended by the Parks and Recreation Department and the Asheville Greenway Commission.

Parking Deck Property Purchase

Summary: The consideration of approval to proceed with acquisition of two properties for Battery Park Parking Facility.

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Since 2000, the City has been working to assemble the real estate necessary to proceed with the construction of the public parking facility in the Battery Park area. Council has approved the project and conceptual plans for the project, and there has been significant public review and consideration of them. The budget for the project has been approved.

The options for two of the properties expire this month. These properties have been under contract since 2000, but we have delayed closing on them for reasons related to financing, and because of the status of negotiations for other properties needed for the project. As originally proposed, the City anticipated getting all of the required properties under contract and closing on them at about the same time, and coordinating the closings with the public introduction of the project. As things have developed, however, the project has been public for some time, and the closings are occurring over time. We believe that

negotiations for the land are such that we can recommend closing on the two properties under contract at this time.

The basic terms are as follows:

Property A (Harris estate, owner) Acquisition Price - \$650,000
(reduced by \$175,000 in option payments credited against purchase price)

Property B (Revell estate, owner) Acquisition Price - \$867,000
(option payments of \$30,000 credited against purchase price)

The City will acquire a fee simple interest in both properties. The City has already acquired the leasehold interest in the building on Property A, formerly occupied by the Flying Frog restaurant. The parking lot operated onto these properties will continue in operation until construction starts, anticipated to be in September.

Since budgetary authority for these property acquisitions already exists, no separate resolution is necessary. If Council approves moving ahead with the purchase in accordance with these terms, a motion to that effect is requested.

Finance Director Bill Schaefer responded to various questions from Councilman Peterson regarding the financial aspect of the parking deck.

Mayor Worley 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.

ASHEVILLE CITY PLAN 2025

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Planning & Development Director Scott Shuford said that this is the consideration of a resolution adopting the Asheville City Plan 2025 as the official comprehensive plan for the City of Asheville.

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This culminates a two year planning and public participation process that has been overseen in great detail by a 60 member committee (the City Plan Advisory Committee – CPAC) and has involved nine public forums, one major community meeting, and innumerable CPAC meetings, focus group meetings and public presentations. The effort to involve the public in developing this plan has been unprecedented in the City's history and has included surveys, television presentations and announcements, outreach to specific groups (particularly groups that might typically be underrepresented at standard public forums, including minority groups and business organizations), media coverage, newspaper editorials, and other inventive methods of capturing public input. The reward for this effort has been over 1,000 specific comments from the public that have been carefully evaluated by CPAC and included in the plan.

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The Asheville City Plan 2025 will serve as guide for development approvals, rezonings, code amendments, infrastructure improvements, legislative action requests, and other City efforts. However, the plan is not an end into itself – it is a guide for specific actions, with the individual consideration and implementation of these actions being the method by which the plan will be put into effect.

The Asheville City Plan 2025 replaces the Asheville City Plan 2010, adopted in 1987.

The Planning and Zoning Commission recommended approval of Asheville City Plan 2025 as the official comprehensive plan for the City on March 27, 2003, by a unanimous vote (5-0), subject to the amendments. City staff also recommends approval of the plan as proposed for amendment.

After reviewing the background, Mr. Shuford explained the demographic changes.

Land use and transportation issues include (1) Asheville has tripled in land area over the past 50 years; (2) Asheville's density (persons per square mile) has decreased by 50% over the past 50 years; and (3) we have moved from an urban development pattern to a suburban development pattern. The costs associated with a suburban development pattern are that it's expensive to serve, has environmental problems and encounters convenience costs. A house that costs \$150,000 in Asheville can be purchased for \$116,000 in Greensboro according to a Coldwell Banker study.

He explained how mass transit requires 8-16 units per acre for efficient service, how Asheville's development pattern forces reliance on the automobile, that NC DOT projects that 80% of the traffic on the new I-26 Connector will be local traffic, and that

there is a huge pressure on arterials and interstates. Current development patterns are not sustainable and we need to seek opportunities to recover an urban development pattern.

Land use ideas include (1) incorporate "green building" concepts; (2) preserve open space, historic resources; (3) promote affordable housing; (4) more urban villages; (5) higher density/greater zoning flexibility; and (6) coordinate land planning with Buncombe County.

Transportation ideas include: (1) missed use development pattern; (2) transit; (3) synchronize traffic signals; (4) walkable and bikeable infrastructure; and (5) construct I-26 Connector consistent with community recommendations.

He then reviewed the economic trends in Asheville. Economic development ideas include (1) high tech workforce; (2) reserve industrial land; (3) better use of our educational institutions; (4) develop and improve standards for new economy: arts and crafts; low impact; (5) use quality of life to attract/retain business; (6) regional industrial development; (7) more innovation in "branding" – creating an image for Asheville; (8) create a "wired" community and affordable (high speed internet access) bandwidth focusing on grass-roots e-business; and (9) support local businesses.

Air quality ideas include (1) high density, mixed use, walkable communities; (2) regional cooperation to reduce air pollution; (3) lobby for solutions to air quality problems; (4) develop, improve and enforce industry standards for air pollution; (5) promote mass transit; (6) City fleet use alternative fuels; and (7) green building techniques.

Water quality ideas include: (1) City to continue to work with RiverLink to develop/implement master plan; (2) regional cooperation to reduce water pollution; (3) develop, improve and enforce industry standards for water pollution; (4) improved stormwater management regulations; and (5) green building techniques.

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Mr. Shuford then explained smart growth. Long range planning includes transformation of commercial corridors; transit-supported density; walkable and bikeable; tax equity; strong neighborhoods; parks, open space and conservation areas; compatible, high quality infill development; strong Center City; flexible development regulations; improved intergovernmental coordination; effective City services; regional economy; development in character with community; compact urban form; clean air and water; skill-based entrepreneurial economy; green building tools and incentives; effective public participation; affordable housing; preservation of historic and natural resources; and connected, efficient and attractive streets.

Upon inquiry of Councilman Dunn, Mayor Worley said that the 2025 Plan is a guide that can be amended, noting that the implementation of that guide is up to City Council.

Councilwoman Jones stressed the need for a public campaign once the Plan is adopted, to make sure that the community is moving in the same direction.

There was a brief discussion of how the 300-page Plan may be condensed.

It was the consensus of Council to hold the public hearing on April 22, 2003. After hearing comments from the public, City Council will then give further direction to staff of changes, concerns and comments regarding the adoption of the 2025 Plan.

Councilman Mumpower agreed with moving forward with a public hearing, with the understanding that he has some real serious concerns about content and strategic direction of the plan in its current form.

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 have been scheduled on April 22, 2003. He advised Council that it would be inappropriate for Council to receive comments from the public at this worksession.

Conditional Use Permit Required for Drive-Through Facilities in the Central Business District

Urban Designer Alan Glines said that this is the consideration of an ordinance to amend the Unified Development Ordinance (UDO) to require a conditional use permit for drive-through facilities in the Central Business District.

This code amendment would establish a requirement for the issuance of a conditional use permit for drive-through facilities in the Central Business District. Wachovia Bank recently received approval for a drive-through facility on Coxe Avenue from the Asheville Downtown Commission. In approving this facility, the Commission noted that drive-through uses contribute to the "suburbanization" of downtown and, while necessary on occasion, needed heightened review and public input. The Commission asked staff to promptly prepare a code amendment to make drive-through facilities a conditional use in the Central Business District.

On March 14, 2003, the Asheville Downtown Commission recommended approval of the proposed amendment by a vote of 8-1. At the Planning & Zoning Commission meeting held on April 2, 2003, the Commission recommended approval of the proposed code amendment by a vote of 7-0. City staff recommends approval of the proposed code amendment as well.

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After Council discussion on drive-throughs in the Central Business District, Councilman Mumpower suggested Mr. Glines be prepared to respond to questions similar to: within the past three years, how many buildings have built drive-throughs in the Central Business District; what are the pros and cons associated with drive-throughs in the Central Business District; and is air quality an issue with drive-throughs.

Councilwoman Jones suggested a longer-term research project of pointing out the economics of a business with a drive-through vs. a business without a drive-through.

After hearing comments from Council, Planning & Development Director Scott Shuford said that he would look to amend the ordinance to give a little more flexibility in the application of the regulations.

Permit Bed & Breakfast Inns to Utilize Accessory Structures for a Limited Number of Guest Rooms

Planning & Development Director Scott Shuford said that this is the consideration of an ordinance to amend the Unified Development Ordinance (UDO) to permit Bed & Breakfast Inns to utilize accessory structures for a limited number of guest rooms.

This code amendment would permit bed and breakfast inns to utilize accessory structures for a limited number of guest rooms. The current code requirements do not permit carriage houses or other outbuildings to be used for guest accommodations for bed and breakfast inns. Since heritage tourism is an increasing and very positive component of our tourism industry, this amendment has both practical and economic development implications.

On April 2, 2003, the Planning and Zoning Commission recommended approval of the proposed code amendment by a vote of 7-0. City staff recommends approval of the proposed code amendment as well.

Establishment of a new Urban Residential District

Urban Planner Shannon Tuch said that this is the consideration of an ordinance to amend the Unified Development Ordinance (UDO) to establish a new high density, infill zoning classification called Urban Residential District.

Frequently in community meetings and planning forums and most recently, the forums for the City Plan 2025 comprehensive plan process, citizens have identified the need for:

- access to appropriately scaled mixed use neighborhood services located close to home
- improved pedestrian facilities, projects that relate to the street and attractive streetscapes
- more affordable housing throughout the community and a greater variety of housing choices
- broader transportation options

One of the most pressing problems facing the City of Asheville is the need for affordable housing. The Urban Residential District (URD) has been developed to increase opportunities for the development of affordable housing and a mix of other housing types by allowing for an increase in density, scale, and use in areas of the city where infrastructure can accommodate higher density, infill development. It is intended that the URD be located on significant transit corridors and/or in areas planned for high growth.

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Providing residential units is the primary goal of the URD, however, it is recognized that

there is significant need for basic commercial retail, office use, and other activities that support residential uses in proximity to high density residential areas. The URD recognizes this and incorporates other non-residential uses on a limited basis. The proposed URD is an opportunity to incorporate the City Council adopted Smart Growth and sustainable development goals that have been identified by the community during the last decade.

The URD will encourage pedestrian activity by creating safe and inviting streetscapes with comfortable walking amenities. Traffic flow will be improved by limiting curb-cuts and requiring cross access between parcels. The URD will also make public transit a viable option by increasing density (i.e., the number of potential riders) in neighborhoods that are or can be served by the bus system.

Some of the long term benefits from developing any corridor in this pattern will be to build a livable community, strengthen the area's tax base, reduce driving trips on roadways, support mass transit, improve air quality and reduce sprawl.

The URD is not being developed with a particular corridor or area of the City in which it is to be applied. However, staff has been in preliminary contact with Mountain Housing Opportunities and the West End Clingman Avenue Neighborhood regarding the possible application of this new zoning designation in certain areas of this neighborhood.

At the Planning and Zoning Commission meeting on April 2, 2003, the Commission approved the creation of the Urban Residential District by a vote of 7-0. Staff also supports the adoption of this district.

When Councilman Dunn asked if the Coalition of Asheville Neighborhoods (CAN) has reviewed this amendment, Planning & Development Director Scott Shuford said that this amendment has been circulated but they have not had any response from CAN. Mr. Shuford that that staff is prepared at anytime to talk to any group or individual who might have questions regarding this amendment.

Councilman Peterson suggested a couple of amendments to the proposed ordinance regarding balconies and some flexibility in the uses permitted over the ground floor.

At the request of Councilman Dunn, Mr. Shuford said that he would provide Council with the regulations regarding grand opening signs.

Mayor Worley asked that the record show that City Council has received this information and instructs the City Manager to place these public hearings on the April 22, 2003, formal City Council agenda.

BOARDS/COMMISSIONS

It was the consensus of City Council to have the City Clerk arrange for interviews for vacancies on the Board of Adjustment.

It was the consensus of City Council to ask the Board/Commission Committee to discuss the possible reduction in membership of the Civic Center Commission. In addition, it was the consensus of City Council to re-advertise for the two vacancies on that Commission.

It was the consensus of City Council to have the City Clerk re-advertise the vacancy on the Regional Water Authority.

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CLOSED SESSION

At 4:32 p.m., Councilman Mumpower moved to go into closed session to establish or to instruct the City's staff concerning the position to be taken by or on behalf of the public body in negotiating the price or other material terms of a contract for the acquisition of real estate – G. S. 143-318. 11 (a) (5). This motion was seconded by Councilman Dunn and carried unanimously.

At 5:15 p.m., Councilwoman Jones moved to come out of closed session. This motion was seconded by Councilman Ellis and carried unanimously.

ADJOURNMENT:

Mayor Worley adjourned the meeting at 5:15 p.m.

CITY CLERK

MAYOR