

Mayor's Development Task Force September 9, 2014 Meeting Notes

Notes prepared by
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On September 9, 2014, the first of the Mayor's Development Task Force meetings was held. This group of stakeholders will engage in a series of four meetings to identify the challenges that they encounter in their work within the development and re-development process in the City of Asheville.

During this meeting they were asked, "Consider your most recent development or re-development project. What were some of the positive experiences? Were they expected or unexpected?" Their responses included:

- *Quality staff, very friendly. On a recent large residential development project, staff setup multiple inter-department meetings to do a preliminary review of our project. This was extremely helpful. This was a little unexpected...felt like they went above and beyond what might happen in other local governments. Specific staff can be so helpful, turnover is difficult.*
- *Involved with a project in center of Downtown Asheville, that experienced significant water damage from a sprinkler line. Process to obtain permits as well as TCO's streamlined to facilitate getting entire building operational again! Open clear communication about what was needed! Someone who could make a decision!*
- *Fire sprinkler permit was issued in less than a week (unexpected).*
- *MSD application was submitted by email. Fees were emailed back.*
- *Good customer service.*
- *Staff is fine. Sat down and worked with us to resolve issues and find path forward. We have staff that advocates on our behalf, they want projects to succeed. Expected, not surprised and this is my consistent experience.*
- *Project: 55 Sweeten Creek. Approximately 14,000 SF renovation in flood zone. Review of storm drainage requirements was easier to accomplish than expected,*

review took less time than expected. Plan review for interior upfits was positive and went well after approval of the shell. Staff handling architectural plan review were helpful.

- *Being able, as an architect, to sign a plan review waiver for a residential project. For the very first time had an MSD review, again of a residential project, before COA review was completed or actually even begun.*
- *Generally, code review staff is extremely helpful and responds to requests for preliminary meetings or quick code interpretation questions. Have only worked with longer tenured staff so can't say if this is across the board.*
- *Out of town architect recently had a very positive response when asked about our review process for a large, missed-use downtown project.*
- *More professional code review at the City versus the County.*
- *In several situations when senior development staff have been contacted about an emerging issue, their response has been immediate, helpful, and professional. Theme: working towards a solution.*
- *Permit Office: extra house on Monday – Thursday work well.*
- *Plan Review: approachable and willing to meet to creatively discuss solutions and design.*
- *Staff: Great!*
- *MSD: service was fast and reasonable. Flexibility and acknowledgement of existing conditions was appreciated/beneficial.*
- *We re-developed an existing shopping center with two new large tenants. The COA reviewed the conceptual plan and made a determination on review and permitting requirements. The City did not alter their interpretation and we were able to design and build in an effective manner.*
- *City staff's willingness to help resolve issues. There was a spirit of "keep it moving" with City staff as details were worked out. Staff is accessible.*
- *I got tangled up in a silly rule about adjacent property uses and was not allowed to place my sign on property that I owned that was adjacent to property that I was leasing. I hit the wall and could get nowhere. Called Shannon and she reasonably handled the issue because it made sense. Project inspectors were timely, consistent and reasonable.*
- *Generally a sterling experience with everyone worked with.*

During this meeting they were also asked, “Consider your most recent development or re-development project. What were some of the negative experiences? Were they expected or unexpected?” Their responses included:

- *Wasted time is the number one negative. Two hours to drop off paperwork for a new residential home. We have grown to expect this. Could there be a “fast lane” for qualified, high-volume customers?*
- *Inter-department confusion. Water wants one thing, planning wants the opposite. Again, this was somewhat expected, as we have run into it before, but it's not a good thing.*
- *Lack of timeliness, unexpected/unknown additional requirements.*
- *Unexpected green issues, such as tree placement/removal.*
- *Recent project in downtown Asheville to construct or remodel an existing building. Owner had existing building close by. After submitting drawings for permitting it took many weeks to obtain permit. Reason was the existing City sidewalk was not large enough to accommodate a tree and grate. Process to overcome this was frustrating to us and the owner as they missed the Christmas season for opening. Permit could have been issues and C.O. held in order to resolve. Loss of revenue to City and owner.*
- *Length of time spent applying for building permit. Wasted several hours sitting in the DSC to submit plans and begin the plan review process.*
- *Length of time to obtain permit. From submittal to actual issuance of the permit was over 60 days.*
- *Paying plan review fees in advance (at the time of submittal) can be challenging on large projects. My company provides credit cards, however the limit is fairly low. Often this results in a second trip to the permit office. Sometimes do not know the cost when applying.*
- *Applying for certificate of occupancy, can't be completed or issued on Fridays.*
- *Permit tracking very difficult.*
- *Process took a long time: to review and receive comments, re-submit and receive more comments, reply to second set of comments, discover new issues not yet addressed, receive approval (?)... and wait for pre-con. Frustrated with “boilerplate” comments. Frustrated with new comments to address at each re-submittal. Frustrated with having to print entire sets and take to DS office and wait for processing (why can't we just email and track?)*
- *Project: 55 Sweeten Creek. Approximately 14,000 SF renovation in flood zone. The project had a short time frame for construction dictated by tenant leases. I suggested submitting the shell/site and upfits in phases to expedite the process. At a preliminary meeting the City staff agreed with a phase approach. However, the phased submittal did not work well with the City process. I believe it actually delayed the project. This troubled the owner and caused problems with agreements they had to work thru.*

- *Being told by one staff member (code reviewer) that as an architect I could sign a plan review waiver but then being told by a front desk person that they knew nothing about that.*
- *MSD review typically holds up final permit approval.*
- *Concern about recent loss of long time code review staff with great knowledge/expertise and loss of institutional memory.*
- *Loss of “expected completion date” on on-line permit website. Makes you feel you are in limbo, down some big dark permit hole.*
- *In my professional work I hear complaints from lots of folks but often it relates to their complete lack of understanding (or appreciation) that the building codes are not local but statewide. They think they can do what they want.*
- *Shouldn’t have to sit and wait when you submit a permit. Should be checked at counter, not sit around and wait for that.*
- *Lack of clarity to process. Lack of clear estimates of time required. Perception of lack of City policy on social issues that may/may not affect project success.*
- *Roll of the dice (expected). Many developers/contractors know which inspectors understand the issues and who doesn’t. Should be a level playing field. Fear of retribution (expected) owners afraid to speak up, because this delays the process. However, they are also paying for this through extra work and change orders. Co-developing solutions, no assistance offered on figuring out the alternatives when issues identified.*
- *Timeframe challenges: Permitting took longer than expected, close out took longer then expected, items outside of our control (Duke and City) delayed other processes significantly.*
- *Interpretation of code/process: small businesses are bewildered by the process of applying for small permits. Disconnect between plan review staff and fire marshal. Inspection interpretation of requirements are sometimes different then what has been approved on plans. Small contractors (licensed) have tough time with navigating systems of permit office.*
- *Permit Office: hours are difficult to manage with closed on Fridays. Professionals line versus small business users.*
- *Transportation vs. DOT: disconnect on who is making the decisions.*
- *Backlog planning and review. Not being able to pull a permit because of an outstanding permit that may be years old and not related to new work. Always unexpected until we try and get a permit. Usually big surprise to customer, which sometimes bought house and not aware or thought contractor had completed.*
- *Recently completed a water line project. The close-out process is long and complicated. Build line per drawings. Submit as-built survey (plans, certifications and easement survey/docs and water sample). COA review/comments (back to second step). COA approval to record plat and submit final as-build docs. COA review...if okay send easement doc to City Manager to sign (2 weeks). Once COA*

review is approved and recorded, COA schedules a final inspection of water lines. We do punch list, COA releases meters (by letter) 2 weeks later. Water sample is only good for 30 days...so no we must resubmit.

- *Surprise change in city policy to require easements for underground utility work. Prior week was done with simple permits. The easement sent did not take into consideration the “quasi-permanent” nature of underground utilities. Legal work was needed to resolve and it slowed down work on the new Hyatt Hotel downtown. Although work has started, no easement has been signed. More work is needed on language.*
- *Disconnect between city departments. While trying to pay for easement document for the same project (above), our staff was sent to multiple folks to pay, but left without paying for the easement. This was a loss of over 3 hours to the engineer designing other downtown work.*
- *Cut permits – there are multiple challenges to overcome. 1. Permit cost based on square feet, instead of by job. 2. Having to fill concrete joint to joint (not patching) increases costs. 3. Not enough time (10 days) to move all utilities and pull existing pole.*
- *Permit review too long – no access on Friday.*
- *Initial meeting with City – “all systems go – no problems, yes you may go forward with this location under existing parameters.” Then I bought the building and pent \$300k preparing to open it as a restaurant. Six weeks before my scheduled opening, I was informed by the City that I would have to tear down part of the building because when it was built (many years ago) it apparently was not permitted correctly. This reduced by potential seating by 50%. This effectively killed the financial viability of my project. I was later told (after I raised hell) that this issue could only be overlooked if I was willing to install a \$20,000 landscape package. Under this coercion, I had no choice.*
- *Backlog too long. 60 days for initial plan review. Staff up in planning review. Open on Fridays (5 days), contractors work 6 days. Fill unfilled positions. Approval for recent project took 4 ½ months longer than anticipated. Was a significant amount of interest on a \$8 million loan. Same client is worried about the next planned project, which is a \$30 million project.*
- *New computer system/tracking system. Lots of issues, too many permit numbers, sometimes works, sometimes doesn't. Can't track projects when they are in review (the old system you could). Development approvals are hard to follow.*
- *Slow service in Development Services. Create an express lane for contractors/professionals. A “contractors” desk versus a “public” desk.*
- *Volunteer commissions (i.e. P&Z and Downtown). Instruct professionals to comments on the merits of a project, not to criticize/share personal opinions that are not relevant to the parameters of approval. i.e. Don't try to re-design.*