

**Draft Minutes
PED Committee
Tuesday, August 20, 2013
Asheville City Hall, First Floor North Conference Room
3:30 p.m.**

In Attendance: Vice Mayor Esther Manheimer, Councilman Marc Hunt

Absent: Councilman Cecil Bothwell

Staff: Gary Jackson, Cathy Ball, Judy Daniel, Shannon Tuch, Ken Putnam, Christy Edwards

Vice Mayor called the meeting to order at 3:32 p.m.

The minutes from the July 23, 2013 meeting were approved.

Updates

Haywood Street Property Update – Action Plan - Cathy Ball

A general map of the area in question was distributed. Ms. Ball requested direction from the Committee about moving forward on requesting demolition bid for the Handy Park Building and the Flying Frog Building. She indicated that staff wanted to move forward with the demolition because the buildings are uninhabited and they are a public nuisance.

The Committee members directed Ms. Ball to request bids for demolition of the structures and report to Council with that information.

New Business

Short Term Rentals, Enforcement – Judy Daniel & Shannon Tuch

Ms. Daniel reported that the city does not currently allow for short term rentals but with the advent of internet, vacation rentals through internet sites are proliferating in the Asheville area.

Enforcement of the short term rental ordinance is necessarily complaint based only due to staffing constraints, but it is one of the most common zoning related complaints. In addition staff has heard concerns from neighborhood residents, area hotels, and bed and breakfasts. Staff wishes to see how Council feels about the potential for revising the code.

Vice Mayor Manheimer expressed that if Council chose to take up this issue, it would receive a lot of attention and could potentially be very controversial.

Mr. Jackson asked if anyone on Council or staff had communicated with anyone on the Tourism Development Authority about suggested ordinance amendments concerning short term rentals. Ms. Tuch replied that they have not; most communication has been from concerned citizens and neighborhood representatives.

The Committee and Mr. Jackson directed staff to do more research and report back in January, paying particular attention to cities that allow for short term rentals, those nearby as well as those that are near the beach.

Waiving the Fee in Lieu of Sidewalk Requirement for Gaia Condos (Shelburne Cottages) – Ken Putnam

Mr. Putnam distributed a staff report concerning waiving the fee in lieu of for sidewalk construction Gaia Condos on Shelburne Road.

The 15 unit condominium project started in 2006. In 2009, the developer approached the city about paying a fee in lieu of sidewalk construction. The developer then went bankrupt.

The city worked out an agreement with the Homeowners Association to finish the infrastructure. In January, the HOA requested a payment plan for the fee in lieu of construction. The HOA has now asked for the fee to be waived.

Councilman Hunt was concerned about setting a precedent as this is not really a hardship case. Mr. Putnam stated that the fee waiving has never been done before.

Vice Mayor Manheimer questioned how the HOA assumed responsibility for the fees and if the fee was really collectable.

Ms. Ball stated that they would research the issue with Legal and report back.

Additional Items

Ms. Ball mentioned that she would like to come to the Committee in September with a draft of an ordinance amendment concerning utility companies applying for permits for their poles at new construction sites. This issue has been problematic recently at the Harris Teeter site on Merrimon Avenue.

Mr. Jackson mentioned that the Chamber of Commerce will be doing a Business Walk on October 17. Teams of 10 volunteers each will visit 450 businesses asking specific questions on a simple survey. The City will have a team during this business walk.

The meeting adjourned at 4:29.