

**Draft Minutes
PED Committee
Tuesday, September 17, 2013
Asheville City Hall, First Floor North Conference Room
3:30 p.m.**

In Attendance: Vice Mayor Esther Manheimer, Councilman Cecil Bothwell
Absent : Councilman Marc Hunt

Staff: Ken Putnam, David Foster, Christy Edwards, Cathy Ball, Judy Daniel, Sam Powers

Vice Mayor Manheimer called the meeting to order at 3:34 p.m.

The minutes from the August 20, 2013 meeting were approved.

Updates

Revisions to the Right-of-Way Cut Ordinance (to deal with Utility Poles) – David Foster

Mr. Foster reported that city staff has worked closely with utility companies including AT&T and Progress Energy over the past year to build good relationships with senior leadership in those companies.

In the past, utility companies have been exempt from the requirement to obtain a permit before installing utility poles. Due to community concerns, staff now wants to amend the ordinance to eliminate exclusions, requiring that all entities obtain permits before pole installation.

Committee members would like to hear the reports from staff and proposed ordinance amendments at the October 22 Council Meeting.

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

Mr. Putnam gave a brief summary of the situation which was also presented at the August PED meeting. 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.

At the direction of the PED Committee, Mr. Putnam contacted our legal staff for answers to specific questions.

1. Does the city have a legal standing to collect that fee? No
2. What are the odds we would be able to collect the fee? Very Slim
3. Why is HOA responsible? The HOA agreed to be responsible.
4. Is it an unfair responsibility for a HOA? Since the HOA agreed, it seems fair that they should comply.

Mr. Putnam stated that there are 5 or 6 similar cases floating out there and he is concerned about setting precedent if the HOA is released from this responsibility. Ms. Manheimer asked that Mr. Putnam provide information on the other cases. She and Mr. Bothwell were both reluctant to set precedent and wanted the full council to consider the situation. Mr. Putnam stated that the issue had a hold on the consent agenda for the 9/24 Council Meeting.

New Business

10 Year Progress Report on 2025 Comprehensive Plan – Judy Daniel

The current comprehensive plan for the city was adopted in October of 2003. The general life of a comprehensive plan is about 10 years. Ms. Daniel felt like council members would want an update on the current applicability of the plan and timeline for implementation of goals and objectives. There are several tasks that have no end in sight.

Committee members would like to hear an update on the plan either at a January council meeting or at the council retreat which is also typically planned for late winter.

Merging of River District Design Review Commission and Riverfront Redevelopment Commission – Stephanie Monson

Ms. Monson reported that staff is pursuing dissolving the 7 member River District Design Review Committee into the Asheville Area Riverfront Redevelopment Commission. The function would resemble the Downtown Commission which has a standing sub-committee focused on design review. The intent of the AARRDC intention will be retained and the number of members will remain the same. New appointments will not be necessary. Ms. Monson hopes to present an ordinance amendment to Council on November 12.

Update on Process for Signature Special Events – Sam Powers

Mr. Powers reported that there have been a number of requests from outside agencies and organizers to take over the place that Bele Chere had held in the community as a signature event.

Since the beginning of the fiscal year, Jon Fillman has been working in Economic Development to help us better use special events as an economic development tool to promote City of Asheville. If you look at community place building and the things that achieves, lots of communities use this type of event as an economic development tool.

One of the biggest factors is that the city does not want to be an event promoter. Staff does believe that they could underwrite an event for a specified period of time given that a producer can provide a specific concept or theme. Staff would like to issue a Request for Information to the community. The goal would be to solicit open comment about what might be a signature event for Asheville.

Staff has a placeholder on Full Council on 9/24 for council to vote on Request for Information.

Ms. Emmy Parker from Moogfest spoke to the committee about the restructuring of that festival, which is modeled after SxSW in Austin, TX. The new festival structure will feature an innovation conference, a job fair, media art expo and information on technology business incubation.

Adjournment

The meeting adjourned 4:13 p.m.