

GREENWAY COMMISSION

MEETING MINUTES

May 9, 2013

3:30pm-5:00pm

1st Floor Conference Room-City Hall



GREENWAY COMMISSION MISSION STATEMENT

The mission of the City of Asheville's Greenway Commission is to advise City Council on implementation of a system of greenways within Asheville by integrating City and County Parks and Transportation plans while educating and engaging the public and advocating for funding.

Members Present: Jim Grode, Chairman, Marcia Bromberg, Vice-Chairman, Bryan Mitchell, Ally Donlan Wilson, Mary Weber, Sue Barlow and Stephen Jones; and Chris Pelly, Council Liaison

Staff Present: Mariate Echeverry, Transportation Planning Manager, Roderick Simmons, Director, Parks and Recreation Department, Blake Esselstyn, Planning & Development, Jeff Staudinger, Planning & Development, Richard Grant, Solid Waste Services Manager, Janet GeorgeMurr, Transportation Department.

Community Present: Steven Lee Johnson, Presenter, David Allen Wilson and Caryn Hanna.

- Chairman Grode called the meeting to order at 3:30pm.
- Introduction by Greenway Commission Members and Staff
- **Review of 5-9-13 Agenda** - Sue Barlow moved to approve the agenda, Marcia seconded and carried unanimously.
- **Review and approval of 4-11-13 minutes:** After minor changes, Bryan Mitchell moved to approve the minutes, Marcia seconded and carried unanimously.

• **New Business**

Clingman Forest and Town Branch Greenway Update: Steven Lee Johnson, Landscape Architect for Sitework Studios to present the kick-off process of informing Greenway Commission of the scope of work. The project summary is to develop and engineer plans for the Clingman Forest Greenway and Town Branch Greenway using a multi-disciplinary approach to execute design. The Team includes:

- ▶ Prime Consultant-Sitework Studios, Landscape Architects/Planners, Asheville
- ▶ Civil Engineers & Environmental Engineers – Baker Engineering, Asheville
- ▶ Architectures/Cultural Resource Surveyors/Public Meetings-Mathews Architecture, Asheville
- ▶ Geo-technical Engineers-Froehling and Robertson, Asheville
- ▶ Cost Estimators-Aiken Cost Consultants, Greenville, SC
- ▶ Neighborhood Liaisons

The project is funded by the Federal Transportation Investment Generating Economic Recovery (TIGER) II grant program. These two projects constitute two of the six simultaneous initiatives taking place in the East of the Riverway target area covered under the TIGER grant. The East of the Riverway area contains 1,100 acres of culturally, economically and environmentally diverse residential and commercial districts geographically defined by the French Broad and Swannanoa Rivers, McDowell Street and Downtown. This area has been targeted for a collaborative and concerted revitalization effort that will serve as a model for sustainable development in Asheville for years to come. The Project objective will be to prepare schematic design, design development and construction documents for both greenways. Previous planning efforts, extensive stakeholder/community input, right-of-way availability and thorough environmental inventory and analysis will be used throughout the entire planning process.

Scope of Work:

1. Project Analysis
2. Design Development
3. Environmental Due Diligence
4. Stormwater Management

Deliverables:

1. Professional renderings, drawings, mapping, etc. as needed to educate, inform and receive input from the public.
2. Presentations to boards and commissions, neighbourhood and business group
3. In-depth analysis and research documentation
4. Environmental and testing report
5. Construction drawings and specifications

Project Schedule:

1. Analysis, outreach and education (underway) – April-June

2. Environmental Due Diligence (underway) – April-June
3. Design Development (Phase 1), Input Meetings – May-July
4. Design Development (Phase Two) Presentation Meetings – July-September
5. Final Deliverables – November

Craggy and Tarpon Closure: On behalf of David Foster, Richard Grant presented to GC the road closure: David Foster received a petition to permanently close an unopened Right-of-Way (ROW) between Tarpon and Craggy Avenue. The residents adjacent to the ROW have signed a petition which is on file. Richard’s investigated the history of the street from a 1921 plat and discovered that the street has not been used since 1921. Richard received an email from Judy Daniels, Director of Planning who is ok with the closure but is requesting to change the language in the report. One of the petitioners is present, Caryn Hanna, for any questions. Blake stated the pros for the closure: a. the closure will not have substantial impact on future access to other properties along the ROW; b. the closure will eliminate a ROW with little potential for future use as a vehicular access roadway; and c. The closure will meet the Council goals being fiscally responsible. The cons are: If the closure does not include the potential for future pedestrian access, it will limit that potential for connectivity in this neighbourhood. City staff recommends City Council to adopt the resolution of intent to permanently close this segment of ROW; and to direct staff to have further dialogue with the property owners about the potential for maintaining a “cross easement” for potential future pedestrian access. The topography is such that the grades that putting in a road would be cost prohibitive. The emergency coordinator suggested address changes that might make sense after the closure that would need to go to Council. The revised language would change some of the recommendation and pros and cons of the staff report. All adjacent properties agreed to the easement.

After a GC group discussion Marcia moved to approve with the additional language with the easement for pedestrian crossing. Sue seconded and carried unanimously.

I-26/Brevard Road Interchange Comments: Jim Grode stated that some of GC members attended the public meeting regarding this issue last month. The DOT is working on a project to redesign and upgrade the intersection of Brevard and I-26. The public comment period ends today and Jim reached out to DOT project manager that GC would be interested in submitting some comments and if Jim could have a one day extension until tomorrow (5/10) to submit the comments and DOT was fine with this. Jim stated that a lot of this is out of the GC purview. One issue that has been raised is the Buncombe County Master Greenway Plan calls for a greenway corridor that would run along Brevard Road and make turn down that parallels to I-26 to go under a culvert approximately 400 yards south of the interchange. Jim is proposing a draft email from City Greenway Commission that expresses support and interest. Mariate stated that this will be a pedestrian sidewalk in the middle of the bridge that it is DOT’s preferred option is “divergent diamond” where the cars come in and they drive on the left to prevent left turns. The way to solve the pedestrian issues is to bring them to the middle of the road and one of the comments was made is to expand that in order for bicycles can also be part of this. DOT’s idea for bicycles is to continue straight and to be part of the flow which is not acceptable for Transportation because it is very dangerous to compete with the speeds. After a group discussion, Jim will compose an email for GC to review prior to submitting to DOT, as follows: City of Asheville Greenway Commission that all options are preserved to keep the greenway intact and available. In light of plans to improve the I-26 Brevard Road interchange, Asheville Greenway Commission recommends that the planners consider access to the culvert under I-26 as a means of extending Asheville Greenways into Buncombe County and beyond and to Pisgah National Forest.” Marcia moved to communicate with the planners of the I-26 and Brevard Road interchange concerning access through the culvert to connect the Asheville Greenway system to the southern Buncombe County Greenway System. Bryan seconded and carried unanimously.

Possible City/County Merger of Parks and Recreation: For clarification, Roderick stated that the City of Asheville and Buncombe County are under the State Charter, therefore, will be not merged. Roderick reported an update on House Bill 418. The State legislators are giving the County permission to create an “Authority” which is a separate entity from the City or County, therefore, would not be under any of the local governments. The Authority would be a standalone agency, similar to MSD and the City Water Department, with appointments by the County Commissioners and the City Council, but totally independent of the either government agency. Part of the reason by the State legislators’ enactment gives the County the ability to levy a tax in support of the operations of the Authority. Currently, as the Bill 418 is written to include everything on the County side from Parks, Recreational Services, Libraries and Cultural amenities. The official name is: Cultural Recreation Authority. The City will have an opportunity to participate; it is not mandatory for the City to participate. If the City participates in the Authority, the next step would be to identify the facilities and services. Details of the funding have not been worked out at this time. The Bill 418 has passed the House floor Wednesday of 110 to 0. No opposition, it is a local bill, therefore, no reason why it would not pass. Roderick stated that we are waiting to see if the final State Senate gives approval and then to find out if the County Commissioners would add to the budget to authorize a tax at what level and the City’s participation. Roderick and staff are working on what facilities and services would be considered if the City does participate in the Authority. The City Manager contacted the County Manager to discuss the possibility of being included in the Authority. City Council has had one on one meetings to discuss the details. The process: 1. The State has to approve the Bill; 2. The County Commissioners would have to enable a tax; 3. COA would discuss what facilities and services that would be moved over to the County from the City side.

Marcia stated that the County is very anxious to proceed with the Authority. Marcia hopes that Parks will be added to the Authority current proposed name of Cultural Recreation Authority. Marcia stated that there will be a separate oversight board that will depend on

the number of municipalities. If it is County only, there will be 7 members, 4 will be County appointees with one Commission member; and more will be appointed depending on the number of municipalities totalling 13 board members.

Roderick stated:

1. As the House Bill 418 is currently written, the County Commissioners will have to set the tax rate to operate the Authority.
2. If the funding is generated from the property tax could initiate capital projects.
3. To levy funding would take County and City participation.
4. There is a cap of 7% for future years, unless State legislature approves a change.
5. What is the funding level if all municipalities participate in the Authority?
6. What does that mean in terms of City facilities in the future if the budget is tight?
7. What services will be cut and how facilities are to be maintained?
8. Once the tax rate is set to cover now and in the future is part of the discussion point and will not be able to reset the tax rate.
9. The City Manager is taking a position that once legislation is passed, Council will say: "Here is what we want to discuss with the County."
10. At this time the discussion is on concepts only; the City Manager have sent to the County Managers the items that are regional that would work.
11. Until we know what the funding level would look like it is hard to determine what is in and what is not.

Councilman Pelly added that County Representative Ramsey has promised the City, as a result of various legislation from Raleigh, that the City will be held harmless if the City loses funding in one place, that the City will gain it in another area. For instance, there are a lot of facilities used by County as well as City residents, such as the Nature Center, or Aston Park, or J B Lewis Soccer Park. If the funding to support those services comes from a broader area that would be equitable and having County residents participate then the City would not have to spend the budget on these facilities, which frees up the City to do. The figure that was discussed to include the large facilities and some of the parks, the City could save \$5 million a year. From the \$5 million would come from the taxing Authority in which the City could use to do capital improvements, etc.

Mary asked if the County park staff would be under the regional Authority. Roderick stated that would be correct, if County decides to put them under the Authority. The City staff would be a standalone? Roderick stated that if the City decides to put any facilities in the Authority, the City staff would be employees of the Authority and they are no longer City employees.

Roderick stated that the way the Bill is proposed, the assets would stay with the local government, since money cannot be borrowed. In answering questions from the GC:

1. To use the Nature Center, as an example, would be under the Authority in terms of management and maintenance, etc. but the City would own the asset similar to the Golf Course.
2. If anything of a capital nature needed to be done that would require a public financing bond issue, the City would issue the bonds.
3. Council would have to agree to issue a bond; the Authority would not be able to go forward with the bond program.
4. If it is an independent Authority there would still need to have County and City buying into doing any large scale projects.
5. The Authority would be the first in North Carolina.
5. There are some authorities/agencies in the northern states and in SC that operate regional authorities to improve services. The staff is looking at what facilities in the long term; how are we to provide for that; and what is in the best interest of the citizens and taxpayers.
6. Roderick will keep GC updated once the final decision of direction is made.
7. One of the key items is greenway development and the County has looked at doing greenways; and that the Authority would be one way for the County to advance if they are interested in investing in greenways which will impact County wide greenway system to connect.

•Greenway Commission Update:

Friends of Connect Buncombe: Marcia has sent the paperwork in to become a separate a non-profit in NC. Also, meeting with the County to discuss Friends of Connect Buncombe's roles in advocacy, education, public awareness, fund raising and support greenways on the County wide level

Friends of Hominy Creek (FHC): Roderick reported that the agreement was approved by the Parks & Recreation and Roderick is waiting for the signed copy from FHC. Marcia stated that FHC is meeting in two weeks on 5/22 and Brother Hug is retiring from the FHC who has been a moving force for FHC. Jack Igleman has asked GC to have a certificate honoring Brother Hug. Marcia has written a brief statement from the GC commissioners:

"Recognition and Commendation from the Asheville Greenway Commissioners to Doug "Brother Hug" Barlow. The members of the Asheville Greenway Commission wish to thank Brother Hug Barlow for all the time and effort he has dedicated to making the Hominy Creek Greenway a reality including identifying the parcels of land as a possible community park, researching ownership and potential for land purchase; working with partners to identify funds for purchasing the property; bringing together a dedicated community group to improve, maintain and manage the property; and giving tirelessly of his time to provide this unique and beautiful resource to the citizens of Asheville. Your efforts embodied the best of community engagement and serves as an example to all of us of how much good one

person can do. Affirm by the members of Asheville Greenway Commission, May 9, 2013.” If GC members agree to the statement, each commissioner will sign and Marcia will present to Brother Hug at the 5/22 meeting.

Community Outreach Committee: Sue reported:

► May 23-24/13 – Mountain Sports Festival event. Roderick will have a master plan map showing the corridors poster size ready for the event. Sue will be Raleigh during this event and asked if one of the other members of GC to attend.

Asheville Parks and Greenway Foundation Report: Stephen reported that the Foundation did not meet to complete the hard copy of the bikers map to have today, but hopefully in June.

Bike and Ped Task Force Update: Bryan reported that

► Three members have been recommended to the Multi-Modal Transportation Commission (MMTC): Till Dohse, Don Kostelec, Terri March and Claudia Nix as an alternate.

► Complete Streets Public Meetings on 6/3 from 5:30-7:30pm at the Lenoir-Rhyne University at the Chamber of Commerce Board Room with two speakers: John LaPlante and/or Roderick Henderson.

Staff Updates:

PRCA: Roderick reported:

► **Beaucatcher Mountain Greenway and Park Construction:** The consultants have met and walked the site with the homeowners and looked at the possible alignment and alternative alignment and going through the process.

A meeting with the legal counsel to discuss the ROW issues in June. Since there isn't a design, only gathering of information and listening to the homeowners concerns. Now that the consultants have looked at the alignments they can design and say this is how it will impact the homeowners property and will be able to discuss with the homeowners' their living area. Roderick and consultants are looking at the possibility of the alternate alignment. The homeowners were responding to a design that had not been done, but now staff and consultants can start that process in saying "if this is how it impacts your driveway, here's how we can mediate to move the alignment. The homeowners are feeling good about it and were with them for two hours.

► **Festiva Property:** is closed and recorded the deed on this property.

► **Friends of Hominy Creek:** FHC has the agreement. The City staff of legal and risk and other departments have signed off and waiting for the signed copy from FHC.

► **Burris Properties:** Has been purchased and are working on the closing documents.

► **Cauble Property:** Is the last missing connector between French Broad River Park and Amboy Park. Working on the three pieces in the next few months – negotiations are underway for this parcel.

► **Hominy Creek Tract:** Surveying is underway in order to speak with Trinity Baptist. Met with the County Staff on the stormwater issues and City Stormwater Department is working with them that is needed to mitigate the stormwater issues on that site.

► **New Landscape Architect:** Currently working on the RFPs for the feasibility study for the four corridors that were discussed at the retreat.

Transportation: Mariate reported:

► Installing 10 bus shelters on the main corridors. Three easements from private owners who understand the need for shelters and who are willing to donate the land.

► Presented the multi-modal plan proposal to MPO and they received more proposals than they expected and now they will need to go through a selection process to see how much each proposal to receive.

► Next week is Strive Not To Drive from 5/13-17/13. The bus fare will be \$.025 for the week and there will be events and to check the website or Facebook page.

► The Transit Commission selected their members to be on the Multi-Modal Transportation Commission (MMTC): Itiyopiya Ewart, Julie Mayfield and Bruce Emory which will be presented to Council next week. Marcia asked to see the wording of the Ordinance. Mariate has not received a copy of the Ordinance at this time.

Planning: Blake stated that Mariate and Roderick covered most of the subjects that Planning overlaps.

► Under the new organizational structure, Planning is under a separate mini umbrella then Parks and Transportation who are under Cathy Ball and Planning is under Lauren Bradley. However, Lauren has announced that she is leaving the City at the end of the month. There will be search to replace her and perhaps organizational restructuring as a result.

Chairman Adjourned the Meeting at 5:10pm0