

Tuesday - September 8, 1992 - 7:00 p.m.

Special Regular Meeting

Present: Mayor Kenneth M. Michalove, Presiding; Councilwoman Barbara Field; Councilmen William G. Moore; Joseph Carr Swicegood and Charles R. Worley; City Attorney William F. Slawter; City Manager Douglas O. Bean; and Associate City Manager/City Clerk William F. Wolcott Jr.

Absent: Vice-Mayor Eugene W. Ellison and Councilman Chris J. Peterson

PUBLIC HEARING REGARDING GROUP DEVELOPMENT/PLANNED UNIT DEVELOPMENT POLICY FOR THE UNIFIED DEVELOPMENT ORDINANCE

Mayor Michalove opened the public hearing at 7:00 p.m.

City Clerk Wolcott presented the notice to the public setting the time and date of the public hearing.

Mayor Michalove explained that written comments on this matter will be received until Noon on Friday, September 11, 1992, in the City Manager's Office or the Planning Department.

Ms. Carolyn Wallace, representing the Citizens for Quality Development ("CQD"), summarized the following recommendations:

1. Do not remove the Planning & Zoning Commission ("P&Z") from the review process; instead, reduce permitting time by having Council review projects only if there is an appeal of P&Z's decision.
 2. Thresholds for determining group development should remain at current levels for now.
 3. The UDO development review should include strong standards for:
 - A. Impacts on scenic beauty, natural resources or environmentally fragile areas.
 - B. Impacts on traffic patterns, street and utility systems.
 - C. Impacts on increased densities on services like schools.
 - D. Compatibility with surrounding neighborhoods or areas, both in terms of project uses and scale.
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- E. Compatibility with Asheville's 2010 Plan, future Small Area Plans, and future plans for affordable housing, handicapped accessibility, and multi-modal transportation.
 4. Begin developing Small Area Plans and Small Area Planning Councils which can speed up the permitting process while addressing neighborhood and environmental issues.
 5. Once the standards and processes are established, Planning staff and Inspections staff should complete and implement a "Users Guide" for citizens and developers.

6. Begin twice yearly joint meetings of City Council, Planning staff, and appropriate boards and commissions (such as P&Z and Board of Adjustment) to review variances given in the last six months, and to coordinate recommended strategy for land use or planning issues for the coming year.

Ms. Myra Fuller, City resident representing the Coalition of Asheville, endorsed the CQD's recommendations. She said the Coalition strongly opposes P&Z's being taken out of the review process and feels City Council should only be involved if there is an appeal of the P&Z's decision. She encouraged the adoption of a Small Area Plan for districts.

Ms. Allison Arnold, who lives in Weaverville, but representing the Asheville Tree/Greenway Commission, spoke against raising the thresholds for determining group developments and overall endorsed the CQD's recommendation.

Mr. Max Haner, City resident, stated that having served on two UDO subcommittees, he feels the UDO's review process goal is to eliminate or minimize as much as possible the subjectivity part of the application review process. He supported reducing the time of review. He felt removing P&Z from the review process is premature to the UDO process and felt that the Planning staff should have more latitude in reviewing projects.

Mr. Don Noakley, commercial industrial real estate broker in the City, but not City resident, stated that the group development review process needed to be streamlined and felt the only way to accomplish this was to cut down on some of the requirements. He recommended that the Council up the threshold for review on multi-family residential structures containing 3 or more units to possibly 24 or more -3-

units if the area was zoned correctly and if all of the other regulatory requirements were met. He felt the process could be streamlined if small projects went through at the lowest level, which would be the Planning staff.

Ms. Betty Burr, City resident, suggested that whenever a zoning variance is requested, the applicant should be made aware that they must also bring up the entire property up to the latest standards and Codes.

Mr. Bob Selby, who is not a City resident but represents the Council of Independent Business Owners ("CIBO"), presented a slide presentation which showed the trend in Asheville shows the cost of building in the City goes up while the number of residential and commercial construction goes down. He said CIBO's recommendation is that existing Planning staff be given the authority to approve projects and if there are any changes, that P&Z and City Council become involved.

Mr. Jerry Sternberg, City resident, spoke about a number of problems he has encountered in the length of time the group development process currently takes. He stated that under the present system there are no mechanics for putting up speculative buildings.

Mr. George Morosani, industrial realtor in Asheville, but County resident, felt that if a piece of property is properly zoned and meets all State and City requirements, the applicant should be able to continue with their plans without having to go through the P&Z and City Council processes which delays the project for several months. He also echoed Mr. Noakley's comments relative to raising the threshold on multi-family residential structures containing 3 or more units.

Mr. Rich Mathews, City resident, was concerned about setting a threshold for determining whom should review group developments, rather than evaluating each

project individually with specific criteria. He encouraged the Council to work with the City Manager to adequately train the staff of Inspections, Planning and Zoning.

Ms. Hazel Fobes, City resident, endorsed CQD's recommendations. She recommended the new standards be stricter and that the public be given an opportunity to review the standards before their adoption. She felt that whenever a development is to take place that a notice be placed in the City Works (in sufficient time for responses) informing neighboring property owners and the general public. She asked that P&Z notices also appear in City Works.

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Mr. Mike Plemmons, representing CIBO, but County resident, appreciated City Council's efforts to speed up the group development process and trusts the efforts will eliminate the discretionary and subjective parts of this process. He looks forward to the outcome and future growth of the City.

Ms. Meg MacLeod, City resident, read a letter from David and Marsha Bate, also City residents. She said they were extremely concerned over any changes affecting development before the UDO ordinance is fully articulated; they believe that P&Z should remain importantly involved in the process of permitting; they are in favor of the development of Small Area Planning Councils; and they are absolutely and unalterably opposed to any measures which increase allowable density, allowable building size, or allowable number of uses of a structure at this time.

Mayor Michalove again stated that any written comments will be received until Noon, Friday, September 11, 1992, on this issue.

Mayor Michalove closed the public hearing at 8:00 p.m. and adjourned the meeting.

City Clerk Mayor
