

Downtown Commission Meeting  
Minutes of November 11, 2016  
8:30 a.m.  
1st Floor North Conference Room - City Hall

**Present:** Vice-Chairman Michael McDonough, Presiding; Mr. Jack Bebbler, Mr. Dane Barrager, Mr. Brent Campbell, Ms. Franzi Charen, Mr. Byron Greiner, Councilman Brian Haynes, Mr. Jimi Rentz, and Ms. Pamela Winkler

**Absent:** Chairman Adrian Vassallo and Ms. Ruth Summers

Vice-Chairman McDonough called the meeting to order at 8:30 a.m. and informed the audience of the public hearing process.

**Administrative**

- Mr. Rentz moved to approve the minutes of the October 14, 2016, meeting. This motion was seconded by Mr. Greiner and carried unanimously.

**Updates**

**Downtown Winter Lights Update**

Economic Development Specialist Brenda Mills said that the City is working with The N.C. Arboretum for a Downtown Winter Lights display. This event and project was the result of an alternative plan to lighting the Vance Monument. A lighting event will be on Saturday, November 19, 2016, at 6:00 p.m. (the evening following the Holiday Parade) at Pack Square Park West (at Vance Monument and Hoss Haley Fountain). The display will include the 8 trees in that area of the park and with the assistance of the arboretum staff, this wonderful new tradition will be kicked off.

**Roles and Responsibilities of Boards and Commissions**

Deputy City Clerk Sarah Terwilliger provided the Commission with a short Boards & Commissions Training.

**Asheville Downtown Association**

Mr. Greiner updated the Commission on some of the activities of the Asheville Downtown Association, some being, successful Oktoberfest, upcoming holiday parade, Walkable Wall Street, judging of the holiday windows, unveiling of the new improvements to Pritchard Park, Walkability Study, and their looking forward to the Parking Study.

**Haywood Street Advisory Team**

Vice-Chairman McDonough updated the Commission on a status report from the Asheville Design Center and a list of possible temporary uses developed by the Haywood Street Advisory Team. Mr. Chris Joyell from the Asheville Design Center and Mr. Andrew Fletcher, Chair of the Haywood Street Advisory Team, presented the extensive list to City Council on October 25, 2016. City Council asked the group to narrow down their recommendations of possible temporary uses. The next step would be for Council to direct staff to develop costs and pros and cons for each use. Two subcommittees were established and in his group, the uses which rose to the top were farmer's market/tailgate/food trucks and they felt those uses might be able to start up right away. If that goes well, it might be expanded to include picnic areas, trash

cans, port-a-johns, etc. Another suggestion was public art which is broad enough to be murals or something that doesn't require a lot of infrastructure and staging. His subcommittee felt that a raised bed garden or a community garden might require substantial oversight so they were not sure that would be a vital use. They felt that the existing parking on the site is a compatible temporary use until a permanent use is agreed upon. By March, it was their goal to have clear advice to Council about temporary and long term future uses.

### **Joint Design Review Committee**

Ms. Winkler updated the Commission on the Joint Historic Resources Commission/ Downtown Commission Design Review Committee. They have been suggesting requirements to be eliminated, combined or revised, and there also has been discussion about some requirements to be added. Suggestions for revisions have been made in the area of street orientation and lot layout, as well as height and massing. Under street orientation and lot layout, different requirements for areas outside the traditional core have been raised because certain neighborhoods such as the south slope have a very different character than the downtown core. Under height and massing there has been discussion about adding some requirements that would preserve air and light to existing buildings. Staff has looked at some design guidelines from other cities that have these types of requirements and will propose some possible guidelines. The Committee is about ¾ through the guidelines and felt they should complete the task with one or two more meetings.

### **Public Space Management Update**

Downtown Development Specialist Dana Frankel updated the Commission on two efforts underway - the Wall Street Temporary Vehicular Closures; and the Buskers Pilot Project.

Ms. Frankel explained the Wall Street temporary closures and programming of Wall Street for the goal of reducing pedestrian/vehicular conflicts, activating underused areas with pedestrian-friendly uses and supporting local businesses. Stakeholders provided feedback on access needs, programming preferences, along with other considerations. The City Council Public Safety Committee approved a series of seasonal events with programming led by the Wall Street merchants as a way to test the impact of closures. The pilot series would be called "Walkable Wall Street" and held on November 19, February 11, May 13 and August 12. The hours would be 9:00 a.m. - 9:00 p.m. Participating businesses would organize special programming in the street and/or in their stores, expand outdoor seating, invite buskers to perform, and keep stores open late. The Asheville Downtown Association (ADA) will include the November closure in this series as part of their permit for this year's Holiday Parade.

In response to Vice-Chairman McDonough, Ms. Frankel said that at this point we are not actively planning a pilot program of this type on other streets. There are concerns from business owners about closures and resource consideration for programming.

Regarding the Busker's Pilot Project, on October 25, 2016, City Council supported a program for two specifically designated high impact areas relative to street performances within those areas. Those two areas are (1) Woolworth Walk sidewalk in the vicinity of the intersection of Haywood Street and Battery Park Avenue; and (2) the sidewalk adjacent to the Flat Iron Sculpture at the intersection of Wall Street and Battery Park Avenue. Within 120 feet of the marked center point of each location, other audible street performances would not be allowed. Non-audible performances must be 40 feet away. The minimum distance is marked on the sidewalk for ease of compliance and enforcement. Only street performances within the two designated areas would be impacted. Street performances in other areas of the downtown would not be regulated other than through current ordinances. The existing minimum 6 feet of area for pedestrian passage from the curb to the performance currently required by ordinance would be marked in each of the two designated areas. Staff has worked with a local artist to develop a

symbol which will designate each areas center point and minimum distance in which no other audible performances may occur.

### **Old Business**

In response to Mr. Barrager regarding the need for dog cleanliness bags downtown, Downtown Development Specialist said that they are looking at an effort to replace the doggie bag bins and also the cigarette bins. They are in the process of testing out a new product and working with the Asheville Downtown Association to roll them out downtown.

### **New Business**

#### **Commission Membership Wording Amendment**

Vice-Chairman McDonough said that Section 2-76 of the Code of Ordinances states that one seat on the Downtown Commission is to be a member of the board of directors of the Asheville Downtown Association (ADA). In 2015, the ADA voted to have the flexibility to appoint someone who may not necessarily be a member on the board of directors - perhaps a staff person, but any request for change would have to be an amendment to the ordinance and approved by City Council.

A discussion took place about the importance of having a representative that was actively involved in both organizations. There was not support to take a vote on amending the ordinance.

Vice Chairman McDonough said that Chairman Vassallo would remain in his seat until the resolved; it was suggested that the Commission convene a subcommittee to review and provide a recommendation.

#### **Slidr**

Mr. Mike Trombino said that he will be introducing an on-demand, free ride shuttle service in which his drivers work for tips and the service runs 11 a.m. - 11 p.m. every day. He plans on selling advertising space inside the vehicle. The vehicles will operate in the downtown, a little bit of Montford, River Arts District, Biltmore Village and the apartments off of Martin Luther King Jr. Drive behind Memorial Stadium. They are in the process of developing an app similar to Uber. Now they are working off of a telephone number, and will certain consider keeping the telephone number since many senior citizens don't have access to smart phones. He said that every ride is insured, and the drivers he has hired passed background and driving record checks.

Principal Planner Shannon Tuch said that obtaining a franchise agreement to operate on City streets is a straight forward process for low speed vehicles.

### **Public Comment**

Mr. Timothy Sadler asked that (1) people who are constructing buildings in the downtown make sure they are accounting for their emissions, suggesting energy efficiency be reviewed as part of the design review process; and (2) more effort be made to market Walkable Wall Street. He also felt that allowing the Asheville Downtown Association the flexibility to appoint anyone to the Downtown Commission is too broad.

### **Adjournment**

At 9:34 a.m., Mr. Greiner moved to adjourn the meeting. This motion was seconded by Mr. Bebber and carried unanimously.