THE CITY OF ASHEVILLE

STAFF REPORT

Council Meeting Date: June 9, 2020

Subject: Waiver of Construction Fees for Asheville Art Museum/Diana Wortham Theater Exit Passageway

Staff Resource(s): Ben Woody, Development Services Director
Brad Branham, City Attorney

Action Requested: Adoption of an ordinance waiving construction permitting fees in relation to the Asheville Art Museum's construction of a fire resistant Exit Passageway at 2 South Pack Square.

Background:

- The City of Asheville owns real property located at 2 South Pack Square, the Asheville Art Museum ("AAM"), and at 18 Biltmore Avenue, The Wortham Performing Arts Center, ("Wortham").
- AAM is required to construct, as part of its renovation project, a fire resistant Exit Passageway through the arcade from Biltmore Avenue leading to Wortham.
- The construction of the proposed Exit Passageway will promote the safe operation of the City's facilities.
- AAM has requested that the City waive the construction permitting fees that it would normally be required to pay in order to construct the Exit Passageway.
- The basis for this fee waiver request is that the proposed project is intended to, in part, benefit a City-owned property.
- Completion of this Exit Passageway is required in order for AAM and Wortham to gain certificates of occupancy.

Council Goals:

- Transportation and Accessibility
- A Thriving Local Economy
- A Financially Resilient City

Committee:

- None.

Pros:

- Will facilitate the safe operation of a City-owned facility.

Con:

- Limited loss of revenue to the City.

Fiscal Impact:

- Waived fees are expected to total approximately $6,000.

Suggested Motion:

- Motion to adopt an ordinance waiving construction permitting fees in relation to the Asheville Art Museum's construction of an Exit Passageway at Biltmore Avenue.

Attachment(s)

- Ordinance

ORDINANCE NO. _____

ORDINANCE WAIVING CONSTRUCTION PERMITTING FEES IN RELATION TO THE ASHEVILLE ART MUSEUM'S CONSTRUCTION OF AN EXIT PASSAGEWAY AT 2 SOUTH PACK SQUARE

WHEREAS, the City of Asheville is the owner of certain real property situated at 2 South Pack Square and 18 Biltmore Ave.; and

WHEREAS, the Asheville Art Museum ("AAM") intends to construct, in conjunction with an adjacent private property owner, an Exit Passageway through the arcade at 18 Biltmore Avenue; and

WHEREAS, the construction of the proposed Exit Passageway will promote the safe operation of the City's facilities at 18 Biltmore Avenue; and

WHEREAS, the City wishes to facilitate the construction of the proposed Exit Passageway by waiving the construction permitting fees that AAM would ordinarily be required to pay in order to construct said Exit Passageway;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The Asheville City Council hereby waives any and all construction permitting fees that would be required under the City's Fees and Charges Manual for the construction of an Exit Passageway through the arcade at 18 Biltmore Avenue.

Read, approved and adopted this the 9th day of June, 2020.

_____ _____

City Clerk Mayor

Approved as to form:

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City Attorney