THE CITY OF ASHEVILLE

MEMORANDUM

TO: Debra Campbell, City Manager

FROM: Cathy Ball, PE, Assistant City Manager

DATE: June 2, 2020

SUBJECT: Update on 444 Beaucatcher Road and Proposed affordable housing project at 2 Restaurant Court

SUMMARY STATEMENT:

City staff from Planning, Development Services, Public Works and Community & Economic Development met to coordinate our response to questions and concerns raised by the community and Council members about the existing 12 unit cottage development located at 444 Beaucatcher Rd, which is owned by Kirk Booth. This project is located next to Mr. Booth's proposed 40 unit multifamily development at 2 Restaurant Court, which was on the May 26 Council agenda for a LUIG application. The Restaurant Court application is a Level II project that is currently under review by the city's Technical Review Committee.

We looked into the two main issues related to sanitation and site plan compliance for the existing 444 Beaucatcher Rd cottage development.

Sanitation

As noted by Jes Foster from Public Works, this property has been cited and fined in the past. A code enforcement officer is actively working with Kirk to address the situation. Kirk has indicated that he is looking into placing a dumpster on the property and is also committing to placing a dumpster at the 2 Restaurant Court site. Staff has followed-up

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with the owners of the Dancing Bear (Mr. and Mrs.Evers) via email. They appreciated someone acknowledging the problem and working to resolve it.

Mr. Booth has committed to placing a dumpster on-site.

Attached is a report with additional information about previous enforcement and communication to owners at 444 Beaucatcher Road.

Site Plan

Staff has reviewed the previously approved site plan for 444 Beaucatcher Rd and the project conforms with the approved site plan. The plan was approved in accordance with the city's development review process and the city's standards at the time, properly inspected, and received a certificate of occupancy accordingly. Staff contacted the co-president of the Kenilworth Residents Association, and answered his questions about the city's development review process.

Please note that in 2017 a wording amendment was approved for cottage developments with the aim of supporting the supply and diversity of housing and to help ensure better site design and neighborhood compatibility for this land use. These standards are now applied to all new cottage developments.

Report on 444 Beaucatcher **6/1/2020**

This property is owned by Kirk Booth. It consists of 12 units, which are detached rental homes.
Tenants currently do not have recycling carts. We can provide if desired by residents.
Issues: Carts left at road too long; TV's and other bulky items and loose trash frequently left at road or over fence; overflowing cans leading to litter.

Munis Service Orders & Asheville App Requests
444 Beaucatcher Units 1-12

	Illegal Dumping, Complaint, or Driver Reported Pile	Customer or Owner Request for Bulky Collection	Brush Collection Request	Other Request (new roll cart, missing cart, etc)
2020	2	1	0	2
2019	2	3	0	0
2018	7	8	0	0
2017	6	5	0	1
2016	0	0	0	1
2015	0	1	0	1
2014	1	2	0	6
2013	0	3	1	4
2012	1	4	0	1
2011	0	1	0	2

Warnings & Citations Issued
5/14/2020: Supervisor contacted Booth regarding complaint at property.

07/29/2019: Supervisor contacted Booth regarding bulky waste and litter/blowing trash at road. Property cleaned up.

1/23/2019: Supervisor contacted Booth regarding litter along road. Property cleaned up.

09/18/2018: Supervisor sent email notice regarding TV's/litter. Property was cleaned quickly.

02/01/2018: NOV sent and given 15 days to comply. Citation issued 2/20/18 after no action.Took 7 days to comply with citation and fine $700. Requested legal to compel payment after multiple requests to owner.

03/12/2014: Given 10 days to comply, complied within 8 days

03/20/2013: Our file contains a Returned to Sender NOV on this date. No other information available.

11/12/2012: Given 14 days to comply. NOV sent on 12/17/12 with 15 days to comply or receive fines of $100/day. Citation sent 1/2/13 and owner fined $100/day. Fines totalled $1200. Supervisor noted this is a problem area that needs regular monitoring.

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Maggie Burleson <mburleson@ashevillenc.gov>

444 Beaucatcher RD update

Kirk Booth <kirk@kirkbooth.com> Thu, Jun 4, 2020 at 11:06 AM
To: Brad Hunter <bhunter@ashevillenc.gov>, Jessica Foster <jesfoster@ashevillenc.gov>, Greg Shuler <gshuler@ashevillenc.gov>, Kyle Parks <kyle@kirkbooth.com>
Cc: AshevilleNCCouncil@ashevillenc.gov

Brad

Please make arrangements to pick up all the green trash cans at this location as we discussed on the phone earlier this week.

We are providing private dumpster service at this location as of today.

I have noticed the tenants if they wish to recycle they can contact the city sanitation service to have one assigned to their location if they currently do not have one. The recycling cans would still go on the street for pick up.

I have also noticed the tenants to have any bulk item pick up arranged through the property management company so we can make sure it is picked up promptly.

Please let me know if you have any questions.

My direct number is 828-216-6001

Thank you for your continued help!!

Kirk Booth
Kirk H. Booth Real Estate
828-338-8178