City of Asheville Staff Report

City Council Meeting Date: October 27, 2026

Staff Resources: Will Palmquist, AICP, Principal Planner; Chris Collins, AICP, Interim Planning & Urban Design Director

Action Requested: Adoption of an ordinance to amend a previously approved conditional zoning for the property located at 21 London Rd for the purpose of making changes to the site plan and project conditions.

Project Location and Contacts:

- 21 London Rd (PIN 9647-89-2135)
- Owner: London Asheville LLC
- Applicant: Warren Sugg

Summary of Petition:

- The applicant requests an amendment to an existing conditional zoning for the purposes of making changes to the site plan and project conditions.
- The project site at 21 London Rd is 2.63 acres and is currently vacant.
- The site is zoned Residential Expansion - Conditional Zone (RES EXP-CZ) from Ord. No. 5081 adopted on May 28, 2024. No change in the zoning district is requested.
- The subject property is designated “Urban Corridor” on the city’s Future Land Use (FLU) Map. A change to the FLU Map is not required.
- The proposed changes to the conditional zoning include:
    - Increase in the number of dwelling units from 208 units to 252 units.
    - Increase in height and number of stories of the building from 75’ to 81’ and six stories to seven stories.
    - Increase in the amount of parking from 240 spaces to 271 spaces.
- The overall footprint of the building and other site features, including access, landscaping, open space, and Tree Canopy Preservation, are largely unchanged from the original conditional zoning from 2024.
- All other relevant conditions from the existing conditional zoning are included in the new project conditions, including those relating to off-street parking, sidewalks, and landscaping.

Staff Recommendation:

- Staff recommends approval of this conditional zoning amendment based on the reasons stated below.

Consistency with the Comprehensive Plan and Other Plans:

<u>Living Asheville Comprehensive Plan (2018)</u>

- The proposed rezoning supports a number of goals in the Living Asheville

Comprehensive Plan, including:

- **Encourage Responsible Growth** - by providing infill development in targeted growth areas (p. 131).
- **Make Streets More Walkable, Comfortable and Connected** - by eliminating gaps in the city-wide sidewalk network (p. 147).
- **Improve the Multimodal Transportation System** - by enhancing transit-supportive infrastructure such as bus shelters.

- The proposed conditional zoning amendment is compatible with the Future Land Use designation of "Urban Corridor", which is proposed, in part, as “redevelopment in the form of mixed-use residential, commercial and office uses that place emphasis on pedestrian-friendly amenities and infrastructure” (p. 344).

Compatibility Analysis:

- The proposed multi-family project is compatible with the surrounding land uses, including:
  - Commercial and mixed-uses along Sweeten Creek Rd and London Rd, as well as in and around Biltmore Village.
  - Multi-family residential uses, planned and existing, to the north of the project site along Fairview Rd.
  - Residential single-family uses to the southwest and east of the project site.

Council Vision 2036 Focus Area(s):

- This project is most closely aligned with the council goal of *A Well-Planned and Livable Community*.

Committee(s):

- Planning & Zoning Commission - October 7, 2026 - Approved (Vote 6:0) with the following conditions: 1) That the prior condition #8 in the previous conditional zoning ordinance from May 2024 be retroactively eliminated, 2) That a condition be added to require an unspecified number of publicly available bike parking, and 3) A recommendation that the applicant work with City staff needed to explore resilience measures responding to environmental considerations on and around the site with regards to soil, flood, ground-floor uses, and debris flow.

UDO Compliance: Residential Expansion - Conditional Zone (RES EXP-CZ)

UDO Provision	**Requirement**	**Proposed**
Gross Floor Area:	n/a	121,847 SF
Density:	20/acre or 50/acre (w/affordability)	97 units/acre
Lot Size Minimum:	1 acre for multi-family	2.63 acres

Lot Width Minimum:	40’	470’
Building Height(s):	60’ max	81’ max
Building Setbacks (Multi-Family):	Front: 15 ft. Side: 15 ft. Rear: 15 ft.	Front: 0 ft. Side: 5 ft. Rear: 10 ft.
Vehicle Parking Spaces:	504 spaces max	271 spaces
Bicycle Parking Spaces:	10% of units (25 spaces)	89 spaces
Open Space:	Required at 50% (w/o incentives) Incentive based option: 20% with unit count in excess of 50 units.	50%
Impervious Surface Area (Multi-Family):	80%	61%
Sidewalks:	Required at 10’ along frontage and connecting to main buildings within the development.	10’-wide on London Rd and 5’-wide internally
Tree Canopy Preservation:	Resource Management District: Suburban Class: Class C Existing Canopy: 37% Requirement: 16% if preserved	12% preserved 4% planted
Applicable Landscaping Standards	Property Line Buffer: Does not … Street Buffer: Does not … Street Trees: Does apply Parking Landscaping: Does apply Building Landscaping: Does apply Screening: Does apply Retaining Wall: TBD	Compliant.

Overall Project Proposal

- New building construction includes a new seven-story building with a total of 251 units of multi-family housing. Five stories of residential construction are proposed above two stories of structured parking
- Other site improvements include structured parking, new sidewalks, and courtyards within the building footprint.

Site Layout and Design

- Maximum building height for multifamily buildings in the RES EXP district is 60 feet. The maximum building height of the proposed project is 81 feet.
    - The project is seeking a technical modification for maximum building height.
- Maximum density in the RES EXP district is 20 units/acre or 50 units/acre if at least 20% of the dwelling units are affordable at 80% AMI. The proposed project's density is 97 units/acre.
    - The project is seeking a technical modification for maximum residential density.
- Front yard, rear yard and side yard setbacks of 15 feet are required in the RES EXP district. The project proposes no front yard setback, 5' side yard setbacks, and a 10' rear yard setback.
    - The project is seeking a technical modification for setbacks.
- Maximum impervious surface in the RES EXP district for multifamily uses is 80%. The proposed project would result in a total impervious area of 63%.

Access, Sidewalks and Parking

- Access to the site will be provided by two entrances into the proposed structured parking.
- A total of 271 parking spaces are proposed for the project. Based on the number of bedrooms and dwelling units, the maximum number of allowed parking spaces is 504 spaces.
- Bicycle parking is required at a rate of 10% of the total number of dwelling units, equaling 25 spaces. The project is proposing 89 bicycle parking spaces.
- The RES EXP district requires new 10 foot-wide sidewalks be constructed, both along the primary access corridor and internally throughout the site. The project is proposing a new 12.5'-wide sidewalk along London Rd. The project proposes 5'-wide sidewalks internal to the site.
    - The project is seeking a technical modification for sidewalks internal to the site and for the required sidewalk on Sweeten Creek Rd. The project has a very small portion of its property fronting on Sweeten Creek Rd and the roadway is constrained as it travels east across the bridge, which is not on the subject property.
- London Road is served by Asheville Rides Transit (ART) route S1. The closest transit stop (#648) is located at the corner of Sweeten Creek and London Roads, approximately 150' north of the subject property.
    - As recommended by City transit planning staff, the project proposes relocating this bus stop to an area adjacent to the project, with the exact final location to be determined, and improved to a bus shelter.

Landscaping / Open Space / Tree Canopy

- Landscape requirements apply, including street trees, building impact, and parking deck landscaping.
- Street trees are required as being one small maturing tree for every 30 linear feet of

property abutting a street, as there are overhead utilities present, which equates to 16 trees required along London Rd. The applicant is proposing 12 large maturing trees in tree grates, which would be required if there were no overhead utilities.
    - The project is requesting a technical modification for the required street tree on Sweeten Creek Rd.
    - The project is seeking a technical modification for street trees to be located in tree grates instead of a planting strip.
- Exposed parking decks are required to plant a minimum of one tree and two shrubs for every 30 linear feet of the parking structure's perimeter, with trees being planted within 20 feet of the structure. The project has 250 linear feet of exposed parking deck, and proposes the required 8 trees and 16 shrubs.
- Building impact landscaping is required as being one tree and two shrubs for every 1,000 square feet of building footprint, equalling 64 trees and 128 shrubs.
- Open Space is required at a rate of 50% of the site, or a rate of 20% of the site if the project meets the incentive requirements for either enhanced stormwater or affordable housing. Open space can be further reduced to 15% if the proposed open space meets certain design and operational standards. The project proposes 50% open space as required, equaling 1.3 acres.
- The project proposes to meet Tree Canopy Preservation requirements of 16% through a combination of 12% preservation and 4% plantings. The project site is classified as "Suburban" under the Tree Canopy Preservation standards, with a classification of “Class C”. The site has an existing tree canopy of 37%.

Technical Modifications

- The project is seeking technical modifications to development standards through the conditional zoning process including:
    - Maximum building height of 81’ instead of the 60’ maximum.
    - Maximum residential density of 97 units/acre instead of the 20 units/acre maximum.
    - Setbacks of 0’ for the front yard, 5’ for the side yards, and 10’ for the rear yard, instead of the required 15’ setback for all yards.
    - 5’-wide sidewalks internal to the site instead of the required 10’-wide standard,
    - No sidewalk as required on Sweeten Creek Rd.
    - No street tree (1) as required on Sweeten Creek Rd.
    - Street trees to be located in tree grates along London Road where a planting strip is required.
    - No bike lanes into the development.

Suggested Motion to Approve:

- I move to approve the conditional zoning amendment request for the property located at 21 London Road and find that the request is reasonable, is in the public interest, is consistent with the city’s comprehensive plan and meets the development needs of the community in that the request: 1) Provides infill development in targeted growth areas; 2) Eliminates gaps in the city-wide sidewalk network; and, 3) Enhances transit-supportive infrastructure such as bus shelters.

Attachment(s):

- This document contains the existing zoning map of 21 London Rd - Exhibit A
- This document contains the aerial imagery map of 21 London Rd - Exhibit B

- This document contains the existing future land use map of 21 London Rd - Exhibit C
- This document contains the site plan and elevation drawings for the amended conditional zoning ordinance - Exhibit D
- This document contains the draft project conditions associated with the conditional zoning - Exhibit E
- This document contains the ordinance - Ordinance
- This document contains the existing conditional zoning ordinance - Ord. No. 5081
- This is the Planning & Zoning Commission staff report regarding 21 London Rd - PZC Staff Report
- This is the Signed Planning & Zoning Commission Recommendation for 21 London Rd - PZC Recommendation
- This is the draft Action Minutes of the Planning & Zoning Commission from October 7, 2026 - PZC Draft Action Minutes (10/7/26)