THE CITY OF ASHEVILLE

STAFF REPORT

City Council Date: March 28, 2023

Subject: Conditional Zoning Request for 283 Merrimon Avenue

Staff Resource(s): Ben Woody, Assistant City Manager; Will Palmquist, AICP, Principal Planner

Action Requested: Adoption of an ordinance to conditionally zone the property located at 283 Merrimon Ave from Institutional (INST) and Residential Multi-Family Medium Density (RM-8) to Institutional (INST) and Institutional - Conditional Zone (INST - CZ).

Project Location and Contacts:

- The project site totals 3.4 acres located at 283 Merrimon Ave (PIN 9649-35-9489)
- Owner: Brookstone Baptist Church

Summary of Petition:

Project Site

- The project site consists of one property totalling 3.4 acres located at 283 Merrimon Ave, at the corner of Merrimon Ave and Annadale Ave.
- The site is currently zoned Institutional (INST) and Residential Multi-Family Medium Density (RM-8).
- The project site is the former site of the Brookstone Baptist Church and consists of a church building with one-story and three-story additions to the south, as well as a one-story residential structure located in the southeast corner of the lot.
- The site is designated "Traditional Corridor" and "Traditional Neighborhood" on the city's Future Land Use (FLU) Map.
- A change in the FLU designation will not be required.

Overall Project Proposal

- The petitioner is seeking a rezoning of the rear portion of the property from Residential Multi-Family Medium Density (RM-8) to Institutional - Conditional Zone (INST - CZ) in order for the existing parking to support future commercial use in the existing church buildings, which are currently zoned Institutional (INST).
- Surface parking is not an allowed principal use within the RM-8 zoning district.
- The existing Institutional (INST) zoning of the majority of the site does and will continue to allow for uses typically allowed in this zoning district.
- The proposed Institutional - Conditional Zone (INST - CZ) zoning of the rear portion of the site would restrict the use of that portion of the parking to surface parking, with the exception of the existing one-story residential structure which would allow for the following principal uses which are allowed in the Institutional (INST) zoning district: residential, day care, offices, clinics, financial institutions, health & fitness facilities, and studios/galleries/workshops.
- The project proposal does not include any construction plans.
- Any future adaptive re-use or redevelopment will likely be reviewed as a "by-right" development within the existing and proposed zoning districts.
- Landscaping of the parking lot and other improvements may be required at this time to bring the property into full compliance.

Access, Sidewalks and Parking

- The existing surface parking lot on-site consists of approximately 180 spaces.
- Access to the site is currently provided by two curb cuts on Annadale Ave.
- There are existing sidewalks on both Merrimon Avenue and Annadale Avenue.
- Merrimon Avenue is served by bus transit.
- The closest bus stops are located one block to the south of the project site at the corner of Merrimon Ave and Hillside St.

Consistency with the Comprehensive Plan and Other Plans:

Living Asheville Comprehensive Plan (2018)

- 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).
    - **Promote Great Architecture and Urban Design to Enhance Placemaking** - by promoting adaptive reuse as a means of conserving materials, history, and embodied energy in buildings (p. 140).
    - **Enhance Parking Management Strategies** - by considering zoning strategies that locate surface parking areas to the rear of buildings in identified innovation districts and along transit-supportive corridors (p. 144).
- The proposed rezoning is compatible with the Future Land Use designation of "Traditional Corridor" which is proposed, in part, as "a roadway with a large variety of land uses including commercial, office and residential uses at a variety of scales.
- The commercial and mixed-use areas along a traditional corridor are typically flanked by residential neighborhoods on one or both sides of the street" (p. 343).
- The proposed rezoning is partially compatible with the Future Land Use designation of "Traditional Neighborhood" which is proposed, in part, as a "diverse range of housing types and an intersecting street pattern with cross streets forming blocks" and, "Commercial uses will be inappropriate in a traditional neighborhood, with the exception of uses compatible within a residential context including homestays, bed and breakfast inns and appropriately designed neighborhood centers" (p. 345).
    - Staff recommends against amending the Future Land Use map because the "Traditional Neighborhood" designation at the rear of the property serves as a buffer between Merrimon Ave and the residential neighborhood. More intense commercial use located adjacent to the neighborhood, other than what currently exists on-site, may not be appropriate in the future.

Compatibility Analysis:

- The existing structures and surface parking lot are compatible with the surrounding land uses, including:
    - Commercial uses located along Merrimon Avenue to the north, south, and west of the project site.
    - Single-family residential neighborhoods located to the east of the project site.
    - The Claxton Elementary School located directly to the south of the project site across Annadale Ave.

Council Goal(s):

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

Committee(s):

- Planning & Zoning Commission (PZC) - March 1, 2023 - The motion to approve failed (vote: 1-6). At the March 1 PZC hearing, the Commission expressed two main concerns about the proposed rezoning: 1) That the rezoning would remove residentially-zoned land near an existing neighborhood, and 2) That the rezoning did not include detailed site plans for what is being proposed at the property.

Staff Recommendation:

- Staff recommends approval of this rezoning request based on the reasons stated above.

Suggested Motion to Approve:

- Motion to approve the conditional zoning request for the property located at 283 Merrimon Ave from Institutional (INST) and Residential Multi-Family Medium Density (RM-8) to Institutional (INST) and Institutional - Conditional Zone (INST - CZ) 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) promotes adaptive reuse as a means of conserving materials, history, and embodied energy in buildings; and, 3) locates surface parking areas to the rear of buildings in identified innovation districts and along transit-supportive corridors.

Attachment(s)

(1) Exhibit A - Existing Zoning Map
(2) Exhibit A1 - Proposed Zoning Map
(3) Exhibit B - Aerial Imagery Map
(4) Exhibit C - Existing Future Land Use Map
(5) Exhibit D - Site Plan
(6) Exhibit E - Project Conditions
(7) Ordinance
(8) P&Z Recommendation Form