THE CITY OF ASHEVILLE

STAFF REPORT

City Council Date: April 25, 2023

Subject: Rezoning for 35 Long Shoals Rd

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

Action Requested: Adoption of an ordinance to rezone three properties from Residential Single-Family Low Density (RS-2) to Highway Business (HB).

Project Location and Contacts:

- The rezoning petition consists of three properties totalling 5.24 acres located at 35 & 99999 (x2) Long Shoals Rd (PINs 9644-99-0437, 9644-99-3427, and 9644-99-3772).
- Owners: Nancy M. Wright, Karen Renee Holt Fraser Living Trust & Gordon B Fraser Living Trust, and James L Carswell Living Trust

Summary of Petition:

- The applicant requests a rezoning of three properties to the Highway Business (HB) District.
    - The Highway Business (HB) District allows for a variety of uses including residential, institutional, commercial/retail, and office.
- The properties are currently zoned Residential Single-Family Low Density (RS-2).
- One of the three properties (35 Long Shoals Rd) is currently used as a single-family dwelling.
- The other two properties are wooded and vacant.
- The subject properties are designated “Urban Corridor” on the city’s Future Land Use (FLU) Map.
    - A change in the FLU designation will not be required.

Comprehensive Plan Consistency:

- The proposed rezoning supports a number of goals in the Living Asheville Comprehensive Plan including:
    - **Encourage Responsible Growth** - by prioritizing growth and development within designated growth areas (p. 131).
    - **Facilitate Real Estate Development that Maximizes Public Benefit** - by establishing accessible and well-connected commercial nodes consistent with strategies outlined in the plan’s growth areas (p. 201).
    - **Create a Sustainable Path to Balanced Budgets** - by promoting development in the growth areas identified in Living Asheville as a way of ensuring new development maximizes fiscal returns to the city (p. 242).
- The proposed development 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).
- Highway Business (HB) is cited as an appropriate zoning district within the Urban Corridor Future Land Use category.

Compatibility Analysis:

- The purpose of the Highway Business (HB) zoning district is, “to address the needs of commercial development along major thoroughfares”.
- Automobile oriented development is prevalent within this district and a wide range of commercial uses is permitted.
- The proposed rezoning petition is compatible with most of the surrounding land uses, including:
    - Highway Business (HB) zoned property to the east along Long Shoals Rd consisting of a variety of retail and service uses.
    - Industrial - Conditional Zoning (IND-CZ) zoned property directly to the south of the

subject properties.
    - Residential multi-family developments to the north of the subject properties along Long Shoals Rd.
    - Commercial Business II (CBII) and Residential Expansion - Conditional Zoning (RES EXP-CZ) zoned properties further to the west along Long Shoals Rd, consisting of existing retail and service uses, as well as planned multi-family residential uses.
- The proposed rezoning petition is slightly incompatible with the adjacent single-family dwellings zoned Residential Single-Family Low Density (RS-2) and Residential Single-Family High Density (RS-8) and located directly to the east and southeast of the subject properties.
    - The potential for conflict between the existing dwellings and any future use at the proposed Highway Business (HB) zoned properties is partially mitigated by: 1) The geometry of the residential lots and the siting of the structures, and 2) Requirements for properties zoned Highway Business (HB) to provide a 30 foot-wide vegetated buffer adjacent to properties zoned RS.

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) - April 5, 2023 - Approved, 4:1.
    - The main concern expressed by the dissenting Commissioner was that the Highway Business (HB) district allows for a broad array of permitted uses, including drive-thru facilities, which may not be the right character for this commercial corridor.

Pro(s):
- Provides greater development potential along a major thoroughfare seeing a lot of growth and redevelopment.
- Opportunity to create a more uniform character between the eastern and western sections of Long Shoals Rd.

Con(s):
- Potential conflict with adjacent single-family dwellings, which is somewhat mitigated by the orientation and siting of the residential structures and requirements for vegetated buffers between HB and RS zoning districts.

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 properties located at 35 Long Shoals Rd from Residential Single-Family Low Density (RS-2) to Highway Business (HB) 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) prioritizes growth and development within designated growth areas; 2) establishes accessible and well-connected commercial nodes consistent with strategies outlined in the plan's growth areas; and, 3) promotes development in the growth areas identified in Living Asheville as a way of ensuring new development maximizes fiscal returns to the city.

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) Ordinance
(6) PZC Recommendation
(7) PZC Draft Action Minutes (4/5/23)