THE CITY OF ASHEVILLE

STAFF REPORT

City Council Date: April 25, 2023

Subject: Conditional Zoning Request for Star Point - 16/18 Restaurant Court

Staff Resource(s):, Ben Woody, Assistant City Manager; Will Palmquist, AICP, Principal Planner; Clay Mitchell, PhD, Urban Planner II

Action Requested: Adoption of an ordinance to conditional rezone property located at 16 and 18 Restaurant Court from Office Business (OB) to Residential Expansion - Conditional Zone (RES EXP - CZ).

Project Location and Contacts:

- The project site totals 1.31 acres located at 16 and 18 Restaurant Court (PIN 9658-08-2350)
- Owner: Mountain Housing Opportunities, Inc.

Summary of Petition:

Project Site

- The project site consists of one parcel totalling 1.31 acres located at 16 Restaurant Court.
- The site is currently zoned Office Business (OB).
- Given the size of the project (over 50 residential dwelling units) a conditional zoning to the Residential Expansion - Conditional Zone (RES EXP - CZ) district is required.
- The project site is currently an open vacant lot with tree growth along external property boundaries.
- The open area of the lot is flat with existing retaining walls present along the front west and eastern boundaries.
- The Future Land Use map designates the property as “Urban Corridor” that directly abuts “Traditional Neighborhood”.
- A change in the FLU designation will not be required.

Overall Project Proposal

- New building construction includes a 60-unit, four-to-five story multi-family building and one single-story community amenity building.
- Other site improvements include expanded off-street parking, new sidewalks, and outdoor amenities such as a playground and covered picnic area.
- 100% of the units will be affordable at an overall average level below 80% of AMI for a minimum of 40 years. The developer is targeting a mix of units at 60% to 30% of AMI.
- Approximately 20% of the units are designated for youth aging out of foster care.

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 approximately 42 feet, as measured to the ceiling of the highest occupiable floor.
- Maximum density in the RES EXP district is 50 units/acre for this project, since at least 20% of the dwelling units are affordable at 80% AMI.
- The proposed project’s density is 45.8 units/acre.
- Rear yard and side yard setbacks of 15 feet are proposed as is required in the RES EXP district.
- Front yard setbacks are requested at 5 feet (where 15 feet is required) as part of the technical modifications.
- Maximum impervious surface in the RES EXP district for multifamily uses is 80%.
- The proposed project would result in a total impervious area of 53%.

Landscaping and Open Space

- Landscape requirements apply, including street tree, parking lot, building impact, and property line buffers.
- The RES EXP district requires a 20 foot-wide “Type A” landscape buffer where the subject

property is adjacent to any other residentially zoned property, which is required along the western and southern property boundary where the site is adjacent to the RM-6 zoning district.
- The project is classified as “urban” under the Tree Canopy Preservation standards and has a classification of “Class B”.
- Based on the proportion of these classifications, the existing tree canopy, and the proposed tree preservation, a total of 6,055 square feet (10%) of tree canopy preservation is required, which the project is meeting through preservation on-site.
- Open Space is required at a rate of 20% of the site as the project meets the incentive requirements for affordable housing and enhanced stormwater management, resulting in 0.26 acres of required open space, which the project is providing.

Access, Sidewalks and Parking

- Two transit spots located along Tunnel Road at Kenilworth Road are about 0.1 miles from the site. These locations serve four separate transit routes. The southbound stop is a sign on the sidewalk. The applicant is seeking guidance on the feasibility of upgrading infrastructure at this location.
- Access to the site will be provided by a new proposed driveway on Restaurant Court.
- The project will include a total of approximately 20 standard parking spaces and 8 accessible spaces.
- The minimum number of parking spaces provided will be 20 spaces.
- Based on the number of bedrooms and dwelling units, the minimum/maximum number of required parking spaces is 60/120 for the RES EXP district.
    - The project is seeking a technical modification for this requirement.
- Bicycle parking is required at a rate of five percent of the total number of vehicle 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.
- An existing sidewalk and planting strip is present along Restaurant Court.
- The project is proposing new sidewalks varying in width from 5-10’ internal to the site and connecting to the existing sidewalk along the common building frontage.
    - The project is seeking technical modifications related to the existing sidewalk and internal sidewalk requirements.

Technical Modifications

- The project is seeking technical modifications to development standards through the conditional zoning process including:
    - Front setback of 5 feet where 15 is required.
    - Minimum of five foot-wide sidewalks internal to the site instead of the required 10 foot-wide standard.
    - Maintain existing sidewalk along Restaurant Court where new 10 foot wide sidewalk is required.
    - No bike lanes into the development, but the developer has agreed to install bike sharrows on the entrance drive into the development.

Consistency with the Comprehensive Plan and Other Plans:

Living Asheville Comprehensive Plan (2018)

- The proposed development 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).
    - **Increase and Diversify the Housing Supply** - by increasing the supply of housing, including affordable housing (pp. 179 & 183) in proximity to schools, transit and parks (pp. 246 & 251).
    - **Promote the Development and Availability of Affordable and Workforce Housing** - by leveraging city resources for the development and maintenance of subsidized

housing, including housing for low- and moderate-income families and individuals, senior housing, and workforce housing. (p. 183)

- The proposed development is compatible with the Future Land Use designation of "Urban Corridor" that abuts “Traditional Neighborhood”.
- Urban Corridor supports “infill redevelopment in the form of mixed-use residential, commercial and office uses that place emphasis on pedestrian-friendly amenities and infrastructure” and “multi-modal mobility” (p. 344).
- Abutting “Traditional Neighborhood”, the project enhances a transition to neighborhoods that offer opportunities for infill housing in order to improve the supply and mix of housing options.” (p. 345).

Compatibility Analysis:

- The proposed multi-family residential project is compatible and provides a transitional element with the surrounding land uses, including:
  - Twelve densely developed housing units to the south along Beaucatcher Road.
  - Suburban commercial uses located generally to the east of the project site along Tunnel Road.
  - Single-family houses located further to the west and south of the project site.

Council Goal(s):

- This project is most closely aligned with the council strategic priorities of A Well-Planned and Livable Community & *Equitable & Affordable Housing & Stability*.

Committee(s):

- Technical Review Committee (TRC) - March 6, 2023 - approved with conditions.
- Planning & Zoning Commision (PZC) - April 5, 2023 - approved (Vote: 4-0) with the following conditions: 1) bike sharrows be installed on the entrance drive.

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 16 and 18 Restaurant Court from Office Business (OB) to Residential Expansion - Conditional Zone (RES EXP-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) increases the supply of affordable housing in proximity to schools, transit and parks; and, 3) promotes the development and availability of affordable and workforce housing.

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 Plans & Building Elevations
(6) Exhibit E - Project Conditions
(7) Ordinance
(8) PZC Recommendation
(9) PZC Draft Action Minutes (4/5/23)
(10) TRC Report & Comments