THE CITY OF ASHEVILLE

STAFF REPORT

City Council Meeting Date: September 26, 2023 - Continued to December 12, 2023

Subject: Conditional Zoning Request for 115 Fairview Road - Catalyst Fairview Village

Staff Resource(s): Stephanie Monson Dahl, Planning & Urban Design Director;
Will Palmquist, AICP, Principal Planner; Clay Mitchell, PhD, Urban Planner II

Action Requested: Adoption of an ordinance to conditionally rezone the property located at 115 Fairview Road from Urban Village (UV) to Residential Expansion - Conditional Zone (RES EXP - CZ).

Project Location and Contacts:

- The project site totals 8.25 acres located at 115 Fairview Road. (PINs 9647-99-4447)
- Owner: Robertson's Daughters, LLC.

Summary of Petition:

Project Site

- The project site consists of one property totalling 8.25 acres located at 115 Fairview Road.
- The site is currently zoned Urban Village (UV).
- 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 a retail commercial facility located in a single building on the site with associated parking.
- The site is designated "Town Center" on the city's Future Land Use (FLU) Map. A change in the FLU designation will not be required.

Overall Project Proposal

- New building construction includes a total of 281 units (269 apartments in two four-to-five story multi-family buildings and 12 townhomes in 3 four-plex buildings).
- Other site improvements include off-street parking, new sidewalks, and amenities such as a pool and auxiliary pool building.
- A minimum of 20% of the units (56) will be affordable at 80% Area Median Income (AMI) for a minimum of 20 years.

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 59 feet 2 inches, as measured to the ceiling of the highest occupiable floor of Building 2.
- 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 34.1 units/acre.
- Front yard setback is proposed to be 5 feet where the required setback is 15 feet. A technical modification is proposed.
- Maximum impervious surface in the RES EXP district for multifamily uses is 80%. The proposed project would result in a total impervious area of 57%.

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 eastern property boundary where the site is adjacent to the RM-8 zoning district. The project complies with the required buffer.
- The project is classified as a combination of "urban" under the Tree Canopy Preservation standards and has a classification of "Class B". Based on these classifications and the existing tree canopy, a total of 10% of tree canopy preservation is required, which the project is meeting through preservation on-site at a total of 10.2% (35,200 s.f.).

- Open Space is required at a rate of 20% of the site as the project meets the incentive requirements for enhanced stormwater management, resulting in 1.65 acres of required open space, which the project is providing.

Access, Sidewalks and Parking

- Access to the site will be provided by a reconstructed driveway located on Fairview Road and a secondary emergency access off Westview Avenue with gates shown at both ends of the access way.
- The project proposes 333 parking spaces. With 14 three bedroom units and the rest two bedrooms or below, the final minimum and maximum required spaces is 295/576 spaces. The proposed spaces are at a ratio of 1.2 spaces/unit. Required accessible spaces are shown at 8 spaces.
- 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.
    - The project proposes a technical modification allowing for 5 foot width sidewalks along Fairview Road with an associated planting strip to match the existing condition.
    - The project is proposing a technical modification for new five-foot wide sidewalks internal to the site.
    - No sidewalk is proposed along the Westview Avenue boundary given the lack of connection to this area and the reduced number of residential units along the road.

Technical Modifications

- The project is seeking technical modifications to development standards through the conditional zoning process including:
    - Maintain an existing planting strip and five-foot sidewalk along Fairview Road.
    - No sidewalk along the frontage of Westview Avenue.
    - Five foot-wide sidewalks internal to the site instead of the required 10 foot-wide standard.
    - Reduced front setback to 5 feet.
    - No bike lanes are proposed into the development given the condition of Fairview Road and due to the potential for internal conflicts in the site parking facilities.
    - 50 foot length minimum throat distance along the entrance way where 90 feet is required.

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 in proximity to schools, transit and parks (pp. 246 & 251).
    - **Promote the Development and Availability of Affordable and Workforce Housing** - via incentives such as bonus densities and building height bonuses (p. 183).
- The proposed development is substantially compatible with the Future Land Use designations of "Town Center", which provides "Affordable housing in town centers is encouraged and should be incentivized. New development should ensure that buildings are located to reinforce the relationship to the street, with parking located behind buildings that front the primary street. Pedestrian, bicycle and transit-friendly streetscapes are critical to the success and sustainability of town centers. Therefore, particular emphasis should be given to the (sic) public realm." (p 342). Furthermore providing that "[w]hile there is no exact density cap expected with a town center development, density should ensure a vibrant community that supports community infrastructure such as transit.".

Compatibility Analysis:

- The proposed multi-family residential project is compatible with the surrounding land uses, including:
    - The District, a multi-family development located directly across Fairview Road.
    - Medium density single-family development to the east of the site and buffered by landscaping and topography, providing a transitional area for the uses.
    - Increasingly dense mixed uses and commercial development to the west toward Biltmore Village

Council Goal(s):

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

Committee(s):

- Technical Review Committee (TRC) - August 21, 2023 - approved with conditions.
- Planning and Zoning Commission - September 14, 2023 - approved 7-0.

Staff Recommendation:

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

Suggested Motion to Approve:

- I move to approve the conditional zoning request for the property located at 115 Fairview Road from Urban Village 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) TRC Report & Comments
(9) PZC Recommendation
(10) PZC Draft Action Minutes