THE CITY OF ASHEVILLE

STAFF REPORT

City Council Date: May 24, 2022

Subject: Conditional Zoning request for property located on Broadway St.

Staff Resource(s): Todd Okolichany, AICP, LEED AP ND, Planning & Urban Design Director; Will Palmquist, AICP, Urban Planner II

Action Requested: Conditionally zone six parcels located along Broadway St. from Neighborhood Corridor District (NCD) to Neighborhood Corridor District - Conditional Zone (NCD-CZ).

Project Location and Contacts:

- The project site totals 1.53 acres and is located at 421, 425, 427, and 99999 (x 3) Broadway St. (PINs 9649-14-2559, 3514, 3592, 3483, 4359, and 4386).
- Owners: Reed Creek Greenway Plaza LLC.
- Applicant: Suzanne Godsey, RLA

Summary of Petition:

- The existing site consists of a surface parking lot and a single story commercial building.
- The subject properties are currently zoned NCD; however, the applicant is seeking a zoning change to NCD-CZ for the purpose of modifying some basic development standards including: spacing between entrances, building square footage, height, side setback and property line buffer.
- The project site includes 6 parcels, totalling 1.5 acres.
- The northwest portion of the site is a former brownfield area that does not allow residential development.
- The proposed project is a mixed-use development that will be constructed in two phases:
    - Phase I consists of Building “A”, a new 4-to-5-story residential multi-family building with 49 dwelling units, along with the existing one-story commercial building (labeled Building “B”) and 46 surface parking spaces with sidewalk, walkway, and other site improvements
    - Phase II consists of Building “C”, a new two-story commercial building placed at the corner of Broadway and Cauble Streets, along with surrounding sidewalk, walkway and outdoor gathering areas.
    - Phase II will share parking with Phase I.
- New construction includes Building “A” which is 45,000 square feet and 44’-6” tall and Building “C” which is proposed to be not more than 7,400 square feet.
- The final height of Building “C” is not yet determined but will not exceed 40 feet.
- Building “A” will also include indoor community/co-working space in addition to a bike storage room and individual storage closets for units.
- Building “B” is an existing one-story commercial building that will remain unchanged in height and size but will include the addition of a cantilevered deck at the rear of the building.
- A minimum of 37 off-street parking spaces is required and satisfied through the construction of a 46-space, surface parking lot.
- The minimum number of parking spaces required is estimated at 74 spaces but can be reduced by 50% for projects located in the NCD.
- The applicant is partnering with the City of Asheville on a stand-alone parking lot located across Cauble St. to the north.
- Reed Creek and its associated stream buffer crosses the site along the western property boundary (behind buildings) - the Reed Creek Greenway is located on the south side of the creek, off the subject property.
- A 10 foot wide sidewalk along Broadway St. is proposed and a six-foot wide sidewalk is proposed along Cauble St. and will connect to an existing sidewalk connection leading to the greenway.
- A required neighborhood meeting was conducted on December 29, 2021 using remote meeting technology.

- Four of the six properties included in the site area are designated “Traditional Corridor” on the city’s Future Land Use (FLU) map and will not need to be re-classified.
- The two parcels furthest south are designated “Parks/Open Space” and must be changed to match the other four parcels.
- Affordable housing is included in the Project:
    a. A minimum of 25 percent of the total number of units (12 units) will be designated affordable for a minimum period of 30 years;
    b. 10 of the affordable units will be affordable to those earning at or below 60% of Area Median Income (AMI);
    c. 2 of the affordable units will be affordable to those earning at or below 80% of the Area Median Income (AMI);
    d. 5 units (50% of the 60% AMI units) will accept HACA Housing Choice vouchers.
    e. The rent and income limits will follow the Affordable Housing Standards determined annually by the City of Asheville Community Development Department.
    f. An Affordable Housing Deed Restriction will be provided by the City and will be filed and recorded by the property owner in the Buncombe County Register of Deeds prior to the project receiving final zoning permit.
- Landscape requirements apply, including street tree, parking lot, street buffer, building impact, and property line buffer (Type B).
- The NCD requires certain “Design and operational standards” including 45% ground level fenestration; pedestrian entrances every 45 feet, street facing orientation, and architectural detailing and/or articulation to break up facades over 45 feet in length.
- This project meets some of those standards but is seeking modifications for others (see final bullet below).
- There is no transit service on Broadway St. Bus lines are located a half mile to the east on Merrimon Ave. and 0.3 miles to the west on Montford Ave.
- Maximum density in the NCD is 35 units/acre - the proposed density is 32 units/acre.
- Open space shall be required at a rate of five percent of the total parcel (3,332 square feet) but is reduced by 25 percent (2,499 square feet) due to the project area being adjacent to a public park (Reed Creek Greenway).
- The project is classified as “urban” under the tree canopy preservation standards with a classification of “Class B” with 15 percent of total tree canopy required.
- The project satisfies this requirement through preserving a number of existing trees.
- Certain intensity bonuses are permitted in the NCD through the Community Incentive Table.
- The project is seeking bonuses for:
    1) Square footage greater than 24,000 square feet in exchange for 25 percent of the units being 700 square feet or less; and,
    2) Height greater than three stories/45 feet tall in exchange for an increased setback of 40 feet when adjacent to residentially zoned property.
- The project is seeking modifications through the conditional zoning process including:
    - Spacing of pedestrian entrances greater than 45 feet apart (one entrance for 149 linear feet);
    - A side setback ranging from 16 to 23 feet; and,
    - 10 foot wide vegetated buffer (with no fence).

Comprehensive Plan Consistency:

- The proposed development supports a number of goals including encouraging responsible growth by:
    - providing mixed-use infill development in targeted growth areas (p. 131) and
    - increasing the supply of housing, including affordable housing (pp. 179 & 183) in proximity to schools, transit and parks (pp. 246 & 251).

Compatibility Analysis:

- The moderate-high density residential and commercial project is compatible with the:
  - Small-mid scale commercial retail and service businesses along the corridor;
  - Other multi-family developments along the corridor; and,
  - Open space/recreation areas around the Reed Creek Greenway.
- The mixed use project is consistent with the Future Land Use map designation of "Traditional Corridor", which calls for buildings to be placed close to the street and enhanced with wide sidewalks and multi-modal access, a broad range of uses, higher residential densities, and parking located to the side or rear of buildings.

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) - February 21, 2022 - approved with conditions.
- Planning & Zoning Commission (PZC) - March 2, 2022 - approved unanimously, 6:0.

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 six properties located at 421, 425, 427 and 99999 Broadway St. from Neighborhood Corridor District (NCD) to Neighborhood Corridor District-Conditional Zone (NCD-CZ) along with a change in the future land use map for two parcels from Parks/Open Space to Traditional Corridor, 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) supports mixed-use infill development in a strategically located area targeted for growth; 2) provides housing units in proximity to transit, schools and parks; and, 3) supports city goals for affordable housing.

Attachment(s)

(1) Exhibit A - Existing Zoning Map
(2) Exhibit A1 - Proposed Zoning Map
(3) Exhibit B - Aerial Map
(4) Exhibit C - Existing Future Land Use Map
(5) Exhibit C1 - Proposed Future Land Use Map
(6) Exhibit D - Site & Building Plans
(7) Exhibit E - Project Conditions
(8) Draft Ordinance
(9) TRC Report & Comments
(10) PZC Action Minutes (3/2/22)
(11) PZC Recommendation