THE CITY OF ASHEVILLE

STAFF REPORT

City Council Date: May 10, 2022

Subject: Conditional Zoning Request for 21 Governors View Rd

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

Action Requested: Conditionally zone all portions of two properties located at 21 Governors View Rd from River (RIV) to Residential Expansion - Conditional Zone (RES EXP-CZ).

Project Location and Contacts:

- The project site totals 2.73 acres located along Governors View Rd and Swannanoa River Rd (PINs 9658-54-6060 and 9658-53-8922).
- Owners: Swannanoa River Road LLC; Realty Company II LLC

Summary of Petition:

- The property is currently zoned River (RIV) and is designated "Urban Corridor" on the city's Future Land Use (FLU) Map. A change in the FLU designation will not be required.
- New building construction includes a single 4-story building with 70 dwelling units.
- Given the size of the project (over 50 residential dwelling units) a conditional zoning to the Residential Expansion (RES EXP) district is required.
- All the dwelling units will be affordable to households at 60% Area Median Income (AMI) or less.
- The owner may choose to do income averaging which often ranges from 30% AMI to 80% AMI, but averaging 60% AMI or less.
- All 70 units (100%) will be designated affordable for a minimum of 30 years.
- All units will also accept housing choice vouchers.
- Maximum building height for multifamily buildings in the RES EXP district is 60'.
- The maximum building height of the proposed project is 38'.
- 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 25.6 units/acre.
- The project proposes access via two new vehicular driveways from Governors View Rd.
- A total of 73 parking spaces are proposed, which is more than the minimum required number of 70 total spaces (1 per unit).
- The RES EXP district requires new 10 foot-wide sidewalks be constructed.
- The project proposes 5'-wide sidewalks with a 10'-wide planting strip along Governors View and Swannanoa River Roads. Internal sidewalks throughout the site will be 5'-wide, with the exception of the sidewalk in front of the building's main entrance and the connection to Governors View Rd, which will be 10'-wide.
- The existing bus stop along the property's frontage on Swannanoa River Rd will be relocated less than 200' to the west.
- A new shelter and wheelchair landing pad will also be constructed.
- A walkway from the building will be constructed and connect to the sidewalk and bus stop.
- Front yard, rear yard, and side yard setbacks of 15 feet are proposed as is required in the RES EXP district.
- Landscape requirements apply, including street tree, parking lot, building impact, property line, and retaining wall screening.
- The required street trees along Swannanoa River Road will be located to the east of the building, due to the presence of the existing 30'-wide MSD sewer easement along the frontage of Swannanoa River Road.
- This easement prevents placement of street trees between the road frontage and the retaining wall.
- The project is classified as "multi-family urban" under the Tree Canopy Preservation standards and has a classification of "Class B".
- The Project is requesting a technical modification from the required 15% new tree canopy to 4% new tree canopy.

- The proposed 4% new tree canopy is the maximum amount of planting possible on the site due to other landscaping requirements and the presence of underground utilities and utility easements.
- Open space shall be required at a rate of 500 s.f. per unit (35,000 s.f. total) with at least one 7,000 s.f. area that provides a park or plaza-type features.
- Maximum impervious surface in the RES EXP district for multifamily uses is 80%. The proposed project would result in a total impervious area of 50.5%
- The project is seeking technical modifications to development standards through the conditional zoning process including:
    - 5'-wide sidewalks instead of the required 10'-wide standard.
    - 10' sidewalks are provided for an accessible route from the building frontage to Governors View Rd.
    - A reduction in Tree Canopy Preservation area from 15% to 4%.
    - No bike lanes into the development.
    - Relocation of required street trees along Swannanoa River Road to the east of the building, due to the presence of the existing MSD sewer easement along the frontage of Swannanoa River Road.

Comprehensive Plan Consistency:

- The proposed development supports a number of goals in the Living Asheville Comprehensive Plan including encouraging responsible growth by prioritizing greater densities of development overall, throughout the city as appropriate (p. 131), by increasing the supply of housing, including affordable housing (pp. 179 & 183) in proximity to schools, transit and parks (pp. 246 & 251), and by eliminating gaps in the city-wide sidewalk network and especially where sidewalks tie in to greenways (p. 147).
- The proposed development is compatible with the Future Land Use designation of "Urban Corridor" which is described, in part, as "Over time urban corridors could see infill redevelopment in the form of mixed-use residential, commercial and office uses that place emphasis on pedestrian-friendly amenities and infrastructure" (p. 344).

Compatibility Analysis:

- The proposed multi-family residential project is compatible with the surrounding land uses, including:
    - Suburban commercial uses and light industrial uses to the east and west of the site, as well as to the south across the Swannanoa River;
    - The single-family residential to the north of the site, which will be buffered by the proposed street trees and parking lot; and,
    - The existing and proposed segments of the Swannanoa Greenway, which will be connected to the project with existing and proposed sidewalks.

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) - March 7, 2022 - approved with conditions.
- Design Review Committee (DRC) - April 21, 2022 - approved unanimously (Vote: 7-0) with the following conditions: 1) That the building design articulate the heights of the proposed materials; 2) That the building design articulate the heights of the roof elements; and, 3) That the building design break up the massing of the east elevation.
- Planning & Zoning Commission (PZC) - May 4, 2022 - approved (Vote: 5-1) with the following conditions: 1) That the applicant work with NCDOT and the City's Transportation Department to seek if improvements can be made to the visibility of existing crosswalks and the timing of the pedestrian crossing phase at the intersection of Swannanoa River Rd and Bleachery Blvd; 2) That the applicant work with the Design Review Committee through informal review(s) to further

improve the design of the building; and, 3) That the required Tree Canopy Preservation be reduced from 15% to 4% and waiving the fee in lieu.

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 21 Governors View Rd from River (RIV) 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) prioritizes greater densities of development overall; 2) increases the supply of affordable housing in proximity to transit, schools and parks; and, 3) eliminates gaps in the city-wide sidewalk network and especially where sidewalks tie in to greenways.

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 & Elevations
(6) Exhibit E - Project Conditions
(7) Ordinance
(8) TRC Report & Comments
(9) P&Z Draft Minutes
(10) P&Z Recommendation