THE CITY OF ASHEVILLE

STAFF REPORT

City Council Meeting Date: January 25, 2022

Subject: Conditional Zoning Amendment Request for 324 Biltmore Ave. (Residence Inn)

Staff Resource(s): Todd Okolichany, AICP, LEED AP ND, Planning & Urban Design Director; Shannon Tuch, RLA, Principal Planner

Action Requested: Amend the conditional zoning ordinance (Ord. No. 4733) for property located at 324 Biltmore Ave.

Project Location and Contacts:

- The project site consists of a single 0.80 acre parcel located at 324 Biltmore Ave. (PIN 9648-46-4336).
- Owner: Milan Asheville LLC

Summary of Petition:

- This petition is to amend the conditional zoning ordinance (Ord. No. 4733, March 2019) that conditionally rezoned the subject property to Lodging Expansion (LODG EXP) and approved a seven-story extended stay hotel with 103 guest rooms and structured parking.
- The applicant is now seeking to make certain design and material changes to the proposed building, while keeping the overall height, size, orientation and general configuration of the project the same (or marginally reduced).
- The applicant is also seeking to amend the approved land uses to include an "eating and drinking establishment" to allow a restaurant and bar.
- Included in the original approval are a number of building elevations and renderings along with the condition that reads:

  "The building design, site design, construction materials, and orientation on site must substantially comply with the approved site plan, which is incorporated herein by reference. Any major deviations from these plans may require rezoning by the City Council."
- UDO Sec. 7-7-8. - Conditional zoning provides additional guidance:

  (c)(6) Minor modifications to the approved site plan may be reviewed and approved administratively provided that they do not involve a change in permitted uses, changes in overall density or substantial changes to the configuration of the development that affect the operation or impacts of the development. Any other modification of the conditions and standards in a conditional zoning district shall be approved by the city council following this review process as an amendment to the conditional zoning ordinance and may be referred to the technical review committee as appropriate [. . .].
- The proposed design changes are summarized as:
  - the substitution of siding materials that are less residential in appearance;
  - changes to the roof form to resemble a commercial or a mixed-use, project;
  - changes to the parking garage screening;
  - the addition of a second floor lobby and outdoor patio area.
- The subject property is not located in a hotel overlay area but was approved for a hotel at a time that pre-dates the establishment of the overlay.
- The applicant voluntarily sought design review committee input before proceeding.
- The property is currently vacant and unimproved.

Comprehensive Plan Consistency:

- The proposed development continues to support the comprehensive plan as originally identified in 2019:

  (1) the development is located within close proximity to medical and commercial uses that would be well served by the proposed use;

(2) the project is walkable to downtown and directly accessible to transit;
(3) the proposed hotel is an active use that would contribute to the vibrancy of this area of the city; and,
(4) the proposal is aligned with the Future Land Use map in the Living Asheville Comprehensive Plan.

In addition, the proposed design further supports the plan in the area of "placemaking" where "quality architecture, historic preservation, and smart urban planning create memorable, walkable places that are pleasant, vibrant, attractive and comforting." (pp. 102, 135, and 139).

Compatibility Analysis:

- The project is located on Biltmore Ave., a high frequency transit route, and close to downtown and Mission Hospital.
- The scale of the proposed building is compatible with other commercial or institutional uses along the corridor.
- The applicant worked with residents to the east (White Fawn) and incorporated design changes that would mitigate the impact of the project on the adjacent residences including removing rooms closest to the residents, relocating the parking garage entrance to Biltmore Ave., and locating trash collection in the garage.

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) - Not applicable.
- Design Review Committee (DRC) - November 18, 2021. The Committee reviewed the proposed project, along with the applicable materials, and supported the project moving to the Planning & Zoning Commission expressing that the new design was an improvement over the former.
- Planning & Zoning Commission (PZC) - January 5, 2022.
- The Commission recommended approval of the proposed amendment, 4:2.

Staff Recommendation:

- Staff recommends approval of the proposed amendment based on the reasons stated above. Additionally, staff recommends the following changes to the project conditions, as approved by the applicant:
    1. Revise condition #2 to include "eating and drinking establishments";
    2. Add a new #17 to clarify that should a mural be added to the exterior of the building, the artwork would be prepared by a local/regional artist; and,
    3. Revise condition #21 to clarify that expiration of approval is based on the original City Council adoption date (March 12, 2019).

Suggested Motion to Approve:

- Motion to approve the conditional zoning amendment request for the property located at 324 Biltmore Ave. 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) is strategically located to downtown and transit; 2) is aligned with the Future Land Use map in the Living Asheville Comprehensive Plan; and, 3) supports placemaking along Biltmore Ave.

Attachment(s)

(1) Exhibit A - Existing Zoning
(2) Exhibit B - Aerial Imagery
(3) Exhibit D - Revised Building Plans

(4) Exhibit E - Revised Project Conditions
(5) Building Renderings
(6) Ordinance No. 4733 (March 12, 2019)
(7) Ordinance
(8) DRC Staff Report
(9) PZC Recommendation
(10) Draft PZC Action Minutes - January 5, 2022