THE CITY OF ASHEVILLE

STAFF REPORT

Council Meeting Date: October 13, 2020

Subject: Conditional Zoning Amendment Request for the Jewish Community Center Campus

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

Action Requested: Amend a previously approved conditional zoning to alter site details at the Jewish Community Center campus, currently zoned Community Business II District/Conditional Zoning (CBII/CZ)

Project Location and Contacts:

- The project site consists of two parcels located at 236 Charlotte Street and 336 Hillside Street (PINs 9649-54-9873 and 9649-54-7812).
- Owner / Petitioner: Jewish Community Center Foundation of Asheville; Contact: Michael Mitchell

Summary of Petition:

- The applicant is requesting to expand an existing day care building (called "Hilde's House" and located at 336 Hillside Street) at the Jewish Community Center (JCC) main campus.
- The expansion includes a new ramp for accessibility, enlarged side porch and a small increase to heated area.
- The proposal includes a new accessible parking space behind the building and a new driveway cut onto Murdock Avenue to allow for egress only.
- The subject parcels were conditionally-zoned by City Council on March 28, 2017, under ordinance number 4570, for the expansion of the JCC main campus building (located at 236 Charlotte Street), the use of the property at 336 Hillside Street for the infant day care (Hilde's House), and minor site improvements. Most of the work included in the approval has been completed.
- An amendment to the previously approved conditional zoning and related site conditions is required due to the requested site plan changes.
- This amendment also includes the closure of a driveway through the JCC main campus building site (located at 236 Charlotte Street) from Lennox Court to Hillside Street, thereby ceasing its use by the general public through this private property.
- The action by City Council to formally close a portion of the Lennox Court right-of-way was granted by Council in 2019 under resolution 19-266 but the site plan approved in the ordinance did not show closing off vehicular access.
- This amendment formalizes the site plan which was not part of the previous conditional zoning approval.
- The project maintains all of the conditions that were approved in the previous ordinance and includes the following **new** conditions:
    - The separation of the driveway from the property lines on Murdock and Hillside will be as shown on plans (less than the standard 10 foot spacing required). This design would be similar to the residential development pattern in the neighborhood.
    - The width of the driveway will be approximately 12 feet on Murdock and maintain approximately nine feet on Hillside as shown on plan (less than the width standard of 24 feet for a non-residential use). This change also mirrors the residential development pattern in the neighborhood.
    - Condition number three is amended to indicate that access to the JCC main campus site will no longer be from Lennox Court.

- Condition number four is amended to note that parking spaces at Hilde's House will be available for both staff and visitors.

Committee Review:

- The Planning & Zoning Commission considered this request at their meetings on September 2 and September 23, 2020, and discussed concerns regarding the new egress connection onto Murdock and the turning radius having possible conflicts with on-street parallel parking spaces.
- The Commission voted 6-1 at the second meeting to support the amendment but with a recommended condition that the driveway onto Murdock would be right-turn out only. The applicant was agreeable to this condition and it has been reflected in the B.1 attachment.

Comprehensive Plan Consistency:

- This proposal is consistent with the Living Asheville Comprehensive Plan in that the project site is within the areas designated as Neighborhood Center and Traditional Neighborhood in the Future Land Use map, which anticipates non-residential community-focused activity.
- This section of the Plan specifically mentions community centers and other small-scale uses with an emphasis on pedestrian scale and walkability.

Compatibility Analysis:

- The community center and child care uses are currently in place and have been operating on this site for many years, providing services to the neighborhood and larger community.
- The buildings and uses are considered to be compatible with the development along the corridor and scaled down, transitioning into the neighborhood.
- The physical changes included in this amendment address accessibility and access concerns and are designed to keep with the character of the residential area.

Council Goal(s):

- A Well-Planned and Livable Community

Committee(s):

- Technical Review Committee (TRC) - April 6, 2020 - approved with conditions
- Planning & Zoning Commission - September 2 and 23, 2020 - recommended approval 6-1

Staff Recommendation:

- Staff recommends approval of this amendment and finds that the proposal allows for upgrade and expansion of the child care center and better management of vehicular access on both sites.

Suggested Motion to Approve:

- Move to approve the conditional zoning amendment request for the properties located at 236 Charlotte Street and 336 Hillside Street zoned CB-II CZ (Community Business II Conditional Zone) for the expansion and improvements as shown on site plans 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: 1) the Future Land Use of the Living Asheville Comprehensive Plan anticipates non-residential community-focused uses; and, 2) the amendment allows for needed upgrades and access management to the site while maintaining compatibility with the surrounding area.

Attachment(s)

(1) Exhibit A Map - Existing Zoning (no change to zoning required)
(2) Exhibit B Map - Aerial
(3) Exhibit C Map - Future Land Use (no change needed)
(4) Exhibit D - Site Plans and Elevations
(5) (Draft) Exhibit B.1 Conditions List (amended)
(6) TRC Comments
(7) (Draft) Ordinance

(8) Previously Approved Ordinance (no. 4570)
(9) Planning & Zoning Recommendation
(10) Planning & Zoning Meeting Minutes (excerpts) from 9/2/2020 (hearing) & 9/23/2020 (vote)
(11) Resolution 19-266 Closing Lennox Court