THE CITY OF ASHEVILLE

STAFF REPORT

Council Meeting Date: March 10, 2020 (continued from January 14, 2020)

Subject: Conditional Zoning Amendment for RAD Lofts Conditions

Staff Resource(s): Todd Okolichany, AICP, LEED AP ND, Planning & Urban Design Director;
Jessica Bernstein, Urban Planner II,
Paul D'Angelo, Program Director, Community and Economic Development

Action Requested: Amendment to the conditions for the previously approved RAD Lofts project (Urban Place Conditional Zone)

Project Location and Contacts:

- The project site consists of two separate parcels with a combined area of approximately 3.26 acres located at 146 and 179 Roberts Street (PINs 9648-06-1956 and 9648-07-2183) that are owned by 146 Roberts LLC.
- Petitioner: Harry Pilos.

Summary of Petition:

- The project has gone through a number of approvals by City Council:
  - First approved on October 22, 2013 (Ordinance No. 4241) for a mixed-use development and conditional zoning from River and Commercial Industrial to Urban Place Conditional Zone
  - Amended on May 26, 2015 (Ordinance No. 4414) to revise conditions related to the mix of uses, increase parking and alter the number and massing of the buildings
  - Amended on January 10, 2017 (Ordinance No. 4548) to revise conditions related to the mix of uses, building size and amount of parking
  - Amended on July 25, 2017 (Ordinance No. 4602) to revise conditions related to building size, parking and mix of uses and to provide a wider range for these conditions to allow for some flexibility
- The mix of uses, site plan and building designs are not proposed to be changed with this amendment. They remain as shown and described in the conditions from the most recent approval (attached in the B.1 conditions) and includes between 200-245 residential units, between 14,000 - 20,000 square feet of commercial space, streetscape improvements and up to 358 structured parking spaces.
- The applicant is only proposing a change to the condition governing the designation of affordable residential units as described in condition no.8. The project was approved for a LUIG in 2015 based on this affordability condition which has not been utilized since the project has not been built.
  - ***Current condition:*** Five percent of the units will be designated as affordable by the City's standards. The remaining 95% of the units will be leased at or below the City's published 2015 rates for workforce housing as a baseline, assuming and including an annual increase of 3% calculated as of the date of completion of the project as indicated on the attached schedule B1-a. This condition is in effect for a period of ten years from initial Certificate of Occupancy (CO). The applicant will enter into an affordable housing deed restriction with the City to memorialize the aforementioned rent limits and period of affordability. The deed restriction shall be recorded by the applicant in the Buncombe County Register of Deeds prior to obtaining final CO.

  - ***Proposed condition:*** At least ten percent of the units shall meet the City's standards for affordability at 80% Area Median Income or AMI (60.1 - 80% AMI) for a period of ten years from the issuance of the Certificate of Occupancy (CO). The rent and income shall follow the Affordable and Workforce Housing Standards determined annually by the City of Asheville Community Development Department. An Affordable Housing Deed Restriction will be provided by the City and filed and recorded by the applicant/property owner in the Buncombe County Register of Deeds prior to obtaining final CO.

- The project location is within Census Tract 9, an Opportunity Zone area, a designation that was not in place during the original approval nor subsequent amendments. Resolution no. 18-269 (attached) states that Council commits to work with investors and offer guidance on projects within these areas that promote equitable growth, do not displace low income or residents of color and do not result in the loss of community assets or land. The subject property was formerly a steel factory (Dave Steel Co.) that operated between 1929 and 2007, after which the plant closed its facility on Roberts Street and moved its operation to South Carolina.

Subsidy Analysis

- The current proposal for 10/80/10 does not include any subsidy from the City to gain the affordable units. Staff undertook an analysis to determine the subsidy if Council were to make a special exception to allow a ten-year affordability period, versus the LUIG policy which requires a 20-year affordability period. Per the analysis, the City would lose $2,169,670 in property tax dollars if the LUIG was specially approved for this proposal to gain approximately 25 units at 80% AMI for 10 years.

Comprehensive Plan Consistency:

- This proposal is consistent with the Living Asheville Comprehensive Plan in that the Traditional Corridor Land Use category encourages mixed-use developments prioritizing pedestrian infrastructure and multimodal access, buildings close to the street and higher residential densities.
- While there is a reduction in units between 80-120% AMI, the proposal doubles the number of units dedicated at 80% AMI or below. Since the amendment still contains a commitment to affordability, it is aligned with key goals in the *Resilient Economy* Plan section.

Compatibility Analysis:

- The mixed-use development proposal has been evaluated in previous reviews and determined to be compatible with the surrounding area and an ideal location for the uses proposed. This amendment does not impact the compatibility.
- The nearest residential neighborhoods in Census Block 9 (Southside, South French Broad) have been identified as an area that is vulnerable to displacement and are approximately a half mile away.
- The project site is located in an area that has already been involved in ongoing significant redevelopment and investment. The City and community partners have invested well over 30 million dollars in improving the immediate area around the project site through the River Arts District Transportation Improvement Project (RADTIP) and via design and planning efforts through the River Arts District Form Based Code with a goal of attracting reinvestment and mixed-use development to this area. Due to the location of the Southside neighborhood - at approximately a half mile away from the project site - and affordability component of the project, staff believes this proposed project amendment is in alignment with City goals and is compatible with the surrounding area.

Council Goal(s):

- A Well-Planned and Livable Community
- Quality Affordable Housing
- Transportation and Accessibility

Committee(s):

- Technical Review Committee (TRC) - n/a
- Planning & Zoning Commission - December 4, 2019 - recommended approval (7-0)

Staff Recommendation:

- Staff consistently recommends that applicants include as many affordable units as they are willing and able to provide
- Staff supports the requested amendment to the number of affordable units.

- The amendment doubles the number of residential units that will be dedicated as affordable at 80% AMI for the ten year period from 5% to 10%, resulting in a net gain in dedicated affordable units.
- The previous Land Use Incentive Grant agreement between the City and the applicant would be abandoned. Without the agreement, the applicant will not be receiving any subsidies from the City and will fund the affordable component entirely independently.
- While City staff consistently encourages applicants to make use of development incentives available, current policy does not require that an applicant commit to those incentives.
- Since the applicant is willing to provide an increase in the number of units dedicated at 80% AMI without encumbering any City funds, staff is supportive of that change.
- Further, City affordable housing funds would be available for other projects looking to incorporate affordability.
- Although not proposing to partner with the City on affordability, the applicant is in a cost-sharing agreement with the City on improvement of a major stormwater project on the site that has widespread impact and benefit. Additionally, the applicant will undergo brownfield remediation on the site, which is another beneficial partnership.
- Regarding alignment with the Opportunity Zone policy, the site is a vacant former industrial site and does not directly displace any residential or commercial uses nor any City or community land/assets. The City does not currently have a process or policy to evaluate the potential for displacement within a geographical range related to increases in property value from development in the area.
- As stated in the subsidy analysis section above, there would be a greater cost to the City in pursuing a special approval for the LUIG and therefore staff recommends supporting the change as proposed by the applicant.

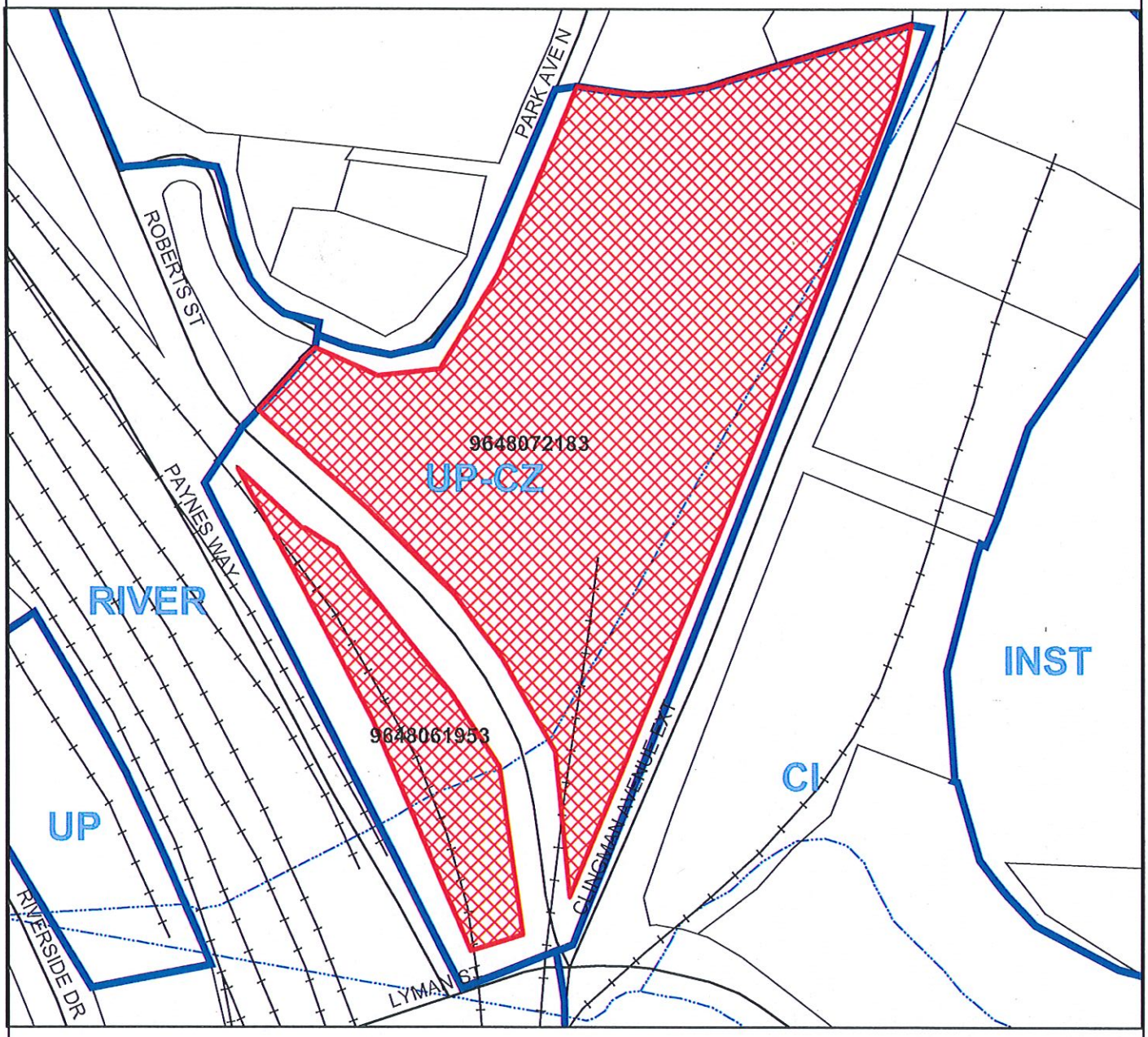
Suggested Motion to Approve:

- Move to recommend approval of the conditional zoning amendment to ordinance 4602 for RAD Lofts - Urban Place Conditional Zone (UP CZ) for the revised condition related to affordability and find that the request is reasonable, is in the public interest and is consistent with the Comprehensive Plan and other adopted plans in that: 1) the amendment does not substantially deviate from the project details previously approved other than the change to affordability; 2) the project increases the number of dedicated affordable residential units for low moderate income households; and, 3) the project is compatible with the surrounding area and future land use map.

Attachment(s)

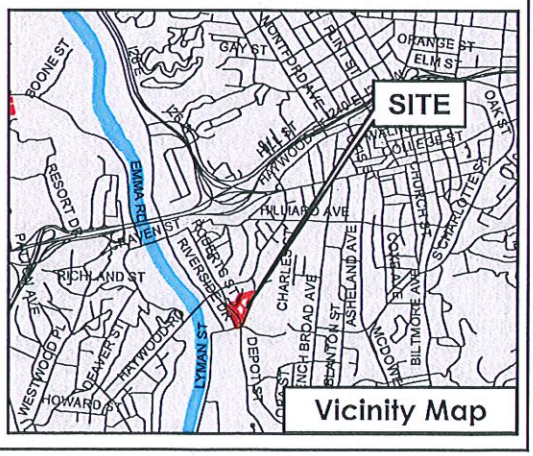
(1) Exhibit A Map - Existing Zoning
(2) Exhibit B Map - Aerial
(3) Exhibit B.1 Conditions
(4) Exhibit C - Previously Approved Site Plan and Elevations
(5) Exhibit D - Previously Approved Ordinance 4602
(6) Ordinance
(7) Planning & Zoning Commission Minutes
(8) Planning & Zoning Commission Recommendation Form
(9) Resolution 18-269 (Opportunity Zones)
(10) City of Asheville Affordability Requirements & Rents (2019)
(11) Previous LUIG Agreement
(12) Project Location/Neighborhood Map

City of Asheville - Exhibit A Map
Conditional Zoning Amendment - RAD Lofts



Project Name:	RAD Lofts Amendment
Project Number:	13 - 03995 PZ
Project Description:	UP CZ Amendment
Petitioner(s):	Matt Sprouse
Parcel ID Number(s):	9648-07-2183 & 9648-06-1953
Location/Address:	146 Roberts Street

Project Site | Parcels | Asheville City Limits
Zoning Districts | Streets | River Areas



City of Asheville Planning and Urban Design Department - November 2016

City of Asheville - Exhibit B Map
Conditional Zoning Amendment - RAD Lofts

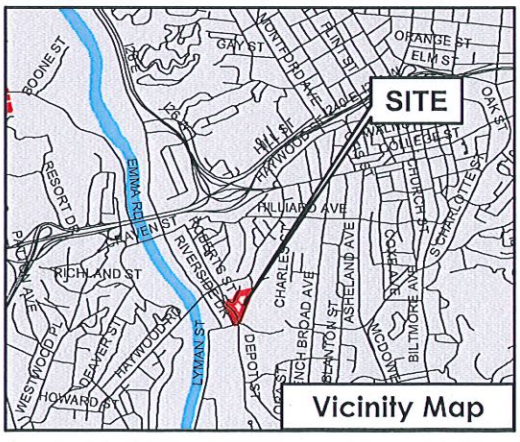
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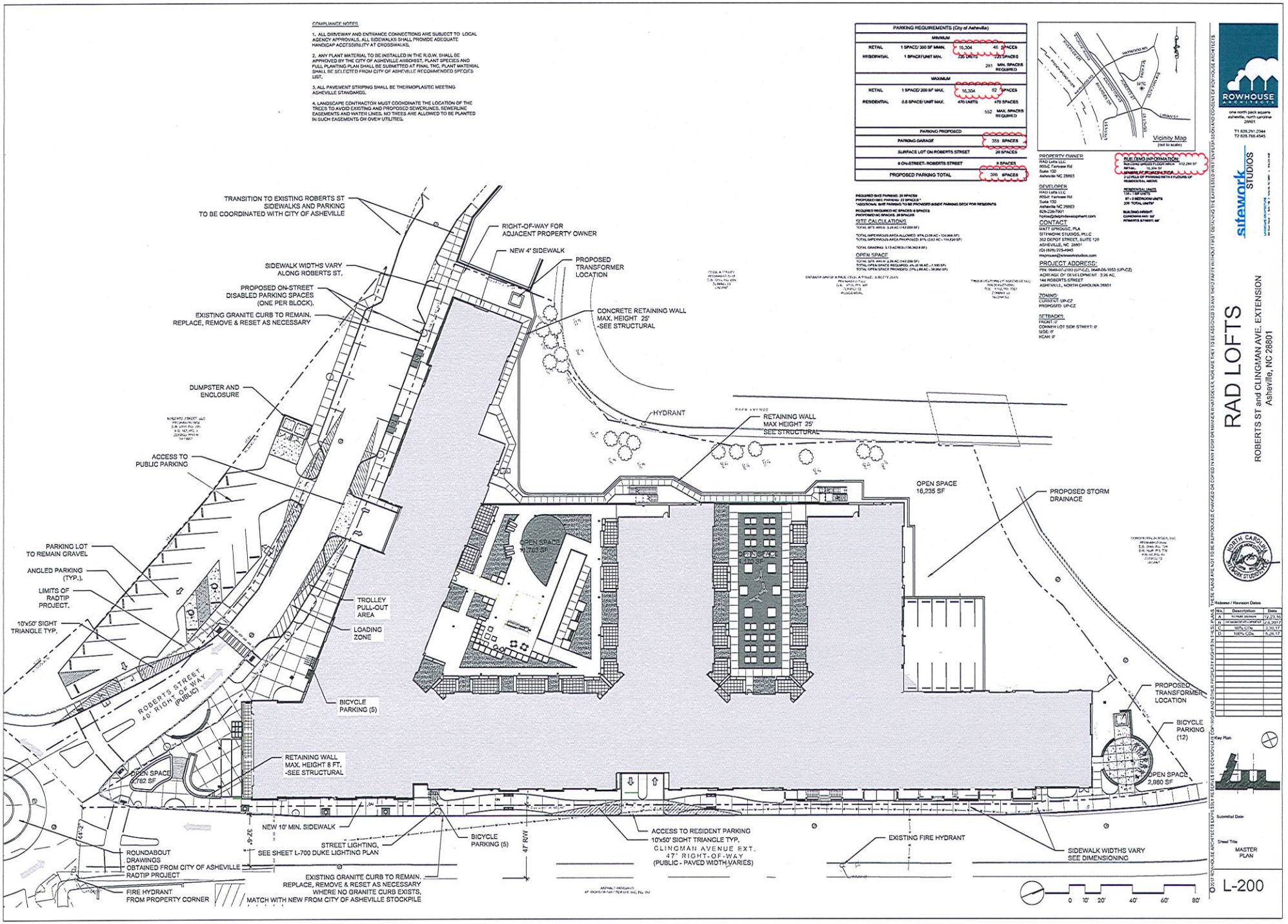
EXHIBIT B-1

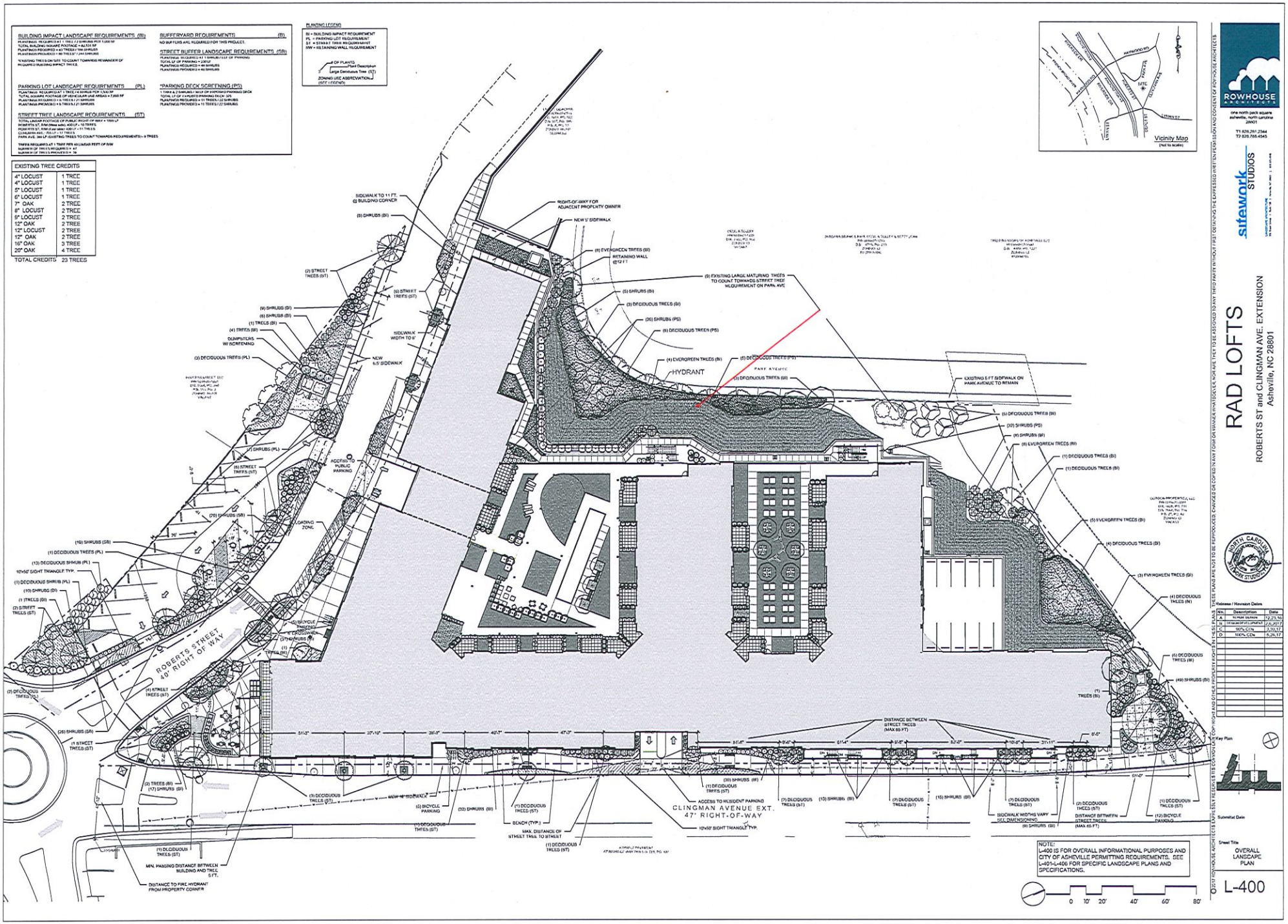
CONDITIONS
RAD LOFTS AMENDMENT 2019

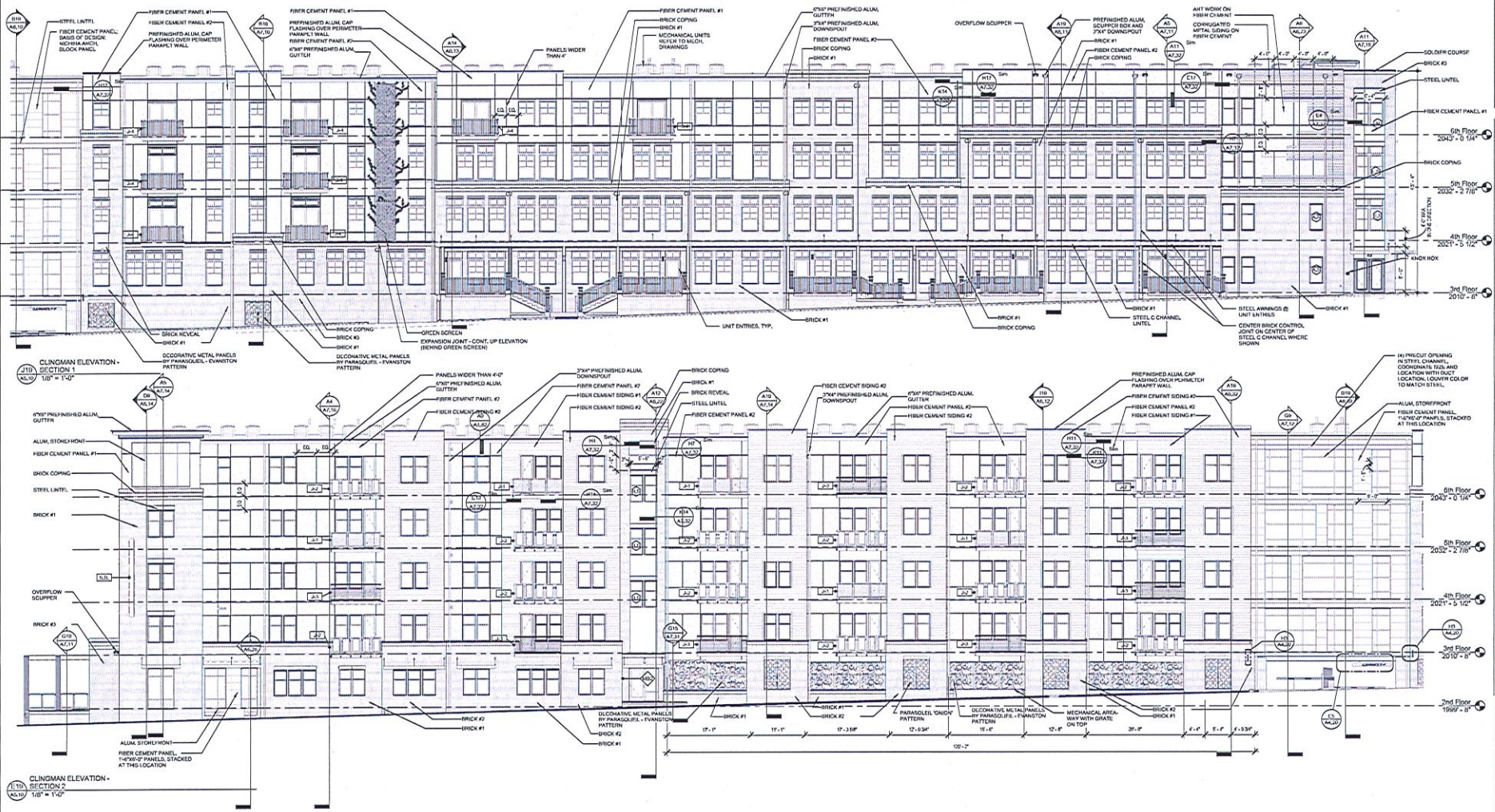
1. Approval is for conditional zoning to UP-CZ (Urban Place District) for the construction and use of the property for a mixed-use development as described herein. This is an amendment to a previously approved project (ordinance no. 4241, dated October 22, 2013, ordinance no. 4414, dated May 26, 2015, ordinance no. 4548, dated January 10, 2017 and ordinance no. 4602, dated July 25, 2017).
2. The project site consists of two separate parcels with a combined area of approximately 3.26 acres and frontage on Roberts Street, Clingman Avenue Extension and Park Avenue (north) in the River Arts District. The main parcel for development is 2.88 acres in size and the second parcel (0.379 acres) is located across Roberts Street to the south.
3. The current proposal contains a total of 235 residential units but the development is approved at a range of between 230 and 245 units; and retail space is approved for a range of between 14,000 and 20,000 square along Roberts Street.
4. There will be two levels of parking and four to six levels of retail and residential spaces but with the existing grade change on site, the overall height varies. The building height is 50 feet on Clingman and 68 feet from Roberts Street. No building shall exceed 80 feet in height.
5. There will be two driveways, one on each frontage, into the structured parking, which shall contain 358 spaces. There will be a 20-space surface parking lot across Roberts Street and approximately 8 on-street parking spaces will be created through streetscape improvements. The project is approved for a range of between 360 and 400 parking spaces throughout the development site.
6. Landscaping is required on the site and must include street trees along all road frontages, building impact plantings, parking deck and dumpster screening and parking lot landscaping with a street buffer. Open space is also required in this zoning district, equal to 5% of the lot area. Retaining walls are subject to screening requirements.
7. The residential density is approved at a range of between 70 and 75 units per acre.
8. At least ten percent of the units shall meet the City's standards for affordability at 80% AMI for a period of ten years from the issuance of the Certificate of Occupancy (CO). The rent and income shall follow the Affordable and Workforce Housing Standards determined annually by the City of Asheville Community Development Department. An Affordable Housing Deed Restriction will be provided by the City and filed and recorded by the applicant/property owner in the Buncombe County Register of Deeds prior to obtaining final CO.
9. The footprint of the building is approved at a range of between 75,000 square feet and 90,000 square feet and the gross floor area not to exceed 430,000 square feet.
10. Sidewalks must be at least 6.5' along the surface parking lot on Roberts Street and between 7.5' -12' along Clingman Avenue. There is an existing 5' sidewalk along Park Avenue and the sidewalk along the building side of Roberts Street will be a minimum of 10'. These conditions allow reductions from the 10' minimum width in the UP district.
11. Roberts Street and between 7.5' -12' along Clingman Avenue. There is an existing 5' sidewalk along Park Avenue and the sidewalk along the building side of Roberts Street will be a minimum of 10'. These conditions allow reductions from the 10' minimum width in the UP district.
12. As the site plan indicates, the parking deck landscaping is reduced to 4 trees based on the existing site conditions where a grade change effectively shields the exposed deck levels and creates challenges to planting.
13. The setback in one location along Roberts Street is greater than the UP district maximum of 15' and shall be as indicated on the site plan.
14. The distance between entrances is as shown on the site plan on both Roberts Street (up to 85' between entrances) and Clingman Avenue Extension (up to 153' between entrances).
15. The site plan shows greater spacing for windows and less ground-level fenestration on Clingman Avenue Extension (down to 22% fenestration at the ground-level). An active pedestrian feel will

be created along this corridor by the inclusion of street furniture, public art attached to the building, interpretive signage regarding the history of the area and creative screening on the parking deck openings.

16. Retaining wall on the north end of the project which is 25 feet in height and has no room for foreground landscaping, will be screened with an aesthetic treatment TBD.
17. The building design, site design, construction materials, and orientation on site must substantially comply with the site plan attached hereto as Exhibit C and incorporated herein by reference and the final approved site plan that is incorporated into the zoning permit. Staff has the ability to approve changes that relate to and are within the range of the development approval thresholds without further review by the approving boards. Other major deviations from these plans outside of the approval thresholds will require reconsideration of the project by the reviewing boards.
18. All legally required local, state, and federal permits and approvals must be obtained prior to initiation of construction and any pertinent legal requirements shall be met.


COMPLIANCE NOTES:
1. ALL DRIVEWAY AND ENTRANCE CONNECTIONS ARE SUBJECT TO LOCAL AGENCY APPROVALS. ALL SIDEWALKS SHALL PROVIDE ADEQUATE HANDICAP ACCESSIBILITY AT CROSSWALKS.
2. ANY PLANT MATERIAL TO BE INSTALLED IN THE R.O.W. SHALL BE APPROVED BY THE CITY OF ASHEVILLE ARBORIST. PLANT SPECIES AND FULL PLANTING PLAN SHALL BE SUBMITTED AT FINAL TRC. PLANT MATERIAL SHALL BE SELECTED FROM CITY OF ASHEVILLE RECOMMENDED SPECIES LIST.
3. ALL PAVEMENT STRIPING SHALL BE THERMOPLASTIC MEETING ASHEVILLE STANDARDS.
4. LANDSCAPE CONTRACTOR MUST COORDINATE THE LOCATION OF THE TREES TO AVOID EXISTING AND PROPOSED SEWERLINES, SEWERLINE EASEMENTS AND WATER LINES. NO TREES ARE ALLOWED TO BE PLANTED IN SUCH EASEMENTS OR OVER UTILITIES.
PARKING REQUIREMENTS (City of Asheville)
MINIMUM
RETAIL 1 SPACE/ 300 SF MIN. 16,304 46 SPACES
RESIDENTIAL 1 SPACE/UNIT MIN. 235 UNITS 235 SPACES
281 MIN. SPACES REQUIRED
MAXIMUM
RETAIL 1 SPACE/ 200 SF MAX. 16,304 82 SPACES
RESIDENTIAL 0.5 SPACE/ UNIT MAX. 470 UNITS 470 SPACES
552 MAX. SPACES REQUIRED
PARKING PROPOSED
PARKING GARAGE 358 SPACES
SURFACE LOT ON ROBERTS STREET 20 SPACES
8 ON-STREET- ROBERTS STREET 8 SPACES
PROPOSED PARKING TOTAL 386 SPACES
REQUIRED BIKE PARKING: 20 SPACES
PROPOSED BIKE PARKING: 22 SPACES *
*ADDITIONAL BIKE PARKING TO BE PROVIDED IN/NEAR PARKING DECK FOR RESIDENTS
REQUIRED REQUIRED HC SPACES: 8 SPACES
PROPOSED HC SPACES: 20 SPACES
SITE CALCULATIONS
TOTAL SITE AREA: 3.26 AC (142,006 SF)
TOTAL IMPERVIOUS AREA ALLOWED: 95% (3.09 AC = 134,906 SF)
TOTAL IMPERVIOUS AREA PROPOSED: 81% (2.63 AC = 114,230 SF)
TOTAL GRADING: 3.13 ACRES (136,342.8 SF)
OPEN SPACE
TOTAL SITE AREA: 3.26 AC (142,006 SF)
TOTAL OPEN SPACE REQUIRED: 5% (0.16 AC = 7,100 SF)
TOTAL OPEN SPACE PROVIDED: 27% (.88 AC = 38,992 SF)
PROPERTY OWNER
RAD Lofts LLC
800-E Fairview Rd
Suite 100
Asheville NC 28803
DEVELOPER
RAD Lofts LLC
800-E Fairview Rd
Suite 100
Asheville NC 28803
828-238-7901
hpbaez@radhpdevelopment.com
CONTACT
MATT SPRAGUE, PLA
SITEWORK STUDIOS, PLLC
352 DEPOT STREET, SUITE 120
ASHEVILLE, NC 28801
(O) (828) 225-4945
mspraque@siteworkstudios.com
PROJECT ADDRESS:
PIN: 9648-07-2183 (UP/CZ), 9648-06-1653 (UP-CZ)
ACREAGE OF DEVELOPMENT: 3.26 AC.
140 ROBERTS STREET
ASHEVILLE, NORTH CAROLINA 28801
ZONING:
CURRENT: UP-CZ
PROPOSED: UP-CZ
SETBACKS:
FRONT: 0'
COMMERCIAL (OT SIDE STREET: 0'
SIDE: 0'
REAR: 0'
RUE DENG INFORMATIONAL
BUILDING GROSS FLOOR AREA: 412,244 SF
RETAIL: 16,304 SF
RESIDENTIAL: 235 UNITS
2 LEVELS OF PARKING WITH 4 FLOORS OF RESIDENTIAL ABOVE.
RESIDENTIAL UNITS
134 - 1 BR UNITS
87 - 2 BEDROOM UNITS
235 TOTAL UNITS*
BUILDING HEIGHT:
CLINGMAN AVE: 60'
ROBERTS STREET: 68'
Vicinity Map
(Not to Scale)
TRANSITION TO EXISTING ROBERTS ST SIDEWALKS AND PARKING TO BE COORDINATED WITH CITY OF ASHEVILLE
RIGHT-OF-WAY FOR ADJACENT PROPERTY OWNER
NEW 4' SIDEWALK
SIDEWALK WIDTHS VARY ALONG ROBERTS ST.
PROPOSED TRANSFORMER LOCATION
PROPOSED ON-STREET DISABLED PARKING SPACES (ONE PER BLOCK).
EXISTING GRANITE CURB TO REMAIN, REPLACE, REMOVE & RESET AS NECESSARY
CONCRETE RETAINING WALL MAX. HEIGHT 25' -SEE STRUCTURAL
DUMPSTER AND ENCLOSURE
HYDRANT
RETAINING WALL MAX HEIGHT 25' SEE STRUCTURAL
ACCESS TO PUBLIC PARKING
OPEN SPACE 16,235 SF
PROPOSED STORM DRAINAGE
PARKING LOT TO REMAIN GRAVEL
ANGLED PARKING (TYP.).
LIMITS OF RADTIP PROJECT.
10'x50' SIGHT TRIANGLE TYP.
OPEN SPACE 11,703 SF
TROLLEY PULL-OUT AREA
LOADING ZONE
BICYCLE PARKING (5)
ROBERTS STREET 40' RIGHT-OF-WAY (PUBLIC)
PROPOSED TRANSFORMER LOCATION
BICYCLE PARKING (12)
RETAINING WALL MAX. HEIGHT 8 FT. -SEE STRUCTURAL
OPEN SPACE 2,980 SF
OPEN SPACE 4,782 SF
NEW 10' MIN. SIDEWALK
STREET LIGHTING, SEE SHEET L-700 DUKE LIGHTING PLAN
BICYCLE PARKING (5)
ACCESS TO RESIDENT PARKING
10'x50' SIGHT TRIANGLE TYP.
CLINGMAN AVENUE EXT.
47' RIGHT-OF-WAY
(PUBLIC - PAVED WIDTH VARIES)
EXISTING FIRE HYDRANT
SIDEWALK WIDTHS VARY SEE DIMENSIONING
ROUNDABOUT DRAWINGS OBTAINED FROM CITY OF ASHEVILLE RADTIP PROJECT
EXISTING GRANITE CURB TO REMAIN. REPLACE, REMOVE & RESET AS NECESSARY WHERE NO GRANITE CURB EXISTS, MATCH WITH NEW FROM CITY OF ASHEVILLE STOCKPILE
FIRE HYDRANT FROM PROPERTY CORNER
47' R/W
0 10' 20' 40' 60' 80'
ROWHOUSE ARCHITECTS
one north pack square
asheville, north carolina
28801
T1 828.281.2344
T2 828.768.4545
sitework STUDIOS
RAD LOFTS
ROBERTS ST and CLINGMAN AVE. EXTENSION
Asheville, NC 28801
NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT
Release / Revision Dates
No. Description Date
A PUBLIC REVIEW 12.23.16
B REVISED PER COMMENTS 04.28.17
C 100% CDs 5.26.17
D 100% CDs 6.26.17
Key Plan
Submittal Date
Sheet Title
MASTER PLAN
L-200
© 2017 ROWHOUSE ARCHITECTS | THESE PLANS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT FIRST OBTAINING THE EXPRESSED WRITTEN CONSENT OF ROWHOUSE ARCHITECTS


BUILDING IMPACT LANDSCAPE REQUIREMENTS (BI)
BUFFERYARD REQUIREMENTS (B)
NO BUFFERS ARE REQUIRED FOR THIS PROJECT.
STREET BUFFER LANDSCAPE REQUIREMENTS (SB)
PARKING LOT LANDSCAPE REQUIREMENTS (PL)
*PARKING DECK SCREENING (PS)
STREET TREE LANDSCAPE REQUIREMENTS (ST)
PLANTING LEGEND
BI = BUILDING IMPACT REQUIREMENT
PL = PARKING LOT REQUIREMENT
ST = STREET TREE REQUIREMENT
RW = RETAINING WALL REQUIREMENT
QTY OF PLANTS
Plant Description
Large Deciduous Tree (ST)
ZONING USE ABBREVIATION (SEE LEGEND)
EXISTING TREE CREDITS
4" LOCUST 1 TREE
4" LOCUST 1 TREE
5" LOCUST 1 TREE
6" LOCUST 1 TREE
7" OAK 2 TREE
8" LOCUST 2 TREE
9" LOCUST 2 TREE
12" OAK 2 TREE
12" LOCUST 2 TREE
12" OAK 2 TREE
16" OAK 3 TREE
20" OAK 4 TREE
TOTAL CREDITS: 23 TREES
Vicinity Map
(Not to Scale)
SIDEWALK TO 11 FT. @ BUILDING CORNER
RIGHT-OF-WAY FOR ADJACENT PROPERTY OWNER
NEW 5' SIDEWALK
RETAINING WALL @12 FT
(9) EXISTING LARGE MATURING TREES TO COUNT TOWARDS STREET TREE REQUIREMENT ON PARK AVE
SIDEWALK WIDTH TO 9'
NEW 6.5' SIDEWALK
HYDRANT
PARK AVENUE
EXISTING 6 FT SIDEWALK ON PARK AVENUE TO REMAIN
ACCESS TO PUBLIC PARKING
LOADING ZONE
DUMPSTERS W/ SCREENING
ROBERTS STREET 40' RIGHT OF WAY
CLINGMAN AVENUE EXT. 47' RIGHT-OF-WAY
ACCESS TO RESIDENT PARKING
10'x50' SIGHT TRIANGLE TYP.
BENCH (TYP.)
MAX. DISTANCE OF STREET TREE TO STREET
MIN. PASSING DISTANCE BETWEEN BUILDING AND TREE 5 FT.
DISTANCE TO FIRE HYDRANT FROM PROPERTY CORNER
DISTANCE BETWEEN STREET TREES (MAX 40 FT)
SIDEWALK WIDTH VARY SEE DIMENSIONING
NOTE:
L-400 IS FOR OVERALL INFORMATIONAL PURPOSES AND CITY OF ASHEVILLE PERMITTING REQUIREMENTS. SEE L-401-L-406 FOR SPECIFIC LANDSCAPE PLANS AND SPECIFICATIONS.
0 10' 20' 40' 60' 80'
ROWHOUSE ARCHITECTS
one north park square
asheville, north carolina
28801
T1 828.281.2344
T2 828.768.4545
sitework STUDIOS
RAD LOFTS
ROBERTS ST and CLINGMAN AVE. EXTENSION
Asheville, NC 28801
Release / Revision Dates
No. Description Date
A 50% DD SUBMITTAL 12.23.16
B 100% DD SUBMITTAL 2.24.2017
C 100% CDs 3.30.17
D 100% CDs 5.26.17
Key Plan
Submittal Date
Sheet Title
OVERALL LANDSCAPE PLAN
L-400
TREE PLANS ARE NOT TO BE REPRODUCED, COPIED OR USED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT FIRST OBTAINING THE EXPRESSED WRITTEN PERMISSION AND CONSENT OF ROWHOUSE ARCHITECTS
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1. SEE WALL SECTIONS & ENLARGED ELEVATIONS FOR GUARDRAIL HEIGHTS. ALL RAILCONETS ON WALKWAYS ELEVATED MORE THAN 30" IN VERTICAL RISE TO HAVE MINIMUM 3'-6" HIGH GUARDRAILS AS PER THE BUILDING CODE.
2. PROVIDE VERTICAL EXPANSION JOINTS IN BRICK VENEER PER IMA STANDARDS. PROVIDE HORIZONTAL SUPPORTS PER STRUCTURAL DRAWINGS AND IMA STANDARDS WHERE EXCEEDS 30' IN HEIGHT.
3. TIP IN ALL DOWNSPOUTS TO STORM DRAINS.
4. ALL DRYER & BATH VENTS TO MATCH ADJACENT COLOR
5. ALL FIBER CEMENT TRIM 6MK THICKNESS, NUMBERS ON THIM REPRESENT WIDTHS.
6. REFER TO SPECIFICATIONS FOR ALL EXTERIOR MATERIALS. THE WALL SECTIONS AND DETAILS SHOWN IN THIS SET REFLECT FIBER CEMENT PANEL / SIDING WITH 5/4 TRIM. ALL MATERIAL MIDTHS TO REMAIN SAME SIZE IF ANY PRODUCT SUBSTITUTION IS MADE. CONTACT ARCHITECT IF THERE ARE ANY DISCREPANCIES IN DETAILS DUE TO PRODUCT SUBSTITUTIONS.
7. REFER TO BUILDING PLAN FOR MASONRY LOCATIONS, INCLUDING THOSE NOT SHOWN IN THESE ELEVATIONS.
8. SEE ROOF PLAN FOR OVERHANG DIAGRAM DESIGNS.
9. APPLY AN ADDITIONAL 12" LAYER OF MOISTURE BARRIER AT INSIDE/OUTSIDE CORNERS FULL HEIGHT OF WALL (TYP.)
10. PROVIDE CONT. BUILDING WRAP OVER SHEATHING - TYVEK "COMMERCIAL WRAP" TO BE BASIS OF DESIGNER SPECIFICATIONS.
11. INSTALL BUILDING WRAP CONTINUOUS AT ALL WALL SURFACES PRIOR TO EXTERIOR FINISH INSTALLATION.
12. TERM./FLASH BUILDING WRAP AT PENETRATIONS DETAILS & MANF. RECOMMENDATIONS.
13. PROVIDE PRE-FAB. FLASHING BOOTS OR FLANGED EXHAUST LOUVER AT DUCT PENETRATIONS AT WALLS (TYP.).
14. PROVIDE SEALANT AT VERTICAL TRANSITIONS BETWEEN WALL FINISHES.
15. PROVIDE METAL FLASHING AT HORIZONTAL TRANSITIONS BETWEEN WALL FINISHES.
16. COORDINATE LOUVER LOCATION TO AVOID CONFLICT WITH BRICK SOLDIER COURSE AND 5/4 TRIM AT WINDOW HEAD CONDITIONS.

ROWHOUSE ARCHITECTS
one north pack square
asheville, north carolina
28801
T1 828.281.2344
T2 828.231.1931

RAD LOFTS

THE RIVER ARTS DISTRICT
Asheville, NC 28801

ROWHOUSE ARCHITECTS, P.A. — 52659 — ASHEVILLE, NC

ROBIN B. CAINES — No. 10084 — 5.19.17 — ASHEVILLE, NC

Release / Revision Dates		
No.	Description	Date
1	SCHEM. DESIGN	12.23.16
2	DESIGN DEV.	2.6.17
3	90% CDS	3.30.17
4	CONSTRUCTION DOCUMENTS	5.19.17

Key Plan

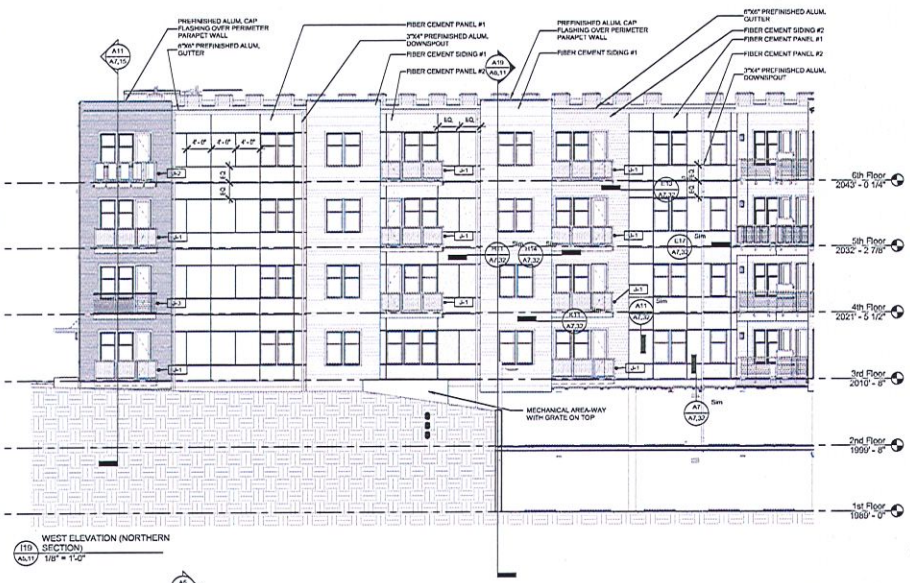
Submittal Date
5.19.17

Sheet Title
ELEVATIONS

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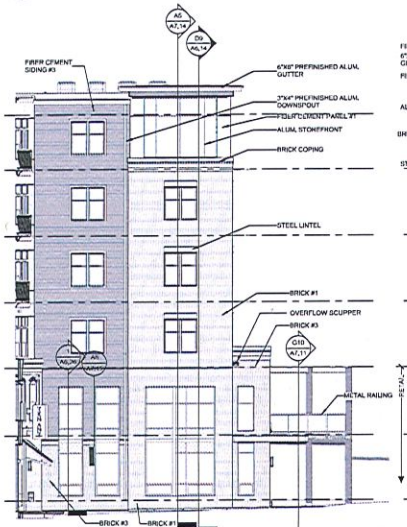
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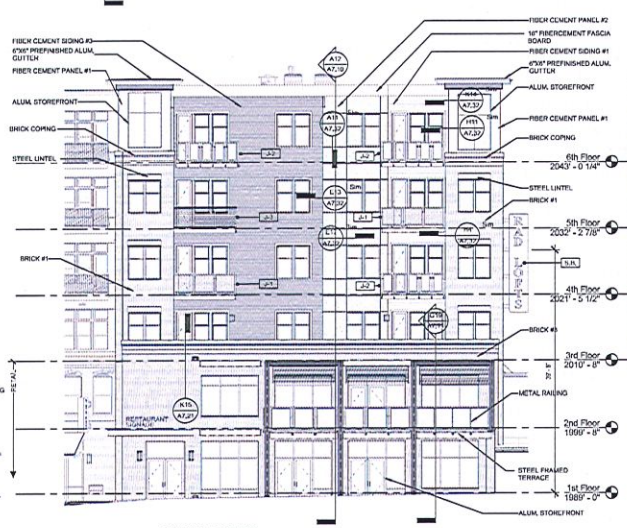
(I19) WEST ELEVATION (NORTHERN SECTION)
A5.11 1/8" = 1'-0"



(I10) NORTH WING - NORTH ELEVATION
A5.11 1/8" = 1'-0"



(C19) RETAIL CORNER ELEVATION
A5.11 1/8" = 1'-0"



(C14) CLINGMAN / ROBERTS INTERSECTION
A5.11 1/8" = 1'-0"



(D8) LARGE INTERIOR COURTYARD BAY
A5.11 1/8" = 1'-0"

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ROWHOUSE ARCHITECTS
one north pack square
asheville, north carolina
28801
t 828.281.2344
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RAD LOFTS

THE RIVER ARTS DISTRICT
Asheville, NC 28801

ROWHOUSE ARCHITECTS P.C. 52659 REGISTERED ARCHITECTURAL CORPORATION NORTH CAROLINA ASHEVILLE, N.C.

ROBIN B. CAINES No. 10084 5.19.17 REGISTERED ARCHITECT NORTH CAROLINA ASHEVILLE, N.C.

Release / Revision Dates

No.	Description	Date
1	SCHEM. DESIGN	12.23.16
2	DESIGN DEV.	2.6.17
3	PERMIT SET	3.24.17
4	CONSTRUCTION DOCUMENTS	5.19.17

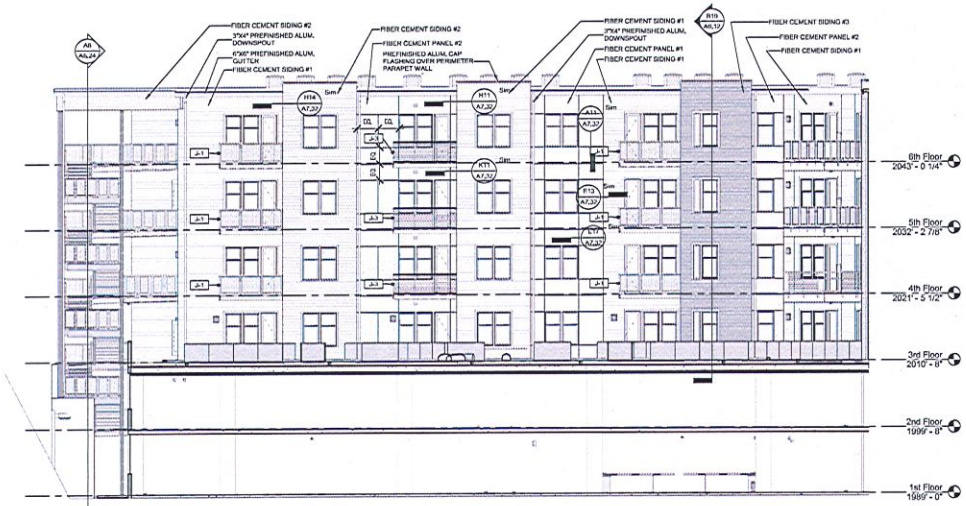
Key Plan

Submittal Date
5.19.17

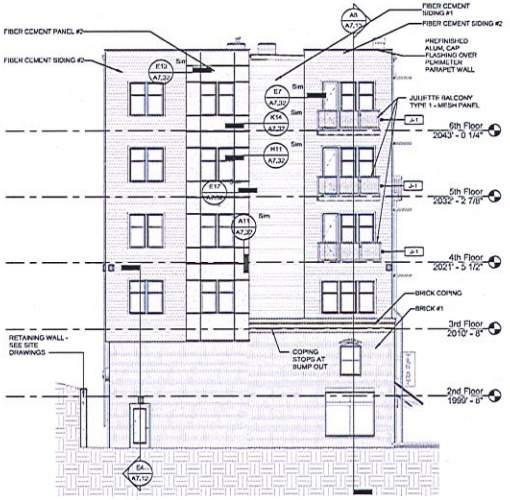
Sheet Title
ELEVATIONS

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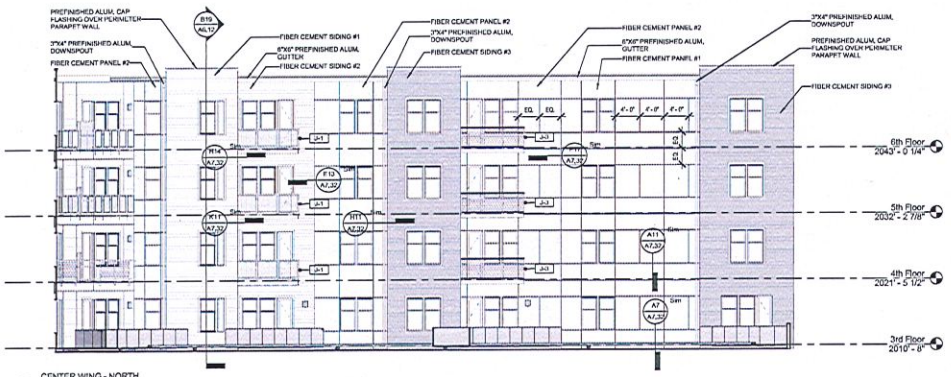
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J19 NORTH WING - LEFT
1/8" = 1'-0"



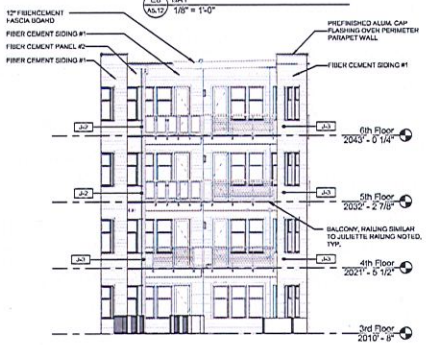
J1 NORTH ROBERTS ELEVATION
1/8" = 1'-0"



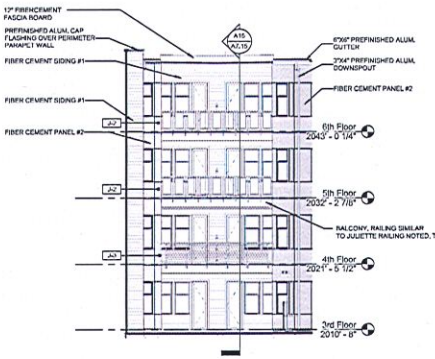
E19 CENTER WING - NORTH ELEVATION
1/8" = 1'-0"



E8 SMALL INTERIOR COURTYARD BAY
1/8" = 1'-0"



A8 INTERIOR COURTYARD CORNER #1
1/8" = 1'-0"



A4 INTERIOR COURTYARD CORNER #2
1/8" = 1'-0"

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one north pack square
asheville, north carolina
28801
T1 828.281.2344
T2 828.231.1931

RAD LOFTS

THE RIVER ARTS DISTRICT
Asheville, NC 28801

ROWHOUSE ARCHITECTS P.A. 52659 ASHEVILLE, NC

ROBERT R. GAINES No. 10084 5.19.17 NORTH CAROLINA ASHEVILLE

Release / Revision Dates

No.	Description	Date
A	SCHEM. DESIGN	12.23.16
B	DESIGN DEV.	2.3.17
C	90% CDS	3.30.17
D	CONSTRUCTION DOCUMENTS	5.19.17

Key Plan



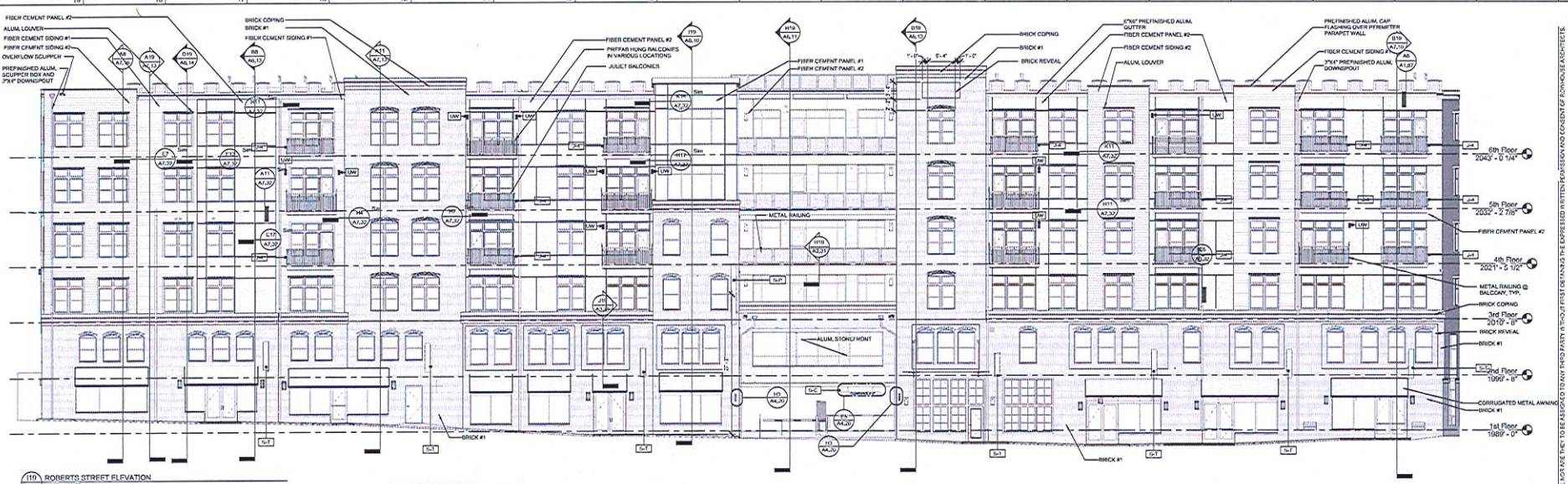
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Sheet Title
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(10) ROBERTS STREET ELEVATION
A5.13 1/8" = 1'-0"



(D10) ROBERTS STREET REAR ELEVATION
A5.13 1/8" = 1'-0"

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asheville, north carolina
28801
T1 828.281.2344
T2 828.231.1931

RAD LOFTS

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Asheville, NC 28801

ROWHOUSE ARCHITECTS 52659 3rd ASHEVILLE, NC

ROBIN P. HAINES No. 10084 5.19.17 ASHEVILLE, NC

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C	50% CDs	3.30.17
D	CONSTRUCTION DOCUMENTS	5.19.17

Key Plan



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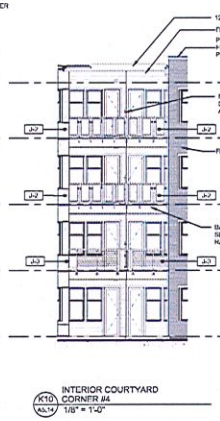
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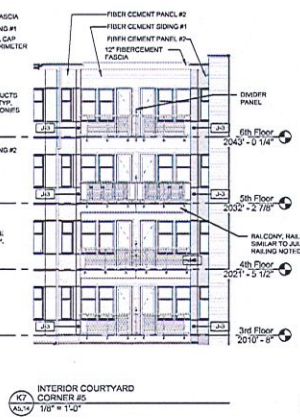
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I19 CENTER WING - SOUTH ELEVATION
A5.14 1/8" = 1'-0"



K10 INTERIOR COURTYARD CORNER #4
A5.14 1/8" = 1'-0"



K7 INTERIOR COURTYARD CORNER #5
A5.14 1/8" = 1'-0"



K4 INTERIOR COURTYARD CORNER #3
A5.14 1/8" = 1'-0"



D11 NORTH ELEVATION
A5.14 1/8" = 1'-0"



D12 WEST ELEVATION
A5.14 1/8" = 1'-0"

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T1 828.281.2344
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RAD LOFTS

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Asheville, NC 28801

ROWHOUSE ARCHITECTS 52659 ASHEVILLE, NC

JASON R. HAINES No. 10084 5.19.17 ASHEVILLE, NC

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No.	Description	Date
A	SCHEM. DESIGN	12.21.16
B	DESIGN DEV.	2.8.17
C	PERMITTING	3.30.17
D	CONSTRUCTION DOCUMENTS	5.19.17

Key Plan



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ORDINANCE NO. 4602

ORDINANCE AMENDING A PREVIOUSLY APPROVED CONDITIONAL ZONING (no. 4414) FOR PROPERTY(S) LOCATED AT ROBERTS STREET, CLINGMAN AVENUE EXTENSION AND PARK AVENUE (NORTH)

WHEREAS, the City of Asheville has the authority pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statues, to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and may amend said regulations and district classifications from time to time in the interest of the public health, safety and welfare; and

WHEREAS, a comprehensive amendment to the City's zoning regulations was adopted on May 27, 1997, (Ordinance No. 2369) and is codified in Chapter 7 of the Asheville City Code (herein "Zoning Ordinance"), and maps dividing and classifying the property within the City's zoning jurisdiction were adopted on May 27, 1997 (Ordinance No. 2370) and are on file and maintained in the Offices of the Asheville City Planning and Development Department (herein "Official Zoning Map"); and

WHEREAS, this proposed amendment is consistent with the City's 2025 Comprehensive Plan, Smart Growth policies, and other official plans of the City for the reasons set out in the Staff Report, which is hereby adopted and incorporated by reference; and

WHEREAS, this development proposal is an amendment to a previously approved conditional zoning recorded as Ordinance 4548; and

WHEREAS, this proposed ordinance is determined to be reasonable and in the public interest as follows:

a. The proposal supports the strategies found in the City's comprehensive plan on encouraging mixed-use development, especially in areas walkable to downtown and proximate to transit;
b. The proposal supports the goal found in the City's comprehensive plan of pursuing more intense infill development where appropriate; and
c. The design and uses create a pedestrian-oriented streetscape along Roberts Street and part of Clingman Avenue Extension.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

Section 1. The Official Zoning Map be, and the same is hereby, amended as follows:

The zoning classification of that certain real property described in Exhibit A and identified on Buncombe County tax maps as PINs 9648.07-2183

and 9648.06-1953 recorded in Deed Book 5546, Page 1921 and currently owned by 146 Roberts LLC from Urban Place Conditional Zone to Urban Place Conditional Zone district. A copy of the official zoning map showing said lots is attached hereto as Exhibit "A" and made a part hereof. Said rezoning is subject to the conditions set out in Exhibit "B.1", and substantially complies with the site plans shown in Exhibit "C", both attached hereto and made a part hereof.

Section 2. That the Office of the Zoning Administrator is hereby authorized and directed to make the changes as herein before enacted in said zoning map.

Section 3. That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declared that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 4. The ordinances shall be enforced as provided in Article XVIII of Chapter 7, Section 1-5 of the Asheville City Code.

Section 5. That this ordinance shall be in full force and effect on the date of adoption.

Read, approved and adopted the 25th day of July, 2017.

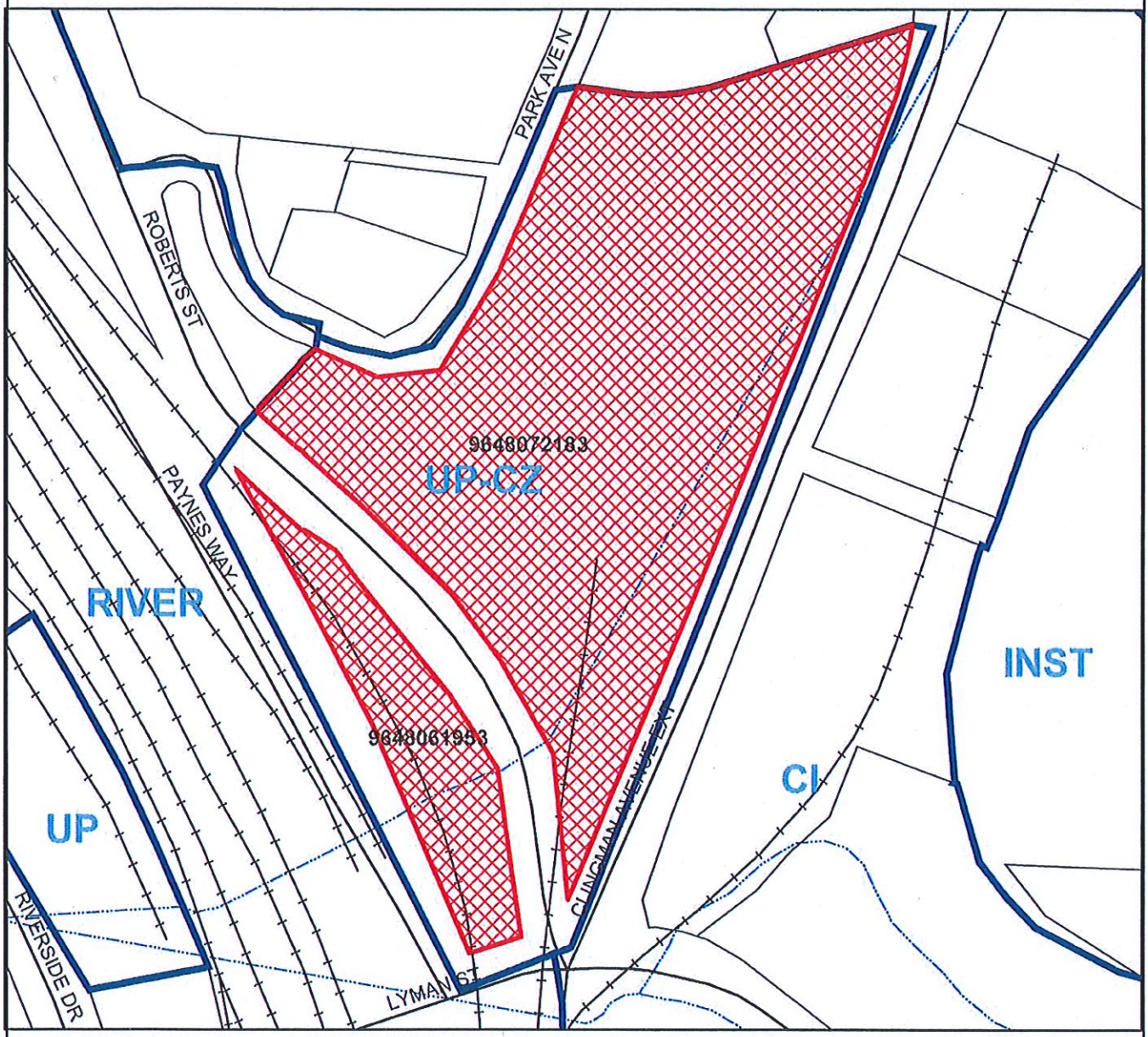
Magdalen Bellamy
City Clerk

Esther E. Manheimer
Mayor

Approved as to form:

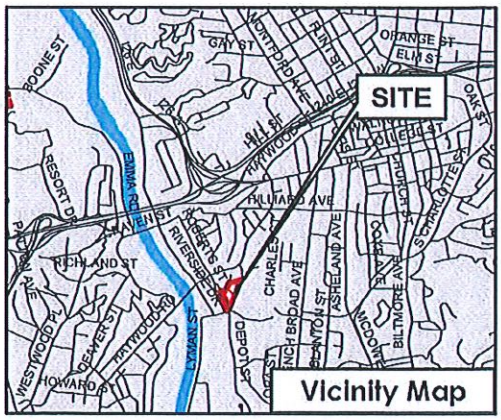
City Attorney

City of Asheville - Exhibit A Map
Conditional Zoning Amendment - RAD Lofts



Project Name:	RAD Lofts Amendment
Project Number:	13 - 03995 PZ
Project Description:	UP CZ Amendment
Petitioner(s):	Matt Sprouse
Parcel ID Number(s):	9648-07-2183 & 9648-06-1953
Location/Address:	146 Roberts Street

Project Site | Parcels | Asheville City Limits
Zoning Districts | Streets | River Areas



City of Asheville Planning and Urban Design Department - November 2016

EXHIBIT B-1

CONDITIONS
RAD LOFTS AMENDMENT III

1. Approval is for conditional zoning to UP-CZ (Urban Place District) for the construction and use of the property for a mixed-use development as described herein. This is an amendment to a previously approved project (ordinance no. 4241, dated October 22, 2013, ordinance no. 4414, dated May 26, 2015 and ordinance number no. 4548, dated January 10, 2017).
2. The project site consists of two separate parcels with a combined area of approximately 3.26 acres and frontage on Roberts Street, Clingman Avenue Extension and Park Avenue (north) in the River Arts District. The main parcel for development is 2.88 acres in size and the second parcel (0.379 acres) is located across Roberts Street to the south.
3. The current proposal contains a total of 235 residential units but the development is approved at a range of between 230 and 245 units; and retail space is approved for a range of between 14,000 and 20,000 square along Roberts Street.
4. There will be two levels of parking and four to six levels of retail and residential spaces but with the existing grade change on site, the overall height varies. The building height is 50 feet on Clingman and 68 feet from Roberts Street. No building shall exceed 80 feet in height.
5. There will be two driveways, one on each frontage, into the structured parking, which shall contain 358 spaces. There will be a 20-space surface parking lot across Roberts Street and approximately 8 on-street parking spaces will be created through streetscape improvements. The project is approved for a range of between 360 and 400 parking spaces throughout the development site.
6. Landscaping is required on the site and must include street trees along all road frontages, building impact plantings, parking deck and dumpster screening and parking lot landscaping with a street buffer. Open space is also required in this zoning district, equal to 5% of the lot area. Retaining walls are subject to screening requirements.
7. The residential density is approved at a range of between 70 and 75 units per acre.
8. Five percent of the units will be designated as Affordable by the City's standards. The remaining 95% of the units will be leased at or below the City's published 2015 rates for Workforce housing as a baseline, assuming and including an annual increase of 3% calculated as of the date of completion of the Project as indicated on the attached Schedule B1-a. This condition is in effect for a period of ten years from initial CO (certificate of occupancy). The applicant will enter into an affordable housing deed restriction with the City to memorialize the aforementioned rent limits and period of affordability. The deed restriction shall be recorded by the applicant in the Buncombe County Register of Deeds prior to obtaining final CO.
9. The footprint of the building is approved at a range of between 75,000 square feet and 90,000 square feet and the gross floor area not to exceed 430,000 square feet.
10. Sidewalks must be at least 6.5' along the surface parking lot on Roberts Street and between 7.5' -12' along Clingman Avenue. There is an existing 5' sidewalk along Park Avenue and the sidewalk along the building side of Roberts Street will be a minimum of 10'. These conditions allow reductions from the 10' minimum width in the UP district.
11. Roberts Street and between 7.5' -12' along Clingman Avenue. There is an existing 5' sidewalk along Park Avenue and the sidewalk along the building side of Roberts Street will be a minimum of 10'. These conditions allow reductions from the 10' minimum width in the UP district.

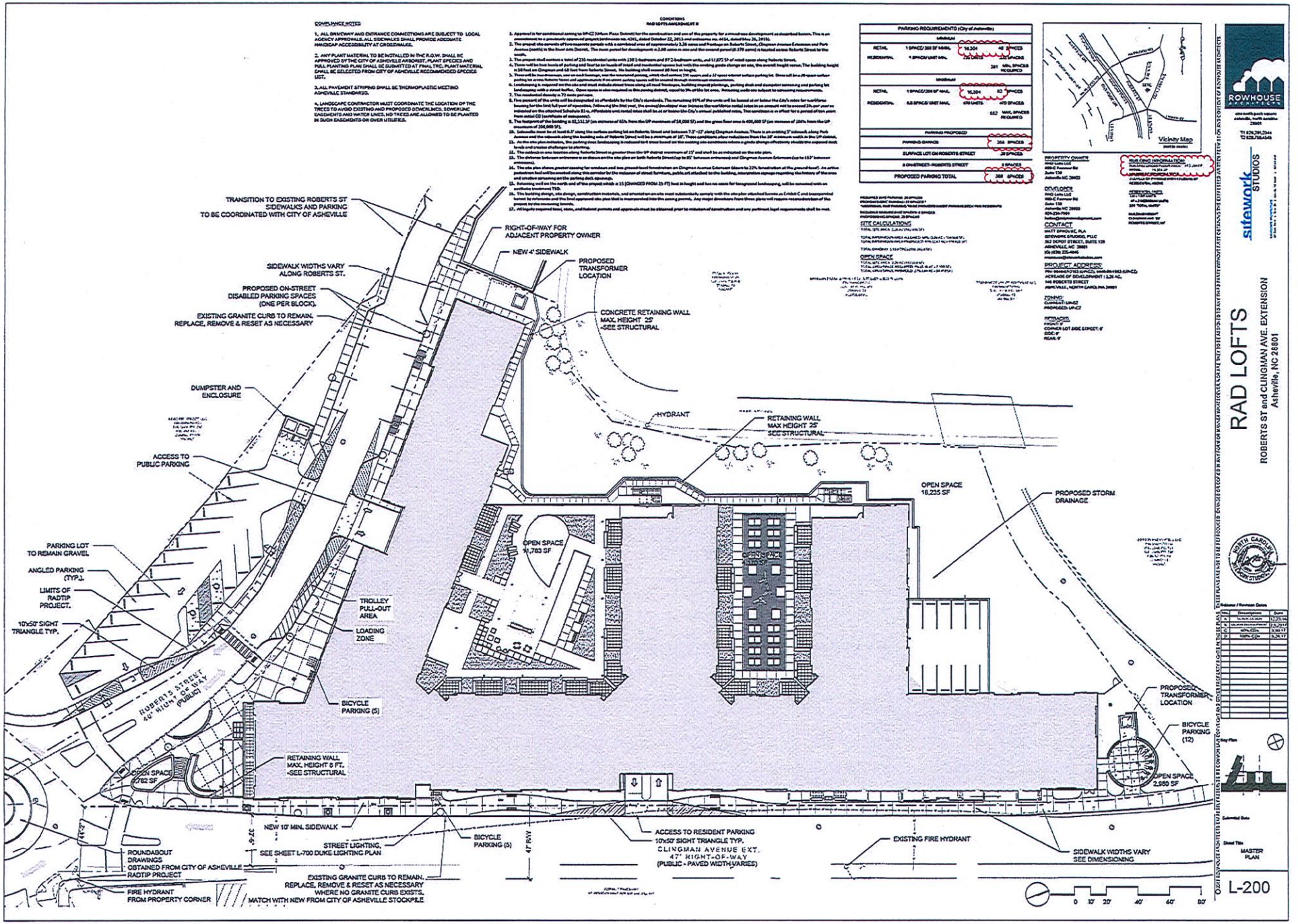
12. As the site plan indicates, the parking deck landscaping is reduced to 4 trees based on the existing site conditions where a grade change effectively shields the exposed deck levels and creates challenges to planting.
13. The setback in one location along Roberts Street is greater than the UP district maximum of 15' and shall be as indicated on the site plan.
14. The distance between entrances is as shown on the site plan on both Roberts Street (up to 85' between entrances) and Clingman Avenue Extension (up to 153' between entrances).
15. The site plan shows greater spacing for windows and less ground-level fenestration on Clingman Avenue Extension (down to 22% fenestration at the ground-level). An active pedestrian feel will be created along this corridor by the inclusion of street furniture, public art attached to the building, interpretive signage regarding the history of the area and creative screening on the parking deck openings.
16. Retaining wall on the north end of the project which is 25 feet in height and has no room for foreground landscaping, will be screened with an aesthetic treatment TBD.
17. The building design, site design, construction materials, and orientation on site must substantially comply with the site plan attached hereto as Exhibit C and incorporated herein by reference and the final approved site plan that is incorporated into the zoning permit. Staff has the ability to approve changes that relate to and are within the range of the development approval thresholds without further review by the approving boards. Other major deviations from these plans outside of the approval thresholds will require reconsideration of the project by the reviewing boards.
18. All legally required local, state, and federal permits and approvals must be obtained prior to initiation of construction and any pertinent legal requirements shall be met.

RAD Lofts
City Tax Abatement Agreement Rental Rates

Affordable housing and workforce housing rents established based on 2015 rental limits.
LUIG Benefits to commence in the year in which the Certificate of Occupany is awarded (Year 1), anticipated to be 2017.
Rent w no utilities

Workforce Housing 231 Units	2015 (Base Year)	Year 1 (2017) 3%	Year 2 3%	Year 3 3%	Year 4 3%	Year 5 3%	Year 6 3%	Year 7 3%	Year 8 3%	Year 9 3%	Year 10 3%
1BD	1,267	$1,305.01	$1,344.16	$1,384.49	$1,426.02	$1,468.80	$1,512.86	$1,558.25	$1,605.00	$1,653.15	$1,702.74
2BD	1,418	$1,460.54	$1,504.36	$1,549.49	$1,595.97	$1,643.85	$1,693.17	$1,743.96	$1,796.28	$1,850.17	$1,905.67

Exhibit B-1a



COMPLIANCE NOTES

1. ALL DRIVEWAY AND ENTRANCE CONNECTIONS ARE SUBJECT TO LOCAL AGENCY APPROVALS. ALL SIDEWALKS SHALL PROVIDE ADEQUATE HANDICAP ACCESSIBILITY AT CROSSWALKS.

2. ANY PLANT MATERIAL TO BE INSTALLED IN THE R.O.W. SHALL BE APPROVED BY THE CITY OF ASHEVILLE ARBORIST. PLANT SPECIES AND FULL PLANTING PLAN SHALL BE SUBMITTED AT FINAL TRC. PLANT MATERIAL SHALL BE SELECTED FROM CITY OF ASHEVILLE RECOMMENDED SPECIES LIST.

3. ALL PAVEMENT STRIPING SHALL BE THERMOPLASTIC MEETING ASHEVILLE STANDARDS.

4. LANDSCAPE CONTRACTOR MUST COORDINATE THE LOCATION OF THE TREES TO AVOID EXISTING AND PROPOSED STORMLINES, SEWER LINE EASEMENTS AND WATER LINES. NO TREES ARE ALLOWED TO BE PLANTED IN SUCH EASEMENTS OR OVER UTILITIES.

CONDITIONS
RAD LOFTS AMENDMENT III

1. Approval is for conditional zoning to MX-2 (Urban Place District) for the construction and use of the property for a mixed-use development as described herein. This is an amendment to a previously approved project (ordinance no. 4261, dated October 22, 2013 and ordinance no. 4454, dated May 26, 2015).
2. This project will consist of two separate parcels with a combined area of approximately 3.26 acres and fronting on Roberts Street, Clingman Avenue Extension and Park Avenue (north) in the River Arts District. The most parcel for development is 2.88 acres in size and the second parcel (0.379 acres) is located across Roberts Street to the south.
3. The proposed shell contain a total of 235 residential units with 138 1-bedroom and 97 2-bedroom units, and 17,872 SF of retail space along Roberts Street.
4. There will be two levels of parking and four to six levels of retail and residential spaces built with the existing grade change on site, the overall height varies. The building height is 58 feet on Clingman and 68 feet from Roberts Street. No building shall exceed 68 feet in height.
5. There will be two driveways, one on each frontage, one for structured parking, which shall contain 195 vaulted and a 32 space exterior surface parking lot. There will be a 28 space surface parking lot across Roberts Street and approximately 8 on-street parking spaces will be created through streetscape improvements.
6. Landscaping is required on the site and street midside street trees along all road frontages, building mounted plantings, parking beds and dumpster screening and parking lot landscaping with a street buffer. Open space is also required on this parking deficient, equal to 3% of the lot area. Retaining walls are subject to screening requirements.
7. The residential density is 72 units per acre.
8. Five percent of the units will be designated as affordable by the City's standards. The remaining 95% of the units will be leased at or below the City's rates for workforce housing for the first full year of operation. Following the first year, the owner/developer may increase the workforce rental rates in an amount not to exceed 3% per year as indicated on the attached Schedule B1-a. Affordable unit rental rates shall be at or below the City's annual published rates. This condition is in effect for a period of ten years from initial CO (certificate of occupancy).
9. The footprint of the building is 82,331 SF (an increase of 60% from the UP maximum of 51,000 SF) and the gross floor area is 408,600 SF (an increase of 104% from the UP maximum of 200,000 SF).
10. Sidewalk must be at least 8.5' along the curbside parking lot on Roberts Street and between 7.5'-12' along Clingman Avenue. There is an existing 5' sidewalk along Park Avenue and the sidewalk along this building side of Roberts Street will be a minimum of 10'. These conditions allow reductions from the UP minimum width in the UP district.
11. As the site plan indicates, the parking deck landscaping is reduced to 4 trees based on the existing site conditions where a grade change effectively shields the exposed deck levels and creates challenges to planting.
12. The setback on one location along Roberts Street is greater than the UP district maximum of 15' and shall be as indicated on the site plan.
13. The distance between entrances is as shown on the site plan on both Roberts Street (up to 85' between entrances) and Clingman Avenue Extension (up to 153' between entrances).
14. The site plan shows greater spacing for windows and less ground-level fenestration on Clingman Avenue Extension (down to 22% fenestration at the ground-level). An active pedestrian feel will be created along this corridor by the inclusion of street furniture, public art attached to the building, interpretive signage regarding the history of the area and creative screening on the parking deck openings.
15. Retaining wall on the north end of the project which is 15 (CHANGED FROM 25 FT) feet in height and has no room for foreground landscaping, will be screened with an aesthetic treatment TBD.
16. The building design, site design, construction materials, and ornamental on-site must substantially comply with the site plan attached hereto as Exhibit C and incorporated herein by reference and the final approved site plan that is incorporated into this zoning permit. Any major divergence from these plans will require reconsideration of the project by the rezoning boards.
17. All legally required local, state, and federal permits and approvals must be obtained prior to initiation of construction and any pertinent legal requirements shall be met.

PARKING REQUIREMENTS (City of Asheville)			
MINIMUM			
RETAIL	1 SPACE/ 300 SF MINIMUM	16,304 SF	48 SPACES
RESIDENTIAL	1 SPACE/ UNIT MIN.	235 UNITS	235 SPACES
			283 MIN. SPACES REQUIRED
MAXIMUM			
RETAIL	1 SPACE/ 200 SF MAX.	16,304 SF	82 SPACES
RESIDENTIAL	2.5 SPACES/ UNIT MAX.	470 UNITS	470 SPACES
			552 MAX. SPACES RECOMMED
PARKING PROPOSED			
PARKING GARAGE			268 SPACES
SURFACE LOT ON ROBERTS STREET			92 SPACES
8 ON-STREET- ROBERTS STREET			8 SPACES
PROPOSED PARKING TOTAL			368 SPACES

PROPERTY OWNER
RAD Lofts LLC
85-C Fairmont Rd
Suite 139
Asheville NC 28803
828-236-7969

DEVELOPER
RAD Lofts LLC
85-C Fairmont Rd
Suite 139
Asheville NC 28803
828-236-7969

CONTACT
MATT SPRIGGINS, PLA
SITEWORK STUDIOS, PLLC
352 DEPOT STREET, SUITE 128
ASHEVILLE, NC 28801
(828) 225-4945

PROJECT ADDRESS:
PIN: 9648-67-1163 (LOT 1), 9648-66-1963 (LOT 2)
ACREAGE OF DEVELOPMENT: 3.26 AC.
146 ROBERTS STREET
ASHEVILLE, NORTH CAROLINA 28801

ZONING:
CURRENT: UM-C2
PROPOSED: UM-C2

SITE CALCULATIONS:
TOTAL SITE AREA: 3.26 AC (142,005 SF)

OPEN SPACE:
TOTAL SITE AREA: 3.26 AC (142,005 SF)
TOTAL OPEN SPACE PROVIDED: 21,018 SF (14.8%)

RETAINING WALLS:
RIGHT: 0'
CORNER LOT SIDE STREET: 0'
SIDE: 0'
REAR: 0'

RAD LOFTS
ROBERTS ST and CLINGMAN AVE. EXTENSION
Asheville, NC 28801

ROWHOUSE ARCHITECTS
one north park square
asheville, north carolina
28801
T1 828.281.2344
T2 828.768.4548

sitework STUDIOS

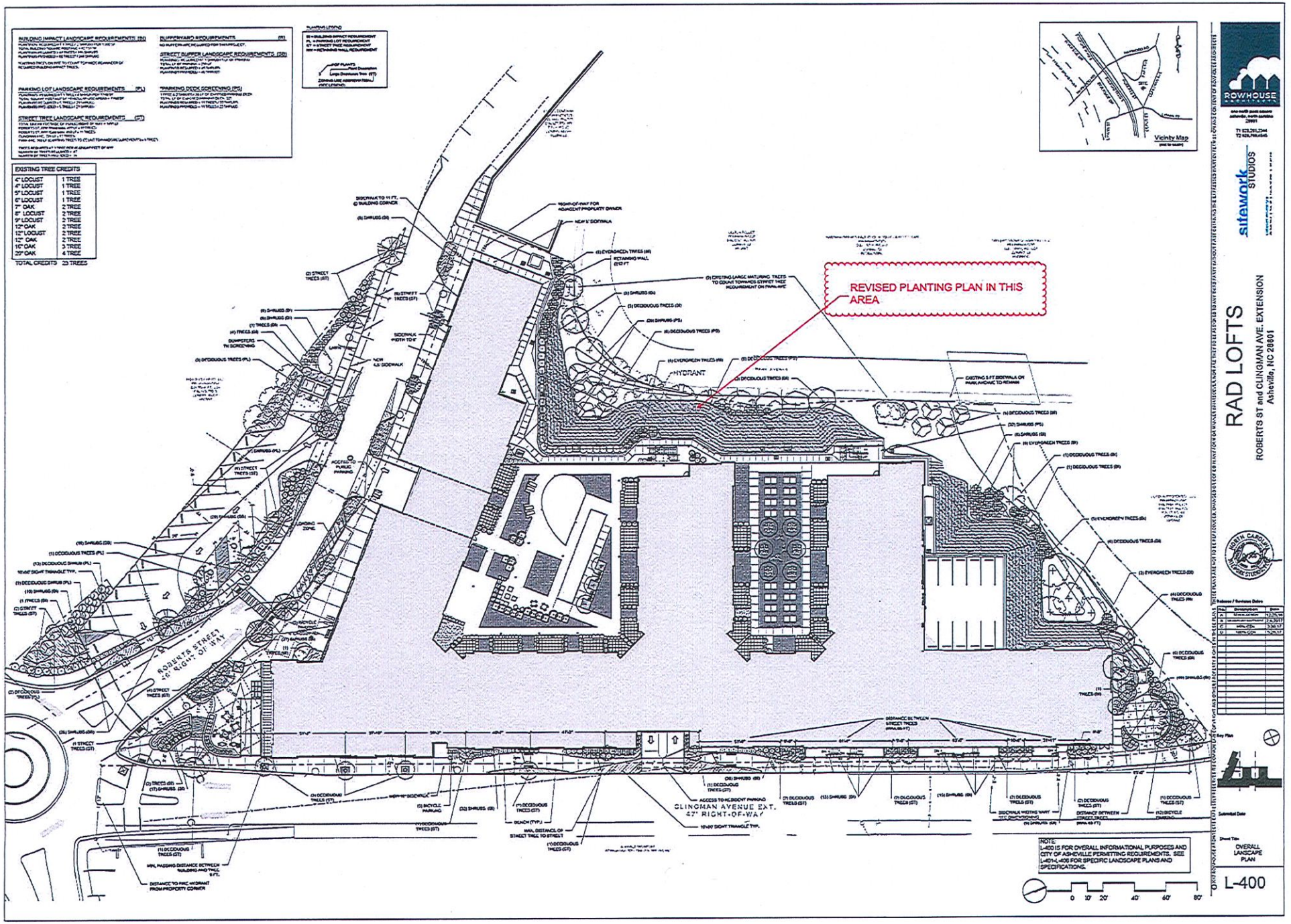
No.	Description	Date
1		12.20.16
2		2.6.2017
3		3.30.17
4		5.15.17

Key Plan

Submittal Date

Sheet Title
MASTER PLAN

L-200



ROWHOUSE ARCHITECTS
one north pack square
asheville, north carolina
28801
T1 828.281.2344
T2 828.768.6545

sitework STUDIOS

RAD LOFTS

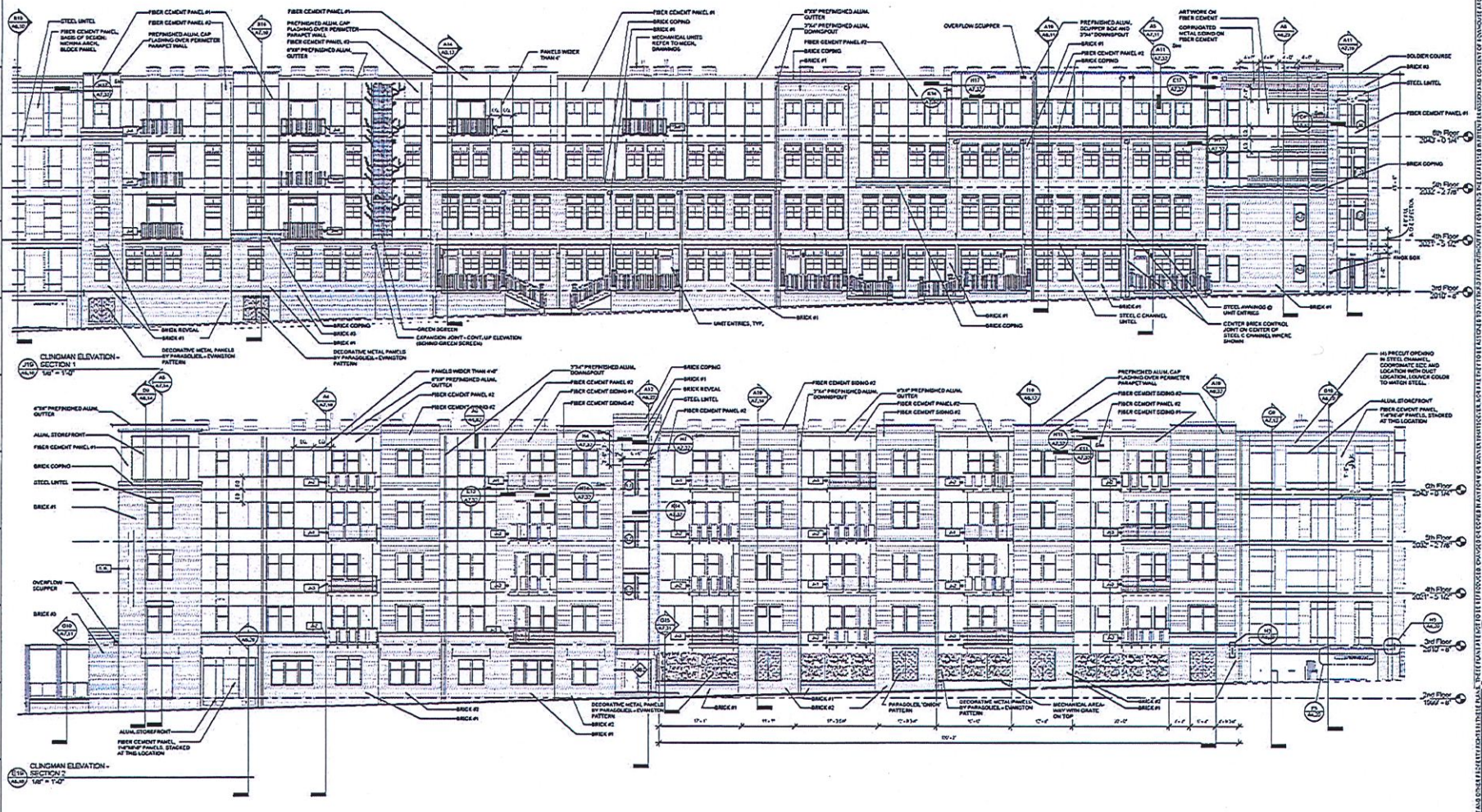
ROBERTS ST and CLINGMAN AVE. EXTENSION
Asheville, NC 28801

NORTH CAROLINA LANDSCAPE ARCHITECTURE STUDENT

Submittal Date

Sheet Title
OVERALL LANDSCAPE PLAN

L-400



1. SEE WALL SECTIONS & ENLARGED ELEVATIONS FOR GUARDRAIL HEIGHTS. ALL BALCONIES OR WALKWAYS ELEVATED MORE THAN 30" IN VERTICAL RISE TO HAVE MINIMUM 3'-6" HIGH GUARDRAILS AS PER THE BUILDING CODE.
2. PROVIDE VERTICAL EXPANSION JOINTS IN BRICK VENEER PER IBA STANDARDS. PROVIDE HORIZONTAL SUPPORTS PER STRUCTURAL DRAWINGS AND IBA STANDARDS WHERE EXCEEDS 30' IN HEIGHT.
3. TIE IN ALL DOWNSPOUTS TO STORM DRAINS.
4. ALL DRYER & BATH VENTS TO MATCH ADJACENT COLOR
5. ALL FIBER CEMENT TRIM SIZE THICKNESS, NUMBERS ON TRIM REPRESENT WIDTHS.
6. REFER TO SPECIFICATIONS FOR ALL EXTERIOR MATERIALS. THE WALL SECTIONS AND DETAILS SHOWN IN THIS SET REFLECT FIBER CEMENT PANELS / SIDING WITH 6A TRIM. ALL MATERIAL WIDTHS TO REMAIN SAME SIZE IF ANY PRODUCT SUBSTITUTION IS MADE. CONTACT ARCHITECT IF THERE ARE ANY DISCREPANCIES IN DETAILS DUE TO PRODUCT SUBSTITUTIONS.
7. REFER TO BUILDING PLAN FOR MASONRY LOCATIONS. INCLUDING THOSE NOT SHOWN IN THESE ELEVATIONS.
8. SEE ROOF PLAN FOR OVERHANG DIAGRAM DESIGNS.
9. APPLY 6M ADDITIONAL 12" LAYER OF MOISTURE BARRIER AT INSIDE/OUTSIDE CORNERS, FULL HEIGHT OF WALL (TYP.)
10. PROVIDE CONT. BUILDING WRAP OVER SHEATHING - TYVEK "COMMERCIAL WRAP" TO BE BASIS OF DESIGNER SPECIFICATIONS.
11. INSTALL BUILDING WRAP CONTINUOUS AT ALL WALL SURFACES PRIOR TO EXTERIOR FINISH INSTALLATION.
12. TERM./FLASH BUILDING WRAP AT PENETRATIONS DETAILS & MANF. RECOMMENDATIONS.
13. PROVIDE PRE-FAB. FLASHING BOOTS OR FLANGED EXHAUST LOUVER AT DUCT PENETRATIONS AT WALLS (TYP.).
14. PROVIDE SEALANT AT VERTICAL TRANSITIONS BETWEEN WALL FINISHES.
15. PROVIDE METAL FLASHING AT HORIZONTAL TRANSITIONS BETWEEN WALL FINISHES.
16. COORDINATE LOUVER LOCATION TO AVOID CONFLICT WITH BRICK SOLDIER COURSE, AND S4 TRIM AT WINDOW HEAD CONDITIONS.

ROWHOUSE ARCHITECTS
one north park square
asheville, north carolina
28801
TF 828.298.2344
T2 828.231.1821

RAD LOFTS
THE RIVER ARTS DISTRICT
Asheville, NC 28801

ROWHOUSE ARCHITECTS 52659 ASHEVILLE, NC

ROBIN P. HAINES No. 10084 5.19.17 ASHEVILLE, NC

Submission / Revision Dates

No.	Description	Date
	SCHEM. DESIGN	12.20.16
	DEV. DRAW. SET #1	2.24.17
	DEV. DRAW. SET #2	4.28.17
	CONSTRUCTION DOCUMENTS	5.19.17

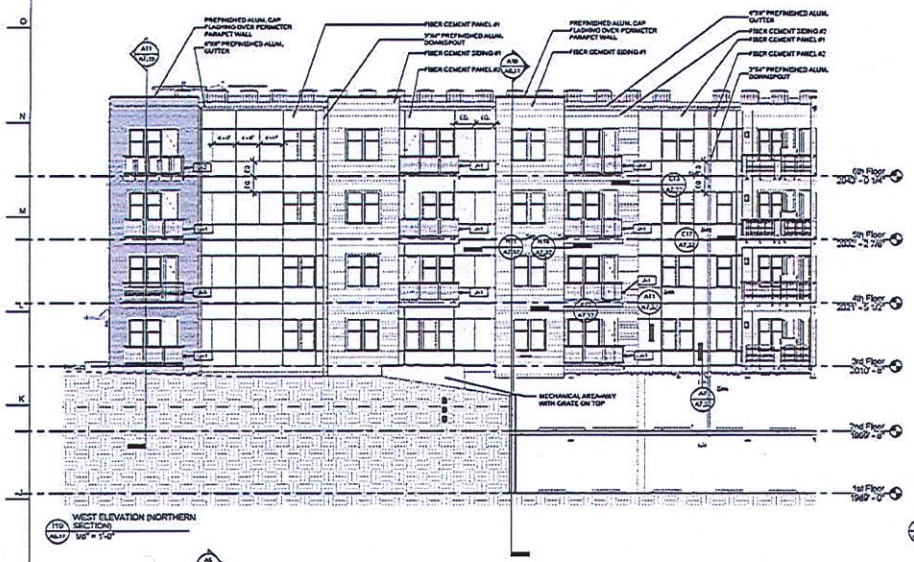
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Submittal Date
5.19.17

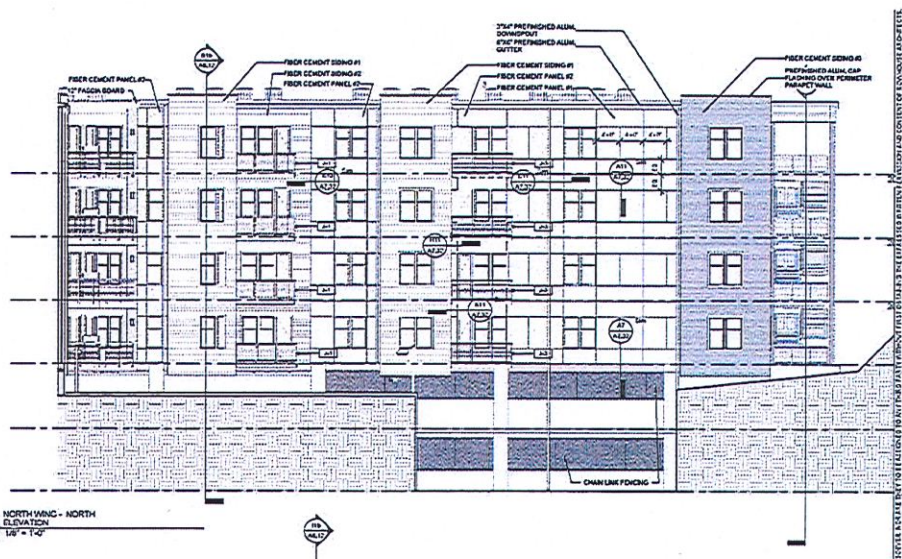
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ELEVATIONS

A5.10

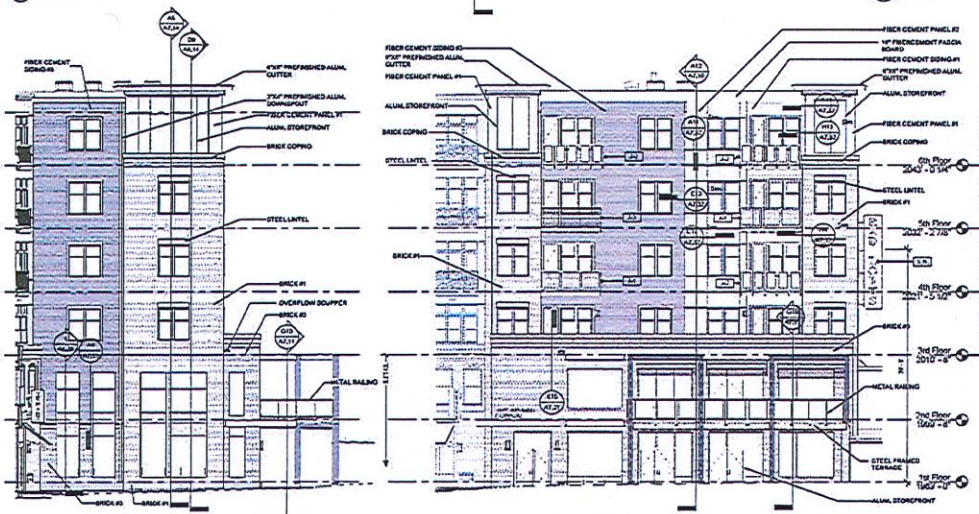
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WEST ELEVATION (NORTHERN SECTION)
1/8" = 1'-0"



NORTH WING - NORTH ELEVATION
1/8" = 1'-0"



C10 RETAIL CORNER ELEVATION
A5.11 1/8" = 1'-0"

C14 CLINGMAN / ROBERTS INTERSECTION
A5.11 1/8" = 1'-0"



D8 LARGE INTERIOR COURTYARD BAY
A5.11 1/8" = 1'-0"

1. SEE WALL SECTIONS & ENLARGED ELEVATIONS FOR GUARDRAIL HEIGHTS. ALL BALCONIES OR WALKWAYS ELEVATED MORE THAN 30" IN VERTICAL RISE TO HAVE MINIMUM 3'-6" HIGH GUARDRAILS AS PER THE BUILDING CODE.
2. PROVIDE VERTICAL EXPANSION JOINTS IN BRICK VENEER PER BIA SEAMSMOOL. PROVIDE HORIZONTAL SUPPORTS PER STRUCTURAL DRAWINGS AND BIA STANDARDS WHERE EXCEEDS 30' IN HEIGHT.
3. TIE IN ALL DOWNSPOUTS TO STORM DRAINS.
4. ALL DRYER & BATH VENTS TO MATCH ADJACENT COLOR.
5. ALL FIBER CEMENT TRIM SIZE THICKNESS, NUMBERS ON TRIM REPRESENT NOMINAL.
6. REFER TO SPECIFICATIONS FOR ALL EXTERIOR MATERIALS. THE WALL SECTIONS AND DETAILS SHOWN IN THIS SET REFLECT FIBER CEMENT PANEL / SIDING WITH 5/4 TRIM. ALL MATERIAL SHOWN TO REMAIN SAME SIZE IF ANY PRODUCT SUBSTITUTION IS MADE, CONTACT ARCHITECT IF THERE ARE ANY DISCREPANCIES IN DETAILS DUE TO PRODUCT SUBSTITUTIONS.
7. REFER TO BUILDING PLAN FOR MASONRY LOCATIONS, INCLUDING THOSE NOT SHOWN IN THESE ELEVATIONS.
8. SEE ROOF PLAN FOR OVERHANG DIAGRAM DESIGNS.
9. APPLY AN ADDITIONAL 12" LAYER OF MOISTURE BARRIER AT INSIDE/OUTSIDE CORNERS FULL HEIGHT OF WALL (TYP.)
10. PROVIDE CONT. BUILDING WRAP OVER SHEATHING= TYVEK "COMMERCIAL WRAP" TO BE BASIS OF DESIGNON SPECIFICATIONS.
11. INSTALL BUILDING WRAP CONTINUOUS AT ALL WALL SURFACES PRIOR TO EXTERIOR FINISH INSTALLATION.
12. TCRN /FLASH BUILDING WRAP AT PENETRATIONS DETAILS & MANF., RECOMMENDATIONS.
13. PROVIDE PREFAB. FLASHING BOOTS OR FLANGED EXHAUST LOUVER AT DUCT PENETRATIONS AT WALLS (TYP).
14. PROVIDE SEALANT AT VERTICAL TRANSITIONS BETWEEN WALL FINISHES.
15. PROVIDE METAL FLASHING AT HORIZONTAL TRANSITIONS BETWEEN WALL FINISHES.
16. COORDINATE LOUVER LOCATION TO AVOID CONFLICT WITH BRICK SOLDIER COURSE AND 5/4 TRIM AT WINDOW HEAD CONDITIONS.

ROWHOUSE ARCHITECTS
one north park square
asheville, north carolina
28801
828.231.1931

RAD LOFTS
THE RIVER ARTS DISTRICT
Asheville, NC 28801

ROWHOUSE ARCHITECTS PA
52659
ASHEVILLE, NC

COLIN B. HAMES
REGISTERED
No. 10084
5.19.17
ASHEVILLE, NC

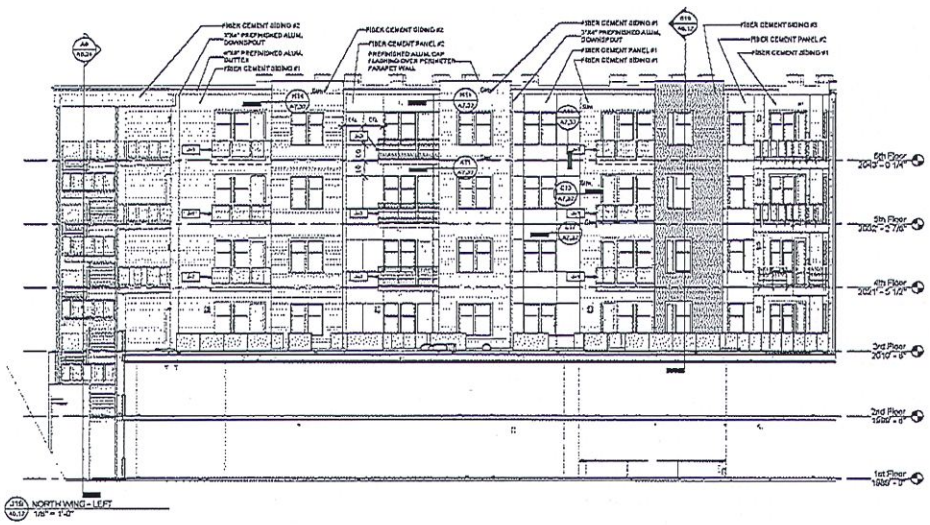
No.	Description	Date
	SCHEM. DESIGN	12.29.16
	DESIGN DEV.	2.24.17
	PERM. SUB.	4.20.17
	CONSTRUCTION DOCUMENTS	5.19.17

Submitted Date
5.19.17

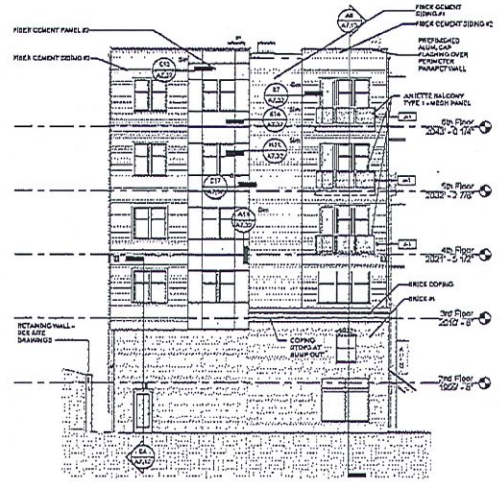
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ELEVATIONS

A5.11

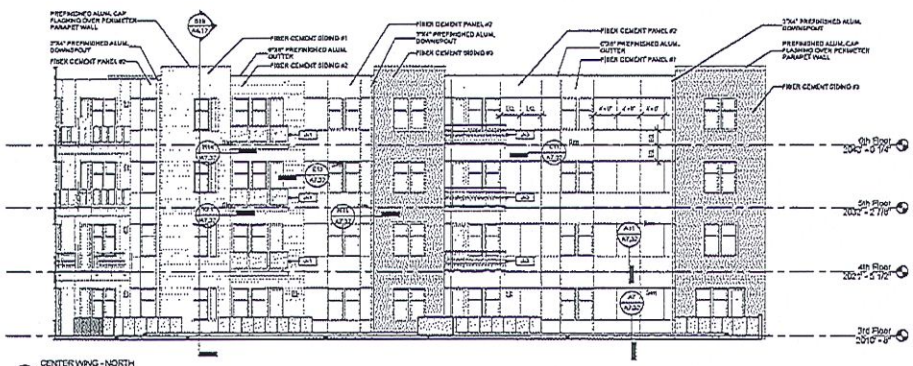
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J16 / A5.12 NORTH WING - LEFT
1/8" = 1'-0"



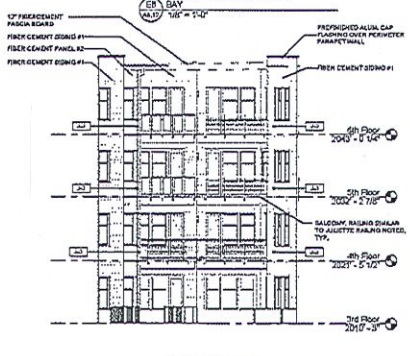
J5 / A5.12 NORTH ROBERTS ELEVATION
1/8" = 1'-0"



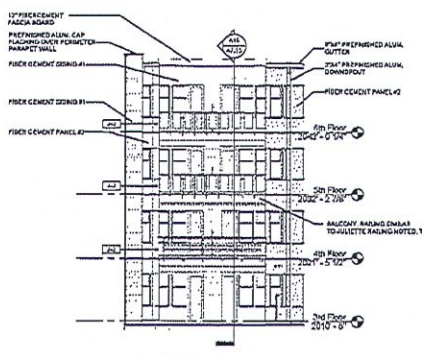
C19 / A5.12 CENTER WING - NORTH ELEVATION
1/8" = 1'-0"



E8 / A5.12 SMALL INTERIOR COURTYARD BAY
1/8" = 1'-0"



A5 / A5.12 INTERIOR COURTYARD CORNER #1
1/8" = 1'-0"



A2 / A5.12 INTERIOR COURTYARD CORNER #2
1/8" = 1'-0"

1. SEE WALL SECTIONS & ENLARGED ELEVATIONS FOR GUARDRAIL HEIGHTS. ALL BALCONIES OR WALKWAYS ELEVATED MORE THAN 30" IN VERTICAL RISE TO HAVE MINIMUM 3'-6" HIGH GUARDRAILS AS PER THE BUILDING CODE.
2. PROVIDE VERTICAL EXPANSION JOINTS IN BRICK VENEER PER BIA STANDARDS. PROVIDE HORIZONTAL EXPANSION PER STRUCTURAL DRAWINGS AND BIA STANDARDS WHERE EXCEEDS 30' IN HEIGHT.
3. TIE IN ALL DOWNSPOUTS TO STORM DRAINS.
4. ALL DRYER & BATH VENTS TO MATCH ADJACENT COLOR
5. ALL FIBER CEMENT TRIM SHALL THICKNESS, NUMBERS ON TRIM REPRESENT WIDTHS.
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14. PROVIDE SEALANT AT VERTICAL TRANSITIONS BETWEEN WALL FINISHES.
15. PROVIDE METAL FLASHING AT HORIZONTAL TRANSITIONS BETWEEN WALL FINISHES.
16. COORDINATE LOUVER LOCATION TO AVOID CONFLICT WITH BRICK SOLDIER COURSE AND 5/4 TRIM AT WINDOW HEAD CONDITIONS.

ROWHOUSE ARCHITECTS
an e-mail pattern inspired by Asheville, North Carolina 28801
T: 828.281.2344
F: 828.231.1951

RAD LOFTS

THE RIVER ARTS DISTRICT
Asheville, NC 28801

ROWHOUSE ARCHITECTS P.C. 52659 ASHEVILLE, N.C.

ROBIN B. RAINES NC 10084 5.10.17 ASHEVILLE, N.C.

Release / Revision Dates

Num.	Description	Date
A	DRB #1, DD SUBM.	07.28.16
B	DD & MEP SET V.	1.4.17
C	DRB SUB V.2	2.28.17
D	CONSTRUCTION DOCUMENTS	5.10.17

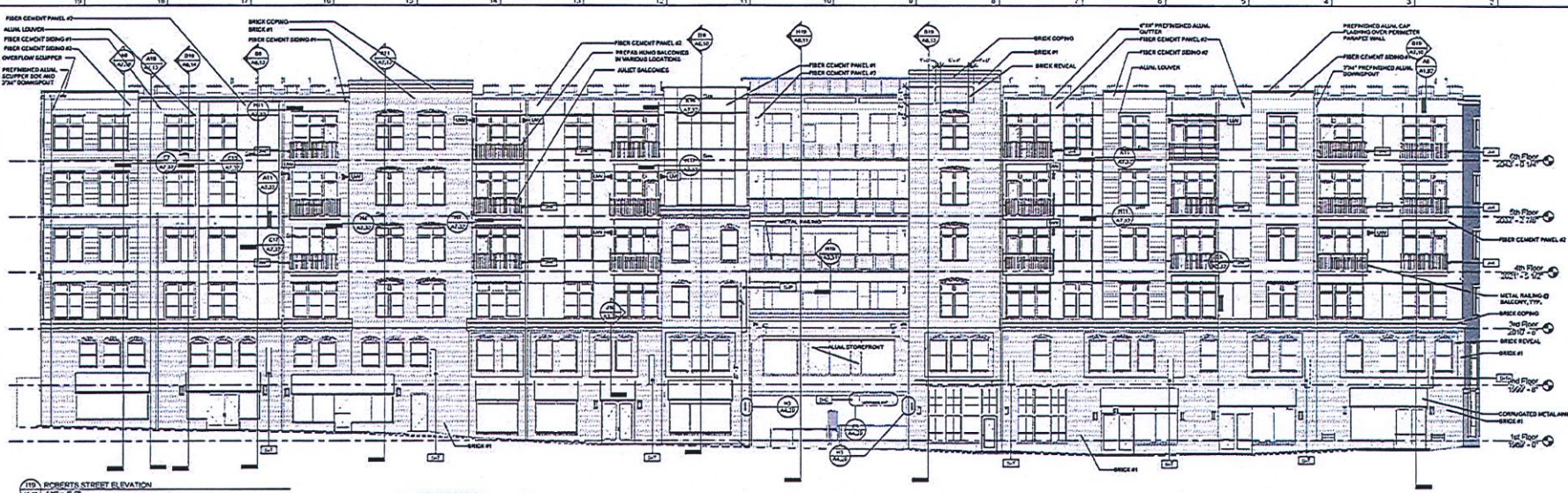
Key Plan

Submittal Date
5.10.17

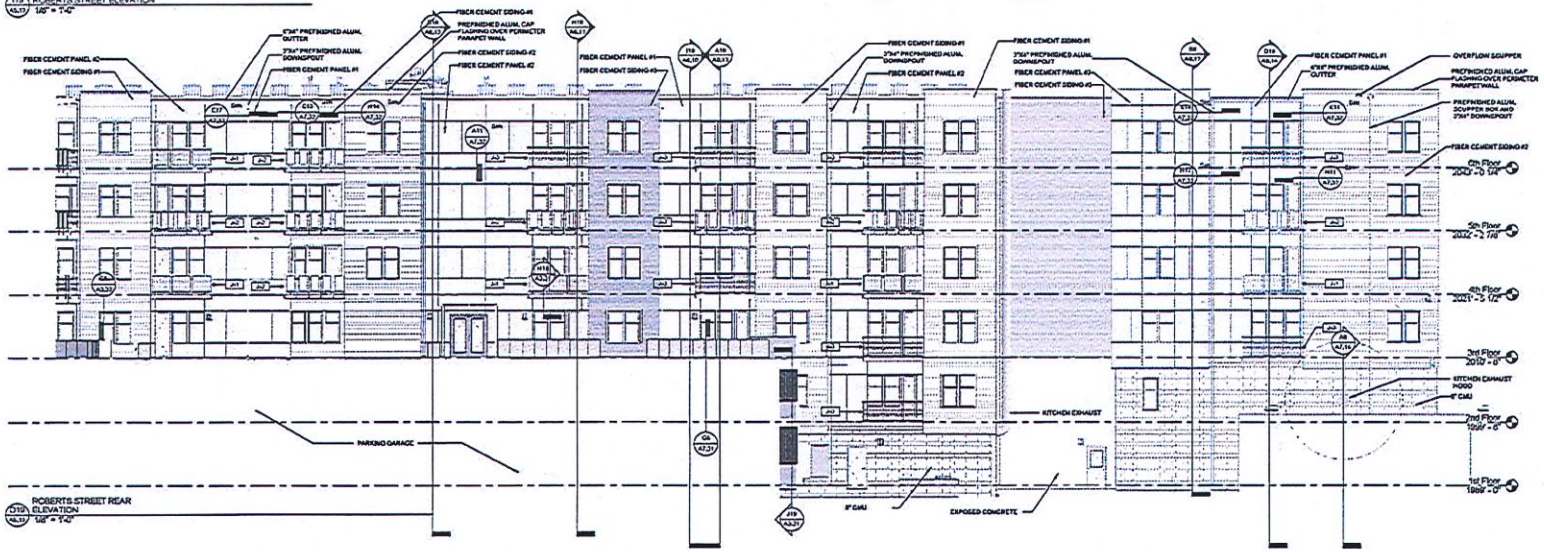
Sheet Title
ELEVATIONS

A5.12

5/25/2017 4:05:42 PM



119 A5.13 ROBERTS STREET ELEVATION
1/8" = 1'-0"



D19 A5.13 ROBERTS STREET REAR ELEVATION
1/8" = 1'-0"

1. SEE WALL SECTIONS & ENLARGED ELEVATIONS FOR GUARDRAIL HEIGHTS. ALL BALCONIES OR WALKWAYS ELEVATED MORE THAN 30" IN VERTICAL REC TO HAVE MINIMUM 3'-6" HIGH GUARDRAILS AS PER THE BUILDING CODE.
2. PROVIDE VERTICAL EXPANSION JOINTS IN BRICK VENEER PER BIA STANDARDS. PROVIDE HORIZONTAL SUPPORTS PER STRUCTURAL DRAWINGS AND BIA STANDARDS WHERE EXCEEDS 30' IN HEIGHT.
3. TIE IN ALL DOWNSPOUTS TO STORM DRAINS.
4. ALL DRYER & BATH VENTS TO MATCH ADJACENT COLOR
5. ALL FIBER CEMENT TRIM SHALL BE 5/4 THICKNESS, NUMBERS ON TRIM REPRESENT WIDTH.
6. REFER TO SPECIFICATIONS FOR ALL EXTERIOR MATERIALS. THE WALL SECTIONS AND DETAILS SHOWN IN THIS SET REFLECT FIBER CEMENT PANEL / SIDING WITH 1x4 TRIM. ALL MATERIAL VARYING TO REMAIN SAME SIZE IF ANY PRODUCT SUBSTITUTION IS MADE. CONTACT ARCHITECT IF THERE ARE ANY DISCREPANCIES IN DETAILS DUE TO PRODUCT SUBSTITUTIONS.
7. REFER TO BUILDING PLAN FOR MASONRY LOCATIONS, INCLUDING THOSE NOT SHOWN IN THESE ELEVATIONS.
8. SEE ROOF PLAN FOR OVERHANG SHADOW DESIGNS.
9. APPLY AN ADDITIONAL 12" LAYER OF MOISTURE BARRIER AT INSIDE/OUTSIDE CORNERS FULL HEIGHT OF WALL (TYP.)
10. PROVIDE CONT. BUILDING WRAP OVER SHEATHING - TYVEK "COMMERCIAL WRAP" TO BE BASIS OF DESIGNER SPECIFICATIONS.
11. INSTALL BUILDING WRAP CONTINUOUS AT ALL WALL SURFACES PRIOR TO EXTERIOR FINISH INSTALLATION.
12. TERM./FLASH BUILDING WRAP AT PENETRATIONS DETAILS & MANF. RECOMMENDATIONS.
13. PROVIDE PREFAB. FLASHING BOOTS OR FLARGED EXHAUST LOUVER AT DUCT PENETRATIONS AT WALLS (TYP.).
14. PROVIDE SEALANT AT VERTICAL TRANSITIONS BETWEEN WALL FINISHES.
15. PROVIDE METAL FLASHING AT HORIZONTAL TRANSITIONS BETWEEN WALL FINISHES.
16. COORDINATE LOUVER LOCATION TO AVOID CONFLICT WITH BRICK SOLDIER COURSE AND 6x1 TRIM AT WINDOW HEAD CONDITIONS.

ROWHOUSE ARCHITECTS
one north pack square
asheville, north carolina
28801
T1 828.281.2544
T2 828.281.1901

RAD LOFTS

THE RIVER ARTS DISTRICT
Asheville, NC 28801

ROWHOUSE ARCHITECTS
52659
3rd
ASHEVILLE, NC

ROBIN R. HAINES
REGISTERED
No. 10084
5.19.17
ASHEVILLE, NC

Revisions / Reissues Dates

	Description	Date
A	SCHEMA. DESIGN	11.22.16
B	DESIGN DEV.	2.24.17
C	100% SD'S	3.30.17
D	CONSTRUCTION DOCUMENTS	5.19.17

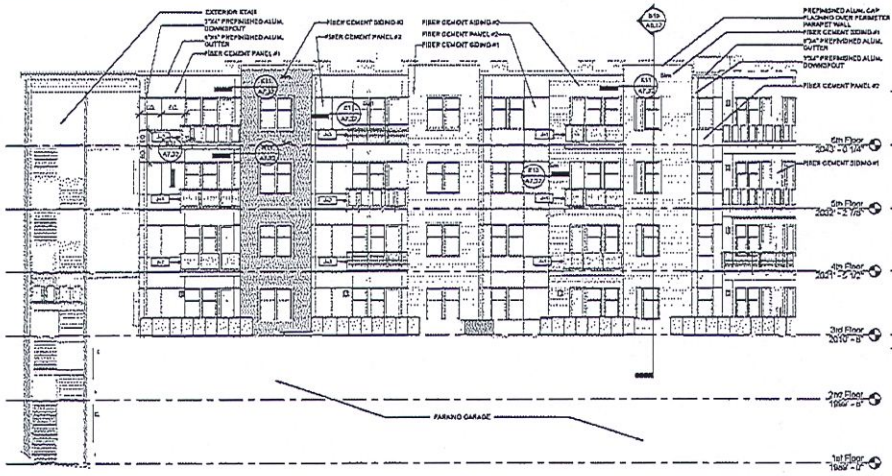
Key Plan

Submittal Date
5.19.17

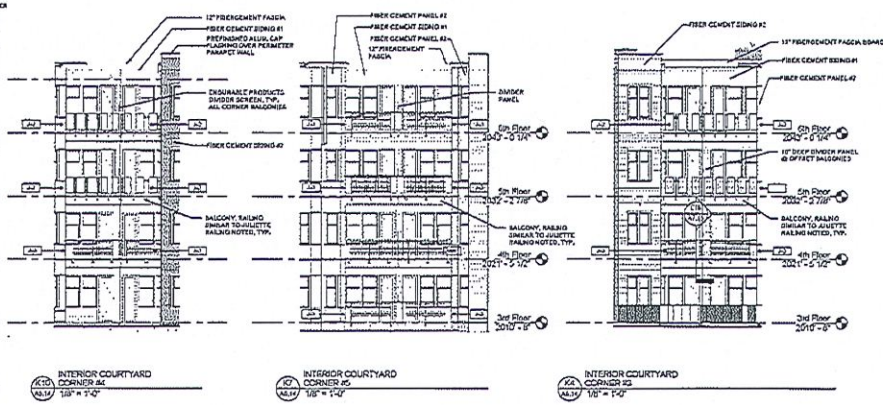
Sheet Title
ELEVATIONS

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CENTER WING - SOUTH ELEVATION
1/8" = 1'-0"



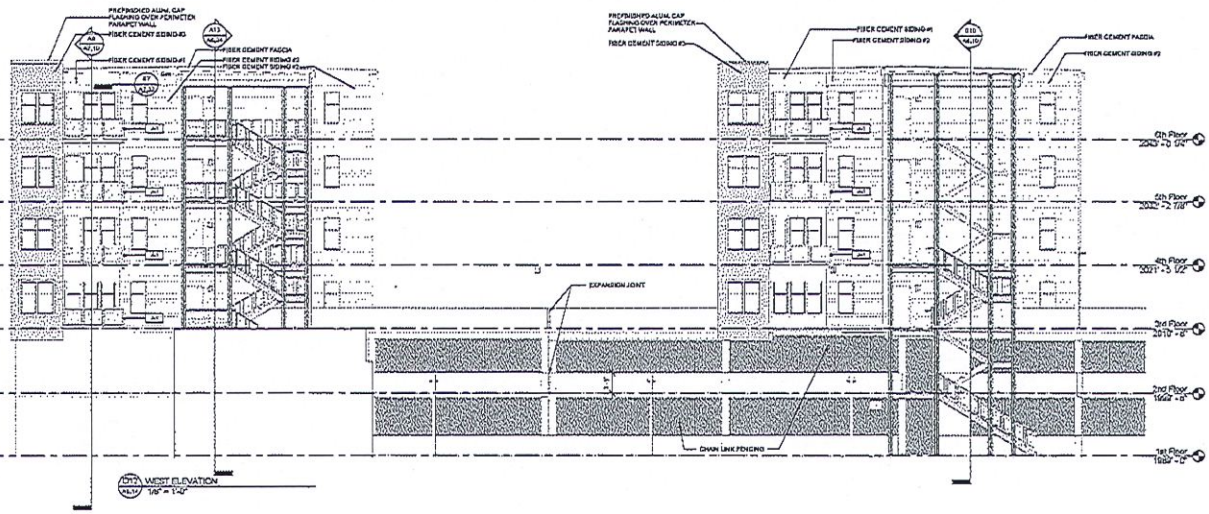
INTERIOR COURTYARD CORNER #4
1/8" = 1'-0"

INTERIOR COURTYARD CORNER #5
1/8" = 1'-0"

INTERIOR COURTYARD CORNER #3
1/8" = 1'-0"



NORTH ELEVATION
1/8" = 1'-0"



WEST ELEVATION
1/8" = 1'-0"

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ROWHOUSE ARCHITECTS
ROWHOUSE ARCHITECTS, P.C.
52053
ASHEVILLE, NC
ROBIN B. HAMLET
No. 10084
5.19.17
ASHEVILLE, NC

RAD LOFTS

THE RIVER ARTS DISTRICT
Asheville, NC 28801

Key Plan

Submittal Date
5.19.17

Sheet Title
ELEVATIONS

A5.14

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ORDINANCE NO. _____

ORDINANCE AMENDING CONDITIONAL ZONING (ORDINANCE NO. 4602) FOR PROPERTY(S) LOCATED AT ROBERTS STREET, CLINGMAN AVENUE EXTENSION AND PARK AVENUE (NORTH)

WHEREAS, the City of Asheville has the authority pursuant to Part 3 of Article 19 of Chapter 160A of the North Carolina General Statutes, to adopt zoning regulations, to establish zoning districts and to classify property within its jurisdiction according to zoning district, and may amend said regulations and district classifications from time to time in the interest of the public health, safety and welfare; and

WHEREAS, a comprehensive amendment to the City's zoning regulations was adopted on May 27, 1997, (Ordinance No. 2369) and is codified in Chapter 7 of the Asheville City Code (herein "Zoning Ordinance"), and maps dividing and classifying the property within the City's zoning jurisdiction were adopted on May 27, 1997 (Ordinance No. 2370) and are on file and maintained in the Offices of the Asheville City Planning and Development Department (herein "Official Zoning Map"); and

WHEREAS, the property owner has requested a change to the project conditions (Exhibit B-1) as approved under Ordinance No. 4602 regarding the affordability of residential units; and

WHEREAS, this proposed amendment is consistent with the *Living Asheville - A Comprehensive Plan for our Future* and is determined to be reasonable, and in the public interest for the following reasons:

a) The amendment does not substantially deviate from the project details previously approved other than the change to affordability;
b) The project still includes dedicated affordable residential units-at least 10% of the residential units shall be affordable to households at 80% AMI for a period of 10 years; and,
c) The project is compatible with the surrounding area and future land use map.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

Section 1. The Official Zoning Map be, and the same is hereby, amended as follows:

The zoning classification of that certain real property described in Exhibit A and identified on Buncombe County tax maps as PINs 9648072183 and 9648061956, and, recorded in Deed Book 5546, Page 1921 and currently owned by 146 Roberts LLC from Urban Place Conditional Zone (CZ) to Urban Place Conditional Zone (UP CZ). A copy of the official zoning

map showing said lots is attached hereto as Exhibit "A.1" and made a part hereof. Said rezoning is subject to the conditions set out in Exhibit "B.1", and substantially compliant with the site plan(s) as shown on Exhibit C attached hereto and made a part hereof.

Section 2. That the Office of the Zoning Administrator is hereby authorized and directed to make the changes as herein before enacted in said zoning map.

Section 3. That if any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declared that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 4. The ordinances shall be enforced as provided in Article XVIII of Chapter 7, Section 1-5 of the Asheville City Code.

Section 5. That this ordinance shall be in full force and effect on the date of adoption.

Read, approved and adopted the 10th day of March, 2020.

_____ _____

City Clerk Mayor

Approved as to form:

_____

City Attorney

Portion

Planning & Zoning Commission Minutes
City of Asheville, North Carolina
December 4, 2019 @ 5:00 pm in the 1st Floor North Conference Room
City Hall/ 70 Court Plaza
www.ashevillenc.gov (search "Planning & Zoning Commission")

Commission members attending: Karl Koon, Sandra Kilgore, Joe Archibald, Vice Chair Tony Hauser, Chair Laura Hudson, Guillermo Rodriguez, Jim Edmonds

Commission members absent: None.

Staff attending: Jessica Bernstein, Jannice Ashley, Shannon Tuch, Todd Okolichany

---

PRE-MEETING
The pre-meeting was held from 4:30 to 5:00 pm in the 5th floor conference room of City Hall. Commission members reviewed staff reports for the project, asked questions regarding when development standards can be modified administratively versus when a variance is required, and whether there were limits on the number of modifications that can be requested to a previously approved project. It was also noted that Commissioner Rodriguez was celebrating a birthday that evening.

CALL TO ORDER
The meeting was called to order by Chairperson Laura Hudson at **4:58 pm**. Roll call was completed with all members present and a quorum established.

The Chair relayed that public comment will be taken for agenda items, and that comments will be limited to 3 minutes per individual or no more than 10 minutes for a spokesperson of a group, a group being signified by 3 people present acknowledging they are ceding their time to comment. Additional information can always be submitted to the Commission in writing.

I. ADMINISTRATIVE

A. Motion to continue items related to the 11 Collier Avenue project to the January meeting **(Tuesday, January 7th at 5:00 pm)**. Motion by Chair Laura Hudson, seconded by Guillermo Rodriguez. Motion carries unanimously 7-0.
B. Commissioner Archibald made a motion to approve the minutes from the November 7, 2019 meeting Commissioner Edmonds seconds the motion. The motion carries unanimously 7:0.

II. PUBLIC HEARINGS

VARIANCE (CBD)

1. **Brent Campbell, on behalf of property owner Canesian Theory Holdings, LLC, is requesting a variance to Section 7-11-8 of the Unified Development Ordinance (UDO) to eliminate the sidewalk requirement for the property located at 34 S. Lexington and identified in the Buncombe County tax record as PIN 9648-49-2950. Planner coordinating review - Shannon Tuch**

   Staff presentation
   Shannon Tuch orients the Commission to the site, explains the request to renovate an existing vacant building that has triggered full site compliance (sidewalk) in the Central Business District. There is an existing, nonconforming sidewalk that is 4.5' wide which does not meet the city's 10-foot minimum width requirements for sidewalk in the CBD. Using a current site photo, Ms.

that all variances are specific to the proposed plan and conditions and, should something change, the variance may no longer apply. Because this facade does not have the same integrity as a building, Ms. Tuch thought it important to make that explicit in the report that preservation of the facade be a condition of the variance.

Commissioner Archibald asks whether the existing 6.5' sidewalk would wide enough for outdoor dining? Ms. Tuch replies that it would not, and that because of the narrow width, it may not even be wide enough for an A-frame sign. A minimum 4-5' pedestrian travel lane must be maintained at all times so not all sidewalks can accommodate even a temporary encroachment.

Public Comment
Chair Hudson opens the hearing for public comment. Seeing none, public comment is closed.

Action
Commissioner Rodriguez makes the motion to approve the variance based on the competent, material and substantial evidence presented during this hearing, which demonstrates compliance with the findings. Commissioner Archibald seconds the motion. The motion passes unanimously 7:0.

The Board's written Findings of Fact and Conclusions of Law are attached hereto and are incorporated herein by reference.

CONDITIONAL ZONING AMENDMENT

1. **A request to amend a previously approved conditional zoning approval (ordinance 4602) for the project known as RAD Lofts (Urban Place CZ) at 146 and 179 Roberts Street. The properties are identified in the Buncombe County tax record as PINs 9648-06-1956 and 9648-07-2183. The property owner is 146 Roberts LLC; the applicant is Harry Pilos. Planner coordinating review - Jessica Bernstein.**

Staff presentation was made by Jessica Bernstein, providing a brief history of the various amendments the project has gone through, most recently July 2017. Staff noted that the site plan, elevations and mix of uses are not proposed to change with this amendment. The only change is to the affordability condition. The condition currently notes a dedication of 5% of the units as affordable with the remaining 95% dedicated as work-force. The applicant is proposing to change that to dedicating 10% of the units as affordable at 80% AMI for a period of 10 years with no use of the City's Land Use Incentive Grant. Staff notes that although the amendment reduces the amount of affordability, what is proposed with the 10% dedication is in line with the commitment of other recent projects and still meets with goals of the city. Staff is supportive.

Applicant testimony - Harry Pilos explained that he is dedicated to making this project work but has calculated 'numbers' and they don't work. Construction costs have gone up so much, investment community wont support the project, tax incentives that were going to help are no longer.

Commission questions - Commissioner Joe Archibald asked about using incentives offered by the City, Mr Pilos discussed the infrastructure issue onsite where there is a $1 million dollar storm

drain running through the project site that serves downtown and needs to be addressed; the City is partnering with him on the costs of this work. But otherwise, he is not asking for any incentive programs.

Public comment - Opened at 5:22pm, closed at 5:22pm. No public comment.

Action - Commissioner Archibald made the motion to recommend approval of the conditional zoning amendment to ordinance 4602 for RAD Lofts - Urban Place Conditional Zone (UP CZ) for the revised condition related to affordability and find that the request is reasonable, is in the public interest and is consistent with the Comprehensive Plan and other adopted plans in that: 1) the amendment does not substantially deviate from the project details previously approved other than the change to affordability; 2) the project still includes dedicated affordable residential units; and, 3) the project is compatible with the surrounding area and future land use map. Commissioner Rodriguez seconds the motion. The motion passes unanimously (7-0). The conditional zoning amendment will move forward to City Council.

Adjournment

Commissioner Archibald moves to adjourn, Commissioner Rodriguez seconds the motion. Motion carries unanimously, 7-0. Meeting adjourned at **5:24 pm**.

Next Meeting

The next meeting of the Planning & Zoning Commission will be at 5:00 p.m on Tuesday, January 7, 2020.

It was noted that this meeting date does not follow the regular schedule due to the New Year's Day holiday.

Recommendation* of the Asheville Planning and Zoning Commission

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SUBJECT: Conditional Zoning Amendment – RAD Lofts (BP no. 13–03925 PZ)

REQUEST: Amend a condition related to affordability for the previously approved conditional zoning project known as RAD Lofts (Urban Place Conditional Zone - UP CZ)

RECOMMENDATION: *The Planning and Zoning Commission recommended approval and voted 7-0*

FINDINGS AND REASONS CONCERNING PLAN CONSISTENCY: *The motion was made that the Planning and Zoning Commission would recommend approval of the conditional zoning amendment to ordinance 4602 for RAD Lofts - Urban Place Conditional Zone (UP CZ) for the revised condition related to affordability and find that the request is reasonable, is in the public interest and is consistent with the Comprehensive Plan and other adopted plans in that: 1) the amendment does not substantially deviate from the project details previously approved other than the change to affordability; 2) the project still includes dedicated affordable residential units; and, 3) the project is compatible with the surrounding area and future land use map.*

Case History
Staff Coordinator: *Jessica Bernstein, Urban Planner II*
Heard by Planning and Zoning Commission: *December 4, 2019*
Vote: 7-0
Motion: *Commissioner Archibald*
Second: *Commissioner Rodriguez*
In Favor: *Commissioners Rodriguez, Hudson, Edmonds, Archibald, Hauser, Koon and Kilgore*
Opposed: *None*

This document is a true and accurate statement of the findings and recommendations of the Asheville Planning and Zoning Commission.

Laura Hudson, Chair

12/17/2019
Date

Asheville Planning and Zoning Commission

*This recommendation is being made pursuant to NCGS 160A-383 requiring the planning board to provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board.

RESOLUTION NO. 18-269

RESOLUTION RECOMMITTING SUPPORT FOR OPPORTUNITY FUND INVESTMENT THAT PROMOTES EQUITABLE GROWTH, DEVELOPMENTS WITHOUT DISPLACEMENT, AND HEALTHY COMMUNITIES OF OPPORTUNITIES IN ASHEVILLE'S OPPORTUNITY ZONES

WHEREAS, Opportunity Zones and Funds were added as an adjustment to the tax code in the 2017 tax reform package (Tax Cuts & Jobs Act); and

WHEREAS, the City of Asheville had five low income Census Tracts (tracts 2, 7, 9, 14 & 20) designated by the U.S. Treasury in May, 2018, as Opportunity Zones; and

WHEREAS, Opportunity Funds are being created to drive long-term capital into Opportunity Zones by using tax incentives to encourage private investment in these impact funds; and

WHEREAS, Opportunity Funds, if invested equitably, could spark catalytic development that creates economic opportunity and improves neighborhood quality of life; and

WHEREAS, Opportunity Funds, if invested without a focus on improving opportunities and outcomes for the residents living inside the Opportunity Zones could lead to displacement of low-income residents and communities of color in addition to the loss of community assets and land;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

City Council commits to work with Opportunity Fund Investors and take a proactive approach to offer guidance in Opportunity Zone investments that promote Equitable Growth, Development without Displacement and Healthy Communities of Opportunity for all residents in and around Opportunity Zones.

Read, approved and adopted this 23rd day of October, 2018.

Magdalen Bowleson
City Clerk

Esther E. Manheimer
Mayor

Approved as to form:

Valerie P. Rosebrook
City Attorney

CITY OF ASHEVILLE

APPENDIX 1

AFFORDABILITY REQUIREMENTS & RENTS

(Effective June 1, 2019)

2019 INCOME LIMITS SUMMARY*

Household Size	Extremely Low Income (30% AMI)	Very Low Income (50% AMI)	Low Income (60% AMI)	Low Moderate Income (80% AMI)	Moderate Income (100% AMI)	High Moderate Income (120% AMI)
One-person	$13,950	$23,250	$27,900	$37,200	$46,500	$55,800
Two-person	$16,910	$26,600	$31,870	$42,500	$53,120	$63,740
Three-person	$21,330	$29,900	$35,850	$47,800	$59,750	$71,700
Four-person	$25,750	$33,200	$39,840	$53,100	$66,400	$79,680
Five-person	$30,170	$35,900	$43,000	$57,350	$71,680	$86,010
Six-person	$34,590	$38,550	$46,200	$61,600	$77,000	$92,400
Seven-person	$39,010	$41,200	$49,380	$65,850	$82,310	$98,770
Eight-person	$43,430	$43,850	$52,570	$70,100	$87,620	$105,140

2019 UTILITY ALLOWANCE (ELECTRIC, WATER, SEWER, TRASH)

Unit Size	Utility Allowance	Electric	Water	Sewer	Trash
Efficiency/Studio	149	78	24	32	15
One Bedroom	163	90	25	33	15
Two Bedroom	211	122	32	42	15
Three Bedroom	259	154	39	51	15
Four Bedroom	306	184	47	60	15

Above Utility Allowances caluculated & published annually by HACA

MAXIMUM PROGRAM RENTS (80% AMI) (Low Moderate)

Unit Size	Max Rent w/ utilities included	Utility Allowance	Max Rent / tenant paid utilities	Max Rent / landlord pays W,S,T
Efficiency/Studio	$930	149	$781	$852
One Bedroom	$996	163	$833	$906
Two Bedroom	$1,195	211	$984	$1,073
Three Bedroom	$1,381	259	$1,122	$1,227
Four Bedroom	$1,540	306	$1,234	$1,356

MAXIMUM PROGRAM RENTS (60% AMI) (Low Income)

Unit Size	Max Rent w/ utilities included	Utility Allowance	Max Rent / tenant paid utilities	Max Rent / landlord pays W,S,T
Efficiency/Studio	$698	149	$549	$620
One Bedroom	$747	163	$584	$657
Two Bedroom	$896	211	$685	$774
Three Bedroom	$1,036	259	$777	$882
Four Bedroom	$1,155	306	$849	$971

MAXIMUM PROGRAM RENTS (HACA Voucher Holder) (VPS) (Low Income)

Unit Size	Max Rent w/ utilities included	Utility Allowance	Max Rent / tenant paid utilities	Max Rent / landlord pays W,S,T
Efficiency/Studio	$957	149	$808	$879
One Bedroom	$962	163	$799	$872
Two Bedroom	$1,196	211	$985	$1,074
Three Bedroom	$1,633	259	$1,374	$1,479
Four Bedroom	$2,102	306	$1,796	$1,918

MAXIMUM PROGRAM RENTS (100% AMI) (Moderate Income)

Unit Size	Max Rent w/ utilities included	Utility Allowance	Max Rent / tenant paid utilities	Max Rent / landlord pays W,S,T
Efficiency/Studio	$1,163	149	$1,014	$1,085
One Bedroom	$1,245	163	$1,082	$1,155
Two Bedroom	$1,494	211	$1,283	$1,372
Three Bedroom	$1,726	259	$1,467	$1,572
Four Bedroom	$1,925	306	$1,619	$1,741

** From HUD AMI for Asheville Metro, as well as NSP Limits, HOME Income Limits, NCHFA, URA Income Limits, HUD FMR*

** Calculations by Community Development Staff lowered to the nearest "10"*

** HUD assumes 1.5 persons per bedroom*

** City of Asheville Workforce Housing is defined as 80% - 100% AMI*

** Boarding House rents should follow Efficiency/Studio rents*

** When utilizing a City of Asheville Affordable Housing Incentives*

first Year Rents are based of Year of Occupancy (CO)

(for annual rent increases, please see Incentive Policy or your Agreement)

** Affordable Rents (Appendix 1) will be published each year, usually in April, by the CD Department*

when AMIs are published by HUD and Utility Allowances are published by HACA

updated annually, usually in April

** The utility allowance is based on the average fees and costs in Asheville for multifamily units.*

and published annually by HACA

** Note - affordable units may not be sold or rented to relatives or business associates of the developer or the property management*

** CD Incentives for homeownership must follow the AMIs published here and in accordance with the Policy and/or Agreement*

** Total housing obligation for homeownership should not exceed 30% of AMI including mortage principal, interest, insurance & taxes*

except where notated in the individual Incentive Policy and/or Agreement

** Note - the City reserves the right to adjust AMI rental rates for micro-units & boarding house*

** Note - the City reserves the right to adjust AMI rental rates when parking is not included*

CD - Community Development

HUD - Department of Housing & Urban Development

AMI - Area Median Income as published by HUD Annually

HACA - Housing Authority City of Asheville

NSP - Neighborhood Stabilization Program

HOME - HOME Investment Partnership Progam

NCHFA - North Carolina Housing Finance Agency

URA - Uniform Relocation Act

FMR - Fair Market Rent													

RESOLUTION NO. 15-101

RESOLUTION APPROVING THE TERMS FOR AN AMENDED LAND USE INCENTIVE GRANT FOR RAD LOFTS LLC AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A LAND USE INCENTIVE PROGRAM AGREEMENT

WHEREAS, pursuant to NCGS sec. 158-7.1 the City of Asheville is authorized to make appropriations for economic development which will in the discretion of the Council increase the population and taxable property and achieve other public purposes and to enter into appropriate agreements setting out the terms and conditions of economic development projects for which appropriations are made; and

WHEREAS, pursuant to NCGS sec. 160A-456, the City of Asheville is authorized to appropriate and expend funds for community development programs and activities, including providing funds to assist low and moderate income persons;

WHEREAS, the City Council of Asheville believes it is important to support development projects that achieve goals set forth in their annual strategic goals, the City's Comprehensive Plan and other adopted plans, including the provision of workforce and affordable housing and/or green development; and

WHEREAS, the City Council of Asheville has adopted a Land Use Incentive Policy (LUIP) in order to encourage the development of projects that meet the aforementioned goals and plans; and

WHEREAS, the RAD Lofts development represents the type of project envisioned for support within those goals and the LUIP; and furthers public purposes, and the goals and objectives of the LUIP and N.C. Gen. Stat. § 158-7.1 and § 160A-456 by providing for affordable and workforce housing and energy saving development, which in turn will serve to increase the tax base and population and business prospects of the City; and

WHEREAS, the Asheville City Council, on August 26, 2014 approved Resolution 14-195, authorizing a Land Use Incentive Grant for RAD Lofts, LLC; and

WHEREAS, certain elements of the development as proposed have been changed slightly resulting in an increase in residential units and a reduction in the total project commercial space, and therefore, the developer requests an amendment to the approved Land Use Incentive Grant; and

WHEREAS, in support of those strategic goals and the Land Use Incentive Grant policy adopted by the City County, the RAD Lofts Development located at 146 Roberts Street will be a 243 unit multi-family rental development project that is located in close proximity to transit lines, and will fulfill an important public purpose, in that it will provide 231 units of workforce housing (defined as rents that require payment of no more than 30% of gross income for household with an income at or below 120% of the area median income; it is agreed that the developer will be allowed to escalate the workforce rents by a maximum of 3% from the baseline 2015 work force rents as published by the City, annually during the affordability period), and 12 units of

affordable housing (defined as rents that require payment of no more than 30% of gross income for a household with an income not exceeding 80% of the area median income), and will achieve certification as an Energy Star™ development, and will be a mixed-use development with approximately 34,000 square feet of commercial space; and will be located within one-eighth of a mile of a public transit route; and will be built on land that has been designated as a brownfield; and

WHEREAS, the developers of the RAD Lofts development have demonstrated to the satisfaction of the City Council that they have substantial and sufficient private equity participation in the project; and

WHEREAS, the RAD Lofts development has been determined by City Council to meet the eligibility requirements of the LUIP;

NOW,THEREFORE, BE IT RESOLVED BY THE CITY COUNCILOF THE CITY OF ASHEVILLE THAT:

1. The Asheville City Council hereby agrees to enter into a Land Use Incentive Agreement with RAD Lofts LLC to support the development of the RAD Lofts project. The estimated annual land use incentive grant would be the difference between the current City tax and the estimated post-completion City tax currently estimated to be $144,892 The grant is approved for a period of 4 years with the total estimated grant to be $579,567, the exact amount to be determined by the actual assessed value of the development upon completion. Additionally, a 40% fee rebate of approximately $32,724 is approved. The City's grant shall be applied to the amount not covered by the Brownfield Grant over the four-year period, as opposed to equal payments over the requested four-year period. This would result in a grant disbursement that would increase annually over the four-year term; and may lead to an extension of the grant period until the total maximum grant amount is paid.

2. The City Manager is hereby authorized to execute a Land Use Incentive Program Agreement setting forth the conditions of compliance for both parties, subject to approval of the City Attorney.

Read, approved and adopted this 26th day of May, 2015.

Magdalen Bowlson
CITY CLERK

Esther E. Manheimer
MAYOR

CITY ATTORNEY

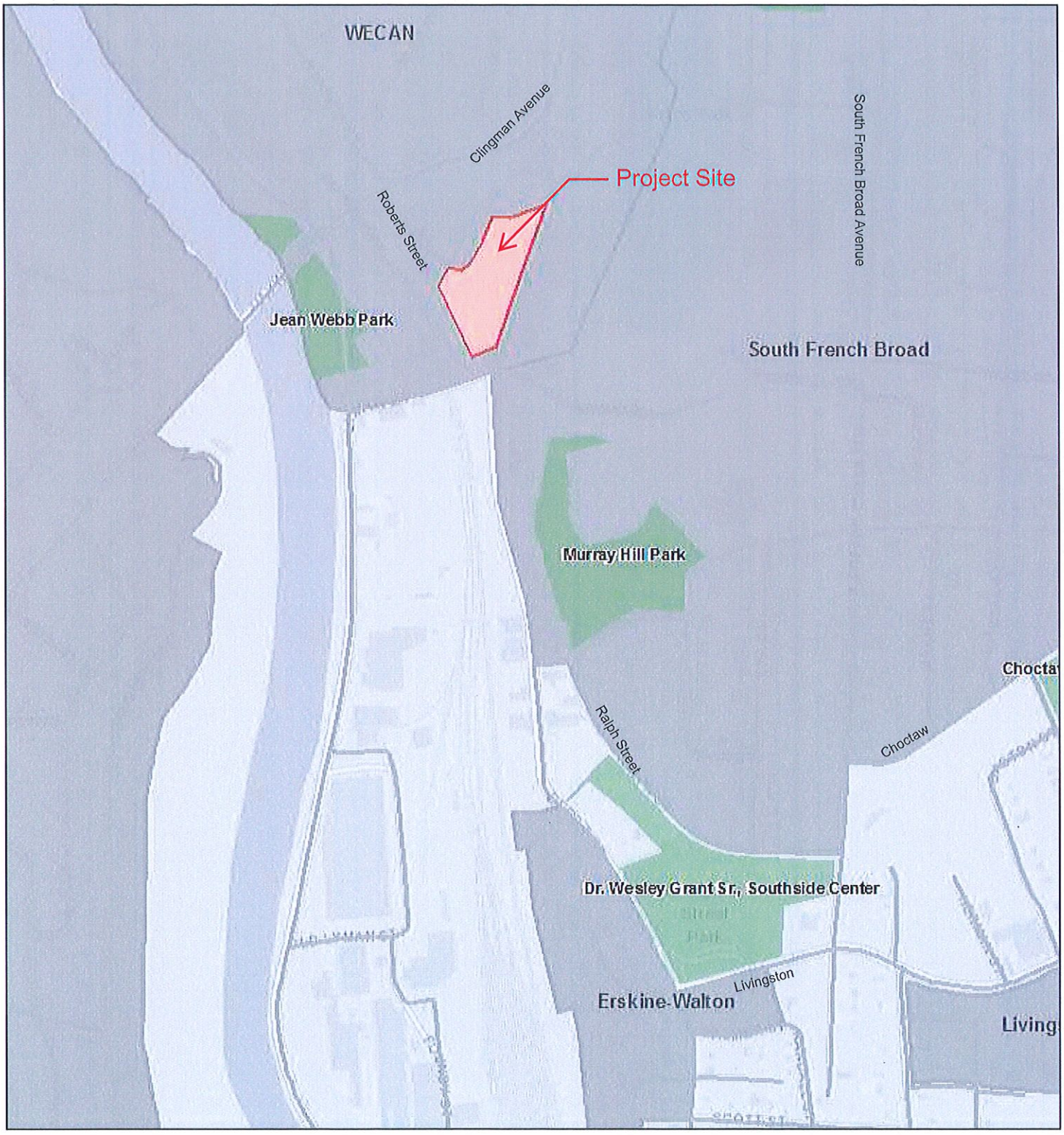
RAD Lofts
City Tax Abatement Agreement Rental Rates

Affordable housing and workforce housing rents established based on 2015 rental limits.
LUIG Benefits to commence per the chart below as of the year in which the Certificate of Occupancy is awarded (Year 4 or 5), anticipated to be 2019 or 2020.
Rent w no utilities

Workforce Housing 231 Units	2015 (Base Year)	Year 1 (2016) 3%	Year 2 (2017) 3%	Year 3 (2018) 3%	Year 4 (2019) 3%	Year 5 (2020) 3%
1BD	1,267	$1,305.01	$1,344.16	$1,384.49	$1,426.02	$1,468.80
2BD	1,418	$1,460.54	$1,504.36	$1,549.49	$1,595.97	$1,643.85

Year 6 (2021) 3%	Year 7 (2022) 3%	Year 8 (2023) 3%	Year 9 (2024) 3%	Year 10 (2025) 3%
$1,512.86	$1,558.25	$1,605.00	$1,653.15	$1,702.74
$1,693.17	$1,743.96	$1,796.28	$1,850.17	$1,905.67

Map Asheville Web Map



March 2, 2020

1:9,028

0 0.075 0.15 0.3 mi

0 0.1 0.2 0.4 km

- Asheville City Limits
- Local Streets
- City of Asheville Parks
- **Asheville Neighborhoods**
- Override 1
- Local Interstate Highways (Buncombe County)
- Local US Highways (Buncombe County)
- Local NC Highway (Buncombe County)
- Local Highway Ramps (Buncombe County)
- Local Blue Ridge Parkway (Buncombe County)

City of Asheville
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