THE CITY OF ASHEVILLE

STAFF REPORT

Council Meeting Date: March 10, 2026

Subject: Conditional Zoning Request for 383 N. Louisiana Avenue

Staff Resource(s): Stephanie Monson Dahl, Planning & Urban Design Director; Sam Starr-Baum, AICP, Urban Planner III

Action Requested: Adoption of an ordinance to conditionally rezone the property located at 383 N. Louisiana Avenue from Office (OFF I) to Office - Conditional Zone (OFF I-CZ)

Project Location and Contacts:

- The project site totals 3.13 acres on one parcel addressed as 383 N Louisiana Avenue, and identified in the Buncombe County Tax Record as PIN: 9638-29-1363
- Owner(s): Betty Hampton, Marlisa Faris, John Drake, and Mark Drake
- Applicant: Civil Design Concepts/Warren Sugg, P.E.

Summary of Petition:

Project Site

- The project site totals 3.13 acres on one parcel addressed as 383 N Louisiana Avenue
- The site is currently zoned Office (OFF I).
- The site is designated "Traditional Neighborhood" on the city's Future Land Use (FLU) Map. A change in the FLU designation will not be required.
- The project includes 89 affordable housing units in one apartment building.
- The current site is undeveloped, and is within the neighborhood boundary of the Poder Emma Legacy Neighborhood
- This project qualifies for a reduced review threshold given the size and affordability components being met under UDO Section 7-5-9. Accordingly, this is a level II conditional zoning to the Office - Conditional Zone (OFF I-CZ) district, rather than the usual level III conditional zoning to a Residential Expansion (RES-EXP) District.
- This project is proposed as a Conditional Zoning because the underlying zoning district, OFF I, has a 4,000 square foot building footprint maximum. The proposed building exceeds this by 27,898 square feet

Overall Project Proposal

- New building construction includes a total of 89 units on one 3/4 story building.
    - 100% of the units will be designated affordable at 80% AMI or below.
- Other site improvements include off-street parking, new sidewalks, and amenities such as a playground and pavilion near open space for recreation

Staff Recommendation:

- Staff recommends approval of this rezoning request based on the reasons stated below in the "Consistency with the Comprehensive Plan and Other Plans" section.

Consistency with the Comprehensive Plan and Other Plans:

Living Asheville Comprehensive Plan (2018)

- The proposed development supports a number of goals in the Living Asheville Comprehensive Plan, including:
    - **Encourage Responsible Growth** - by providing infill development in targeted growth areas (p. 131).
    - **Increase and Diversify the Housing Supply** - by providing lower housing prices relative to incomes and providing greater choice in housing options (p. 178).

- **Promote the Development and Availability of Affordable and Workforce Housing** - by supporting more housing supported through grant funds and other housing programs and provide for affordable housing closer to jobs and other services. (p. 182)

- The proposed use and design is consistent with the existing Future Land Use designation of Traditional Neighborhood:
    - In a traditional neighborhood, the types of housing can vary and often include a mix of housing types such as single family with accessory dwelling units, duplexes, townhomes and multifamily apartments usually located seamlessly together. (p. 346)
    - Traditional neighborhoods offer opportunities for infill housing in order to improve the supply and mix of housing options. The traditional neighborhood development pattern is also encouraged in other residential neighborhoods throughout the city, such as the residential neighborhood future land use category, to improve connectivity and access. Commercial uses will be inappropriate in a traditional neighborhood. (p. 346)
    - Appropriate zoning districts within the Traditional Neighborhood Future Land Use Category may include: RS4, RS8, RM6, RM8, RM16, NB, Office, and , corresponding conditional zoning (CZ) districts, Residential Expansion and the future Neighborhood Center District. (p. 346)

Compatibility Analysis:

- In addition to the compatibility with surrounding residential land uses, this development is within 1,500 ft. of an identified “Urban Center” (Living Asheville, P 341.) that exists along the corridor of Tunnel Road. The Urban Center is currently served by a transit line that connects to the site as well as auto and pedestrian connectivity. The proposed use is compatible with both the underlying Traditional neighborhood Future Land Use District and the adjacent Urban Center that provides multiple services, employment, and recreational/entertainment opportunities for residents.
- The proposed multi-family residential project is compatible with the surrounding land uses, including:
    - The identified Urban Center immediately to the south of the subject site. The urban center includes a mix of retail and restaurants, and includes the grocery store at the intersection of Patton Ave and New Leicester Highway. This area is also serviced by the West 5 (W5) and West East 1 (WE1) Asheville Rides Transit lines.
    - Residential single-family uses to the north and east of the project site buffered by landscaping and topography, providing a transitional area for the uses.
    - Commercial and mixed-uses along Patton Avenue.

Council Goal(s):

- This project is most closely aligned with the council goal of *A Well-Planned and Livable Community*.

UDO Compliance:

UDO Provision	**Requirement**	**Proposed**
Gross Floor Area:	There are no GFA maximums for residential projects in the Office District.	GFA: 119,204 s.f.
Maximum Building Footprint	4,000 s.f.	31,898 s.f.
Density:	–	89 units

<table>
<tr><td>Lot Size Minimum:</td><td>–</td><td>–</td></tr>
<tr><td>Lot Width Minimum:</td><td>50’</td><td>331’</td></tr>
<tr><td>Building Height(s):</td><td>40’</td><td>55’</td></tr>
<tr><td>Building Setbacks:</td><td>Front: 15’
Rear: 15’
Side: 0’</td><td>Front: 15’
Rear: 15’
Side: 15’</td></tr>
<tr><td>Vehicle Parking Spaces:</td><td>178 maximum</td><td>116 provided</td></tr>
<tr><td>Bicycle Parking Spaces:</td><td>9</td><td>10</td></tr>
<tr><td>Open Space:</td><td>20%/.62 ac.</td><td>20.4/.64 ac.</td></tr>
<tr><td>Impervious Surface Area:</td><td>80% maximum</td><td>54.3%/1.7 ac</td></tr>
<tr><td>Sidewalks:</td><td>10’ sidewalks required</td><td>5’ sidewalks proposed</td></tr>
<tr><td>Tree Canopy Preservation:</td><td>11%/14,998 s.f.</td><td>14%/18,767 s.f.</td></tr>
<tr><td>Applicable Landscaping Standards</td><td><table>
<tr><td>Property Line Buffer</td><td>Does apply</td></tr>
<tr><td>Street Buffer</td><td>Does not a…</td></tr>
<tr><td>Street Trees</td><td>Does apply</td></tr>
<tr><td>Parking Landscaping</td><td>Does apply</td></tr>
<tr><td>Building Landscaping</td><td>Does apply</td></tr>
<tr><td>Screening</td><td>Does apply</td></tr>
</table></td><td>
The Type A 20’ buffer applies to the north east portion of this property, as it is adjacent to residential zoning.
Screening is provided for the dumpster on site.
Some building impact landscaping is also being proposed as open space and tree canopy preservation. While 50% of open space can be TCP area, building impact landscaping cannot be all three simultaneously.
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<u>Site Layout and Design</u>

- Maximum building height for multifamily buildings in the OFF-I district is 40 feet. The maximum building height of the proposed project is approximately 48’, as measured to the ceiling of the highest occupiable floor of the apartment building. A technical modification has been added to the project conditions document to address the excessive height.
- Maximum density in the OFF-I district is 50 units/acre for projects meeting affordability criteria, which would be 186 units total for the proposed project site. The density for this project is below the maximum at 29 units/acre.
- The applicant is able to meet all relevant setbacks as part of this development.
- The proposed project would result in a total impervious area of 54.3% or 1.7 ac. The maximum impervious area allowed is 80%.

Landscaping and Open Space

- Landscape requirements apply, including street trees, parking lot, building impact, and property line buffers.
    - The immediate property to the east is a single family residential structure/zone, and a property buffer must be provided. The submitted plans show the appropriate buffer.
- The project is classified as “suburban” under the Tree Canopy Preservation standards and has a classification of “Class A” Urban Resource Management District. Based on these classifications and the preserved tree canopy on site, a total of 11% or 14,998 s.f. of tree canopy preservation is required. The applicant has exceeded this amount with 14% or 18,767 s.f. shown.
- Open Space is required at a rate of 20% of the site as the project intends to meet the incentive requirements for affordability and or stormwater management resulting in .62 acres of required open space. The project will provide this along the southeastern portion of the lot with a mix of natural and active open space.
- Additional outdoor amenities will be provided and detailed at Final TRC for open space designated as recreational and or public amenities as found in UDO Sec. 7-11-4(d).

Access, Sidewalks and Parking

- Access to the site will be provided by a single access road connected to North Louisiana Avenue.
- The project proposes 116 parking spaces. This project has no minimum parking requirement, but does have a maximum of 178 vehicular parking spaces. Required accessible spaces are shown at 10 spaces distributed throughout the site.
- Bicycle parking is required at a rate of ten percent of the total number of vehicle parking spaces. This requires 11 spaces and the project proposes 10 spaces.
    - The one space discrepancy is likely an error in minor plan changes made between TRC and PZC submissions over the holidays. Rather than add a technical modification, staff feel confident that this matter can be resolved prior to the project’s appearance at City Council.
- The OFF I -CZ district requires new 10 foot-wide sidewalks be constructed, both along the primary access corridor and internally throughout the site.
    - The project will require a technical modification for most of the pedestrian facilities to allow for the reduced width to 5 feet.

Technical Modifications

- The project is seeking technical modifications to development standards through the conditional zoning process including:
    - Five foot-wide sidewalks internal to the site instead of the required 10 foot-wide standard.
    - Five foot-wide sidewalks along N Louisiana Ave instead of the required 10 foot-wide standard..
    - Exceeding the minimum Office-1 district building footprint maximum of 4,000 s.f.
        - The current building footprint is 31,898 which is 27,898 in excess of the zoning requirement.
    - 8’ of additional building height in excess of the 40’ maximum standard in the OFF-I zoning district.

Committee(s):

- Technical Review Committee (TRC) - December 1, 2025 - approved with conditions.
- Planning and Zoning Commission (PZC) - February 4, 2026 - recommend approval (7-0) with the addition of the following conditions:

    1) That Condition #4 of the Exhibit E - Project Conditions be revised to specify the range of off-street parking spaces from 104 to 128 spaces

    2)That the following condition be added to the Exhibit E - Project Conditions:

-All units (100%) shall be leased to households earning less than 80% of the Area Median Income (AMI) for Asheville, NC as established by HUD. The minimum affordability period for all units shall be 30 years and shall commence on the date of issuance of a Certificate of Occupancy for the property
-All of the affordable units will also accept, but are not restricted to, HUD (Housing Choice) vouchers.
-Prior to issuance of Certificate of Occupancy for the property, the Developer shall record a Declaration of Restrictions setting forth the Affordability Terms, which shall become effective upon the execution and recording thereof. The Affordability terms must be met as evidenced by the North Carolina Finance Agency's Low-Income Housing Tax Credit program-qualified occupancy of all units in the development; and,

3) The Planning and Zoning Commission recommends that the applicant team work with the City Transportation Department to explore widening of external sidewalks along North Louisiana Avenue and Hazel Mill to 6 feet.

Suggested Motion to Approve:
I move to approve the conditional zoning request for the property located at 383 N. Louisiana Avenue from Office (OFF I) to Office - Conditional Zone (OFF I-CZ) and find that the request is reasonable, is in the public interest, is consistent with the city's comprehensive plan and meets the development needs of the community in that the request: 1) provides infill development in targeted growth areas; 2) increases the supply of housing in proximity to schools, transit and parks; and, 3) rezones property to"transit-supportive" density in nodal clusters along or near transit corridors.

Attachment(s)

(1) Exhibit A - Existing Zoning Map
(2) Exhibit A1 - Proposed Zoning Map
(3) Exhibit B - Aerial Imagery Map
(4) Exhibit C - Existing Future Land Use Map
(5) Exhibit D - Site Plans & Building Elevations
(6) Exhibit E - Draft Project Conditions
(7) Draft Ordinance
(8) TRC Report & Comments
(9) PZC Recommendation
(10) PZC Draft Action Minutes (2/4/26)