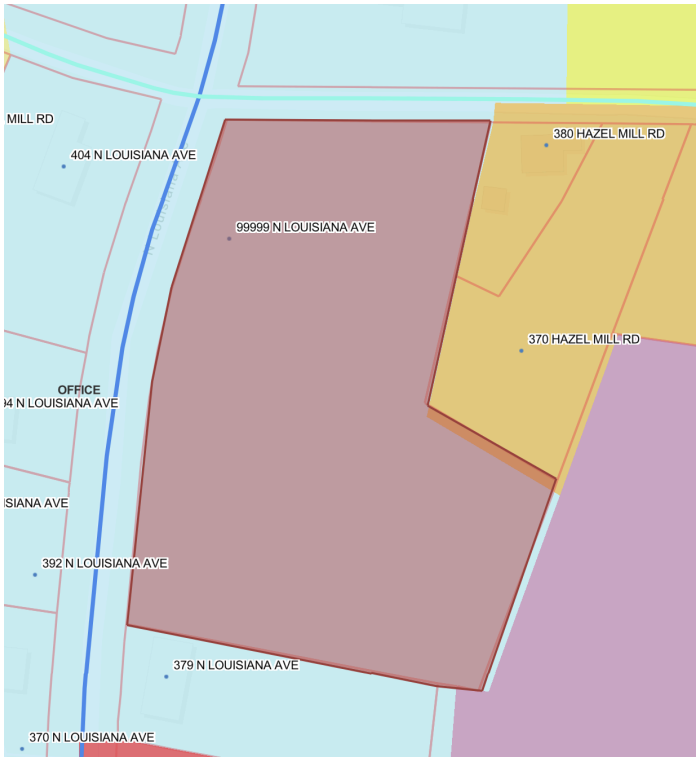


Project Number	25-09338PZ
Project Name	Apex on Hazel Mill
Review Type:	Level II CZ
Primary Project Address:	383 N Louisiana Ave | Pin: 9638-29-1363
Project Planner:	Sam Starr-Baum
Last Action:	Oct 20, 2025 | Neighborhood Meeting
Current Recommendation:	Administrative Revisions Required
Next Action:	TBD | Planning & Zoning Commission

Site and Plan Data

Applicant Name(s):	Civil Design Concepts, Warren Sugg
Owner Name(s):	Betty Hampton, Marlisa Faris, John Drake, and Mark Drake

Current Zoning:	OFFICE
Overlay Zoning:	N/A
Proposed Zoning: (if applicable)	OFFICE - CZ
Site Area (Ac.):	3.13
Existing Land Use:	Vacant
Proposed Land Use:	Multi-Family Residential
Adjacent Zoning	
North:	OFFICE
South:	OFFICE
East:	RS-8 CBII
West:	OFFICE

UDO Compliance

UDO Provision	Requirement	Proposed
Gross Floor Area:	There are no GFA maximums for residential projects in the Office District. However, new structures in the Office District shall have a building footprint of not more than 4,000 square feet.	GFA: 116,994 s.f.
Density:	–	92 units
Lot Size Minimum:	–	–
Lot Width Minimum:	50’	331’
Building Height(s):	40’	55’
Building Setbacks:	Front: 15’ Rear: 15’ Side: 0’	Front: 15’ Rear: 15’ Side: 15’
Vehicle Parking Spaces:	184	114
Bicycle Parking Spaces:	9	10

Open Space:	20%/.62 ac.	20.4/.64 ac.
Impervious Surface Area:	80%	54.3%/1.7 ac
Sidewalks:	Required	Provided
Tree Canopy Preservation:	11%/14,998 s.f.	14%/18,767 s.f.
Applicable Landscaping Standards	Property Line Buffer: Does apply Street Buffer: Does not … Street Trees: Does apply Parking Landscaping: Does apply Building Landscaping: Does apply Screening: Does apply	• 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.

Demographic Analysis (Source: data.census.gov/map)

Census Tract #	Tract 14.02
Race:	

Total Population	*2,442*
White:	1,146 (46.9%)
Black:	368 (15%)
Asian:	24 (0.9%)
Native Hawaiian or Pacific Islander:	17(0.6%)
American Indian/Alaskan Native:	27 (1.1%)
2+ Races:	247 (10.1%)
Some Other Race:	613 (25.1%)

Ethnicity	<table><tr><td>Hispanic/Latino:</td><td>902 (45.1%)</td></tr><tr><td>Not Hispanic/Latino:</td><td>1,004 (50.3%)</td></tr></table>
Educational Attainment (Bachelor's Degree or Higher, %):	24%
Homeownership Rate:	Not available for tract 14.02
Median Household Income :	$40,281
Legacy Neighborhood Status:	Poder Emma

CJI (Source: City of Asheville CJI Map)

CJI Score: 17 out of 25*	**15**
Climate Threats Overall Score	2
Individual threats relative to local risk (1-3)	
Flood Risk Score: 1	
Wildfire Risk Score: 1	
Landslide Risk Score: 1	
Heat Vulnerability Index	5
Energy Burden Score	2
CDC Vulnerability Score	4
BIPOC Score	2
* CJI score is calculated based on 5 factors each scaled 1-5 based on relative value within City of Asheville Census Block Groups.	

THE CITY OF ASHEVILLE

Review Commentary

Project Planner Highlights & Notes

- The applicants propose a 116,994 square foot residential 5-story building, which will have 92 affordable housing units. Under UDO Sec. 7-5-9 this qualifies as a level II review under the new affordability thresholds passed earlier in 2025.
    - The applicants are required to submit for a conditional zoning because the office district does not have a density maximum, but does require that the building footprint be 4,000 feet maximum.
    - Since this is a level II development, the applicant cannot rezone to a typical expansion district that most CZ projects default to. UDO Section 7-7-8, which governs conditional zoning actions, states: "Expansion zoning districts are **only allowed** as conditional zoning districts for Level III projects and as otherwise indicated in the Table of Permitted Uses and this UDO."
        - The applicant will need to revise their plan set and technical modifications/conditions request prior to Planning and Zoning Commission to reflect that this will be zoned to Office-CZ and not RES-EXP
- Owing to the topography of the site, this is a 4/5 Story split, and portions exceed the maximum zoning district height of 40' feet. The applicants will need a technical modification for this building proposal.
- The Critical Root Zone (CRZ) cannot be disturbed in a Tree Canopy Preservation area. The applicant appears to be supplementing the preserved canopy with planting new trees. This would be fine, but the proposed plantings appear to disturb the CRZ.
- The requirement for building impact landscaping is: One tree and two shrubs for every 1,000 square feet of building footprint. Trees and shrubs may be planted anywhere on site. The applicant correctly labeled on their data block that, with a 31,882 footprint, 32 trees and 64 shrubs would be provided. However, some BI trees are also TCP and Open Space, and the 64 shrubs are not shown.
- Staff cannot require, but *certainly* recommends that the applicant team prepare renderings for this project prior to appearing at future commission and council meetings for this development.

Review Comments

Planning

Staff: Sam Starr-Baum
Recommendation: Administrative Revisions Required
Comments

- [ ] Update plans, technical modifications and conditions documents to reflect this will be an Office-CZ and not a RES-EXP zoning district.
    - [ ] Provide all draft conditions to Planning and Urban Design staff prior to appearing before the Planning and Zoning Commission.
    - [ ] Add a technical modification for the building footprint and building height.
- [ ] Color code landscaping plan to show which plantings are VUA, BI, and PLB.
    - [ ] Demonstrate compliance with BI requirements, which is 32 trees and 64 shrubs

- ☐ Retaining walls will require landscaping or a patterned stone facing. Submit a plan sheet indicating the facing and landscaping standards per 7-10-5 will be met.
- ☐ Trees used for landscaping credit are noted on the site plan with their species and respective diameter at breast height. All trees preserved should be confirmed to be in good health.
- ☐ Open Space information was provided, but not on its own sheet. Please note that an open space plat that complies with UDO Sec. 7-11-4 and notes: "the open space shown on this plat must be preserved and maintained in perpetuity" must be recorded prior to the issuance of a Certificate of Occupancy.

Standard comments, no response necessary:

- ☐ All outdoor lighting shall comply with UDO Sec. 7-11-10.
- ☐ All signage shall comply with UDO, Article XIII.
- ☐ Provide a note on the landscape plan stating that, "All required plant material shall meet the plant specification and maintenance requirements of UDO Sec. 7-11-3(f)",
- ☐ Provide a tree canopy preservation plat that complies with UDO Sec. 7-19-2 and notes: "the tree canopy shown on this plat must be preserved and maintained in perpetuity" must be recorded prior to the issuance of a Certificate of Occupancy.

Transportation Engineering

Staff: Christopher Cairns

Recommendation: Approve with Conditions

Comments

- ☐ A traffic impact analysis is not required (UDO 7-11-6-b) based on 92 unit, 5 story, multifamily with anticipated trip generation of less than 100 trips in the peak hour
- ☐ The driveway access on Louisiana Avenue will connect with an NCDOT roadway. Applicant must obtain a driveway permit from NCDOT prior to construction. Contact Austin Rice at 828-298-2741. NCDOT will require the City's sign-off on the application before reviewing it. Provide the NCDOT driveway application to the City of Asheville Transportation Department for signatures.
- ☐ The driveway curb return must not cross the projection of the property line. Adjust accordingly.
- ☐ All driveway connections to streets must conform to City of Asheville Standard Specifications and Details Manual. Include the appropriate detail (e.g., 3.15) on the site and detail plans. ADA accessibility must be maintained through the driveway.
- ☐ Sidewalk and curb and gutter construction is required for property frontage along both Louisiana Avenue and Hazel Mill Road. Sidewalks must be 5 feet wide with a 5-ft utility strip unless the applicable zoning indicates a different width. If not located within the existing right of way, the sidewalk facilities plus 1.5-ft setback from the back of sidewalk (SSDM Table 3-18) should be placed in a recorded easement prior to TCO.
- ☐ For the portion of sidewalk to be constructed within the NCDOT right-of-way you must obtain an approved 3rd-party encroachment agreement from NCDOT prior to construction. NCDOT will require the City's sign-off on the application before reviewing it. Provide the encroachment application to the City of Asheville Transportation Department for signatures.

- [ ] Pedestrian signals should be considered at the intersection of Louisiana Avenue and Hazel Mill Road to provide signalized connectivity to transit stops.
- [ ] The minimum number of bicycle parking spaces, at least 10% of the total number of automobile parking spaces (UDO 7-11-2-c-3), is shown as required.
- [ ] Sight visibility triangles (10 feet by 70 feet) are shown as required for NCDOT maintained streets. However, triangles are at the incorrect location per City of Asheville requirements in UDO 7-11-2(h). Adjust sight visibility triangles accordingly.
- [ ] Verify sight distance requirements are met at the driveway access, including intersection sight distance as well as no trees within the corrected sight visibility triangles.
- [ ] Temporary street, lane, or sidewalk closures during construction require compliance with all MUTCD work zone traffic control standards. Contact David Keitt at 259-5476 for the temporary closure and permit process before implementing any temporary closures.

Building Safety

Staff: Sam Beck II

Recommendation: Administrative Revisions Required

Comments

- [ ] Compliance with the 2018 NC Building Code will be reviewed during the building permit application process.
- [ ] The number of stories is measured from grade plane per 2018 NCBC Ch. 2 definitions. Please verify the number of stories above the adjacent grade plane. Type III, V-A, or V-B construction is not allowed for group R occupancy buildings greater than 4 floors where protected by a NFPA 13R system.
- [ ] Are the units to be apartments or condos?
- [ ] For apartments, one parking space per required Type A accessible unit to be provided in addition to handicapped space(s) required by NCBC Table 1106.1. Verify that the accessible parking calculation includes these additional spaces for Type A units.
- [ ] Retaining walls require engineering and special inspections. Retaining walls adjacent to walking surfaces, parking spaces, or drive aisles require fall protection, guardrails or both.
- [ ] All required exits must provide an accessible path to a public way. Where direct and unobstructed access to the Public Way cannot be achieved, a Safe Dispersal Area must be provided. Identify these paths. (NCBC 1028.5)
- [ ] Ensure that all required egress doors swing in the direction of egress travel where serving an occupant load greater than 49.
- [ ] Verify that all exterior wall and site lighting will comply with City of Asheville ordinance Section 7-11-10.
- [ ] In the best interest of the completed (final) project the contractor, civil engineer and architect, upon receiving the permit, should physically walk the site to evaluate the site accessibility and identify any issues in meeting the minimum requirements of the NC State Building Code. This could include actual finished grades and/or widths of walking surfaces as well as obstacles and objects that might interfere with a clear and unobstructed accessible path.

THE CITY OF ASHEVILLE

E-911 Emergency Addressing

Staff: Jackson Marks
Recommendation: Approve with Conditions
Comments

- [ ] 1. The new multifamily dwelling structure has been assigned the address 383 N Louisiana Ave
- [ ] 2. For apartment units. Basement floor units use 000 series units (001,002,003 etc.) First floor units use 100 series unit numbers. Second floor units use 200 series unit numbers, third floor units to use 300 series unit numbers, and so forth (Sec. 16-176).
    - [ ] Prior to submitting for Grading, Stormwater or Building permits, provide an addressing unit numbering proposal directly to my attention. It should be submitted as an excel sheet file listing all units.

Fire Marshal

Staff: Amy Pollard
Recommendation: Administrative Revisions Required
Comments

- [ ] Access roads a minimum of 26’ wide on side of building where the 5 story section is located. Built to City standards
- [ ] Access road to be able to support 75,000lbs
- [ ] Aerial access required
- [ ] Overhead obstructions - power lines to relocated when the building height exceeds 55’
- [ ] Roof access - 4 or more stories
- [ ] Emergency Responder Communication Enhancement System required for all new buildings or when the cost of work exceeds 75% of the building value
- [ ] Hydrants to be within 600’ of sprinklered buildings
- [ ] Standpipes required when any floor is 30’ or more above exit discharge
- [ ] Standpipe required during construction when construction reaches 40’ in height
- [ ] FDC to be within 100’ of hydrant
- [ ] All exits lead to a public way
- [ ] Building(s) to be protected by a fire sprinkler system per NFPA 13.
- [ ] Fire apparatus access road shall extend within 150’ of all portions of the building and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building

Water Resources

Staff: Chad Pierce

Recommendation: Approve with Conditions

Comments

- [ ] A Letter of Commitment for water service has been issued for this project. All terms and conditions indicated in said Letter of Commitment are applicable to the proposed waterline extension.
- [ ] The TRC review process does not constitute an approval of the proposed waterline extension as waterline extensions are received and reviewed separately by the Water Resources Department. Please submit plans for waterline extension approval to the Water Engineering Division for review, approval and permitting.
- [ ] A 20 feet easement is required around all publicly owned and maintained water infrastructure. Minor landscaping improvements, shrubs or ground cover, can occur within the 20 feet easement of existing or proposed public waterlines. However, the planting of trees and erecting of structures, signs, etc., is restricted within this 20 feet easement.
- [ ] Existing waterlines shall be field located at the request of the applicant and trees or other obstructions shall not be installed in areas that would violate required separations from existing water line/meter/hydrant etc.
- [ ] Separation requirements between proposed water infrastructure and other improvements; utilities, structures, landscaping, etc. must be adhered to. Please verify requirements can be met.

Public Works

Staff: Derek Wainscott

Recommendation: Pending Review

Comments

- [ ] 1. An encroachment agreement is required for any permanent component of the proposed walls that are within the City right-of-way. Use of the right-of-way for wall structure is not preferred and the city retains the right to deny the use and application.
- [ ] 2. Sanitation acknowledges compactor onsite to be serviced by private hauler. Ensure space allows for both trash compactor & recycling dumpster. Consider allocating additional future space for roll carts for potential organics recycling (composting). **Note that NC State Law and Buncombe County ordinances prohibit numerous recyclables, including corrugated cardboard, aluminum cans, and locally recyclable plastic beverage containers, from being landfilled.**

Development Engineering

Staff: Nancy Watford

Recommendation: Approve with Conditions

Comments

- [ ] 1. Separate grading and stormwater permits will be required and applications shall be submitted concurrent with submission of Final TRC application and plans. Detailed plans and calculations will be required with the Permit Applications. Any revisions or re-submittals are to be submitted to the

Development Services Department per the instructions at the end of this letter. (Asheville, North Carolina – Code of Ordinances Chap. 7, Article XII, Sec. 7-12-2)

- ☐ 2. Does this project include public funding? If so then the erosion control/grading permit is under the purview of the state. Noted as an affordable housing project. ESC permitting will be through the state. Stormwater permitting will be through the City of Asheville. 1/23/26 NHW.
- ☐ 3. The project has required stormwater controls for quantity and or quality, the Operations & Maintenance Agreement and Easement(s) documentation will be required prior to the pre-construction meeting. For major subdivisions this will be required in conjunction with platting.
- ☐ 4. Appears under current design there is currently a conflict between planting islands and underground detention & water quality device. Ensure adequate separation and appropriate protection of the stormwater control measure for long term success and maintenance.
- ☐ 5. For sites with greater than 25,000 square feet of disturbance, a contract is required between the person financially responsible and a licensed professional for the initial inspection ensuring erosion and sediment control measures have been installed consistent with the approved plan. A notarized certificate of inspection agreement on a form available from the office of the stormwater administrator stating the existence of the contract required hereinabove must be received and approved by the Stormwater administrator before a grading and stormwater permit is issued. (Code of Ordinances, City of Asheville, North Carolina, Part II, Chapter 7, Sec. 7-12-2 (g) (5))
- ☐ Provide a statement of how the project meets the reduction of Open Space option. If the project is seeking open space reduction through the stormwater incentive option, and stormwater control measures will be part of post construction, per UDO. For development projects encompassing parcels one acre or more in size, open space requirements may be reduced to the standards assigned to parcels that are less than one acre if the project elects to meet the stormwater requirements found in Sec. 7-12-2(f) or is otherwise required to meet those same requirements; in cases where the pre-development runoff coefficient value or curve number of the site is greater than 0.35 or 55, respectively, the pre-development runoff coefficient value/curve number to be applied shall be 0.35/55.

Standard comments, no response necessary:

- ☐ 1. A pre-construction conference will be required for this project. The conference will be scheduled after all City departments have completed their review, and after all required Grading and Stormwater Permits have been approved. The Zoning and Grading Permits will be issued at this meeting. (Code of Ordinances, City of Asheville, North Carolina, Part II, Chapter 7, Sec. 7-12-2 (c)(2)e.)
- ☐ 2. For sites greater than one acre of disturbance, A Certificate of Coverage/NCG01 (COC) will be required and a copy provided to the City. Upon approval of the site plans a Formal Letter of Approval from the City will be provided. This letter must be submitted with the Notice of Intent (NOI) application to NC DEQ. Please note that the NPDES requirements for the state permit has additional requirements than the City ordinance, please review these requirements at: https://deq.nc.gov/about/divisions/energy-mineral-land-resources/energy-mineral-land-permits/stormwater-permits/construction-sw
- ☐ 3. If requirements for other departments affect grading and stormwater, revisions will be required, historic drainage patterns shall be maintained and/or changed to concentrated flow shall be managed.

THE CITY OF ASHEVILLE

Urban Forestry

Staff: Keith Aitken
Recommendation: Administrative Revisions Required
Comments

General Comments

- ☐ TCP 7-19 in the UDO
  - ☐ A separate Tree Canopy Protection plan sheet is required. This sheet shall not include any required landscaping. A plan sheet is also required for those paying full or partial fee in lieu.
    - ☐ The sheet will include a scale, key, north arrow, tree schedule of preserved or planted trees with botanical names, calculations and a note stating “the tree canopy shown on this plat must be preserved and maintained in perpetuity”
    - ☐ Examples of TCP plans Ex. 1 Ex. 2
    - ☐ To calculate the requirement use the Tree Canopy Calculator.
  - ☐ (New 9/24/24)TCP plans will include any trees on the site that meet Heritage Tree status regardless of preservation of those trees. Refer to Recommended Species List(RSL). Trees must meet or exceed 30” DBH for large canopy trees, 24” DBH for medium canopy trees, and 15” DBH for small canopy trees. These trees will be located on the plan with DBH and botanical name, do not include them in your tree schedule unless they are being preserved. Preserved Heritage Trees count as double sqft.
  - ☐ See 7-19-2 for Tree canopy preservation requirements
    - ☐ Common TCP tree disqualifiers
      - ☐ Critical root zones under/over utility ROWs or the potential to grow into ROW
      - ☐ Critical root zones that intersect infrastructure (buildings, parking lots, roads etc) including buried stormwater structures.
      - ☐ Situations where invasive vegetation is growing on trees or in the critical root zone.
      - ☐ Trees listed as NA in the Recommended Species List.
  - ☐ Refer to 7-2-5 for Definitions of terms relating to 7-19
- ☐ Landscaping. See Recommended Species List
  - ☐ Landscaping trees are classified as either large maturing(> 35’) or small maturing(<=35’) by height, do not confuse landscaping trees with TCP trees as those are based on avg mature crown width.
  - ☐ Trees listed as NA in the RSL cannot be used
  - ☐ Trees not listed on the RSL can be calculated using the NC Extension Gardener Plant Toolbox see RSL for requirements.

Plan Comments.

1. Locate and label all Heritage Trees on the property, the tree table indicates there are several on the site. Implied species names will not be accepted. To properly identify each tree species correctly the scientific name should be used.
2. Two trees listed in the Plant Schedule do not have the correct caliper requirement listed.

3. Consider swapping out the street tree species as it is known to negatively affect infrastructure and underground utilities.
4. Two Street Trees in the NE corner along Hazel Mill will need to adjusted to small maturing species as they are in the powerline ROW.
5. One Street Tree and one VUA tree in the SW corner will need to be adjusted to small maturing to accommodate the powerline ROW
6. Trees being planted to meet the requirements of TCP cannot be located in parking lot islands.
7. Trees located in the proposed TCP area cannot also be used for building impact.
8. Planted TCP trees cannot exist in areas used for stormwater infrastructure, temporary or otherwise. All proposed TCP planted trees would fall under this exclusion.
9. Required landscape trees cannot be planted in TCP areas proposed for preservation.
10. Only 50% of Open Space can also count as TCP

MSD

Staff: Samuel Gettleman (sgettleman@msdbc.org)
Recommendation: Approve with Conditions
Comments

- ☐ 1. MSD issued an Allocation Approval in the amount of 12,975 GPD for 92 Apartments on October 21, 2025.
- ☐ 2. An NCDOT Encroachment Agreement will be required prior to any construction within the NCDOT Right-of-Way. (N Louisiana Ave)
- ☐ 3. MSD will require a new manhole be placed at the connection point to the public system. This work must be done by an NC Licensed Public Utility Contractor and inspected by MSD. Prior to construction, MSD must review/approve a bulletin drawing for the installation. C.O.s will not be released until MSD has approved installation and the engineer has provided a bulletin As-Built drawing with coordinates and elevations for the manhole and initial cleanout. Please contact Amanda Cutshaw at 828-225-8352 to request inspector a minimum of two business days prior to beginning sewer construction.
- ☐ 4. Building Permit will be on hold until Sewer Service Application has been processed and applicable fees paid.
- ☐ 5. C.O.s will not be released until MSD has approved installation.

Parks & Recreation

Staff: Al Kopf
Recommendation: Approve with Conditions 11.12.25
Comments

- ☐ 1. Comment placeholder

☐ 2. Comment placeholder

REVISED PLAN SUBMITTAL INSTRUCTIONS:

For projects heading to **Planning & Zoning Commission: (INSERT DATE)**

- A digital copy must be delivered prior to the Planning & Zoning Commission meeting no later than **(INSERT DATE).** These sets shall be delivered electronically to https://develop.ashevillenc.gov

For ***Final TRC & Revisions:*** All Final Technical Review Committee and Revised submissions should be delivered electronically at https://develop.ashevillenc.gov/

Also included in these submittals shall be:

- A letter to the City addressing all TRC staff report conditions/comments. **The letter shall state the specific condition and how and where the items have been addressed on the revised plans.**
- The revised plans shall **clearly identify and illustrate** the revision noted in the staff report (i.e. a symbol on the plan noted with the number of the condition).
- All revised plans and documents shall be submitted in PDF format in addition to required hard copies.