



TO: Mayor Bellamy and City Council

DATE: September 27, 2011

VIA. Gary Jackson, City Manager

**FROM: Judy Daniel, AICP,
Planning and Development Director**

**Prepared by:
Nathan Pennington, CFM
Urban Planner II**

Project: Level III Site Plan Review – Sweeten Creek Industrial Bldg

Proposal: Level III Review of Existing Industrial Building for Future Tenant Capacity and Renovation/Expansion

PIN(s): 9657.26.0671.00000

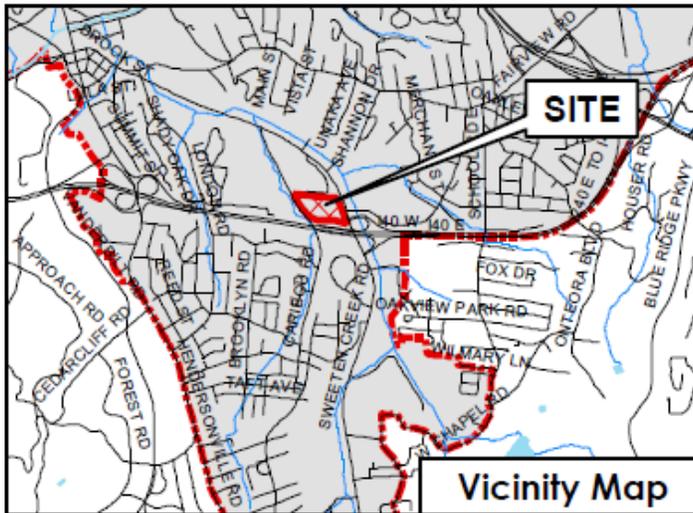
Site Address: 144 Caribou Road

Owner(s) Name: Sweeten Creek Holdings, LLC

Applicant(s) Name: Peter Knowland, Agent

Date of Request: July 26, 2011

Location Map:



Driving Directions:

From downtown travel on South Charlotte Street and make a left turn onto Biltmore Avenue. Make a left hand turn onto Sweeten Creek Road in Biltmore Village and travel for about 1 mile. Make a right hand turn onto Caribou Road. The subject property is the old Luster Building on the left accessed via the driveway before the I-40 overpass.

Site Conditions:

Acreage: 11.57 acres

Current Zoning: CI (Commercial Industrial)

Current Land Use: Multi Tenant Industrial Building

Affected Roadways: Caribou Road/Sweeten Creek Road

Environmental Conditions: None Noted

Site Features: Existing Industrial Use Building and Parking Lot/Outdoor Storage Area

Compatibility Analysis:

Existing Conditions to	Zoning	Degree of Compatibility	Existing Land Use
North	CI	High	Trucking Terminal
South	I-40/ROW	High	Interstate 40
East	CI	High	Office Building/I-40 ROW Separated by Sweeten Creek Road
West	INST	High	Office/Warehouse Building Separated by Caribou Road

Special Zoning Considerations:

None noted.

Compliance with Comprehensive Plan:

This project complies with the *Asheville City Development Plan 2025* by providing opportunities for the redevelopment of an existing industrially purposed building in a location where adequate infrastructure exists and the site can be improved to accommodate new development. Finally, the proposal is consistent with a comprehensive plan goal that encourages the redevelopment of property for industrial uses.

City Council Goals and Vision Plan Considerations:

Green & Sustainable – This project supports the goals of working to expand recycling opportunities and reduce city-wide solid waste by the inclusion of a local scrap metal recycler as one of the building’s anchor tenants. The proposed renovation/expansion is intended to allow for similar uses.

Job Growth & Community Development – The proposal is consistent with a number of stated economic development goals and strategies including job creation.

Recent Zoning Actions:

None noted.

Staff Report & Findings:

Summary Statement

The applicant is requesting site plan approval for one parcel zoned CI (Commercial Industrial) for the redevelopment of an existing industrial building in accordance with Section 7-5-9(a) of the UDO which designates review for commercial buildings with a gross floor area of more than 100,000 square feet. Level III projects are reviewed as a conditional use in the Commercial Industrial district.

Project Description

The subject property consists of one parcel comprising 11.57 acres according to the submitted survey. The approval of a conditional use permit will allow for further upgrades to the existing building in order to accommodate additional future tenants. The existing building was once home to the Luster dyeing and finishing factory but was abandoned for almost a decade until last year when a local scrap metal recycler moved in and was subsequently followed by a PODS storage facility tenant. The arrival of the recycling tenant triggered a Level II site plan review for the site and the property was required to be brought into compliance with all applicable UDO requirements. The owner has elected to proceed with a Level III site plan review to accommodate additional tenants because of the fact that the gross square footage of the building exceeds 100,000 square feet.

In order to meet the needs of future tenants, the building may need to be reconfigured with additions to or deletions from the building in a way that is not specifically shown on the submitted site plan. One possible configuration is illustrated on the site plan. There is no maximum structure size requirement in

the CI zoning district. The final design of the building footprint will be required to be reviewed and approved by the Technical Review Committee.

The combined square footage of the development meets the Level III review threshold (projects exceeding 100,000 square feet) and is subject to the Conditional Use Permit findings outlined in Section 7-16-2(c) of the UDO.

Phasing

The existing building is partially occupied by the metal recycler and the PODS storage tenants. New phases of interior building upgrades will occur as tenants become available over time.

Future tenants shall be limited to uses such as recycling, warehousing, etc. as noted on page C2 of the site plan – see note #2, and the building area summary in order to remain in compliance with parking standards.

Access

While the site is bounded by both Caribou Road and Sweeten Creek Road, the only access to the site is afforded via Caribou Road.

Parking & Outdoor Storage

According to the site plan, 154 spaces are indicated inclusive of required ADA parking and this number is well within the required minimum and maximum thresholds as prescribed by the UDO for industrial types of uses. Additionally, eight bicycle parking slots are also to be provided.

The project was approved for a small area of outdoor storage along Sweeten Creek Road during the Level II site plan review process. Since that time, the parameters of the outdoor storage has shifted around the site and grown in size. The dedicated outdoor storage area must be clearly delineated on the site plan and appropriately screened pursuant to Section 7-11-3 of the UDO. Persistent issues with unpermitted signage on the outdoor storage must also be addressed prior to the issuance of any final permits.

Landscaping & Open Space

The site was brought into compliance with UDO landscaping requirements in 2010 under the Level II site plan review. On March 15, 2010 the Tree Commission approved an alternative compliance request for a number of landscaping requirements including street tree placement along Sweeten Creek Road and the allowance of existing perimeter landscaping to suffice for some of the required parking lot landscaping.

The open space requirement for this type of development is 15% of the total site size; a total of 1.7 acres for this site. The site plan illustrates that adequate open space has been reserved to meet this requirement.

Sidewalks

A fee in lieu of sidewalk construction along Sweeten Creek Road and Caribou Road was previously paid when the project was reviewed under the Level II site plan process. A fee-in-lieu-of construction in the amount of \$3,715 (capped at 15% of the project cost) has been received by the City of Asheville. As the subject project moves forward with additional phases, the fee-in-lieu-of decision will not change; however, the developer will be expected to submit additional fee-in-lieu-of payments which will be capped at 15% of the new total project costs.

Required Reviews

This proposal was recommended for approval with conditions by the Technical Review Committee on August 15, 2011 (see attached staff report).

At their regularly scheduled meeting on September 7th, the Planning and Zoning Commission unanimously approved the project subject to the conditions noted in the staff report. No members from the public were present to speak about the project.

Conditional Use Permit Findings:

City Council must take formal action as set forth in Section 7-5-5(e)(3) of the Unified Development Ordinance (UDO), and must find that all seven standards for approval of conditional uses are met based on the evidence and testimony received at the public hearing or otherwise appearing in the record of this case pursuant to Section 7-16-2(c). Staff's review indicates that all seven standards are met as proposed in the site plan.

1. That the proposed use or development of the land will not materially endanger the public health or safety.

The proposed project has been reviewed by City staff and appears to meet all public health and safety related requirements. The project must meet the technical standards set forth in the *UDO*, the *Standards and Specifications Manual*, the *North Carolina Building Code* and other applicable laws and standards that protect the public health and safety.

2. That the proposed use or development of the land is reasonably compatible with significant natural or topographic features on the site and within the immediate vicinity of the site given the proposed site design and any mitigation techniques or measures proposed by the applicant.

The subject property is appropriately zoned for the existing industrial uses that are occurring in the existing building. The site is surrounded by existing established vegetation and similar industrial and commercial uses and is bounded along the southern perimeter by Interstate 40 and eastern perimeter by Sweeten Creek Road.

3. That the proposed use or development of the land will not substantially injure the value of adjoining or abutting property.

As noted in Finding #2, the proposed development is compatible with surrounding commercial uses and adjacent transportation corridors.

4. That the proposed use or development of the land will be in harmony with the scale, bulk, coverage, density, and character of the area or neighborhood in which it is located.

The site is adjacent to a trucking terminal to the north of similar commercial intensity to the north and a small warehousing building is located to the west. The subject property is separated from Sweeten Creek Road by steep topography to the east and Interstate 40 to the south. No residential properties surround the subject site.

5. That the proposed use or development of the land will generally conform to the comprehensive plan, smart growth policies, sustainable economic development strategic plan and other official plans adopted by the City.

Elements of the proposal are aligned with the City's goals and objectives as noted in the Compliance with Comprehensive Plan and other Adopted Plans section (listed above). Specifically, the redevelopment and expansion of the building is consistent with the goals of infill development along an established commercial corridor.

6. That the proposed use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities.

The site is located off of Caribou Road and is approximately 1/4 of a mile from the intersection of Sweeten Creek Road. The nearest bus stop is at the intersection of Caribou Road and Shiloh Road and is approximately 3/4 of a mile from the subject site. Adequate water supply, fire and police protection, waste disposal and similar facilities are verified during the TRC review process.

7. That the proposed use will not cause undue traffic congestion or create a traffic hazard.

Based on the existing and anticipated uses of the site, there will not be any undue traffic congestion on the existing street infra-structure. As additional phases are constructed and/or modified, the City Traffic Engineer will review the possible traffic impacts and recommend any appropriate mitigation improvements including a traffic impact study.

Based on the above findings and the analysis provided in the report, staff finds this request, with conditions noted, to be reasonable.

Pros

- Provides an opportunity to adaptively reuse and upgrade an existing developed site.
- The project is consistent with a number of stated goals and objectives in the comprehensive and strategic operating plans.

Cons

- New tenants have not yet been identified and may be pulled from a list of approved land uses (this flexibility may also be viewed as a “pro”).

Recommendation:

Staff recommends approval of the project as submitted by the applicant.

Suggested Motion(s):

Conditional Use Permit:

- I move to approve the project subject to the conditions recommended by staff and find that the request is reasonable based on information provided in the staff report and as stated in the staff recommendation.

Standard Conditions:

1. The project shall comply with all conditions outlined in the TRC staff report.
2. All site lighting must comply with the City’s Lighting Ordinance and be equipped with full cut-off fixtures (including wall packs) and directed away from adjoining properties and streets. A detailed lighting plan will be required upon submittal of detailed plans to be reviewed by the Technical Review Committee if applicable.
3. All existing vegetation that is to be preserved must be clearly indicated and dimensioned on the site, landscape and grading plans.
4. The building design, construction materials and orientation on site must comply with the conceptual site plan and building elevations presented with this application. Any deviation from these plans may result in reconsideration of the project by the reviewing boards.
5. This project will undergo final review by the TRC prior to issuance of any required permits.

Additional Conditions:

6. The outdoor storage area must be clearly delineated on the site plan and appropriately screened with vegetation or fencing as outlined in Section 7-11-3(d)(6) of the UDO.
7. All required landscaping that was installed and has since perished pursuant to the Level II site plan review process must be replanted.
8. All outstanding violations must be resolved and fines paid related to the unpermitted freestanding sign along Caribou Road before any permits are issued.
9. Land uses are limited to those identified in the staff report and on the site plan.

Key Dates & Actions

	Meeting Date	Signs Erected	Adjacents Notified	Advertised	Action/Vote
TRC	8/15/2011	N/A	N/A	Via Website	APC
Planning & Zoning Commission	9/07/11	8/26/11	Yes	Yes	APC (4-0)

City Council	9/27/11	9/16/11	Yes	Yes	
--------------	---------	---------	-----	-----	--

Attachments

1. Exhibit A and B Maps
2. Site Plans
3. TRC Staff Report
4. P&Z Minutes



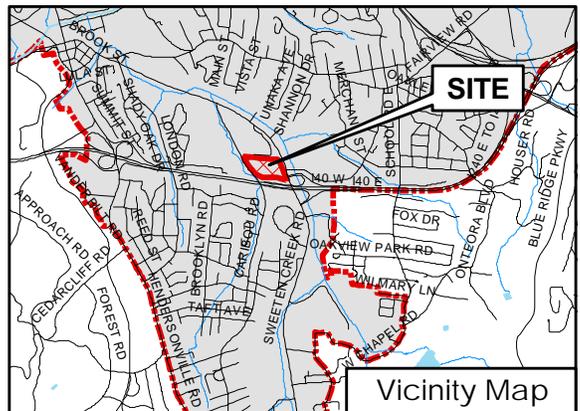
City of Asheville - Exhibit B Map Level III Site Plan Review



Project Name: Sweeten Creek Holdings
Project Number: LIII 11-30-002
Project Description: Site Plan Review - Ind Building
Petitioner(s): Sweeten Creek Holdings, LLC
Parcel ID Number(s): 9657.26.0671.00000

Location/Address: 144 Caribou Road

- Project Site
- Zoning Districts
- Streets
- Parcels
- Asheville City Limits
- Streams



**CITY OF ASHEVILLE
 CONCEPT PLAN SUBMITTAL PACKAGE
 FOR LEVEL III REVIEW
 INCLUDING CONDITIONAL USE AND USES-BY-RIGHT**

SUBMITTAL DATE: JULY 27, 2011

**EXISTING BUILDING FOR
 SWEETEN CREEK HOLDINGS, LLC
 144 CARIBOU ROAD
 ASHEVILLE NC**

PROPERTY OWNER
 SWEETEN CREEK HOLDINGS, LLC
 50 PORTLAND PIER - SUITE 400
 PORTLAND, ME 04101
 CONTACT: JIM HANLEY
 TEL. (207) 553-2000
 FAX (207) 828-1048
 EMAIL: jhanley@atlanticonationaltrust.com

GENERAL CONTRACTOR

DUYCK CONSTRUCTION COMPANY, INC.
 PO BOX 2200
 ASHEVILLE, NC 28802
 CONTACT: RON DUYCK
 TEL. (828) 252-8950
 FAX (828) 252-4081
 EMAIL: rduyck@duyckconstruction.com

ARCHITECT

PETER G. KNOWLAND - ARCHITECT, PLLC
 2A HERMAN AVENUE EXTENSION
 ASHEVILLE, NC 28803
 CONTACT: PETER G. KNOWLAND, AIA
 TEL. (828) 687-2445
 FAX (828) 687-1434
 EMAIL: archidada@aol.com

STRUCTURAL ENGINEER

MADY ENGINEERING
 1357 GARREN CREEK ROAD
 FAIRVIEW, NC 28730
 CONTACT: DAN MADY, PE
 TEL. (828) 628-2577
 FAX (828) 628-2578
 EMAIL: danmady@bellsouth.net

MECHANICAL / ELECTRICAL ENGINEER

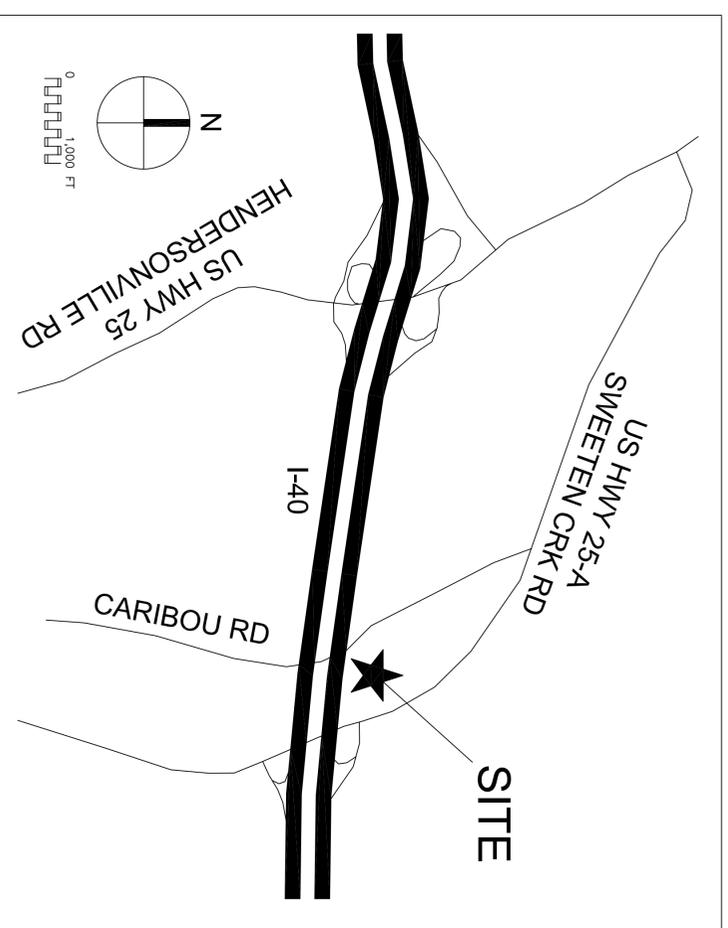
GILLAM ENGINEERING, PA
 1070 TUNNEL ROAD - BLDG 4, SUITE 2
 ASHEVILLE, NC 28805
 CONTACT: JOHN GILLAM, PE
 TEL. (828) 299-9974
 FAX (828) 299-9975
 EMAIL: john-gillam@gillamengineering.com

DRAWING INDEX

- COVER COVER SHEET
- SURVEY BOUNDARY & TOPOGRAPHIC SURVEY
- C1 EXISTING CONDITIONS & DEMOLITION PLAN
- C2 CONCEPTUAL MASTER PLAN
- C3 CONCEPTUAL SITE LAYOUT, MATERIALS & ZONING COMPLIANCE PLAN
- C4 CONCEPTUAL GRADING / EROSION CONTROL / STORMWATER PLAN

DRAWINGS NOT REQUIRED:

- BUILDING ELEVATIONS (EXISTING BUILDING PHOTOS PROVIDED)
- STEEP SLOPE / RIDGE TOP DEVELOPMENT (SITE IS BELOW 2220 FT ELEV)
- STEEP SLOPE DEVELOPMENT (SITE IS BELOW 2220 FT ELEV)
- CONCEPTUAL UTILITY PLAN (NO UTILITY CHANGES)
- CONSTRUCTION STAGING PLAN (NO PUBLIC PROPERTY INVOLVED)



SITE VICINITY MAP
 SCALE 1" = 1000 FT

DATE		REVISIONS	

COPYRIGHT 2011
 PETER G. KNOWLAND, AIA
 ARCHITECT

**CITY OF ASHEVILLE
 CONCEPT PLAN SUBMITTAL
 LEVEL III REVIEW
 SUBMITTAL DATE: JULY 27, 2011**

LEVEL III REVIEW - CONCEPT PLAN SUBMITTAL
144 CARIBOU ROAD
 ASHEVILLE NC

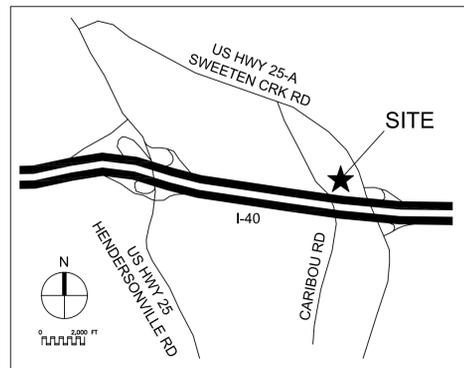
PETER G. KNOWLAND - ARCHITECT, PLLC 2A HERMAN AVENUE EXTENSION - ASHEVILLE NC 28803 (828) 687-2445

JULY 27, 2011

SHEET

COVER

OF 1



SITE VICINITY MAP
SCALE 1" = 2000 FT

BUILDING AREA SUMMARY

PHASE	AREA	OCCUPANTS	ALT AREA	OCCUPANTS
EXISTING PODS	10,000 SF	4		
EXISTING RECYCLING	56,400 SF	10		
PHASE 1 (PODS)	17,765 SF	7		
PHASE 2	15,466 SF	8		
PHASE 3	25,692 SF	13	15,466 SF	8
PHASE 4	19,334 SF	10		
PHASE 5	18,217 SF	10	20,266 SF	11
TOTAL	162,774 SF	62		

MAX LOAD (BASE PLAN WITH ALT PHASE 5) = 164,823 SF AND 63 OCCUPANTS

PARKING SUMMARY

CALCULATIONS BASED ON MAX 63 OCCUPANTS AND NO PUBLIC SPACE
MIN SPACES REQUIRED = 63 EMPLOYEES / 2 PER SPACE = 32 SPACES
MAX SPACES ALLOWED = 63 EMPLOYEES / 1 PER SPACE = 63 SPACES
EXISTING PARKING COUNT = 151 REGULAR SPACES + 3 HANDICAPPED = 154 TOTAL SPACES

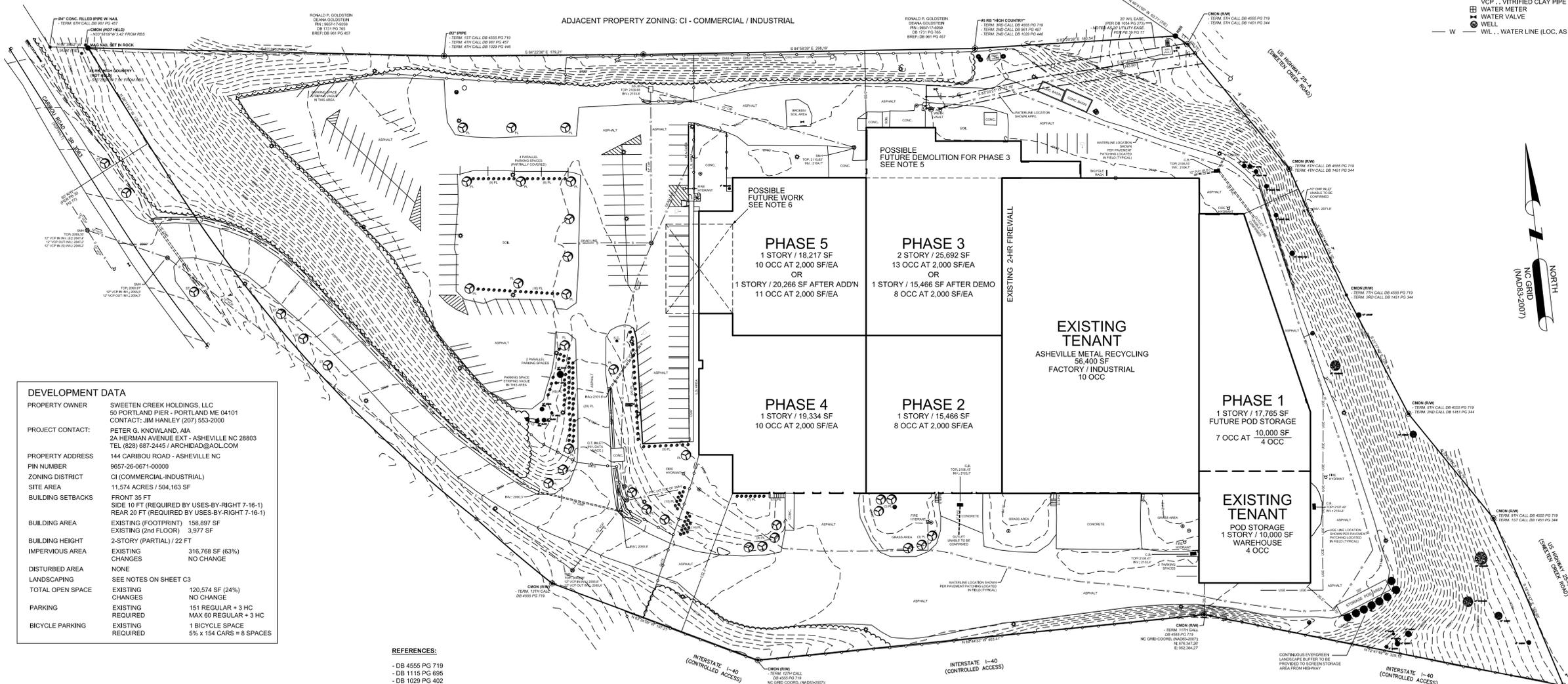
NOTE:
OF THE 154 EXISTING SPACES, 5 ARE REQUIRED TO BE HANDICAPPED.
NO CHANGES TO THE PARKING ARRANGEMENT OR NUMBER OF HANDICAPPED SPACES WILL BE MADE UNTIL THE REMAINDER OF THE BUILDING IS OCCUPIED.

NOTES

- NO DEMOLITION OR ADDITIONS ARE PROPOSED UNTIL SUCH TIME AS FUTURE TENANTS ARE SECURED. THE EXISTING BUILDING IS TO REMAIN, EXCEPT AS NOTED BELOW.
- FUTURE TENANTS WILL BE LIMITED TO THE TYPE OF OCCUPANCY SIMILAR TO THOSE CURRENTLY IN THE BUILDING (POD OR SELF STORAGE, RECYCLING, ETC). PHASE 1 SPACE IS DEDICATED TO EXISTING POD STORAGE EXPANSION. THE REMAINDER OF THE VACANT SPACE IS ASSUMED TO BE EITHER STORAGE OR RECYCLING USE.
- OCCUPANCY LOADS ARE ESTIMATED FOR DETERMINING THE WATER / SEWER ALLOCATION AND PARKING REQUIREMENTS. ESTIMATES ARE BASED ON THE CURRENT OCCUPANT LOADS OF THE EXISTING TENANTS, AS FOLLOWS:
POD STORAGE 10,000 SF / 4 EMPLOYEES = 2,500 SF PER PERSON
METAL RECYCLER 56,400 SF / 10 EMPLOYEES = 5,640 SF PER PERSON
BASED ON RECENT LEASE NEGOTIATIONS WITH ANOTHER (PAPER) RECYCLER, A MORE REALISTIC EMPLOYEE LOAD FOR A RECYCLING FACILITY IS 1,600 SF PER PERSON. AN AVERAGE (STORAGE / RECYCLING) LOAD OF 2,000 SF PER PERSON IS USED FOR THE ESTIMATED EMPLOYEE LOAD OF THE FUTURE PHASES.
- THE PHASES SHOWN ON THE MASTER PLAN INDICATE THE MAXIMUM LIKELY SUBDIVISION OF THE VACANT PORTION OF THE BUILDING FOR FUTURE TENANTS. THESE PHASES MAY OCCUR IN ANY ORDER AND IN ANY COMBINATION.
- CERTAIN LEASE SUBDIVISIONS (EG AS SHOWN ON PLAN) BLOCK OFF ACCESS FROM THE NORTH SIDE AND MAY REQUIRE DEMOLITION OF THE 2-STORY SPACE WHERE NOTED. REFER TO BUILDING AREA SUMMARY AT LEFT AND NOTE 3 / SHEET C1 FOR ADDITIONAL INFORMATION.
- A POSSIBLE NEW TRUCK RECEIVING AREA IS SHOWN ADJACENT TO PHASE 5. REFER TO BUILDING AREA SUMMARY AT LEFT AND NOTE 2 / SHEET C1 FOR ADDITIONAL INFORMATION.

LEGEND / ABBREVIATIONS:

- PB . . . PLAT BOOK
- DB . . . DEED BOOK
- PG . . . PAGE
- RW . . . RIGHT OF WAY
- PIN . . . PARCEL IDENTIFICATION NUMBER
- CP . . . CALCULATED POINT (NOT SET IN FIELD)
- RBS . . . #5 REBAR SET "MCABEE"
- A.CURB . . . ASPHALT CURB
- A.RAMP . . . ASPHALT RAMP
- AREA LIGHT
- B.O.R. . . BRICK OFFICE FLOOR
- BW . . . BOTTOM WALL ELEVATION
- CB . . . CATCH BASIN (STORM)
- C.CURB . . . CONCRETE CURB
- CENTERLINE
- CIP . . . CAST IRON PIPE
- CMON RW . . . CONCRETE R/W MONUMENT
- CMP . . . CORRUGATED METAL PIPE
- CONC. . . CONCRETE
- CSW . . . CONCRETE SIDEWALK
- DK.O . . . DOCK OPENING
- D.L. . . DITCH LINE
- D.O. . . DOOR OPENING
- EASE . . . EASEMENT
- EL. . . ELEVATION
- FENCE LINE (BARBED WIRE)
- FENCE LINE (CHAIN LINK)
- FIRE HYDRANT
- FFE . . . FINISHED FLOOR ELEVATION
- GAS POST
- GUY WIRE
- HT. . . HEIGHT
- INV. . . INVERT
- PIPE . . . IRON PIPE FOUND
- JB . . . JUNCTION BOX
- L.S. AREA . . . LANDSCAPED AREA
- OHU . . . OVERHEAD UTILITY LINE
- POB . . . POINT OF BEGINNING
- PIV . . . POST INDICATOR VALVE
- P.R.P. . . PLANT ROOF PARAPET
- P.R. . . PLANT ROOF
- PVC . . . POLYVINYL CHLORIDE PIPE
- R . . . ROOF
- RB . . . REBAR FOUND
- R.D. . . ROOF DRAIN
- RET. . . RETAINING
- R.L. . . ROOF LINE
- SMH . . . SANITARY SEWER LINE
- SSM . . . SANITARY SEWER MANHOLE
- ▲ . . . SIGN
- S.C. . . SECURITY CAMERA
- SPOT ELEVATION
- S.S. . . SANITARY SEWER
- TBOC . . . TOP BACK OF CURB ELEVATION
- TERM. . . TERMINUS
- TREE LINE
- TSW . . . TOP OF SIDEWALK ELEVATION (4" REVEAL)
- TW . . . TOP OF WALL ELEVATION
- UGE . . . UNDERGROUND ELECTRIC LINE
- UTILITY POLE
- VCP . . . VITRIFIED CLAY PIPE
- WATER METER
- WATER VALVE
- WELL
- W . . . WATER LINE (LOC. AS NOTED)



DEVELOPMENT DATA

PROPERTY OWNER	SWEETEN CREEK HOLDINGS, LLC 50 PORTLAND PIER - PORTLAND ME 04101 CONTACT: JIM HANLEY (207) 553-2000
PROJECT CONTACT:	PETER G. KNOWLAND, AIA 24 HERMAN AVENUE EXT - ASHEVILLE NC 28803 TEL (828) 687-2445 / ARCHIDAD@AOL.COM
PROPERTY ADDRESS	144 CARIBOU ROAD - ASHEVILLE NC
PIN NUMBER	9857-26-0671-00000
ZONING DISTRICT	CJ (COMMERCIAL-INDUSTRIAL)
SITE AREA	11.574 ACRES / 504,163 SF
BUILDING SETBACKS	FRONT 35 FT SIDE 10 FT (REQUIRED BY USES-BY-RIGHT 7-16-1) REAR 20 FT (REQUIRED BY USES-BY-RIGHT 7-16-1)
BUILDING AREA	EXISTING (FOOTPRINT) 155,897 SF EXISTING (2ND FLOOR) 3,977 SF
BUILDING HEIGHT	2-STORY (PARTIAL) / 22 FT
IMPERVIOUS AREA	EXISTING 316,768 SF (63%) CHANGES NO CHANGE
DISTURBED AREA	NONE
LANDSCAPING	SEE NOTES ON SHEET C3
TOTAL OPEN SPACE	EXISTING 120,574 SF (24%) CHANGES NO CHANGE
PARKING	EXISTING 151 REGULAR + 3 HC REQUIRED MAX 60 REGULAR + 3 HC
BICYCLE PARKING	EXISTING 1 BICYCLE SPACE REQUIRED 5% x 154 CARS = 8 SPACES

- REFERENCES:**
- DB 4555 PG 719
 - DB 1115 PG 695
 - DB 1029 PG 402
 - DB 1029 PG 446
 - DB 1451 PG 344
 - DB 1032 PG 593
 - DB 1054 PG 273
 - DB 1027 PG 63
 - DB 961 PG 457
 - NCDOT HIGHWAY PLANS (PROJ. # 8.1909316)
 - PB 39 PG 77

IRB TABLE

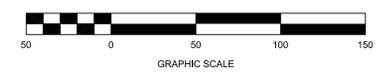
IRB #	IRB #	IRB #	IRB #
IRB 1	IRB 2	IRB 3	IRB 4
IRB 5	IRB 6	IRB 7	IRB 8

IRB TABLE

IRB #	IRB #	IRB #	IRB #
IRB 9	IRB 10	IRB 11	IRB 12
IRB 13	IRB 14	IRB 15	IRB 16

CONCEPTUAL MASTER PLAN

SCALE 1" = 50'



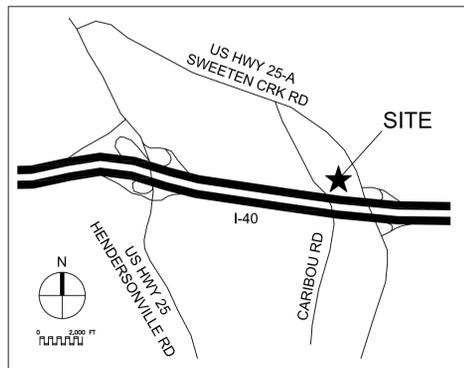
COPYRIGHT 2011
PETER G. KNOWLAND, AIA
ARCHITECT

REVISIONS	DATE

CITY OF ASHEVILLE
CONCEPT PLAN SUBMITTAL
LEVEL III REVIEW
SUBMITTAL DATE: JULY 27, 2011

LEVEL III REVIEW - CONCEPT PLAN SUBMITTAL
144 CARIBOU ROAD
ASHEVILLE NC
PETER G. KNOWLAND - ARCHITECT, PLLC 24 HERMAN AVENUE EXTENSION - ASHEVILLE NC 28803 (828) 687-2445

JULY 27, 2011
SHEET
C2
OF 4



SITE VICINITY MAP
SCALE 1" = 2000 FT

LANDSCAPING CALCS

STREET TREES (ST) - CARIBOU ROAD
TOTAL LENGTH OF ROW = 641.87' WITH NO OVERHEAD UTILITIES
REQUIRED: 1 LARGE-MATURING TREE PER 40' LF = 641.78' / 40' = 16 TREES
PROVIDED: 6 NEW TREES (SEE LANDSCAPING NOTE 2 AT RIGHT)

STREET TREES (ST) - SWEETEN CREEK ROAD
TOTAL LENGTH OF ROW = 671.86' WITH NO OVERHEAD UTILITIES
REQUIRED: 1 TREE / 2 SHRUBS PER 1,000 SF = 159 TREES / 318 SHRUBS
PROVIDED: 0 TREES / 0 SHRUBS
EXISTING LANDSCAPING CREDITS WERE PREVIOUSLY APPROVED TO SATISFY THE BUILDING IMPACT REQUIREMENTS.

BUILDING IMPACT LANDSCAPING (BI)
TOTAL BUILDING AREA (FOOTPRINT) = 158,897 SF
REQUIRED: 1 TREE / 2 SHRUBS PER 1,000 SF = 106 TREES / 424 SHRUBS
PROVIDED: 30 TREES / 142 SHRUBS
EXISTING LANDSCAPING CREDITS, PLUS THE NEW TREES & SHRUBS LISTED, WERE PREVIOUSLY APPROVED TO SATISFY THE PARKING LOT REQUIREMENTS.

PARKING LOT LANDSCAPING (PL)
TOTAL VEHICULAR USE AREA = 158,897 SF
REQUIRED: 1 TREE / 4 SHRUBS PER 1,500 SF = 106 TREES / 424 SHRUBS
PROVIDED: 30 TREES / 142 SHRUBS
EXISTING LANDSCAPING CREDITS, PLUS THE NEW TREES & SHRUBS LISTED, WERE PREVIOUSLY APPROVED TO SATISFY THE PARKING LOT REQUIREMENTS.

PROPERTY LINE BUFFER
NOT REQUIRED - NO ADJACENT RESIDENTIAL USE

STREET BUFFER
NOT REQUIRED - NO 4,000 SF VEHICLE USE AREA WITHIN 50 FT OF PUBLIC STREET

LANDSCAPING NOTES

NOTES

- EXISTING TREE CREDITS: AT TIME OF A PREVIOUS LEVEL II REVIEW, NATHAN PENNINGTON OF ASHEVILLE PLANNING DEPT SURVEYED EXISTING TREES WITHIN THE DESIGNATED TREE SAVE AREAS AT THE PERIMETER OF THE PROPERTY AND DETERMINED THE FOLLOWING CREDITS:
(30) 19-24" TREES = 120 CREDITS
(65) 7-12" TREES = 130 CREDITS
(70) 2-6" TREES = 70 CREDITS
TOTAL EXISTING = 320 CREDITS
- EXISTING VEGETATION SATISFIED ALL OF THE STREET TREE, BUILDING IMPACT AND PARKING LOT LANDSCAPING REQUIREMENTS EXCEPT:
• 6 STREET TREES WERE PLANTED ALONG CARIBOU ROAD BECAUSE INSUFFICIENT CREDIT TREES AT 40' MAXIMUM SPACING EXISTED TO SATISFY THE STREET TREE REQUIREMENT
• DUE TO SITE CONDITIONS, STREET TREES COULD NOT BE PLANTED ALONG SWEETEN CREEK ROAD. EXISTING TREE CREDITS SATISFIED THIS STREET TREE REQUIREMENT.
• ADDITIONAL PARKING LOT TREES & SHRUBS WERE PLANTED TO SATISFY THE PARKING LOT REQUIREMENTS (ISLANDS, PROXIMITY, ETC).
- TREES AND SHRUBS SHOWN ON THE PLAN IDENTIFIED BY "ST" OR "PL" ARE THOSE PLANTED AND APPROVED BY NATHAN PENNINGTON OF THE CITY OF ASHEVILLE PLANNING DEPARTMENT PER THE PREVIOUS LEVEL II REVIEW.
ST = STREET TREE PL = PARKING LOT TREE PL = PARKING LOT SHRUB
- LANDSCAPING SUMMARY

	REQUIRED	PROVIDED
STREET TREES (CARIBOU RD)	16 TREES	6 TREES
STREET TREES (SWEETEN CREEK RD)	17 TREES	0 TREES
BUILDING IMPACT	159 TREES / 318 SHRUBS	0 TREES / 0 SHRUBS
PARKING LOT	106 TREES / 424 SHRUBS	30 TREES / 142 SHRUBS
TOTAL	298 TREES / 742 SHRUBS	36 TREES / 142 SHRUBS

MISC ZONING NOTES

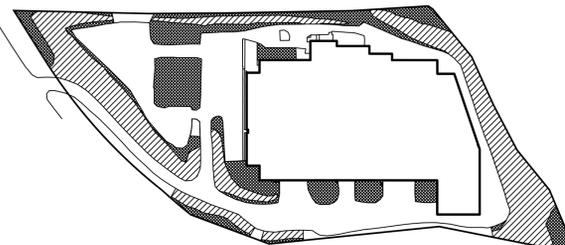
- NO CHANGES TO THE EXISTING CI ZONING ARE PROPOSED.
- A FEE IN LIEU OF SIDEWALK WAS PAID AT TIME OF THE LEVEL II REVIEW. NO SIDEWALKS WERE INSTALLED AND NONE ARE PROPOSED.
- THE EXISTING BUILDING CURRENTLY HAS MUNICIPAL WATER AND SEWER SERVICE. THE ENTIRE BUILDING IS SERVED BY ONE WATER METER (AT NE CORNER OF SITE) WHICH IS ADEQUATE FOR THE PROJECTED LOAD. WATER AND SEWER ALLOCATION LETTERS ARE ATTACHED TO THIS LEVEL III REVIEW APPLICATION.
- NO SIGNS ARE PROPOSED AT THIS TIME.
- NO CHANGES TO THE EXISTING TENANT SPACES ARE PROPOSED.
- NO CHANGES TO THE EXISTING SITE OR PARKING ARE PROPOSED UNTIL LEASES ARE SECURED FOR THE VACANT PORTION OF THE BUILDING. REFER ALSO TO NOTES ON SHEET C2.

OPEN SPACE SUMMARY

MINIMUM REQUIREMENTS PER UDO 7-11-4d

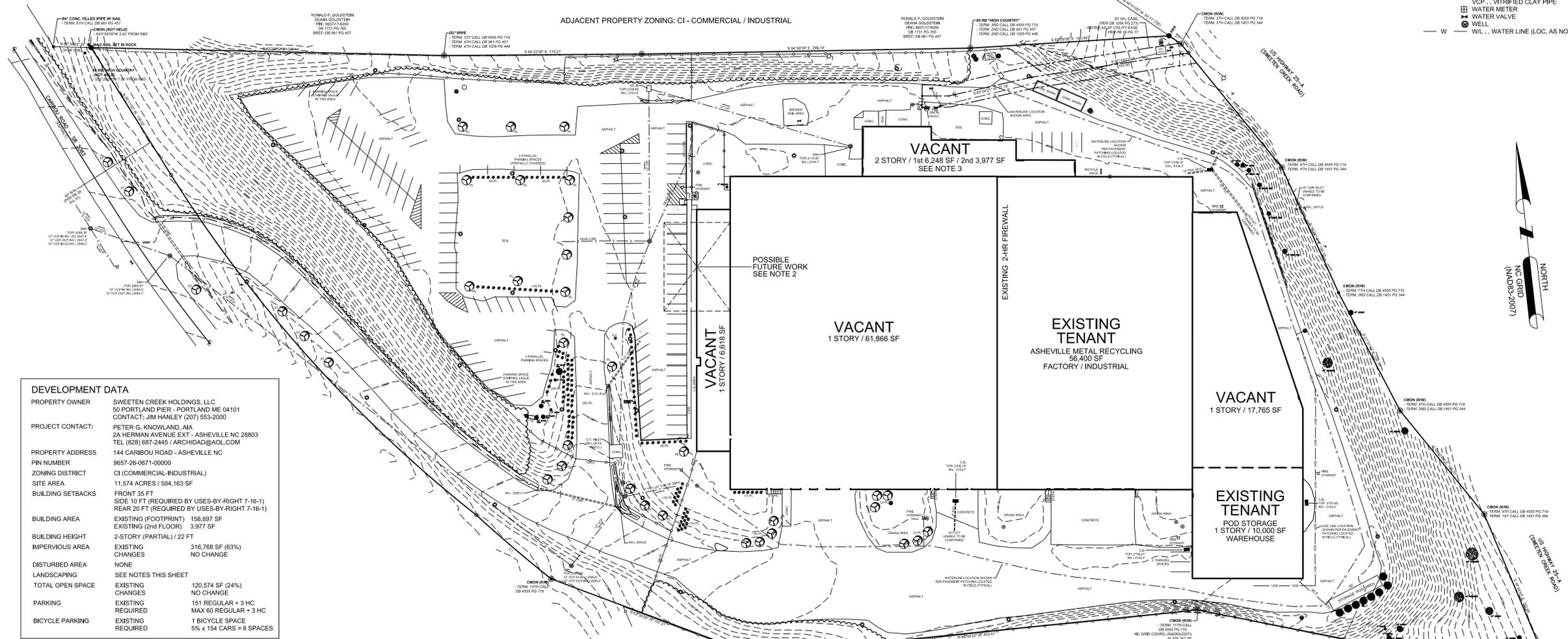
- MIN 15% OF SITE AREA
- INDIVIDUAL AREAS MIN 2,000 SF AREA AND MIN 24' WIDE
- AREAS ± 25% SLOPE MAY BE USED FOR UP TO 50% OF THE TOTAL REQUIRED OPEN SPACE

TOTAL SITE AREA	504,163 SF
REQUIRED OPEN SPACE (504,163 x 15%)	75,624 SF
TOTAL AREA MEETING 7-11-4d	168,353 SF
LESS TOTAL AREA ± 25% SLOPE	-95,558 SF
REMAINING AREA ± 25% SLOPE	72,795 SF
PLUS PERMITTED 50% OF AREA ± 25% SLOPE	47,779 SF
TOTAL COMPLIANT OPEN SPACE AREA	120,574 SF



LEGEND / ABBREVIATIONS:

PB	PLAT BOOK
DB	DEED BOOK
PG	PAGE
RW	RIGHT OF WAY
PIN	PARCEL IDENTIFICATION NUMBER
CP	CALCULATED POINT (NOT SET IN FIELD)
RBS	#5 REBAR SET "MCABEE"
A.CURB	ASPHALT CURB
A.RAMP	ASPHALT RAMP
AREA LIGHT	
B.O.R.	BRICK OFFICE ROOF
BW	BOTTOM WALL ELEVATION
CB	CATCH BASIN (STORM)
C.CURB	CONCRETE CURB
C.L.	CENTERLINE
CIP	CAST IRON PIPE
CMON RW	CONCRETE R/W MONUMENT
CMP	CORRUGATED METAL PIPE
CONC.	CONCRETE
CSW	CONCRETE SIDEWALK
DK.O.	DOCK OPENING
D.L.	DITCH LINE
D.O.	DOOR OPENING
EASE.	EASEMENT
EL.	ELEVATION
FENCE LINE (BARBED WIRE)	
FENCE LINE (CHAIN LINK)	
F.H.	FIRE HYDRANT
FFE	FINISHED FLOOR ELEVATION
GAS POST	
GUY WIRE	
HT.	HEIGHT
INV.	INVERT
IP	IRON PIPE FOUND
JB	JUNCTION BOX
L.S. AREA	LANDSCAPED AREA
OHU	OVERHEAD UTILITY LINE
POB	POINT OF BEGINNING
PIV	POST INDICATOR VALVE
P.R.P.	PLANT ROOF PARAPET
P.R.	PLANT ROOF
PVC	POLYVINYL CHLORIDE PIPE
R.	ROOF
RB	REBAR FOUND
R.D.	ROOF DRAIN
RET.	RETAINING
R.L.	ROOF LINE
SMH	SANITARY SEWER LINE
SMH	SANITARY SEWER MANHOLE
▲	SIGN
S.C.	SECURITY CAMERA
SPOT ELEVATION	
S.S.	SANITARY SEWER
TBOC	TOP BACK OF CURB ELEVATION
TERM.	TERMINUS
TREE LINE	
TSW	TOP OF SIDEWALK ELEVATION (4" REVEAL)
TW	TOP OF WALL ELEVATION
UGE	UNDERGROUND ELECTRIC LINE
UTILITY POLE	
VCP	VITRIFIED CLAY PIPE
WATER METER	
WATER VALVE	
WELL	
W	WATER LINE (LOC. AS NOTED)

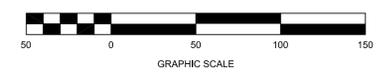


DEVELOPMENT DATA

PROPERTY OWNER	SWEETEN CREEK HOLDINGS, LLC 50 PORTLAND PIER - PORTLAND ME 04101 CONTACT: JIM HANLEY (207) 553-2000
PROJECT CONTACT:	PETER G. KNOWLAND, AIA 24 HERMAN AVENUE EXT - ASHEVILLE NC 28803 TEL (828) 687-2445 / ARCHIDAD@AOL.COM
PROPERTY ADDRESS	144 CARIBOU ROAD - ASHEVILLE NC
PIN NUMBER	9857-26-0671-00000
ZONING DISTRICT	CJ (COMMERCIAL-INDUSTRIAL)
SITE AREA	11.574 ACRES / 504,163 SF
BUILDING SETBACKS	FRONT 35 FT SIDE 10 FT (REQUIRED BY USES-BY-RIGHT 7-16-1) REAR 20 FT (REQUIRED BY USES-BY-RIGHT 7-16-1)
BUILDING AREA	EXISTING (FOOTPRINT) 158,897 SF REQUIRED 3,977 SF
BUILDING HEIGHT	2-STORY (PARTIAL) / 22 FT
IMPERVIOUS AREA	EXISTING 316,768 SF (63%) CHANGES NO CHANGE
DISTURBED AREA	NONE
LANDSCAPING	SEE NOTES THIS SHEET
TOTAL OPEN SPACE	EXISTING 120,574 SF (24%) CHANGES NO CHANGE
PARKING	EXISTING 151 REGULAR + 3 HC REQUIRED MAX 40 REGULAR + 3 HC
BICYCLE PARKING	EXISTING 1 BICYCLE SPACE REQUIRED 5% x 154 CARS = 8 SPACES

CONCEPTUAL SITE LAYOUT MATERIALS & ZONING COMPLIANCE

SCALE 1" = 50'



REFERENCES:

- DB 4555 PG 719
- DB 1115 PG 695
- DB 1029 PG 402
- DB 1029 PG 446
- DB 1451 PG 344
- DB 1032 PG 593
- DB 1054 PG 273
- DB 1027 PG 63
- DB 961 PG 457
- NCDOT HIGHWAY PLANS (PROJ. # 8.1809316)
- PB 39 PG 77

TYPE	ANGLE	CELLS
LINE <td>ANGLE</td> <td>CELLS</td>	ANGLE	CELLS
LINE <td>ANGLE</td> <td>CELLS</td>	ANGLE	CELLS
LINE <td>ANGLE</td> <td>CELLS</td>	ANGLE	CELLS

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING

COPYRIGHT 2011
PETER G. KNOWLAND, AIA
ARCHITECT

REVISIONS	DATE

CITY OF ASHEVILLE
CONCEPT PLAN SUBMITTAL
LEVEL III REVIEW
SUBMITTAL DATE: JULY 27, 2011

LEVEL III REVIEW - CONCEPT PLAN SUBMITTAL
144 CARIBOU ROAD
ASHEVILLE NC
PETER G. KNOWLAND - ARCHITECT, PLLC 24 HERMAN AVENUE EXTENSION - ASHEVILLE NC 28803 (828) 687-2445

JULY 27, 2011
SHEET
C3
OF 4

DRAFT TRC STAFF REPORT

(***A final TRC staff report will be provided to the applicant following the TRC meeting to include any additional conditions that may have been added during the meeting.***)

TO: TRC Members and Project Applicant

DATE: August 15, 2011

PREPARED BY: Nathan Pennington, CFM
Urban Planner II

APPLICANT: Sweeten Creek Holdings, LLC

SUBJECT: Level III Site Plan Review

Summary Statement:

This is a level III site plan review for the ongoing renovation and exterior improvements to an existing building located at 144 Sweeten Creek Road formerly known as the Luster Building.

Review:

In 2010, this project was reviewed as a Level II site plan review to accommodate a metal recycler and a PODS storage facility. Because the building was previously vacant for many years, the property was required to be brought into compliance with all applicable sections of the UDO. The owner has elected to proceed with a Level III site plan review to accommodate additional tenants because of the fact that the gross square footage of the building exceeds 100,000 square feet.

The Tree Commission approved an alternative compliance request for a reduction in street trees along Sweeten Creek and Caribou Roads as well as reductions to required parking lot landscaping. A fee in lieu of sidewalk construction was previously paid for the frontages along Sweeten Creek and Caribou Roads.

The project site consists of one parcel comprising 11.57 acres or approximately 503,989 square feet according to Buncombe County GIS data. The site is zoned CI and is located within the City of Asheville's corporate limits. The subject property is bounded by industrial/manufacturing uses to the east separated by Sweeten Creek Rd. and zoned CI, the Interstate 40 corridor to the south, the Thoms Rehabilitation facility to the west separated by Caribou Rd. and zoned Institutional and a trucking terminal to the north zoned CI. It should be noted that while the property has a Sweeten Creek address, direct access to the site is taken from Caribou Rd.

"Please note: For Conditional Use Permits or Conditional Zoning applications additional measures that exceed the minimum technical requirements evaluated in this report may be recommended in subsequent analyses and review of the project."

PLANNING:

Staff Recommendation: Approve With Conditions

Master Plan Comments:

1. Indicate location of bicycle parking.
2. Delineate required building setbacks.
3. Include a note regarding anticipated build out timeline.

4. Delineate the complete outdoor storage area for the PODS use. A small area was approved as part of the Level II but has been expanded since that time.

Site Layout/Materials and Zoning Compliance Plan Comments:

5. Delineate required building setbacks.
6. Delineate location of dumpster pad and applicable screening (if applicable).
7. Nine (9) additional trees and 36 shrubs are required to satisfy parking lot landscaping requirements pursuant to the alternative compliance request approved by the Tree Commission on March 15, 2010. It is likely that the deficient vegetation has died since the time of its installation and will need to be replaced.

TREE COMMISSION:

Recommendation:

- 1.

PARKS AND RECREATION: Al Kopf – 259-5838

1. No comments

BUILDING INSPECTIONS: Ron Evans – 259-5609 :

Staff Recommendation: 8/9/11 Approved per conditions noted.

1. Sheet C1. The accessible curb cut. Code does not permit the curb ramp to project in the parking access aisle. Section 406.6 ANSI 117.1-2003
2. Provide the three HC spaces on plans at the front of building. The isolated HC space across driveway does not comply.
3. All future work shall comply with current Code.

EMERGENCY ADDRESSES: Stuart Rohrbaugh: 251-4004

Staff Recommendation: SWR. 8/2/11. Approved per following condition.

Applicant must submit address assignment proposal showing each suite / tenant space. No building permit application maybe approved until such proposal is reviewed and approved. Make application at Development Services Center, 161 South Charlotte Street

WATER RESOURCES:

Mike Brookshire – 259-5961

Staff Recommendation: Approve with Conditions

1. Water Resources Policy allows only one (1) water meter per building. If the current water service to this building is not adequate for the intended future use, the existing meter will have to be upgraded in accordance with our Policy. The owner can contact me if they have any questions.

FIRE DEPARTMENT: Wayne Hamilton – 259-5641

Staff Recommendation: Approve With Conditions

Site plan comments only.

Project is subject to compliance with the NC State Fire Code.
Access gates will need to be upgraded to meet City Standards.

PUBLIC WORKS: Richard Grant – 259-5863

Staff Recommendation: Approve With Conditions

1. Show dumpster pads if utilized.

TRANSPORTATION AND ENGINEERING:

Traffic- Jeff Moore – 232-4586

Staff Recommendation: APPROVE WITH CONDITIONS

1. The sidewalk requirements were satisfied by a previous development project. A fee-in-lieu-of-construction in the amount of \$3,715 (capped at 15% of the project cost) has been received by the City of Asheville. Now that the project is Level III, is fee-in-lieu-of-construction allowed?
2. A bicycle rack(s) is/are required. The minimum number of bicycle parking spaces required shall be equal to 5% of the total number of automobile parking spaces. Bicycle racks must support the bicycle frame in at least two places, allowing the frame and wheel to be locked using a u-lock or cable lock; prevent the wheel of the bicycle from tipping over; not damage the bicycle; be durable and securely anchored; and allow front in or back in parking. Inverted "U" racks or "A" racks, as well as some other designs, meet this requirement. Detailed information may be obtained from Barb Mee at (828) 232-4540.

Stormwater/ Erosion Control/ Flood Info: McCray Coates – 259-5966

Staff Recommendation: Approve With Conditions

1. In the event that any disturbance is proposed, a Grading Permit would be required for any disturbance of 500 square feet or more. Formal engineered plans based on a field survey would be required for any disturbance of 10,000 square feet or more. Any submittals are to be submitted to the Planning Department per the instructions at the end of this letter.

MSD: Kevin Johnson – 225-8289

Recommendation:

- 1.

*****Additional TRC Conditions added from Meeting*****

REVISED PLAN SUBMITTAL INSTRUCTIONS:

ALL plan submittals associated with this TRC project including Grading, Erosion Control, Stormwater and Driveway permits are to be delivered to the Planning Department at City Hall on the 5th floor made to the attention of the Technical Review Manager's office.

The resubmittal shall include:

- **(6) complete** sets of revised plans;
- 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.** ****In lieu of a letter, the applicant may utilize an electronic version of the staff report to respond to comments. ****
- 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).

PORTION OF
Planning & Zoning Commission Meeting
Minutes of September 7, 2011
1st Floor North Conference Room - City Hall

Present: Interim Chair Mark C. Brooks, Interim Vice-Chair Holly Shriner, Mr. Jeremy Goldstein and Mr. Paul Smith

Absent: Mr. Nathaniel Cannady, Ms. Kristy Carter and Ms. Jane Mathews.

- (3) Review of the Level III site plan for the project identified as Sweeten Creek Holdings, LLC located at 144 Caribou Road for future tenant upfit for occupancy of the existing 158,000 square foot building. The property owner is Sweeten Creek Holdings, LLC and the contact is Peter Knowland, AIA. The property is identified in the Buncombe County Tax records as PIN 9657.26-0671.**

Urban Planner Nathan Pennington oriented the Commission to the site location and said that the applicant is requesting site plan approval for one parcel zoned Commercial Industrial District for the redevelopment of an existing industrial building in accordance with Section 7-5-9(a) of the Unified Development Ordinance (UDO) which designates review for commercial buildings with a gross floor area of more than 100,000 square feet. Level III projects are reviewed as a conditional use in the Commercial Industrial district.

The subject property consists of one parcel comprising 11.57 acres according to the submitted survey. The approval of a conditional use permit will allow for further upgrades to the existing building in order to accommodate additional future tenants. The existing building was once home to the Luster dyeing and finishing factory but was abandoned for almost a decade until last year when a local scrap metal recycler moved in and was subsequently followed by a PODS storage facility tenant. The arrival of the recycling tenant triggered a Level II site plan review for the site and the property was required to be brought into compliance with all applicable UDO requirements. The owner has elected to proceed with a Level III site plan review to accommodate additional tenants of similar uses (recycling, warehousing, etc.) because of the fact that the gross square footage of the building exceeds 100,000 square feet.

In order to meet the needs of future tenants, the building may need to be reconfigured with additions to or deletions from the building in a way that is not specifically shown on the submitted site plan. One possible configuration is illustrated on the site plan. There is no maximum structure size requirement in the CI zoning district. The final design of the building footprint will be required to be reviewed and approved by the Technical Review Committee.

The combined square footage of the development meets the Level III review threshold (projects exceeding 100,000 square feet) and is subject to the Conditional Use Permit findings outlined in Section 7-16-2(c) of the UDO.

The existing building is partially occupied by the metal recycler and the PODS storage tenants. New phases of interior building upgrades will occur as tenants become available over time.

While the site is bounded by both Caribou Road and Sweeten Creek Road, the only access to the site is afforded via Caribou Road.

According to the site plan, 154 spaces are indicated inclusive of required ADA parking and this number is well within the required minimum and maximum thresholds as prescribed by the UDO for industrial types of uses. Eight bicycle parking slots are to be provided in addition to vehicular parking.

The project was approved for a small area of outdoor storage along Sweeten Creek Road during the Level II site plan review process. Since that time, the scope of the outdoor storage has persistently shifted around the site and grown in size. The dedicated outdoor storage area must be clearly delineated on the site plan and appropriately screened pursuant to Section 7-11-3 of the UDO.

The site was brought into compliance with UDO landscaping requirements in 2010 under the Level II site plan review. On March 15, 2010 the Tree Commission approved an alternative compliance request for a number of landscaping requirements including street tree placement along Sweeten Creek Road and the allowance of existing perimeter landscaping to suffice for some of the required parking lot landscaping.

The open space requirement for this type of development is 15% of the total site size; a total of 1.7 acres for this site. The site plan illustrates that adequate open space has been reserved to meet this requirement.

A fee in lieu of sidewalk construction along Sweeten Creek Road and Caribou Road was previously paid when the project was reviewed under the Level II site plan process.

This proposal was recommended for approval with conditions by the Technical Review Committee (TRC) on August 15, 2011.

City Council must take formal action as set forth in Section 7-5-5(e)(3) of the Unified Development Ordinance (UDO), and must find that all seven standards for approval of conditional uses are met based on the evidence and testimony received at the public hearing or otherwise appearing in the record of this case pursuant to Section 7-16-2(c). Staff's review indicates that all seven standards are met as proposed in the site plan.

- 1. That the proposed use or development of the land will not materially endanger the public health or safety.**
The proposed project has been reviewed by City staff and appears to meet all public health and safety related requirements. The project must meet the technical standards set forth in the *UDO*, the *Standards and Specifications Manual*, the *North Carolina Building Code* and other applicable laws and standards that protect the public health and safety.
- 2. That the proposed use or development of the land is reasonably compatible with significant natural or topographic features on the site and within the immediate vicinity of the site given the proposed site design and any mitigation techniques or measures proposed by the applicant.**
The subject property is appropriately zoned for the existing industrial uses that are occurring in the existing building. The site is surrounded by existing established vegetation and similar industrial and commercial uses and is bounded along the southern perimeter by Interstate 40 and eastern perimeter by Sweeten Creek Road.
- 3. That the proposed use or development of the land will not substantially injure the value of adjoining or abutting property.**
As noted in Finding #2, the proposed development is compatible with surrounding commercial uses and adjacent transportation corridors.
- 4. That the proposed use or development of the land will be in harmony with the scale, bulk, coverage, density, and character of the area or neighborhood in which it is located.**
The site is adjacent to a trucking terminal to the north of similar commercial intensity to the north and a small warehousing building is located to the west. The subject property is separated from Sweeten Creek Road by steep topography to the east and Interstate 40

to the south. No residential properties surround the subject site.

5. That the proposed use or development of the land will generally conform to the comprehensive plan, smart growth policies, sustainable economic development strategic plan and other official plans adopted by the City.

Elements of the proposal are aligned with the City's goals and objectives as noted in the Compliance with Comprehensive Plan and other Adopted Plans section (listed above). Specifically, the redevelopment and expansion of the building is consistent with the goals of infill development along an established commercial corridor.

6. That the proposed use is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal, and similar facilities.

The site is located off of Caribou Road and is approximately ¼ of a mile from the intersection of Sweeten Creek Road. The nearest bus stop is at the intersection of Caribou Road and Shiloh Road and is approximately ¾ of a mile from the subject site. Adequate water supply, fire and police protection, waste disposal and similar facilities are verified during the TRC review process.

7. That the proposed use will not cause undue traffic congestion or create a traffic hazard.

This condition has been met.

Based on the above findings and the analysis provided in the report, staff finds this request, with conditions noted, to be reasonable.

Pros:

- Provides an opportunity to adaptively reuse and upgrade an existing developed site.
- The project is consistent with a number of stated goals and objectives in the comprehensive and strategic operating plans.

Cons

- None noted

Staff recommends approval of the project as submitted by the applicant with the following two additional conditions: (1) The outdoor storage area must be clearly delineated on the site plan and appropriately screened with vegetation or fencing as outlined in Section 7-11-3(d)(6) of the UDO; and (2) All required landscaping that was installed and has since perished pursuant to the Level II site plan review process must be replanted.

Mr. Pete Knowland, architect for the project, spoke in support of the conditional use permit. He said they are trying to bring the building up to a safe condition. The owners are trying to get the building ready for tenants and they are confident they will have tenants within a year.

In response to Interim Vice-Chair Shriner, Mr. Pennington said that the owner has to commence the project within two years. If that doesn't happen, they can request one 6-month extension.

Interim Chair Brooks opened the public hearing at 6:28 p.m. and when no one spoke, he closed it at 6:28 p.m.

City Attorney Oast said that since the applicant is not in a position to specify the use that will go in the building, he recommended the Commission include a menu of uses that would be appropriate in the staff report to Council. Mr. Pennington noted that the applicant did include a matrix of some uses on the site plan and staff will work that into the staff report when it goes to City Council.

When Interim Chair Brooks asked if they come back with a use outside the matrix would they have to come back to the Commission, City Attorney Oast believed they would have to get an amendment to their conditional use permit.

Based on the above findings and the analysis provided in the report, Interim Vice-Chair Shriner moved to recommend approval of the project identified as Sweeten Creek Holdings, LLC located at 144 Caribou Road for future tenant upfit for occupancy of the existing 158,000 square foot building, subject to the following conditions: (1) The project shall comply with all conditions outlined in the TRC staff report; (2) All site lighting must comply with the City's Lighting Ordinance and be equipped with cut-off fixtures or full cut-off fixtures and directed away from adjoining properties and streets. A detailed lighting plan will be required upon submittal of detailed plans to be reviewed by the Technical Review Committee; (3) All existing vegetation that is to be preserved must be clearly indicated and dimensioned on the site, landscape and grading plans; (4) The building design, construction materials and orientation on site must comply with the conceptual site plan and building elevations presented with this application. Any deviation from these plans may result in reconsideration of the project by the reviewing boards; (5) This project will undergo final review by the TRC prior to issuance of any required permits; (6) The outdoor storage area must be clearly delineated on the site plan and appropriately screened with vegetation or fencing as outlined in Section 7-11-3(d)(6) of the UDO; (7) All required landscaping that was installed and has since perished pursuant to the Level II site plan review process must be replanted; and (8) recommend that staff include in the staff report to City Council a menu of uses that could be considered on the site. This motion was seconded by Mr. Smith and carried unanimously by a 4-0 vote.