

These minutes are a summary of the discussion. The audible recording is available at the following website: <http://bit.ly/T3S7CB>

Planning & Zoning Commission Meeting
Minutes of December 2, 2015
1st Floor North Conference Room - City Hall

Present: Chairman Jeremy Goldstein, Kristy Carter, Jim Edmonds, Tony Hauser, Laura Berner Hudson, Karl Koon and Guillermo Rodriguez

Absent: None

Pre-Meeting - 4:30 p.m.

The Commission (1) reviewed the Chair and Vice Chair positions which will be voted on at this meeting; (2) discussed the items on the agenda and reviewed the seven conditional use standards for the Givens Creekside project, noting that the developer could be asked to respond to specific questions and explain how the project complies with each condition; (3) questioned Council's interest in reviewing the thresholds for downtown projects and what the major concerns were; and (4) discussed the amount of public discussion that occurred when the downtown master plan was created; and if any Unified Development Ordinance changes are recommended for the downtown area, the Commission will be one of the review steps in the process.

Chairman Goldstein also asked staff to send a list of expected development projects that are in the works in a list format just as a preview for upcoming Commission agendas. Staff will work on the list to be prepared for January. Staff noted that 67 agenda items were reviewed and voted on by the Commission in 2015 (excluding meeting minutes) which is an increase over 2014 which saw 37 items.

Regular Meeting - 5:00 p.m.

Chairman Goldstein called the meeting to order at 5:00 p.m. and informed the audience of the public hearing process.

Administrative

- Ms. Carter nominated Jeremy Goldstein as Chair. Ms. Hudson seconded the nomination. No further nominations were made. After a unanimous vote, Jeremy Goldstein was elected as Chair.
- Chairman Goldstein nominated Kristy Carter as Vice-Chair. Mr. Edmonds seconded the nomination. No further nominations were made. After a unanimous vote, Kristy Carter was elected as Vice-Chair.
- Ms. Carter moved to approve the minutes of the November 4, 2015, meeting. This motion was seconded by Mr. Edmonds and carried unanimously by a 7-0 vote.

Agenda Items

- (1) **Request for the review of a Level II site plan for the construction of a one-story, 25,000 square foot warehouse facility with a sales, office and retail component on 11.08 acres known as 170 Sweeten Creek Road and PIN 9657-33-3306. The owner is Blue Ridge Holdings Partners, LLC and the project contact is Will Buie. Planner coordinating review – Jessica Bernstein**

Urban Planner Jessica Bernstein oriented the Commission to the site location and said that the applicant has requested review of site plans for the construction of a 25,000 square foot

warehouse and retail facility in the Commercial Industrial (CI) zoning district. The project is considered a Level II review pursuant to Section 7-5-9(b)(1)b of the City of Asheville Unified Development Ordinance (UDO).

The project site consists of a 7.7 acre portion of a 11.1 acre parcel, located at 170 Sweeten Creek Road (will ultimately be 168 Sweeten Creek Road per addressing). The parcel is zoned CI as are adjacent parcels. The lot borders the White Transportation Company railroad line to the north and Sweeten Creek to the south (stream buffer which will be protected during the construction process according to City guidelines).

This is the second of three phases of development on the parcel; the first phase was completed under City of Asheville permit number 14-03233 PZ for the Blossman Gas facility and addressed street trees and sidewalks along Sweeten Creek Road.

The applicant is proposing to construct a 25,000 square foot warehouse and retail facility. The building is shown as a single-story, 24 feet in height.

Access to the site will be via an existing 24-foot wide driveway to the north of the Blossman Gas building. There is a second existing driveway to the southern end of the parcel in the future phase three area.

Six-foot wide sidewalks are shown on plans along a portion of Sweeten Creek Road (approved under Level I) and will be continued in front of this project area. Also, a five-foot walkway is shown along the driveway entrance leading to the proposed building and parking area.

Parking requirements for the project are divided among the retail, office, training and warehouse spaces within the building; resulting in a range between 37 and 58 spaces as required. Plans show 45 spaces provided as well as bicycle and accessible parking as required.

Landscaping is required for this new development and includes street trees (approved under Level I), parking lot landscaping and building impact landscaping. Credits are being applied towards some of the tree requirements; there is significant existing landscaping material on the site that will remain.

Open space is required for this project and the amount would be equal to five percent of the lot area.

This project was reviewed at the November 2, 2015, meeting of the Technical Review Committee (TRC) and was approved with conditions. As this is a Level II project, it will not be reviewed by the Asheville City Council. No public comment has been received regarding the proposal as of the writing of this report.

Staff recommends approval of the proposal as shown on the submitted plans based on the ability of the project to comply with the minimum technical standards.

Mr. Will Buie, representing the applicant, explained that they are back before the Commission because at the beginning of this project they were not sure what the rest of the property would yield.

In response to Mr. Hauser, Mr. Buie explained the accessible connection through the driveway at the sidewalk.

Chairman Goldstein opened the public hearing at 5:11 p.m. and when no one spoke, he closed the public hearing at 5:11 p.m.

Mr. Koon moved to recommend approval of the Level II site plan for the Trane Facility project located on 170 Sweeten Creek Road for the construction of a 1-story, 25,000 square foot warehouse facility with a sales, office and retail component, subject to the conditions in the TRC report. This motion was seconded by Ms. Hudson and carried unanimously by a 7-0 vote.

- (2) A request for a Level III site plan review for the replacement of three existing multi-family buildings (22 units) with two new multi-family buildings (24 units.) The subject property is located at 2360 Sweeten Creek Road with PIN 9655-57-2108. The property is owned by Givens Estates, Inc. and the project contact is G. Thomas Jones III. Planner coordinating review – Shannon Tuch**

Mr. Hauser disclosed that he is working with this client on another campus; however, he has no direct financial interest in this project. He said he would make a fair, reasonable and unbiased decision on this project.

Principal Planner Shannon Tuch oriented the Commission to the site location and said that the applicant, Givens Estates, Inc. is requesting review of site plans for the construction of 24 new multi-family units in two separate buildings. This project is considered a Level III review pursuant to Section 7-5-9(a) of the City's Unified Development Ordinance (UDO), which designates review for residential projects with more 50 dwelling units. While Phase 3 includes only 24 units, all three phases, when combined, result in a total of 72 units and per subsection 7-5-9(a)(1)(c) are combined to determine review thresholds. Level III projects are reviewed as Conditional Use Permits and include a quasi-judicial hearing at City Council as part of the final review.

The project site is an approximately 2.7 acre portion of PIN 9655.57-2108 which is 134.3 acres in total size. This parcel is the largest of four parcels that make up the Givens Estate campus, which is 205.6 acres in size and supports a large senior housing community that provides a variety of housing types. The residential development is surrounded by a naturally wooded perimeter with mild to moderate topography where much of the campus is subject to the city's steep slope development standards. All three phases of the project area are located internal to the campus on Wesley Drive. Wesley Drive is a privately maintained road that winds through the campus and is accessed off of Sweeten Creek Road in south Asheville.

The applicant previously received approval for two separate Level II projects, Phases 1 and 2. Both earlier phases replaced two existing buildings that contained a total of 14 units, with two new buildings for a total of 24 units, resulting in a net gain of 10 units. The current request is the third and final phase and proposes to replace three existing buildings containing 22 units total, with two new buildings (same design used in Phases 1 and 2) for a total of 24 units, resulting in a net gain of two units. Also included in this phase is the demolition and reconstruction of much of the existing surface parking and connected walkways. While subject to steep slope standards, this phase of the development will stay within the historical limits of disturbance and will not increase the total disturbed area for the property. Overall, the previously disturbed area of 53.87 acres is well below the allowed 91.8 acre total for the campus.

The Givens Estates campus is accessed off of Sweeten Creek Road through a wide, well marked entrance and is connected internally through a series of privately maintained roads, drives and parking lots. Each phase of the Creekside development is separately parked with a combination of structured parking under the buildings with some surface parking. Phase 3 includes 12 underground spaces per building combined with 22 surface parking spots for a total of 46 spaces. The proposed parking plan results in a small net gain of two spaces over the 42 spaces currently found on-site; however, it reduces the total number of on-street spaces by 20, which are essentially displaced to the structured parking below the buildings. Additionally, a complete campus parking analysis has been provided and found to be compliant overall. The requisite bicycle parking is also provided.

Landscaping for the new construction includes building impact, street trees and parking lot landscaping. The site is moderately wooded with existing vegetation, which may count towards the overall landscape standard.

A minimum of 20% or 0.54 acres of the project area must be set aside for open space. The proposed plan indicates that 1.43 acres is reserved and shows passively used open space between and around the buildings. Earlier documentation also demonstrated that open space for the larger campus is also met.

The site is currently zoned RM-16 (Residential Multi-family, High Density); the use proposed is permitted by-right and the applicant is proposing to meet the standards of the zoning District with this development proposal. Under this zoning designation, the overall site can support a maximum of 1,362 dwelling units which is well above the new adjusted total of 681 units.

This proposal was approved with conditions by the Technical Review Committee (TRC) on November 16, 2015, and requires quasi-judicial review by City Council and Final TRC review prior to zoning approval.

Section 7-16-2(c) of the UDO states that Asheville City Council shall not approve the conditional use application and site plan unless and until it makes certain findings based on the evidence and the testimony received at the public hearing or otherwise appearing in the record of the case. The applicant has provided a statement on these findings, which is attached to the staff report.

Staff finds that the relevant standards of the City have been met or can be met with this application.

Mr. Tom Jones, representing the applicant, said there is a stream that will be preserved and maintained at the edge of the property, noting that the buffer will be maintained at the greatest extent practical. The only work to impact the buffering will be replacing existing items - a storm drain pipe and sidewalk. There will also be less pavement and building prior to the beginning of the project. They are replacing old outdated units so they will be more energy efficient. He asked for the Commission's support of this great project as it aligns with the City's goals.

Chairman Goldstein opened the public hearing at 5:21 p.m. and when no one spoke, he closed the public hearing at 5:21 p.m.

Mr. Koon moved to recommend approval of the conditional use permit for Givens Creekside, Phase 3 located at 2360 Sweeten Creek Road because it meets the seven conditional use standards as demonstrated by the applicant. This motion was seconded by Vice-Chair Carter and carried unanimously by a 7-0 vote.

Other Business

Chairman Goldstein announced the next meeting on January 6, 2016, at 5:00 p.m. in the First Floor Conference Room in the City Hall Building.

Adjournment

At 5:23 p.m., Vice-Chair Carter moved to adjourn the meeting. This motion was seconded by Mr. Koon and carried unanimously on a 7-0 vote.