

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 November 4, 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) recognized new Commission members Guillermo Rodriguez and Tony Hauser; (2) discussed need and timeframe to elect new Chair and Vice-Chair; (3) reviewed items on the agenda; and (4) explained need for November 19 mid-month meeting to begin at 4:00 p.m. with no pre-meeting.

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

- Mr. Koon moved to approve the minutes of the September 2, 2015, meeting. This motion was seconded by Mr. Edmonds and carried unanimously by a 7-0 vote.
- Chairman Goldstein thanked Ms. Holly Shriner and Mr. Joe Minicozzi for their service on the Commission. He then welcomed new Commission members Guillermo Rodriguez and Tony Hauser.
- Due to an advertising error, Mr. Koon moved to reschedule the conditional zoning request for property located at 60 Mills Gap Road, and a portion of property located as 3086 Sweeten Creek Road to the November 19, 2015, mid-month meeting. This motion was seconded by Mr. Rodriguez and carried unanimously by a 7-0 vote.

Agenda Items

- (1) Review a Level II site plan for the construction of 116 units in 124,216 square foot building rising to 4 stories of residential use and 5 stories of associated structured parking. The property is known as 246 Patton Avenue and PIN 9648-19-2696, 9648-19-4611, 9648-19-5619 and 9648-19-5537. The property is owned by She Can Limited Partnership and the project contact is Suzanne Godsey. Planner coordinating review- Sasha Vrtunski**

Ms. Carter moved to recuse Chairman Goldstein from participating in this matter due to a conflict of interest. This motion was seconded by Ms. Hudson and carried unanimously.

Urban Planner Sasha Vrtunski oriented the Commission to the site location and said the applicant is requesting review of a site plan to construct an apartment building with 116 units in the Central Business District (CBD). This project is considered a Level II review pursuant to Section 7-5-9.1 of the city's Unified Development Ordinance (UDO).

The project site consists of four parcels totaling 1.6 acres. The site fronts Patton Avenue and includes the corners at Clingman Avenue and Pearl Street. Both Patton and Clingman

Avenues are Key Pedestrian Streets. The site is outside of the Traditional Downtown Core and is in the Tallest Height Zone.

This project proposes to build a new residential apartment building that wraps a parking deck located to the rear of the property. The gross floor area of the building is 124,216 square feet (sf) and will include 116 apartments and 162 parking spaces. The apartments will contain a mix of studios, one and two bedroom units. At street level facing Patton Avenue, there will be a leasing office, clubroom, pool and exercise room. Additionally, on the first floor are several residential units facing Patton, west of the other ground floor uses. The building façade is broken into two parts by a courtyard where the pool is located. An approximately 3,400 sf dog park is proposed at the rear of the property. The developer of the project has recently decided to eliminate the stoops leading from the residential units to Patton Avenue; however, the balcony or porches will remain on the building. Overall this change has a small impact to the project.

Vehicle access for the site is proposed to be from Pearl Street, which is not considered a key pedestrian street. Ten-foot-wide sidewalks are being provided along Pearl Street, Patton and Clingman Avenues.

Landscaping requirements for the CBD include street trees on all three frontages, which are shown on plans.

The proposal includes a parking structure with 162 spaces, although there are no parking requirements in the CBD. Access to the parking structure will be from Pearl Street.

There are a number of design standards required by the UDO for downtown projects, including fenestration on all elevations; base-middle-cap design orientation; parking garage design; location of pedestrian entrances; streetwall height and step-backs to protect the pedestrian environment; limitation on floorplates; screening rooftop equipment and restrictions on base materials. The project has been determined to comply with the design and operational standards in the UDO.

This project was reviewed by the Technical Review Committee (TRC) for compliance with the UDO, Building Code and other required codes. The Downtown Commission conducted Downtown Design Review of this project at its September and October 2015 meetings. The Downtown Commission recommended approval of the project.

Staff recommends approval of the proposal as shown on plans and renderings, based on the ability of the project to comply with the technical standards for downtown development in the UDO.

A Co-owner of Delray Ventures, LLC, said that knowing that this area is a heavy pedestrian street and a main street, the first level will be the leasing center, club house, open courtyard and a fitness center that will give an active look to the street level. He said they are happy to bring residences to downtown Asheville.

In response to Ms. Hudson, Mr. John Rider, representing Cline design, said that the transformers (located at the front of the project) will not be visible from the street. They will be screened by a 5 x 6 wall. The fencing around the plaza is 42" which is the minimum required by the Code.

Ms. Hudson opened the public hearing at 5:15 p.m. and when no one spoke, she then closed it at 5:15 p.m.

In response to Ms. Carter, Ms. Vrtunski said that staff did discuss affordable housing with the developer; however, these will be market rate apartments.

Mr. Koon moved to approve the Level II site plan at 246 Patton Avenue for Patton Place Apartments, subject to the conditions in the TRC Report. This motion was seconded by Mr. Edwards and carried unanimously by a 6-0 vote (Chairman Goldstein was recused.)

- (2) Review of a Level II site plan for the construction of 38 residential units, 2 commercial units and 42 parking spaces in a mixed-use development for a total of 58,735 square feet rising 7 stories located on 0.446 acres known as 45 Asheland Avenue and PIN 9648-29-8553 and 9648-29-8672. The property is owned by 45 Asheland, LLC and the project contact is Peter Alberice. Planner coordinating review- Sasha Vrtunski**

Variance Request: Variance to design and operational standards found in Section 7-8-18(f)(13)a.(2.) of the UDO relating to streetwall setback requirement

Urban Planner Sasha Vrtunski oriented the Commission to the site location and said that the applicant is requesting review of site plans to construct a new building with 38 condominiums, two commercial spaces and 42 parking spaces in the Central Business District (CBD). This project is considered a Level II review pursuant to Section 7-5-9.1 of the City's Unified Development Ordinance (UDO).

The project site consists of two parcels totaling 0.45 acre. The site fronts Asheland Avenue, which is a Key Pedestrian Street. The site is outside of the Traditional Downtown Core and is in the Tallest Height Zone.

The project proposes to build a seven-story apartment building with 38 condominium units, 2 commercial spaces and 42 parking spaces in an internal parking structure. The total building square footage is 58,735 square feet, which includes 3500 square feet of commercial space on the first floor. Additionally there is 4,252 square feet of patio space. The proposed building height is 72 feet, measured to the floor of the top story. The overall height, including roof elements, is approximately 94 feet. The garage structure will be two stories, with the first level lined with retail.

Although not required by the UDO, the applicant is providing 42 parking spaces in a structure, which will be wrapped on two sides by retail spaces on the ground floor. Access to the parking deck is from Asheland Avenue and the driveway is 14 feet wide. Bicycle parking will also be provided as required in the UDO. The sidewalk along Asheland is 11 feet wide, with the exception around the main entrance door, where the sidewalk is closer to 9.5 feet. The sidewalk will be constructed using the Asheville running bond pattern.

The applicant is proposing five street trees along Asheland Avenue. Parking deck landscaping is not required for this project. Open space is not required in the CBD.

The project includes a request for a variance detailed in a separate report and will require separate action. The request is for a variance of the streetwall step-back. Streetwall step-backs are required to ensure light and air at the sidewalk and that the building face will not overwhelm the pedestrian realm.

There are a number of design standards required by the UDO for downtown projects, including fenestration on all elevations; base-middle-cap design orientation; parking garage design; location of pedestrian entrances; streetwall height and step-backs to protect the pedestrian environment; limitation on floorplates; sufficiently complying with screening rooftop equipment and restrictions on base materials. The project has been determined to comply with the design and operational standards in the UDO, with the exception of the streetwall step-back.

The Technical Review Committee (TRC) reviewed this project for compliance with the UDO, Building Code and other required codes at the September 21, 2015, meeting. The

Downtown Commission conducted Downtown Design Review of this project at its October 9, 2015, meeting. The Downtown Commission recommended approval of the project with the variance requested with a unanimous vote of 8-0.

Staff recommends approval of the proposal as shown on plans and renderings, subject to the applicant obtaining the requested variance.

Acknowledging these 38 units are condominiums, Ms. Carter noted that this project, along with the previously approved project, will allow 154 housing units in downtown, all at market rates.

Mr. Peter Alberice, project architect, said that they have designed a building scaled to fit the downtown. It addresses a market need for for-sale condominium units. There are very few of those types of units for sale downtown. Part of the mix of a lively and successful downtown is having a lot of different housing types.

Ms. Hudson was concerned that the mechanical units are not screened, since this part of the town is growing up. Mr. Alberice said there are no guideline that state from what point do you not need to see the units if they are not screened. They created a 3-D model and inserted into the site various images from a variety of different points from the ground level, and the mechanical units cannot be seen from the street. Because there are no regulations about how far away you have to be to see the mechanical units from the street, they developed a system that matches the rest of the building.

Chairman Goldstein opened the public hearing at 5:27, and when no one spoke, he closed the public hearing at 5:27 p.m.

Assistant Director of Planning & Urban Development Alan Glines agreed that there are no guidelines which address which vantage point you can see the mechanical units, and it will be something staff will review.

Mr. Koon moved to recommend approval of the Level II site plan for the project located on 45 Asheland, subject to the conditions in the Technical Review Committee Report and subject to the approval of the streetwall variance. This motion was seconded by Chairman Goldstein and carried unanimously by a 7-0 vote.

Variance Request

Associate City Attorney Jannice Ashley explained the procedures for this item which requires the Commission to act as a Board of Adjustment (5 members) and all testimony needs to be sworn. At this time, Mr. Hauser and Mr. Rodriguez left the dais.

City Clerk Magdalen Burlison administered the oath of office to anyone who anticipated speaking on this matter.

Ms. Ashley said that the Commissioners must base their decision on this variance on what is presented in this public hearing. Ms. Vrtunski may refer to parts of the previous presentation as staff has made certain findings and conclusions. The Commissioners are free to disregard those and make their own findings and conclusions. She asked that any Commissioner who has any special knowledge of this variance disclose that at this time.

Ms. Ashley also noted that the Commissioners are not bound by their vote on the previous project.

Urban Planner Sasha Vrtunski said that the petitioner, 45 Asheland, LLC, is requesting a variance to the standards found in Section 7-8-18(f)(13)a.(2.) for a reduced streetwall step-back

requirement. A variance may be sought to eliminate this standard pursuant to Section 7-8-18(f)(13)a.(1).e. so long as a clear visual demarcation between the base and upper floors is provided.

Variance Request:

	UDO Requirement	Applicant Request	Variance
Streetwall step-back	A building step-back is required based on the width of the right-of-way of the primary façade. It may be provided by a 20-foot step-back on each side of the building. 7-10-18 (f)(13)a.(2) b.	Reduced step-back of 17 feet on each end of the building instead of 20 feet. Utilize material changes and added transparency to mitigate reduced streetwall step-back.	Reduce streetwall step-back by 3 feet on each end of the building.

The project site consists of two parcels with a combined area of 0.45 acre and frontage on Asheland Avenue in the Central Business District. The applicant is proposing to construct a mixed use building with 38 condominium units, two commercial spaces totaling 3,500 sf and 42 parking spaces within an internal parking structure.

The site plans, elevations and variance request were evaluated by the Downtown Commission (DTC) on October 9, 2015, and they recommended approval with a vote of 8-0.

The project site is just outside of the traditional core and requires a step-back at the streetwall height either along the primary frontage (Asheland Avenue) or as side step-backs on each side of the building (totaling 40 feet). The ordinance provides for utilizing a change in materials rather than strict application of the streetwall stepback. The design approval by the DTC included the material change at the street wall height to differentiate the upper stories from the base and the increased glass at the step-back to increase the feeling of transparency of the building. The step-back requirement is intended to ensure light and air at the sidewalk and that the building face will not overwhelm the pedestrian realm. The applicant has increased the transparency of the railings on the sides of the buildings. The design includes a base, middle, cap layout with differentiation of materials to aid in staff's support of this variance request.

The UDO it does have a provision if the materials show a strong base middle cap, in this particular instance for the streetwall step-back, that the applicant can ask for a variance.

Staff is supportive of the variance as submitted as the design works to meet the intent of the ordinance as closely as possible through the increased glass and thinner railings. The design also incorporates a change in materials to differentiate the upper stories.

Mr. Peter Alberice, project architect, explained their request for the variance, those being (1) the full front step-back and the sideyard step-back requirement would result in the loss of usable area in the building; (2) because the project is designed to be a mixed use building that is primarily residential in nature, the front step-back requirement would drastically decrease the usable area of the building by reducing the area in the living spaces of the residential units. Because there is a large amount of plumbing in the building for kitchens and bathrooms, it is not feasible to shift the building back from the street to meet the front step-back requirement because all of the plumbing lines would be offset accordingly making it technically difficult to function; (3) the applicant purchased the property in the mid-1990's with the intention of developing the property to its highest and best use. The front and side step-back requirements were implemented after the applicant purchased the property and is not considered a self-imposed hardship; and (4) the applicant has designed the project to address the spirit and intention of the

zoning requirement and has reduced the usable area of the building accordingly. The proposed design varies slightly from a strict interpretation of the zoning ordinance, yet meets the intent. In addition, the north side step-back will allow for more solar access to any future building to the north.

Chairman Goldstein opened the public hearing at 5:38 p.m. and when no one spoke, he closed the public hearing at 5:38 p.m.

Chairman Goldstein moved to approve the variance for a reduced streetwall step-back from 20 feet to 17 feet and utilizing material changes rather than the full streetwall step-back as the applicant has demonstrated compliance with the requirement as provided for in the UDO. This motion was seconded by Mr. Koon and carried unanimously on a 5-0 vote.

At the suggestion of Ms. Carter, Assistant Director of Planning & Urban Development Alan Glines said that staff will re-visit the sections of the Code regarding variances and when variances are actually required.

At this time, Mr. Hauser and Mr. Rodriguez returned to the dais and continued participation with the rest of the meeting.

(3) Review of a Level II site plan for the construction of a fully enclosed, 3-story, 95,049 square foot self-storage facility located on 2.32 acres known as 2128 Hendersonville Road and PIN 9654-19-0151. The property is owned by M Realty and the project contact is Jesse Gardner. Planner coordinating review- Shannon Tuch

Principal Planner Shannon Tuch oriented the Commission to the site location and said this is a request for the approval of a Level II site plan for the construction of a 3-story, 95,049 square foot self storage facility and associated site improvements on 2.32 acres in south Asheville.

The site is located in South Asheville on the corner of Hendersonville Rd. and Rosscraggon Road. The property is currently vacant and zoned Commercial Industrial (CI) which allows self-storage facilities as a permitted use.

The applicant is seeking to create a 3-story, 95,049 square foot self-storage facility with 540 units managed by two employees in a 950 square foot office. The building footprint would measure 31,763 square feet and building height will be 43-feet, 4-inches. No outdoor storage is proposed.

Access to the property is proposed from both Hendersonville Road and Rosscraggon Road with a driveway entrance on each. Vehicular access around the entire building is proposed with a smaller 15 space parking lot located between the front of the building and Hendersonville Rd. An unmapped private right-of-way (Porter St.) on the eastern side of the property is not altered by this project.

According to the Unified Development Ordinance (UDO), there needs to be a minimum of one parking space per 10 storage units, plus one space per two employees, plus one space per 250 square feet of office, which for this project totals 59 spaces. This rule appears to be more applicable for a different type of self storage facility and is excessive for this project. The UDO Sec 7-11-2(c)(1) states that for uses not covered in the table of off-street parking requirements, the appropriate number will be selected from the American Planning Advisory Service Report Number 432 (Off-street Parking). In this case the use is questionably covered in the UDO but it is not appropriate because it is likely outdated and not consistent with current information on how self-storage facilities are designed and operated today. Similarly, the Service Report recommendation (approximately the same age as the UDO standard) is not especially helpful

because its examples range from one space per 10 storage units to one space per 100 storage units. As an alternative, the Institute of Transportation Engineers (ITE) Parking Generation manual looks at peak demand from various self storage facilities and is therefore more applicable. The applicant is requesting to use the ITE's Average Peak Parking Demand (1.39-1.96) vehicles per 100 units that is reflected in a staff interpretation dated July 27, 2015. This interpretation provides a more reasonable and appropriate range of spaces required for this project. The parking requirements for this project are now summarized as follows:

Required Minimums

1 space for every two employees on shift of greatest employment	(2 employees)	1 space
1.39 spaces for every 100 storage units (ITE)	(540 units)	<u>9 spaces</u>
		10 spaces

Permissible Maximums

1 space for every employee on shift of greatest employment	(2 employees)	2 spaces
1.96 spaces for every 100 storage units	(540 units)	<u>11 spaces</u>
		13 spaces

A new 5-foot sidewalk separated from the road by a green strip is proposed along both Hendersonville Rd. and Rosscraggon Road. Modest improvements to Rosscraggon Road are also proposed with new curb and gutter. 18-inch curb and gutter will be provided internal to the site around the vehicular use areas.

The site is required to comply with the commercial landscape requirements of: street streets, parking lot landscaping, and building impact. In total, 71 trees and 140 shrubs are required for the site and are indicated on the plans. The project also requires that 15% of lot area (15,158 square feet) be set aside for open space.

Two separate bio-retention cells are also proposed - one between the building and Hendersonville Rd., and the second on the southern side of the building. Up to 50% of the area containing a bio-retention cell may count towards open space requirements.

The parcel is zoned CI and self-storage facilities are a permitted use in this district. Properties to the north and west are zoned Highway Business (HB) and support a variety of small business uses on smaller lots. The properties to the south and east of the subject parcel are zoned CI and support various light industrial uses on larger parcels, consistent with the subject property.

The intent of the CI zoning district is to support a variety of commercial and industrial uses where environmental conditions are adequate to support this type of development. This property is very developable with very mild elevation change, good access and visibility, and adequate utility and service infrastructure in place to support the project.

The proposal was approved with conditions by the Technical Review Committee (TRC) on October 5, 2015. A number of TRC comments have been addressed in the submittal received by the Commission. Additional revisions will be worked out before the final TRC review. No communication had been received from the public at the time of the completion of the staff report. Review and approval by the Planning & Zoning Commission is the final step before the project moves into permitting.

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

Mr. Jesse Gardner, representing Civil Design Concepts, was present to respond to questions.

Chairman Goldstein opened the public hearing at 5:45 p.m. and when no one spoke, he then closed it at 5:45 p.m.

When Ms. Hudson asked if the stalls are standard parking stalls, Ms. Tuch said that they are standard parking stalls; however, they are areas to accommodate larger loading vehicles.

In response to Mr. Hauser, Ms. Tuch said that the forest of red maples south of the building could be applied towards the landscape requirements but during TRC review suggestions not use monocultures will often be made.

Ms. Hudson moved to approve the Level II site plan at 2128 Hendersonville Road for the self-storage facility, subject to the conditions in the TRC Report. This motion was seconded by Ms. Carter and carried unanimously on a 7-0 vote.

(4) Review of a Level II site plan for the construction of a 5-story, 50,600 square foot hotel on a parcel known as 509 Tunnel Road and PIN 9658-56-2715. The property is owned by Nutan Investments LLC and the project contact is Dana Bolden. Planner coordinating review- Vaidila Satvika.

Urban Planner Vaidila Satvika oriented the Commission to the site location and said the applicant is requesting review of site plans to construct a new hotel with 78 rooms in the Highway Business (HB) zone. This project is considered a Level II review pursuant to Section 7-5-9 of the city's Unified Development Ordinance (UDO).

The subject site totals 1.65 acres and contains an existing one-story building that measures approximately 1,400 square feet that will be demolished.

The applicant is proposing to build a 50,600 square feet, five-story, 78-room hotel. Parking will be provided for 59 vehicles. An indoor pool is included.

Access to the property is gained from Tunnel Road where two entrances/exits will be provided (two other existing driveways will be removed, so that the site will go from four existing access points down to two).

The UDO requires between 39-78 parking spaces and 59 will be provided, including three that are accessible. Three bicycle parking spaces will be provided.

The site is required to comply with the provision of street trees, street buffer, parking lot landscaping, building impact, and open space as described in the UDO. In total 22 trees and 126 shrubs are required for the site. The project is required to provide 15% of the lot area to meet open space requirements and the project meets this requirement.

Modifications and Alternatives: Street trees must be planted within 20' of the edge of pavement of Tunnel Road. A few street trees cannot meet this requirement so the applicant must propose alternative compliance as per UDO Section 7-11-3, which will be reviewed by the City's Tree Commission.

The site is zoned Highway Business (HB) and is bordered by HB zoning to the east and west. Property to the south is zoned Medium Density Single-Family Residential (RS4), which requires this property to include a 30' rear property line buffer that is accounted for outside of open space requirements.

This project was approved with conditions by the city's Technical Review Committee (TRC) on October 5, 2015. The Planning and Zoning Commission will review the proposal for compliance with technical standards. The proposal returns to TRC for compliance with outstanding TRC requirements.

Staff recommends approval of the proposal as shown on plans and renderings because the project meets, or will meet, the UDO requirements as noted above, before a zoning permit is issued for this project.

A representative of Mattern and Craig was available to answer questions.

Chairman Goldstein opened the public hearing at 5:54 p.m.

Mr. David Bailey, resident of Redwood Forest, felt this was a well thought out plan and an improvement to the existing property; however, he expressed concerns about traffic, buffer distance of the area in the rear of the property, rear neighborhood views of Haw Creek will be blocked by the building, this might set a precedent of projects this size along Tunnel Road going east, impact on utilities, and glare from lights.

Chairman Goldstein closed the public comment at 6:00 p.m.

Mr. Satvika responded to the concerns addressed noting the rear buffer requirements well exceed the 30 feet required (closer to 100 feet), with will stay largely undisturbed; because the property is zoned Highway Business District, the height of the building is below what is allowed; the TRC reviewed the plans regarding water and sewer and noted no concerns; and the project will be required to adhere to the City's lighting requirements.

Upon inquiry of Ms. Hudson, there was a short discussion of how the height of the building is calculated.

When Ms. Hudson asked if there is a small area plan for that portion of Tunnel Road, Director of Planning & Urban Development Todd Okolichany replied there is not, but the City is ready to release a Request for Proposals for the update to the City's Comprehensive Plan and as part of that planning process all neighborhoods within the City will be analyzed, with opportunity for neighborhood input.

Chairman Goldstein re-opened the public hearing at 6:06 p.m.

Mr. David Bailey was also concerned about the amount of mechanical equipment on the roof being visible to the adjoining neighborhood.

Chairman Goldstein closed the public hearing at 6:06 p.m.

In response to Mr. Hauser, Assistant Director of Planning & Urban Development Alan Glines said that there are mechanical screening requirements for the Central Business District, but the Code is silent regarding that in all other districts.

Chairman Goldstein moved to approve the Level II site plan at 509 Tunnel Road, subject to the conditions in the TRC Report. This motion was seconded by Mr. Koon and carried unanimously on a 7-0 vote.

- (5) Review of a Level II site plan for the construction of a hotel contained in a 7-story, 75,220 square foot building with associated parking and sitework on a 1.95 acre property known as 835 Brevard Road or PIN 9626-77-4939. The property is owned by Koon Family Limited Partnership and the project contact is Clay Mooney. Planner coordinating review- Sasha Vrtunski**

Ms. Hudson moved to recuse Mr. Koon from participating in this matter due to a conflict of interest. This motion was seconded by Ms. Carter and carried unanimously by a 7-0 vote.

Urban Planner Sasha Vrtunski oriented the Commission to the site location and said the applicant is requesting review of a site plan to construct a 114-room hotel in the Regional Business (RB) district on Brevard Road. This project is considered a Level II review pursuant to Section 7-5-9 of the Unified Development Ordinance (UDO).

The project consists of a parcel totaling 1.95 acres. The site fronts Brevard Road and is currently occupied by a car sales lot. Petco is to the north, and Country Inn and Suites is to the south. The site is sloping from north to south such that there is a 13-foot grade change from the north side to the south side.

The proposed hotel building has a footprint of 12,070 square feet (square feet) and rises seven stories for a total gross floor area of 75,220 sf. The hotel has 114 rooms. In this district, the required front setback is 35 feet, and zero feet to the rear and side (same zoning district surrounds the property).

Access to the property is shown at the northern edge of the property on Brevard Road, using an existing curb cut. The N.C. Dept. of Transportation will be improving Brevard Road, including the intersection of Rocky Ridge Road and Brevard with a new intersection adjacent to this property. Because of this future work, plans do not show a sidewalk along Brevard Road. The applicant has requested and received approval for a fee-in-lieu for sidewalks.

Plans show 117 parking spaces, where 114 is the maximum allowed according to the city's UDO. Spaces over the maximum will have pervious paving, which is consistent with UDO requirements.

Plans show street trees, building impact, streetyard buffer, and parking lot landscaping for a total of 54 trees and 205 shrubs. The retaining wall that extends around the rear, south side and part of the front of the property is less than 15 feet in height and therefore, is not required to provide foreground landscaping if it is faced with natural stone (as per UDO Section 7-10-5). At the front of the property, the wall is 11.5 feet high at the southern end, but gradually decreases across the front to 2.5 feet.

Open Space is required for this project, and this project would be required to provide 15% or 12,741 square feet of open space. The applicant has requested a fee-in-lieu for open space. This process will occur internally and will be reviewed by staff as prescribed by the UDO.

This project was reviewed by the Technical Review Committee (TRC for compliance with the UDO, Building Code and other required codes. The TRC approved the project with conditions.

Staff recommends approval of the proposal as shown on plans and renderings, based on the ability of the project to comply with the technical standards in the UDO.

Ms. Carter was concerned that the N.C. Dept. of Transportation might not install sidewalks (and if they do it will be many years out) and if they don't install sidewalks, the fee in lieu of that is charged (\$40 per linear foot) will not cover the expense of the City having to install the linkage. Principal Planner Shannon Tuch noted that it is customary for the N.C. Dept. of Transportation to accept the City's standards for sidewalks for private developments.

Mr. Clay Mooney, landscape architect representing the developer, was available to answer questions.

Mr. Hauser suggested the architect might want to consider the geometry of the truck going in to service the dumpster.

Chairman Goldstein opened the public hearing at 6:18 p.m. and when no one spoke, he then closed it at 6:18 p.m.

When Ms. Hudson asked what would happen if the fee in lieu of for the open space request is rejected, Ms. Vrtunski said that City staff would work with the applicant to re-work the site plan.

Mr. Edmonds moved to approve the Level II site plan at 835 Brevard Road for the Hampton Inn and Suites, subject to the conditions in the TRC Report. This motion was seconded by Mr. Hauser and carried unanimously on a 6-0 vote (with Mr. Koon being recused).

At 6:19 p.m., Chairman Goldstein announced a short recess.

(6) Review of a Level II site plan for the development of a self-storage facility contained in a 3-story, 90,000 square foot building and three additional structures with associated parking and site-work at 99999 Bleachery Boulevard and PIN 9658-50-7543. The property is owned by Bob J, LLC & Harley D LLC & Steve H LLC & Bill B LLC and being developed by Diversified Development. The project contact is Jesse Gardner. Planner coordinating review- Shannon Tuch

Principal Planner Shannon Tuch oriented the Commission to the site location and said this is a request for the review of a Level II site plan for the construction of four self-service storage facilities and related site improvements, split into two phases. Phase one includes a single 3-story, 90,000 square foot building with office along with a 31 space surface parking lot; and phase II includes three one-story buildings totaling 9,800 square feet. The total site area is 4.15 acres with PIN 9658-50-7543. The property is owned by Bob J., Harley D., Steve H., and Bill B. LLC and the developer is Diversified Development, Inc.

The site is located in East Asheville in the Oakley neighborhood on Bleachery Blvd. The property is currently vacant and split-zoned Commercial Industrial (CI) and Residential Single Family, Medium Density (RS-8). The facilities and majority of the site improvements are located on the CI zoned property which allows self-storage facilities as a permitted use, and the RS-8 zoned portion of the property remains primarily undeveloped with only landscape improvements proposed.

The applicant is seeking to build a self-storage facility with multiple buildings and related improvements. The largest building is proposed at 3-stories with 90,000 square feet with approximately 600 units, and three smaller, one-story buildings will be built later and total 9,800 square feet. The large building will be approximately 37-feet tall and the exact heights of the smaller buildings are not known at this time but will be one-story and below the maximum height limits for the district. Outdoor storage is proposed in the open area between the Phase 2 buildings and will be screened from adjacent residential properties by a Type B Landscape buffer and two of the three Phase 2 structures.

Access to the property is proposed from a single driveway on Bleachery Blvd. A small 31 space surface parking lot is included in Phase 1 and is proposed to be shared between the two phases. A large maneuvering area is also included in Phase 2 between the three one-story buildings. A 5-foot sidewalk separated by a 5-foot planting strip is already existing. The applicant proposes to tie an internal sidewalk to the public sidewalk on the north side of the driveway.

According to the Unified Development Ordinance (UDO), there needs to be a minimum of one parking space per 10 storage units, plus one space per two employees, plus one space per 250 SF of office, which for this project totals 59 spaces. This rule appears to be more applicable for a different type of self storage facility and is excessive for this project. As with other recent requests for self-storage facilities, the applicant is requesting to use the ITE's Average Peak Parking Demand (1.39-1.96) vehicles per 100 units that is reflected in a staff interpretation dated

July 27, 2015. This interpretation provides a more reasonable and appropriate range of spaces required for this project and significantly reduces the overall parking requirement. Applying the standard used in the zoning interpretation, the project is required a min/max range of 19-32 spaces plus spaces required based on the number of employees on shift of greatest employment. The site plan shows 31 spaces which will comfortably satisfy the off-street parking requirement.

The site is required to comply with the commercial landscape requirements of: street streets, parking lot landscaping, building impact landscaping and a 30-foot, Type 'B' property line buffer. Not including the landscape buffer, a total of 87 trees and 170 shrubs are required for the site and are shown on the plans. The Type B landscape buffer includes 58 trees representing a mix of small, large, evergreen and deciduous trees, along with a mix of 110 large and small shrubs.

The project also requires that 15% of lot area (27,116 square feet) be set aside for open space which is currently delineated on the site plan and includes the area containing the bio-retention cell where up to 50% of areas occupied by stormwater features may count towards open space requirements.

The parcel is zoned CI and self-storage facilities are a permitted use in this district. Properties to the northwest and east are also zoned CI and are currently vacant; property to the southwest is zoned RS-8 and currently supports a single-family home. The northern and southern ends of the property are bounded by NCDOT right-of-way for I-240 and railroad right-of-way. Across the rights-of-way are commercial zoning supporting large and small commercial uses.

The intent of the CI zoning district is to support a variety of commercial and industrial uses where environmental conditions are adequate to support this type of development. This property is very developable with very mild-moderate elevation change, good access and visibility, and adequate utility and service infrastructure in place to support the project.

Other Features:

- A 50-foot easement with overhead electrical (OHE) utility lines bisect the property between the two phases and cross above the surface parking lot.
- A project of this size requires four off-street loading areas.

The proposal was approved with conditions by the Technical Review Committee (TRC) on October 19, 2015. A number of TRC comments have been addressed in the submittal received by the commission. Additional revisions will be worked out before final permits are issued. No communication had been received from the public at the time of the completion of the staff report. Review and approval by the Planning & Zoning Commission is the final step before the project moves into permitting.

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

Mr. Jesse Gardner, representing Civil Design Concepts, was available to answer questions.

Chairman Goldstein opened the public hearing at 6:38 p.m.

Ms. Linda Adams, area resident, stated that many people, including handicapped residents, travel up and down Bleachery Boulevard on the sidewalk using flashlights because there is no lighting on that road. She felt this project will help with that problem, but suggested lighting be installed by the City along the road to make it safer.

Chairman Goldstein closed the public hearing at 6:41 p.m.

Ms. Tuch said that Bleachery Boulevard is a City-maintained street and she would work with the Public Works and Transportation Departments on lighting Bleachery Boulevard.

Ms. Carter moved to approve the Level II site plan for the Bleachery Boulevard Self-Storage Facility, subject to the TRC Report conditions. This motion was seconded by Mr. Rodriguez and carried unanimously on a 7-0 vote.

- (7) Review of an amendment to a previously approved conditional zoning at 671 Sand Hill Road and identified on the Buncombe County Tax maps as PIN 9627-59-0175. The request would add a 2-story, 8,000 square foot building for an established private school. The zoning would remain as Institutional CZ (INST CZ). The property is owned by Classical Properties, LLC., and the project contact is Andrew Cross. Planner coordinating review- Alan Glines**

Assistant Planning & Development Director Alan Glines oriented the Commission to the site location and said the applicant is requesting an amendment to the conditional zoning for the property located 671 Sand Hill Road to build an additional school building from the originally approved plan. Per Section 7-7-8(c)(6) of the Unified Development Ordinance (UDO), changes to a previously approved plan must be approved by the City Council as an amendment to the Conditional Zoning (CZ).

New Classical Academy seeks to expand their school operations on the site by constructing a new classroom building with a multipurpose room. The new two-story building would total about 8,000 square feet. Three new classrooms will be a part of the building. The site currently has a church building totaling about 3,400 square feet on two levels providing space for 3 classrooms. Since the original conditional zoning application was approved in 2012 site improvements are in place and are compliant with technical standards.

The site is a 1.91 acre parcel that slopes up gently from Sand Hill Road. The driveway is shared with a residential community of 46 homes behind on separate parcels. The location along Sand Hill Road is good for a school use because of easy access and there appears to be ample room to provide for parking needs and outdoor play space.

The school currently has an enrollment of 56 students and would like to eventually grow to a maximum of 80 students in classroom programs K-8. The site is expected to be able to accommodate this future increase because the existing parking area is ample based on calculations in UDO and could also be expanded if necessary. A condition was placed on the prior approval that if the school should grow beyond 60 students, then a traffic management plan will be required to be submitted for analysis by appropriate City staff.

Principal access to the site is from Sand Hill Road. Sidewalks are not in place at this location but will be added as a condition of this proposal. There is ample parking on the site based on a total of 7 classrooms proposed for the project with the additional building. Plans show 16 spaces with a longer drive aisle for parents dropping off and picking up students.

Landscaping is required for this project and includes street trees, parking lot landscaping, building impact landscaping, and tree save area. Landscaping shown on the submitted plans complies with requirements and were installed during the approval of the original conditional zoning application. The project is also required a minimum of 15% of open space and is provided in the form of a play area at the back of the site.

This property was previously rezoned to INST-CZ (2012) for the original school development. Prior to the passage of the 2012 conditional zoning ordinance the property was zoned Residential Multifamily Medium Density (RM-6).

The proposal was approved with conditions by the Technical Review Committee (TRC) on October 19, 2015. Outstanding TRC comments will be worked out before the final TRC review. No communication had been received from the public at the time of the completion of the staff report. Following review and recommendation by the Planning and Zoning Commission this request must be reviewed by the Asheville City Council.

Adjacent uses include apartments to the north of the property which share the driveway at Sand Hill Road. Other uses in the area are primarily single family in nature. Schools are allowed in residential areas and this school has been in operation for several years.

The proposed development supports the goal stated in the *Asheville City Development Plan 2025* which states that appropriately-scaled non-residential uses that serve residents of neighborhoods should be allowed in appropriate locations. The site has been evaluated and has sufficient infrastructure in place to manage impacts on the surrounding community. Schools are supported with this goal.

The proposal is aligned with Focus Area One: Economic Growth and Sustainability; and Goal 2: Invest and leverage investment in community infrastructure because the proposal will bring additional investment in the school expansion and will be adding a sidewalk linkage at the street.

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

Considerations:

1. The school will expand at this location with an 8,000 square foot addition
2. The site has sufficient space to manage this increase in student numbers and the new building.
3. The proposal furthers the goals and objectives of the City's comprehensive plan and Strategic Operating Plan.

Staff recommends approval of the request to amend the current INST-CZ Ordinance allowing the school expansion with the construction of a new building on the site plan to provide classroom space and a multipurpose room.

In response to Ms. Hudson on whether buses are used to transport students to the school, Mr. Glines said that most are parental drop-offs with some carpooling.

Mr. Clay Mooney, representing Design Associates, responded to Mr. Edmonds question regarding a designated play area for the children. Mr. Mooney said that the entire rear area is the play area and the slope of the land is relatively flat.

Chairman Goldstein opened the public hearing at 6:53 p.m.

Ms. Diana Santangelo, co-owner of the complex behind the school, felt that it will be an extreme challenge to get the additional drop-off cars out safely on Sand Hill Road, especially in the morning hours.

Chairman Goldstein closed the public hearing at 6:55 p.m.

Mr. Glines said that the traffic management plan which has been submitted showed that they have a flexible drop-off time from 7:45-8:30 a.m. In the afternoon, the pick-up is between 2:50-3:15, but they have an afterschool program and the children are picked up between 4-6 p.m. The drop-off and pick-up is disbursed throughout the day. He has not heard of any traffic problems expressed by the neighbors.

Mr. Andrew Cross, Director of the New Classical Academy, said that they allow the school bus for Sand Hill Venable to use their driveway to drop the children off at 2:45 p.m. Many of those families use their driveway to pick their children up and then disburse. By the time their families show up, there is no back-up.

When Ms. Carter suggested a good faith effort be made by Mr. Cross and Ms. Santangelo to discuss any traffic concerns, they both committed to that discussion.

When Ms. Hudson asked about the width of the driveway, Mr. Hauser felt it may be 20-24 feet, but noted that the Fire Department had reviewed the application and saw no concern.

Mr. Koon moved to approve an amendment to a previously approved conditional zoning at 671 Sand Hill Road based on the site plan, and find that the request is reasonable, is in the public interest and is consistent with the Comprehensive Plan and other adopted plans in the following ways: (1) appropriately-scaled non-residential uses that serve residents of neighborhoods are encouraged where impacts can be managed, and (2) The proposal will bring further investment at an infill location and will improve public infrastructure. This motion was seconded by Chairman Goldstein and carried unanimously by a 7-0 vote.

Other Business

Chairman Goldstein announced (1) a mid-month meeting on November 19, 2015, at 4:00 p.m. in the First Floor Conference Room in the City Hall Building; and (2) the next meeting on December 2, 2015, at 5:00 p.m. in the First Floor Conference Room in the City Hall Building.

Adjournment

At 7:05 p.m., Ms. Hudson moved to adjourn the meeting. This motion was seconded by Mr. Koon and carried unanimously on a 7-0 vote.