



**CITY OF HENDERSONVILLE  
AGENDA ITEM SUMMARY  
PLANNING DIVISION**

**SUBMITTER:** Matthew Manley

**MEETING DATE:** February 8, 2024

**AGENDA SECTION:** New Business

**DEPARTMENT:** Community Development

**TITLE OF ITEM:** Rezoning: Standard Rezoning – Upward Rd-Spinx (P24-07-RZO) – *Matthew Manley, Strategic Projects Manager*

**SUGGESTED MOTION(S):**

**For Recommending Approval:**

I move Planning Board recommend City Council **adopt** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINs: 9577-89-7580; 9577-89-8138; 9577-89-6187; 9577-89-6236; 9577-89-5289; 9577-89-6416) from Henderson County CC, Community Commercial and R1, Residential 1 Zoning Districts to City of Hendersonville CHMU (Commercial Highway Mixed Use) based on the following:

**1. The petition is found to be consistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:**

The Goals & Strategies of LU-7 “High-Intensity Neighborhood” calls for primary and secondary recommended land uses, locations, and development guidelines which align with the proposed CHMU zoning.

**2. Furthermore, we find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:**

1. Commercial Highway Mixed Use is the zoning district established for the Upward Rd Planning Area
2. The Commercial Highway Mixed Use zoning district is well suited to achieve the goals of the Comprehensive Plan for this area
3. The property is located in an area designated as a “Priority Infill Area” according to the City’s Comprehensive Plan

**[DISCUSS & VOTE]**

**For Recommending Denial:**

I move Planning Board recommend City Council **deny** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject (PINs: 9577-89-7580; 9577-89-8138; 9577-89-6187; 9577-89-6236; 9577-89-5289; 9577-89-6416) from Henderson County CC, Community Commercial and R1, Residential 1 Zoning Districts to City of Hendersonville CHMU (Commercial Highway Mixed Use) based on the following:

**1. The petition is found to be consistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:**

The Goals & Strategies of LU-7 “High-Intensity Neighborhood” calls for primary and secondary recommended land uses, locations, and development guidelines which align with the proposed CHMU zoning.

**2. We do not find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:**

1. While the CHMU zoning districts permits development that may align with the Development Guidelines found in LU-7.4, not all of the guidelines are requirements of this zoning district.

**[DISCUSS & VOTE]**

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**SUMMARY:** The City of Hendersonville received Annexation applications from the Spinx Company, LLC (anticipated owners) and from Michael, Dietra, and Spevines Jones (current owners) for 6 parcels totaling 4.723 Acres located along Upward Road at the southeast corner of the intersection with Old Spartanburg Rd (across from Dairi-O). The applicant has not requested zoning, therefore the City is initiating zoning for these parcels from County CC, Community Commercial & R-1, Residential One to CHMU, Commercial Highway Mixed Use.

The subject property is outside of the corporate city limits on the southeastern edge of Hendersonville. The subject property sits outside of the City's ETJ but within the Upward Road Planning District.

CHMU permits a range of intense commercial uses and residential uses (up to 12 units/acre) and includes design standards for all uses other than single-family and two-family (per State Statute). As a standard rezoning, all uses would be permitted if approved, including "convenience stores with or without gasoline sales". CZD would be triggered by projects exceeding 50 units or exceeding a cumulative square footage of 50,000 Sq Ft.

<b>PROJECT/PETITIONER NUMBER:</b>	P24-07-RZO
<b>PETITIONER NAME:</b>	City of Hendersonville [applicant] Michael Jones/Spevines Jones [current owner] Spinx Company, LLC [anticipated owner]
<b>ATTACHMENTS:</b>	1. Staff Report 2. Draft Ordinance 3. Proposed Zoning Map