



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

SUBMITTER: Matthew Manley **MEETING DATE:** September 12, 2024

AGENDA SECTION: New Business **DEPARTMENT:** Community Development

TITLE OF ITEM: Rezoning: Standard Rezoning – 7th Ave (Chariff) | P24-58-RZO – *Matthew Manley, Long-Range Planning 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: 9568-89-7788, 9568-89-7766, 9568-89-8708, 9568-89-7871, 9568-89-7873, 9568-89-7865, 9568-89-7940, 9568-89-6855, 9568-89-6891) from C-2 Secondary Business, to CMU, Central Mixed Use, based on the following:

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

The proposed zoning of Central Mixed Use (CMU) aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for ‘Downtown’.

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. CMU zoning would be extended to align with adjacent zoning.
2. The permitted uses and development standards of the CMU zoning aligns with the existing character of the subject properties.
3. CMU standards will allow for new infill development designed to complement the surrounding 7th Ave area in a way that C-2 zoning will not.

[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 property (PINs: 9568-89-7788, 9568-89-7766, 9568-89-8708, 9568-89-7871, 9568-89-7873, 9568-89-7865, 9568-89-7940, 9568-89-6855, 9568-89-6891) from C-2 Secondary Business, to CMU, Central Mixed Use, based on the following:

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

The proposed zoning of Central Mixed Use (CMU) aligns with the Gen H 2045 Comprehensive Plan Future Land Use & Conservation Map and the Character Area Description for ‘Downtown’.

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. CMU zoning is out of character with the surrounding area

[DISCUSS & VOTE]

SUMMARY: The City of Hendersonville is in receipt of a Zoning Map Amendment application from Lyle Chariff of 407 NC Holdings, LLC (owner) for 9 parcels (PINs listed on left) totaling .77 Acres located along 7th Ave at Locust St, Maple St and Track St in/adjacent to the 7th Ave Depot National Register Historic District. The properties are currently zoned C-2 Secondary Business. The petitioner is requesting that the full city block be rezoned to CMU to align with other properties in the 7th Ave Depot Historic District.

Development/redevelopment under the C-2 zoning is restricted by a 15’/20’ front setback and a minimum lot width at the building line of 50’. The CMU zoning offers greater flexibility with a 12’ front setback measured from the back of the curb rather than from the property line and no minimum lot width. CMU zoning also offers standards related to site development and design considerations which the C-2 zoning district does not contain.

If rezoned, there will not be a binding site plan, list of uses or conditions placed on the site. All permitted uses within the CMU district would be allowed on the site. The City of Hendersonville Zoning Ordinance states that, during a standard rezoning process, an applicant is prohibited from discussing the specific manner in which they intend to develop or use a site.

PROJECT/PETITIONER NUMBER:	P24-58-RZO
PETITIONER NAME:	o Lyle Chariff, 407 NC Holdings, LLC [Applicant/Owner]
ATTACHMENTS:	<ol style="list-style-type: none">1. Staff Report2. District Comparison3. Comprehensive Plan Consistency & Criteria Evaluation Worksheet4. Draft Ordinance5. Proposed Zoning Map