



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

**SUBMITTER:** Sam Hayes, Planner II                      **MEETING DATE:** December 12, 2024  
**AGENDA SECTION:** New Business                      **DEPARTMENT:** Community Development  
**TITLE OF ITEM:** Rezoning: Conditional Zoning District – First Ave Villas (P24-86-CZD) – *Sam Hayes – Planner II*

**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 (PIN: 9568-77-1057) from CMU-CZD (Central Mixed Use Conditional Zoning District) to UR-CZD (Urban Residential - Conditional Zoning District) based on the site plan and list of conditions submitted by and agreed to by the applicant, and presented at this meeting and subject to the following:

**1. The development shall be consistent with the site plan, including the list of applicable conditions contained therein, and the following permitted uses:**

- a) Residential, Multi-Family
  - 12, 2-3 Bedroom Units

*[for amendments to uses or conditions discussed and agreed upon in the meeting (between City & Developer) and not yet represented on the site plan, please use the following language. Disregard #2 if not needed.]*

**2. Permitted uses and applicable conditions presented on the site plan shall be amended to include:**

**3(2). The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and because:**

**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 (PIN: 9568-77-1057) from CMU-CZD (Central Mixed Use Conditional Zoning District) to UR-CZD (Urban Residential - Conditional Zoning District) based on the following:

**1. The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan, based on the information from the staff analysis and the public hearing, and because:**

The petition is consistent with a range of Goals, Guiding Principles and the Future Land Use Designation of Chapter IV of the Gen H Comprehensive Plan.

**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. The petition proposes a development that is incompatible with the existing neighborhood due to height, scale, and architectural design.
2. The petition proposes a density that is out of character with the surrounding neighborhood
3. The petition would generate excessive traffic, noise and light in an existing residential neighborhood.

<p>The petition is consistent with a range of Goals, Guiding Principles and the Future Land Use Designation of Chapter IV of the Gen H Comprehensive Plan.</p> <p><b>4(3). We find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:</b></p> <ol style="list-style-type: none"> <li>1. The petition incorporates a mix of housing types into an existing urban neighborhood.</li> <li>2. The petition provides an efficient use of property in the core of the city.</li> <li>3. The petition would place residents within an area of existing city services and infrastructure.</li> <li>4. The petition would place residents within walkable / bikeable proximity of a range of destinations including employment, shopping, and recreation.</li> <li>5. The petition provides walkable neighborhood design characteristics.</li> <li>6. The petition proposes to have a vibrant interface with the public realm.</li> </ol> <p style="text-align: center;"><b>[DISCUSS &amp; VOTE]</b></p>	<p><b>[DISCUSS &amp; VOTE]</b></p>
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*SUMMARY: The City of Hendersonville is in receipt of an application for a Conditional Zoning District from ARY Development LLC for the property located at 0 1st Ave W (PIN: 9568-77-1057). The current zoning of the property is CMU-CZD (Commercial Mixed Use Conditional Zoning District). The applicant is requesting to rezone the property to Urban Residential Conditional Use District (UR-CZD).*

*There will be open space located at the front of the property. The parking is located at the rear of the property and along the street, and the entrance and exit to the units is located in the center of the property. There will be a landscape buffer on three sides of the property that border adjacent properties and street trees located along the frontage. The project is two stories and has twelve units.*

*This site received Central Mixed Use, Conditional Zoning District (CMU-CZD) approval in August 2020 with an amendment in August 2021. The property sold to a new owner, who initiated a new request for CMU-CZD in 2024, which city council denied in November 2024.*

<b>PROJECT/PETITIONER NUMBER:</b>	P24-086-CZD
<b>PETITIONER NAME:</b>	Sarah McCormick [applicant]

	Rafique Charania of ARY Development LLC [owner]
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. Staff Report</li><li>2. Comprehensive Plan &amp; FLUM Consistency Worksheet</li><li>3. Goals &amp; Guiding Principles Evaluation Worksheet</li><li>4. Downtown Design Guidelines Evaluation Worksheet</li><li>5. Proposed Site Plan</li><li>6. Neighborhood Compatibility Summary</li><li>7. Draft Ordinance</li><li>8. Application / Owner Signature Addendum / LLC Record</li></ol>