



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION

SUBMITTER: Matthew Manley, Planning Manager
MEETING DATE: September 1, 2022

AGENDA SECTION: Public Hearing
DEPARTMENT: Community Development

TITLE OF ITEM: Rezoning: Conditional Zoning District – Cottages @ Mastermind (P22-55-CZD)
– Matthew Manley, AICP – Planning Manager

SUGGESTED MOTION(S):

For Recommending Approval:

I move City Council **adopt** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINS: 9579-48-2415 & 9579-48-6832) from R-40 (Low Density Residential) and C-2 (Secondary Business) to PRD (Planned Residential Development – Conditional Zoning District) based on the site plan and list of conditions submitted by and agreed to by the applicant, [dated July 29, 2022,] 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

Permitted Uses:

1. Two-Family Residential
2. Single-Family Residential

[for amendments to uses or conditions discussed and agreed upon in the Council 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:

1. Within the requirements of the Americans with Disabilities Act and per safety regulations, lighting shall be downward facing and fully shielded. Sidewalks away from the parking areas will use pedestrian height lighting as negotiated with city staff.

For Recommending Denial:

I move City Council **deny** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PINS: 9579-48-2415 & 9579-48-6832) from R-40 (Low Density Residential) and C-2 (Secondary Business) to PRD (Planned Residential Development – Conditional Zoning District) 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 subject property is located in an area designated as a ‘development opportunity’ and ‘priority growth area’ according to the City’s 2030 Comprehensive Plan. Furthermore, the Regional Activity Center Future Land Use designation recommends densities exceeding those proposed for this development.

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. Regional Activity Center recommends uses with greater density and intensity than two-family residential. (LU-9.2 & LU-9.3)

[DISCUSS & VOTE]

3. 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 subject property is located in an area designated as a 'development opportunity' and 'priority growth area' according to the City's 2030 Comprehensive Plan. Furthermore, the Regional Activity Center Future Land Use designation recommends densities exceeding those proposed for this development.

4. 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. The development of two-family residential dwellings will provide a needed housing type.
2. The development would provide housing in close proximity to shopping and employment opportunities.

[DISCUSS & VOTE]

***SUMMARY:** The City of Hendersonville is in receipt of an application for a Conditional Zoning District from Tom Martinson & Elam Hall of DHI Communities, applicant and John and Betty Hammond, property owners. The applicant is requesting to rezone the subject property, PINs 9579-48-2415 and 9579-48-6832 and located off Francis Road/Mastermind Lane, from C-2 Secondary Business and R-40 Low Density Residential to PRD-CZD, Planned Residential Development Conditional Zoning District for the construction of 98 two-family units and 1 single-family home on approximately 12.76 acres*

The proposal includes the addition of 49 – 2-unit “casitas”, 1 – 1-unit casita, a clubhouse/mailroom and 3 garage structures.

The proposal would include a recombining of the subject properties to create a single parcel. The proposed density of the projects equates to 7.8 units/acre.

No other uses are proposed to be permitted by the rezoning.

The Planning Board voted unanimously to approve the proposed development with significant consideration given to the proposed aerial stream crossing over Allen Branch Creek. After additional discussion by members of the engineering, water-sewer, legal and community development departments, staff is recommending that the proposed condition related to alignment of the sewer crossing not be included in the motion.

PROJECT/PETITIONER NUMBER:	P22-55-CZD
PETITIONER NAME:	Tom Martinson & Elam Hall / DR Horton (DHIC, LLC) [Applicant] John Hammond / Hammond Family Trust [Owner]
ATTACHMENTS:	<ol style="list-style-type: none"> 1. Staff Report 2. Neighborhood Compatibility Summary 3. Tree Board Summary 4. Proposed Site Plan 5. Draft Ordinance 6. Proposed Zoning Map 7. Application / Owner Signature Addendum