



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION

**SUBMITTER:** Matthew Manley, Planning Manager

**MEETING DATE:** July 7, 2022

**AGENDA SECTION:** Public Hearing

**DEPARTMENT:** Community Development

**TITLE OF ITEM:** Rezoning: Standard Rezoning – Upward Rd-Justus-Erwin (P22-49-RZO) – 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: 9588-40-6934; 9588-40-7844; 9588-40-8795) from Henderson County RC, Regional Commercial zoning district 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 proposed zoning provides design standards which align with most of the design guidelines outlined under Strategy LU-9.4 of the City's 2030 Comprehensive Plan.

**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 Growth Area"

#### **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: 9588-40-6934; 9588-40-7844; 9588-40-8795) from Henderson County RC, Regional Commercial zoning district 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 proposed zoning provides design standards which align with most of the design guidelines outlined under Strategy LU-9.4 of the City's 2030 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. While the CHMU zoning districts permits development that may align with the Development Guidelines found in LU-9.4, not all of the guidelines are requirements of this zoning district.

**[DISCUSS & VOTE]**

<p>according to the City's Comprehensive Plan</p> <p><b>[DISCUSS &amp; VOTE]</b></p>	
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***SUMMARY:** The City of Hendersonville received an Annexation application from Jeff Justus and James & Ruth Erwin (owners) for a group of 3 parcels totaling 3.795 Acres along Upward Rd at the intersection of Ballenger Rd. The applicant has not requested zoning, therefore the City is initiating zoning for this parcel from County Regional Commercial 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 along with single-family, two-family and multi-family residential. This zoning district includes design standards for all uses other than single-family and two-family (per State Statute). CZD is triggered in this zoning district by projects with a cumulative square footage over 50,000 Sq Ft.*

<b>PROJECT/PETITIONER NUMBER:</b>	P22-49-RZO
<b>PETITIONER NAME:</b>	City of Hendersonville [applicant] Jeff Justus [Owner] James & Ruth Erwin Jr [Owner]]
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"> <li>1. Staff Report</li> <li>2. Planning Board Summary</li> <li>3. Draft Ordinance</li> <li>4. Proposed Zoning Map</li> </ol>