

AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR PARCEL POSSESSING PIN NUMBER 9568-92-1924) BY CHANGING THE ZONING DESIGNATION FROM GHMU (GREENVILLE HIGHWAY MIXED USE) TO GHMU-CZD (GREENVILLE HIGHWAY MIXED USE – CONDITIONAL ZONING DISTRICT)

IN RE: Parcel Number: 9568-92-1924 – 904 Greenville Highway (Greenville Highway Multi-Family) - (File # P21-78-CZD)

WHEREAS, the City is in receipt of a Conditional Rezoning application from applicant Joey Burnette of Tamara Peacock Architects and Hunting Creek Associates for the development of 80 Apartments on approximately 2.25 acres, and

WHEREAS, the Planning Board took up this application at its regular meeting on February 14, 2022; voting 5-1 to recommend City Council deny the request for an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, City Council took up this application at its regular meeting on March 3, 2022, and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hendersonville, North Carolina:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following: Parcel Number: 9568-92-1924 from GHMU (Greenville Highway Mixed Use) to GHMU-CZD (Greenville Highway Mixed Use – Conditional Zoning District).
2. Development of the parcel shall occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville, North Carolina, and shall be based on the site plan submitted by the applicant and subject to the following.
 - a. Permitted uses shall include:
 - i. Residential Dwellings, Multi-Family
 - b. Conditions that shall be satisfied prior to final site plan approval include:

City-Initiated:

 - i. The driveway location must be shifted as far from the intersection of Chadwick Ave and Greenville Highway as possible; and
 - ii. The trees along the edge of the parking lots and the stream must be protected in compliance with Article XV, Section 15-4(C) of the Zoning Ordinance; and
 - iii. Open greenspace must be used and preserved around parking areas for green infrastructure: bioswale, bioretention, rain garden; and
 - iv. The existing natural drainage way along the eastern boundary of the parcel must be preserved at a minimum, but should be improved; and

- v. Additional architectural detail at corner of building located at Greenville Hwy and Chadwick Ave must be provided to demonstrate compliance with Section 18-6-4.5 of the Zoning Ordinance, which states "On corner lots, the applicant is encouraged to provide a building entry, additional building mass, and distinctive architectural elements at corner of buildings."
3. This ordinance shall not be effective until the stipulated list of use(s) and conditions, established herein, is consented to in writing by the applicant and all owners of the subject property. Upon such written consent, this ordinance shall be effective retroactive to the date of its adoption.

Adopted this 3rd, day of March 2022.

Barbara G. Volk, Mayor, City of Hendersonville

Attest:

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

IN RE: Parcel Number: 9568-92-1924 – 904 Greenville Highway (Greenville Highway Multi-Family) - (File # P21-78-CZD)

With their signatures below, the undersigned applicant(s) and property owner(s) consent to and agree to the imposition of all conditions stated.

Applicant/Developer: Brett Barry

Property Owner: Hunting Creek Associates, LLC.

Signature: _____

Signature: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____