



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

SUBMITTER: Tyler Morrow **MEETING DATE:** 4-1-21

AGENDA SECTION: Council Action, **DEPARTMENT:** Community Development Department

TITLE OF ITEM, Presenter Name, Title: Special Use Permit Amendment: Beacon Commons (P21-10-SUR) – Tyler Morrow, Planner II

SUGGESTED MOTION(S): **1) For Recommending Approval:**

With regard to the application from Tony Bloemsma of Beacon Common Property LLC for an amendment to a previously approved special use permit based on the record before us, I move Council to make the following findings and conclusions:

- (1) the development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
- (2) there are, or will be at the time they are required, adequate public facilities to serve the development;
- (3) the development complies with all required regulations and standards of the Zoning Ordinance and with all other applicable regulations;
- (4) the development is located, designed, and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located; and
- (5) the development conforms with the general plans for the physical development of the City.

I further move Council to approve the application of Tony Bloemsma of Beacon Common Property LLC for the issuance of an amended special use permit, based on the site plan submitted by the applicant, evidence presented at the hearing, and subject to the conditions stipulated on the list of uses and conditions as well as any other conditions agreed to by the applicant on the record of this proceeding. I further move that staff prepare a written decision for execution by the Mayor, including such additional findings of fact as may be approved by the Mayor, supporting these findings and conclusions made by Council.

[DISCUSS & VOTE]

2) For Recommending Denial:

I move City Council to find that the application of Glade Holdings, Inc., does not meet the following requirement(s) of the Zoning Ordinance in that:

[CHOOSE ONE OR MORE OF THE FOLLOWING]

(1) the development is not located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;

(2) there are not, nor will there be at the time they are required, adequate public facilities to serve the development;

(3) the development does not comply with all required regulations and standards of the Zoning Ordinance, namely [SPECIFY REGULATIONS];

(4) the development is not located, designed, and proposed to be operated so as to be compatible with adjacent properties and neighborhoods;

(5) the development does not conform to the general plans for the physical development of the City

I further move Council to deny the application of Tony Bloemsma of Beacon Common Property LLC for the issuance of an amended special use permit, based on the evidence [or lack of sufficient evidence] presented at the hearing. I further move that staff prepare a written decision for execution by the Mayor, including such additional findings of fact as may be approved by the Mayor, supporting these findings and conclusions made by Council.

[DISCUSS & VOTE]

SUMMARY:

The City is in receipt of a Special Use Permit amendment application from Tony Bloemsma of Beacon Common Property LLC for the changing of commercial space on the bottom floor to residential. The site is approximately 3.01 acres and is identified by parcel number 9568-75-7715. The zoning on the property will remain Central Highway Mixed Use Special Use or CMU-SU. Due to the number of units being added and the square footage change between uses, this triggered an amendment to the original Special Use permit. The amendment must go before City Council for their approval. This amendment however did not have to go before the Planning Board or Neighborhood Compatibility meeting.

Central Mix Use does not have a density cap for multi-family development, so the addition of residential units does not trigger any additional zoning review or requirements.

No changes to the exterior footprint or site are proposed.

The applicant is proposing the following uses

- Office
- Retail
- Residential, multi-family

This hearing will be conducted as a quasi-judicial, evidentiary hearing with only those who can demonstrate standing to participate as a party being allowed full ability to participate. Other persons who wish to present evidence regarding whether or not the proposed amendment meets the

standards of the ordinance may be allowed to testify at the discretion of City Council. All persons participating will be placed under oath. Only evidence relevant to the question of whether or not the proposed amendment meets the required ordinance standards, presented at the hearing, may be considered by City Council. All persons presenting evidence must attend the hearing in person. Virtual participation will not be permitted.

BUDGET IMPACT: \$0

Is this expenditure approved in the current fiscal year budget? N/A

If no, describe how it will be funded.

N/A

PROJECT NUMBER: N/A

PETITION NUMBER: P21-10-SUR

ADDITIONAL PETITION NUMBER: N/A

PETITIONER NAME: Tony Bloemsma of Beacon Common Property LLC

ATTACHMENTS:

Staff report, ordinance, list of uses and conditions, 2002 SU staff report, 2002 SU list of uses and conditions and 2002 City Council minutes.