



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION

SUBMITTER: Angela Beeker, City Attorney **MEETING DATE:** October 26, 2022

AGENDA SECTION: Public Hearing **DEPARTMENT:** Legal

TITLE OF ITEM: Amendment to Rezoning: Conditional Zoning District – Cottages @ Mastermind (P22-55-CZD) – *Angela S. Beeker, City Attorney*

SUGGESTED MOTION(S):

I move that City Council adopt *An Ordinance Of The City Of Hendersonville City Council To Amend The Official Zoning Map Of The City Of Hendersonville For Parcels Possessing Pin Numbers 9579-48-2415 & 9579-48-6832 By Changing The Zoning Designation From R-40 (Low Density Residential) And C-2 (Secondary Business) To Prd (Planned Residential Development – Conditional Zoning District) – Amended*, as presented.

SUMMARY:

On September 1, 2022, the City Council adopted 0-22-52, **AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR PARCELS POSSESSING PIN NUMBERS 9579-48-2415 & 9579-48-6832 BY CHANGING THE ZONING DESIGNATION FROM R-40 (LOW DENSITY RESIDENTIAL) AND C-2 (SECONDARY BUSINESS) TO PRD (PLANNED RESIDENTIAL DEVELOPMENT – CONDITIONAL ZONING DISTRICT)**. The Applicant has requested an amendment to provide that in the event the Applicant is unable to obtain sufficient right of way for the left turn lane into the development, required by City Council, the City will consider condemning the additional right of way needed. If City Council did not elect to condemn additional right of way, the applicant would not be required to construct the left turn lane. The latest design plans for the construction of the left turn lane received from the Applicant indicate that impacts on adjacent property owners will be minimal. The City's consulting traffic engineer has concurred with this approach. A copy of the latest proposed design is included in the agenda packet for informational purposes only. Final design will be subject to the approval of City Staff and NCDOT.

PROJECT/PETITIONER NUMBER:	P22-55-CZD
PETITIONER NAME:	Tom Martinson & Elam Hall / DR Horton (DHIC, LLC) [Applicant] John Hammond / Hammond Family Trust [Owner]
ATTACHMENTS:	1. O-22-52A, Amended Ordinance Proposed

	<ol style="list-style-type: none">2. O-22-55A Redlined, showing proposed amendment to O-22-553. Updated left turn lane plans (for informational purposes only)4. September 1, 2022 Meeting Minutes Excerpt5. September 1, 2022 Staff Report6. September 1, 2022 Site Plan
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