

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR PARCEL POSSESSING PARCEL IDENTIFICATION NUMBER 9579-74-0966 BY CHANGING THE ZONING DESIGNATION FROM R-15 MEDIUM DENSITY RESIDENTIAL TO PRD-CZD (PLANNED RESIDENTIAL DEVELOPMENT– CONDITIONAL ZONING DISTRICT)**

IN RE: Parcel Number: 9579-74-0966 – 524 E. Prince Road (Apple Ridge) - (File # P22-08-CZD)

**WHEREAS**, the City is in receipt of a Conditional Rezoning application from Ashlynn McCoy of The Housing Assistance Corporation (applicant) and Thomas and Sherry Thompson (property owners) for the development of 60 apartments and 20 single family homes on approximately 16.90 acres, and

**WHEREAS**, the Planning Board took up this application at its regular meeting on March 14<sup>th</sup>, 2022; voting 6-0 to recommend City Council adopt 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 April 7<sup>th</sup>, 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: 9579-74-0966 from R-15 Medium Density Residential to PRD-CZD (Planned Residential Development– 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
    - ii. Residential Dwellings, Single Family
  - b. Conditions that shall be satisfied prior to final site plan approval include:
    - i. Preserve as many 12” or larger canopy trees as possible.
    - ii. All preserved trees must be protected from construction activities as prescribed in the zoning code 15-4c regardless of use for a tree credit.
    - iii. Make one stormwater control measures a stormwater wetland if the soil conditions allow a stormwater wetland. This would have to be determined during the detailed design process.
    - iv. Require a minimum of 50% of the housing of each phase will meet the need of 80% or less AIM (area median income).

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 7th, day of April 2022.

Attest:

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Barbara G. Volk, Mayor, City of Hendersonville

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Angela L. Reece, City Clerk

Approved as to form:

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Angela S. Beeker, City Attorney

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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: The Housing Assistance Corporation

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Property Owner: Thomas Thompson

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Property Owner: Sherry Thompson

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_