



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION

SUBMITTER: Matthew Manley, Long-Range Planning Manager **MEETING DATE:** August 8, 2024

AGENDA SECTION: New Business **DEPARTMENT:** Community Development

TITLE OF ITEM: Rezoning: Conditional Zoning District – First Ave Villas (P24-26-CZD) – Matthew Manley, AICP – Long-Range Planning Manager

SUGGESTED MOTION(S):

For Recommending Approval:

I move Planning Board recommend City Council **adopt** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning - designation of the subject property (PIN: 9568-77-1057) from CMU-CZD (Central Mixed Use Conditional Zoning District) to CMU-CZD (Central Mixed Use - Conditional Zoning District) based on the site plan and list of conditions submitted by and agreed to by the applicant, [dated June 28, 2024] and presented at this meeting and subject to the following:

1. The development shall be consistent with the site plan, including the list of applicable conditions contained therein, and the following permitted uses:

- a) Residential, Multi-Family
 - 16 - 2 Bedroom Units

[for amendments to uses or conditions discussed and agreed upon in the meeting (between City & Developer) and not yet represented on the site plan, please use the following language. Disregard #2 if not needed.]

2. Permitted uses and applicable conditions presented on the site plan shall be amended to include:

Proposed City-Initiated Conditions [Zoning Compliance]:

- o In order to reduce unreasonable loss of privacy, the existing vegetation on the east

For Recommending Denial:

I move Planning Board recommend City Council **deny** an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of the subject property (PIN: 9568-77-1057) from CMU-CZD (Central Mixed Use Conditional Zoning District) to CMU-CZD (Central Mixed Use - Conditional Zoning District) based on the following:

1. The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan, based on the information from the staff analysis and the public hearing, and because:

The petition is consistent with a range of Goals, Guiding Principles and the Future Land Use Designation of Chapter IV of the Gen H 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. The petition proposes a development that is incompatible with the existing neighborhood due to height, scale, and architectural design.
- 2. The petition proposes a density that is out of character with the surrounding neighborhood
- 3. The petition would generate excessive traffic, noise and light in an existing residential neighborhood.

property edge should be fully preserved.
[Developer has not agreed]

- Alternatively, remove balconies/patios facing external to site and relocate to courtyard (interior of site). [Developer has not agreed]

Proposed City-Initiated Conditions [General Rezoning Standards]:

- Provide fully functioning upper-floor balconies and first-floor patios on front façade with front entrances connected to right-of-way. [Developer has not agreed]
- Provide sidewalk connection to street edge from first-floor units and from sidewalks which flank center-drive aisle. [Developer has not agreed]
- Align building façade parallel with street edge along 1st Ave. [Developer has not agreed]
- Provide fenestration on front facing façade of rear elevator/stairwell [Developer has not agreed]
- Enclose the rear and front stairwells in order to better blend with surrounding neighborhood. At a minimum use fenestration on street-facing sides to provide light and design consistency. Fenestration on front, street-facing façades should align horizontally throughout the development - i.e. windows on elevator/stairwell should align with windows on residential units. [Developer has not agreed]
- Provide delineated on-street parking on north side of 1st Ave to address parking concerns expressed at NCM, to help buffer the sidewalks and to help achieve Strategy LU-6.4 and Action PH-3.1.1 of the 2030 Comp Plan and Sec. 5-19-3.3 of the Zoning Code - [Developer Agreed]

3(2). The petition is found to be consistent with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and because:

The petition is consistent with a range of Goals, Guiding Principles and the Future Land Use Designation of Chapter IV of the Gen H Comprehensive Plan.

4. The petition would cause an unreasonable loss of privacy

[DISCUSS & VOTE]

<p>4(3). We find this petition to be reasonable and in the public interest based on the information from the staff analysis, public hearing and because:</p> <ol style="list-style-type: none"> 1. The petition incorporate a mix of housing types into an existing urban neighborhood 2. The petition provides an efficient use of property in the core of the city 3. The petition would place residents within an area of existing city services and infrastructure 4. The petition would place residents within walkable / bikeable proximity of a range of destinations including employment, shopping, and recreation. <p><i>[Additional Rationale for Approval for your consideration in conjunction with staff-proposed conditions]</i></p> <ol style="list-style-type: none"> 5. The petition provides walkable neighborhood design characteristics 6. The petition proposes to have a vibrant interface with the public realm 7. The petition limits the unreasonable loss of privacy on adjacent properties <p>[DISCUSS & VOTE]</p>	
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SUMMARY: The City of Hendersonville is in receipt of an application for a Conditional Zoning District from ARY Development LLC for the property located at 0 1st Ave W (PIN: 9568-77-1057). The current zoning of the property is CMU-CZD (Commercial Mixed Use Conditional Zoning District). The applicant is currently requesting to amend the current Conditional Zoning District for the construction of two three story buildings comprised of 16 residential units on a .57 acre parcel. The current site plan depicts 19 parking spaces.

There will be open space located at the front of the property. The parking is located at the center and rear of the property, and the entrance and exit to the units is located in the center of the property. There will be a landscape buffer on three sides of the property that border adjacent properties and street trees located along the frontage.

The project was initially reviewed by Planning Board on July 11, 2024. The project was recommended for denial. The applicant has since adjusted their site plan to remove any portions that exceeded 3-stories with a max height of 38'. They adjusted parking arrangement, the building materials and the roofline of the buildings.

PROJECT/PETITIONER NUMBER:	P24-026-CZD
PETITIONER NAME:	Sarah McCormick [applicant] Rafique Charania of ARY Development LLC [owner]

ATTACHMENTS:	<ol style="list-style-type: none">1. Staff Report2. Comprehensive Plan & FLUM Consistency Worksheet3. Goals & Guiding Principles Evaluation Worksheet4. Downtown Design Guidelines Evaluation Worksheet5. Proposed Site Plan6. Neighborhood Compatibility Summary7. Draft Ordinance8. Proposed Zoning Map9. Application / Owner Signature Addendum / LLC Record
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