

**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: 9578-21-4699, 9578-21-4924, 9578-21-5614, 9578-21-5868 BY CHANGING THE ZONING DESIGNATION FROM C-2-CZD (SECONDARY BUSINESS – CONDITIONAL ZONING DISTRICT) TO C-2-CZD (SECONDARY BUSINESS – CONDITIONAL ZONING DISTRICT)**

IN RE: Parcel Numbers: 9578-21-4699, 9578-21-4924, 9578-21-5614, 9578-21-5868  
Addresses: 109 Florence Street  
Hendersonville Connections: (File # P22-66-CZD)

**WHEREAS**, the City is in receipt of a Conditional Rezoning application from applicant, Moe Marks / Tamara Peacock Architects, and property owner, Charles Morris / Grace Blue Ridge PCA, Inc., for the use of a Day Center within an existing structure at 109 Florence St, and

**WHEREAS**, the Planning Board took up this application at its regular meeting on September 12, 2022; voting 0-0 to recommend City Council approve 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 October 6, 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 Numbers: 9578-21-4699, 9578-21-4924, 9578-21-5614, 9578-21-5868, changing the zoning designation from C-2-CZD (Secondary Business – Conditional Zoning District) To C-2-CZD (Secondary Business – Conditional Zoning District)
2. Development of the parcel pursuant to this Ordinance is subject to the following.
  - a. Development shall comply with the site plan submitted by the applicant dated September 1, 2022, including the conditions listed therein, [and/or as modified and presented to City Council][and/or including modifications approved by City Council which shall be added to the site plan. The updated site shall be submitted to the City at the time of the applicant's execution of this Ordinance].
  - b. Permitted uses shall include:
    - i. Religious Institution
    - ii. Day Center
  - c. Additional conditions that shall be satisfied prior to final site plan approval include:
    - i.
3. Except where modified by the terms of this Ordinance, development of the parcel(s) shall occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville, North Carolina.
4. Except where explicit relief is granted by the terms of this Ordinance, the development of the parcel(s) shall occur in accordance with all applicable standards within local ordinances and policies.

This ordinance shall be not be effective until the 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.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Becker, City Attorney

With their signatures below, the undersigned applicant(s) and property owner(s) consent to and agree to all conditions imposed pursuant to the terms of this Ordinance.

IN RE:    Parcel Numbers:                    9578-21-4699, 9578-21-4924, 9578-21-5614, 9578-21-5868  
              Addresses:                        109 Florence Street  
              Hendersonville Connections: (File # P22-66-CZD)

Applicant/Developer: <u>Moe Marks, Tamara Peacock Architects</u>	Property Owner: <u>Charles Morris / Grace Blue Ridge PCA, Inc</u>
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Signature:_____	Signature:_____
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Printed Name:_____	Printed Name:_____
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Title: _____	Title:_____
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Date:_____	Date:_____
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