



## CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION

**SUBMITTER:** Matthew Manley, Long-Range Planning Manager      **MEETING DATE:** September 5, 2024

**AGENDA SECTION:** Public Hearing      **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 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 August 16, 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:**

- Address unreasonable loss of privacy on west side in order to achieve zoning code compliance
- Utilize pervious material throughout the parking and drive area

#### **For Recommending Denial:**

I move 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.
4. The petition would cause an unreasonable loss of privacy

<p><b>3(2). The petition is found to be <u>consistent</u> with the City of Hendersonville Gen H 2045 Comprehensive Plan based on the information from the staff analysis and because:</b></p> <p>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.</p> <p><b>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:</b></p> <ol style="list-style-type: none"> <li>1. The petition incorporate a mix of housing types into an existing urban neighborhood</li> <li>2. The petition provides an efficient use of property in the core of the city</li> <li>3. The petition would place residents within an area of existing city services and infrastructure</li> <li>4. The petition would place residents within walkable / bikeable proximity of a range of destinations including employment, shopping, and recreation.</li> <li>5. The petition provides walkable neighborhood design characteristics</li> <li>6. The petition proposes to have a vibrant interface with the public realm</li> <li>7. The petition limits the unreasonable loss of privacy on adjacent properties</li> </ol> <p><b>[DISCUSS &amp; VOTE]</b></p>	<p><b>[DISCUSS &amp; VOTE]</b></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 18 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.*

*Planning Board took up this item at their meeting on August 8<sup>th</sup> voting 5-0 to recommend approval with conditions.*

<b>PROJECT/PETITIONER NUMBER:</b>	P24-026-CZD
<b>PETITIONER NAME:</b>	Sarah McCormick [applicant] Rafique Charania of ARY Development LLC [owner]
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. Staff Report</li><li>2. Planning Board Summary</li><li>3. Comprehensive Plan &amp; FLUM Consistency Worksheet</li><li>4. Goals &amp; Guiding Principles Evaluation Worksheet</li><li>5. Downtown Design Guidelines Evaluation Worksheet</li><li>6. Proposed Site Plan</li><li>7. Neighborhood Compatibility Summary</li><li>8. Draft Ordinance</li><li>9. Proposed Zoning Map</li><li>10. Application / Owner Signature Addendum / LLC Record</li></ol>