

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: 9578-01-3440 BY CHANGING THE ZONING DESIGNATION FROM GHMU (GREENVILLE HIGHWAY MIXED USE) TO GHMU-CZD (GREENVILLE HIGHWAY MIXED USE - CONDITIONAL ZONING DISTRICT)

IN RE: Parcel Numbers: 9578-01-3440
Addresses: 1202 Greenville Hwy
File #: 1202 Greenville Highway Apartments (P22-111-CZD)

WHEREAS, the City is in receipt of a Conditional Rezoning application from applicant, David Gorman of Lock 7 Development and property owners, Ann Ferguson & Brooke Ferguson, for the construction of 165 multi-family units on approximately 6.91 acres at 1202 Greenville Highway and adjacent to Garden Lane.

WHEREAS, the Planning Board took up this application at its regular meeting on March 9th, 2023; 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 called meeting on April 12, 2023, 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: 9578-01-3440, changing the zoning designation from GHMU (Greenville Highway Mixed Use) to GHMU-CZD (Greenville Highway Mixed Use - 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 February 23, 2023, 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 or before the applicant's execution of this Ordinance].
 - b. Permitted uses shall include:
 - i. Residential Dwellings, Multi-Family
 - c. Additional conditions that shall be satisfied prior to final site plan approval include:

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 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.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 12TH day of April, 2023.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, 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: 9578-01-3440
Addresses: 1202 Greenville Hwy
File #: 1202 Greenville Highway Apartments (P22-111-CZD)

Applicant/Developer: David Gorman, Lock 7 Development, LLC.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

Property Owner: Ann Ferguson

Signature: _____

Printed Name: _____

Title: _____

Date: _____

Property Owner: Brooke Ferguson

Signature: _____

Printed Name: _____

Title: _____

Date: _____