



**CITY OF HENDERSONVILLE  
AGENDA ITEM SUMMARY  
PLANNING DIVISION**

**SUBMITTER:** Matthew Manley, Planning Manager

**MEETING DATE:** March 9, 2023

**AGENDA SECTION:** New Business

**DEPARTMENT:** Community Development

**TITLE OF ITEM:** Rezoning: Conditional Zoning District – 1202 Greenville Highway (P22-111-CZD) – *Matthew Manley, AICP – 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: 9578-01-3440) from GHMU (Greenville Highway Mixed Use) to GHMU-CZD (Greenville Highway Mixed Use - Conditional Zoning District), for the construction of 165 multi-family units based on the site plan and list of conditions submitted by and agreed to by the applicant, [dated 2-23-2023,] 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**

Permitted Uses:

1. Residential Dwellings, Multi-Family

*[for amendments to uses or conditions discussed and agreed upon in the Council 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:**

1. Due to Greenville Highway (NC 225) having been identified as a corridor “needing improvement” in the French Broad River MPO’s Comprehensive Transportation Plan and in accordance with Section 6-15 of the Zoning Code, the developer shall dedicate

**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 (PIN: 9578-01-3440) from GHMU (Greenville Highway Mixed Use) to GHMU-CZD (Greenville Highway Mixed Use - Conditional Zoning District), based on the following:

1. **The petition is found to be consistent with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:**

The petition does not align with the City’s 2030 Comprehensive Plan’s Goals for the ‘Medium Intensity Neighborhood’ Future Land Uses Designation to provide density at a rate of 2 to 8 units per acre.

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 scale of the development is out of character with the surrounding single-family neighborhood.
2. The proposal fails to address compatibility as the site plan does not scale back in intensity/density as the site transitions from Greenville Highway to the R-15 Single-Family neighborhood.
3. The extent of the proposed land disturbance would do excessive damage to urban forest

<p>right-of-way, from property line to property line, 50' from Centerline of Greenville Highway in order to accommodate future improvements.</p> <ol style="list-style-type: none"> <li>2. Developer to address/implement recommendations from City Transportation Consultant.</li> <li>3. Fee-in-Lieu of Sidewalk required if Condition to waive sidewalks on Garden Ln is agreed to.</li> </ol> <p><b>3. The petition is found to be <u>consistent</u> with the City of Hendersonville 2030 Comprehensive Plan based on the information from the staff analysis and because:</b></p> <p>The petition aligns with the City's 2030 Comprehensive Plan's Goals for the 'High Intensity Neighborhood' &amp; 'Medium Intensity Neighborhood' Future Land Use Designations by providing high density housing and compatible infill development on a major thoroughfare.</p> <p><b>4. Furthermore, 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 proposed density is appropriate along a Major Thoroughfare</li> <li>2. The petition proposes to provide additional housing to offset local rental demand</li> </ol> <p style="text-align: center;"><b>[DISCUSS &amp; VOTE]</b></p>	<p>land and natural drainage areas within the city limits.</p> <p style="text-align: center;"><b>[DISCUSS &amp; VOTE]</b></p>
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***SUMMARY:** The City of Hendersonville is in receipt of an application for a Conditional Rezoning from David Gorman of Lock 7 Development, applicant, and Ann & Brooke Ferguson, property owner. The applicant is requesting to rezone the subject property (PIN 9578-01-3440) located at 1202 Greenville Highway from GHMU (Greenville Highway Mixed Use) to GHMU-CZD (Greenville Highway Mixed Use Conditional Zoning District) for the construction of 165 multi-family units on approximately 6.91 acres of forested land. This equates to a density of 24 units/acre.*

*The proposal includes the addition of 11- 3-story multi-family structures and a clubhouse with a pool totaling 273,113 Sq Ft of Gross Floor Area. The apartment buildings propose to be 45' tall – with a condition exceeding the 42' height limit by 3'. Additionally, the development proposes 214 parking spaces at a rate of 1.3 spaces / unit.*

*The Site Plan meets the minimum requirements for Common Space (10%) and Open Space (40%). Of the 507 trees (12" dbh+) surveyed on the site, the proposal intends to preserve 195 (38%) and remove 312 (62%). A blue line stream is present in the north corner of the site. Wetlands are also present along the northwest side of the subject property.*

<b>PROJECT/PETITIONER NUMBER:</b>	P22-111-CZD
<b>PETITIONER NAME:</b>	David Gorman – Lock 7 Development [Applicant] Ann & Brooke Ferguson [Owner]
<b>ATTACHMENTS:</b>	<ol style="list-style-type: none"><li>1. Staff Report</li><li>2. Neighborhood Compatibility Summary</li><li>3. Tree Board Summary</li><li>4. Proposed Site Plan / Elevations</li><li>5. Wetland/Stream Delineation Map</li><li>6. TIA Review Memo 2-17-23</li><li>7. Proposed Zoning Map</li><li>8. Draft Ordinance</li><li>9. Application / Owner Signature Addendum</li></ol>