

**AN ORDINANCE OF THE CITY OF HENDERSONVILLE CITY COUNCIL TO AMEND
THE OFFICIAL ZONING MAP OF THE CITY OF HENDERSONVILLE FOR PARCEL
POSSESSING PIN NUMBER 9568-75-5382 BY CHANGING THE ZONING DESIGNATION
FROM C-2 (SECONDARY BUSINESS) TO CMU-CZD (CENTRAL MIXED USE -
CONDITIONAL ZONING DISTRICT)**

IN RE: Parcel Numbers: 9568-75-5382
 Addresses: No Address Assigned
 Southgate Apartments (File # P21-62-CZD)

WHEREAS, the City is in receipt of a Conditional Rezoning application from applicant, Suzanne Godsey and property owner, David Royster with Capitola Funds, Inc. for the development of 70 Apartments on approximately 3.63 acres, and

WHEREAS, the Planning Board took up this application at its regular meeting on April 11, 2022; voting 3-5 (motion failed) to recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville, and

WHEREAS, the Planning Board took up this application again at its regular meeting on April 11, 2022; voting 4-4 (motion failed) to recommend City Council deny 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 May 5, 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: 9568-75-5382 from C-2 (Secondary Business) to CMU-CZD (Central Mixed Use - Conditional Zoning District)
2. Development of the parcel shall occur in accordance with the final site plan requirements of Article VII of the Zoning Ordinance of the City of Hendersonville, North Carolina, and shall be based on the site plan submitted by the applicant and the conditions listed therein and subject to the following:
 - a. Permitted uses shall include:
 - i. Residential Dwellings, Multi-Family
 - b. Conditions that shall be satisfied prior to final site plan approval include:
 - i. The development shall be consistent with the preliminary site plan and conditions listed therein as submitted and dated April 8, 2022 [or as modified and presented].

3. This ordinance shall not be effective until the stipulated 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 5th day of May, 2022.

Attest:

Barbara G. Volk, Mayor, City of Hendersonville

Angela L. Reece, City Clerk

Approved as to form:

Angela S. Beeker, City Attorney

IN RE: Parcel Numbers: 9568-75-5382
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With their signatures below, the undersigned applicant(s) and property owner(s) consent to and agree to the imposition of all conditions stated.

Applicant/Developer: Suzanne Godsey, Site
Work Studio

Signature: _____

Printed Name: _____

Title: _____

Date: _____

Property Owner: David W. Royster, Capitol
Funds, Inc.

Signature: _____

Printed Name: _____

Title: _____

Date: _____