### COMMUNITY MEETING REPORT

### Petitioner: Unique Southern Estates, LLC

Rezoning Petition No. 2014-110

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning Commission pursuant to the provisions of the City of Charlotte Zoning Ordinance.

### PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:

A representative of the Petitioner mailed a written notice of the date, time and location of the Community Meeting to the individuals and organizations set out on Exhibit A-1 attached hereto by depositing such notice in the U.S. mail on December 23, 2014. A copy of the written notice is attached hereto as Exhibit A-2.

### **DATE, TIME AND LOCATION OF MEETING:**

The Community Meeting was held on Tuesday, January 6, 2015 at 6:30 PM at the Vanlandingham Estate located at 2010 The Plaza, Charlotte, North Carolina.

### PERSONS IN ATTENDANCE AT MEETING (see attached copy of sign-in sheet):

The Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as <u>Exhibit B</u>. The Petitioner's representatives at the Community Meeting were Billy Maddalon of Unique Southern Estates, LLC, Joe Roy of Meeting Street Homes and Communities, Brian Jenest and Jacob Bachman of ColeJenest & Stone, John Burgess of Burgess Design Studio and John Carmichael of Robinson Bradshaw & Hinson, P.A.

### **SUMMARY OF ISSUES DISCUSSED:**

John Carmichael opened the meeting by welcoming everyone and introducing himself and the Petitioner's representatives.

John Carmichael stated that this meeting is the official Community Meeting relating to Rezoning Petition No. 2014-110, which Rezoning Petition relates to the Vanlandingham Estate.

John Carmichael stated that the site subject to this rezoning request contains approximately 4.54 acres and it is comprised of the Vanlandingham Estate and two adjacent single family lots. John Carmichael stated that the site is currently zoned B-2 (CD)(HD-O), R-5 (HD-O) and R-5. The large majority of the site is located in the Plaza Midwood Historic District, and the Vanlandingham Estate is a local historic landmark.

The Petitioner is requesting that the site be rezoned to the MUDD-O and MUDD-O (HD-O) zoning districts, and the purpose of the rezoning request is to accommodate the development of up to 19 for sale single family attached dwelling units along portions of the perimeter of the Site and a private neighborhood pool and swim club operated on a membership basis, and to maintain the existing Estate structures for use as a hotel and conference and event facility and other uses.

More specifically, the following uses would be allowed under this rezoning request if it is approved.

(1) A maximum of 19 for sale single family attached dwelling units.

- (2) A hotel with a maximum of 9 rooms for the overnight lodging of guests (5 rooms in the Main House and 4 rooms in the structure known as the Carriage House), including the serving of breakfast, other meals from time to time and beverages to guests.
- (3) The Main House, the enclosed porch of the Carriage House and the grounds may also be used for the following purposes:
- (a) Conferences and meetings;
- (b) Private events that are catered by the owner of the Main House from the Main House which shall include, but not be limited to, weddings and wedding receptions, dinner parties, corporate meetings, social gatherings and events, symposia, seminars, birthday parties, family reunions and other types of events;
- (c) Social gatherings and other special events sponsored by a not-for-profit or charitable organization; and
- (d) Events held for the surrounding neighborhoods and the community at large to which the public is invited.
- (4) A spa located within the Main House.
- (5) A private neighborhood pool and swim club and accessory uses (including a snack bar, locker room and restroom facilities) operated on a membership basis.

A slide show presentation was then utilized for the meeting, a copy of which is attached hereto as Exhibit C.

John Carmichael stated that in order for the Petitioner to have the ability to develop the proposed project, three separate approvals will need to be obtained. The site will need to be rezoned by City Council, the project will need to be approved by the Historic Landmarks Commission and the project will need the approval of the Historic Districts Commission.

Utilizing a slide, John Carmichael provided the remaining schedule of events relating to each of the three approval processes, and he discussed each process in some detail.

John Carmichael then provided an agenda for the remaining portions of the meeting. He stated that Brian Jenest will share and discuss the rezoning site plan; Joe Roy, whose company would build the proposed townhome units, will discuss his company, some of its previous projects and the townhome units he desires to build on the site; John Burgess, who is designing the proposed townhomes, will share and discuss elevations of the townhomes; Billy Maddalon will discuss the pool and the swim club; and we will then open the floor to questions and comments.

John Carmichael stated that the elevations of the townhome units that will be presented are not part of the Petitioner's conditional rezoning plan. This is because the elevations must be approved by the Historic Landmarks Commission and the Historic Districts Commission, and these commissions may require changes to the elevations. These commissions will closely scrutinize the elevations and the approval of the elevations by these commissions is required to build the townhomes. If these commissions approve the elevations prior to City Council's

decision on the rezoning request, then the Petitioner will be happy to make the elevations part of the conditional rezoning plan.

Brian Jenest stated that the reason that the rezoning and development project are being pursued is that the Estate is really not sustainable in its current form. This proposal allows the perimeter of the site to be developed while preserving the interior portions of the Estate.

Brian Jenest then shared and discussed the rezoning site plan. Brian Jenest showed and described the locations of the townhomes and the neighborhood pool and swim club. Brian Jenest stated that Billy Maddalon was approached by the neighborhood about locating a neighborhood pool and swim club on the Estate site. Brian Jenest stated that the townhome units would have garages, and an alley would connect The Plaza and Nassau Boulevard.

Brian Jenest stated that a hedge would be located around the entire perimeter of the pool, and the hedge would screen the pool from Belvedere Avenue. The pool house could be seen from Belvedere Avenue, however.

An individual stated that she is concerned that there will be an insufficient amount of parking, and she asked how much parking would be provided. Brian Jenest briefly discussed the parking that would be provided, and John Carmichael provided a breakdown of the on-site, off-site and on-street parking spaces that would be provided as set out on the conditional rezoning plan. Specifically, John Carmichael stated that a minimum of 160 parking spaces would be required to be provided as follows: 88 on-site parking spaces (includes the garages for the townhomes), 24 on-street parking spaces located on Belvedere Avenue and Thurmond Place adjacent to the site and located on the same side of the street as the site, and 48 off-site parking spaces on two lots owned by Unique Southern Estates, LLC located on The Plaza next to the convenience store. An individual asked if these two lots were properly zoned for parking, and John Carmichael stated that the current zoning of these two lots would permit parking.

An individual asked if the off-site parking lot would have buffers, and Brian Jenest stated that the off-site parking lot would have to meet all of the requirements of the zoning ordinance. John Carmichael stated that the off-site parking lot would also have to be improved with at least gravel and bumper stops.

An individual stated that under the current zoning of the site, on-street parking is not allowed on Belvedere Avenue, Thurmond Place and Nassau Boulevard. John Carmichael read the relevant note on the conditional rezoning plan associated with the current zoning of the site, and it provides that "guests will be instructed not to park on surrounding residential streets, specifically Belvedere Avenue, Thurmond Place and Nassau Boulevard." Billy Maddalon acknowledged that they have not done a good job at times in the past in monitoring the on-street parking.

Joe Roy of Meeting Street Homes and Communities addressed the meeting and discussed his company and some of its previous projects. He shared and discussed pictures of a previous project that are a part of the slide show presentation.

Joe Roy stated that he is excited about this opportunity, and he discussed the proposed townhome units. He stated that the landscaping on this project would be similar to the landscaping depicted in the slides. Joe Roy stated that much of the existing vegetation on the site would be preserved.

John Burgess addressed the meeting and shared and discussed in detail the elevations of the proposed townhome units, which elevations are a part of the slide show presentation. John Burgess stated that there would be 19 townhome units with three different floor plans. These floor plans have been built by Meeting Street Homes and Communities in the past.

With respect to the townhomes on the southern portion of the site, they have been compressed to avoid infringing too much onto the Estate. There would be a sidewalk behind these units. The proposed townhome units would have an eclectic, arts and craft style to fit in with the surrounding neighborhood. A homeowners association would be formed to govern this residential community.

The townhome units would be two story units, with a garage on the first level. Living space would be located behind the garage. The roofs would have shaped shingles. The townhomes would have stone foundation walls with a brick cap similar to the Estate home.

John Burgess then went through each slide that depicts various elevations of the proposed townhome units. John Burgess discussed the townhome units on Thurmond Place. Three of these units would have front loaded garages because we do not want to install new driveways on the Estate property. The other five townhome units on Thurmond Place would have rear loaded garages and would utilize an existing driveway on the Estate property. The existing shrubs in front of these five units would remain.

John Burgess stated that the existing Carriage House would remain on the site, and it is located between the townhome buildings on Thurmond Place. John Burgess stated that the HVAC units would be located in the back yards of the townhome units and screened.

John Burgess discussed the Belvedere Avenue elevations, and he noted that the pool house is not depicted, and the landscaping around the pool is not entirely accurate.

During his presentation, John Burgess also discussed the landscaping between the rear of the townhome buildings and the Estate home.

Joe Roy stated that he is going to great lengths to preserve the existing hemlock trees.

Billy Maddalon addressed the meeting and reminded everyone of the proposed location of the pool and swim club along Belvedere Avenue. Billy Maddalon described the proposed pool, pool decking and pool house. Billy Maddalon shared and discussed a slide that depicts a portion of the pool and the pool house.

Billy Maddalon stated that the mechanical equipment for the pool would be located inside the pool house. The pool house would contain men's and women's locker rooms and rest rooms and a snack bar. The pool house would also contain an office area. Access to the pool would be limited to members and their guests. Billy Maddalon stated that there would not be a lifeguard stand. The lifeguards would walk the pool deck.

Billy Maddalon shared a slide that compared the scale of the pool house to the Estate house.

The Community Meeting was then devoted to a question, answer and comment session. Set out below is a summary of the responses to the questions and the comments that were received during this portion of the meeting.

- In response to a question, Brian Jenest confirmed that there would be 19 townhome units if the rezoning is approved and the project is developed.
- In response to a question, Joe Roy stated that the estimated price points for the townhome units would be the \$340,000s to \$420,000s.
- · In response to a question, John Burgess stated that the two stories includes the garages. The townhome units would not be two stories over garages.

- In response to question, Joe Roy stated that the size of the townhome units would range from approximately 1,600 square feet to 2,100 square feet.
- · In response to a question, John Burgess stated that the height of the townhome units would be 38 feet to 40 feet.
- An individual expressed concerns regarding the increased density proposed by this project, and the increased traffic that would be generated by the townhome units and the swim club. This individual stated that there is no way to prevent people from parking on the streets. Billy Maddalon stated that the only people who could join the swim club are Plaza Midwood residents.
- · Billy Maddalon stated that Plaza Midwood will continue to get more dense. He stated that members of the swim club would be encouraged to walk to the swim club, and that a towel service and lockers would be provided, which should facilitate walking.
- · Billy Maddalon stated that he could not prevent people from driving to the swim club.
- In response to a comment, Billy Maddalon acknowledged that the Vanlandingham Estate has not done a good job at times during the last several years of monitoring parking.
- · In response to a comment, Billy Maddalon discussed parking by permit only on the neighborhood streets.
- · Billy Maddalon stated that for this proposed project, we would need to park on our side of Belvedere Avenue and Thurmond Place.
- An individual asked about bicycle parking, and Billy Maddalon stated that more bicycle racks would need to be provided. The swim club would also need to be able to accommodate strollers.
- In response to a question, Billy Maddalon stated that the maximum number of members of the swim club would be 400, but a member could be a family. In addition to the 400 members, the owners of the 19 townhome units could join the swim club.
- Billy Maddalon stated that the swim club would be open for 3 to 3.5 months per year.
- An individual asked Joe Roy what the price points were for his prior project that he discussed earlier in the meeting, and Joe Roy stated \$600,000 to \$900,000 at the time of sale.
- · In response to a question, Billy Maddalon confirmed that the Carriage House would remain.
- · In response to a question, Billy Maddalon confirmed that the white pine heritage tree would be preserved.
- Brian Jenest discussed tree preservation on the site and he stated that the development team will have to identify the trees that would be saved for the Historic Districts Commission.
- An individual asked if the pool house would be soundproof so that you could not hear the mechanical equipment. Billy Maddalon stated that the pool would be a saline pool, which does not require the same equipment as a traditional pool. Billy Maddalon stated that it is his understanding that you would not be able to hear noise from the mechanical equipment on the Belvedere Avenue side of the site.
- In response to a question, Billy Maddalon stated that the pool would likely be covered in the winter, but they are still debating what to do.

- An area resident stated that he thought it was a good and innovative plan and that the swim club could add value to the neighborhood as an amenity to those who wish to join it. However, he questioned the five townhome units on Thurmond Avenue located behind the hedge. He thought it would be preferable to remove the hedge and have these five units address and engage the street.
- In response to a question, John Burgess stated that there is no heated square footage in the attics of the townhome units.
- An individual stated that he thought that the townhome units are too tall. John Burgess stated that he is working on some revisions to the elevations that will cause the townhome units to look shorter but have the same actual height.
- An individual asked if there would be security at the off-site parking lot when there are events at the site. Billy Maddalon stated that the off-site parking lot would not be used that often. It would probably be utilized when there are swim meets at the swim club. Swim meets would be held approximately three times per year. Billy Maddalon stated that if it turns out that an attendant is needed at the off-site parking lot during events, we will adjust. Billy Maddalon stated that the first swim meet would likely be a disaster, but that we would adjust as needed.
- John Carmichael stated that the following notes are on the conditional rezoning plan:

A parking attendant shall be provided to direct guests to on-site or off-site parking for each event for which more than 40 guests are expected. At least 2 parking attendants shall be provided for each event for which more than 75 guests are expected. At least 1 off-duty police officer shall be provided for each event for which more than 200 guests are expected.

The requirements set out in paragraph D above shall not apply to the private neighborhood pool and swim club, provided, however, that 2 parking attendants shall be provided when a swim meet is held at the private neighborhood pool and swim club.

- In response to a question, Brian Jenest stated that he is hopeful that the swimming pool could be open by Memorial Day, but it could be a little later.
- · In response to a question, Joe Roy stated that if the rezoning is approved, construction of the townhome units could start this summer, and it takes five to six months to construct a building. Construction could last a year.
- · Billy Maddalon stated that there would probably not be a swim team this year.
- An individual that lives on Nassau Boulevard expressed concerns regarding guest parking for the townhome units. Brian Jenest pointed out a row of parking located on the southern portion of the site.
- · In response to a question, Billy Maddalon stated that the alley would connect Nassau Boulevard and The Plaza. This is necessary for fire trucks. The alley would be a private alley and it would be a stone alley.

### CHANGES MADE TO THE PETITION AS A RESULT OF THE COMMUNITY MEETING AS OF THE DATE HEREOF:

No changes have been made to the conditional rezoning plan or to the Rezoning Petition as of the date of this Community Meeting Report solely as a result of the Community Meeting.

Respectfully submitted, this 9<sup>th</sup> day of January, 2015.

### Unique Southern Estates, LLC, Petitioner

cc: Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Department (via email)

Mr. John Kinley, Charlotte-Mecklenburg Planning Department (via email)

Mr. Billy Maddalon, Unique Southern Estates, LLC (via email)

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### NOTICE TO INTERESTED PARTIES OF COMMUNITY MEETING

Subject:

Community Meeting -- Rezoning Petition No. 2014-110 filed by Unique Southern Estates, LLC to request the rezoning of an approximately 4.54 acre site located on the southeast corner of the intersection of The Plaza and Belvedere Avenue from the R-5, R-5 (HD-O) and B-2 (CD)(HD-O) zoning districts to the MUDD-O and MUDD-O (HD-O) zoning districts

MODD-O and MODD-O (

Date and Time of Meeting:

Tuesday, January 6, 2015 at 6:30 p.m.

Place of Meeting:

The Vanlandingham Estate

2010 The Plaza Charlotte, NC 28205

We are assisting Unique Southern Estates, LLC (the "Petitioner") in connection with a Rezoning Petition it has filed with the Charlotte-Mecklenburg Planning Department seeking to rezone an approximately 4.54 acre site located on the southeast corner of the intersection of The Plaza and Belvedere Avenue from the R-5, R-5 (HD-O) and B-2 (CD)(HD-O) zoning districts to the MUDD-O and MUDD-O (HD-O) zoning districts. The Vanlandingham Estate is located on this site, and the purpose of this rezoning request is to allow the Main House, Carriage House and grounds of the Estate to continue to function as an inn, conference center and meeting and event venue, while also permitting the development of up to 19 for sale single family attached dwelling units on the site, permitting a spa use in the Main House and permitting the development and operation of a private neighborhood pool and swim club on the site.

The Petitioner will hold a Community Meeting prior to the Public Hearing on this Rezoning Petition for the purpose of discussing this rezoning proposal with nearby property owners and organizations. The Charlotte-Mecklenburg Planning Department's records indicate that you are either a representative of a registered neighborhood organization or an owner of property that adjoins, is located across the street from, or is near the site.

Accordingly, on behalf of the Petitioner, we give you notice that representatives of the Petitioner will hold a Community Meeting regarding this Rezoning Petition on Tuesday, January 6, 2015 at 6:30 p.m. at The Vanlandingham Estate located at 2010 The Plaza in Charlotte. Representatives of the Petitioner look forward to sharing this rezoning proposal with you and to answering your questions.

In the meantime, should you have any questions or comments, please call John Carmichael at (704) 377-8341.

### Robinson, Bradshaw & Hinson, P.A.

cc:

Ms. Patsy Kinsey, Charlotte City Council District 1 (via email)

Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Department (via email)

Mr. John Kinley, Charlotte-Mecklenburg Planning Department (via email)

Date Mailed: December 23, 2014

EXHIBIT
A-2

### Unique Southern Estates, LLC, Petitioner Rezoning Petition No. 2014-110

Community Meeting Sign-in Sheet

The VanLandingham Estate 2010 The Plaza Charlotte, NC 28205

Tuesday, January 6, 2015 6:30 P.M.

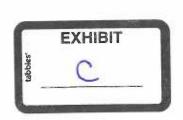
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23.	Sean Schussler	1827 Belveher Ave	2735576367	sear ecatcherseatuche em
24.	Chuck Heidel	1717 Belyedere Ave	2045/76669	RaThink Ocasoline, 110, com
25.	91	lese A	704-576-8633	cutinsey It @ amail, com
26.	CECIL KRIMMINISER	BELVEDERE	704-334-6240	RECISKE ADLICAL
27.	JULIE MUIR	1729 Bejredere Ave	704333 5731	JOHANMUIR @ AOL. COM
28.	Donald R. Rowlins	2100 The Plazor	704-847-0590	don@ rewling law film. com
29.	CURTIS TUTT	2.4	704-344-1488	CMTUTTO POL.COM
30.	Eva Lee	Thomaga +1	704 375 3647	evatlee agtinet
31.	Larry Tramer	2132 Thurmand PI	704-333-0539	large tramer 2 exc 5 ldu
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### VANLANDINGHAM ESTATE COMMUNITY MEETING

**JANUARY 6, 2014** 



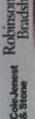




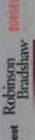
## PETITIONER'S REPRESENTATIVES

- -Billy Maddalon, Unique Southern Estates
- -Joe Roy, Meeting Street Homes and Communities
- -Brian Jenest, ColeJenest & Stone
- -Jacob Bachman, ColeJenest & Stone
- -John Burgess, Burgess Design Studio
- -John Carmichael, Robinson Bradshaw & Hinson





COMMUNITY MEETING TO THE STANDARD TO THE STAND







# REMAINING SCHEDULE OF EVENTS

Rezoning

Historic Landmarks

**Historic District** 

-01/06/15 at 6:30 PM Community Meeting

-01/20/15 at 6:00 PM Public Hearing

Zoning Committee Work Session -01/28/15 at 4:30 PM

Design Review Committee Meeting - 01/28/15 at 8:00 AM Historic Landmarks Commission Meeting (Potential Final Action) -02/09/15 at 6:00 PM

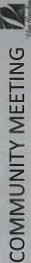
Submit Application, Elevations and Plans to HDC 01/21/15

Historic District Commission Meeting -02/11/15 at 3:00 PM -02/02/15

(Potential Final Action)

Revised Plans and Elevations submitted to HDC

-02/16/15 at 6:00 PM City Council Decision





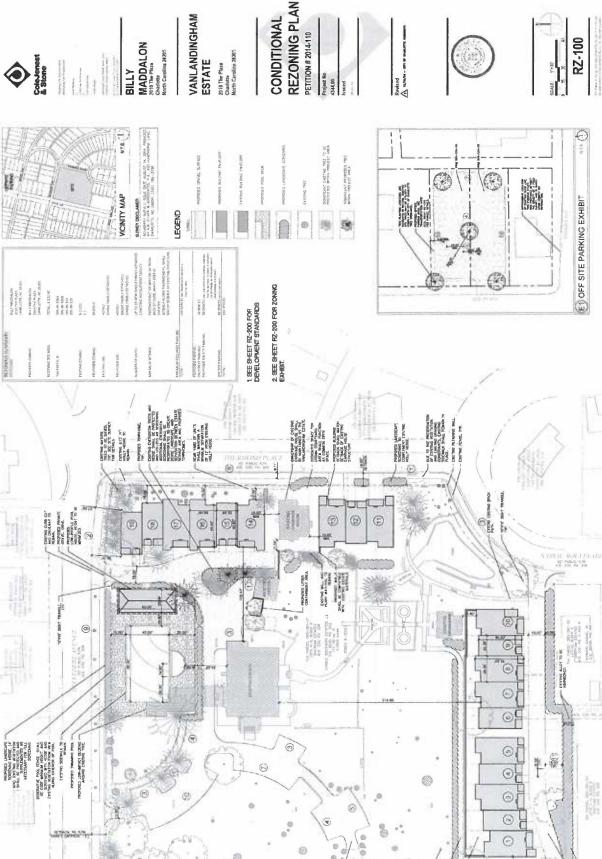












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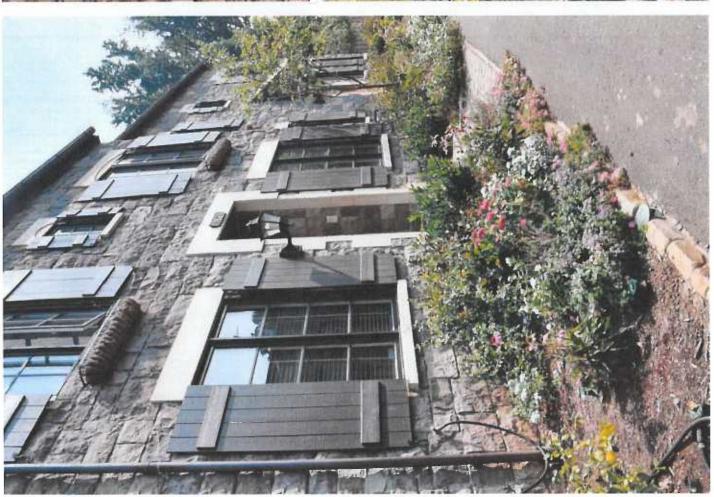
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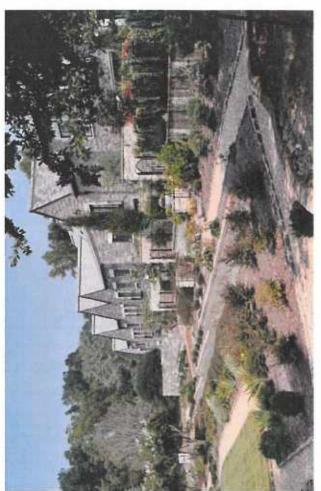










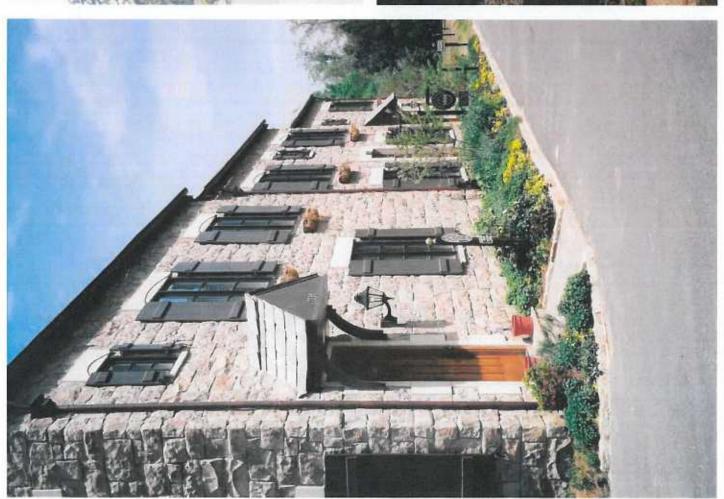
















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South Elevation - Alley

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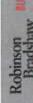






















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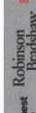
Townhomes





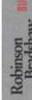
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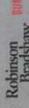






Townhomes











COMMUNITY MEETING IN



BULDING A

East Elevation - The Plaza



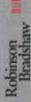


















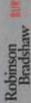


















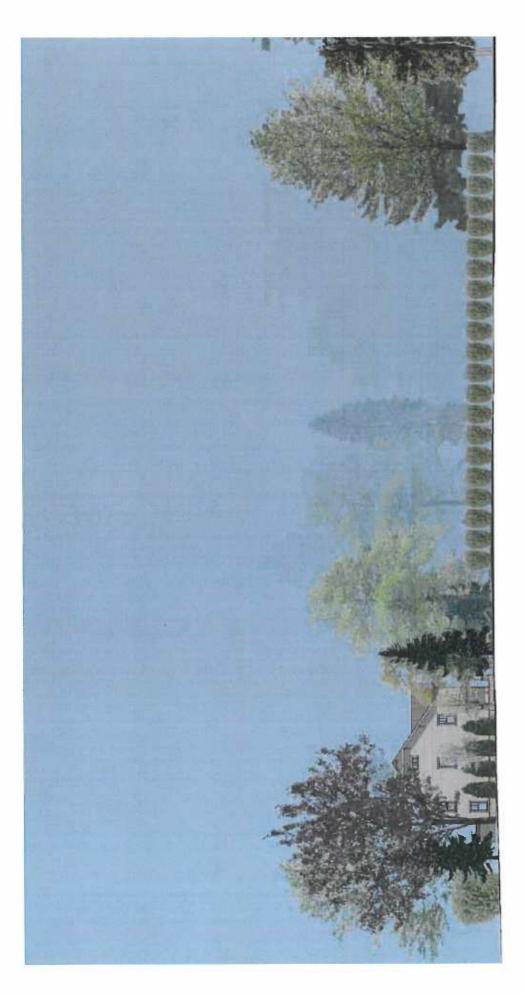
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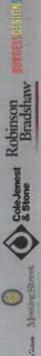




North Elevation - Belvedere Avenue



North Elevation - Belvedere Avenue

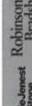


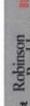






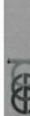






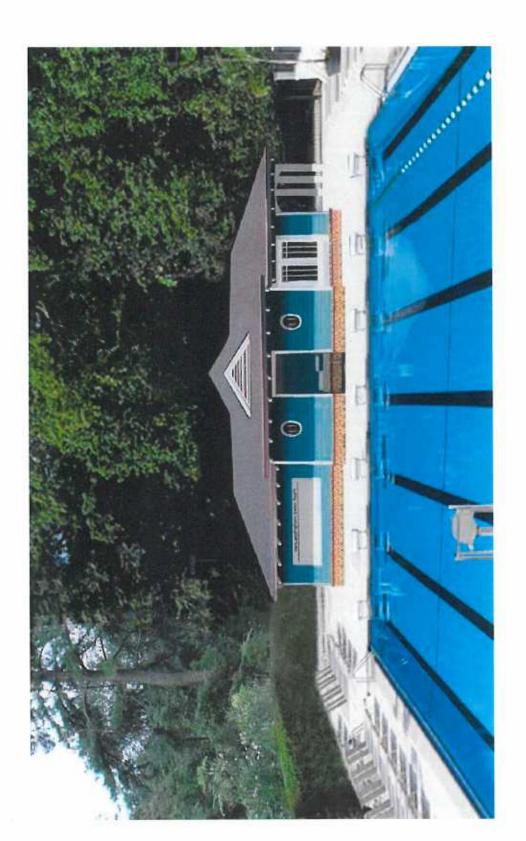










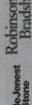




COMMUNITY MEETING



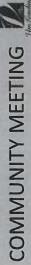


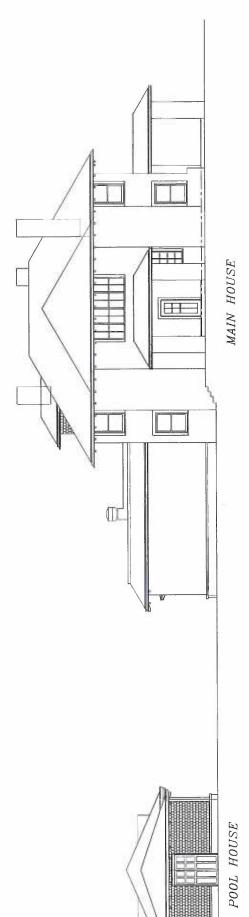


Pool House









North Elevation - Pool House





