

REQUEST	<p>Current Zoning: R-5 (single family residential), R-5 (HD-O) (single family residential, historic district overlay) and B-2(CD) (HD-O) (general business, conditional, historic district overlay)</p> <p>Proposed Zoning: MUDD-O (mixed use development, optional) and MUDD-O (HD-O) (mixed use development, optional, historic district overlay)</p>
LOCATION	<p>Approximately 4.54 acres located at the southeast corner of the intersection of The Plaza and Belvedere Avenue (Vanlandingham Estate). (Council District 1 - Kinsey)</p>
SUMMARY OF PETITION	<p>The petition proposes to allow a spa, up to 19 single family attached dwelling units and a private neighborhood pool and swim club, in addition to the existing hotel and event facility.</p>
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	<p>Unique Southern Estates, LLC; Mark A. Maddalon Unique Southern Estates, LLC John Carmichael</p>
COMMUNITY MEETING	<p>Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 33.</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 7-0 to DEFER this petition to their June 24, 2015 Zoning Committee meeting.</p>
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VOTE	<p>Motion/Second: Sullivan/Walker Yeas: Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan, and Walker Nays: None Absent: None Recused: None</p>
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FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Background**
 - Petition 1987-050 rezoned the Vanlandingham Estate to B-2(CD) (general business, conditional) to allow functions to include, but not limited to, weddings and wedding receptions, small dinner parties, corporate meetings and social functions, birthday parties and other special events. Conditions on the approved site plan committed to maintenance of the house and grounds in accordance with their designation as a national historic landmark, with no subdivision of the property. Other commitments pertained to adherence with the City's Noise Control Ordinance, interior and exterior alterations, temporary structures, parking on the grounds, vegetation along the property line adjacent to residential properties, signage, permanent and temporary exterior lighting, occupation of the property by owner or agent, and an agreement with Holy Trinity Church for overflow parking.
 - In 1998, the City Council denied a site plan amendment (1998-030) to add 14 rooms for overnight guests, make additions to the main house and carriage house, and allow up to 15 "special events" per year.
 - In 2000, a site plan amendment (2000-017) was approved to modify the conditional plan governing the Vanlandingham Estate. The approval allowed the operation of a hotel in the style of a bed and breakfast, an addition of a garden room to the main house, a new greenhouse, and a condition that all events except one per year were are limited to a maximum of 325 guests.

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows the main house, carriage house porch and grounds to continue to be used for conferences, meetings, private events catered by the owner of the main house, social events sponsored by non-profit and charitable organizations, and neighborhood and community events to which the public is invited and food and beverages (non-alcoholic and alcoholic) may be served.
- Allows the continued use of a hotel with a maximum of nine rooms for overnight lodging of guests (five in the main house and four in the carriage house), including the serving of breakfast, other meals from time to time, and beverages to guests.
- Allows the addition of up to 19 for-sale single family attached dwelling units to be added to the perimeter of the site. The site plan shows two, five-unit buildings along the southern edge of the site that is currently zoned R-5 (single family residential) and occupied by two single family homes. A six-unit and a three-unit building are shown along Thurmond Place to the north and south of the existing carriage house.
- Allows the addition of a spa to be located in the main house.
- Allows the addition of a private neighborhood pool and swim club with associated accessory uses and structures which will be operated on a membership basis.
- Restricts the site from functioning as a public restaurant.
- Prohibits on-site food preparation for off-site sales or consumption including off-site catering.
- Requires amplified music on the site to end by 10:30 p.m. on weekdays and 11:00 p.m. on weekends.
- Specifies standards for the location, setup and dismantling of temporary structures such as stages and event tents.
- Existing driveways into the site will remain. An additional drive will be provided from The Plaza to Nassau Boulevard, along the southern edge of the site to provide access to the residential units and parking. Three additional drives are also proposed along Thurmond Place to provide direct access to the garages of three residential units south of the existing carriage house. The remainder of the residential units along Thurmond Place will be accessed internally.
- Provides a total of 160 parking spaces (88 on-site, 24 on-street along Belvedere Avenue and Thurmond Place, and commits to 48 off-site spaces located within 1,600 feet of the site.)
- Specifies that events with more than 40 guests will have at least one parking attendant, events with more than 75 guests will have at least two attendants, and events with more than 200 guests will have at least one off-duty police officer. The swim club/pool is exempted from these requirements except that when a swim meet is held then at least two parking attendants will be provided.
- Specifies that architectural and design standards will be subject to the review and approval of the Landmarks Commission and the Historic District Commission.
- Provides a four-foot tall hedge between the pool and Belvedere Avenue and ten-foot wide landscape screening between the proposed private drive, the church, and the single family residential property to the south.
- Limits the height of new detached lighting to 20 feet.
- Optional Provisions include the following:
 - A. Parking located between the buildings and the adjacent public streets as depicted on the rezoning plan.
 - B. The existing sidewalks and planting strips located along the public street frontages to remain.
 - C. Existing screening hedges located in portions of the setbacks to remain.

- **Public Plans and Policies**

- The *Central District Plan* (1993), as amended by rezoning petition 2000-017, recommends retail for the majority of the site. The purpose of the retail land use designation and zoning was to allow the reuse of the existing historic site for a bed and breakfast style hotel with an events facility while also protecting the surrounding single family neighborhood. The plan recommends single family uses for the 0.46 acre portion at the southern edge of the site zoned R-5 (single family residential).
- The *General Development Policies (GDP)* support residential density over 17 dwelling units per acre. The proposed density of 14 dwelling units per acre, for the portions of the site to be residential use, meets the *General Development Policies (GDP)* for the density.

Assessment Criteria	Density Category Over 17 DUA
Meeting with Staff	1 (Yes)
Sewer and Water Availability	2 (CMUD)
Land Use Accessibility	Medium (2)
Connectivity Analysis	High (5)
Road Network Evaluation	0 (No)
Design Guidelines	4 (Yes)
Other Opportunities or Constraints	NA
Total Points Needed: 14	Total Points: 14

- The proposed neighborhood pool and single family attached dwellings are inconsistent with the *Central District Plan*; however, the density of the single family attached dwellings is supported by the *General Development Policies*.
- The proposed development represents a significant increase in the intensity of the uses on the site. The proposal could be appropriate for consideration provided issues related to site design and parking are addressed.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:**
 1. Revise the site plan so that proposed single family attached lots 11-13 along Thurmond Place are either "rear loaded" and face Thurmond Place or removed from the petition entirely. The current design creates too many driveways along Thurmond Place.
 2. Remove the existing holly hedges to prevent a sight distance obstruction and safety concern for vehicles and pedestrians at driveway locations along Thurmond Place.
 3. Improve any proposed off-site parking to meet the minimum requirements set forth in the Charlotte Land Development Standards Manual.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate one student, while the development allowed under the proposed zoning will produce one student. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is zero students.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.
- **Urban Forestry:** No issues.

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - Minimizes impacts to the natural environment by developing on an infill site.
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OUTSTANDING ISSUES

- The petitioner should:
 1. Address Transportation issues.
 2. Provide a note restricting overlap in swimming pool hours with events at the house and grounds.
 3. Limit events and swim club use or provide additional parking.
 4. Remove the off-site parking details from the site plan and provide a note committing to at least 48 off-site parking spaces that meet the standards of Section 9.8507 Parking Standards (6) in the Zoning Ordinance.
 5. Provide rear loaded garages for units at the southern end of Thurmond Avenue or change the building design to reduce the number of driveways and orient the units to the street.
 6. Break up the attached units along Thurmond north of the carriage house into multiple buildings. These could be duplexes, triplexes, and/or quadraplexes. Size, scale, and design of these residential structures should be similar to the existing carriage house and buildings should be oriented to the street.
 7. Provide pedestrian connections from the proposed residential units to the public sidewalk.
 8. Provide the required 10-foot buffer at the rear of the off-site parking lot and provide the required five-foot wide screening to the north and south, and along The Plaza.
 9. Eliminate Optional Provisions Note B to reflect a rear loaded garage condition or amend the note to reflect a change in the design of the building.
 10. Amend existing and proposed zoning to include the historic district overlay designation.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

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