

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) located in the Plaza Midwood neighborhood. (Council District 1 - Kinsey)</p>
SUMMARY OF PETITION	<p>The petition proposes to allow the continued operation of the existing hotel and event facility and the addition of a spa, up to 18 single family attached dwelling units and a private neighborhood pool and swim club.</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>

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to additional details needed for the screening of the neighborhood pool and the lease agreement for off-site parking.</p> <p><u>Plan Consistency</u> The petition is inconsistent with the <i>Central District Plan</i> recommendation, as amended by a previous rezoning, for retail business for the existing VanLandingham Estate. While the continued use of the site for an event facility and hotel, and the addition of a spa, is consistent with the plan recommendation, the addition of a neighborhood pool and swim club is inconsistent.</p> <p>The proposed townhomes are located on the edge of the VanLandingham Estate and on two existing single family lots. The townhome use is inconsistent with the <i>Central District Plan</i> recommendation for:</p> <ul style="list-style-type: none"> • single family homes for the two existing single family lots, and • retail for the VanLandingham Estate. <p>The density of 13.4 dwelling units per acre for the portion of the subject site requested for townhomes is consistent with the <i>General Development Policies</i> residential density criteria, which support up to 17 dwelling units per acre. The <i>General Development Policies - Residential</i> provide policy guidance for evaluating proposed residential densities greater than four units per acre.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The majority of the subject site is a historic landmark, which has been used as an event facility and nine-room hotel in recent years. • The proposal retains the historic landmark and current uses and adds a neighborhood pool and swim club and single family attached dwellings. • The proposed site plan allows the preservation of the original home and retains significant site features including the existing landscaping between the home and The Plaza and Belvedere
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- Avenue, the waterfall and pond, and the existing carriage house.
- In addition, 18 single family attached units are proposed to be developed on the edge of the estate and on two single family lots abutting the estate. The townhomes increase the mix of housing types available in the neighborhood and blend in with the adjoining single family homes by utilizing architectural features such as porches and window styles, as well as materials, which are similar to the features and materials of many of the existing area homes.
 - The site plan has been revised significantly since the original hearing in January 2015 and incorporates a number of neighborhood sensitive conditions, including:
 - Relocation of the neighborhood pool away from the existing homes along Belvedere Avenue to a location on The Plaza, increasing the distance to the closest single family home from approximately 100 feet to approximately 200 feet;
 - Allowing on-street parking only on the north side of Belvedere Avenue, to ensure two-way traffic at all times;
 - Preserving the 15-foot tall holly hedge along Thurmond Avenue to provide screening between six of the proposed townhomes and Thurmond Avenue;
 - Limiting the height of the townhomes to 35 feet, which is lower than the 40-foot height allowed in the abutting R-5 (single family residential) district; and
 - Addition of elevations for the townhomes to ensure compatibility with the character of nearby homes.

PLANNING STAFF REVIEW

- **Background**
 - An initial public hearing for this petition was held in January 2015. The staff analysis for that hearing identified significant staff concerns about the proposal, including the proposed site design for the townhome units and potential intensity of use of the swim club.
 - At the public hearing for this petition, nearby residents expressed concern about the proposal's impact on traffic on Belvedere Avenue and the impacts that the swim club would have on nearby residents.
 - The petitioner made changes to the site plan after the initial hearing including relocating the pool from the Belvedere Avenue frontage to The Plaza frontage, limiting the operation of the events facility and swim club, and providing additional site design commitments and architectural details for the townhome units and reconfiguring parking on Belvedere Avenue.
 - Staff thought the changes were significant and recommended to Council and Zoning Committee that a new public hearing be held.
 - The Zoning Committee did not believe the changes were significant, and did not recommend to Council to hold a new public hearing. The Committee recommended approval of the petition on June 24, 2015.
 - On July 20, 2015 City Council determined that the changes were significant and voted to hold a new public hearing on September 21, 2015.
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

 - Existing facilities
 - Allows the main house, carriage house porch and grounds to continue to be used for the following:
 - conferences, meetings, and private events catered by the owner of the main house,
 - social events sponsored by non-profit and charitable organizations,
 - neighborhood and community events to which the public is invited,
 - a hotel with a maximum of nine rooms for overnight lodging of guests (five in the main house and four in the carriage house) , and
 - the addition of a spa to the main house.
 - New single family attached units, as described below:
 - Addition of up to 18 for-sale single family attached dwelling units to be added to the perimeter of the property as shown on the site plan, and
 - Screening of the proposed townhome units north of the carriage house by preserving the majority of the existing 15-foot hedge along Thurmond Place.

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- New private neighborhood pool and swim club with associated accessory uses and structures located along The Plaza. The club will be operated on a membership basis and includes the following:
 - Limits the operations of the swim club and events facility so that large events do not overlap,
 - Prohibits swim meets with other swim clubs,
 - Limits the number of swim club members to 420 (includes family memberships),
 - Specifies the hours of swim club operations as 10 am to 8 pm Monday through Saturdays and 10 am to 6 pm on Sundays,
 - Prohibits bubbles or other enclosures over the pool that would allow off-season use, and
 - Provides a decorative pool fence with a hedge and existing vegetation between the pool area and The Plaza.
 - Additional general provisions for the site include:
 - 128 parking spaces (87 on-site and commits to 41 off-site spaces). The Zoning Ordinance requires 44 parking spaces for all of the proposed uses.
 - Specifies the petitioner will install seven on-street parking spaces on the north side of Belvedere Avenue between The Plaza and Thurmond Place. The width of Belvedere Avenue is such that on-street parking can only be provided on one side of the street if two-way traffic is to be maintained. Additionally, "no parking" signage exists along Thurmond Place prohibiting parking on both sides of the street.
 - 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 neighborhood pool and swim club is exempted from these requirements.
 - Provides building elevations for the pool house and the townhomes. Specifies that architectural and design standards are subject to the review of the Landmarks Commission and the Historic District Commission and that the architectural renderings and building materials have been approved by both Commissions.
 - Optional Provisions include the following allowances:
 - Parking located between the buildings and the adjacent public streets as depicted on the site plan,
 - The existing sidewalks and planting strips located along the public street frontages to remain,
 - Existing screening hedges located in portions of the setbacks to remain,
 - Internal pedestrian sidewalks and sidewalk connections as depicted on the site plan, and
 - Valet parking service between the building and the street.
 - **Existing Zoning and Land Use**
 - The majority of the site is the VanLandingham Estate (built in 1913), and is zoned B-2(CD) per rezoning petition 2000-017. The purpose of that rezoning was to allow the reuse of the existing historic site for the currently operating bed and breakfast style hotel and events facility.
 - The remainder of the subject property consists of two single family homes, one fronting The Plaza and one fronting Nassau Boulevard, zoned R-5 (single family residential).
 - The subject properties, with the exception of the single family home site fronting on Nassau Boulevard, are located within the Plaza Midwood Historic District.
 - The site is immediately surrounded by single family homes zoned R-5 (single family residential) and a religious institution to the south, also zoned R-5 (single family residential).
 - See "Rezoning Map" for existing zoning in the area.
 - **Rezoning History in Area**
 - There have been no recent rezonings in the immediate area.
 - **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.
 - The plan recommends single family uses for the two single family developed parcels at the southern edge of the site zoned R-5 (single family residential).
 - The *General Development Policies* (GDP) - *Residential*, provides policy guidance for evaluating proposed residential densities greater than four units per acre. The site meets minimum *General Development Policies* (GDP) criteria for consideration of up to 17 dwelling units per acre as illustrated in the table below.

Assessment Criteria	Density Category up to 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: 13	Total Points: 14

- The petition supports the *General Development Policies-Environment* by redeveloping an infill site, thereby minimizing environmental impacts to undeveloped areas while accommodating growth.

TRANSPORTATION CONSIDERATIONS

- This site is located within an existing residential neighborhood. The primary transportation goals are to address site design issues that may impact on-street parking and minimize the number of new driveways along the street. The proposed site plan achieves these goals by providing rear loaded garages. On-street parking will be restricted on the north side of Belvedere Avenue in order to reduce congestion and improve operations during events.
- Vehicle Trip Generation:**
Current Zoning: 260 trips per day.
Proposed Zoning: 540 trips per day.

DEPARTMENT COMMENTS (see full department reports online)

- Charlotte Area Transit System:** No issues.
- Charlotte Department of Neighborhood & Business Services:** No issues.
- Charlotte Fire Department:** No comments received.
- Charlotte-Mecklenburg Schools:** No issues.
- Charlotte-Mecklenburg Storm Water Services:** No issues.
- Charlotte-Mecklenburg Utilities:** 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.

OUTSTANDING ISSUES

Site Design

- Provide additional detail for the hedge around the pool to clarify how the pool will be screened from view from The Plaza.

Administrative

- To ensure that there is sufficient parking for the neighborhood pool and swim club, the petitioner should provide a lease with a minimum five-year term for least 41 off-site parking spaces within 1,600 feet from the permitted use prior to zoning decision. (Note: While the initial lease has a minimum five-year term, the petitioner will be required to provide the off-site parking beyond the five years, as long the conditional plan is in effect.)

REQUESTED TECHNICAL REVISIONS

- Provide a technical note that confirms that parking will not be allowed on the side of Belvedere Avenue abutting the VanLandingham Estate, as shown on the site plan.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis (January 2015 hearing)
- Zoning Committee Recommendation (June 2015 meeting)
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - 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-Mecklenburg Utilities 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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