

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2006-119

Property Owner: Charlotte Mecklenburg Historic Landmarks Commission

Petitioner: Don and Caroline Naysmith

Location: Approximately 4.0 acres on the northeast corner of N. Sharon Amity Road and Shamrock Drive

Request: Change from R-3, single family residential, to B-2(CD), conditional general business

Summary

This petition seeks to reuse an historic property for a combination of bed and breakfast, conference center, and wedding facility.

Consistency and Conclusion

While this proposal is not consistent with the mapped land use proposed in the *East District Plan*, it is consistent with the plan's goal of preserving historic landmarks. Therefore, this petition is considered appropriate for approval from a land use perspective. Upon correction of the site plan deficiencies noted below, this petition would be appropriate for approval.

Existing Zoning and Land Use

To the west across Sharon Amity Road is a church and a single family subdivision. To the north and west are undeveloped properties in R-3 zoning. Across Shamrock Drive to the south is some undeveloped property and single family homes in R-17MF zoning.

Rezoning History in Area

A multi-family residential rezoning was approved in 2006 on Hickory Grove Road. There has not been any additional rezoning activity in the immediate area.

Public Plans and Policies

The *Eastside Strategy Plan* (2001) plan supports recommendations in the *East District Plan*.

The *East District Plan* (1990) plan recommends single family land uses at a density of four dwelling units per acre. The plan also identifies this property as an historic property and notes that "every attempt should be made to preserve historic structures through the development process."

Proposed Request Details

The site plan accompanying this petition contains these additional provisions:

- There is a 21-foot Class “C” buffer around the property with a black vinyl clad chain link fence on the exterior. That fence has been accepted by adjoining property owners. On the public street frontages there is a wrought iron fence with brick columns every 80 feet.
- There are wrought iron gates at the two entrances and no sidewalks from the facilities to the public sidewalks along the streets.
- No amplified music will be allowed outdoors after 11:00pm or before 10:00am.
- Petitioner will be seeking variances for several items, including the sidewalk connections to the public sidewalks. Some requested relief is not available through a variance.
- Water quality improvements are being proposed in accordance with the recommendations of Storm Water Services.

Public Infrastructure

Traffic Impact / CDOT Comments. As of the preparation of this report CDOT had not commented on the revised site plan.

CATS. CATS continues to seek a bus waiting pad. CATS will construct a bus shelter on the pad.

Connectivity. No additional connectivity has been provided from this specialized use.

Storm Water. The petitioner has agreed to all recommendations of Storm Water Services.

School Information. This non-residential petition will not impact the school system.

Outstanding Issues

Land Use. There are no land use issues associated with this petition. This petition is appropriate for approval from a land use perspective.

Site plan. The site plan accompanying this petition contains the following deficiencies:

- No tree save areas are proposed. There are numerous large specimen trees on the site with no indication that any outside the required setbacks would be preserved. Commitments to preserve all possible trees on this historic property need to be added to the site plan.
- Note III.A. refers to “retail sales restricted” but there are no details. This needs to be refined.
- Note III.F. lists variances to be requested. Only the deletion of the sidewalks out to the public sidewalks requires a variance. Other items listed are requests from various agencies. Council policy has been that either the standards are met on the site (with a note that a variance will be requested) or that the variance be obtained prior to the rezoning decision. This site plan reserves the right to request a variance but does not show compliance with the sidewalk requirement.
- Note III.G.2. states that the petitioner “plans to use higher quality surface” in certain areas. More detail needs to be provided and the statement needs to be a commitment.
- A note needs to be added to the site plan committing to the bus shelter pad requested by CATS.