

**ColeJenest  
& Stone**

Shaping the Environment  
Realizing the Possibilities

Land Planning  
+ Landscape Architecture  
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200 South Tryon Street, Suite 1400  
Charlotte, North Carolina 28202

P# 704 376 1555 F# 704 376 7851  
URL: www.colejeneststone.com

**BILLY  
MADDALON**  
2010 The Plaza  
Charlotte  
North Carolina 28205

**VANLANDINGHAM  
ESTATE**

2010 The Plaza  
Charlotte  
North Carolina 28205

**CONDITIONAL  
REZONING PLAN**

PETITION # 2014-110

Project No.

4344.00

Issued

08/25/14

Revised

12/19/14 - CITY OF CHARLOTTE COMMENTS



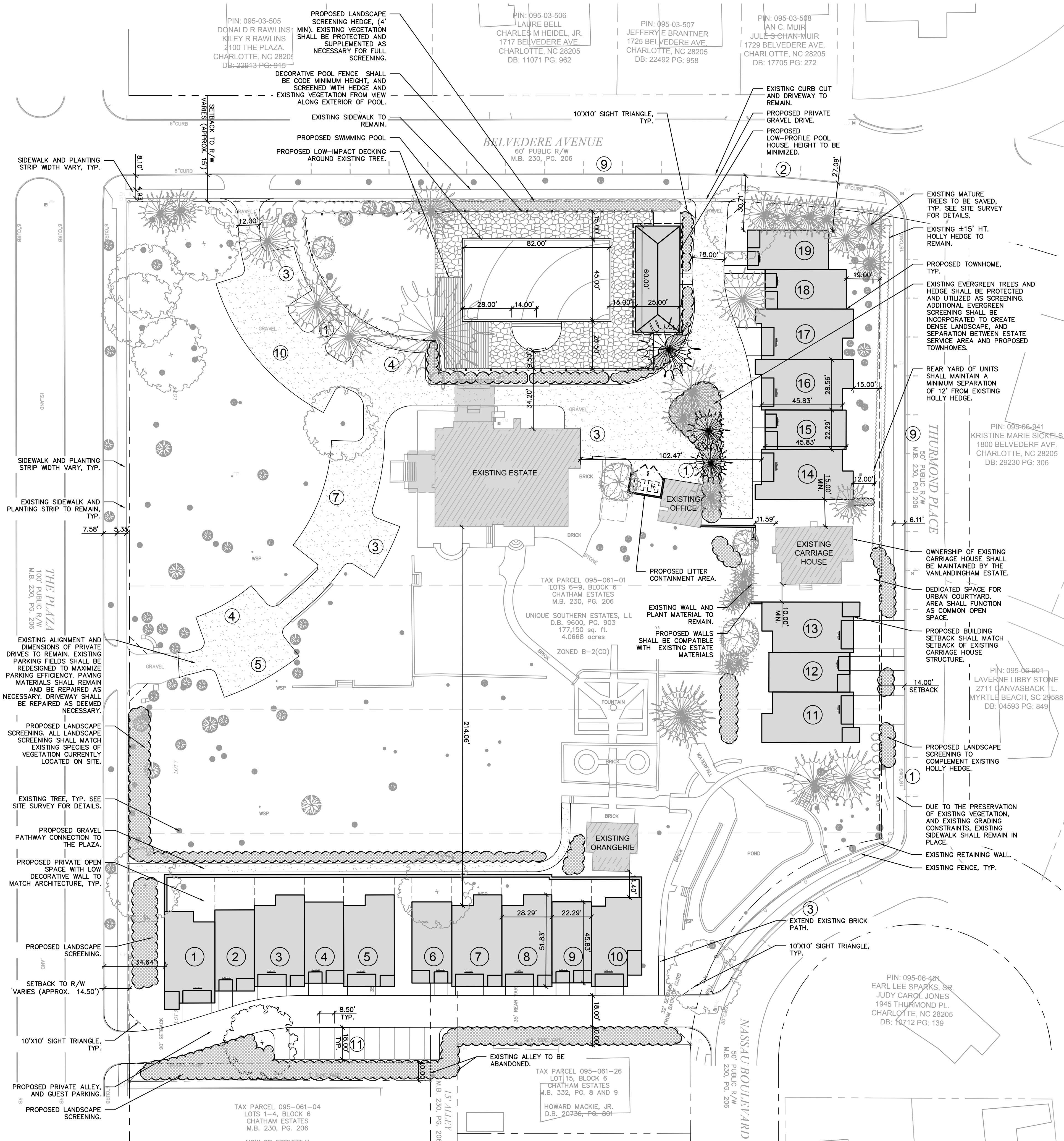
SCALE: 1"=30'

0 15 30 60

**RZ-100**

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REZONING SUMMARY	
PETITIONER:	BILLY MADDALON 2010 THE PLAZA CHARLOTTE, NC 28205
PROPERTY OWNER:	BILLY MADDALON 2010 THE PLAZA CHARLOTTE, NC 28205
REZONING SITE AREA:	TOTAL: 4.521 AC
TAX PARCEL #:	095-06-101A 095-06-101B 095-06-102 095-06-126
EXISTING ZONING:	B-2 (CD) R-5
PROPOSED ZONING:	MUDD-O
EXISTING USE:	HOTEL/ SINGLE FAMILY DETACHED
PROPOSED USE:	HOTEL/ SINGLE FAMILY ATTACHED/ SINGLE FAMILY DETACHED
NUMBER OF UNITS:	UP TO 19 NEW SINGLE FAMILY ATTACHED 1 EXISTING HOTEL/EVENT FACILITY
MINIMUM SETBACK:	EXISTING RIGHT-OF-WAY OR 14' FROM BACK OF CURB, WHICH EVER IS GREATER. SETBACK ALONG THURMOND PL. SHALL MATCH SETBACK OF EXISTING STRUCTURE.
MINIMUM REQUIRED PARKING:	TOTAL: 160 SPACES (SEE TRANSPORTATION NOTE B, SHEET RZ-200.)
PROPOSED PARKING:	ON STREET PARKING: 24 SPACES PROPOSED ON SITE PARKING: 88 SPACES (INCLUDES DEDICATED SURFACE PARKING, PARKING INTERNAL TO UNITS, & AVAILABLE GUEST PARKING IN DRIVEWAYS WHERE DIMENSIONALLY SUITABLE)
OFF SITE PARKING:	48 SPACES (SEE E1 THIS SHEET) TOTAL: 160 SPACES

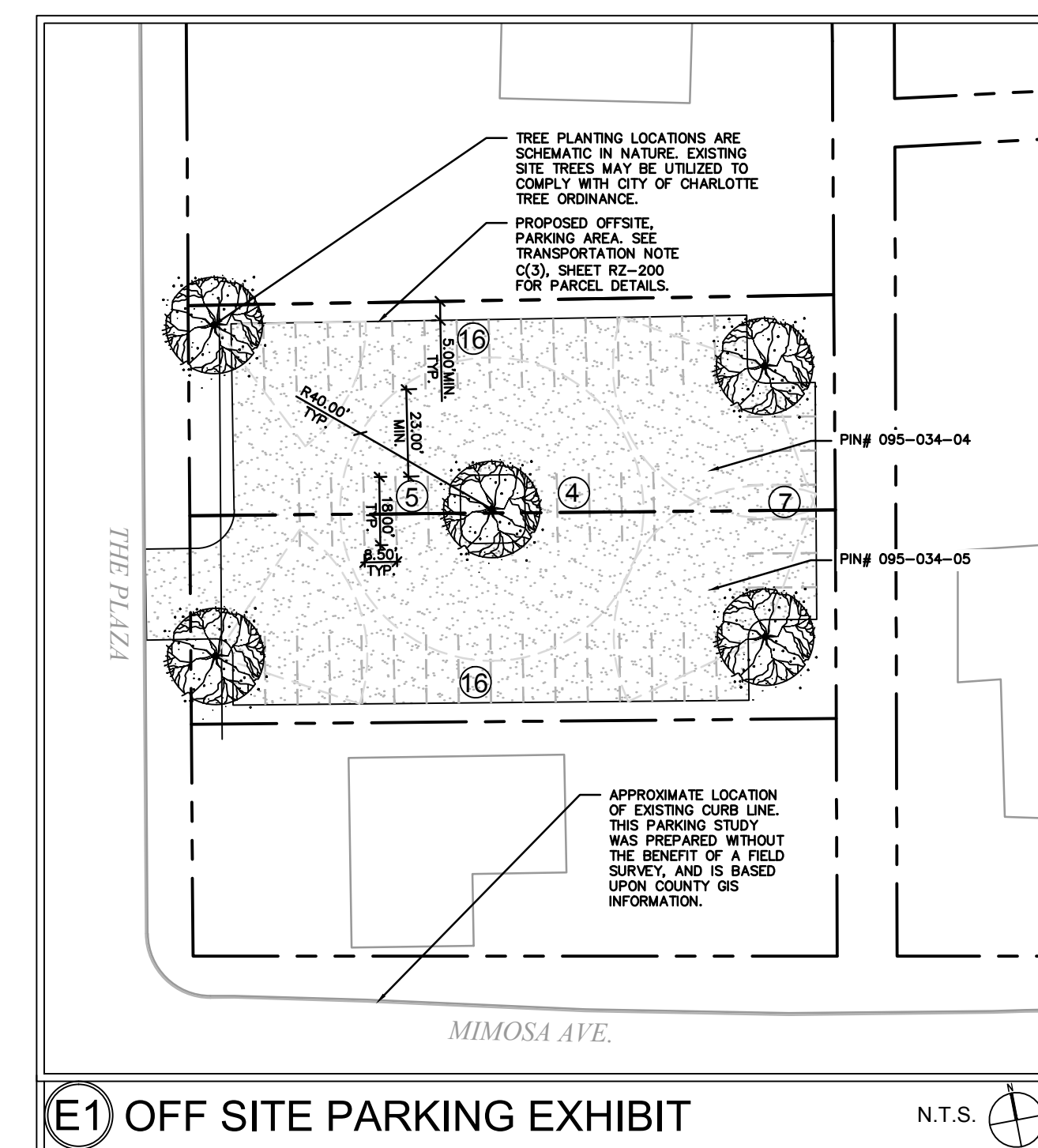
1. SEE SHEET RZ-200 FOR  
DEVELOPMENT STANDARDS

2. SEE SHEET RZ-200 FOR ZONING  
EXHIBIT.



**SURVEY DISCLAIMER**  
BOUNDARY SURVEY, ISSUE DATE: AUGUST 14, 2014. PROVIDED  
BY R.B. PHARR & ASSOCIATES, P.A., 420 HAWTHORNE LANE,  
CHARLOTTE, NC 28204, (336) 782-3796

LEGEND	
	PROPOSED GRAVEL SURFACE
	PROPOSED BUILDING ENVELOPE
	EXISTING BUILDING ENVELOPE
	PROPOSED POOL DECK
	PROPOSED LANDSCAPE SCREENING
	EXISTING TREE
	SIGNIFICANT EXISTING TREE TO BE PROTECTED WITHIN PROJECT AREA
	SIGNIFICANT PROPOSED TREE WITHIN PROJECT AREA





DEVELOPMENT STANDARDS

December 19, 2014

GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Unique Southern Estates, LLC for an approximately 4.54 acre site located at the southeastern corner of the intersection of The Plaza and Belvedere Avenue, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The purpose of this 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.
- B. The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Subject to the optional provisions set out below, the regulations established under the Ordinance for the Mixed Use Development District ("MUDD") zoning district shall govern the development of the Site.
- C. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback and yard requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.
- D. Internal sidewalks generally depicted on the Rezoning Plan may be altered provided that such alterations do not materially change the design intent generally depicted on the Rezoning Plan.
- E. The parcels of land that comprise the Site may be recombined into one parcel at the option of the Petitioner.
- F. The Site is located in the Plaza Midwood Historic District and the Site and the existing principal structure (the "Main House") have been designated as a historic landmark by the Charlotte City Council. Additionally, the Site has been designated as a National Historic Landmark.
- G. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

OPTIONAL PROVISIONS

The following optional provisions shall apply to the development of the Site:

- A. Parking located between the buildings located on the Site and the adjacent public streets as more particularly depicted on the Rezoning Plan.
- B. Parking located between those single family attached dwelling units designated as Units 11, 12 and 13 on the Rezoning Plan and Thurmond Place.
- C. The existing sidewalks and planting strips located along the Site's public street frontages shall remain in place.
- D. As depicted on the Rezoning Plan, screening hedges located in portions of the setback.

PERMITTED USES

- A. The Site may be devoted only to the uses set out below and to any incidental or accessory uses associated therewith that are permitted under the Ordinance in the MUDD zoning district.
- (1) A maximum of 19 for sale single family attached dwelling units, provided, however, that the for sale single family attached dwelling units may only be located on the perimeter portions of the Site as generally depicted on the Rezoning Plan.
- (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. Food and beverages (non-alcoholic and alcoholic) may be served at the above described events and functions.
- (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.

USE RESTRICTIONS

- A. Notwithstanding anything contained herein to the contrary, the use limitations and restrictions set out below shall apply to the Site.
- (1) In no event shall the Site function as a public restaurant.
- (2) No on-site food preparation for off-site food sales or consumption, including off-site catering services, shall be allowed.
- (3) The Site shall comply with the City of Charlotte Noise Ordinance.
- (4) All amplified music on the Site must end by 10:30 PM on weekdays and 11:00 PM on weekends.
- (5) Temporary structures such as stages and event tents will be located at least 40 feet from the right of way along The Plaza and Belvedere Avenue and 20 feet from the right of way of Thurmond Place and the southwest property line. All temporary structures shall be erected no sooner than 24 hours prior to events and dismantled no later than 24 hours following events, and in no case shall they be erected or dismantled before 8:00 AM or after 9:00 PM. The prohibition against temporary structures being located within 40 feet from the right of way along Belvedere Avenue shall not apply to pool furniture and pool umbrellas and tents.

TRANSPORTATION

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the Charlotte Department of Transportation.
- B. The Site shall comply with the minimum parking requirements of the Ordinance. Notwithstanding the foregoing, a minimum of 160 parking spaces shall be provided for the permitted uses on the Site in the manner provided below in paragraph C.
- C. The 160 parking spaces shall be comprised of the following:
- (1) A minimum of 88 parking spaces located on the Site.
- (2) A minimum of 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 pursuant to Section 9.8507(5) of the Ordinance.
- (3) Pursuant to and in accordance with the requirements of Section 9.8507(6) of the Ordinance, a minimum of 48 off-site parking spaces located on those parcels of land designated as Tax Parcel Nos. 095-034-05 and 095-034-04 (the "Off-Site Parking Parcels"). The Off-Site Parking Parcels are located within 1,600 feet of the Site.
- D. 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.
- E. 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.

ARCHITECTURAL AND DESIGN STANDARDS

As noted above, the Site is located in the Plaza Midwood Historic District and the Site and the Main House have been designated as a historic landmark by the Charlotte City Council. As a result, the exterior portions of the for sale single family attached dwelling units and the other improvements proposed to be constructed on the Site are subject to the review and approval of the Historic District Commission and the Landmarks Commission, and a certificate of appropriateness must be issued by the Historic District Commission and the Landmarks Commission prior to the issuance of building permits or other approvals authorizing the construction of such improvements. Accordingly, the design, character and quality of the improvements proposed to be constructed by the Petitioner will be required to meet the standards of the Historic District Commission and the Landmarks Commission.

SETBACK AND YARDS/STREETScape/SCREENING

- A. Subject to any optional provisions, development of the Site shall comply with the setback, side yard and rear yard requirements of the MUDD zoning district.
- B. The existing sidewalks and planting strips located along the Site's public street frontages shall remain in place.
- C. The private neighborhood pool shall be screened from Belvedere Avenue by a minimum 4 foot tall hedge as depicted on the Rezoning Plan.
- D. The private neighborhood swimming pool shall be enclosed by a fence that meets the requirements of the applicable codes and ordinances.

ENVIRONMENTAL FEATURES

- A. Development of the Site shall be in compliance with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
- B. Development of the Site shall comply with the City of Charlotte Tree Ordinance.

SIGNS

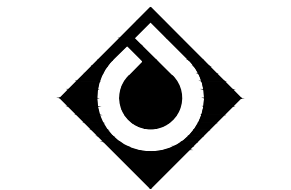
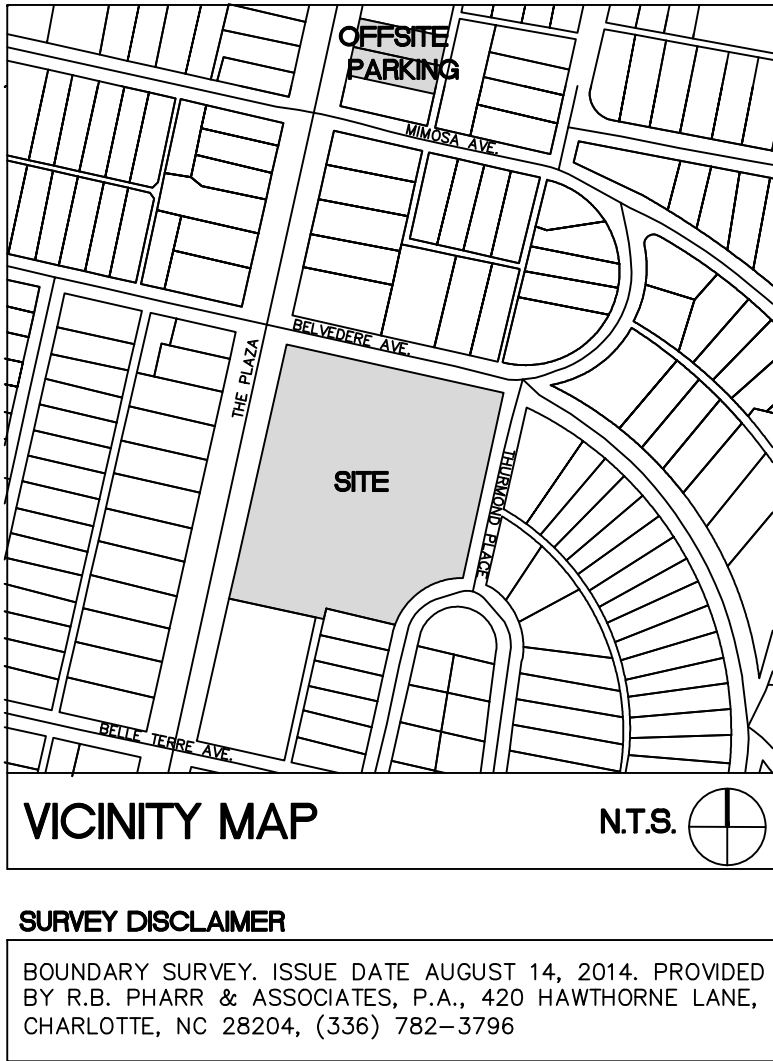
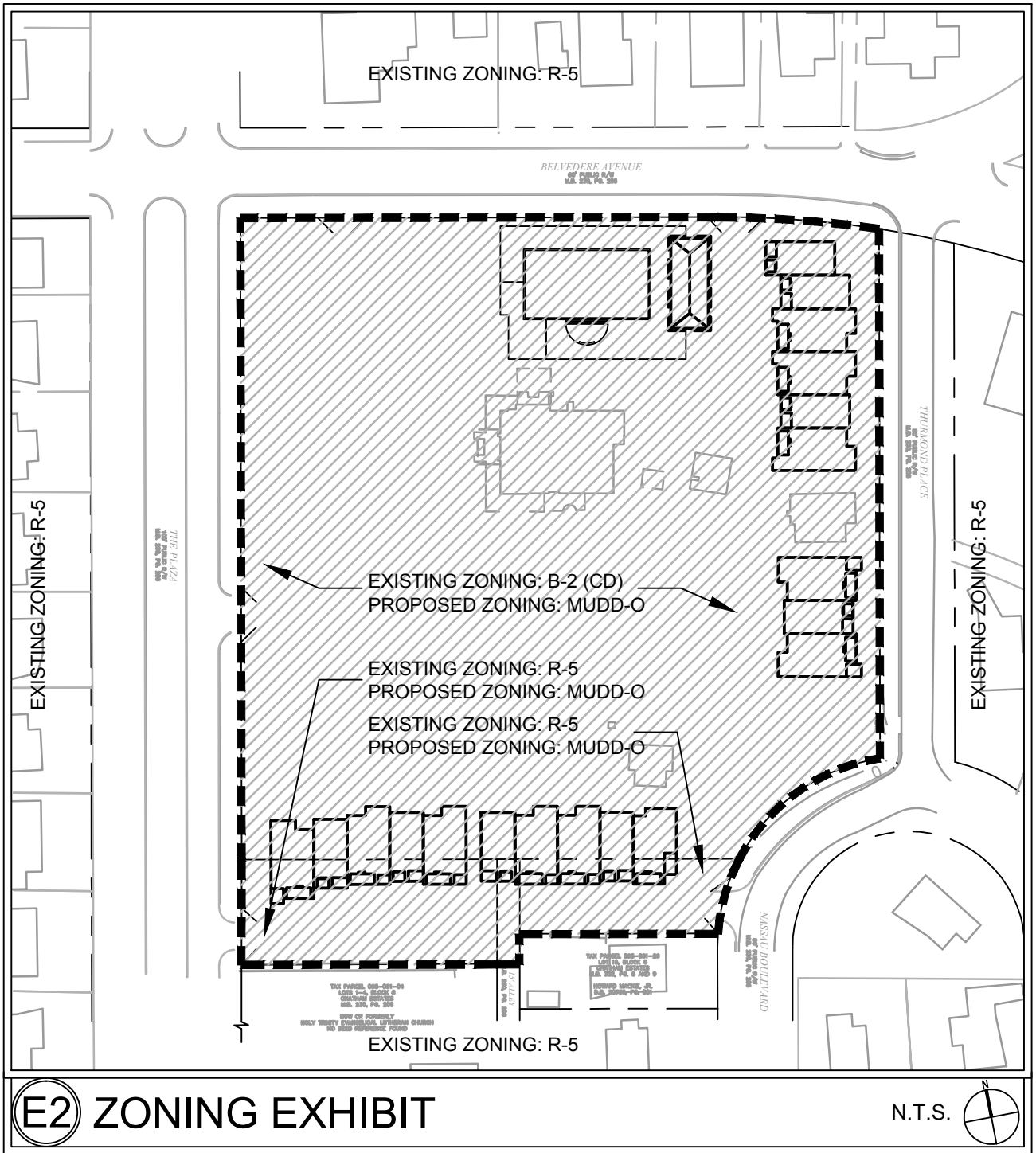
All signs installed on the Site shall comply with the requirements of the Ordinance.

LIGHTING

- A. All new freestanding lighting fixtures installed on the Site (excluding street lights and lower, decorative lighting that may be installed along the driveways, sidewalks and parking areas) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
- B. The maximum height of any newly installed freestanding lighting fixtures on the Site shall be 20 feet.
- C. Any new lighting fixtures attached to the structures on the Site shall be decorative, capped and downwardly directed.

BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- B. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
- C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.



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Landscape Architecture  
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Civil Engineering  
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REZONING  
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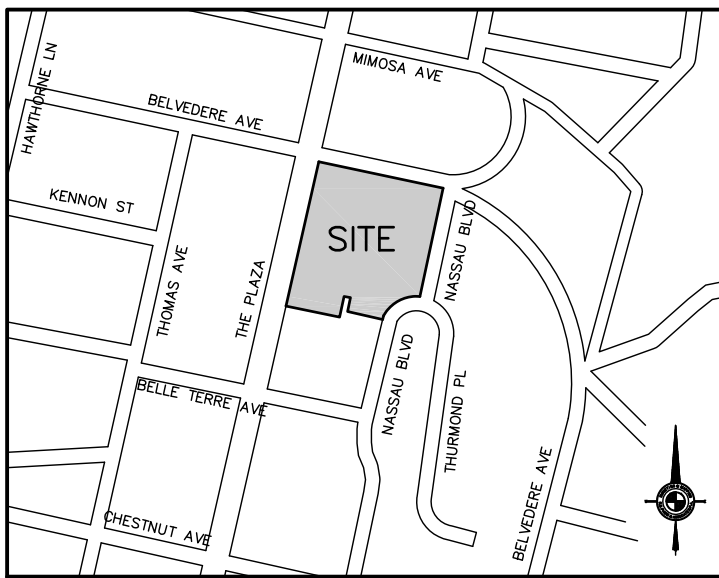


RZ-200

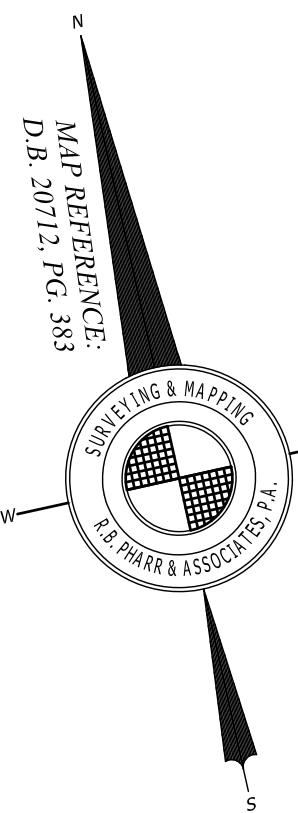
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VICINITY MAP  
NOT TO SCALE



MAP REFERENCE:  
D.B. 2017.2, PG. 383

NOTES:

1. THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.
2. ALL CORNERS MONUMENTED AS SHOWN.
3. NO RECOVERABLE NGS MONUMENT LOCATED WITHIN 2,000 FEET OF SUBJECT PROPERTY.
4. THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE, OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.
5. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
6. ELEVATIONS BASED ON N.G.S. MONUMENT "MCDOWELL", ELEVATION = 681.79 FEET, NAVD 88.
7. BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
8. THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.

ZONING:

TAX PARCEL: 095-061-01  
ZONING RESTRICTIONS AS PER ZONING ORDINANCE:  
SUBJECT PROPERTY ZONED: B-2(CD)  
FOR FURTHER INFORMATION CONTACT THE  
CHARLOTTE-MECKLENBURG ZONING DEPARTMENT  
AT 704-336-3369.

TAX PARCELS: 095-061-02 & 095-061-26  
ZONING RESTRICTIONS AS PER ZONING ORDINANCE:  
SUBJECT PROPERTY ZONED: B-5  
SETBACKS SHOWN HEREON FOR RESIDENTIAL USE

MINIMUM SETBACK: 20 FT ALONG DESIGNATED  
THOROUGHFARE  
32 FT FROM FUTURE OR  
EXISTING BACK OF CURB  
MINIMUM SIDE YARD: 5 FT  
MINIMUM REAR YARD: 35 FT  
MAXIMUM BUILDING HEIGHT: 40 FT

FOR FURTHER INFORMATION CONTACT THE  
CHARLOTTE-MECKLENBURG ZONING DEPARTMENT  
AT 704-336-3369.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	680.64'	108.77'	108.66'	S73°14'35"E
C2	127.30'	119.53'	115.19'	S67°08'07"W
C3	127.30'	52.08'	51.70'	S28°31'14"W
C4	680.64'	50.75'	50.74'	N66°31'44"W

TOTAL AREA  
195,843 sq. ft.  
4.4960 acres

REVISIONS				SURVEY PREPARED FOR:			
09-29-14: SANITARY SEWER ELEVATIONS ADDED.				COLEJENEST & STONE			
11-12-14: TREE IDENTIFICATIONS UPDATED.				210 & 1926 THE PLAZA; 1925 NASSAU BLVD. CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC MAP REFERENCE: 230-206; AND 322-8 & 9; DEED REFERENCE: 9600-903; 10868-511; AND 13441-370 TAX PARCEL NO: 095-061-01; 095-061-02; AND 095-061-26			
				R.B. PHARR & ASSOCIATES, P.A.			
				SURVEYING & MAPPING			
				420 HAWTHORNE LANE CHARLOTTE, N.C. 28204 TEL: (704) 376-2186			
CREW: KD	DRAWN: CEB	REVISED:	SCALE: 1" = 30'	DATE: AUGUST 14, 2014	FILE NO.: W-4628	JOB NO.: 81758	

PLOTTED: 11/12/2014  
G:\811\7\81758\DWG\81758.DWG

LEGEND:

CB - CATCH BASIN  
C&G - CURB & GUTTER  
CP - CALCULATED POINT  
D.B. - DEED BOOK  
EIP - EXISTING IRON PIPE  
EIR - EXISTING IRON ROD  
EN - EXISTING NAIL  
FH - FIRE HYDRANT  
GW - GUY WIRE  
LP - LIGHT POLE  
M.B. - MAP BOOK  
N.G.S. - NATIONAL GEODETIC SURVEY  
NIR - NEW IRON ROD  
PB - POWER BOX  
PIN - PARCEL IDENTIFICATION NUMBER  
PG - PIGE  
PM - POWER METER  
PP - POWER POLE  
R/W - RIGHT-OF-WAY  
SDMH - STORM DRAINAGE MANHOLE  
SSMH - SANITARY SEWER MANHOLE  
WM - WATER METER  
WSP - WATER SPICKET  
WV - WATER VALVE  
PROPERTY LINE (NOT SURVEYED)  
PROPERTY LINE (NOT SURVEYED)  
RIGHT-OF-WAY  
RIGHT-OF-WAY (NOT SURVEYED)  
SETBACK  
METAL FENCE  
WOOD FENCE  
OVERHEAD ELECTRIC

UTILITIES:

POWER  
DUKE POWER ENERGY  
1-800-777-9898  
TELEPHONE  
BELL SOUTH TELECOMMUNICATIONS  
1-888-757-6500  
WATER & SEWER  
CHAR-MECK. UTILITY DEPT. (CMUD)  
(704) 336-2564 WATER  
(704) 337-6064 SEWER  
GAS  
PIEDMONT NATURAL GAS CO.  
1-800-752-7504  
CABLE TELEVISION  
TIME WARNER CABLE  
1-800-892-2253



Know what's below.  
Call before you dig.

BELVEDERE AVENUE  
60' PUBLIC R/W  
M.B. 230, PG. 206

NASSAU BOULEVARD  
M.B. 230, PG. 206

NASSAU BOULEVARD  
50' PUBLIC R/W  
M.B. 230, PG. 206

TAX PARCEL 095-061-01  
LOTS 6-9, BLOCK 6  
CHATHAM ESTATES  
M.B. 230, PG. 206  
UNIQUE SOUTHERN ESTATES, L.L.C.  
D.B. 9600, PG. 903  
177,150 sq. ft.  
4.0668 acres  
ZONED B-2(CD)

TAX PARCEL 095-061-26  
LOT 16, BLOCK 6  
CHATHAM ESTATES  
M.B. 332, PG. 8 AND 9  
UNIQUE SOUTHERN ESTATES, L.L.C.  
D.B. 13441, PG. 370  
8,820 sq. ft.  
0.1566 acres  
ZONED R-5

TAX PARCEL 095-061-02  
LOT 5, BLOCK 6  
CHATHAM ESTATES  
M.B. 230, PG. 206  
MARK A. MADDALON  
D.B. 10868, PG. 511  
11,873 sq. ft.  
0.2726 acres  
ZONED R-5

TAX PARCEL 095-061-04  
LOTS 1-4, BLOCK 6  
CHATHAM ESTATES  
M.B. 230, PG. 206  
NOW OR FORMERLY  
HOLY TRINITY EVANGELICAL LUTHERAN CHURCH  
NO DEED REFERENCE FOUND

GRAPHIC SCALE



( IN FEET )  
1 inch = 30 ft.

FLOOD CERTIFICATION  
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT  
LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON  
MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT  
AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED  
MARCH 2, 2009.  
MAP NUMBER: 3710456400K

THIS IS TO CERTIFY THAT ON THE 14th DAY OF AUGUST, 2014, AN ACTUAL SURVEY WAS MADE UNDER  
MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF  
ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH  
CAROLINA. BOARD RULE 1600 (21 NCAC 50) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF  
ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 50 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF  
ANGLES TURNED.

SIGNED

