

Type: CRP
Recorded: 12/12/2019 at 02:49:48 PM
Fee Amt: \$26.00 Page 1 of 8
Gaston, NC
Susan S. Lockridge Register of Deeds
BK 5087 PG 1745-1752

8 RECORDING 26.00
REVENUE _____
NSF _____
ROTC ☒ PQ ☐ CS ☒

Cover Sheet for Recording

Prepared by PARKS H. WILSON, JR., ATTORNEY, BOX #73

Return to : PARKS H. WILSON, JR., ATTORNEY, BOX #73

Kind of Instrument: ORDINANCE TO AMEND
ZONING MAP (BELMONT INDUSTRIAL, LLC)

Date of Instrument: NOVEMBER 4, 2019.

Parties: CITY OF BELMONT/BELMONT
INDUSTRIAL, LLC; ALLIANCE REAL ESTATE,
III, INC.

Ordinance # 2019.11.02

An Ordinance to Amend the City of Belmont Official Zoning Map

WHEREAS, the City of Belmont has a land development code that provides for various rules for how land can be used and developed within Belmont's planning and zoning jurisdiction; and,

WHEREAS, Belmont Industrial, LLC, applicant, and Alliance Real Estate III, Inc., the property owner of record, submitted an application for a zoning map amendment to rezone properties identified as tax parcel identification numbers: 226572 and 203018 from Business Campus Development (BC-D) to Business Campus Development Conditional District (BC-D/CD) for the purpose of developing two office-warehouse buildings approximately 600,000 sq. ft. in size (total area) on a 40+ acre site; and

WHEREAS, the public hearing for this map amendment has been noticed in compliance with North Carolina General Statutes; and,

WHEREAS, the Belmont planning and zoning board has reviewed the map amendment petition and voted 7-1 to find the map amendment to be a reasonable request and in the best interest of the public, consistent with the Belmont comprehensive land use plan, and recommended approval of the amendment as conditioned to the city council during the board's 24 October 2019 meeting; and,


WHEREAS, the Belmont city council held the public hearing on 4 November 2019, and after hearing such, made the following required findings:

1. The conditional zoning petition is a reasonable request and in the public interest because it supports economic development in our city; and,
2. The proposed project is consistent with the following goals of the adopted comprehensive land use plan:
 - Land Use: The economic development project encourages a healthier tax base by expanding the non-residential tax base, lessening the burden on residential tax payers.
 - Economy: The project represents a sizable investment in the community providing an opportunity for over 250 jobs.
 - Intergovernmental Relations: This project is proposed to be a public private partnership that includes NCDOT, Gaston County, and the City.

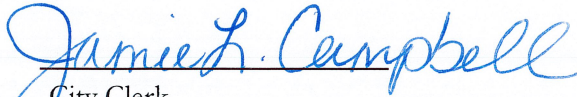
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Belmont, that the official zoning map of the city be amended to reflect this adopted change, in accordance with Exhibit A attached herein.

If any provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, independent provision and such holding shall not affect the validity of any other provision thereof, and to that end, the provisions of this ordinance are hereby declared to be severable.

This ordinance shall be effective on this 4th day of November, 2019.


Charles R. Martin, Mayor

Attest:


City Clerk

Approved as to form:

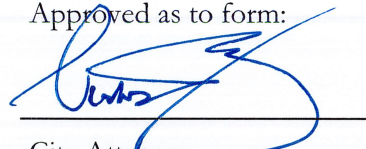

City Attorney



Exhibit A
Conditions of Approval
ZA2019.05

1. The proposed development shall be in compliance with requirements of the land development code (LDC) and code of ordinances with the added relief of:
 - a. Sections 5.11 and 4.6 related to perimeter district setbacks provided mitigation in the form of screening and landscape buffering is installed as proposed. The buffer proposed at the Woodlawn frontage shall be enhanced with the use of additional landscaping and/or screening walls.
 - b. Proposed parking located in front of the structures. Applicant shall install required perimeter landscaping pursuant to the requirement of the land development code.
 - c. Sidewalks on both sides of Cason Street and the west side of Acme Road. The responsible party shall grade the area located behind the curb for future construction of a sidewalk.
 - d. Bicycle facilities adjacent to Cason Street and Acme Road.
 - e. Reduction of sidewalk width adjacent to Woodlawn and on the east side of Acme Road. A minimum 5-foot-wide sidewalk is required.
2. Structures shall be built in compliance of 4.6(2) of the LDC and consistent with architectural renderings provided herein as attachment B.
3. The applicant/developer is responsible for construction of the transportation improvements as identified by the TIA pursuant to approval by NCDOT, excluding improvements at the intersection of Woodlawn Street and Belmont-Mt. Holly Road that are included in the I-85 widening project.
4. Site lighting shall be provided as required by Chapter 12 of the LDC.
5. Street trees are required to be planted in compliance with the LDC adjacent to all roadways.
6. The applicant/developer is required to participate in the NC Brownfield program for reuse and development of the property. Information regarding state guidelines and process shall be provided to the city prior to issuance of a grading permit for development.
7. The project is subject to compliance with Chapter 153 – Watershed Protection Ordinance. Compliance will be confirmed during site plan review.
8. The site plan shall include a detailed landscape plan to confirm proposed mitigation of screening and buffering will be met.
9. The applicant shall comply with all requirements necessary to connect to the municipal utility water and sewer system to service the project, including the relocation and/or installation of lines or system improvements and acquisition or dedication of any required easements. The developer shall enter into an agreement with regard to water and sewer extensions.
10. The conditional zoning schematic plan approval is for a maximum of 600,000 square feet of office warehouse use and is valid for a period of 24 months.

Applicant agrees to the conditions herein (Exhibit A) as approved by the Belmont City Council on November 4, 2019.

Belmont Industrial LLC.

By: _____

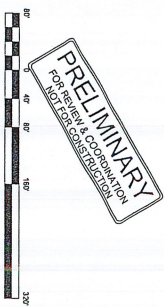
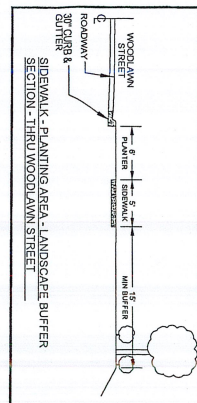
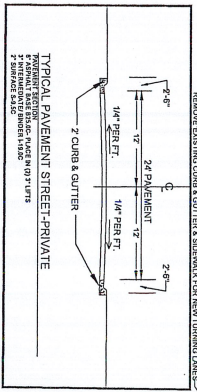
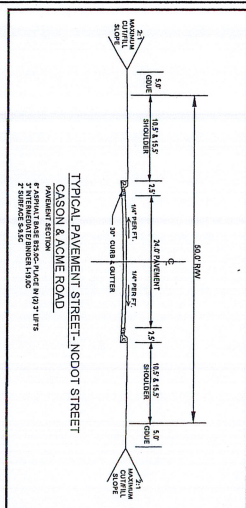
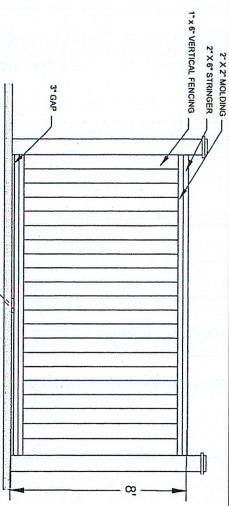
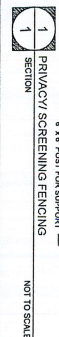
Scott C. Best
Signature

Manager
Title

Date: _____

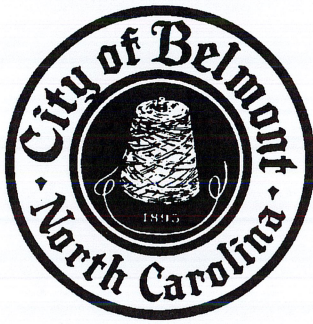
11/5/19

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TRIBEK





City of Belmont

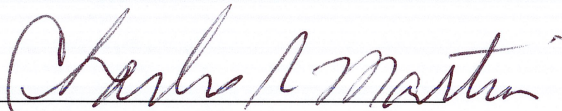
115 North Main St.
P. O. Box 431
Belmont, NC 28012
704 825 5586
Fax: 704 825 0514

Statement of consistency

In considering the request associated with petition ZA 2019.05 the Business Campus Development conditional zoning (BC-D/CD) request for tax parcel ID's # 226572 and 20318, the Belmont city council finds this petition to be a reasonable request and in the public interest. It further finds the petition to be consistent with the comprehensive land use plan because it supports the goals in the area of:

- Land Use: The economic development project encourages a healthier tax base by expanding the non-residential tax base, lessening the burden on residential tax payers.
- Economy: The project represents a sizable investment in the community providing an opportunity for over 250 jobs.
- Intergovernmental Relations: This project is proposed to be a public private partnership that includes NCDOT, Gaston County, and the City.

This finding is supported by a *5-0* vote of the Belmont planning and zoning board during its 4 November 2019 meeting.


Charles Martin, Mayor

11/4/2019
Date





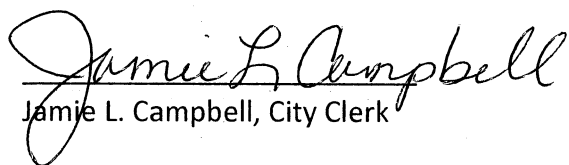
City of Belmont

115 N. MAIN STREET
POST OFFICE BOX 431
BELMONT, N.C. 28012
PHONE (704) 825-5586

CERTIFICATE OF RECORDING OFFICER

The undersigned and duly qualified City Clerk of the City of Belmont, N.C. does hereby certify that the attached Ordinance is a true and correct copy of the Ordinance, as regularly adopted at a legally convened meeting of the Belmont City Council of the City of Belmont, North Carolina, duly held November 4, 2019 and further that such has been duly recorded in the journal of proceedings and records in my office.

In Witness Whereof, I have hereunto set my hand this 4th day of November 2019


Jamie L. Campbell, City Clerk



STATE OF NORTH CAROLINA

COUNTY OF GASTON

This the 4th day of December, 2019 personally appeared before me, a Notary Public for said County and State, Jamie L. Campbell, who being duly sworn by me, says she knows the common seal of the City of Belmont, and is acquainted with Charles R. Martin who is said Mayor and presiding member of said Municipal Corporation; that she saw the Mayor sign the foregoing instrument and saw the said common seal of said Municipal Corporation affixed to said instrument by said Mayor; and that she, the said City Clerk signed her name in attestation of said instrument in the presence of said Mayor of said Municipal Corporation.

Witness my hand and seal, the 4th day of December, 2019

Debra M Brown
Notary Public

11-27-2021
My Commission Expiration Date

