



CITY OF BELMONT

PLANNING & ZONING

Zoning Map Amendment Request: ZA-2020.02

Property Owners: Belmont#1 US321/74Bypass & Southeast Land MGT, LLC; and A G of GAST LLC & Others

Applicants: Pulte Group, represented by Fred Matrulli

Current zoning: General Residential (G-R)/Traditional Neighborhood Development (TN-D)

Proposed zoning: General Residential Conditional District (G-R/CD) & Neighborhood Center Commercial Conditional District (NC-C/CD)

Property location: The project site is located on the south side of Armstrong Road between Eastwood Drive and the South Fork River bridge.

Gaston County tax parcel identification number: 188444

Request: to rezone a 462-acre site from General Residential (G-R)/Traditional Neighborhood Development (TN-D) with the South Fork Overlay (SF-O), to a General Residential Conditional Zoning District (G-R/CD--449 acres) and Neighborhood Center Commercial Conditional district (NC-C/CD—13 acres) to accommodate an 809-unit age-restricted residential subdivision consisting of detached single-family residential homes and a commercial village center at Armstrong Ford Road.

Map 1. Location of subject property



Background: The request is to rezone 462-acre site establishing a conditional zoning district to accommodate mixed use community consisting of:

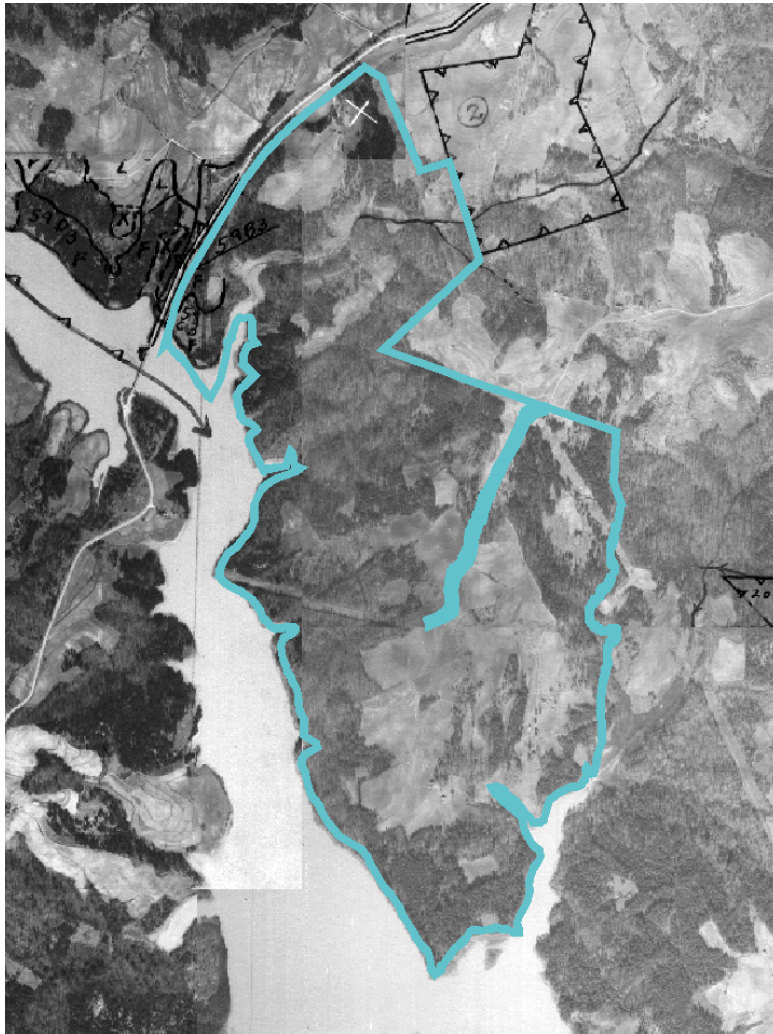
- 809 age-restricted single-family residential lots resulting in a density of 1.8 dwelling units per acre (DUA).
- Approximately 100 acres of open space.
- 106 acres of tree canopy (25%)
- Roadway network includes off-site improvements.
- Future neighborhood commercial center.
- Request for relief in minimum lot width requirement.

The development team has been working with city staff since 2019 on this concept of an age-restricted community which included a visit to a Del Webb community. See site plan in attachment D.

Staff Analysis: The subject property is a 462-acre site located at the city's west jurisdictional boundary, bounded by:

- The South Fork River to the west.
- Armstrong Ford Road and the residential communities of Courtyards at Cramerton and Timberlake to the north.
- The developed communities of Point Crossing, Amberley, and Southpoint Ridge to the east.
- The South Fork River and vacant property to south.

Historic photographs of the subject site reveal the property may have had hunting/fishing cabins that are long since gone, and some areas of open pasture.

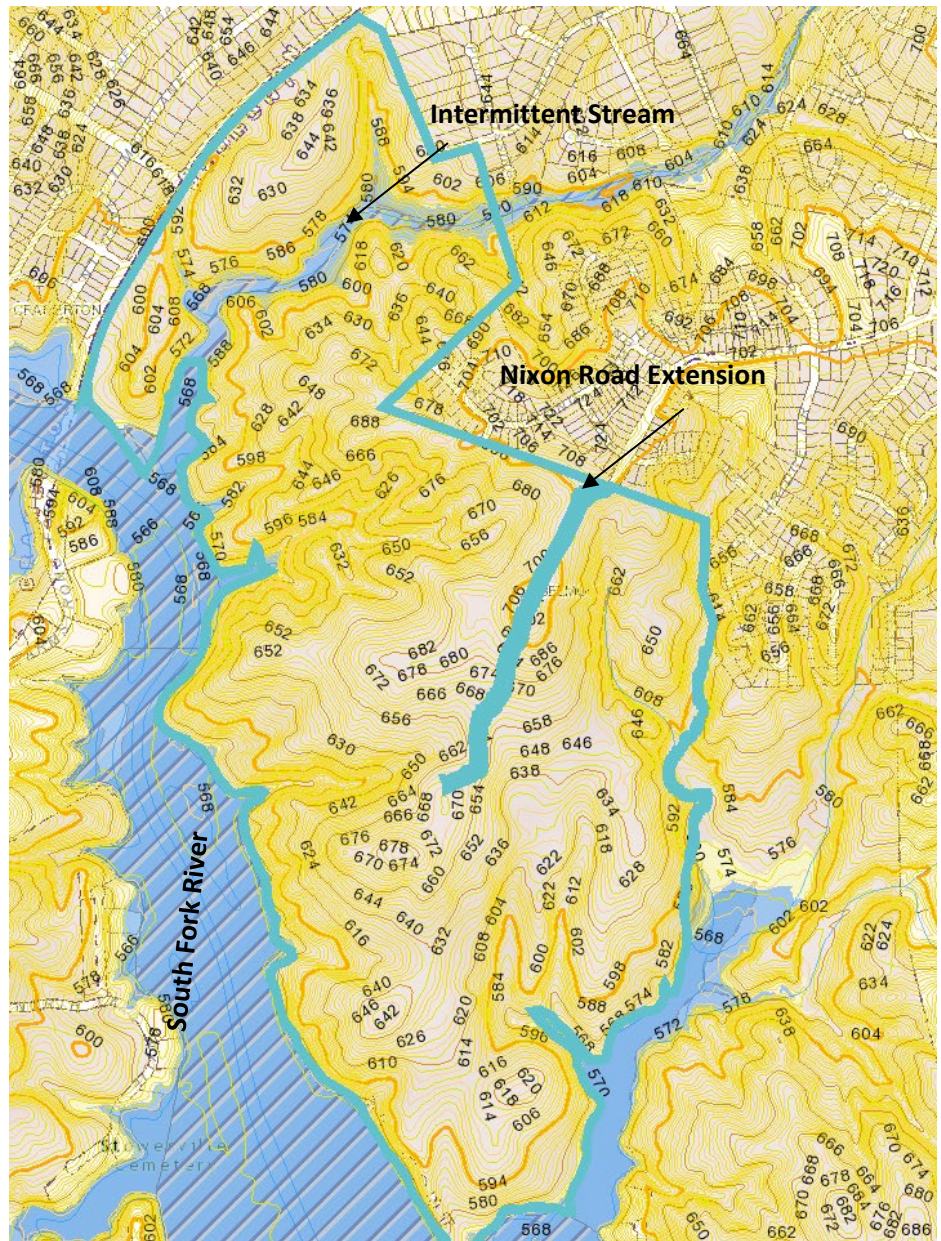


Natural Setting: The subject site is undeveloped with evidence of trails that may currently be used by four-wheelers. Much of the existing site is wooded with a mix of pine and hardwoods. There are environmental features on the property that result in constraints such as diverse topography, an intermittent stream located near the northern property line that runs from west to east, the South Fork Catawba River tributary, and both floodplain and floodway areas.

The property has a deed restriction that requires a 50-foot-wide buffer be maintained around the entire property. This buffer has been incorporated within the project design. The Catawba Riverkeepers and the Carolina Thread Trail have voiced concern regarding best practices for environmental protection of the river. Staff is reviewing recommendations with the applicant.

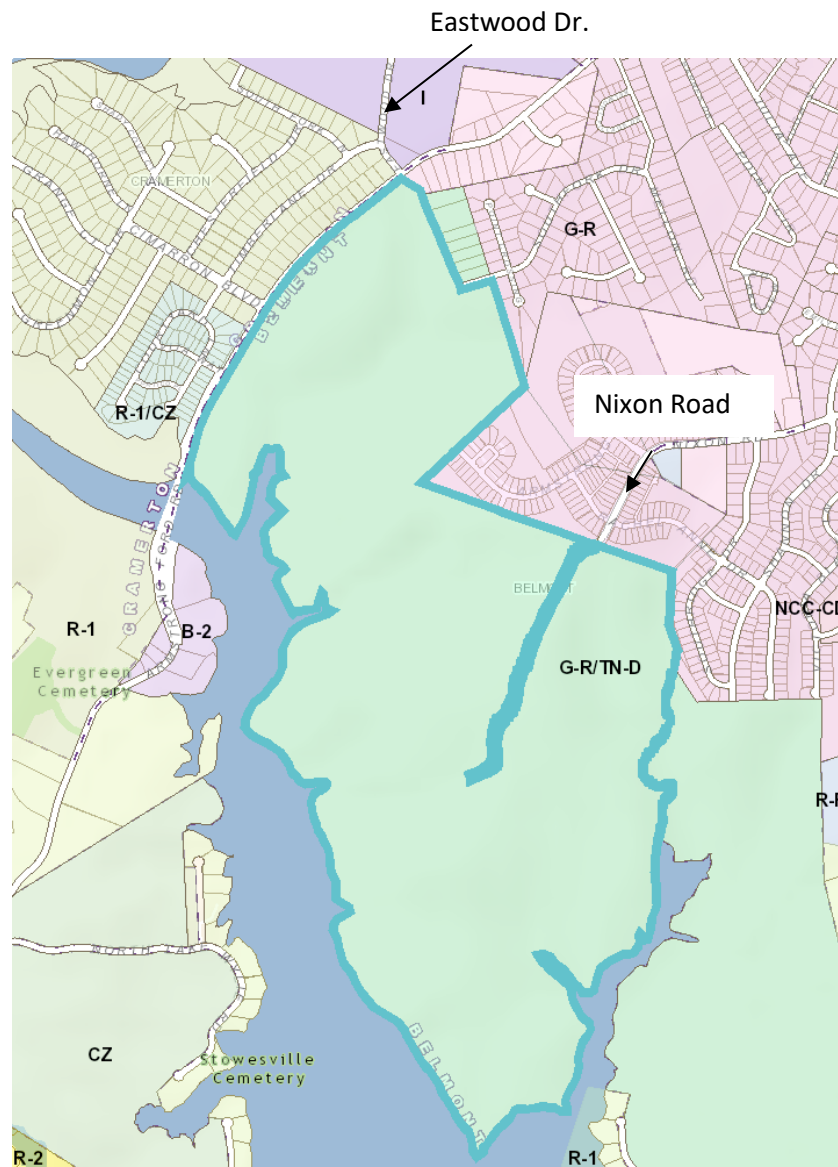
The associated project was submitted prior to the update of the city's tree protection ordinance and therefore is following the regulations of the prior ordinance. The site consists of 425 acres of wooded forest. The project is required to retain 25% of the existing tree canopy area (106.27 acres). The tree save areas identified on the site plan complies with the ordinance requirements that includes a mix of hardwoods and pine trees on an average of 70 trees per acre and are 12" in DBH or greater.

Zoning: The property consists of a parallel zoning district of General Residential (G-R)/Traditional Neighborhood Development (TN-D). This parallel district allows a property owner to choose which district performance standards shall apply. Based on the vision of the future comprehensive land use plan (CLUP), specifically the South Fork Small Area Plan (SFSAP), it was determined a conditional zoning district with dual classifications would best fit the vision. The small area plan envisions primarily single-family residential use and small village center that could be mixed use.



This map amendment proposes to establish a conditional zoning district maintaining the General Residential (G-R) zoning classification on approximately 449 acres and Neighborhood Center Commercial (NC-C) zoning classification on an approximately 13-acre area. The purpose of creating a conditional zoning district, beside carrying out the purposes of the comprehensive land use plan, is to provide the city and the development team with a tool to consider special limitations and conditions on the use and development design of the property proposed for rezoning. The special limitations, conditions, and enhancements are directly tied to the legislative decision resulting in predictability and transparency for the community, development team, and the decision makers.

Zoning classifications around the project area are primarily single-family residential, some of which are conditional zoning districts. There is a small area of commercially zoned (B-2) properties located on the west side of the South Fork River in Cramerton and industrially zoned and operated parcels located adjacent to Eastwood Drive also in Cramerton.



Zoning Map

Zoning District Performance Standards

General Residential	Standards	Proposed
Use- Building Type	Single-family detached homes Alley detached or townhomes— 30% max	Single-family detached homes only
Density	6-dwelling units/acre	1.8 dwelling units/acre
Minimum lot width for Single-family detached street-lot	55-foot-wide lot	42 foot wide—201 lots* 52 foot wide—402 lots* 70 foot wide—206 lots
Maximum height	2 ½ stories	2 stories
On-site Parking	2 spaces max	2-car garages and driveway areas
Architectural Requirements	Per state law – no minimum standards required.	Developer commitments include wall cladding of cementitious fiber board, brick, stone, shake, etc. Garage door treatments See Page of 9 of site plan
Setbacks	Front 20 feet for building 30 feet for face of garage Side 20% of lot width** Rear 30 feet	Front 20 feet for building 30 feet for face of garage Side 5 feet or 20% of lot width; whichever is greater Rear 30 feet

*Relief needed from LDC.

** Regulations in place at time of application

Neighborhood Center Commercial	Standards	Conditioned
Use	Mixed Use permitted; Commercial, Residential, Office and Civic	Non-residential only
Building Types	Shopfront; Flex Commercial; Workplace; Single-family, Townhome, Multi-family	Non-residential building types.

The Neighborhood Center Commercial area is proposed for a future phase by another development team. Conditions will be in place to ensure this area is:

- Restricted to non-residential uses and building types.
- Developed in compliance with all city regulations that includes stormwater, setbacks, height, architecture, and other development regulations.
- Work with the commercial developer and NCDOT to limit driveways on Armstrong Ford Road.

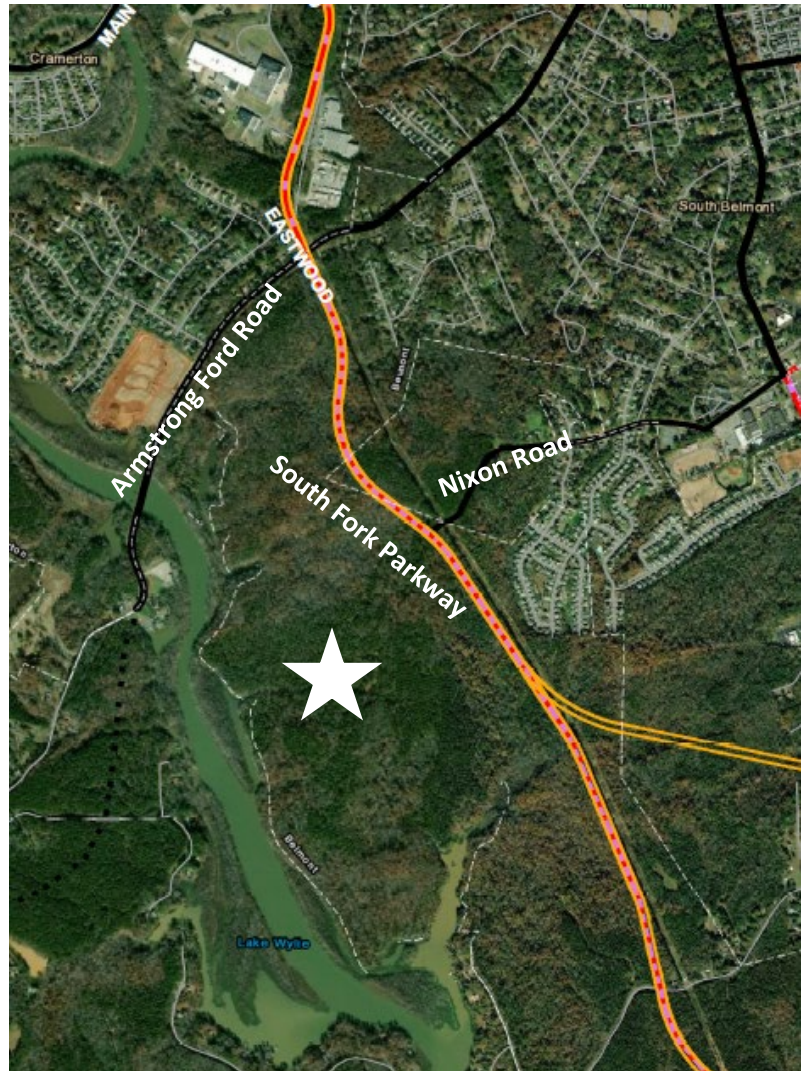
Open Space/Tree Save: The project exceeds the minimum requirements for open space and complies with the minimum tree save area. The open space area includes a proposed public waterfront park located south of Armstrong Ford Road. See sheet three of the plans.

	Required	Provided
Open Space	32.46 acres	+/- 100 acres (22% of site)
Tree Protection Area	106.27 acres	106.27 acres

Transportation / Circulation: the subject 462-acre property currently has two existing arterial road access points: Armstrong Ford Road at the property's north boundary and Nixon Road to the east. There is also a future planned roadway alignment that crosses the property in a north to south direction. This road has been historically referred to as the Belmont Mt.-Holly Connector, however, it is now referred to as the South Fork Parkway.

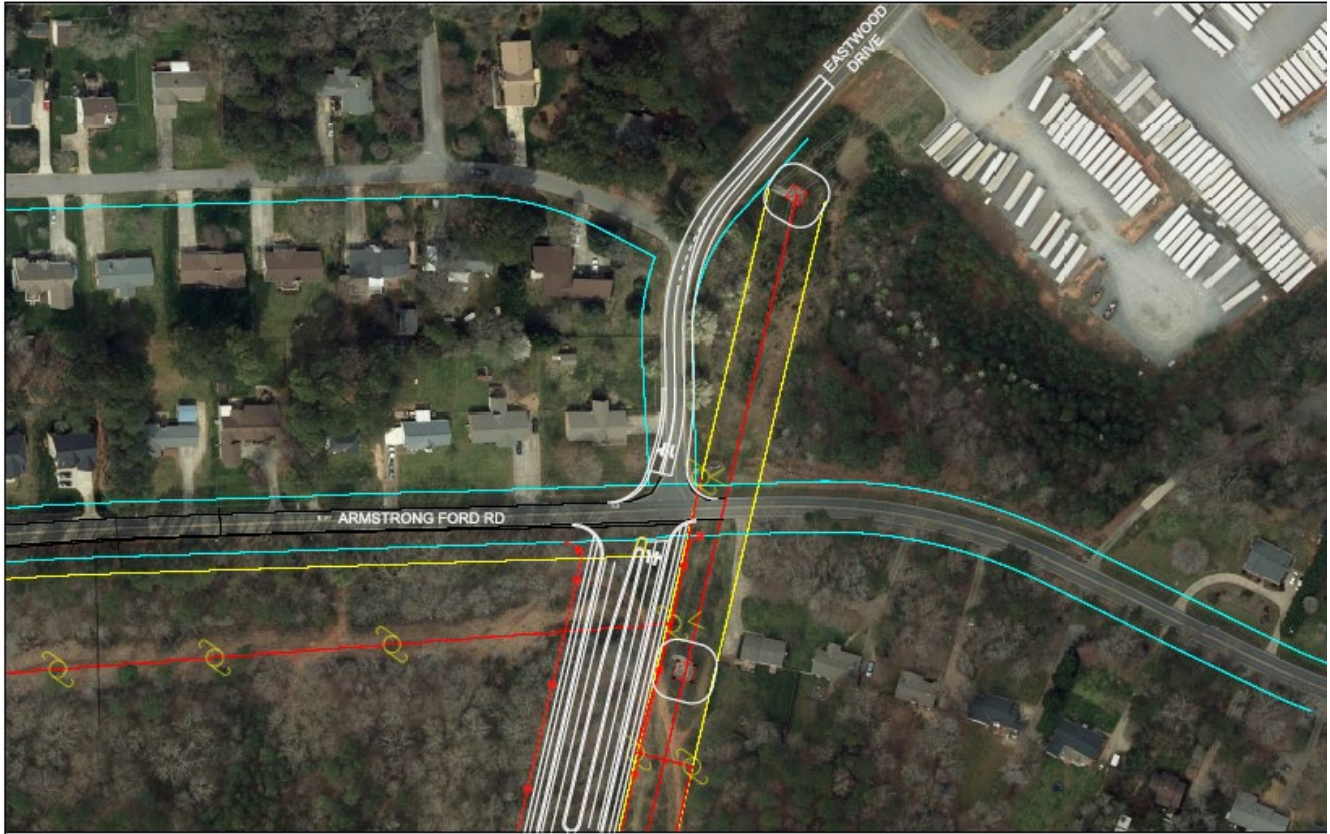
The South Fork Parkway is planned to be a four-lane divided roadway with curb and gutter, bike lanes, sidewalk, and landscaped median. This alignment has been incorporated into the development plan and analyzed as part of the traffic study.

A traffic impact analysis was completed subject to Section 16.14 of the LDC. This study was prepared by the city's transportation consultant in collaboration with other regulating agencies such as NCDOT and Gaston-Cleveland-Lincoln Metropolitan Organization. The traffic analysis includes:



- Traffic counts obtained in December of 2019 (pre-COVID).
- Transportation analysis for 408 age-restricted single-family homes and 130,000 square feet of non-residential development proposed for the village center.
- Evaluation of two potential access alternatives at Armstrong Ford Road.
- Proposed mitigation based on recommendations of the study and evaluated by NCDOT.
- Phasing plan for mitigation improvements based on build-out phases of the development.
- An additional functional layout design for city preferred access location, referred to as option A, that intersects the future South Fork Parkway (Belmont-Mt. Holly Connector) at Armstrong Ford Road.

Functional Layout of Intersection— Preferred Access Option A



The traffic analysis and NCDOT recommended the following improvement areas identified below.:

- Access option B per NCDOT recommendation--see attachment B. Although NCDOT did not support the South Fork Parkway access point as shown above, the developer is dedicating the future right-of-way needed for this connector road. See cover page of plans.
- Improvements on Armstrong Ford Road that include turn lanes, lane widening, and a future signal.
- Intersection improvements at Eastwood Drive and Armstrong Ford Road.
- Intersection improvements at:
 - S. Main Street and Central Avenue
 - S. Main Street and Julia Avenue
 - S. Point Road and Nixon Road
 - S Main Street and Eagle Road
 - Eagle Road & Eastwood Drive

The mitigation improvements are tied to specific phases of development. The city's transportation consultant, Kimley Horn, will present the details on the TIA and roadway mitigation at the meeting. The traffic analysis is available for review on the project website:

<https://www.cityofbelmont.org/documents/tia-del-webb-project/>

Internal Circulation: The internal streets proposed within the residential development vary in width, creating a hierarchy of a well-laid-out streets connecting to the South Fork Parkway. The internal roads are designed to meet city standards of curb and gutter, street tree landscaped areas, and sidewalk. There are some internal streets that exceed the maximum block length of 660 linear feet due to topography issues. The applicant is seeking relief in the maximum block length where needed.

Pedestrian and Bicycle facilities: The project complies with the adopted plans that include:

- Bike lanes and sidewalk on both sides of the South Fork Parkway.
- Five-foot-wide sidewalks on all internal roads.
- An 8-foot-wide public greenway trail adjacent to the South Fork River within a 20-foot-wide easement.

Architecture: The development team is committing to architectural materials and features that exceed LDC regulations. These commitments include excluding vinyl as a primary siding material and enhanced garage door treatments on all residential units. Staff worked with the development team on additional architectural commitment for the smallest lot product to include either:

1. An architectural trellis over the walkway to the front door; or
2. A low wall and gated entry along the walkway to the front door.

These features will reduce the appearance of a prominent garage on the front façade as seen in the photo located below in the lower right corner.



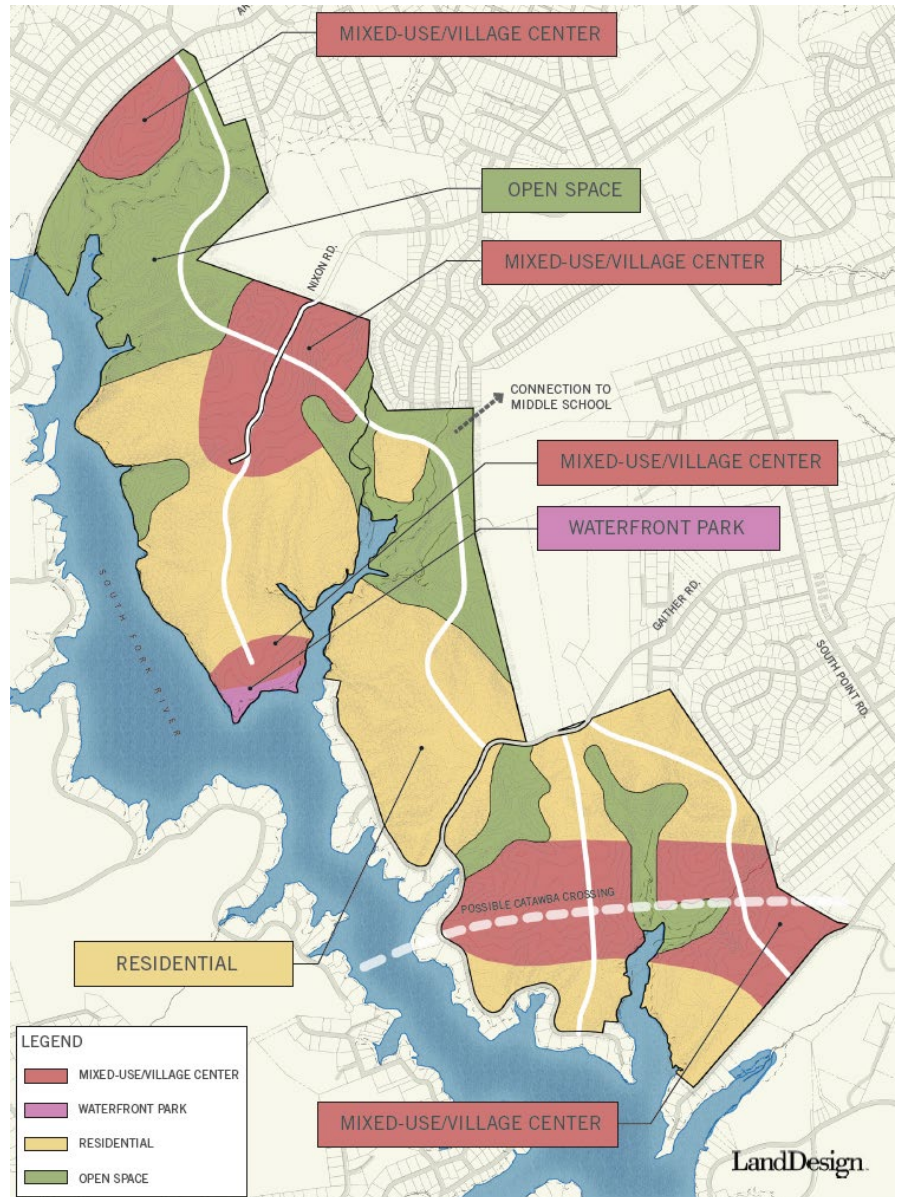
Comprehensive land use plan: All requests for zoning map amendments are required to evaluate consistency with the goals of the adopted comprehensive land use plan and other adopted plans. The project site is located within the South Fork Small Area Plan.

The subject property was identified with three mixed use villages, open space, a waterfront park and primarily single-family residential use with an anticipated maximum density of 3 DUA when located outside of a village center.

The project is designed with less intensity, and at a lower residential density, than what was planned for this area. The project does provide:

- A 21-acre waterfront park, proposed to be dedicated to the city, at a more accessible location.
- One village center consisting of only non-residential use on 13 acres.
- Single-family residential homes proposed at a maximum density of 1.8 DUA.
- Roadway dedication, and construction of a portion of the South Fork Parkway.

Staff is of the opinion that the project as proposed is consistent with the goals of the Comprehensive Land Use Plan in the area of Land Use, Mobility, Environment, and Park and Recreation.



Community meeting: The applicant's team held the required community meeting virtually on Wednesday, March 3, 2010 at 6:30 pm, via WebEx. The virtual meeting was very well attended. Questions and comments focused on:

- Transportation including:
 - South Fork Parkway alignment
 - Development access points
 - Future roadway improvements for the area.
- Anticipated non-residential uses proposed in the planned village center.
- Water quality measures to protect the South Fork River.

There was also appreciation expressed for the age-restricted community and planned public trails and open space. The meeting documents are provided in attachment C of this report. The development team agreed to consider additional commitments specific to stormwater and water quality.

Project Summary: The request is to amend the zoning map to establish a conditional zoning district of G-R/NC-C to support the development of a master planned community consisting of:

- 449.3 acres of General Residential for the development of an 809-lot age-restricted single-family residential community.
- 13 acres of Neighborhood Center Commercial for neighborhood scaled non-residential uses.
- Approximately 100 acres of open space that includes an offer of dedication for a public park and public greenway trails.
- 106 acres of tree canopy preservation.
- Transportation improvements that include the development of a portion of a major arterial road—South Fork Parkway and dedication of right-of-way for the unbuilt portion. Other improvements include off-site roadway improvements as identified in the TIA and NCDOT.
- Petitioner commitments as identified in Attachment E of this report.
- Request for relief in the areas of minimum lot width and block length.

Staff is of the opinion the two required findings can be made:

1. The request is a reasonable request in the public interest because:
 - a. The development plan is consistent with the adopted South Fork Small Area Plan and other adopted plans.
 - b. The development plan includes transportation mitigation to address the project's impacts.
 - c. The development plan includes right-of-way dedication and development of a portion of the South Fork Parkway, an important major arterial planned within Belmont.
2. The request is consistent with the goals of the comprehensive land use plan in the areas of:
 - a. Land use: the project provides a balanced approach to land use by proposing mixed-use that includes neighborhood commercial to serve the proposed age-restricted community.
 - b. Mobility: the project includes a multimodal approach providing a choice in how citizens and visitors move around Belmont.
 - c. Parks and recreation: The project include park and recreational opportunities for all citizens.
 - d. Environment: The project includes less intensity and lower density as envisioned in the adopted South Fork Small Area Plan that includes open space and tree canopy preservation adjacent to the South Fork River.

Recommended Conditions of Approval: Staff has reviewed the petitioner's conditions of approval and agree that they can be included in the draft conditions of approval (Attachment E). Staff is of the opinion that a few conditions should be added. Staff is still reviewing these proposed conditions with the petitioner and city attorney, and they are subject to change.

1. The development is proposed as, and was evaluated as, an age-restricted, active senior community. As such, in the event the development is proposed as a non-restricted open market community, such change shall be deemed as “substantial” and the project will be required to follow Section 15.6 (6) of the LDC for amendment being reconsidered by both the planning and zoning board and the city council for a decision.
2. The development of the NC-C zoned, 13-acre area, is restricted to non-residential use and building form. A site plan review approval is required.

Planning Board Action: Receive report, public comment, and provide a recommendation to city council.

Attachment A – Application

Attachment B – NCDOT Access Point Recommendation

Attachment C – Minutes from Community Meeting

Attachment D – Site Plan

Attachment E – Petitioner’s Draft Conditions of Approval



CITY OF BELMONT

PLANNING & ZONING

Date Filed	06 / 05 / 2020	To be completed by City of Belmont Application Number	ZA-2020.02
To be completed by City of Belmont: Hearing Date(s) P&Z		To be completed by City of Belmont City Council	
3 / 18 / 2021		TBD /	

I (we) the undersigned do hereby respectfully make application and request the Planning and Zoning Board and City Council to amend the zoning map of the City of Belmont:

In support of this application, the following facts are shown:

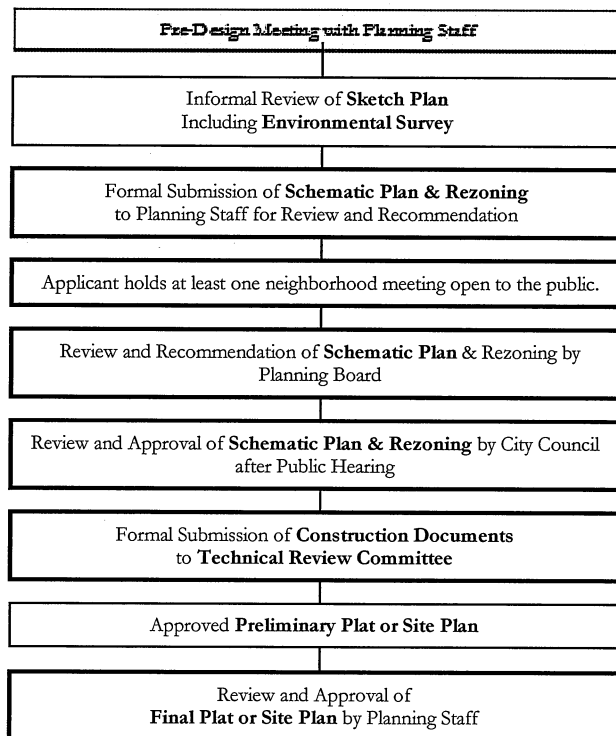
Current Zoning (circle one)	R-R	S-R	G-R	NC-R	INF-R	MH-R
	NC-C	H-C	R-C	BC-D	IC-D	TN-D
Proposed Zoning (circle one)	R-R	S-R	G-R	NC-R	INF-R	MH-R
	NC-C	H-C	R-C	BC-D	IC-D	TN-D
Conditional District? (CD) <input checked="" type="checkbox"/>						

Physical Property Address: No assigned address	
Physical Description of Location: Property South of Armstrong Ford Rd, East of the South Fork River, and West of Southridge Dr	
Tax Parcel Number: (PID Number) 188444	
Property Owner: See attached joinder agreement	
Owner's Address: See attached joinder agreement	
Phone Number: () -	Email Address:
Applicant Name if different than owner: Pulte Group (ATTN: Fred Matrulli)	Applicant Phone Number if different than owner: (704) 212-6338
Applicant Email Address if different than owner: Fred.Matrulli@PulteGroup.com	
Applicant's address: 11121 Carmel Commons Boulevard Suite 450 Charlotte, NC 28226	
Primary Contact: Fred Matrulli	

SUBMITTAL REQUIREMENTS

- Completed Application
- Letter of Intent – Description of proposed project
- 5 copies of Concept Plan (paper and digital version must be drawn to scale by architect, landscape architect, professional surveyor, or engineer licensed in North Carolina). Additional plans will be requested for the public meetings.
- Boundary Survey (acreage, current zoning, location of existing buildings, setbacks)
- Community Meeting Form
- Adjacent Property Owner List – provide a copy of address labels for all adjacent property owners. The City will use this list for public notices for the Planning Board Meeting and the Public Hearing meeting.
- Traffic Impact Analysis, if required, refer to Chapter 16 of the LDC
- Fees associated with review

PROCESS & SCHEDULE – See Section 15.6 of the Land Development Code



The plans will be reviewed internally by city staff. Any deficiencies or request for information will be sent to you within 30-days.

Staff will notify the applicant when the schematic plans are ready to be presented to the public at the required community meeting.

Community Meeting: the scheduling, notification, and meeting report, as described in the supplemental community meeting form, are the responsibility of the applicant. This meeting shall be held a minimum of two weeks (14-days) prior to the scheduled Planning Board meeting.

The Planning Board will hear the request in a public meeting and provide a recommendation to the City Council.

The City Council will hold the public hearing and render a decision on the project. Please refer to Section 20.2 of the LDC for further details.

See attached joinder agreement

Signature of Property Owner

DocuSigned by:

Fred Matrulli

79A6378CFC49478...

Signature of Applicant, if different than the property owner

Pavel

Application Fee (Dept Use Only)

-Please note...The applicant is responsible for the costs of all public notices required by state law. The City will be responsible for the dissemination of the advertisements and will arrange to have the bills sent directly to the applicant. Any changes to this policy must be made prior to the submission of the application.

-This application must be signed by the property owner or their authorized agent.

City of Belmont

Tax Parcel IDs: 188444

Petitioner Joinder Agreement

The undersigned, as the owner of this parcel of land located South of Armstrong Ford Road and West of South Point Road in the City of Belmont, North Carolina that is designated as Parcel Identification Number 188444 on the Gaston County Tax Map and which is the subject of the attached Sketch Plan Submittal, Schematic Plan, and Civil Construction Plans, hereby join and give permission to Pulte Group to request and file this Application with the City of Belmont, North Carolina for the parcel referenced above.

This 5th day of February, 2020
(day) (month)

By: SSP Southeast Land Management LLC
as Administrative Manager

By: [Signature]
(Owner Signature)

BELMONT #1 US321/74 BYPASS &
C/O SOUTHEAST LAND MGT, LLC
2820 SELWYN AVE STE 500
CHARLOTTE, NC 282091791

By: _____
(Owner Signature)

A G OF GAST LLC 3.42% & OTHERS,
C/O SOUTHEAST LAND MGT, LLC
2820 SELWYN AVE STE 500
CHARLOTTE, NC 282091791

North Carolina
County of Mecklenburg

Belmont #1 US321/74 Bypass &, appearing before the undersigned

Name of Property Owner (printed)

A G of Gast LLC 3.42% & others

Notary and being duly sworn, says that:

1. I am the owner of the property described above
2. All statements above are true and correct

Property Owners Signature

Sworn to (or affirmed) and subscribed before me this the 5th day of February, 2019.

(Official Seal)

[Signature]
Official Signature of Notary

Bennette Cornwell Hopper, Notary Public
Notary's Name (printed)

BENNETTE CORNWELL HOPPER
NOTARY PUBLIC
MECKLENBURG COUNTY, NC
My Commission Expires 04-25-2024.

My commission expires: 4-25-2024



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

December 14, 2020

Shelley Dehart,

Per your request, the Department has reviewed the draft concept as presented to District, Division Project, and Roadway staff. The existing alignment of Eastwood Drive connects Armstrong Ford Road as a T intersection.

The proposed "Option A" alignment reverts this connection to a skewed intersection, which poses potential safety and sight distance issues. To keep proper alignment, other alternatives should be examined, including purchase of additional Right of Way from Parcel 195461, or relocation of transmission utilities.

Upon review, the Department of Transportation will not accept the draft concept re-alignment of Eastwood Drive received October 30th, 2020 by Kimley Horn.

Yours very truly,

A handwritten signature in black ink, appearing to read "C. Blake Guffey".

C. Blake Guffey
District 1 Engineer



CITY OF BELMONT

PLANNING & ZONING

CONDITIONAL REZONING APPLICATION SUPPLEMENT

Required Community Meeting Before Public Meetings.

- Before a public meeting may be held by the Belmont Planning and Zoning Board on a petition for a conditional zoning district, the petitioner must provide a written report of at least one community meeting held by the petitioner. This report must be filed with the Planning Department a minimum of ten days prior to the Planning Board public meeting date to allow time to review the required information. If the report is not filed with the Planning Department then the rezoning public meeting on the specific petition will be postponed until the following Planning and Zoning Board meeting.
- Notice of such a meeting shall be given to the property owners and organizations entitled to notice as determined by City policy (policy requires that notification include property owners within 200 feet excluding roadways and neighborhood organizations (HOAs) within 500 feet of the project site). The applicant is responsible for mailing the community meeting notice 10-days prior to the scheduled meeting including a copy of the notice to the Planning & Zoning Department.
- The report shall include, at a minimum:
 - A listing of those persons and organizations contacted about the meeting and the manner and date of contact.
 - The date, time and location of the meeting.
 - A roster of persons in attendance at the meeting.
 - A summary of issues discussed at the meeting.
 - A description of any changes to the rezoning petition made by the petitioner as a result of the meeting.
- In the event the petitioner has not held at least one meeting pursuant to this subsection, the petitioner shall file a report documenting efforts that were made to arrange such a meeting and stating the reasons such a meeting was not held.
- The adequacy of a meeting held or report filed pursuant to this section shall be considered by the City Council but shall not be subject to judicial review.

COMMUNITY MEETING FORM

Date of community meeting: Wednesday, March 3, 2021

Location of community meeting: Virtual via WebEx

Persons in attendance at meeting: (Include a copy of the sign in sheet).

Summary of issues discussed and changes made to the petition as a result of the meeting:

Please see the Community Meeting Report, attached.

Additional sheets may be attached to continue this answer.

Note that in the event the petitioner has not held at least one meeting as required, the petitioner must file a report documenting efforts that were made to arrange such a meeting and stating the reasons such a meeting was not held.

COMMUNITY MEETING REPORT FOR SOUTH FORK REZONING PETITION

Petitioner: Pulte Group
Rezoning Petition No.: South Fork Rezoning Petition
Property: ± 462.3-acres located on Armstrong Ford Road (the "Site")

PERSONS AND ORGANIZATIONS CONTACTED WITH DATES AND EXPLANATIONS OF HOW CONTACTED:

The required Community Meeting was held virtually on Wednesday, March 3, 2021. A representative of the Petitioner mailed a written notice of the date, time, and details of the Virtual Community Meeting to the individuals and organizations set out on **Exhibit A** by depositing the Community Meeting Notice in the U.S. mail on 2/12/2021. A copy of the written notice is attached as **Exhibit B**.

TIME AND DATE OF MEETING:

The Community Meeting required by the Ordinance was held virtually on Wednesday, March 3, 2021, at 6:30 PM.

PERSONS IN ATTENDANCE AT MEETING:

The list of registered attendees from the required Virtual Community Meeting is attached as **Exhibit C**. The Petitioner's representatives at the required Community Meeting were Fred Matrulli and Jeremy Huntsman with the Pulte Group. Also in attendance was Bridget Grant with Moore & Van Allen, PLLC and Matt Mandle, Matt Reiking and Skylar White with ESP Associates.

SUMMARY OF ISSUES DISCUSSED AT MEETING:

I. Overview of Petitioner's Presentation.

Introduction and Overview of Development Plan.

Bridget Grant opened the meeting and welcomed everyone in attendance and turned it over to Fred Matrulli to discuss Pulte and other similar developments. Mr. Matrulli explained that they will be delivering three product types and described the anticipated quality of development for the site.

Ms. Grant then described conditional zoning process as a tool to get a higher level of development, provide community engagement opportunities, raise the bar on the quality of development, and provide certainty for what is to be developed on the site. Ms. Grant presented the proposed plan and overall plan benefits versus what could be developed under the existing zoning.

The development team described the approach to the required transportation study, the intersections studied, and those intersections that would be improved as part of this development.

The meeting was then opened for questions.

II. Summary of Questions/Comments and Responses:

Several attendees asked questions regarding the alignment of the South Fork Parkway, access points, future signals, and overall transportation improvements for the area. Ms. Grant confirmed that the South Fork Parkway would align with the intersection of Armstrong Ford Rd and Cimarron at the request of NCDOT.

It was confirmed that the transportation improvements are not limited to the site only, rather, they are off site and benefit the broader community. Access to the site will be provided from Armstrong Ford Rd, the Amberley community and Nixon Road. Portions of Armstrong Ford Rd will be widened to provide turn lanes into the development. The community will not be gated. It was acknowledged that the TIA was performed during Covid however, the city and NCDOT take growth factors into consideration in addition to recent traffic study numbers. Ms. Grant also confirmed that the TIA takes into consideration other approved developments. Some residents asked if a roundabout was considered at Cimarron and Mr. Reiking confirmed a roundabout was not recommended in the TIA.

One attendee asked about the anticipated nonresidential uses along Armstrong Ford Rd. Mr. Matrulli confirmed that the commercial will come at a much later date and various uses will be allowed.

Several residents expressed appreciation for the age restricted community. Mr. Matrulli stated that the community would be deed restricted to remain age-restricted. One attendee requested the periphery buffer size be increased. Attendees asked questions regarding the buffer along the South Fork, management of silt, and high-density stormwater. The development team agreed to continue to work with the Riverkeeper and other water quality agencies to consider additional water quality measures. It was confirmed that the public would be able to access the proposed open space along Armstrong Ford Rd and the 2.7 miles of Greenway. The development team described the significant increase in the amount of open space to being donated to the city of Belmont along Armstrong Ford Rd rather than the site identified in the adopted land use plan.

Residents also expressed an appreciation for the amount of trails and open space.

The petitioner provided the anticipated rezoning schedule as well as the construction schedule noting all of the dates were subject to change.

CHANGES MADE TO PETITION AS A RESULT OF THE MEETING:

The petitioner agreed to consider additional commitments specific to stormwater and water quality management and collaboration with other agencies

Curr_Name1	Curr_Name2	Curr_Addr1	Curr_City	Curr_State	Curr_Zipcode
HARRIS STEVEN E		1001 RACHEL ANNE DR	BELMONT	NC	280120000
DRUMM MICHAEL SHANE	DRUMM KIM	1007 RACHEL ANNE DR	BELMONT	NC	280126530
POAG TEKLA A		1013 RACHEL ANNE DR	BELMONT	NC	280120000
SPARROW ALAN B	SPARROW MARCIA M	103 TIMBERLANE DR	BELMONT	NC	280120000
SWANGER WILLIAM THOMAS	SWANGER DEBORAH C	110 POINT CROSSING	BELMONT	NC	280120000
GODWIN EDDIE	GODWIN ANITA HOPKINS	111 POINT CROSSING CT	BELMONT	NC	280120000
RICHEY JEWEL GOINS		119 POINT CROSSING DR	BELMONT	NC	280129515
COLEMAN RYAN T	COLEMAN MEREDITH R	1213 ARMSTRONG FORD RD	BELMONT	NC	280129605
PENNINGTON LUTHER J JR	PENNINGTON MIRANDA C	1217 ARMSTRONG FORD RD	BELMONT	NC	280129605
HALLBERG KATHLEEN	HALLBERG CHRISTOPHER	1219 ARMSTRONG FORD RD	BELMONT	NC	280120000
RUMFELT KENNETH L	RUMFELT BABARA F	1300 ARMSTRONG FORD RD	BELMONT	NC	280120000
KARR JOHN S	KARR BEVERLY D	1302 ARMSTRONG FORD RD	BELMONT	NC	280120000
PATE WILLIAM L III	PATE SELINA R	1306 ARMSTRONG FORD RD	BELMONT	NC	280120000
SUGGS MARK T	SUGGS PATRICIA M	1308 ARMSTRONG FORD RD	BELMONT	NC	280120000
ADAMS CASSANDRA L		1312 ARMSTRONG FORD RD	BELMONT	NC	280129568
OROZCO MELISSA		1314 ARMSTRONG FORD ROAD	BELMONT	NC	28012
ANDERSON ROBERT	ADAMS SARAH	1318 ARMSTRONG FORD RD	BELMONT	NC	28012
HITICAS LOREN		1324 ARMSTRONG FORD RD	BELMONT	NC	28012
SOUTH POINT RIDGE COMMITY ASSC		1355 GREENWOOD CLIFFE STE 150	CHARLOTTE	NC	282040000
PATEL RAJIV P	PATEL VIBHUTI R	1374 LILLIAN AVE	SUNNYSVALE	CA	940870000
THE OLD WELL GROUP LLC		1422 BURTONWOOD DR STE 100	GASTONIA	NC	280544051
JA-JO'S PROPERTIES LLC		1501 ARMSTRONG FORD RD	BELMONT	NC	28012
KINUSA PROPERTIES LLC		1525 REFLECTION POINTE BLVD	BELMONT	NC	280126761
CARPENTER DAVID R	CARPENTER AMANDA L	1811 ABBOTSFORD CT	GASTONIA	NC	280567431
KING VICKY V		201 TIMBERLANE DR	BELMONT	NC	280127726
CAIN JULIE ANNE		202 POINT CROSSING CT	BELMONT	NC	28012
BALDWIN DANNY RAY	BALDWIN PEGGY ANN	203 POINT CROSSING DRIVE	BELMONT	NC	280120000
WILLIAMSON GARY THOMAS JR		203 TIMBERLANE DR	BELMONT	NC	28012
HOYLE GRADY W	HOYLE LINDA L	205 TIMBERLANE DR	BELMONT	NC	280120000
BUCHANAN PHILLIP E	BUCHANAN LEE SUZANNE	207 POINT CROSSING CT	BELMONT	NC	280128512
BELL NATHANIEL B	BELL HOLLY F	207 TIMBERLANE DR	BELMONT	NC	280127726
DZUREC DANIEL LORENCE &	EMERY KATHERINE ELIZABETH	208 POINT CROSSING CT	BELMONT	NC	280128511
SHEPPARD TIMOTHY ALAN	SHEPPARD DONNA JACKSON	2100 SOUTHRIDGE DR	BELMONT	NC	280127539
KIMBLE JASON GUY	KIMBLE DAWN	2101 SOUTHRIDGE DR	BELMONT	NC	280120000
HANEY KEVIN B	HANEY SUSAN H	211 POINT CROSSING	BELMONT	NC	280120000
ELMORE HARVEY HENRY III		211 TIMBERLANE DR	BELMONT	NC	280127726
ALEXANDER CYNTHIA		2112 SOUTHRIDGE DR	BELMONT	NC	280127539
OATES MIGUEL	OATES SABNIA	2113 SOUTHRIDGE DR	BELMONT	NC	280120000
KRISHNA MEHER SURENDRA RAVURI VENKATA	PRABHALA SRIPRIYA	2118 SOUTHRIDGE DR	BELMONT	NC	28012
PARATORE VINCENT	PARATORE TINA	2124 SOUTHRIDGE DR	BELMONT	NC	280120000
NEWSTYLE CRAMERTON LLC		2125 SOUTHEND DR	CHARLOTTE	NC	282035301
SHEARER EVAN WILLIAM	SHEARER LINDSAY M	213 TIMBERLANE DR	BELMONT	NC	28012

Curr_Name1	Curr_Name2	Curr_Addr1	Curr_City	Curr_State	Curr_Zipcode
MACALESTER PAUL THOMAS III	MACALESTER BRITTANY W	2130 SOUTHRIDGE DR	BELMONT	NC	280127539
FERGUSON DAVID PATRICK	FERGUSON JAMIE SHAW	2136 SOUTHRIDGE DR	BELMONT	NC	280127539
NGUYEN THANG D	NGUYEN KIM-THUY	2137 SOUTHRIDGE DR	BELMONT	NC	280120000
HERMAN BENJAMIN B &	HAYES RACHEL	2142 SOUTHRIDGE DR	BELMONT	NC	280127539
WILLIAMS BRADLEY M		2148 SOUTHRIDGE DR	BELMONT	NC	280127539
GUTKOWSKI ROBERT A	GUTKOWSKI CATHLEEN T	2149 SOUTHRIDGE DR	BELMONT	NC	280120000
CHURCHILL RICHARD F		215 POINT CROSSING CT	BELMONT	NC	280128512
HRDLICK JOSHUA LEE	HRDLICK ALISON THERESA	2154 SOUTHRIDGE DR	BELMONT	NC	28012
DE REGO CHRISTOPHER R	DE REGO KATHLEEN A	2155 SOUTHRIDGE DR	BELMONT	NC	28012
MELTON JOHN N	MELTON RACHEL A	2160 SOUTHRIDGE DR	BELMONT	NC	280127539
WARE CHARLOTTE W		2161 SOUTHRIDGE DR	BELMONT	NC	280127539
LARRIMORE MATTHEW	LARRIMORE TAMMY VICTORIA	2166 SOUTHRIDGE DRIVE	BELMONT	NC	28012
MARTIN MELODIE A &	MARTIN MARY W	2167 SOUTHRIDGE DR	BELMONT	NC	280127539
MCSWAIN KAREN DENISE		217 TIMBERLANE DR	BELMONT	NC	280127726
GREENWELL DONA ANN		2172 SOUTHRIDGE DR	BELMONT	NC	280127539
LANEY SUZANNE M	LANEY GREG	2173 SOUTHRIDGE DRQ	BELMONT	NC	280120000
JOHNSON BRANDON LEE &	JOHNSON MARY CABANISS	2178 SOUTHRIDGE DR	BELMONT	NC	280127539
PETTUS CHARLES R	PETTUS DEBRA K	219 POINT CROSSING	BELMONT	NC	280120000
WELSHOFER GARRETT WOODROW	WELSHOFER KILEIGH BROWNING	219 TIMBERLANE DR	BELMONT	NC	280127726
TOTHROW F NATHAN		2190 SOUTHRIDGE DR	BELMONT	NC	280120000
SPEARS RENITA W	SPEARS MICHAEL A	2200 CIMARRON BLVD	BELMONT	NC	28012
YOUNG THOMAS BLAIR	YOUNG BRIDGET PORTER	2201 CIMARRON BLVD	BELMONT	NC	280120000
ISRALSKY MARC	ISRALSKY JANET E	2202 CIMARRON BLVD	BELMONT	NC	28012
LEWIS PETER JOHN RUSSELL	LEWIS PAULINE ROBYN	2203 CIMARRON BLVD	BELMONT	NC	280128593
SPARGO AMANDA HUFFSTETLER		221 TIMBERLANE DR	BELMONT	NC	28012
PASSER ELIZABETH A		223 TIMBERLANE DR	BELMONT	NC	280127726
ROBINSON PHILIP H	ROBINSON DEBORAH W	225 POINT CROSSING DR	BELMONT	NC	28012
BERRY JONATHAN ANDREW	BERRY LISA S	225 TIMBERLANE DR	BELMONT	NC	280120000
LOCKLEAR DONNIE	LOCKLEAR SUSAN	227 POINT CROSSING CT	BELMONT	NC	280128512
TOLAN EZECHIL	TOLAN CORINA	2526 CLEARKIRK CT	MATTHEWS	NC	281053011
HOLLINGSWORTH BARON &	PETERSON LISA	325 SOUTHFORK DR	BELMONT	NC	280128532
BOWMAN KEVIN B	BOWMAN STEPHANIE S	329 SOUTHFORK DR	BELMONT	NC	280120000
KIRBY JILLIAN A	KIRBY CHARLES D	480 LAKE RIDGE DR	TRUSSVILLE	AL	35173
COCHRAN JENNIFER		4913 SPRING LN	CHARLOTTE	NC	282135333
LITTLE RICKY V	LITTLE SHERI W	5004 VITA WAY	BELMONT	NC	28012
CDB OF CHARLOTTE LLC		520 N CHURCH ST	CHARLOTTE	NC	28202
SHYLTLE STEVE	SHYLTLE DIANE	5206 COURTYARD LN	BELMONT	NC	28012
RHODES ALBERT	RHODES JANE	5208 COURTYARD LN	BELMONT	NC	28012
MCDANIEL SHARON D		5210 COURTYARD LN	BELMONT	NC	28012
PHILMON SHARON T	PHILMON MICHAEL M	5212 COURTYARD LN	BELMONT	NC	28012
MILLERLILE WILLIAM M	MILLERLILE ROSELIND M	5216 COURTYARD LN	BELMONT	NC	28012
MURRAY JOHN H	MURRAY BRENDA M	5218 COURTYARD LN	BELMONT	NC	28012

Curr_Name1	Curr_Name2	Curr_Addr1	Curr_City	Curr_State	Curr_Zipcode
MILLER LEON A	MILLER TERECE A	5226 COURTYARD LN	BELMONT	NC	28012
MULLINS DEBORAH		5228 COURTYARD LN	BELMONT	NC	28012
MILLER ROBERT	MILLER JOAN	5230 COURTYARD LN	BELMONT	NC	28012
CERAR FRANK	CERAR CAROL	5232 COURTYARD LN	BELMONT	NC	28012
MORRIS JAMES	SCHWARTZ STEVEN	6008 SARAH CREEK CT	RALEIGH	NC	27607
LINEBERGER JASON R	HIXON ROBERT R JR	609 S MAIN ST	BELMONT	NC	280123723
NGUYEN TOA HUU	TRAN ANH	6220 UNDERWOOD AVE	CHARLOTTE	NC	282133869
NS/CHLC CRAMERTON JV LLC		6412 BANNINGTON RD	CHARLOTTE	NC	28266
LANGRALL JAMES E	LANGRALL BARBARA A	712 DAVID AVE	WESTMINSTER	MD	21157
ADKINS THOMAS J III	ADKINS CYNTHIA C	800 SOUTH POINT RD	BELMONT	NC	280120000
MERITAGE HOMES OF THE CAROLINAS INC		8800 E RAIN TREE STE 300	SCOTTSDALE	AZ	85260
DAVID & META ARMSTRONG LV TR		907 RITCHIE RD	LINCOLNTON	NC	28092
BELMONT #2 US 321 BYPASS & ELLINGTON JOHN M/ C/O SOUTHEAST LAND MGT, LLC		2820 SELWYN AVE STE 500	CHARLOTTE	NC	282091791
PENDERGRASS KARL D	PENDERGRASS KATHERINE H	P O BOX 237	LOCKHART	SC	29364
BUCKNER JOE DAVID		PO BOX 129	BELMONT	NC	280120129
BRITTIAN TONI GREENE		PO BOX 18	BELMONT	NC	280120018
T-LAKE LLC		PO BOX 188	GASTONIA	NC	280530188
BELMONT CITY OF		PO BOX 431	BELMONT	NC	280120431
JOHNSON ALVIN K	JOHNSON JANICE B	PO BOX 99	ALEXIS	NC	280060099

NOTICE TO INTERESTED PARTIES OF A REZONING PETITION
South Fork Rezoning Petition

Subject: South Fork Rezoning Petition

Petitioner/Developer: Pulte Group

Current Land Use: Vacant

Existing Zoning: G-R/TND

Rezoning Requested: G-R/NC-C/CD

Date and Time of Meeting: **Monday, March 3, 2021 at 6:30 p.m. (VIRTUAL)**

Virtual Meeting RSVP: ***Please email BridgetGrant@mvalaw.com or call 704-331-2379 to provide your email address in order to receive a secure virtual meeting link or to request a hard copy of the presentation material.***

Date of Notice: 2/12/2021

We are assisting Pulte Group (the "Petitioner") on a Rezoning Petition recently filed to allow the development of the site located on Armstrong Ford Road (the "Site"). We take this opportunity to furnish you with basic information concerning the Petition, and in accordance with local and state orders in place to prevent the further spread of COVID-19, ***the meeting will be held virtually. Please email BridgetGrant@mvalaw.com or call 704-331-2379 to provide your email address in order to receive a secure virtual meeting link by March 1st.***

Residents who expect they will be unable to access the virtual meeting are asked to email bridgetgrant@mvalaw.com or call 704-331-2379 to make alternative arrangements to receive the presentation information. Presentation materials will be shared upon request after the virtual meeting.

Background and Summary of Request:

This Petition involves a request to rezone the ± 462.3-acre Site from G-R/TND to G-R/NC-C/CD to allow the development of the site with residential uses and includes construction and reservation of right of way for a portion of the Belmont Connector. The rezoning site plan proposes to construct a Del Webb community with up to 809 single-family homes and future neighborhood service type commercial uses along Armstrong Ford Road.

Community Meeting Date and Location:

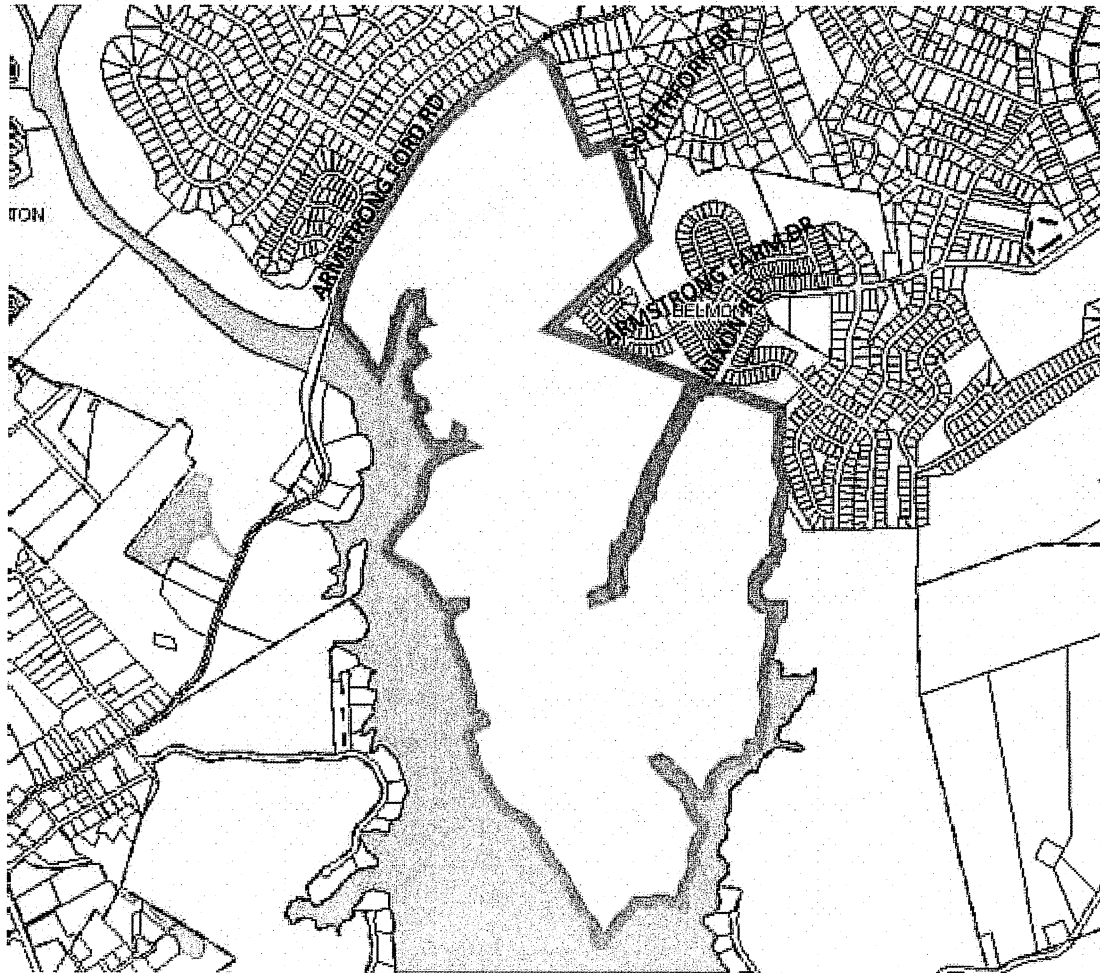
The Gaston County tax records indicate that you are either a representative of a registered neighborhood organization or an owner of property near the Site. **Accordingly, we are extending an invitation to participate in the upcoming Virtual Community Meeting to be held on Monday, March 3, 2021, at 6:30 p.m.** Representatives of the Petitioner look forward to discussing this exciting rezoning proposal with you at the Community Meeting.

In the meantime, should you have questions about this matter, you may call or email Bridget Grant (704-331-2379) bridgetgrant@mvalaw.com - Thank you.

cc: Mayor Charlie Martin and Town Council, City of Belmont
Shelley Dehart, City of Belmont Planning and Zoning Department
Planning and Zoning Board, City of Belmont
Mayor Will Cauthen, Town of Cramerton
Joshua Watkins, Town of Cramerton Planning and Zoning Department
Planning Board, Town of Cramerton

Planning Commission, Town of Cramerton
Fred Matrulli, Pulte Group
Jeff Brown, Moore & Van Allen, PLLC
Bridget Grant, Moore & Van Allen, PLLC

Site Location



email

Rphmiller@bellsouth.net
evan.shearer@gmail.com
deregocr@gmail.com
KBowman@borderstates.com
wilneumann@gmail.com
ssummers425@gmail.com
jenalgoodman@gmail.com
bmacalester@yahoo.com
pmacalester@gmail.com
carolspoole@gmail.com
dlporter19@gmail.com
murray.jh@outlook.com
BBMurray@outlook.com
Kathytimmons@kw.com
atsnu@aol.com
MaddenJA@protonmail.com
ccain45@yahoo.com
kmprice@carolina.rr.com
blangrall@gmail.com
renitaspears59@gmail.com
khpendergress@bellsouth.net
kdp411@bellsouth.net
pbuchanan1@carolina.rr.com
kdmcalpine@yahoo.com
scphelps1@yahoo.com
hteague@yahoo.com
sophiaebrewer@outlook.com
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gstewa@gmail.com
sandmphilmon@gmail.com
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Selina.Pate@gastongov.com
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rmiller12@yahoo.com
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names

Robert Miller
Evan Shearer
Chris Derego
Kevin Bowman
Wil Neumann
Stephen Summers
jena goodman
Brittanty MacAlester
Paul MacAlester
Carol Poole
Dave Porter

Brenda Murray
Kathy Timmons
A. Rhodes
Julia Madden
Cathy Cain
karen price
Barb Langrall
Renita Spears
Katherine Pedergrass
Karl Pendergrass
Phil Buchanan
Kim McAlpine
Susie Phelps
Ahteague <a
Sophia
Les Auth
John McManus
G Stew
Sharon Philmon
Phil Robinson
Anita Godwin

Debra Gilbert
Pauline Lewis
Sherry Porter

Neil Brennan
Sam Perkins
Selina Pate
Laurie Cole
Brandon Jones
Rose Millerlile
ROBERT MILLER

[illegible]

Pulte Belmont
Development Standards
2/12/20
South Fork Rezoning Petition

Site Development Data:

- Acreage: ± 462.3 acres
- Tax Parcel #: 188444
- Existing Zoning: G-R/TND
- Proposed Zoning: G-R/NC-C/CD
- Existing Uses: Vacant
- Proposed Uses: Up to 809 single-family detached dwelling units as allowed by right and under prescribed conditions in the G-R/ NC-C zoning district as further described in Section 2 below.

1. General Provisions:

a. Site Location. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Pulte ("Petitioner") to accommodate the development of up to eight hundred nine (809) single-family detached dwelling units as generally depicted on the Rezoning Plan. The proposed development will be on an approximately 462.3 acre site located on Armstrong Ford Road (the "Site").

b. Zoning Districts/Ordinance. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the Belmont Land Development Code (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the G-R/NC-C zoning classification shall govern.

c. Graphics and Alterations. The schematic depictions lots, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 15.6 of the Ordinance.

Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed per Section 15.6 of the Ordinance. These instances would include changes to graphics if they are minor and don't materially change the overall design intent depicted on the Rezoning Plan.

The Planning Director will determine if such minor modifications are allowed and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow Section 15.6.6 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

2. Conditions:

The following provisions vary from the base standards of the Land Development Ordinance and are further described in Sections 3, 5, 6, and 7 below in connection with single-family detached development taking place within Development Area 1 to accommodate a variety of setback and yard widths and other development elements so as to allow for a pedestrian-friendly residential community.

- a. The minimum lot width shall be permitted as follows and as set forth in Section 2 below.
 - i. 42' wide lots: a maximum of 201 lots
 - ii. 52' wide lots: a maximum of 402 lots
 - iii. 72' lots: a minimum of 206 lots

It is understood that in no event shall the number of 42' or 52' lots increase, however the number of 72' lots are flexible subject to the overall maximum number of lots.

- b. Except as set forth in Section 5 below and/or as approved by the City Council, the Petitioner shall not be required to comply with the residential Architectural Requirements set forth in Chapter 4, Section 4.2 of the Land Development Code in Development Area 1. It is understood that development within the NC-C/CD, Development Area 2, shall adhere to the provisions of Chapter 4.
- c. Front loaded garages are permitted as set forth in Section 5 below and/or as approved by the City Council.
- d. Due to topographic constraints and existing features on the site, the minimum block length of 660' may be exceeded as generally depicted on the Rezoning Plan and set forth in Section 6 below.

3. Permitted Uses & Development Areas:

For ease of reference, the Rezoning Plan sets forth various development areas as generally depicted on [Sheet RZ-1] as Development Area 1 and Development Area 2 (each a "Development Area" and collectively the "Development Areas").

- a. **Development Area 1.** The principal buildings constructed within Development Area 1 on the Site may be developed with up to eight hundred eight (808) single-family detached dwelling units subject to the following provision(s):
 - i. 42' wide lots: a maximum of 201 lots
 - ii. 52' wide lots: a maximum of 402 lots
 - iii. 72' lots: a minimum of 206 lots

It is understood that in no event shall the number of 42' or 52' lots increase, however the number of 72' lots are flexible subject to the overall maximum number of lots.

- b. **Development Areas 2.** The principal buildings constructed within Development Area 2 on the Site may be developed with up with uses permitted in the NC-C zoning district excluding residential uses.

4. Access and Transportation:

I. Proposed Access.

- a. Access to the Site will be from Armstrong Ford Road via Public Street A as generally depicted on the Rezoning Plan subject to Belmont and NCDOT approval.
- b. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the City of Belmont and/or NCDOT in accordance with applicable published standards.
- c. The overall street network is conceptual in nature and may be adjusted during the permitting process subject to the standards and approvals of NCDOT and the City of Belmont as applicable. It is understood the overall street network shall be generally consistent with the Rezoning Plan.

II. Proposed Improvements.

- a. The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth in the approved Transportation Impact Analysis (TIA) subject to the provisions set forth in Section III.

III. Standards, Phasing and Other Provisions.

- a. **City of Belmont and NCDOT Standards.** All of the foregoing public roadway improvements will be subject to the standards and criteria of the City of Belmont and/or NCDOT (as it relates to the roadway improvements within their respective road system authority). It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the area, by way of a private/public partnership effort or other public sector project support.

b. Phasing.

Notwithstanding the commitments of the Petitioner to provide for the roadway improvements described in the approved Traffic Impact Study, the following provisions shall permit development to take place prior to completion of all of the above-referenced improvements:

- (i) The Petitioner has the right to construct up to the maximum amount of units and/or square footage shown below by constructing the appropriate roadway improvements listed for each level of development without being required to construct the remainder of the required transportation improvements listed in the approved Traffic Impact Study until the development levels shown below are exceeded:

Phase 1: 401 single family units

Phase 2: 408 single family units

Phase 3: 130,000 of commercial uses

- c. **Substantial Completion.** Reference to “substantial completion” for certain improvements as set forth in the provisions of the approved TIA shall mean completion of the roadway improvements in accordance with the standards set forth in the approved TIA provided, however, in the event certain non-essential roadway improvements (as reasonably determined by the City of Belmont) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy

for building(s) on the Site in connection with related development phasing described above, then the City of Belmont will instruct applicable authorities and/or departments to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

d. Right-of-way Availability. It is understood that some of the off-site public roadway improvements referenced in the approved TIA may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60 day period, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then the City of Belmont, NCDOT or other applicable agency, department or governmental body may agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in the approved TIA are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then the City of Belmont will instruct applicable authorities and/or departments to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

In addition to the foregoing, in the event the right of way is not available for any reason after the good faith efforts of the Petitioner, the Petitioner will work with the City of Belmont and/or NCDOT as applicable to either (i) identify alternative improvements to implement traffic mitigation in lieu of the improvements impacted by the lack of right of way as described in subsection f. below; or (ii) contribute to the City of Belmont and/or NCDOT as applicable, an amount equal to the estimated cost of the road improvements not completed due to the lack of available right of way, such funds to be used to complete such alternative roadway improvements in the general area of the Site in a manner reasonable agreeable to the Petitioner, the City of Belmont and/or NCDOT as applicable.

For example, off-site transportation improvements may be substituted and/or payment in lieu for other improvements in the overall area of the rezoning may be implemented as described in subsection (d) above.

It is understood that alternative improvements and/or payment in lieu shall not require rezoning however, it shall require City Council approval.

e. Right-of-way Conveyance. Subject to the provisions above regarding d. Right-of-Way above, the Petitioner will dedicate via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, the additional right-of-way will be dedicated when the development plans are platted. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks located along the public streets located outside of the right-of-way where ROW dedication is not provided.

5. Architectural Standards:

- a. Except as set forth below and/or approved by the City Council, the Petitioner shall not be required to comply with the residential Architectural Requirements set forth in Chapter 4, Section 4.2 of the Land Development Code.
- b. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, cementitious fiber shake, stucco, decorative block and/or wood.
- c. Vinyl or Aluminum shall not be used as a primary siding material however it may be used on windows, soffits, fascia and/or similar roof overhang elements, handrails/railings, and/or other miscellaneous trim elements.
- d. The proposed roofing materials will be architectural shingles, slate, tile and/or metal.
- e. All residential units shall include the following garage door treatments:
 - i. wall sconce lighting on at least one side of the garage door or one large wall sconce above the garage door,
 - ii. windows and/or a vent detail above the garage door,
 - iv. a minimum of two siding materials on the façade, and
 - vi. windows

The use of white garage doors is prohibited.

- f. Residential units on the 42' wide lots shall provide one of the following treatments:
 - i. an architectural trellis over the walkway to the front door
 - ii. a low wall and gated entry along the walkway to the front door
- f. The elevations and precedent images set forth on Sheet RZ-0 are conceptual in nature and are intended to reflect the overall quality of the residential uses to be constructed on the site. The actual homes constructed may vary so long as the general architectural character and quality are maintained.

6. Streetscape, Setbacks, Buffers, and Yards:

- a. A fifty (50) foot perimeter buffer shall be provided to support the overall character of the community as generally depicted on the Rezoning Plan. Grading and clearing within the fifty (50) foot buffer is permitted subject to approval by applicable regulatory agencies.
- b. A minimum five (5) foot side yard or 20% of the lot width, whichever is greater, shall be provided.
- c. Due to topographic constraints and existing features on the site, the minimum block length of 660' may be exceeded as generally depicted on the Rezoning Plan.

d. Street trees shall be provided on each side of the street spaced forty (40) feet on center or based on tree species in compliance with Chapter 11.

7. Environmental Features and Open Space:

a. The Site shall comply with the minimum Stormwater and Water Quality requirements as set forth in the Land Development Ordinance and municipal code.

b. The location of the proposed stormwater areas are conceptual in nature and the exact size and location of these areas are subject to change depending upon final layout, product allocation, and/or other site plan elements. The overall layout and unit count may be altered as a result of final stormwater locations.

c. The Site shall comply with the minimum Open Space and Tree Save requirements as set forth in Chapter 7 and 11 of the Ordinance. The Open Space and Tree Save areas generally depicted on the Rezoning Plan are conceptual in nature and subject to change depending upon final layout, product allocation, and other spatially dependent project components such as but not limited to stormwater areas, wetland areas, utilities, and buffers (as applicable).

d. The Petitioner shall provide an eight (8) foot wide natural surface trail within a twenty (20) foot trail easement along the South Fork River as generally depicted on the Rezoning Plan. The trail easement shall be dedicated to the City of Belmont prior to the issuance of the 400th certificate of occupancy.

7. Amendments to the Rezoning Plan:

a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable portion of the Site affected by such amendment in accordance with the provisions of the Ordinance.

8. Binding Effect of the Rezoning Application:

a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and insure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.