

July 30, 2021

Via Hand Delivery and Email
tfaro@cityofbelmont.org

Tiffany Faro, CZO
Associate Planner
City of Belmont Planning & Zoning
1401 E. Catawba Street
PO Box 431
Belmont NC 28012

**Re: SKPR2020.15–Sketch Plan Review #1
Applicant Imperial Mills’ Responses Staff Sketch Plan Review Letter dated
February 4, 2021**

Dear Ms. Faro,

Reference is made to your letter dated February 4, 2021 setting forth staff comments based on its first review of our SKPR2020.15 Sketch Plan and request to submit revised Sketch Plan. Thank you for meeting with our development team last week to review and discuss our proposed re-submittals. In accord with your requests, please see revised Sketch Plan and accompanying information responding to your comments as set forth in bold below.

1. **Project Size:** The subject area proposed for development (21 acres) is less than the minimum project size of 40 acres as required in the TN-D district, and does not contain the entire area within PID#126543 (36.33 acres). While Chapter 17 of the LDC does allow for the development of existing non-conforming lots for any uses permitted within the District in which it is located, it also notes that a non-conforming lot shall not be developed if it could be combined with an adjoining lot (owned by the same person). Furthermore, the utilization of only a portion of the existing parcel for development would further contribute to its nonconformity, therefore, development-by-right would require that the plan be expanded to contain the entire land area of PID#126543 currently owned by Belmont Land and Investment Co.

Response/Action: We have expanded the sketch plan to include the entire acreage of PID#126543. Said expansion necessitated revisions to other documents previously submitted. In addition to the revised sketch plan, please see:

- a. **Revised “By Right” Sketch Plan Sheets for “Tracts” 1, 2, 3, 4, 5 6 & 7 of the Parcel;**
 - b. **Revised Consolidated Sketch Plan**
 - c. **Digital GIS Aerial of Entire Parcel**
 - d. **Environmental Survey for additional acreage**
 - e. **Revised Slope Analysis**
 - f. **Revised Tree Inventory Maps (for additional acreage)**
 - g. **Revised Tree Inventory and Survey (for additional acreage)**
 - h. **Revised Technical Data Sheet**
 - i. **Revised Proximity Map with Road Names**
 - j. **Revised Illustrative Elevations Exhibit**
2. **Subdivision of Lots:** Based on the proposed lot subdivisions indicated on the Technical Data Sheet, the development of this project and proposed subdivisions of land would result in five parcels-- four within the proposed development area, and one containing the portion of the site not proposed for development. This would classify this project as a Major Development Plan.

Response/Action: Please see revised Technical Data Sheet. Our expectation is that we will be reviewed under the criteria for a Minor Development Plan.

3. **TN-D Site Design/Layout:** The neighborhood shall have an identifiable center and edges, utilizing interconnected street networks that divide the entire area into blocks, streets, and lots. Uses and housing types shall be mixed and in close proximity to one another. Civic building(s) shall have a prominent location on the site. Site layout shall reflect a fully integrated mixed-use pedestrian-oriented development, with no building further than 660’ from a designated open space. Boundary lines shall be included on all site plan sheets. Applicant to confirm if Stowe Branch floodway needs to be contained within water quality conservation easement with Gaston County Floodplain Administrator.

Response/Action: Please see revised Sketch Plan with stream boundary lines.

4. **Building Placement:** All buildings must be fully contained within the proposed new lots and comply with applicable setbacks within those lots based on the intended building form. A portion of the proposed commercial building on Mill Street appears to be located within the floodway, which is not permitted. Single-family residential dwelling shall have a relationship with the street on which it is placed.

Response/Action: Please see revised consolidated Sketch Plan Set showing approximate location of buildings within the parcel boundaries.

5. **Architecture:** Buildings should be designed in a way that adheres to the existing pattern of the surrounding neighborhood and meet all requirements outlined in Chapter 4 for each building form type.

Response/Action: Please see revised illustrative Building Elevations.

6. **Civic Uses:** Per Chapters 2.2 and 4.8, civic uses are intended to serve as public gathering spaces, and include governmental offices/buildings, places of worship, schools/universities, and non-profit or charitable organizations. The civic use gross land use allocation requirement within TN-D is not met by areas designated as common public open spaces with no built improvements or private community amenities such as pools and clubhouses.

Response/Action: Applicant proposes either a building for the provision of concessions to be manned by various organizations, including non-profits and charities, or alternatively, to provide public restroom facilities, for the refreshment and convenience of the public attending games or other events at Rodden Ballfield, said facility to be located in the approximate location as shown on Tract 3 of the revised Sketch Plan, and as generally depicted in the revised Illustrative Elevation Exhibit.

7. **Site Access:**

- a. No new street or entrance is allowed within 100' from an existing corner per NCDOT.
- b. Entrance to multifamily along McLeod needs to align with entrance to Hawthorne Park Avenue.
- c. Additional access point needed along McLeod for multi-family units, unless street infrastructure is connected with the multifamily component on the other side of Stowe Branch.
- d. Staff does not believe the location indicated for SFR dwelling is feasible due to guardrail along Keener and topographic conditions. Applicant is responsible for confirming that a driveway permit for this dwelling is both constructible and allowable at the location indicated by NCDOT.

Response/Action: See Revised Sketch Plan for Tract 1. Additional access could be provided with easement from Hawthorne Street.

8. **Streets and Sidewalks:**

- a. Applicant shall provide a cross-section of all existing and proposed roads and note existing and proposed ROW widths on site plans. If an existing ROW is proposed to be widened to accommodate new development, please note accordingly on plans.
- b. The current ROW of Hawthorne St will not accommodate parking on both sides. Sidewalks fronting Hawthorne are required to be wider than 5' to accommodate street trees, or be separated from the roadway by a 6' minimum landscape area.
- c. Streets need to be interconnected between use types.
- d. Streets shall end in a close, cul-de-sacs only permitted where topographic conditions offer no practical alternative.
- e. Streets over 500' in length shall be terminated by a public monument, building façade, or gateway to ensuing space.

Response/Action: See revised submittal noting that we will meet code requirements.

9. Parking:

- a. One parking space per bedroom is required for the multi-family development along with parking for auxiliary uses (leasing office, clubhouse, etc.), and one space per 250 SF for commercial development.
- b. Parking calculations for each use type shall be included on the site plans, noting required total and exact numbers of spaces proposed. Parking for each building shall be located fully within the applicable parcel boundaries or adjacent street frontage.
- c. Off-street parking must be located within the rear of the buildings only, and allow for safe pedestrian travel between vehicles and buildings.
- d. All on-street parking is required to be parallel, and ROW width must be wide enough to accommodate its inclusion.
- e. Bike parking is required for all non-residential areas.
- f. Parking shall meet all requirements of Chapter 9.

Response/Action: See revised submittal noting that we will meet code requirements.

- 10. Open Space:** Open space on the site shall comply with all requirements outlined in Chapter 7. This area is required to be labeled on plans with total area calculations included and shall be located fully within the applicable parcel boundaries.

Response/Action: See revised submittal noting that we will meet code requirements.

- 11. Tree Save and Landscaping:** TN-D development is required to reserve 15% of all qualifying trees identified on the tree inventory as tree-save area. This area must be labeled on the plans and comply with all requirements outlined in Chapter 11. Applicant shall provide a scaled plan with tree-save area identified overlaid on the qualifying tree inventory sheet to confirm that this requirement can be met. A 20' minimum Type A yard buffer is required next to the railroad corridor is required per LDC 11.4.3.A.d.

Response/Action: See revised submittal noting that we will meet code requirements.

- 12. Infrastructure:** Sidewalk and planting strips will be required along all street frontages where it does not currently exist and/or does not meet our minimum standards. Residential sidewalk shall be 5' minimum, all other sidewalks to be 8' minimum. Applicant will need to look at water supply to ensure it is adequate to serve buildings with height as proposed. Coordination with Duke Energy is required for all development proposed within the power line easement.

Response/Action: See revised submittal noting that we will meet code requirements.

- 13. Site Conditions:** Property is identified as a brownfield, located along a regulatory floodway, and is within Belmont's protected watershed area. Applicant is responsible for confirming that the development plans as presented will be able to comply with all applicable regulating standards outside of the scope of the Land Development Code.

Response/Action: We will provide City with copy of finalized Brownfields once it is in place.

Applicant Imperial Mills hereby stipulates that it is working to comply with Planning Staff's requirements, conditions and requests in order to gain approval of its current application. Imperial Mills' compliance with, or efforts to comply with, Staff's requirements should not be construed as an acknowledgement by that the City of Belmont via its Planning staff is authorized to impose these requirements on Imperials Mills, nor shall any adherence or compliance constitute a waiver of Imperial Mills' right to challenge said requirements or conditions imposed on Applicant. Applicant Imperial Mills expressly reserves the right to contest any or all requirements, requests, conditions imposed on Applicant during the course of this rezoning process, and further, to challenge the City of Belmont's interpretation of applicable regulations made during the course of Imperial Mills' application processes.

Thank you in advance for your attention to this matter. Should you have any questions or concerns, you can contact me directly at 704.998.2306 or at stodd@jahlaw.com

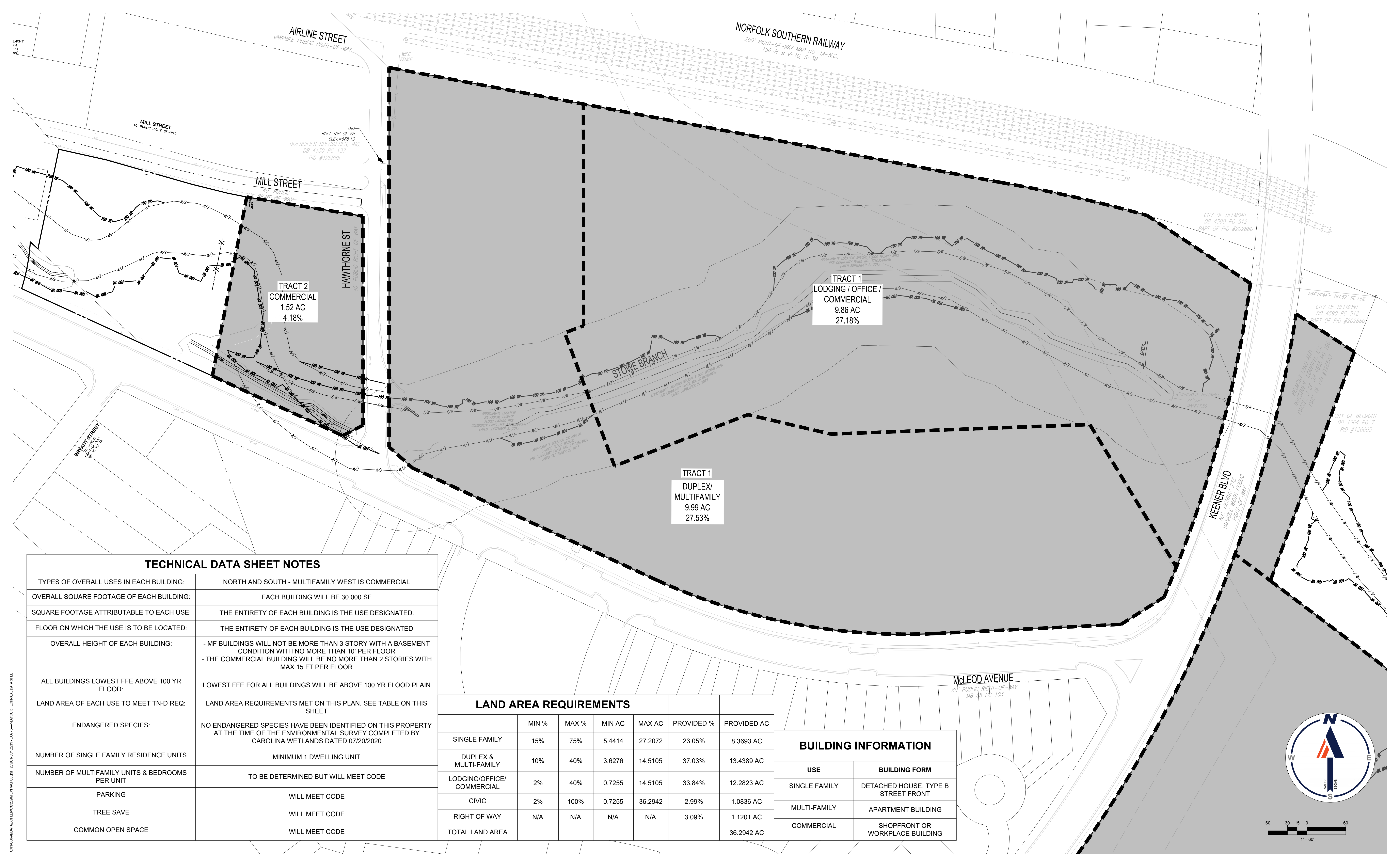
Sincerely,

JOHNSTON, ALLISON & HORD, P.A.



R. Susanne Todd

cc: Chris Branch
Bob Clay



TECHNICAL DATA SHEET NOTES

TYPES OF OVERALL USES IN EACH BUILDING:	NORTH AND SOUTH - MULTIFAMILY WEST IS COMMERCIAL
OVERALL SQUARE FOOTAGE OF EACH BUILDING:	EACH BUILDING WILL BE 30,000 SF
SQUARE FOOTAGE ATTRIBUTABLE TO EACH USE:	THE ENTIRETY OF EACH BUILDING IS THE USE DESIGNATED.
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ENDANGERED SPECIES:	NO ENDANGERED SPECIES HAVE BEEN IDENTIFIED ON THIS PROPERTY AT THE TIME OF THE ENVIRONMENTAL SURVEY COMPLETED BY CAROLINA WETLANDS DATED 07/20/2020
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NUMBER OF MULTIFAMILY UNITS & BEDROOMS PER UNIT	TO BE DETERMINED BUT WILL MEET CODE
PARKING	WILL MEET CODE
TREE SAVE	WILL MEET CODE
COMMON OPEN SPACE	WILL MEET CODE

LAND AREA REQUIREMENTS

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DUPLEX & MULTI-FAMILY	10%	40%	3.6276	14.5105	37.03%	13.4389 AC
LODGING/OFFICE/COMMERCIAL	2%	40%	0.7255	14.5105	33.84%	12.2823 AC
CIVIC	2%	100%	0.7255	36.2942	2.99%	1.0836 AC
RIGHT OF WAY	N/A	N/A	N/A	N/A	3.09%	1.1201 AC
TOTAL LAND AREA						36.2942 AC

BUILDING INFORMATION

USE	BUILDING FORM
SINGLE FAMILY	DETACHED HOUSE, TYPE B STREET FRONT
MULTI-FAMILY	APARTMENT BUILDING
COMMERCIAL	SHOPFRONT OR WORKPLACE BUILDING



TECHNICAL DATA SHEET NOTES

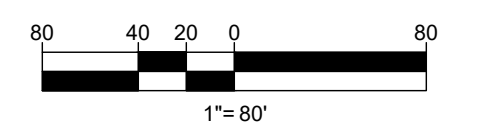
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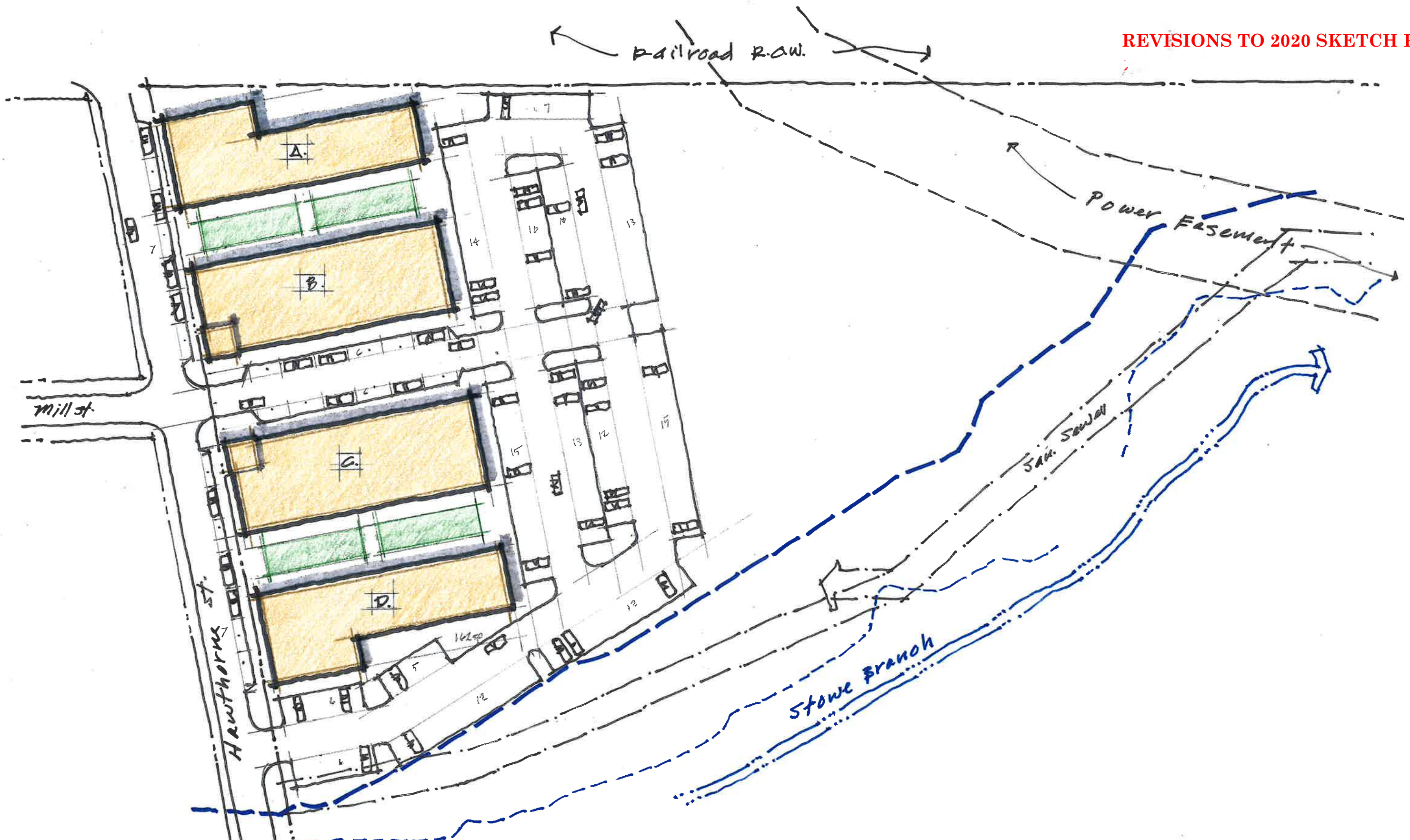
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RIGHT OF WAY	N/A	N/A	N/A	N/A	3.09%	1.1201 AC
TOTAL LAND AREA						36.2942 AC

BUILDING INFORMATION

USE	BUILDING FORM
SINGLE FAMILY	DETACHED HOUSE, TYPE B STREET FRONT
MULTI-FAMILY	APARTMENT BUILDING
COMMERCIAL	SHOPFRONT OR WORKPLACE BUILDING



← Railroad R.O.W. →



Boulevard Real Estate Advisors

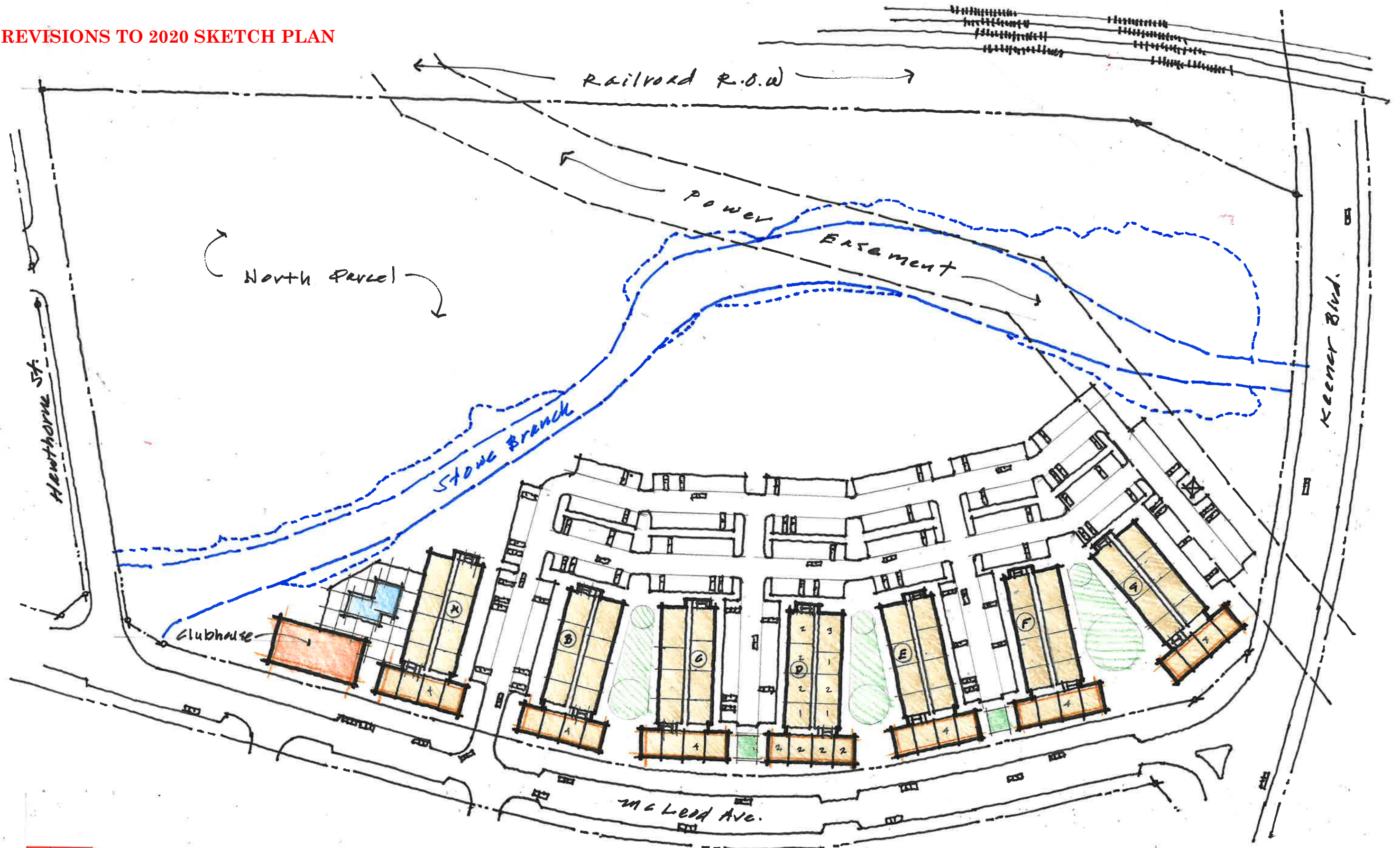
IMPERIAL MILL NORTH "Existing Zoning"

Belmont, NC

12.18.2020

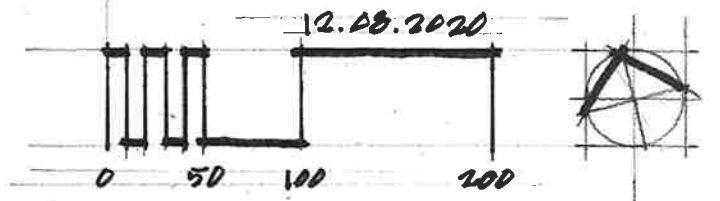


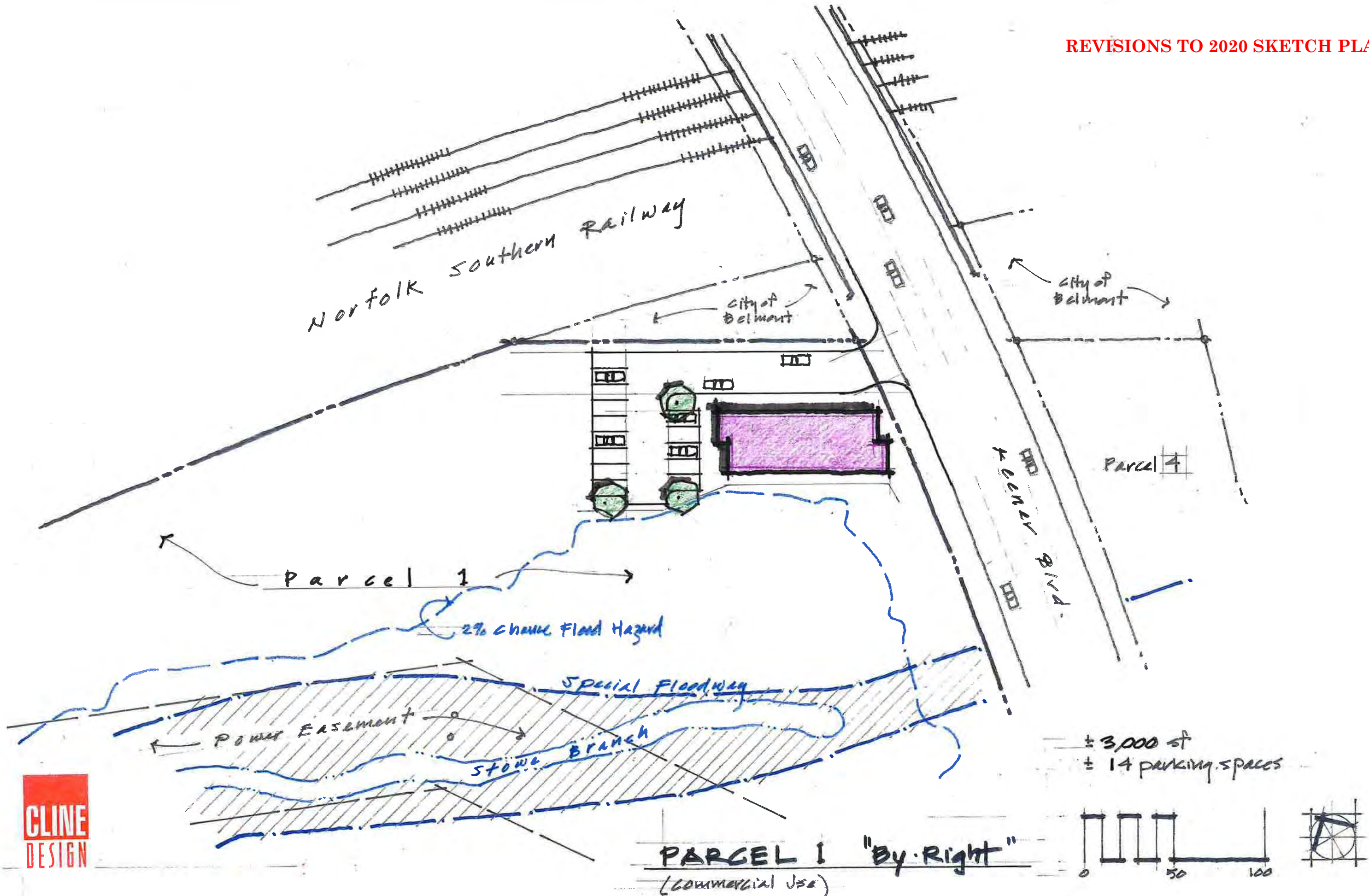
REVISIONS TO 2020 SKETCH PLAN



Bldg. Real Estate Advisors

IMPERIAL MILL • SOUTH • "Existing Zoning"
Dahmont, NC





Norfolk Southern Railway

City of Belmont

City of Belmont

Parcel 1

Parcel 4

K. CENNY BLVD.

2% chance Flood Hazard

Special Floodway

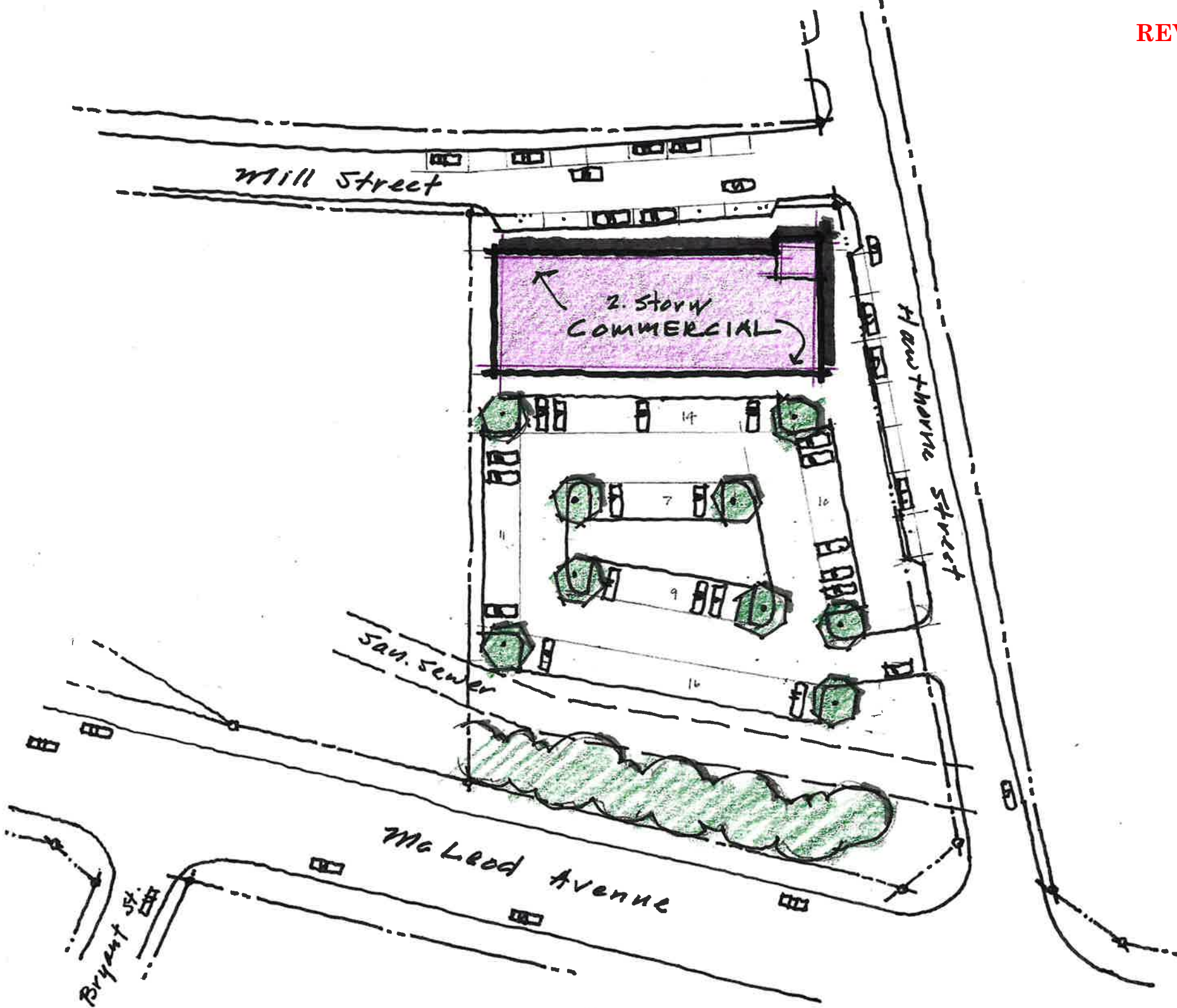
Power Easement

Stowe Branch

± 3,000 sf
± 14 parking spaces

PARCEL 1 "By-Right"
(Commercial Use)

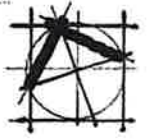
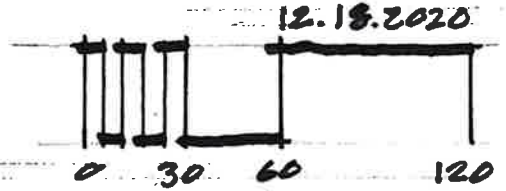




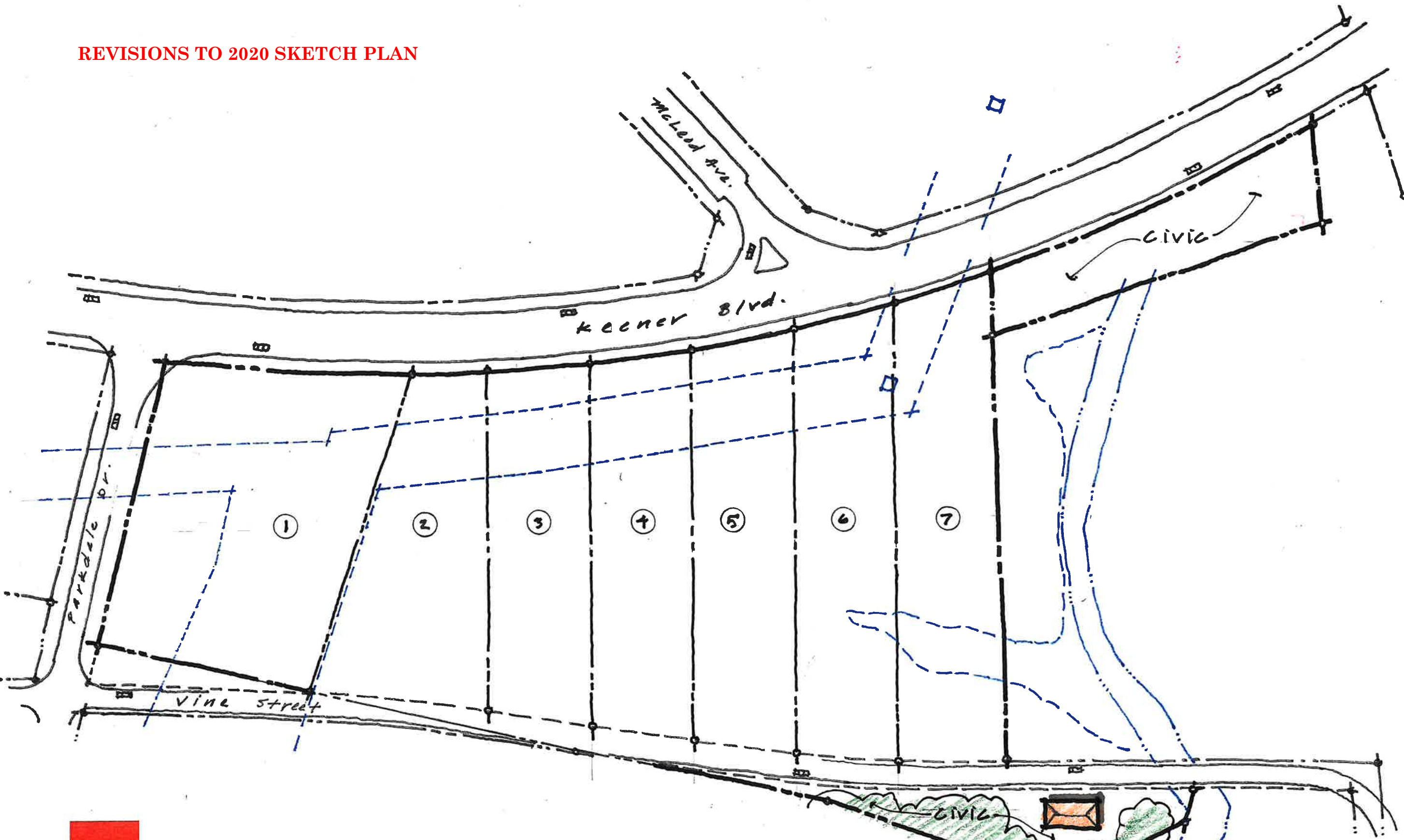
Boulevard Real Estate Advisors

IMPERIAL MILL WEST - "Existing Zoning"

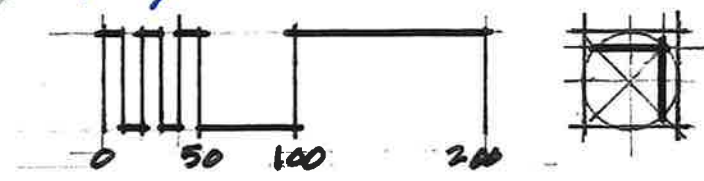
Belmont, NC (Parcel 2)

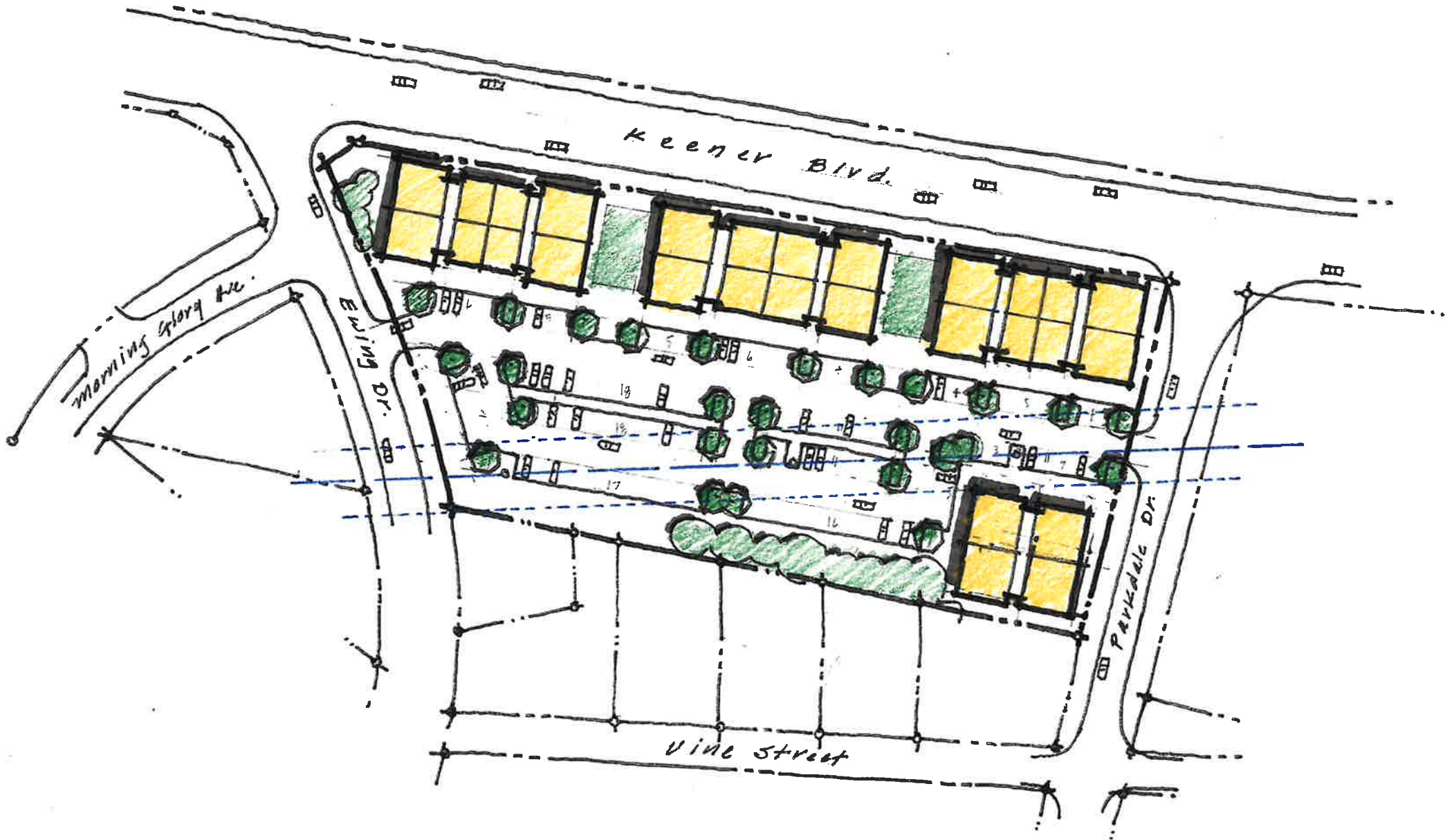


REVISIONS TO 2020 SKETCH PLAN



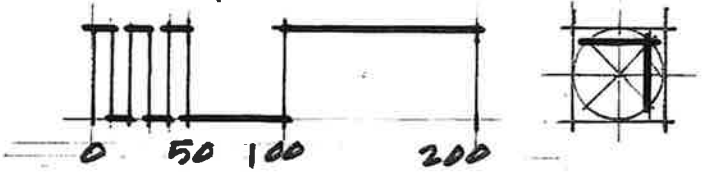
Bldg. RE Advisors
PARCELS 3/4 "By Right"
Belmont, NC

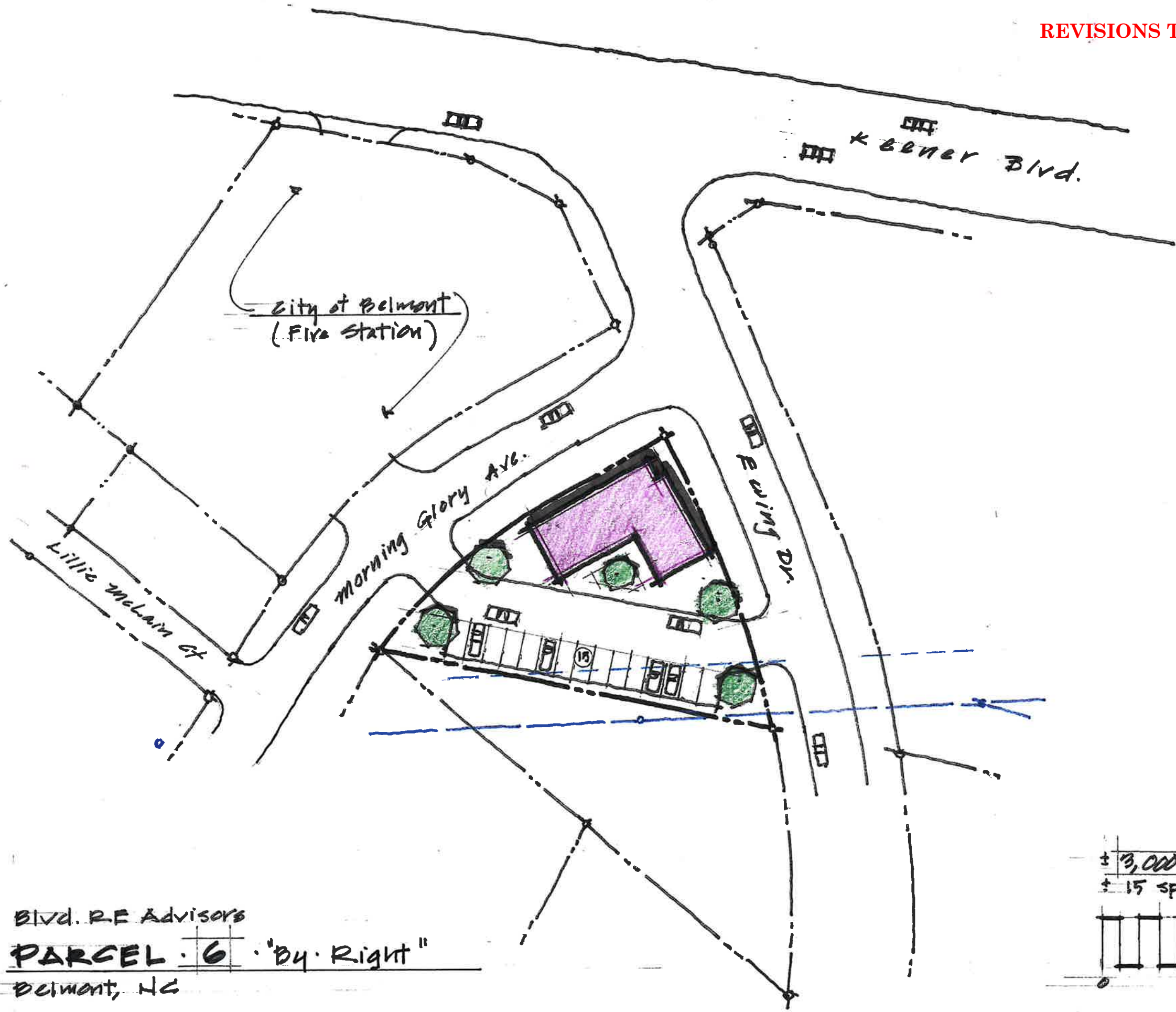




Bldg. RE Advisors
PARCEL 5 "By Right"
 Belmont, NC

84 units
 #147 spaces





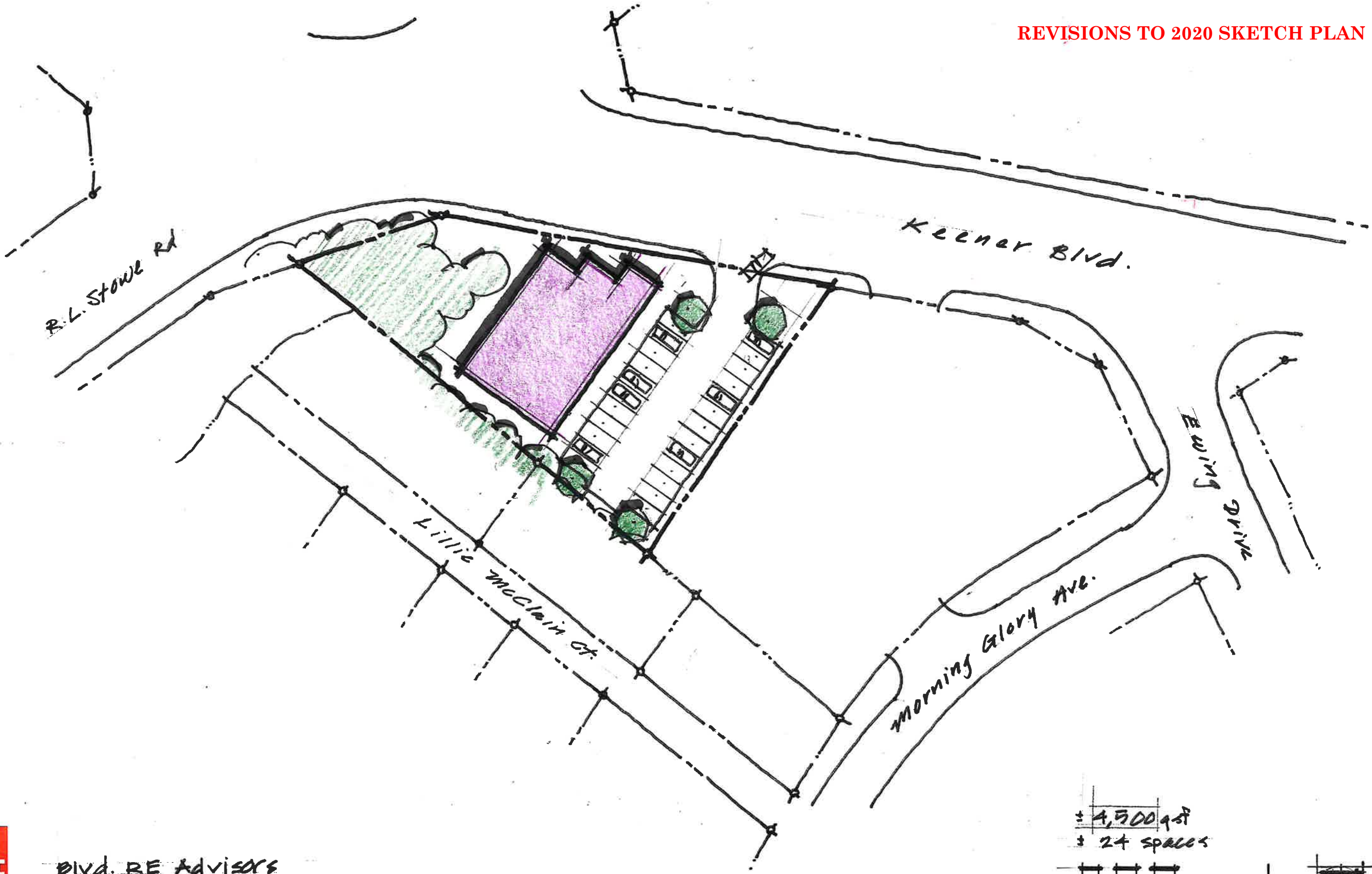
Bldg. RE Advisors

PARCEL 6 "By Right"

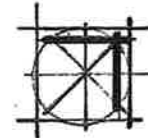
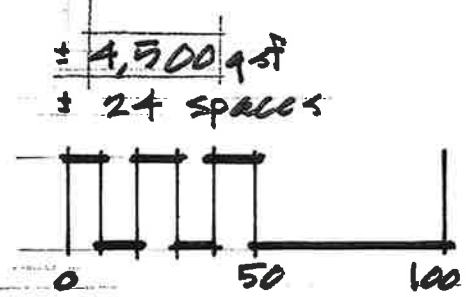
Belmont, NC

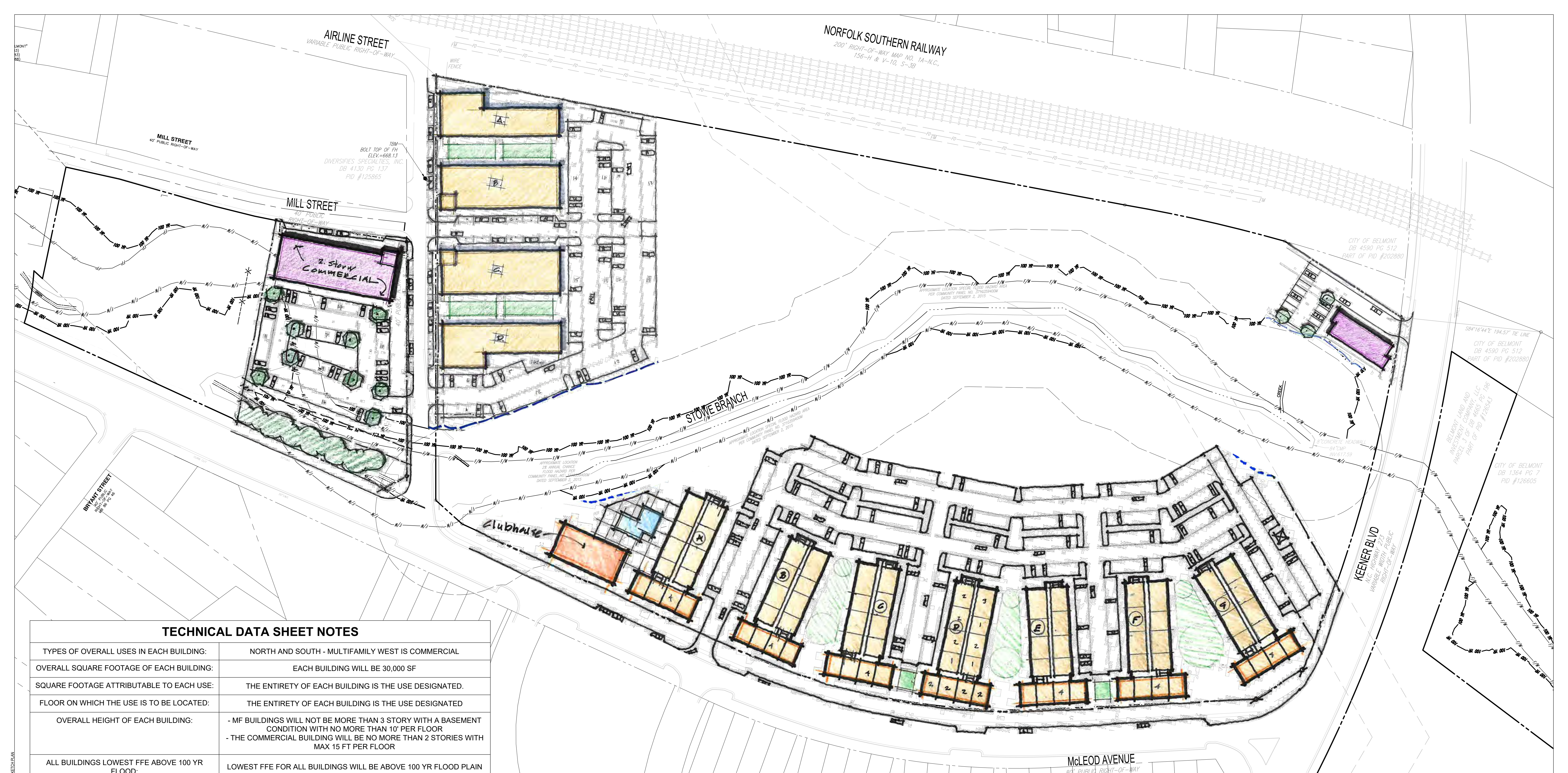
± 3,000 sqft
± 15 spaces





Divd. RE Advisors
PARCEL 7 "By Right"
 Belmont, NC





TECHNICAL DATA SHEET NOTES

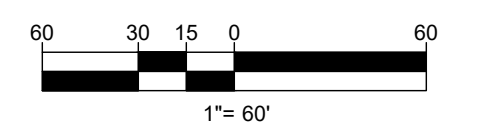
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BOHLER //
BOHLER ENGINEERING NC, PLLC
NCBELS P-1132
1927 S. TRYON STREET, SUITE 310
CHARLOTTE, NC 28203
Phone: (980) 272-3400
Fax: (980) 272-3401
NC@BohlerEng.com

PRELIMINARY

IMPERIAL MILLS - BY RIGHT SKETCH PLAN
REVISIONS TO 2020 SKETCH PLAN
BELMONT, NC

THE INFORMATION, DESIGN AND CONTENT OF THIS PLAN ARE PROPRIETARY AND SHALL NOT BE COPIED OR USED FOR ANY PURPOSE WITHOUT PRIOR WRITTEN AUTHORIZATION FROM BOHLER ENGINEERING. ONLY APPROVED, SIGNED AND SEALED PLANS SHALL BE UTILIZED FOR CONSTRUCTION PURPOSES.

07/29/21 | SOM | NCC182219



TECHNICAL DATA SHEET NOTES

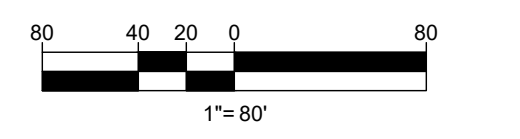
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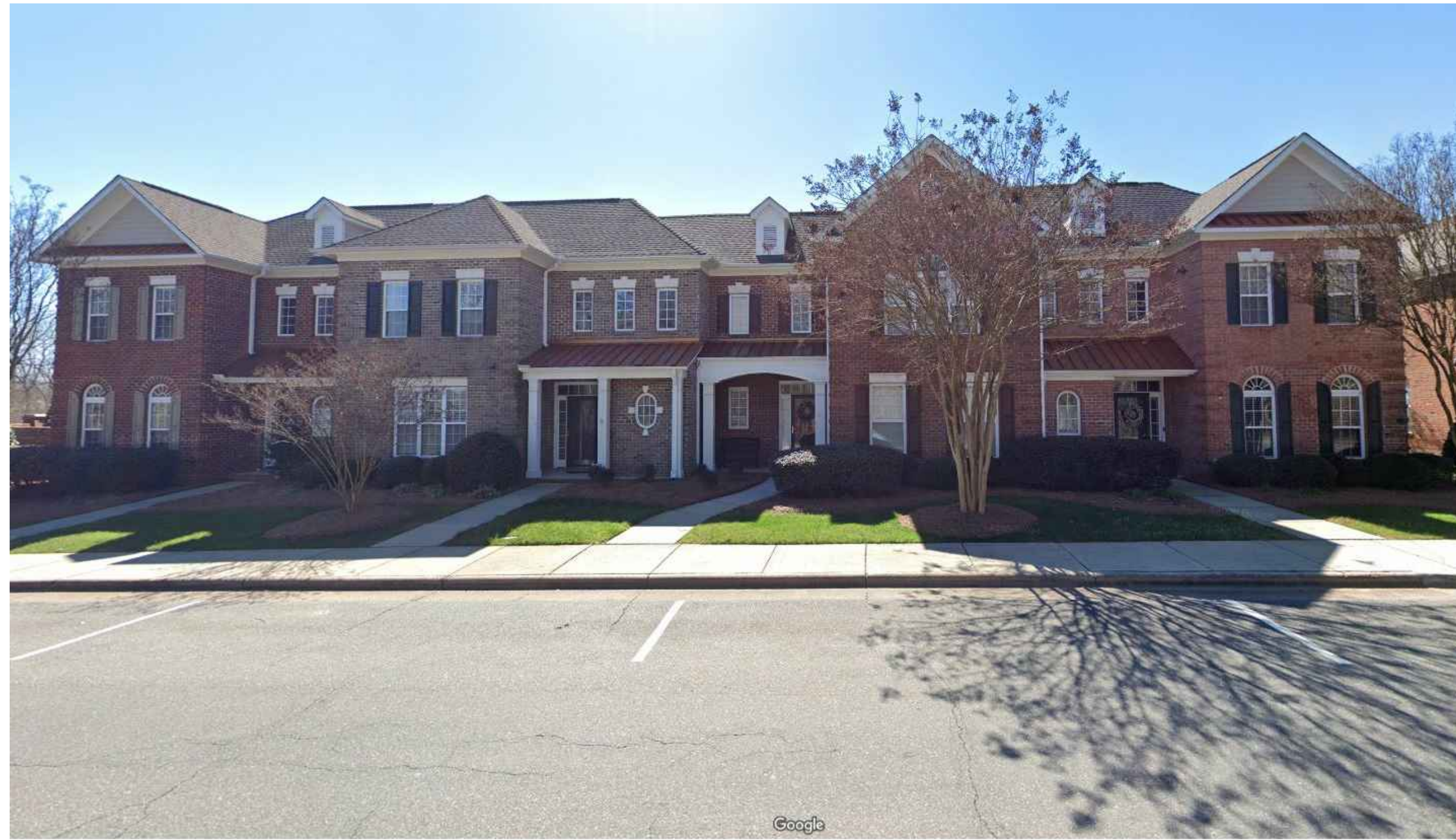
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**ILLUSTRATIVE IMAGE OF MULTI-FAMILY
ON SOUTH PARCEL AS SEEN FROM
MCLEOD**



**ILLUSTRATIVE IMAGE OF COMMERCIAL
BUILDING ON WEST PARCEL AS SEEN FROM MILL
STREET**



**ILLUSTRATIVE IMAGE OF CIVIC AREA
AS SEEN FROM VINE STREET**



ILLUSTRATIVE IMAGE FOR SINGLE FAMILY USE



**ILLUSTRATIVE IMAGE OF MULTIFAMILY ON THE
NORTH PARCEL AS SEEN FROM HAWTHORNE**