



May 02, 2022

Shelley DeHart, Planning Director
City of Belmont
1401 E. Catawba St.
Belmont, NC 28012

**RE: Riverview at South Fork - Master Planned Development
Request for Modification of City of Belmont Tree Inventory Requirements**

Dear Ms. Dehart:

On behalf of Shea Homes Carolina, please accept this request to allow the Applicant to pursue certain modifications to the City of Belmont's Land Development Code, Chapter 11; Tree Preservation and Landscaping, Section 11.3.7 (B) which stipulates that all existing trees which are located within property boundaries and meet the definition of a Protected Trees, Significant Trees, and Heritage Trees must be identified and inventoried.

Background:

The Applicant has submitted a Sketch Plan for an approximate 556-acre Mixed Use Master Plan Community located in the vicinity of Gaither Rd and Tucker Road; the site is directly south of the recently approved adjacent South Fork Community. The property consists of Tax Parcels 201480 and 201475. As part of their proposed development plan, the Applicant proposes to construct over 2.0 miles of the proposed future Belmont – Mt Holly Connector roadway that is identified as need in the City's South Fork Small Area Plan. A copy of the submitted Sketch Plan is included with this request.

Basis:

The basis of this request is made pursuant to Section 11.2.2. (A) of the Belmont Tree Ordinance which stipulates:

- A. If strict compliance with the standards of this chapter conflicts with existing federal or state statutory or regulatory requirements, or when tree preservation or planting is required by this chapter and site design, topography, natural vegetation, or other special considerations exist relative to the proposed development, the developer may submit a specific alternate plan for tree preservation or planting to the city for consideration. This plan must meet the purposes and standards of this chapter but may suggest measures other than those within this chapter.

Justification:

More specifically this modification request is based on certain special considerations that exist relative to the proposed property which include the following attributes related to this overall request.

From a Tree Save/ Tree Preservation perspective:

- The Applicant meets the spirit of the City's Tree Ordinance.
- The site is over 556 acres in size and heavily wooded.

- The property contains several environmentally sensitive areas that the Applicant, will work to preserve as part of their overall Master Plan. The applicant proposes to preserve in excess of an estimated 20 - 22%% of the property for tree save/tree preservation. (over +/- 118.5 acres).
- The site has a total Tree Save requirement of approximately 107 acres. The applicant proposes to preserve approximately 118.5 acres. Which exceeds the Ordinance requirements.
- This total includes an estimated 8.8 acres of tree save area that is located in the northern extent of the p[roperty that has not yet been inventoried . An Area that is labeled as Tree Save/ Conservation Area on the attached Master Tree Inventory Exhibit.
- In the proposed submitted Sketch Plan, the Applicant utilizes proposed Tree Save areas to augment and enhance stream buffers. This will provide additional water quality protection to these environmental features and for the South Fork River Estuary. In addition, the enhanced Buffers will help preserve Critical Wildlife habitat.
- The Applicant commissioned Davey Resource Group, inc., (DRG) to prepare a detailed field tree inventory of over 5,662 trees. Qualifying trees are included in the proposed open space/ tree preservation areas located throughout the overall property. (See attached Master Tree Inventory Exhibit)
- The Tree Inventory field data collection phase spanned 4 months and included numerous site visits.
- Over 6,000 trees have been inventoried to date (a number of specimens were diseased, dying or not suitable to include as part of the final inventory.
- The site contains a number of existing and proposed public and private (utility) infrastructure components that have been included in this calculation for Tree Save/ preservation areas.
- A Methodology that is consistent with Ordinance requirements (these areas comprise the calculations of over the 107 acres for the minimum required Tree save area.).

From a Planning and City of Belmont Land Use perspective:

- The proposed development is consistent with the City's Comprehensive Plan and related Small Area Plan, providing a sufficient mixture of land uses that have been identified by City Planning Staff.
- The proposed development proposes to provide greenway / trail improvements consistent with the City's Greenways plan, in addition to related Public pedestrian and bikeway improvements.
- The proposed development will provide a number of public road and utility infrastructure improvements for the City of Belmont, including the construction of over +/- 2.0 miles of the proposed future Belmont – Mt Holly Connector roadway identified in the City's South Fork Small Area Plan).
- The Applicant proposes to donate an approximate 3.5 Acre site to the City of Belmont to utilize for future Emergency Services needs to support this Community along with needs in general surrounding overall area which will help to address existing EMS, Police and Fire service deficiencies and support future growth in the City of Belmont.
- The proposed project will provide roadway connectivity to an adjacent planned improvement (e.g., existing Belmont Middle School property).
- The proposed density of the Riverview at South Fork Master Plan is considered to be low, at approximately 2.8 du/ac.
- The Applicant plans to "donate" approximately 4,600 lineal feet (+/- 31.0 acres of land area) of ROW for the future Catawba Crossing roadway to serve the future regional/ transportation needs of the City of Belmont, GCLMPO and State's (NCDOT).
- A copy of the submitted Sketch Plan illustrating these proposed enhancements is included along with this request.

Summary of Request:

In consideration of the proposed estimated +/-118.5 acres of Tree Save area that the Applicant proposes to include **(over 20% of the property which exceeds the Ordinance Requirements)** along with the cost burdens associated with conducting a more extensive tree inventory of the entire 556-acre parcel assemblage, the Applicant, Shea Homes Carolinas requests that the Riverview at South Fork Mixed Use Master Planned community be granted relief from the entirety of the City of Belmont's Tree Inventory requirement's (Section 11.3.7) and allowed modifications of said requirements to the following:

1. All existing trees meeting the following conditions must be identified and inventoried: Protected trees, Significant trees, and Heritage trees located within the bounds of the proposed Tree Save Areas and Tree Save/Conservation Areas, as preliminarily illustrated on the attached Master Tree Inventory Exhibit.
2. Recognition that the proposed Tree Save Areas and Tree Save/Conservation Areas may be moderately modified as the Applicant continues to work with City Staff and other regulatory agencies to update the Sketch Plan as they address Agency Comments as part of the ongoing Sketch Plan, Schematic Plan and Construction Document plan review phases of the project.
3. In conjunction with this recognition, the Applicant requests relief from further additional tree inventory data collection in areas outside of the Tree Save Areas and Tree Save/Conservation Areas, as identified on the attached Master Tree Inventory Exhibit.

Thank you for your consideration of this request.

Sincerely,

Peter Tatge, AICP
Planning Director
ESP Associates, Inc.