



CITY OF BELMONT

PLANNING & ZONING

Zoning Map Amendment Request: ZA2019.01A – Dent Wizard map amendment

Property Owners and Applicant: R.E.D. 5 LLC | Whiteside Properties

Applicant Representatives: Daniel Marsha – Whiteside Properties

Aaron Long – Excel Civil & Environmental Associates

Current Zoning: Highway Commercial conditional district (H-C/CD), Business Campus Development (BC-D), and Rural Residential (R-R)

Proposed Zoning: Highway Commercial Conditional District (H-C/CD)

Request: To amend an approved conditional zoning district for Dent Wizard to allow for a site expansion of 1.91 acres to create more available parking spaces for business operations.

Property Location: 6213 Wilkinson Blvd & properties at the corner of Wilkinson Blvd and Mason Street

Gaston County tax parcel ID numbers: #185780, #185785, and #185766

Existing Acreage: 1.62 acres **Additional Acreage:** 1.91 acres **Total Acreage:** 3.53 acres

Map 1. Location of subject property

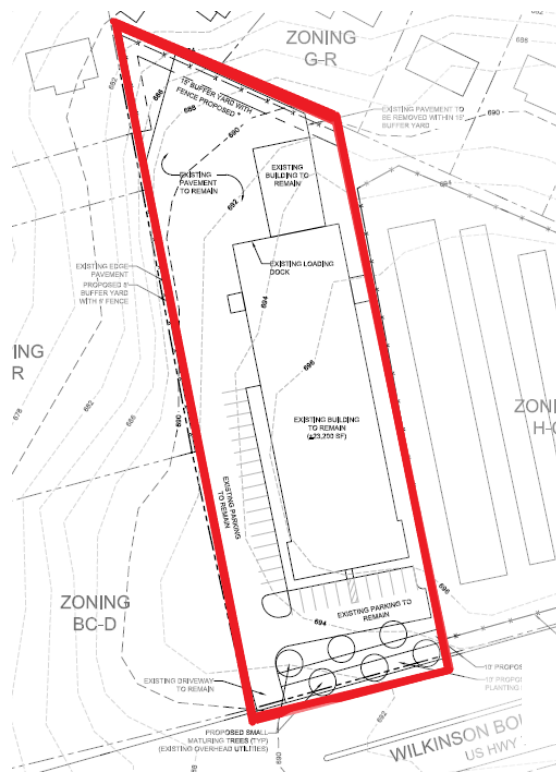




CITY OF BELMONT

PLANNING & ZONING

Background: In 2019, the city council approved a Highway Commercial conditional zoning district (H-C/CD) on one parcel, 6213 Wilkinson Blvd (Tax Parcel ID #185785), consisting of approximately 1.62 acres. This conditional district authorized the operation of a wholesale rental fleet auto service business, Dent Wizard, that is not open to the general public. The project approval included ten conditions of approval, in which the site currently complies. These conditions are found in Attachment B of this report.



Site Plan approved on
February 4, 2019

Dent Wizard has been in operation since January of 2020 and has now decided to expand the site due to high volume of business and need for a larger site for operations.

Staff Analysis: Section 15.6 of the LDC defines a substantial change to a conditional zoning district and the process for such a district amendment, which includes presenting the project to the planning board and city council for a decision. For this project, the applicant is requesting to change the conditional zoning district by adding 1.91 acres of land to the district for 140 more parking spaces for business operations. The proposed site addition is within the city's extra-territorial jurisdiction (ETJ) and requires annexation approval by the city council. The annexation application is processing concurrently with the zoning map amendment application.

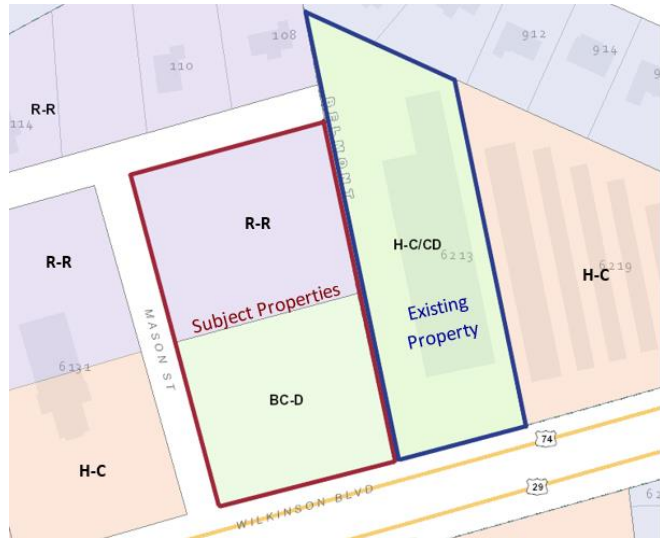
Area zoning and uses: The subject properties are zoned Business Campus Development (BC-D) and Rural Residential (R-R), with the Highway Corridor Overlay (HC-O) on the parcel adjacent



CITY OF BELMONT

PLANNING & ZONING

to Wilkinson Blvd. BC-D districts are coded to permit the development of corporate office campus, light industrial uses, and heavy industrial uses. R-R districts are coded to accommodate very low-density residential development and agricultural uses and protect natural vistas, and landscape features that define our rural heritage. However, the proposed base zoning district of Highway Commercial (H-C) is established by the traffic of the fronting thoroughfare and is coded primarily for auto dependent development. Surrounding zoning districts include Highway Commercial (H-C), Highway Commercial conditional district (H-C/CD), and Rural Residential (R-R), in addition to the Highway Corridor Overlay (HC-O).



Site Plan Changes and Improvements: Due to high business volume, the applicant team is requesting to expand the originally approved site to accommodate 140 more parking spaces. The proposed parking spaces, if approved, will be located to the west of the two parcels adjacent to the existing Dent Wizard. The site expansion includes adequate buffering, fencing, and sidewalk connectivity, all in accordance with the land development code.





CITY OF BELMONT

PLANNING & ZONING

Street frontage improvements: The applicant is proposing to meet the required ten-foot-wide multi-use path and tree planting strips found in the Highway Corridor Overlay (HC-O) district, adjacent to Wilkinson Blvd. In addition, the plan complies with Chapter 8 of the LDC regarding the required street trees and eight-foot-wide sidewalk along the Mason Street frontage.

Buffers, Landscaping, and Tree Save: In accordance with Chapter 11 of the LDC, a type B buffer is required around perimeter yard of all parking areas visible from the street. As shown on the plan, the applicant is proposing this buffer along Mason Street, Wilkinson Blvd, and the existing Dent Wizard Site. Also, per Chapter 11 of the LDC, type A screening/buffer is required for any transition yards between H-C and all other districts. The applicant is proposing a type A buffer on the Barnes Street side of the parking lot to screen between zoning districts. Both buffer areas will follow the appropriate landscaping specifications within Chapter 11.

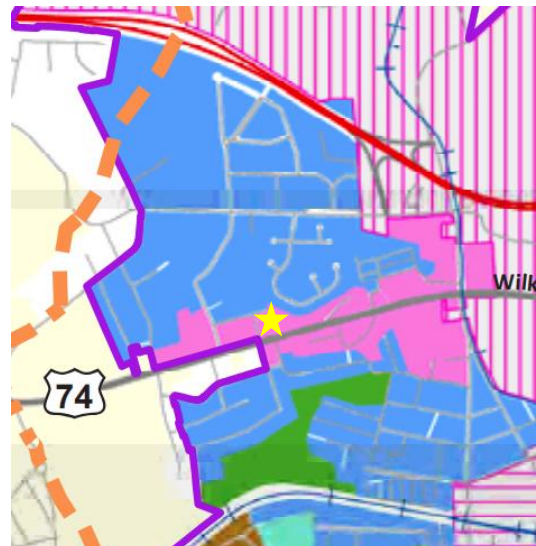
This development is required to provide 10% of the site as tree save area (TSA), and one-half must be met using existing trees. Based on the site's tree save survey and inventory, one-half of the trees on-site will be preserved, totaling 4,441 square feet of tree save area. The remaining required tree save area will be met using four replanted trees, with 4,800 square feet of TSA. In total, the site is providing 10.5% tree save area.

Tree Save Area Required	Tree Save Area Proposed	% Provided
$87,442 * 10\% = 8,744 \text{ SF}$	$4,441 + 4,800 = 9,241 \text{ SF}$	10.5%

Traffic: Staff confirmed with the city's traffic consultant that a traffic study would not be required for the conditional zoning amendment/site expansion. In addition, because Mason Street and Wilkinson Blvd are NCDOT roads, staff routed the plans to NCDOT for review and staff received no comments.

Comprehensive land use plan: The site is located within the Mixed Use district of the adopted comprehensive land use plan. The vision for this land use category is to allow for medium to high density residential, commercial, office, and civic uses in well-designed buildings. This area can include commercial mixed use, neighborhood mixed use, or independent or free-standing permissible uses.

Staff is of the opinion the proposed project, at this location, is consistent with the vision of the comprehensive land use plan because: 1) it proposes an expansion of a commercial use, which is a primary land use within this district, and 2) supports the auto-centric Wilkinson Blvd corridor, which promotes a wide range of commercial uses.





CITY OF BELMONT

PLANNING & ZONING

The project is also consistent with the following goals of the adopted comprehensive land use plan:

1. Land Use – the project encourages a balanced approach to land use to encourage a healthy tax base and a mix of uses that will promote choice in shopping and services; and
2. Economy – the project enhances an existing site that fosters a vibrant economy base that balances residential growth with employment and commerce.

Neighborhood meeting: The applicant team held two neighborhood meetings on Tuesday, January 3rd, 2023. The first meeting was held at Exodus Church at 1:00 p.m. No members of the public attended. The second meeting was held via Zoom at 6:00 p.m. No members of the public attended. See Attachment C for details.

Staff Recommendation: Staff supports the requested area of relief and is of the opinion that two required findings can be made:

1. The request is a reasonable request in the public interest because the development plan is consistent with the adopted comprehensive land use plan; and
2. The request is consistent with the goals of the comprehensive land use plan in the areas of land use and economy.

Staff recommends the planning board transmit a recommendation of approval with modifications of the originally approved conditions as follows:

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. A reduction of the lot frontage and lot acreage requirements of the LDC.~~
 - b. A 15-foot-wide buffer along properties zoned GR or RR (for Parcel #185785 only).
2. The provided buffer shall be comprised of evergreen plantings installed on both sides of the eight-foot fence where drainageways do not conflict.
3. The existing swales must be protected and preserved. Stabilization is required where needed.
4. The buffer fence must have a gate to allow access for maintenance of the buffer plantings. Plantings must be maintained and not encroach onto neighboring properties.
5. Streetscape infrastructure improvements shall include a ten-foot-wide multi-use path along the Wilkinson Boulevard frontage with plantings on both sides as utilities allow. Any streetscape improvements outside the right-of-way must be recorded as commercial corridor easement.
6. An oil-water separator and backflow/cross connection prevention are required and must be maintained.
7. A fire hydrant must be installed in coordination with Belmont Fire Department.
8. Newly installed site lighting comply with Chapter 12 of the LDC.
9. Construction plan submittal is required prior to starting site work. Plans to include:



CITY OF BELMONT

PLANNING & ZONING

- a. A planting and grading plan for buffer areas
 - b. A site lighting plan
 - c. Drainage stabilization plan where necessary
 - d. Tree protection plan to protect and preserve the existing trees on site
 - e. Details for the 30-foot highway corridor streetscape improvements including planting details
 - f. Detailed drawings and plans to ensure compliance with fire, public works, and any other requirements
10. Approval is only for a wholesale rental fleet auto service business that is not open to the general public. Any changes to the business operations (or change in use) must first be approved by the city.
11. The proposed development shall be in compliance with requirements of the land development code (LCD), Land Development Standards Manual (LDSM), any other applicable regulations, and the code of ordinances.
12. A recombination plat is required for all parcels (#185766, 185780, and 185785) and shall be recorded at the Gaston County Register of Deeds prior to receiving zoning permit.

Attachment A – Application & Site Plan

Attachment B – Previous Approval

Attachment C – Neighborhood Meeting Minutes

Attachment D – Statement of Consistency



Zoning Map Amendment Application

Date: 01/10/2023

Site Address / Owner

Site Address:	6213 WILKINSON BLVD	Owner Name:	[ownername]
City, State, Zip:	BELMONT, NC 28012	Address:	1921 FREEDOM DR
Parcel:	185785	City, State, Zip:	CHARLOTTE, NC 28208
Lot:		Phone:	
Subdivision:	West Belmont	Email:	

Applicant / Alternative Owner

Applicant Name:	Excel Civil & Environmental Associates	Owner Name:	
Address:	625 Huntsman Court	Owner Address:	
City, State, Zip:	Gastonia, NC 28054	City, State, Zip:	
Phone:	7048530800	Owner Phone:	
Email:	along@excelengr.com	Owner Email:	

Project

Site Address:	6213 Wilkinson Blvd	Proposed Zoning:	Highway Commercial (HC)
Property Description:	ABBEY PLACE BLK 0 L 2	Conditional Zoning:	Yes
	15 033 003 01 000	Total Site Area:	2
Project/Subdivision:	Dent Wizard Parking Lot Addition	Parcel ID#s:	185780; 185766
Current Zoning:	BC-D		
# of Lots:	2		

Project Description: Proposed Parking Lot Addition

Consultant Information

Company Name:	Contact Name:
Type:	Email:
Mailing Address:	Phone:

I do hereby certify that the information contained herein is true and correct.

Aaron Long

Name

01/10/2023

Date



PROJECT LOCATION

6213 WILKINSON BLVD
SOUTH POINT TOWNSHIP, GASTON COUNTY, NORTH CAROLINA
(Adjacent parcel to Whiteside Industrial Properties)

DEVELOPED BY

Ecclesiastes 7: 8-14 LLC

AREA: 68,784 SQ.FT. OR 1.579 ACRES
TAX PARCEL: 185780 and 185766
REFERENCE: DEED BOOK 5178, PAGE 240

CIVIL DESIGN BY
EXCEL CIVIL & ENVIRONMENTAL ASSOCIATES, PLLC

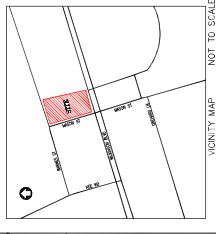
625 HUNTSMAN COURT
GASTONIA, NC 28054
OFFICE OF RECORD IS AARON C. LONG, P.E.
CONTACT: AARON C. LONG, P.E.
EMAIL: along@excelengr.com
NC # 046987



NOTE: ALL CONSTRUCTION ACTIVITIES AS PROPOSED FOR THIS PROJECT SHALL CONFORM TO THE CITY OF BELMONT LAND DEVELOPMENT STANDARDS MANUAL, ANY MODIFICATIONS TO THE APPROVED SET OF DRAWINGS REQUIRES APPROVAL FROM BOTH THE DESIGN ENGINEER (ARON LONG, PE) AND THE CITY OF BELMONT (AUTHORITY HAVING JURISDICTION). ARON LONG, PE SHALL HAVE SOLE RESPONSIBILITY OF THE RECORD ENGINEER FOR THIS PROJECT.

SHEET INDEX	
C1	TITLE SHEET
C2	ACTUAL SURVEY INSERT
C3	OVERALL SITE PLAN
C4	AERIAL

Owner/Developer/Contractor:	<p>Ecclesiastes 7.8-14 LLC Now/Formerly: WHITESIDES INDUSTRIAL PROPERTIES 6213 WILKINSON BLVD., BELLEVUE NC 28212</p>
Civil Design by:	<p>ECEA 625 Huntsman Court Gastonia, N.C. 28054</p>



PROJECT No.:	2022104
DRAWN BY.:	BJPJ
CHECKED BY.:	ACL
DATE.:	12.15.2022
SCALE.:	NOT TO SCALE

NT 1 FDR

Eccl: 7:8-14 LLC



SHEET 1 OF 4

F:\JBS\2022104 WHI	Date of Revisions
--------------------	-------------------



DRAWN BY : PIP

DATE : 10.20.2022

SCALE: 1" = 20'-0"

Ecclesiastes

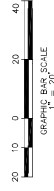
7:8-14 LC



SHEET 4 OF 4

PROPERTY CONTAINS NO FLOODPLAINS; WE LAND; ROCK OUTCROPPINGS; PERENNIAL STREAMS; NATURAL DRAINAGEWAYS, LAKES OR OTHER WATER BODIES. A TREE SURVEY HAS BEEN COMPLETED BY HARTWOOD TREE DATED JULY 18, 2022 WITH TREE INVENTORY SHOWN ON SITE SURVEY. A SEARCH WAS COMPLETED IN GASTON COUNTY AND NORTH CAROLINA DATABASES AND IDENTIFIED NO KNOWN ENDANGERED SPECIES ASSOCIATED WITH THE SUBJECT PARCELS.

ENVIRONMENTAL NOTES:



Ordinance # 2019.02.03

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, David Stophel, on behalf of the property owner of record (Deed book **2677**, page **0150**), submitted an application for a zoning map amendment to rezone a property identified as tax parcel identification no. **#185785**, from Highway Commercial/Highway Corridor Overlay to Highway Commercial/Highway Corridor Overlay Conditional District (HC-HCO/CD); 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 unanimously 7-0 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 January 2019 meeting; and,

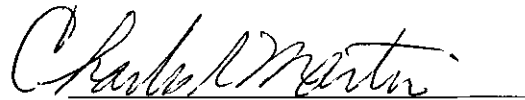
WHEREAS, the Belmont city council held the public hearing on 4 February 2019, and after hearing such, made the following required findings:

1. The conditional zoning petition is consistent with the vision of the mixed use neighborhood district of the comprehensive land use plan because it proposes a commercial use along a commercial/economic corridor; and
2. The proposed project is consistent with Goals **#2** and **#6** of the adopted comprehensive land use plan and is a reasonable request in the public interest because it fosters an economy with a diversified tax base, balances residential and commercial uses, and grows infrastructure along Wilkinson Boulevard.

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 of parcel ID no. **185785**, 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 February, 2019.


Charles R. Martin, Mayor

Attest:

Jamie L. Campbell
City Clerk

Approved as to form:

[Signature]
City Attorney



Exhibit A
Conditions of Approval
David Stophel for Larry (Jason) Dellinger
ZA2019.01

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. A reduction of the lot frontage and lot acreage requirements of the LDC.
 - b. A 15 ft. wide buffer along properties zoned GR or RR.
2. The provided buffer shall be comprised of evergreen plantings installed on both sides of the 8 ft. fence where drainageways do not conflict.
3. The existing swales must be protected and preserved. Stabilization is required where needed.
4. The buffer fence must have a gate to allow access for maintenance of the buffer plantings. Plantings must be maintained and not encroach onto neighboring properties.
5. Streetscape infrastructure improvements shall include a ten-foot-wide multi-use path along the Wilkinson Boulevard frontage with plantings on both sides as utilities allow. Any streetscape improvements outside the right-of-way must be recorded as commercial corridor easement.
6. An oil-water separator and backflow/cross connection prevention are required. Location(s) must be coordinated with the Belmont Public Works Department.
7. A fire hydrant must be installed in coordination with Belmont Fire Department.
8. Newly installed site lighting must be in compliance with Chapter 12 of the LDC.
9. Construction plan submittal is required prior to starting site work. Plans to include:
 - a. A planting and grading plan for buffer areas
 - b. A site lighting plan
 - c. Drainage stabilization plan where necessary
 - d. Tree protection plan to protect and preserve the existing trees on site
 - e. Details for the 30 ft. highway corridor streetscape and required screening improvements including planting details
 - f. Detailed drawings and plans to ensure compliance with fire, public works, and any other requirements
10. Approval is only for a wholesale rental fleet auto service business that is not open to the general public. Any changes to the operation must first be approved by the city.



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 2019.01, the Highway Commercial/Highway Corridor Overlay conditional zoning (HC/HCO-CD) request for 6213 Wilkinson Boulevard, the Belmont City Council finds this petition to be consistent with the Comprehensive Land Use Plan. It further finds it to be a reasonable request and in the public interest because it:

- Promotes Goal #2-Economy-by fostering an economy with a diversified tax base, balancing residential and commercial uses.
- Promotes Goal #6-Infrastructure-by building high quality, efficient infrastructure, gaining another streetscape improvement on Wilkinson Boulevard.

This finding is supported by a 5-0 vote by the Belmont City Council during its 4 February, 2019 meeting.


Charles R. Martin, Mayor

2/4/2019
Date



COMMUNITY MEETING FORM

Date of community meeting: 1/3/2023

Time of meeting: Start: 1:00 End: 2:00

Location: The Exodus Church - Belmont

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:

No community invitees attended

No issues raised

Additional sheets may be attached to continue this answer.

Note that in the event the petitioner has not held a community 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.

1/3/23 1:00-2:00

Community Meeting - Attendance List

Attendee Name

Phone

Email

Scott Harris

704-242-1247

Scott, Harris @ the Exodus
church.org

Keyton Patenford

704 430 6914

patenford @ cityofbelmont
.org

Daniel Marsla

803-606-9553

Daniel @ 24.7sidecre.com

Virtual

1/3/2023

6:00-7:00

Community Meeting - Attendance List

Attendee Name

Phone

Email

Daniel. Marsha

803-606-9553

Daniel@whitesidecre.com

Peyton Ratchford

704-430-6941

Pratchford@cityofbelmont.org

Virtual

COMMUNITY MEETING FORM

Date of community meeting: 1/3/2023
Time of meeting: Start: 6:00 End: 7:00
Location: Online Video Conference

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:

No community invitees attended

No issues raised

Additional sheets may be attached to continue this answer.

Note that in the event the petitioner has not held a community 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.



CITY OF BELMONT

PLANNING & ZONING

Statement of consistency

In considering the zoning map amendment request associated with petition ZA 2019.01A Dent Wizard conditional zoning amendment, the Planning and Zoning Board finds:

- The project is a reasonable request; and
- It is consistent with following goals of the adopted Comprehensive Land Use Plan:
 1. Land Use – the project encourages a balanced approach to land use to encourage a healthy tax base and a mix of uses that will promote choice in shopping and services; and
 2. Economy – the project enhances an existing site that fosters a vibrant economy base that balances residential growth with employment and commerce.

This finding is supported by a - vote by the Belmont planning and zoning board during its January 19, 2023, meeting subject to the relief and conditions within the staff report.

Matt Hart, Chairman

Date