

January 12, 2018

Shelley DeHart
Planning Director
City of Belmont
115 N. Main Street
Belmont, NC 28012

RE: Conditional Zoning Application

Shelley:

Please find attached our application for zoning relief in support of our project to develop the portion of land adjacent to The Depot (4 N Main Street). In an effort to meet the growing demand for commercial space in the downtown district, we intend to develop this adjacent property into approximately 6000 square feet of commercial/retail space. We feel our current plan and design represent a product that both compliments the historic significance of the site as well as supports a sound financial model. In order to successfully bring this product to market, we are asking for relief in two key areas outlined in our zoning application; specifically related to rear lot setbacks and sidewalk requirements.

We continue to remain optimistic about this project and are appreciative of the support the city has offered to date. We intend to pursue this aggressively in hopes of meeting the February 15th Planning & Zoning Board meeting followed by the March 5th City Council meeting for final approval. We realize this is a very tight schedule. Please refer to the high-level milestones that we are targeting below:

Zoning Application Submitted	01/12/2018
City Initial Review Complete (14 days)	01/26/2018
Community Meeting Notice Sent (10 days prior to meeting)	01/29/2018
Community Meeting Held	02/07/2018
Community Meeting Report Submitted (7 days prior to meeting)	02/08/2018
Planning and Zoning Board Meeting	02/15/2018
City Council Meeting	03/05/2018

Following the city's anticipated approval of our application on March 5th, we intend to immediately proceed with detailed design, contractor selection, permitting, etc. carrying us through the spring and optimistically having us breaking ground Summer 2018.

Please call (704.578.7240) or email (admin@southmaincycles.com) with any questions or concerns about this submittal.

Regards,



Steve Pepitone

Enclosure:

Zoning Application
Metes and Bounds Description of Property
Section 4.5 of Belmont Land Development Code
Section 8.2 of Belmont Land Development Code
Elevation Rendering (2 copies)
Site Schematic (2 copies)
Property Survey (2 copies)

CITY OF BELMONT
Application for Zoning Map Amendment (Rezoning)

Date Filed <i>Resub: 01/12/2018</i> <i>Original Application 10/3/16</i>	To be completed by City of Belmont Application Number <i>ZA-2016-05</i>
To be completed by City of Belmont: Hearing Date(s) P&Z / / / /	To be completed by City of Belmont City Council / / / /

To the Planning and Zoning Board and City Council of Belmont, NC:
 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
	<u>NC-C</u>	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
Conditional District? (CD) <input checked="" type="checkbox"/>	<u>NC-C</u>	H-C	R-C	BC-D	IC-D	TN-D

Physical Property Address: 4 North Main St, Belmont, NC 28012		
Physical Description of Location: East end of lot at corner of North Main St and Glenway St		
Tax Parcel Number: 125871 (PID Number)		
Property Owner: Stephen Thomas Pepitone		
Owner's Address: 2547 Shaggy Bark Court		
City: Belmont	State: NC	Zip: 28012
Phone Number: 704.578.7240		Email Address: admin@southmaincycles.com

Applicant Name if different than owner:	Applicant Phone Number if different than owner:
Applicant Email Address if different than owner:	

MAP REQUIREMENTS

This application shall be accompanied by two (2) maps drawn to scale. Such maps shall be produced on one of the following sizes: 8 1/2" by 11", 8 1/2" by 14", or 11" by 17". The maps shall contain the following information:

- The subject property plus such property as to show the location of the subject property with reference to the nearest street intersection, railroad, stream or other feature identifiable on the ground.
- All properties which abut the property.
- If the property is in a subdivision of record, a map of such portion of the subdivision that would relate to the subject property to the closest street intersection.
- A written metes and bounds description of the property or properties.
- The present and proposed zoning classification of the lot(s) in question.
- The property identification number(s) of the lot(s) in question as issued by the Gaston County Tax Department.
- Full schematic design/site plan as described in Chapter 16.8 of the Belmont Land Development Code *(only if the application is for a conditional district)*.

MAP AMENDMENT REQUIREMENTS

<p>If a straight rezoning (not a CD) is requested, then please leave the space below blank.</p> <p>If a Conditional District (CD) is requested, you must list the specific sections of the Land Development Code from which you seek changes. You may list these on a separate sheet of paper.</p>
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1. Requirement: 4.5.1: Shopfront Building: Lot Requirements

Variance Request: Reduce rear setback requirement to 5 feet.


Impact: Reducing rear setback to 5 feet provides for adequate frontage to accommodate an 8 foot sidewalk while also preserving minimum 50 foot depth of structure required in order to deliver widely marketable restaurant/retail space and also insure the financial viability of the project.

2. Requirement: 8.2.3: Streets and Greenways: Street Engineering and Design Specification: Sidewalks

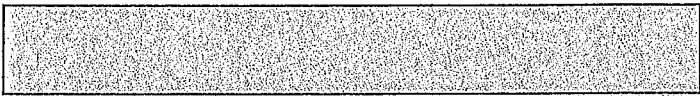
Request: Reduce Sidewalk width on east side of structure from required minimum of 8 feet to 5 feet.

Impact: There is currently no sidewalk on the east front of the property. Adding a 5 foot sidewalk on the east end of the structure will provide adequate access to patrons approaching from the public parking lot directly across Glenway St while also allowing for additional building square footage to also insure the financial viability of the project.

The City of Belmont is required to notify all property owners within one hundred (100) feet of the boundary of the property. Those properties immediately across the ROW from the property shall be included in this list. The City will also post the subject property with at least one rezoning sign and will advertise the rezoning request in the local newspaper.



Signature of Property Owner Signature of Applicant, if different than the property owner



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.

Metes and Bounds Description

4 N Main Street

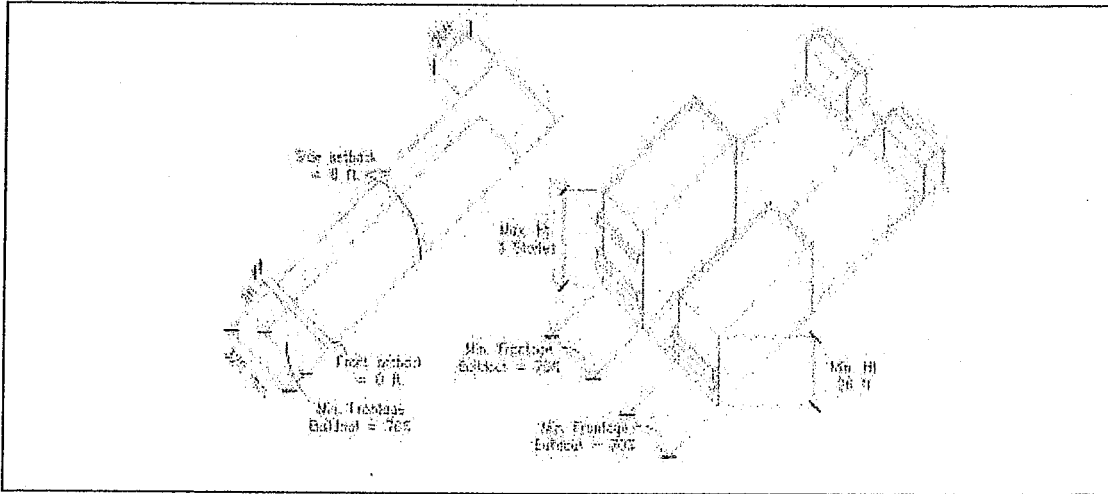
Belmont, NC 28012

BEGINNING at a concrete nail set in the easterly right of way of North Main Street at its intersection with the northerly right of way of the Southern Railroad, said Point of Beginning being located North 52-12-26 East 94.87 feet from the centerline of the intersection of North Main Street and the southbound track of Southern Railroad, and running thence from said Point of Beginning. North 08-35-09 East 64.89 feet to the corner of a building; thence with the south wall of a two story building conveyed to Two Guys From Jersey, LLC by deed recorded in Book 4463 at Page 1697, South 81-14-09 East 242.02 feet to a concrete nail located at the western margin of the right of way of Glenway Street; thence with the western margin of Glenway Street, South 06-38-36 West 64.62 feet to a concrete nail set on the northern margin of the Southern Railroad right of way; thence with the northern margin of said railroad right of way, North 81-18-34 West 224.21 feet to the Point of Beginning, containing 0.3615 acres as shown on that survey of Franklin E Tanner dated November 21, 2013.

4.5 SHOPFRONT BUILDING

Description: A small scale structure which can accommodate a variety of uses. A group of shopfront buildings can be combined to form a mixed-use neighborhood center. Individual shopfront buildings can be used to provide some commercial service, such as a neighborhood store, in close proximity to homes. Office buildings, hotels and inns can be placed in shopfront buildings. The use permitted within the building is determined by the District in which it is located.

1. LOT REQUIREMENTS



Minimum Height: 26 ft
Maximum Height: 3 Stories (42 feet)

Setbacks:
Front (Maximum): 0 ft
Sides: 0 ft
Rear: 20 ft

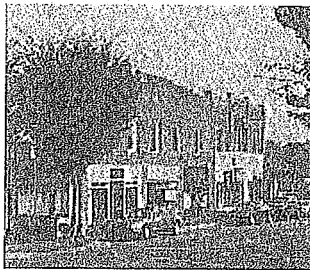
Frontage Buildout (Min.): 70%

Parking and Vehicular Access: Primary vehicular access is provided using a rear lane or alley only. Off-street parking shall be located in the rear yard only. No curb cuts or driveways are permitted along the frontage.

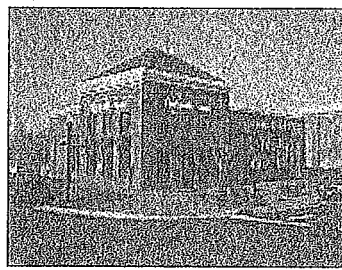
Minimum Lot Width: 32 ft (Lots platted prior to 1995 – 16 ft)

Encroachments: Upper story balconies may encroach into the right-of-way up to 3 feet with permission from the City.

Accessory Structures:
Side/Rear Setback: 0 ft



Mixed Use



Retail



Mixed Use

4.5 SHOPFRONT BUILDING

2. ARCHITECTURAL REQUIREMENTS

A. General Requirements

1. At least 70% of the width of street level frontages shall be in windows or doorways. Street level windows shall be visually permeable. Mirrorized glass is not permitted in any location. Faux or display casements are not permitted in lieu of exterior window treatments for the frontage elevation.
2. No frontage wall shall remain unpierced by a window or functional general access doorway for more than 16 feet.
3. The principal, functional doorway for public or direct-entry access into a building shall be from the fronting street. Corner entrances may be provided on corner lot buildings.
4. Decorative cornices shall be provided for buildings with a flat roof. Alternatively, eaves shall be provided with a pitched roof.
5. A building canopy, awning, or similar weather protection may be provided and should project 3-5 feet from the façade.

B. Materials

1. Commercial building walls shall be brick, cast concrete, stone, marble, or other materials similar in appearance and durability. Regular or decorative concrete block and EIFS-type stucco may be used on building walls not visible from a public street or as an accent material only. All accessory buildings shall be clad in materials similar in appearance to the principal structure.
2. Pitched roofs shall be clad in wood shingles, standing seam metal, corrugated metal, slate, asphalt shingles or similar material.
3. Signs on the inside of glazed openings may be neon.

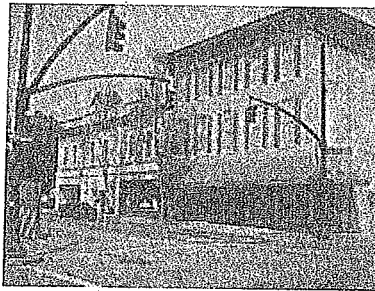
4. Rear and side yard fences and walls shall be brick, stucco, wrought iron, stone, or materials similar in appearance and durability. Maximum fence and wall height shall be 8 feet.

C. Configurations

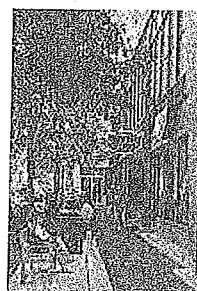
1. All visibly exposed facades shall have a recognizable base course, which shall align with the sill level of the first story consisting of, but not limited to: thicker walls, ledges or sills; integrally textured materials such as stone or other masonry; integrally colored and patterned materials such as smooth finished stone or tile; lighter or darker colored materials, mullions, or panels; and/or planters.
2. All visibly exposed facades shall have a recognizable top consisting of, but not limited to: cornice treatments, other than just colored stripes or bands, with integrally textured materials such as stone or other masonry or differently colored materials; sloping roof with overhangs and brackets; stepped parapets; and/or a cornice which shall terminate or cap the top of a building wall.
3. Two wall materials may be combined horizontally on one façade. The heavier material should be below.
4. Sky-lights shall be flat (non-bubble).

D. Techniques

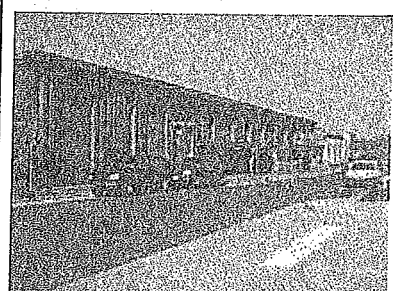
1. Stucco shall be float finish.
2. Windows shall be set to the inside of the building face wall.
3. All rooftop equipment shall be screened from view.



Mixed Use



Mixed Use



Grocery Store

8.2 STREET ENGINEERING AND DESIGN SPECIFICATIONS

Street designs shall permit the comfortable use of the street by cars, bicyclists, and pedestrians. Pavement widths, design speeds, and the number of vehicle lanes should be minimized without compromising safety. The specific design of any given street must consider the building types which front on the street and the relationship of the street to the City's street network. New development with frontages on existing publicly maintained streets shall be required to upgrade all their frontages to meet the standards of this Section. The following specifications shall apply to street design:

1. TREES

All street trees shall be installed in accordance with *City of Belmont Land Development Standards Manual*. Large canopy trees shall be planted in a planting strip at an average distance of 40 feet on-center as shown in the cross-sections in **Section 8.3 Street Design**

2. STREET MARKERS AND TRAFFIC CONTROL SIGNS

All street markers and traffic control signs posted in accordance with the Manual of Uniform Traffic Control Devices shall be installed by the developer prior to the issuance of any certificates of occupancy for any building on that street.

3. SIDEWALKS

Sidewalks shall be constructed along both sides of all streets except alleys and lanes. Residential sidewalks shall be a minimum of 5 ft in width. Sidewalks serving mixed use and commercial areas shall be a minimum of 8 ft in width (10-12 ft is preferable in front of shopfronts). All sidewalks shall be paved with brick or concrete pavers, concrete, or a similar material. Concrete sidewalks shall be a minimum of 4" in depth. Sidewalk material may vary according to the overall design and character of the development. The City Council may grant exceptions to this in accordance with the Belmont Public Infrastructure Acceptance Policy. Streets that serve less than 8 Detached Home-Street Lots from the nearest intersection may install sidewalk on one side of the street.

4. BIKE PATHS

Bike lanes a minimum of 4 ft in width shall be installed by all development (except single family homes) with frontage along the following collector streets and minor thoroughfares: Perfection Avenue, Belmont-Mt. Holly Road, McAdenville Road, Park Street, Keener Boulevard, Armstrong Ford Road, R.L. Stowe Road, Stowe Road, Nixon Road, and South Point Road. Bike lanes and bike paths shall be designed according to the *North Carolina Bicycle Facilities Planning and Design Guidelines*, published by NCDOT and shall include all appropriate signage and pavement markings.

5. PLANTING STRIPS

The minimum width of all planting strips shall be 6 feet. For streets with a design speed greater than 25 miles per hour, the minimum width shall be 8 feet.