



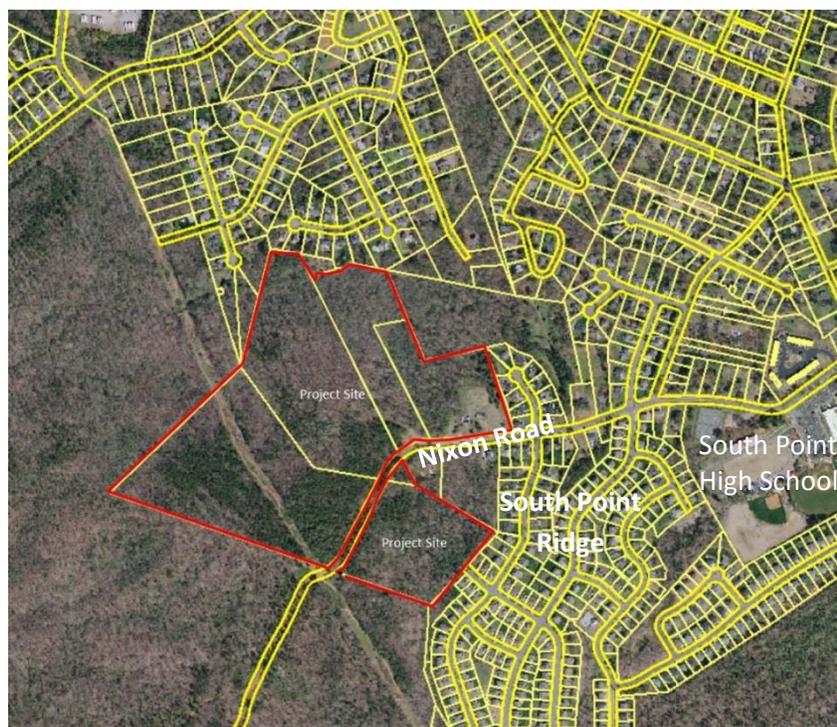
## Major Development Plan

### Application number: MDP2016.03 Nixon Road Subdivision

**Request:** The applicant request that the City Council receive the planning board recommendation to approve with conditions a proposed 164-lot residential community on approximately 83 acres located on Nixon Road. The proposed community includes open space, roadway dedication, and tree preservation areas in compliance with the city land development code (LDC). The applicants are property owners RM Nixon Road, LLC (188088, 188087, 188095), Ebrahim S. Mowlavi (188090) and their agent, Tom Waters of Provident Land Services.

**Background:** Chapter 15 of the Land Development Code (LDC) requires the applicant to process a Major Development Plan for projects involving a subdivision of land into eight (8) or more lots. The intent of the process to allow city officials and the community the opportunity to view and provide input on the development.

**Staff analysis:** The subject project site consists of four parcels (parcel ID# 188088, 188087, 088095, 188090) located on the north and south side of Nixon Road west of the South Point Ridge community. These properties total 83 acres of land located within the General Residential (GR) zoning district. Three of the four parcels are within the city limits and are undeveloped. Parcel 188090 consists of an existing dilapidated house and is located within the city's extra-territorial jurisdiction. This property will be annexed into the city if approved as part of this development.



**General Residential (GR) zoning district**

The GR zoning district allows the proposed single-family residential use at a maximum density of six units per acre. The plan consists of 164 single-family residential lots on 83 acres, which results in a proposed density of 1.96 dwelling units to the acre. The development is proposed to consist of single-family detached units with a mix of alley lots and street lots, both of which are approved building types for this district. Other performance standards are:

Lot standards*	Required	Proposed
Minimum lot width – alley lot	30 feet (or greater) in width	45-55 feet in width
Minimum lot width – street lot	55 feet (or greater) in width	65-70 feet in width
Front setback	0-25 feet alley load 20-foot street load	0-25 feet alley load 30-foot
Driveway length (parking depth) Street load	30 feet	30 feet
Side setback- both building types	20% of lot width	20% of lot width
Rear setback – street lot	30 feet	30 feet

\*This is not an all-inclusive list of performance standards.

Based on our review, the project as proposed complies with the city’s performance standards for the building types and zone.

**Open space**

Chapter 7 of the LDC outlines required open space based on a dedication matrix. The total required open space based on the matrix calculation is 5.65 acres. The project proposes 33.81 acres which is 40 percent of the development area. The open space is distributed as follows:

Type	Acreage
Attached squares	1.17 acres
Detached square	.28 acre
Hiking trail area	18.38 acres
Floodplain	3.41 acres
General	10.57 acres

The project, as proposed, complies with the city’s open space requirements of Chapter 7 of the LDC.

**Street design**

Chapter 8 of the LDC outlines the city’s street design standards and Section 3.4 addresses block length.

**Exterior street – Nixon Road:** Nixon Road is currently a 60-foot wide right-of-way approximately 1.37 miles in length; however, only .73 miles of the roadway is built. It is classified locally as a collector road. The planned community will take access from Nixon Road at two locations on the north side of the road, and one location on the south side of the road.

Staff consulted with Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) and NCDOT on roadway requirements. GCLMPO provided comment indicating Nixon Road is a planned future three-lane facility which is an 80-foot right-of-

way. NCDOT indicated it supports the future R-O-W dedication (80-foot R-O-W), curb, gutter, sidewalk/multi-use path, street lights, and trees, but no other improvements are warranted for this development. The applicant will be dedicating .61 acres of the site to NCDOT to meet the future right-of-way width of 80 feet.

**Interior streets:** The project proposes 50-foot wide rights-of-way consistent in design with city's "local street" design requirement and rear alley rights-of-way. The 50-foot right-of-way will consist of vehicle travel way, curb and gutter, planting strip, and sidewalk. This cross-section allows for parking on one-side of the street. The project will be conditioned to identify the parking side of the street within the approved plan and provide signage. The planned community has created a network of streets and alleys that comply with the minimum and maximum block length.

There is a 50-foot right-of-way located on the south side of Nixon Road that will connect to Rachel Anne Drive into the South Point Ridge community. The community provides three roadway stub-out locations to adjacent vacant properties consistent with the LDC.

### **Tree protection**

Chapter 11 of the LDC outlines the city's tree preservation requirements, which states the development shall retain a minimum of 25% of the existing tree canopy. Based on the information provided, the proposed design preserves 25% of the tree canopy, which includes the required heritage tree-save areas. A detailed plan is required at the construction plan review stage and has been included as a condition of approval.

### **Community image**

The applicant has provided us with typical building elevations in an effort to visually convey its vision for the community. The primary cladding is cementitious fiber board with accent materials such as stone and brick. David Weekley Homes was introduced as the community builder/partner at the community meeting. The elevations are included in the report as attachment B.

### **Major development process**

The major development process is intended to provide a fair and equitable process to all interests including the petitioners, affected neighbors, city staff, the planning board, and city council. The applicant elected to hold a community meeting on December 7th to share its plans of the proposed community. This community meeting is not a requirement of the major development process. The minutes from the meeting are included in the report as attachment C.

### **Staff recommendation**

Staff has reviewed this development plan and finds the proposed plans complies with the requirements of the Belmont Land Development Code (LDC). We recommend the planning board recommend approval, as conditioned, to the city council.

**Planning Board:** The Planning Board heard this case at their December 15, 2016 meeting. After receiving the report, public comment, and deliberations, the Board unanimously voted (6-0) to recommend approval with the conditions presented by staff.

## Proposed conditions

### General requirements

1. The applicant shall obtain approval of all required permits from the city and associated agencies.
2. The development shall comply with the Belmont land development code and other associated regulations and plans.
3. The schematic plan approval is valid for a period of 12 months.
4. Said development shall be capped at 164 single-family residential lots. Any proposed increase in lot count shall require process of an amendment of the major development plan.
5. The City of Belmont and the applicant or developer will enter into a developer agreement for the provision of water and sewer services to the site.
6. Parcel ID 188090 shall be annexed into the city within 90 days from the date of approval.

### Streets

1. The applicant shall dedicate right-of-way along Nixon Road to NCDOT (40-ft from center line) along the entire street frontage of the subject properties.
2. Nixon Road improvements shall include a multi-use path (north side only), curb, gutter, sidewalk, street lights, and street trees.
3. The construction plans shall identify the interior on-street parking locations and shall be accompanied with a signage plan to restrict parking to one-side of the street.
4. Interior roadway design and construction shall be consistent with the LDC and land development standards manual.
5. The development shall provide connection to Rachael Anne Drive from Nixon Road.

### Open space and tree save

1. Open space areas shall be consistent with approved plans and in compliance with city requirements.
2. A detail tree-save area plan is required and shall be in compliance with Chapter 11.
3. Street tree canopy is required in accordance with Section 11.2 D of the LDC.

### Community design

1. The community layout shall be consistent with the plans dated November 28, 2016 included herein.
2. Lots abutting Nixon Road shall be for detached single-family, alley-lot building type.
3. Architecture of the dwellings shall be in keeping with the images provided herein.

**City Council Action:** Receive report, public comment, and decide to approve as presented, approve as modified, or disapprove MDP2016.03.

Attachment A – Application

Attachment B – Residential Building Elevations

Attachment C – Minutes from Community Meeting

Attachment D –Site Plan

**CITY OF BELMONT**  
**Application for Major Development Plan**

Date Filed	10 / 26 / 16	Application Number	MDP-2016-03
Hearing Date(s) P&Z	12 / 15 / 16 / /	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 approve the major development plan for the following:

- Residential Subdivision of eight (8) or more lots
- Individual Building(s) exceeding 30,000 square feet in area
- Non-Residential Subdivision of four (4) lots or more.

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

Zoning of Property (circle one)	R-R	<u>G-R</u>	NC-R	INF-R	MH-R	S-R
	NC-C	H-C	R-C	BC-D	IC-D	TN-D

Property Address: 420 Nixon Road		
Physical Description of Location: West end of Nixon Road.		
Tax Parcel Number:	188090	
Property Owner: Ebrahim S Mowlavi		
Owner's Mailing Address: 1502 Alydar Ct		
City: Waxhaw	State: NC	Zip: 28173
Home Phone: 704-363-0834	Work Phone: ( )	-
Project Description: Proposed 164 lot subdivision at the west end of Nixon Road in the City of Belmont. The subdivision will include a combination of 65' & 70' wide lots with front loaded homes and 45' & 55' wide lots with rear loaded homes.		

Please list all adjacent property owners of the boundary of the property. Those properties immediately across the ROW from the property shall be included in this list. Attach a separate sheet if needed.

Tax Parcel ID#	Property Owner	Owner Mailing Address	City	State	Zip
See Attached	EBRAHIM S. MOWLAVI	1502 ALYDAR CT. WAXHAW NC	WAXHAW	NC	28173

*Eh S. Mowlavi*

Signature of Property Owner

Signature of Authorized Agent

(704-) 3630834

Phone Number

1,752.56

Application Fee (Dept Use Only)

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

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	NC-C	H-C	R-C	BC-D	IC-D	TN-D

<b>Property Address:</b> 450 Nixon Road		
<b>Physical Description of Location:</b> West end of Nixon Road.		
<b>Tax Parcel Number:</b>	188088, 188087 & 188095	
<b>Property Owner:</b> RM Nixon Road, LLC		
<b>Owner's Mailing Address:</b> 521 E Morehead St., Suite 400		
<b>City:</b> Charlotte	<b>State:</b> NC	<b>Zip:</b> 28202
<b>Home Phone:</b> 704-561-5241	<b>Work Phone:</b> ( ) -	
<b>Project Description:</b> Proposed 164 lot subdivision at the west end of Nixon Road in the City of Belmont. The subdivision will include a combination of 65' & 70' wide lots with front loaded homes and 45' & 55' wide lots with rear loaded homes.		





1425Car - e - Charlotte North Carolina



2402Car - a - Charlotte North Carolina



2402Car - e - Charlotte North Carolina



4452Car - C - Charlotte North Carolina



4453Car - b - Charlotte North Carolina



4454Car - b - Charlotte North Carolina



4456Car - b - Charlotte North Carolina



4515Car - a - Charlotte North Carolina



4673Car - a - Charlotte North Carolina



4464Car - b - Charlotte North Carolina



4677Car - b - Charlotte North Carolina



4528Car - a - Charlotte North Carolina



4673Car - b - Charlotte North Carolina



4674Car - Charlotte North Carolina

**Nixon Road Community - Community Information Meeting**  
**Wednesday, December 7<sup>th</sup>**  
**First United Methodist Church, Belmont**  
**6:30 PM**

The meeting was called to order at 6:30 pm by Tom Waters of Provident Land Services, Inc.

Attendees:

- Tom Waters, Provident Land Services, Inc.
- Kristin Dillard, Provident Land Services, Inc.
- Shannon Boling, David Weekley Homes-Charlotte Division
- Weston Boles, PE, WK Dickson & Co, Inc.
- Edwin Suddreth, PE, WK Dickson & Co, Inc.
- Approximately 22 Nixon Road Area Residents

OVERVIEW:

Tom Waters gave introductions and explained the purpose of the meeting, which was to share our vision for the new community and answer questions. Tom referenced the site plan on display and explained that we have been under contract on the land for the past few months, and are petitioning The Town of Belmont for site plan approval. Tom explained that this is not a rezone. We will work with the Town to serve water and sewer for the community, and are following the Town's ordinances, which include required green space, tree save, trails, and more and have applied these to our site plan. The total acreage for our property is approximately 83 acres and will consist of 164 home sites, which is approximately 2 homes per acre.

Tom introduced David Weekley Homes as our builder/partner on this project, and referenced several colored representative elevations provided by the builder. The builder will have 45'-55' rear entry (alley) homes, and 65'-70' front entry homes. All homes will have a 2-car garage with cement siding cladding material, including some stone & brick accents.

The proposed 2 entrances for the community will be on Nixon Road. The main entrance will have landscaping and lighting and stone or brick monumentation.

We are required to have on-site water detention devices to protect erosion during construction process. They are identified ahead of time and placed in the low points where water would normally collect. Some of these will be converted to permanent ponds to handle water runoff after construction is complete.

Q&A

What is the price range? Shannon Boling of David Weekley estimates in the upper \$200,000's to the low \$300,000, with starting square footage in the 1700's for the smaller product.

When do you expect to start construction? Tom explained that the community will be done in two phases, and we are hoping to start development of the first phase in spring/summer of 2017. The second phase will likely begin 2 years after this point. The initial homes will be ready for sale in late 2017 or early 2018.

When will infrastructure and roads be installed? Tom explained that all roads, curb & gutter will be installed during the two-phase development process.

Where will sewer tie in? Tom explained that we are working with the Town of Belmont water & sewer authorities to determine this.

Will Rachel Anne Drive connect to existing stub street, and if so will it go all the way to Nixon Road? Tom showed on the site plan where we will continue Rachel Anne Drive across the current culvert and across Nixon Road.

Will any improvements be made along Nixon Road to handle traffic? Tom explained that NCDOT owns Nixon Road and the right-of-way is already established. Minimally, we will install 2 entrances along Nixon Road, and we will also install curb & gutter in lieu of a bar ditch section road. Additionally, we intend to install sidewalk on both sides of Nixon Road along our property.

One resident who lives along Creek Hollow Trail, which backs up to our property, asked about the green space in this area and wanted to know how far it will extend, and also wanted to know where the detention ponds will be located. Tom explained that we have steep topography in this area, but will have passive/mulch trails. As far as the detention ponds go, we are working to determine this. Preliminarily, we will have 4 of these ponds.

One resident asked if there will be a community pool or playground. Tom explained that there will not be a community pool. We don't have plans for a playground, but will have a few pocket parks with park benches and landscaping for gathering.

One resident asked if there are any plans to improve Willerine Drive, which is often used as a cut-through for residents during peak traffic hours. Tom explained that we do not own the area along Willerine Drive, so we would not be involved in any road improvements for this specific roadway.

What is the next step? Tom let everyone know that we will present our plan officially to the Planning and Zoning Board for approval. The meeting will be held on December 15<sup>th</sup> at City Hall at 7:00 pm.

There were no further questions.

The meeting was adjourned at 7:00 pm.

NIXON ROAD - COMMUNITY INFORMATION MEETING

12/7/16 -6:30 PM

No.	Name(s)	Address	Email / Phone
1	John & Martha Hayes	308 Nixon Rd 222 Lakeview Dr.	704-825-8033
2	Pat Jones	109 Creek Hollow Tr	704-825-5998
3	Stewart Watson	1012 Victoria Blake Ln	704-461-8121
4	John & Judy Kalmbach	2513 Shannon Dr.	614-668-2869
5	JEFF KALMBACH	2760 SHANNON DR	704-524-6709
6	ROGER & ANN CALDWELL	1924 SOUTH RIDGE DR.	704-914-6363
7	Cathy & Bob Guckowski	2149 Southeridge DR.	704-689-9779
8	Robert Aldrich	1112 Rachel Anne Dr.	704-860-1175
9	Linda Pritch	1107 Rachel Anne Tr	704-825-3550
10	Bruce Euler	2536 SHANNON RD.	704-236-9650
11	CAIUS BARBU	2706 Shannon Dr	caius12@yahoo.com 704-616-0449
12	Hazel Pearce	2166 Southeridge Dr.	mikehazel84@yahoo.com 704-249-9382
13	Chad Nelson	2130 Southeridge	chadnelson25@ <sup>(704)</sup> hotmail.com 5914020
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