



**Town of Cornelius
Planning Board Special Meeting**

**Agenda
May 16, 2022
12:00 PM
204**

- 1. Call To Order**
- 2. Determination of Quorum**
- 3. New Business**
 - A. REZ 03-22 Alexander Farms Amendment**
- 4. Adjournment**

REQUEST FOR BOARD ACTION

 **Print**

Date of Meeting: May 16, 2022

To: Chairman Eicher and Planning Board Members
From: Aaron Tucker
Senior Planner

Action Requested:

Request by Alexander Farms MU, LLC to amend a previously approved rezoning plan for approximately 55 acres located at the NE corner of West Catawba Avenue and Westmoreland Road. The proposed amendment will increase the unit count for the independent senior living unit count from 130 to 143. The plan also includes the preservation of the historic Tenant House building at the corner of West Catawba Avenue and Westmoreland Road.

Manager's Recommendation:

Staff recommends the Planning Board approve the project with conditions.

ATTACHMENTS:

Name:	Description:	Type:
<input type="checkbox"/> REZ_03-22 (PB) Alexander Farms Amendment Staff Report.docx	Staff Report	Backup Material
<input type="checkbox"/> Application_Only.pdf	Application	Backup Material
<input type="checkbox"/> Alexander Farms Zoning.pdf	Zoning Map	Backup Material
<input type="checkbox"/> Alexander Farms LU.pdf	Land Use Map	Backup Material
<input type="checkbox"/> Alexander Farms Vicinity.pdf	Vicinity Map	Backup Material
<input type="checkbox"/> Alexander Farms Property.pdf	Property Map	Backup Material
<input type="checkbox"/> 22-0427 - Alexander Farms Rezoning Amendment - Plan Set.pdf	Site Plan	Backup Material
<input type="checkbox"/> Army Corps MOU.pdf	Army Corps MOU	Backup Material
<input type="checkbox"/> PB Consistency Statement REZ_03-22.docx	Consistency Statement	Backup Material



REZ 03-22
Alexander Farms Amendment

Conditional Zoning Request

Planning Board Special Meeting
May 16, 2022

APPLICANT: Alexander Farms MU, LLC
2165 Louisa Drive
Bellair Beach, FL 33786

AGENT: ColeJenest & Stone/Bolton & Menk, Inc.
200 South Tryon Street, Suite 140
Charlotte, NC 28202

PROPERTY LOCATION: Northeastern quadrant of West Catawba Avenue (SR 5544) at
Westmoreland Road (SR 2147)
PID#: 00511105, 00541108, 00511109

PROPERTY SIZE: 54.71 acres

CURRENT LAND USE: Vacant

PROPOSED LAND USE: Commercial, Multi-Family Residential, Single Family Residential

EXISTING ZONING: Conditional Zoning (CZ)

PROPOSED ZONING: Conditional Zoning (CZ)

EXISTING CONDITIONS:

1. *Description of Adjoining Zoning and Land Uses* – This property is comprised of three parcels. Southwest Parcel 00511105 has road frontage along West Catawba Avenue (SR 5544) to the west and Westmoreland Road (SR 2147) to the south. Parcel 00511109 is the center parcel that abuts Viewpoint Lane to the north. Parcel 00541108 is the northeast parcel and includes connectivity at Chagrin Drive.

Surrounding properties include to the northwest/north the Harborside Commons subdivision, to the north a vacant lot owned by the Town of Cornelius, to the north/northeast the Westmoreland subdivision, and to the east the Legacy Cornelius subdivision. Additionally, along Westmoreland Road is a single-family residential parcel at 8623 Westmoreland and an undeveloped parcel at 8715 Westmoreland.

These parcels, per the Town of Cornelius Land Use Plan, are listed as To Be Determined (TBD). Surrounding parcels are identified as Medium Density Residential, Public Parks and Open Space, and Neighborhood Commercial.

2. Topography – The property has sloping terrain that includes a post-construction buffer along the interior wetlands of the acreage running west to east.
3. Vegetation – Parcels consist of farmland, vegetated buffers, and woodlands.
4. Infrastructure – Currently, water and sewer access are available. On December 12, 2018, and on July 13, 2020, Charlotte Water issued a Willingness to Serve.

The traffic impact analysis (TIA) has been completed for this project and addresses transportation infrastructure details.

STAFF COMMENTS:

1. Project Overview – The Alexander Farm development is subject to a conditional zoning approval (REZ 08-17), which was approved by the Cornelius Town Board on October 21st, 2020. The October 21st, 2022 approval allows up to 130 independent senior living residential units.

The applicant has submitted a conditional zoning amendment request to increase the independent senior living residential unit count from 130 to 143. The applicant is also requesting to amend the plan to include the preservation of the historic tenant house. The tenant house is proposed to be relocated from its current position (located at the north west corner of sheet SP-100) to the corner of West Catawba Avenue and Westmoreland Road, per the included site plan (sheet SP-200).

All other uses and intensities are unchanged from the October 21st, 2020 approval.

2. History – This acreage historically has been a residence, farm, and woodlands.
3. Land Use Plan Consistency – The Land Use Plan adopted by the Town Board on January 6, 2014, designates this property as To Be Determined (TBD).
4. Planning Board – This project will go before the Planning Board at a Special meeting on May 16th, 2022 at 12pm.
5. Town Board Public Hearing – REZ 03-22 will go before Town Board on May 16th, 2022 at 6:00pm.

STAFF RECOMMENDATION:

The Planning Board may choose to recommend approval of this project. Staff recommends approval of the project subject to the following conditions:

1. Town approval is contingent on review and approval by other applicable local, state and federal agencies.
2. The development shall comply with all other applicable requirements of the Town of Cornelius Land Development Code.

3. Town approval incorporates and shall comply with any and all submittals in the case file and correspondence presented to the board in support of this application, including, but not limited to the following: The site/sketch plan, architectural elevations, and any other information related to this case or improvements recommended by the Town and/or other agencies.
4. The Memorandum of Agreement between the United States Army Corps of Engineering, the North Carolina State Historic Preservation Office, Alexander Farms, MU, LLC, and Preserve Mecklenburg, Inc. (Executed MOA attached) shall become a development condition.
5. In addition to the terms and conditions detailed in the MOA, Alexander Farms MU, LLC (AF) agrees to the following development conditions in preservation of the Tenant House:
 - a. AF assumes full responsibility for moving the Tenant House from its present location to the parcel which it owns on the southeastern corner of West Catawba Avenue and Westmoreland Road per the revised site plan.
 - b. AF assumes full responsibility for providing security fencing of the Tenant House until such time the new site location is ready to receive the structure. In the event the structure has to be relocated temporally based on site excavation, AF assumes full responsibility.
 - c. AF assumes full responsibility for construction and providing the necessary infrastructure, including foundation and utilities, making all necessary repairs to bring the Tenant House up to historical preservation standards, and into compliance with current building codes.
 - d. AF assumes full responsibility for making necessary arrangement for regular and routine maintenance of the Tenant House as referenced in the MOA.
6. AF shall grant a preservation easement to Preservation Mecklenburg, Inc. (PMI) on the new Tenant House Location to prevent demolition in perpetuity. The applicant shall provide a copy of the easement the Town.
7. The Applicant shall coordinate with Duke Energy and Piedmont Natural Gas to ensure the Town of Cornelius will be permitted a driveway to access the future park property.
8. In addition to the above conditions, the applicant is still subject to all conditions from the previous rezoning approval (REZ 08-17).



office: 19726 ZION AVENUE, CORNELIUS, NC 28031

mailing: P.O. BOX 2376, DAVIDSON, NC 28036

p: 704.896.0820 f: 704.896.0875

April 27, 2022

Via Hand Delivery

Mr. Wayne Herron
Planning Director
Town of Cornelius
21445 Catawba Avenue
Cornelius, NC 28031

RE: Land Development Application Form for Amendment to CZ Approval (the "Application"); REZ 08-17 (the "Original Zoning"); Tax Parcel Nos. 005-111-05, 005-111-09 and 005-411-08, 54.71 acres known as Alexander Farms (the "Property"); Alexander Farms MU, LLC, RRCAP-SFR Alexander Farms, LLC and RRCAP-MF Alexander Farms, LLC ("Owner")

Dear Wayne:

This letter will serve as the Owner's written summary of the request for approval of the Application in connection with the Property. The Property is shown on the amended zoning plan included with this Application (the "Plan"). The proposed amendment to the Original Zoning includes the following:

1. A revision to the number of senior apartment units from 130 to 143;
2. Relocation of the tenant house as shown on the Plan;
3. Revision to the Development Summary and the Development Notes to reflect the senior apartment unit count of 143; and
4. The conditions attached hereto in connection with the relocation of the tenant house.

Enclosed are the following, which comprise the Application:

1. Signed Original Land Development Application with Signature Addendum and Tenant House Conditions;
2. Project Fee (\$625 – previously paid);
3. Written Summary (above);
4. Revised Site Plan.

IRVIN LAW GROUP

Please let me know if you have any questions concerning this summary or the enclosures attached hereto. Thank you for your assistance.

Very truly yours,

Irvin Law Group, PLLC

A handwritten signature in black ink, reading "Susan Keady Irvin". The signature is written in a cursive, flowing style with a large initial 'S'.

By: _____
Susan K. Irvin



TOWN OF CORNELIUS

Planning Department

PO Box 399 | Cornelius, NC 28031 | Phone: 704-896-2461 | Fax: 704-896-2462

LAND DEVELOPMENT APPLICATION FORM

Staff Only:

Date Rec'd: _____

Rec'd by: _____

Case #: _____

1. Application Type	✓	Fee	✓	Fee
• Sketch Plan/Plat (Major Sub):	<input type="checkbox"/>	_____	• Conditional Zoning (CZ):	<input checked="" type="checkbox"/> \$625.00
• Preliminary Plat (Major Sub):	<input type="checkbox"/>	_____	• Special Use Permit (SUP):	<input type="checkbox"/> _____
• Final Plat (Major Sub):	<input type="checkbox"/>	_____	• Major Architectural Variation:	<input type="checkbox"/> _____
• Construction Documents:	<input type="checkbox"/>	_____	• Minor Architectural Variation:	<input type="checkbox"/> _____
• General Rezoning:	<input type="checkbox"/>	_____	• Other: _____	<input type="checkbox"/> _____
Fee Total:				\$625.00

2. Project Information

Date of Application: 4/7/22 Name of Project: ALEXANDER FARMS

Location: NEC CATAWBA & WESTMORELAND Property Size (acres): 54.71 # of Units/Lots: 143 Senior apartments 70 SF lots

Current Zoning: CZ Proposed Zoning: CZ

Current Land Use: VACANT Proposed Land Use: MIXED-USE DEVELOPMENT

Tax Parcel Number(s): 00511105, 00511109, 00541108

3. Contact Information		
<u>ALEXANDER FARMS MU, LLC</u>		
Owner, Applicant, or Developer	Agent(s) (Engineer, Architect, Etc.)	
<u>2165 LOUISA DR.</u>		
Address	Address	
<u>BELFAIR BEACH, FL 33786</u>		
City, State Zip	City, State Zip	
<u>727 742 9798</u>		
Telephone	Fax	
<u>OWEN Ewing</u>	<u>4-26-22</u>	
Signature	Print Name	Date
Email - <u>OWEN@WINDEVELOPMENT.NET</u>	Email - _____	

4. The following items may also be required to be considered part of a complete application, please check all that apply on this list:

☒ Signed "Original" application

☒ Project Fee(s) - See Fee Schedule

☒ Written Summary/Description of Request can be on company letterhead. Shall include requested use or uses, sq. feet of non-residential space, or density and number of units/lots for residential, or any other applicable information. For CZ's, must also describe any variations proposed from the Land Development Code

☐ Property Survey (at least one copy), including existing buildings, topography, wetlands, streams, vegetation (trees over 18" in diameter), and other natural features.

☒ Site/sketch plan (at least one copy), may contain multiple pages and must be drawn to scale by an engineer or landscape architect. Shall include locations of buildings and/or lots, streets, parking, proposed grading, landscaping/screening, open space, watershed/storm water information, associated storm water measures, and proposed utilities and lighting. Shall also include general information from adjoining lots

☐ Illustrative (color) site/sketch plan for presentation purposes with same layers as described above

☐ Architectural elevations, Perspective Renderings, and Architectural Review Board Checklist may include multiple pages and must be drawn to scale by an architect. Include all primary and accessory buildings (all building sides), an illustrative color package, and black and white w/dimensions. Other architectural elements/features of the site such as gazebos, trellis's, garden walls, retaining walls, or other items over 4-feet in height must also be included (NOT REQUIRED, BUT OPTIONAL FOR SINGLE-FAMILY RESIDENTIAL DEVELOPMENTS).

☐ Charlotte Water Capacity Assurance Review Application Provide copy with application, and send original to CW.

☐ Illustrative (color) elevations for presentation purposes for all items described above, as well as perspective (3D) renderings and photograph examples

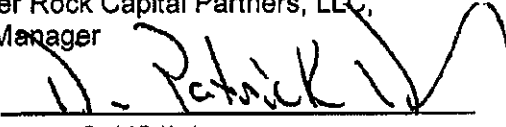
☐ Digital Files of all items listed above

[Signature Addendum to Land Development Application Form]

RRCAP-SFR ALEXANDER FARMS, LLC,
a Delaware limited liability company

By: RRCap-Alexander Farms GP, LLC,
its Manager

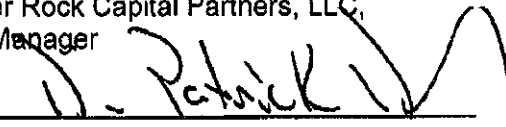
By: River Rock Capital Partners, LLC,
its Manager

By: 
Name: Daniel P. Hughes
Title: Manager

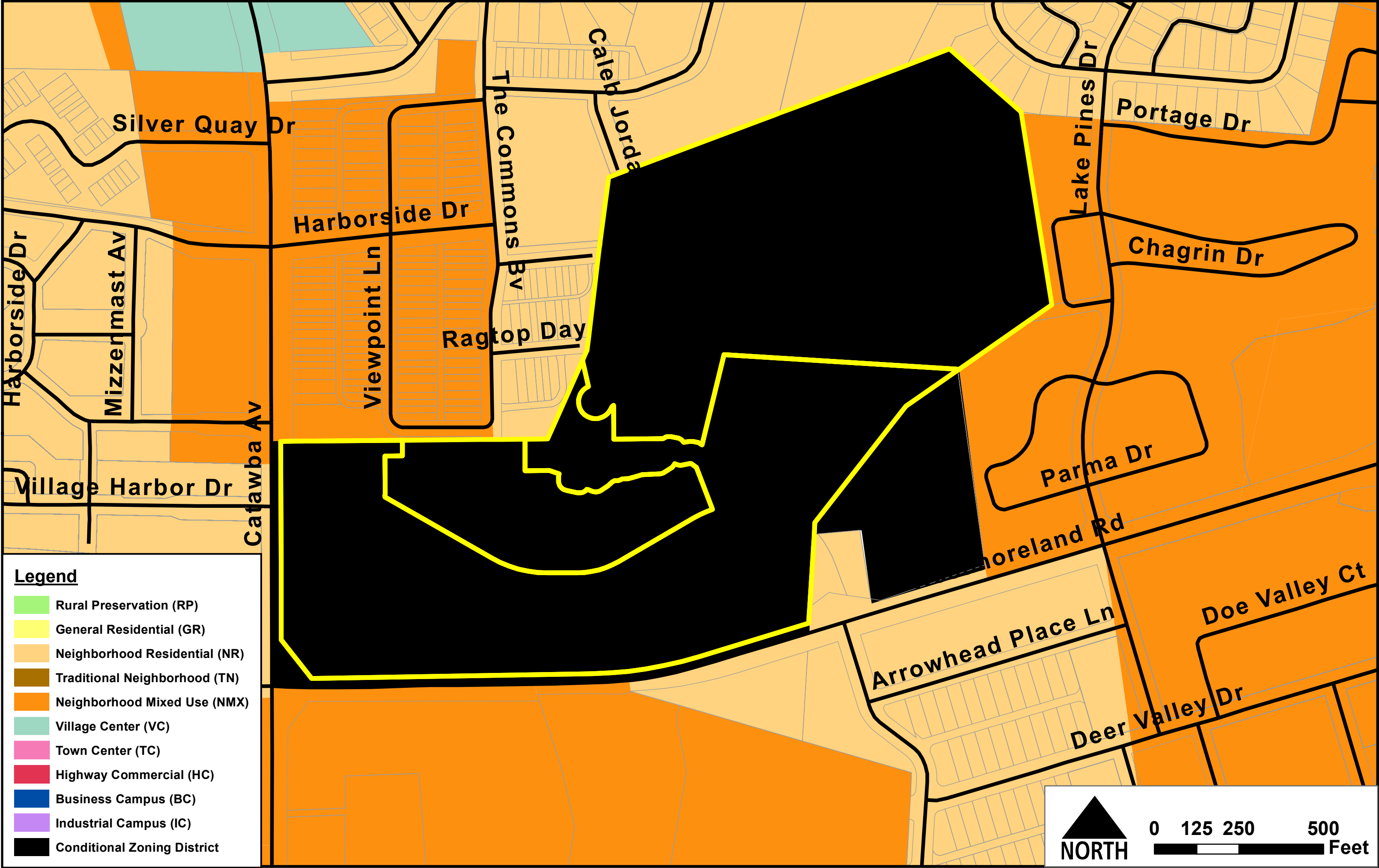
RRCAP-MF ALEXANDER FARMS, LLC,
a Delaware limited liability company

By: RRCap-Alexander Farms MF GP, LLC,
its Manager

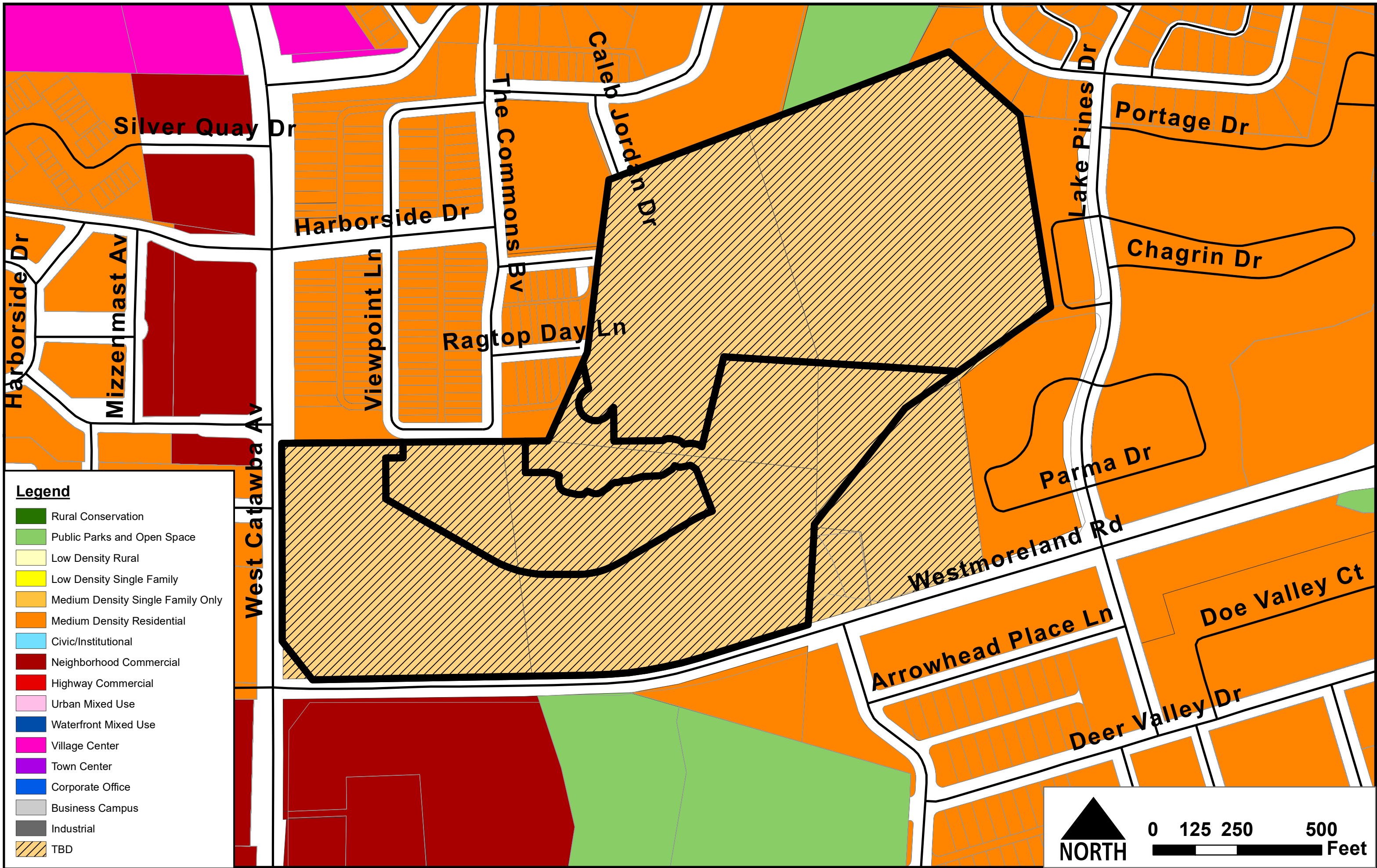
By: River Rock Capital Partners, LLC,
its Manager

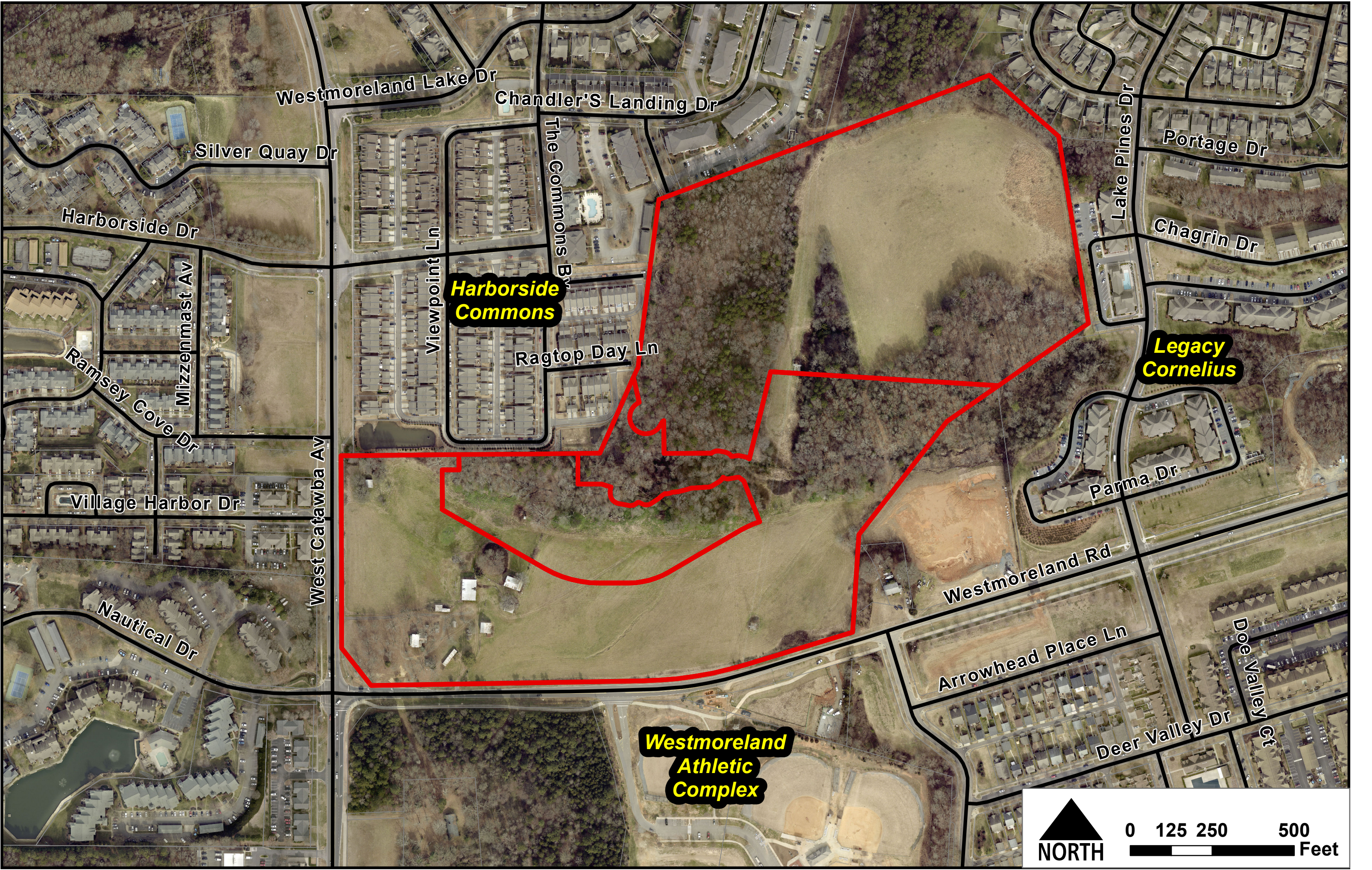
By: 
Name: Daniel P. Hughes
Title: Manager

Zoning Map



Land Use Plan





Westmoreland Lake Dr

Chandler's Landing Dr

Silver Quay Dr

Portage Dr

Harborside Dr

Chagrin Dr

Viewpoint Ln

Harborside Commons

Ragtop Day Ln

Legacy Cornelius

Mizzenmast Av

Ramsey Cove Dr

Village Harbor Dr

Parma Dr

West Catawba Av

Westmoreland Rd

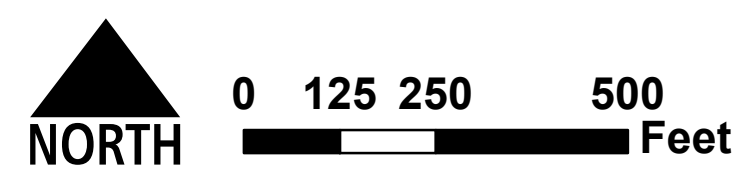
Nautical Dr

Arrowhead Place Ln

Westmoreland Athletic Complex

Deer Valley Dr

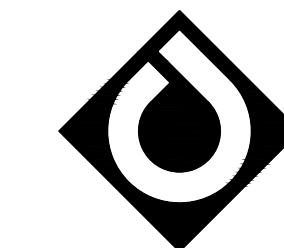
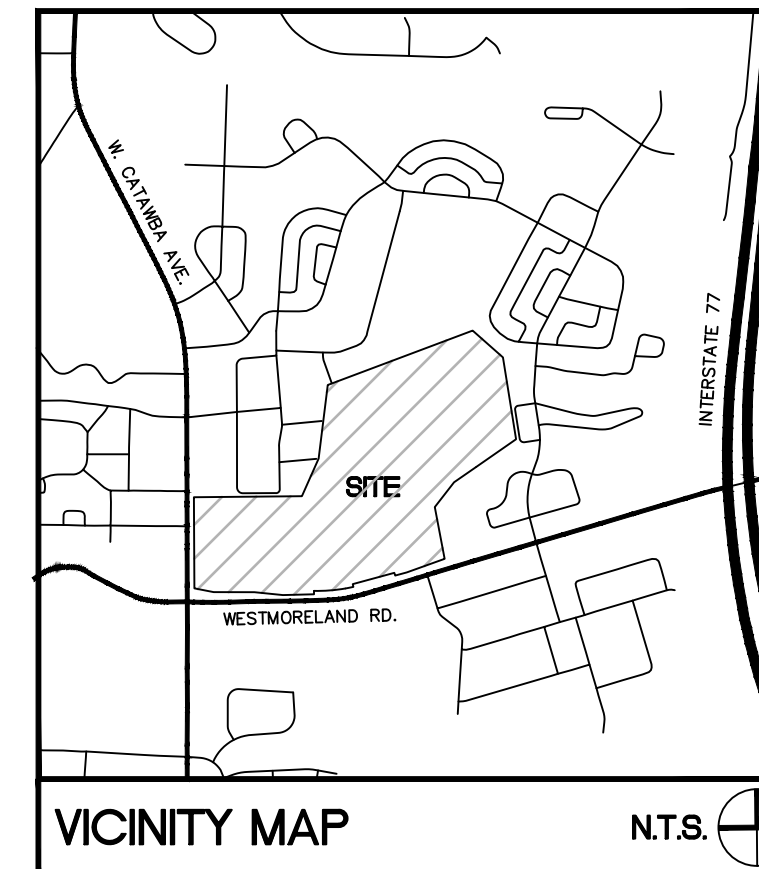
Doe Valley Ct





ALEXANDER FARMS

CORNELIUS, NC
EPM # 410840



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ALEXANDER FARMS MU, LLC

PRINCIPLE OFFICE
2165 LOUISA DRIVE
BELLEAIR BEACH, FL 33786

ALEXANDER FARMS REZONING PLAN

8315 WESTMORELAND RD
CORNELIUS, NC 28031

COVER SHEET

Project No.

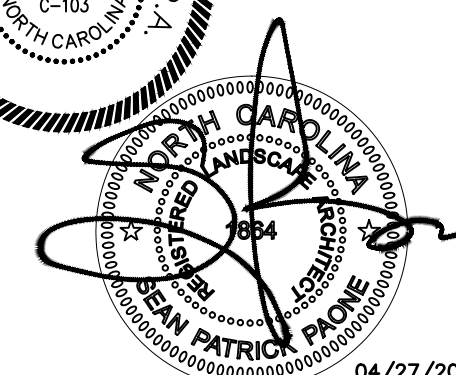
4598

Issued

02/01/19

Revised

01/07/20 - PER CYCLE 1 COMMENTS
05/18/20 - PER CYCLE 2 COMMENTS
06/15/20 - PER CYCLE 5 COMMENTS
07/27/20 - PER CYCLE 6 COMMENTS
08/19/20 - PER CYCLE 7 COMMENTS
09/29/20 - PER PLAN AND NOTE MINOR REVISIONS
04/27/22 - REZONING AMENDMENT



SCALE: 1"=100'

0 50' 100' 200'

SP-000

The drawings, the project manual and the design shown thereon are instruments of ColeJenest & Stone, P.A. The reproduction or unauthorized use of the documents without consent of ColeJenest & Stone, P.A. is prohibited.

ColeJenest & Stone, P.A. 2018

SHEET LIST

SP-000	COVER SHEET
SP-100	EXISTING CONDITIONS
SP-200	CONDITIONAL REZONING PLAN
SP-201	DEVELOPMENT NOTES
SP-202	STREET SECTIONS
SP-203	ZONING MAP
SP-300	PRELIMINARY GRADING PLAN
SP-400	PLANTING PLAN
SP-500	ADJACENT PARCEL MAP
SP-501	ZONING PARCEL INFORMATION
SP-502	ZONING PARCEL INFORMATION
SP-503	ZONING PARCEL INFORMATION

NOTES:

THE TOWN OF CORNELIUS REQUIRES THAT ALL STREETS PROPOSED TO BE TAKEN OVER BY THE TOWN FOR MAINTENANCE BE REVIEWED, INSPECTED, AND CERTIFIED BY A LICENSED PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF NORTH CAROLINA FOR ADEQUATE CONSTRUCTION. REVIEW OF STREET CONSTRUCTION BY THE CERTIFYING ENGINEER IS REQUIRED THROUGHOUT THE CONSTRUCTION PROCESS. REFER TO THE TOWN OF CORNELIUS STANDARDS AND PROCEDURES MANUAL FOR ADDITIONAL INFORMATION INCLUDING THE REQUIRED CERTIFICATION FORM.

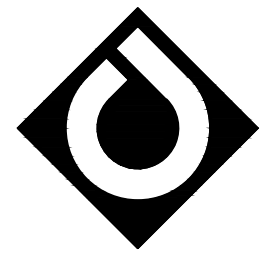
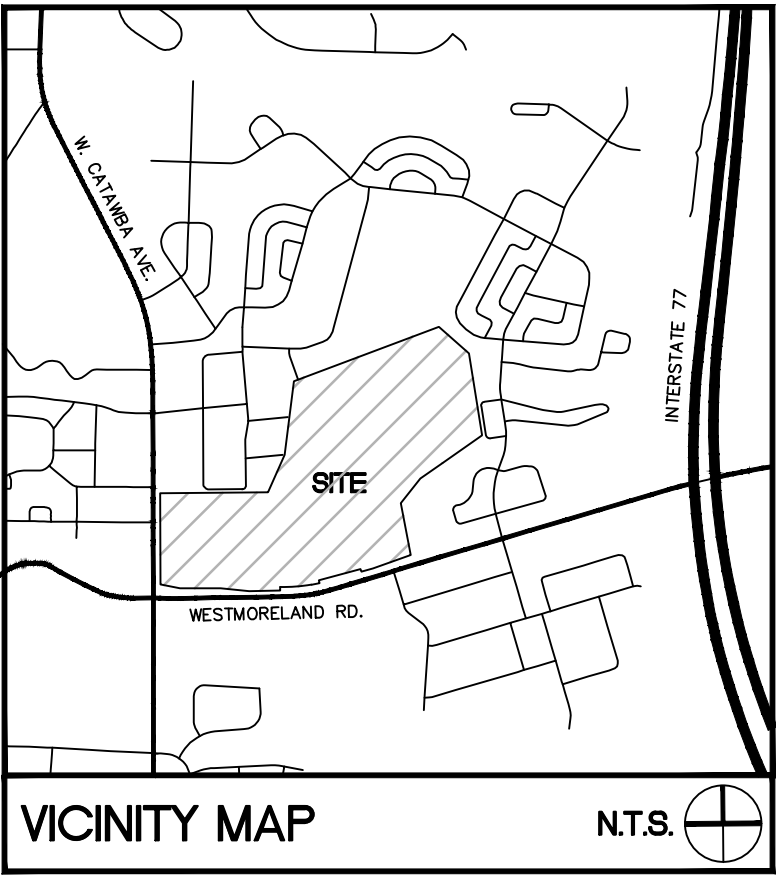
*TRANSPORTATION IMPROVEMENTS ON WESTMORELAND ROAD AND W. CATAWBA AVENUE ARE A PART OF NCDOT TIP PROJECTS # U-2555B AND U-5908 WHICH IS OUTSIDE THE SCOPE OF THE ALEXANDER FARMS PROJECT.

ANY DRIVEWAY PERMITS OR OTHER REQUIREMENTS BY NCDOT WILL BE OBTAINED AS PART OF THIS PROJECT.

•• THIS PLAN IS SUBJECT TO CHANGE TO MEET ADA/PROWAG REQUIREMENTS



- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAG MEN, ETC. AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, TOWN OF CORNELIUS AND CHARLOTTE WATER SPECIFICATIONS.
- SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMENDED.



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ALEXANDER FARMS MU, LLC

PRINCIPLE OFFICE
2165 LOUISA DRIVE
BELLEAIR BEACH, FL 33786

ALEXANDER FARMS REZONING PLAN

8315 WESTMORELAND RD
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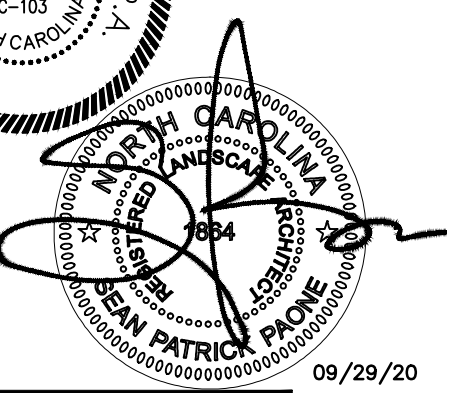
SP-100 EXISTING CONDITIONS

Project No.
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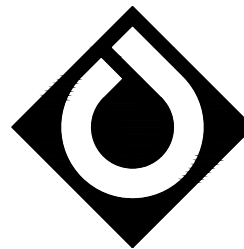
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09/29/20 - PER PLAN AND NOTE MINOR REVISIONS



09/29/20



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ALEXANDER FARMS REZONING PLAN

8315 WESTMORELAND RD
CORNELIUS, NC 28031

CONDITIONAL REZONING PLAN

THIS PLAN IS SCHEMATIC IN NATURE AND
LOCATIONS OF ROADS, LOTS AND OTHER
AREAS AND IMPROVEMENTS ARE SUBJECT TO
FINAL DETERMINATION ON PRELIMINARY AND
FINAL PLAN.

Project No.

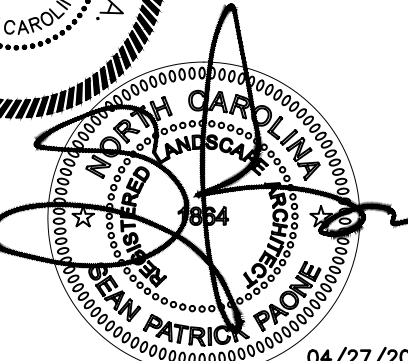
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09/29/20 - PER PLAN AND NOTE MINOR
REVISIONS
04/27/22 - REZONING AMENDMENT



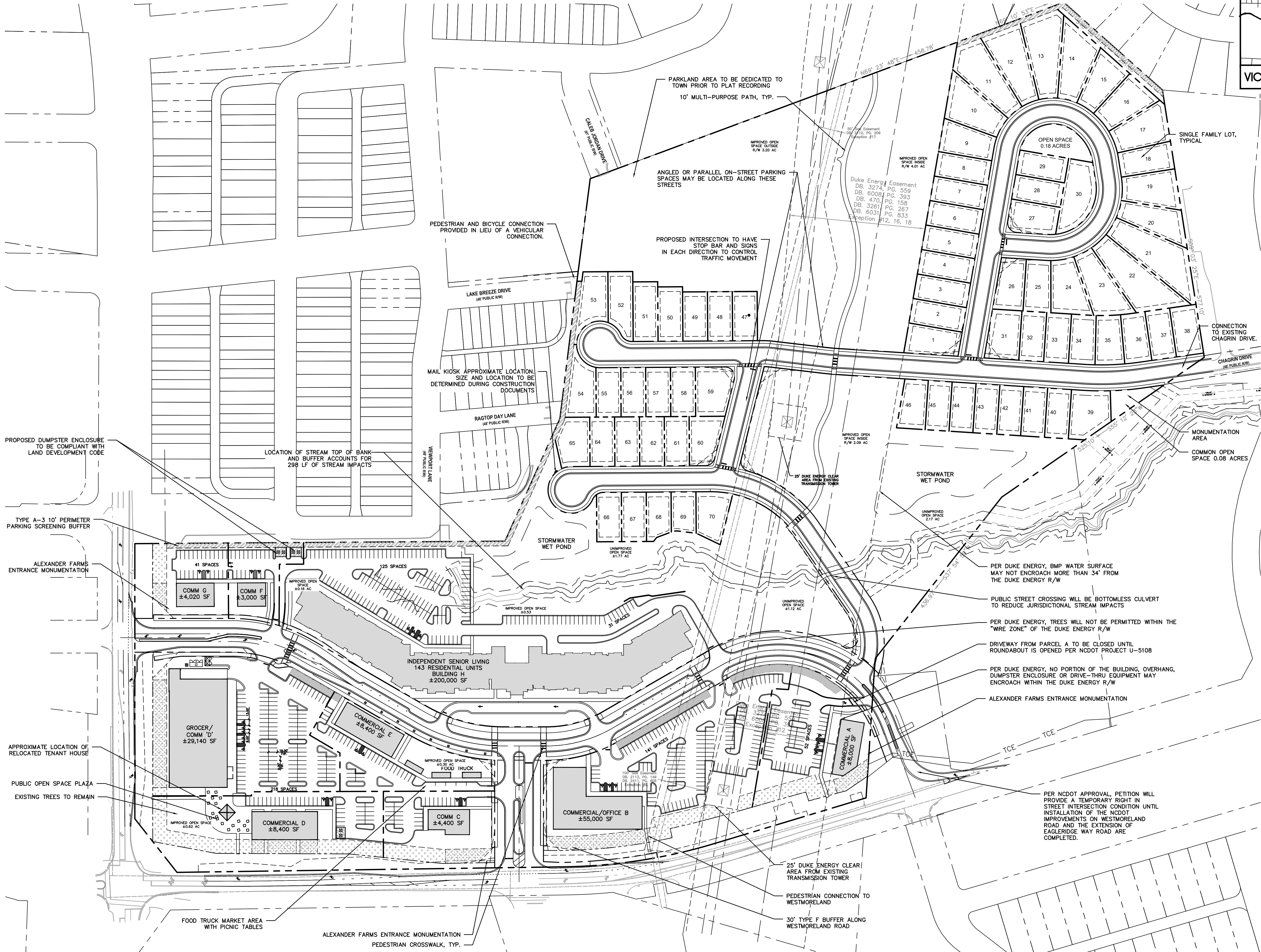
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0 50' 100' 200'

SP-200

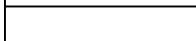
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ColeJenest & Stone, P.A. 2018

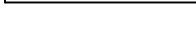


LEGEND

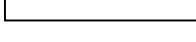
SYMBOL



PROPOSED SIDEWALK



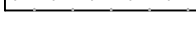
PROPOSED FACE OF CURB



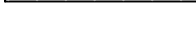
BUILDING ENVELOPE



LANDSCAPED BUFFER: TYPE F



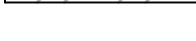
LANDSCAPED BUFFER: TYPE F - MODIFIED



LANDSCAPED BUFFER: TYPE A-2



LANDSCAPED BUFFER: TYPE A-3



LANDSCAPED BUFFER: TYPE B

1. SEE SHEET SP-201 FOR DEVELOPMENT STANDARDS
2. SEE SHEET SP-202 FOR STREET CROSS-SECTION
3. SEE SHEET SP-203 FOR ZONING EXHIBIT

GENERAL NOTES

1. FINAL LOCATION OF ON-STREET PARKING TO BE DETERMINED DURING THE CONSTRUCTION DOCUMENT PHASE.
2. FIRE HYDRANTS TO BE LOCATED WITHIN 200' (NFPA 13) / 750' (NFPA 13R) OF FDC AS THE APPARATUS TRAVELS.
3. ALL INTERNAL STREET INTERSECTIONS WILL MEET 10'x70' OR 15'x35' SIGHT TRIANGLES.
4. ALL ON-STREET PARKING TO BE COORDINATED AND DETERMINED DURING PERMITTING PHASE.
5. LOT 47 MAY BE USED AS AN AMENITY LOT TO SERVE THE SINGLE FAMILY LOT PORTION OF THE DEVELOPMENT. SHOULD LOT 54 BE USED AS A AMENITY THE SETBACKS SHALL MEET THE STANDARDS IDENTIFIED IN THE TYPICAL LOT DIAGRAM NOTES.
6. ALL INTERNAL BUFFERS TO BE COORDINATED DURING PERMITTING PHASE.
7. ALL LOCAL STREET STANDARDS TO BE COORDINATED DURING PERMITTING PHASE.

DEVELOPMENT SUMMARY

PROJECT NAME:	ALEXANDER FARMS
PARCEL NUMBER	00511105, 00511106, 00541108
SITE ACREAGE:	54.71 ACRES ± TOTAL 23.56 AC ± 00511105 15.25 AC ± 00511106 15.90 AC ± 00541108
PRINCIPAL USES:	COMMERCIAL (RETAIL, RESTAURANT, DRIVE–THRU, MULTI–FAMILY, SINGLE FAMILY RESIDENTIAL, AND MIXED–USE)
BUILDING TYPE/HEIGHT:	PER TOWN OF CORNELIUS NMX ZONING BUILDING HEIGHT RESTRICTION OR AS IDENTIFIED IN DEVELOPMENT SUMMARY ASSOCIATED WITH THIS SUBMITTAL
LOT COUNT	SEE REZONING NOTE 8 (70 LOTS CURRENTLY SHOWN)
EXISTING ZONING DISTRICT:	NMX & NR
PROPOSED ZONING DISTRICT:	CZ
DETACHED SINGLE FAMILY:	70 LOTS
MULTI–FAMILY:	143 UNITS
TOTAL COMMERCIAL SQUARE FOOTAGE:	±120,360 SF
TOTAL PARKING REQUIRED:	241 (NON RESIDENTIAL) & 282 (RESIDENTIAL)
TOTAL PARKING PROVIDED:	456 (NON RESIDENTIAL) & 308 (RESIDENTIAL) 21 (ON STREET)
TIME FRAME:	2021 – 2023
WATERSHED:	MCDOWELL/ MT ISLAND LAKE PROTECTED AREA
DENSITY:	HIGH DENSITY

BUILDING DEVELOPMENT SUMMARY	
COMMERCIAL 'A'	±8,000 SF (2-STORY) REQUIRES 16 SPACES PROVIDED 52 SPACES
COMMERCIAL/OFFICE 'B'	±55,000 SF (3-STORY) REQUIRES 110 SPACES PROVIDED 141 SPACES
COMMERCIAL 'C'	±4,400 SF (1-STORY) REQUIRES 9 SPACES PROVIDED 26 SPACES
COMMERCIAL/GROCER 'D'	±29,140 SF (1-STORY) REQUIRES 59 SPACES PROVIDED 128 SPACES
COMMERCIAL 'D'	±8,400 SF (1-STORY) REQUIRES 17 SPACES PROVIDED 32
COMMERCIAL 'E'	±8,400 SF (1-STORY) REQUIRES 17 SPACES PROVIDED 32E
COMMERCIAL 'F'	±3,000 SF (1-STORY) REQUIRES 6 SPACES PROVIDED 18 SPACES
COMMERCIAL 'G'	±4,020 SF (1-STORY) REQUIRES 9 SPACES PROVIDED 23 SPACES
COMMERCIAL/SENIOR LIVING 'J'	±200,000 SF (UP TO 3-STORY) 143 UNITS REQUIRES 130 SPACES MIN. PROVIDED 156
RESIDENTIAL	70 LOTS MIN. 5,000 SF LOT (51'-53' X 105'-120') REQUIRES 140 SPACES (2 SPACES PER LOT)
TOTAL BUILDING SF:	±120,360 SF COMMERCIAL ±200,000 SF RESORT STYLE MULTI-FAMILY (145 UNITS) 70 SINGLE FAMILY RESIDENTIAL

AREA CALCULATIONS	
TOTAL SITE AREA:	±54.71 AC
RESIDENTIAL SITE AREA:	±32.37
COMMERCIAL SITE AREA TOTAL:	±20.02
PARCEL A:	±1.23
PARCEL B:	±2.66
PARCEL C,D,E:	±5.83
PARCEL F:	±0.49
PARCEL G:	±0.53
PARCEL H:	±8.33

BUILDING BUILD-TO-RANGE(BTR)/SETBACK TABLE	
WESTMORELAND ROAD ENTRANCE (HYBRID WAY)	
- PRIMARY BUILDING TYPE:	SHOPFRONT / COMMERCIAL
- BUILD-TO-RANGE:	5' - 15'
- BUILDING SEPARATION:	20' MIN.
- SIDE SETBACK:	0'
- REAR SETBACK:	25'; 10' PARKING AREA
EAGLERIDGE WAY LANE EXTENSION	
- PRIMARY BUILDING TYPE:	SHOPFRONT / MULTI-FAMILY
- BUILD-TO-RANGE:	0' - 15'
- BUILDING SEPARATION:	20' MIN.
- SIDE SETBACK:	0'
- REAR SETBACK:	25'; 10' PARKING AREA
PROPOSED LOCAL RESIDENTIAL PUBLIC STREETS	
- PRIMARY BUILDING TYPE:	SINGLE FAMILY RESIDENTIAL
- BUILD-TO-RANGE:	10'
- ALL SIDE SETBACKS:	5' (UNLESS OTHERWISE NOTED)
- REAR SETBACK:	10'

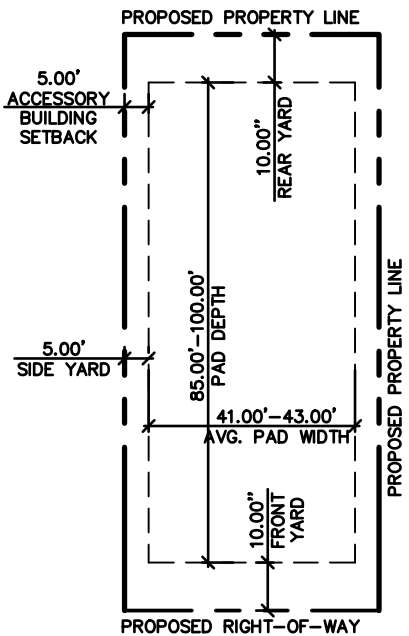
OPEN SPACE CALCULATIONS	
TOTAL RESIDENTIAL SITE AREA:	±32.37 AC
20% REQUIRED NMX:	±6.47 AC
25% REQUIRED IMPROVED:	±1.62 AC
IMPROVED:	
PARK AREA	
OUTSIDE DUKE RIGHT-OF-WAY	±3.20 AC
WITHIN DUKE RIGHT-OF-WAY	±6.10 AC
TOTAL IMPROVED	±9.30 AC (29% TOTAL AREA)
TOTAL UNIMPROVED:	±3.50 AC (11% TOTAL AREA)
BMP AREA	±1.50 AC

GENERAL NOTES

1. REZONING PETITION. THESE REZONING NOTES COMPRISE THE DEVELOPMENT STANDARDS ("DEVELOPMENT STANDARDS") ASSOCIATED WITH THE REZONING PETITION (THE "REZONING PETITION") FILED BY ALEXANDER FARMS MU, LLC ("PETITIONER") AS REZONING PETITION #REZ 08-17 FOR THE APPROXIMATELY 54.71 ACRE TRACT OF LAND IDENTIFIED ON THIS SITE PLAN AS ALEXANDER FARMS (THE "PROJECT") AND OTHER SITE PLAN INFORMATION SUBMITTED TO THE TOWN OF CORNELIUS ON OCTOBER 2, 2017 (THE "FILING DATE"), LAST REVISED August 19, 2020 (THE "REZONING PLAN") IN CONNECTION WITH TAX PARCEL NUMBERS 00511106, 00511108, AND 00541108 (THE "PROPERTY"). THE PURPOSE OF THE REZONING PETITION IS TO CONVERT THE ZONING CLASSIFICATION OF THE PROPERTY FROM THE NMX NEIGHBORHOOD MIXED-USE ZONING DISTRICT AND THE NR (NEIGHBORHOOD RESIDENTIAL) ZONING DISTRICT TO CZ PURSUANT TO THE PROVISIONS OF THE TOWN OF CORNELIUS LAND DEVELOPMENT CODE (THE "ORDINANCE").
2. DEVELOPMENT STANDARDS. DEVELOPMENT OF THE PROPERTY WILL BE GOVERNED BY THESE DEVELOPMENT STANDARDS, WHICH ARE PART OF THE REZONING PETITION, AND THE APPLICABLE PROVISIONS OF THE ORDINANCE IN PLACE ON THE FILING DATE. UNLESS THE REZONING PLAN ESTABLISHES A MORE STRINGENT STANDARD(S), OR UNLESS OTHERWISE NOTED ON THE REZONING PLAN OR IN THESE DEVELOPMENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE IN PLACE ON THE FILING DATE GOVERN DEVELOPMENT OF THE PROPERTY AS SHOWN ON THE REZONING PLAN.
3. SCHEMATIC NATURE OF REZONING PLAN. THE LOTS AND PROPOSED IMPROVEMENTS SHOWN ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND EXACT LOCATIONS, ARCHITECTURE, SIZE, NUMBER OR QUANTITY AND CONFIGURATIONS OF LOTS AND BUILDINGS (INCLUDING PARKING GARAGES) MAY BE MODIFIED DURING DESIGN, ENGINEERING AND CONSTRUCTION PHASES OF THE DEVELOPMENT SO LONG AS THE MINIMUM ZONING ORDINANCE STANDARDS ARE MET.
4. PHASING. THE DEVELOPMENT OF THE PROPERTY AS GENERALLY DEPICTED ON THE REZONING PLAN WILL LIKELY BE PHASED. ANY PROPOSED PHASING MUST ALIGN WITH REQUIRED TIA IMPROVEMENTS (IF PHASED); PROVIDED, HOWEVER, A) ANY MITIGATION REQUIRED BY NCDOT MAY BE COORDINATED WITH NCDOT WITHOUT ALIGNING TO PHASING; B) SEQUENCING OF CONSTRUCTION TO MINIMIZE DISRUPTION OF OPERATIONS IS PERMITTED; AND C) SO LONG AS THE PROJECT AS A WHOLE COMPLIES WITH THE REQUIREMENTS OF THE ORDINANCE, EACH PHASE OR SEQUENCE OF IMPROVEMENTS WITHIN THE PROJECT IS NOT REQUIRED TO MEET ALL ORDINANCE REQUIREMENTS. UTILITIES AND INFRASTRUCTURE MAY BE DELIVERED TO EACH INDIVIDUAL PHASE AS EACH IS DEVELOPED. GRADING OF THE PROPERTY MAY BE COMPLETED PER PHASE OF THE DEVELOPMENT.
5. ORDINANCE MODIFICATIONS AND VESTED RIGHTS. IF, AT SOME POINT, MODIFICATIONS ARE MADE TO THE ORDINANCE BY THE TOWN BOARD OR ANY TEXT AMENDMENT IS REQUESTED BY PETITIONER AND ADOPTED BY THE TOWN BOARD, PETITIONER MAY AGREE TO APPLY SUCH MODIFICATIONS TO THE REZONING PLAN IN A MANNER CONSISTENT WITH THE ORDINANCE AS IT CHANGES FROM TIME TO TIME, AND WITHOUT PURSUING A REZONING. SUCH MODIFICATIONS TO THE ORDINANCE SHALL IN NO WAY IMPAIR THE PETITIONER'S VESTED RIGHTS. DUE TO THE TIME FRAMES ASSOCIATED WITH PERMITTING AND DEVELOPMENT OF THE PROPERTY ALONG WITH PETITIONER'S SIGNIFICANT FINANCIAL INVESTMENT IN THE PROJECT, THE CZ REZONING DOES NOT HAVE AN EXPIRATION DATE. IN THE EVENT A DEVELOPMENT AGREEMENT IS APPROVED, THE VESTING PERIOD SET FORTH THEREIN SHALL GOVERN THE PROJECT.
6. PERMITTED USES. THE PROPERTY MAY BE DEVELOPED FOR ANY COMMERCIAL, RETAIL AND SERVICE USES PERMITTED BY RIGHT, WITH CONDITIONS AND WITH CONDITIONAL ZONING IN THE NMX DISTRICT AS DEFINED IN THE ORDINANCE AND ALL USES (INCLUDING ACCESSORY USES) SPECIFICALLY SHOWN ON THE PLAN, SUBJECT TO THE DEVELOPMENT STANDARDS ASSOCIATED WITH SUCH USES; HOWEVER THE SQUARE FOOTAGE OF SUCH USES MAY EXCEED THE RESTRICTIONS OF SUCH ZONING CLASSIFICATION PROVIDED TRIP GENERATION FOR USES SHALL BE AT OR BELOW THE TOTAL TRIP GENERATION FOR THE DEVELOPMENT AS UTILIZED IN THE TRAFFIC IMPACT STUDY. ANY LABELING ON THE REZONING PLAN MAY BE AN INDICATION OF THE CURRENT INTENTION ON THE PART OF PETITIONER BUT SHALL NOT RESTRICT THE PROPERTY IN A MANNER THAT CONFLICTS WITH THE PROVISIONS OF THESE DEVELOPMENT NOTES. UP TO TWO DRIVE-UP AND WALK-UP AUTOMATED TELLER MACHINES ARE SPECIFICALLY PERMITTED SO LONG AS THEY MEET THE DESIGN REQUIREMENTS OF THE ORDINANCE. DRIVE-THROUGH USES AND FACILITIES ARE PERMITTED FOR COMMERCIAL BUILDINGS AS LONG AS THEY MEET THE STANDARDS OF THE ORDINANCE AND SHALL BE REVIEWED ADMINISTRATIVELY TO CONFIRM COMPLIANCE WITH ORDINANCE REQUIREMENTS. RESIDENTIAL USES SHALL BE PERMITTED AS SHOWN ON PLAN, WITH ANY MODIFICATIONS PERMITTED BY THE ORDINANCE.
7. ACCESS. THE NUMBER OF SITE ACCESS POINTS, DRIVEWAYS AND CONNECTIONS TO ROADS ARE SCHEMATIC IN NATURE. TO THE EXTENT PERMITTED BY APPLICABLE DRIVEWAY PERMIT REQUIREMENTS, FUTURE DRIVEWAYS, ACCESS POINTS AND ROAD CONNECTIONS MAY CROSS THE SETBACK AND SHALL NOT REQUIRE A REZONING OF THE PROPERTY BUT SHALL OTHERWISE COMPLY WITH APPLICABLE DRIVEWAY PERMIT REQUIREMENTS. ACCESS SHALL BE PROVIDED AS SHOWN ON THE REZONING PLAN AND IN ACCORDANCE WITH THE PROVISIONS OF THAT ONE CERTAIN DEVELOPMENT AGREEMENT, APPROVED OF EVEN DATE HERewith. ALTERNATIVES TO THE DESIGN OF ACCESS SHOWN ON THE REZONING PLAN MAY BE PROVIDED IF APPROVED BY NCDOT.
8. SUBDIVISION. THE PROPERTY IS ONE DEVELOPMENT AND MAY BE SUBDIVIDED WITHOUT A REZONING TO ALLOW SEPARATE OWNERS OF INDIVIDUAL PARCELS SO LONG AS SUCH SUBDIVISION IS IN COMPLIANCE WITH APPLICABLE LAW. HOWEVER, RECOMBINATION, CONDOMINIUMIZATION, OR REDUCTION OF PARCELS MAY OCCUR IN ACCORDANCE WITH THE REGULATIONS OF THE ORDINANCE. REQUIREMENTS THAT ARE MET BY THE PROJECT AS A WHOLE, SUCH AS OPEN SPACE, TREE SAVE AND IMPERVIOUS REQUIREMENTS, NEED NOT BE MET BY INDIVIDUAL PARCELS.
9. STREET IMPROVEMENTS. PETITIONER SHALL NOT BE REQUIRED TO INSTALL SIDEWALKS, STREET TREES, PLANTING STRIPS, BICYCLE LANES OR OTHER STREET IMPROVEMENTS AS A CONDITION OF THE APPROVAL OF THIS REZONING PLAN EXCEPT AS SPECIFICALLY SHOWN ON THE REZONING PLAN AND AS REQUIRED BY THE ORDINANCE, SUBDIVISION ORDINANCE, APPLICABLE CORNELIUS/NCDOT TIA, OR DRIVEWAY PERMIT REQUIREMENTS. PUBLIC STREETS MAY BE EXEMPT FROM STORMWATER CALCULATIONS PER THE ORDINANCE AT THE ELECTION OF PETITIONER.
10. BUFFERS/LANDSCAPING. BUFFER YARDS SHALL BE NATURAL, UNDISTURBED WOODED AREAS WHEN FEASIBLE AND SHALL COUNT TOWARD THE PROVISION OF OPEN SPACE FOR THE DEVELOPMENT WHERE THE BUFFER IS NOT PLATTED AND MADE PART OF AN INDIVIDUAL PRIVATELY OWNED LOT. ALL BUFFERS ARE TO BE LOCATED IN COMMON OPEN SPACE AND TO BE MAINTAINED BY A PROPERTY OWNERS ASSOCIATION OR OWNER. GRADING AND INSTALLATION OF UTILITIES SHALL BE PERMITTED IN PERIMETER BUFFERS ALONG THE PROJECT'S BOUNDARIES. AREAS OF THE PERIMETER BUFFER AND LANDSCAPED AREA THAT ARE DISTURBED SHALL BE REPLANTED ACCORDING TO STANDARDS OUTLINED IN THE ORDINANCE. TO THE EXTENT SHOWN ON THE REZONING PLAN, APPURTENANT EASEMENT AREAS MAY BE INCLUDED IN THE CALCULATION OF OPEN SPACE, REQUIRED TREE SAVE FOR THE DEVELOPMENT (ONLY IF EASEMENT AREAS INCLUDE TREES THAT CAN BE SAVED) AND OTHER DEVELOPMENT REQUIREMENTS.
11. AMENDMENT. IN THE EVENT ANY PORTION OF THE PROPERTY IS CONVEYED TO A THIRD PARTY, PETITIONER MAY REQUEST AN AMENDMENT TO THE REZONING PLAN WITHOUT THE WRITTEN CONSENT OF ANY OTHER OWNER OF ALL OR ANY PORTION OF THE PROPERTY UNLESS SUCH AMENDMENT CONSTITUTES A CHANGE IN THE BUILDING OR USE OF THE PORTION OF THE PROPERTY OWNED BY SUCH OWNER. ALL REQUIREMENTS IN CONNECTION WITH THE AMENDMENT WILL BE CALCULATED ON THE PROPERTY AS A WHOLE IN THE SAME MANNER SUCH REQUIREMENTS WERE CALCULATED AT THE TIME OF THE INITIAL APPROVAL. THIS NOTE SHALL BE SHOWN ON THE FINAL PLAT WHEN RECORDED.
12. STORMWATER ELEMENTS. BUILT-UPON AREAS ARE DETERMINED IN ACCORDANCE WITH THE ORDINANCE.
13. LOADING AREAS AND TRASH RECEPTACLES. LOADING AREAS SHOWN ARE CONCEPTUAL IN NATURE AND WILL BE DETERMINED DURING CONSTRUCTION DOCUMENTATION. CONTAINMENT AREAS SHOWN ARE CONCEPTUAL AND WILL COMPLY WITH THE ORDINANCE'S SCREENING REQUIREMENTS.
14. BICYCLE PARKING. BICYCLE PARKING WILL BE DETERMINED DURING CONSTRUCTION DOCUMENTATION AND WILL BE COMPLIANT WITH THE ORDINANCE.
15. COMMUNITY MAIL. FINAL LOCATIONS AND SIZES WILL BE DETERMINED DURING CONSTRUCTION DOCUMENTATION.
16. DESIGN ELEMENTS. TOWN BOARD APPROVAL OF THIS REZONING PETITION, DEVELOPMENT STANDARDS AND REZONING PLAN CONSTITUTES APPROVAL OF ELEMENTS SHOWN ON THE REZONING PLAN THAT ARE MODIFICATIONS FROM THE ORDINANCE.

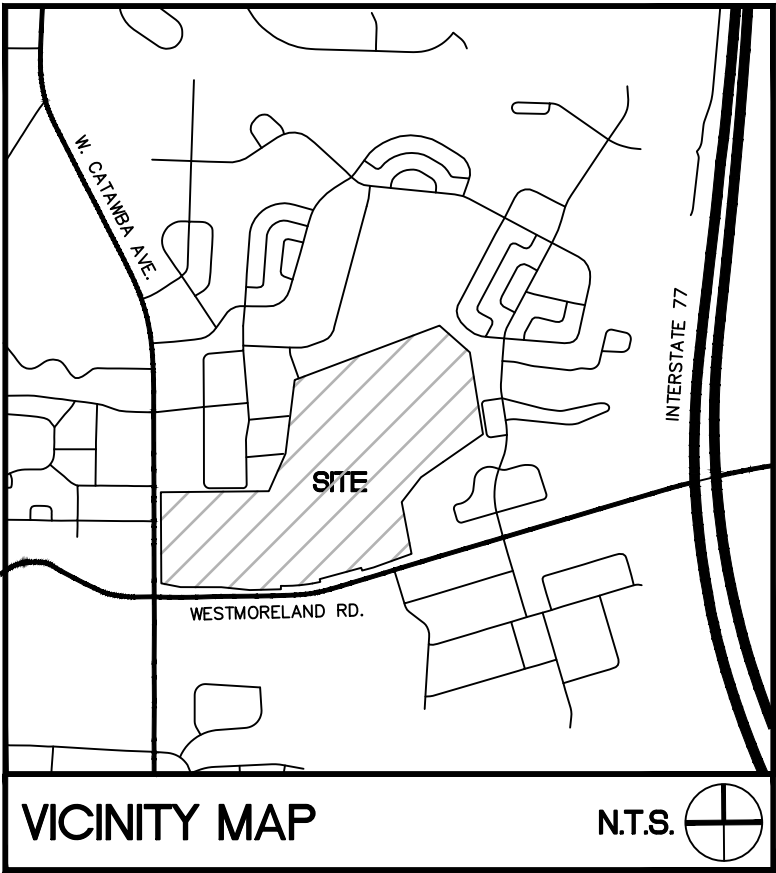
IMPERVIOUS CALCULATIONS	
TOTAL SITE AREA:	±54.71 AC
IMPERVIOUS AREA:	±21.42 AC
PERCENT OF AREA:	39.2%
PERVIOUS AREA:	±33.29 AC
PERCENT OF AREA:	60.8%

ROAD	ROAD FROM	ROAD TO	LENGTH
HYBRID WAY	WESTMORELAND ROAD	EAGLERIDGE WAY LANE EXTENSION	272.20 FT
EAGLERIDGE WAY LANE EXT.	W CATAWBA AVENUE	HYBRID WAY	903.92 FT
EAGLERIDGE WAY LANE EXT.	HYBRID WAY	ANGLES ENVY DRIVE	792.48 FT
EAGLERIDGE WAY LANE EXT.	ANGLES ENVY DRIVE	WESTMORELAND ROAD	276.26 FT
ANGELS ENVY DRIVE	EAGLERIDGE WAY LANE EXT.	QUAKER RIDGE DRIVE	595.93 FT
ANGELS ENVY DRIVE	QUAKER RIDGE DRIVE	WESTERN PROPERTY BORDER	328.48 FT
QUAKER RIDGE DRIVE	ANGELS ENVY DRIVE	CHAGRIN DRIVE	276.93 FT
CHAGRIN DRIVE	WESTERN PROPERTY BORDER	QUAKERS RIDGE DRIVE	337.20 FT
CHAGRIN DRIVE	QUAKERS RIDGE DRIVE	VAN WINKLE DRIVE	459.62 FT
CHAGRIN DRIVE	VAN WINKLE DRIVE	EASTERN PROPERTY BORDER	785.40 FT
VAN WINKLE DRIVE	CHAGRIN DRIVE	VAN WINKLE DRIVE	1169.79 FT



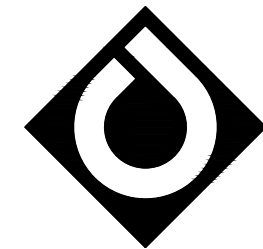
TYPICAL LOT LAYOUT
SCALE: 1"=40'
*TYPICAL LOT SIZE: 41', 51'-53' X 105'-120'
(ALL DIMENSIONS SUBJECT TO VARIATION)

- LOT LAYOUT NOTES
- ALL SIDE YARD CONDITIONS WILL BE 5' MEASURED FROM THE PUBLIC STREET RIGHT-OF-WAY OR ADJACENT LOT LINE.
 - LOT 54 MAY BE USED AS AN AMENITY AREA TO SUPPORT THE RESIDENTIAL SINGLE FAMILY LOT DEVELOPMENT ASSOCIATED WITH THIS PROJECT. SHOULD LOT 54 BE USED AS AN AMENITY AREA THE FOLLOWING SETBACKS SHALL APPLY:
FRONT: 10'
SIDE: 0'
REAR: 3'
 - ALL FRONT-LOADED GARAGE LOTS WILL HAVE A 20' DRIVEWAY PARKING PAD MEASURED FROM THE PUBLIC STREET RIGHT-OF-WAY.
 - ALL FRONT-LOADED GARAGE LOTS MAY INCORPORATE A PORCH THAT ENCROACHES UP TO 8' WITHIN THE FRONT SETBACK.



TRAFFIC IMPROVEMENTS PER TIA

*TRANSPORTATION MODELING TO BE COMPLETED IN CONJUNCTION WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) AND THE TOWN OF CORNELIUS. THE ONGOING NCDOT FUNDED W CATAWBA AVENUE AND WESTMORELAND ROAD PROJECTS MAY INCLUDE IMPACTS TO THE SITE PLAN AND WILL BE REVISED ACCORDINGLY.



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ALEXANDER
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BELLEAIR BEACH, FL 33786

ALEXANDER
FARMS
REZONING PLAN

8315 WESTMORELAND RD
CORNELIUS, NC 28031

DEVELOPMENT
NOTES

THIS PLAN IS SCHEMATIC IN NATURE AND LOCATIONS OF ROADS, LOTS AND OTHER AREAS AND IMPROVEMENTS ARE SUBJECT TO FINAL DETERMINATION ON PRELIMINARY AND FINAL PLAN.

Project No.

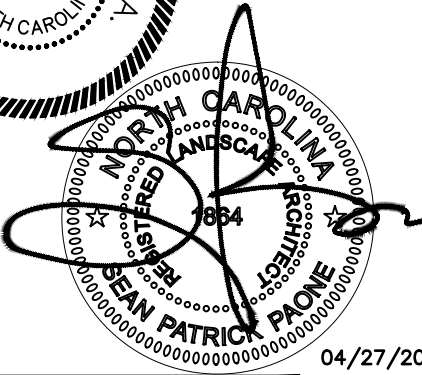
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Issued

02/01/19

Revised

01/07/20 – PER CYCLE 1 COMMENTS
05/18/20 – PER CYCLE 2 COMMENTS
06/15/20 – PER CYCLE 5 COMMENTS
07/27/20 – PER CYCLE 6 COMMENTS
08/19/20 – PER CYCLE 7 COMMENTS
09/29/20 – PER PLAN AND NOTE MINOR REVISIONS
04/27/22 – REZONING AMENDMENT

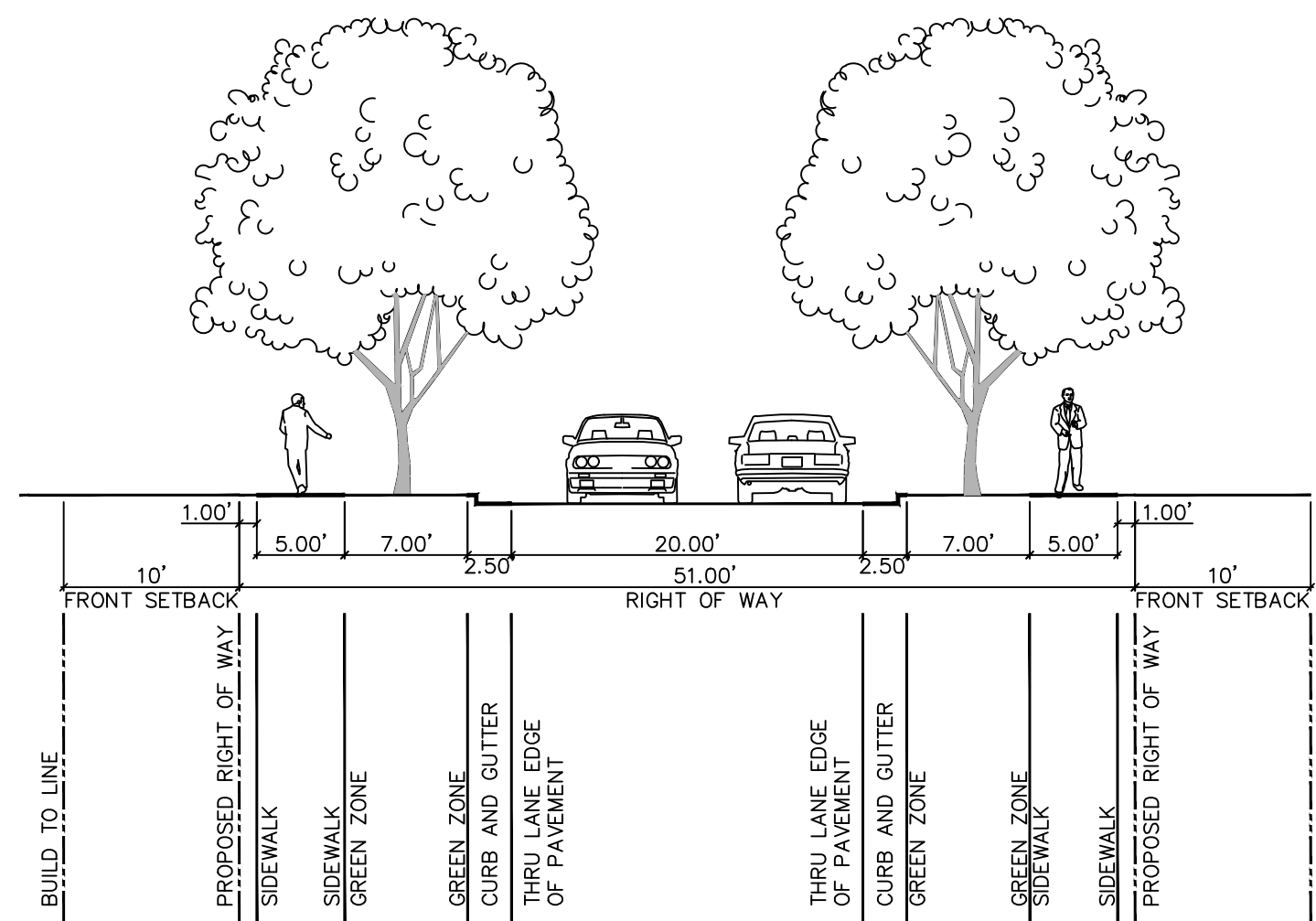


04/27/20

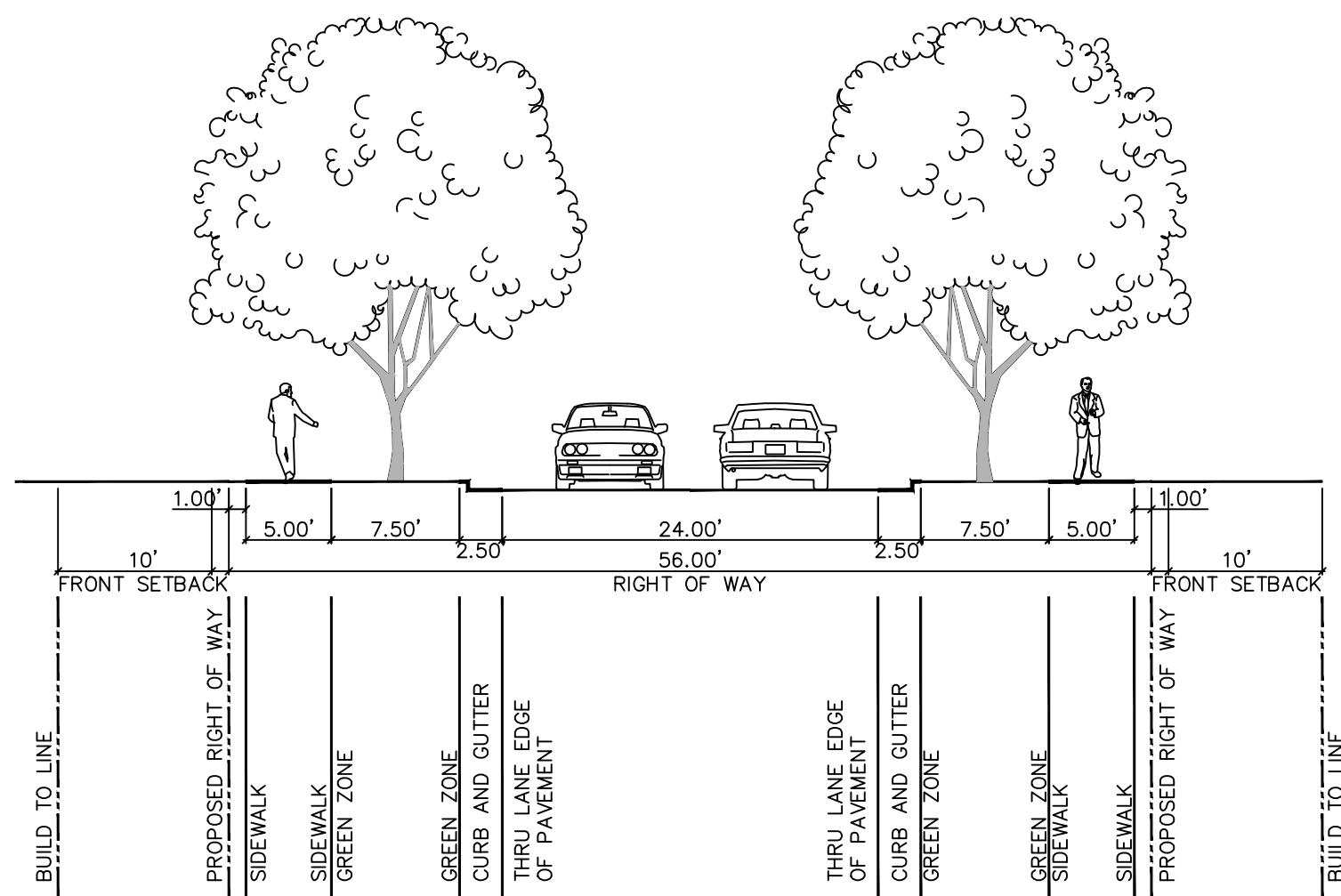
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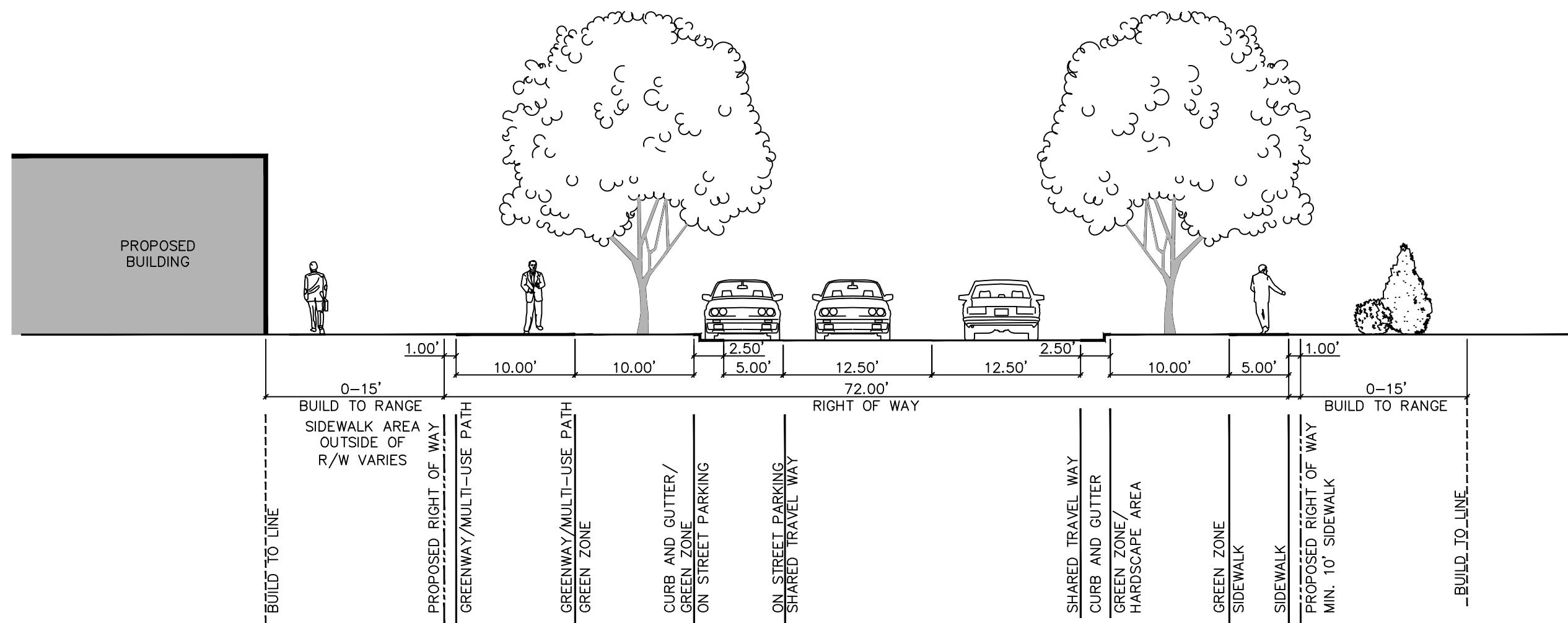
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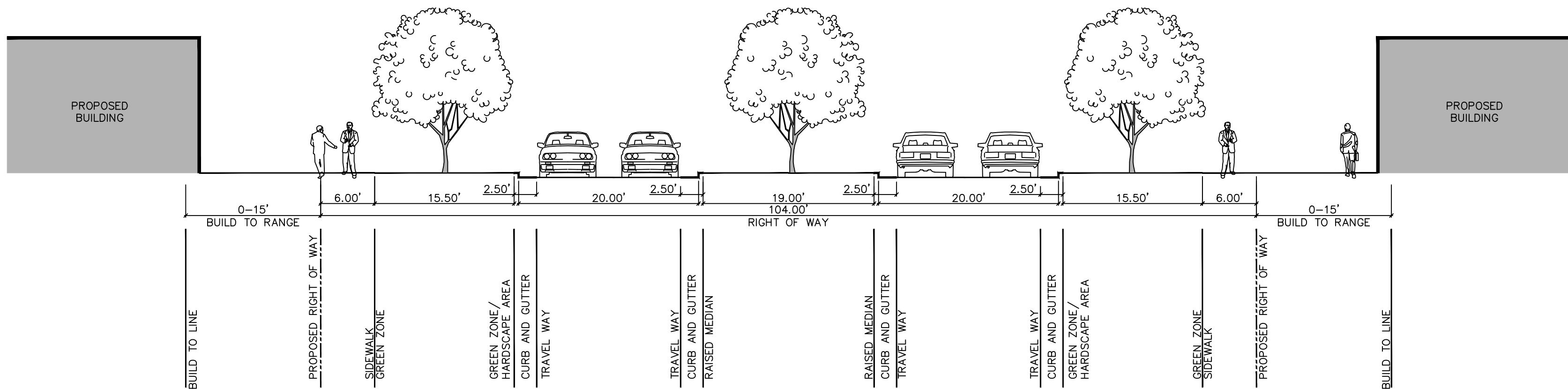
PROPOSED LOCAL RESIDENTIAL STREET
(51' PUBLIC RIGHT-OF-WAY)



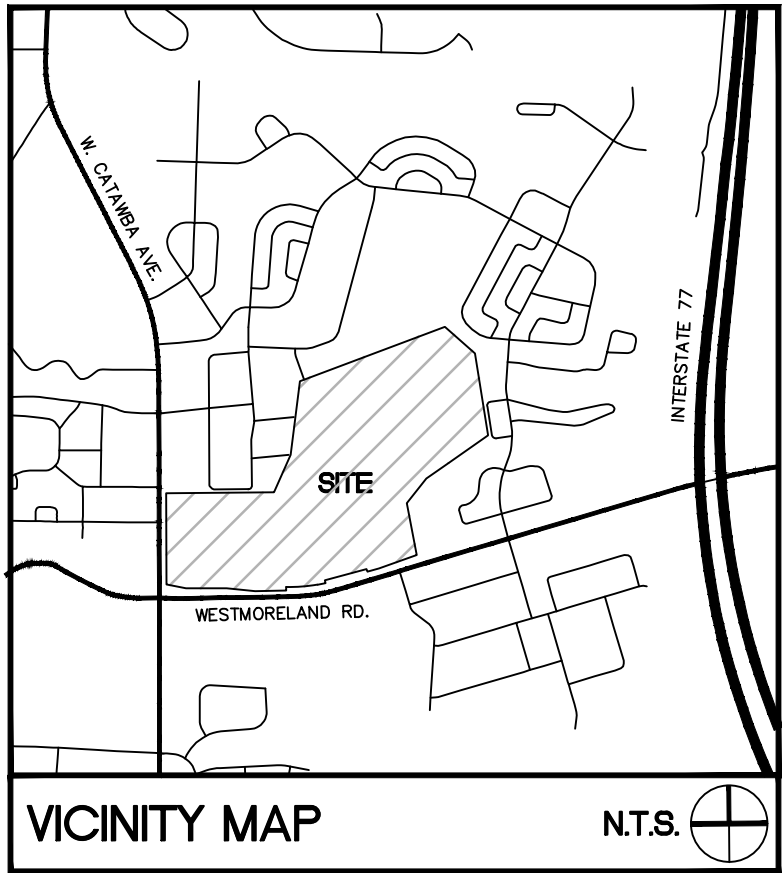
PROPOSED LOCAL RESIDENTIAL STREET
(56' PUBLIC RIGHT-OF-WAY)



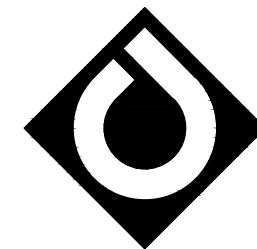
PROPOSED EAGLERIDGE WAY LANE EXTENSION
(72' PUBLIC RIGHT-OF-WAY WITH PARALLEL ON-STREET PARKING)



PROPOSED WESTMORELAND ROAD MEDIAN DIVIDED ENTRANCE ROAD
(104' PROPOSED PUBLIC RIGHT-OF-WAY)



1. SEE SHEET SP-200 FOR CROSS SECTION REFERENCES



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**ALEXANDER
FARMS
REZONING PLAN**

8315 WESTMORELAND RD
CORNELIUS, NC 28031

STREET SECTIONS

THIS PLAN IS SCHEMATIC IN NATURE AND
LOCATIONS OF ROADS, LOTS AND OTHER
AREAS AND IMPROVEMENTS ARE SUBJECT TO
FINAL DETERMINATION ON PRELIMINARY AND
FINAL PLAN.

Project No.

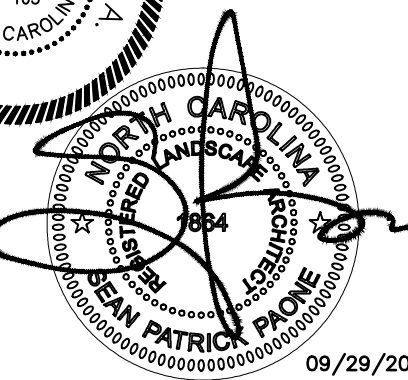
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02/01/19

Revised

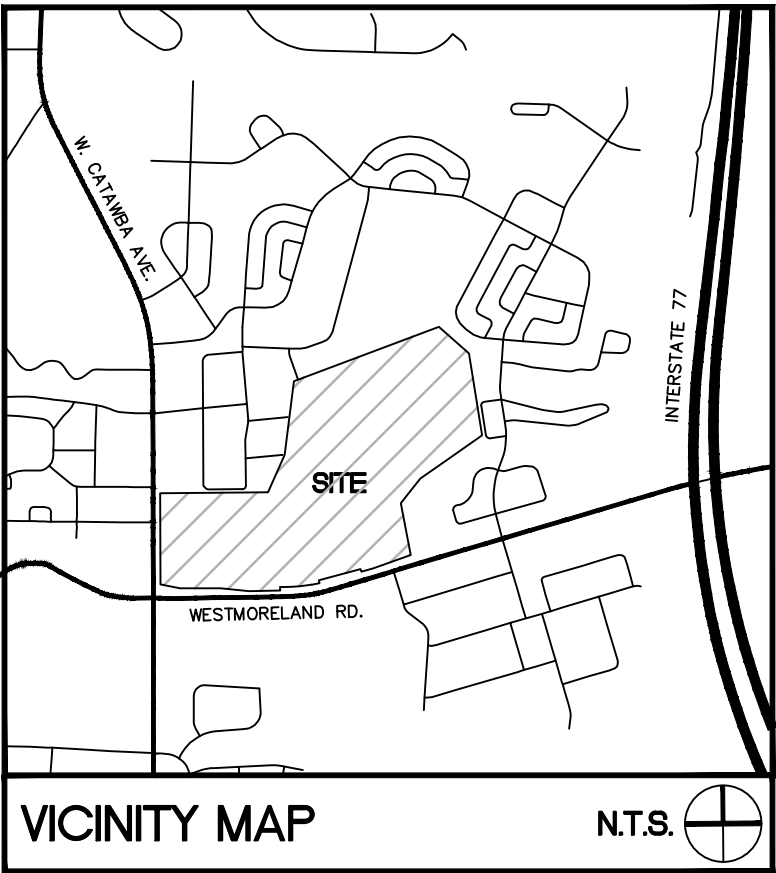
01/07/20 - PER CYCLE 1 COMMENTS
05/18/20 - PER CYCLE 2 COMMENTS
06/15/20 - PER CYCLE 5 COMMENTS
07/27/20 - PER CYCLE 6 COMMENTS
08/19/20 - PER CYCLE 7 COMMENTS
09/29/20 - PER PLAN AND NOTE MINOR
REVISIONS



SP-202

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SUMMARY

CURRENT ZONING

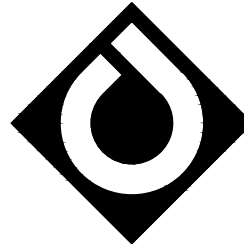
PARCEL 00541108:	NR	±15.90 ACRES
PARCEL 00511106:	NR	±15.25 ACRES
PARCEL 00511105:	NMX	±23.56 ACRES

PROPOSED ZONING

PARCEL 00541108	CZ
PARCEL 00511106	CZ
PARCEL 00511105	CZ

TOTAL ACRES: ±54.71 ACRES

 PROJECT BOUNDARY



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ALEXANDER FARMS REZONING PLAN

8315 WESTMORELAND RD
CORNELIUS, NC 28031

ZONING MAP

Project No.

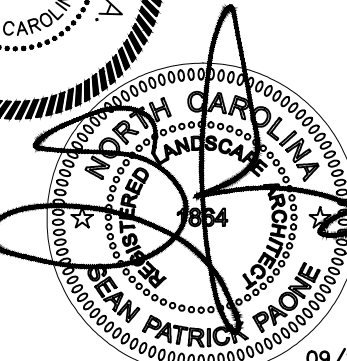
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Issued

02/01/19

Revised

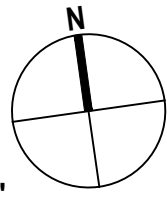
01/07/20 – PER CYCLE 1 COMMENTS
05/18/20 – PER CYCLE 2 COMMENTS
06/15/20 – PER CYCLE 5 COMMENTS
07/27/20 – PER CYCLE 6 COMMENTS
08/19/20 – PER CYCLE 7 COMMENTS
09/29/20 – PER PLAN AND NOTE MINOR REVISIONS



09/29/20

SCALE: 1"= 250'

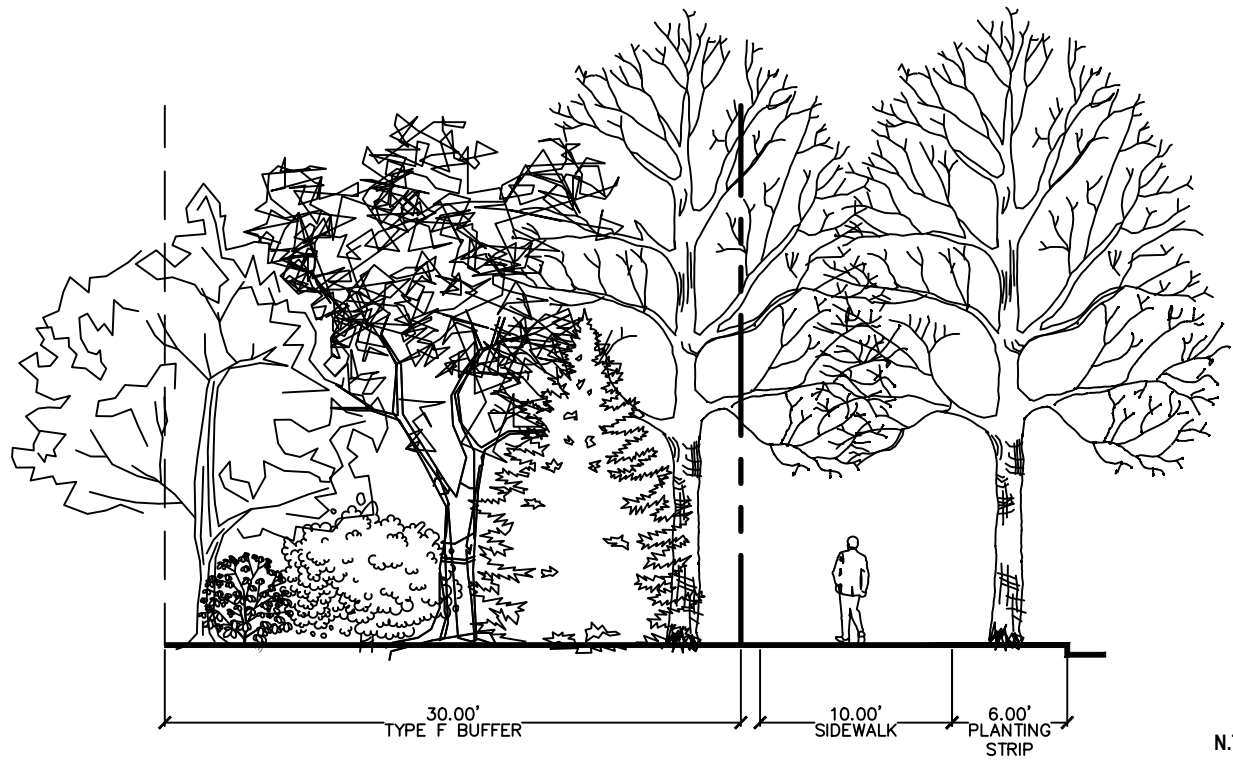
0 125' 250' 500'



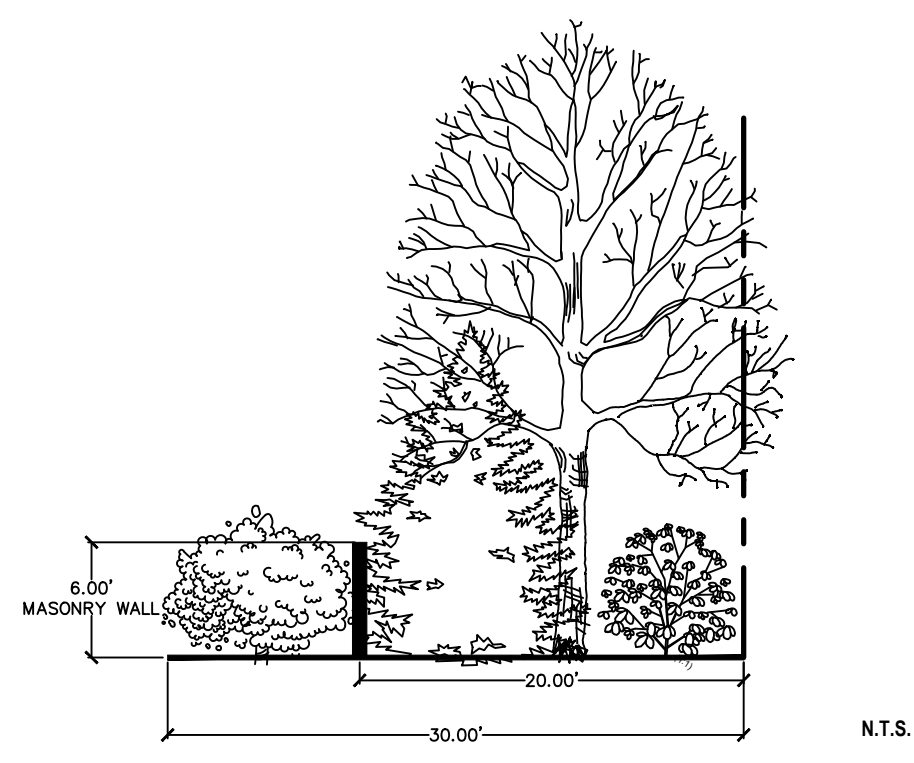
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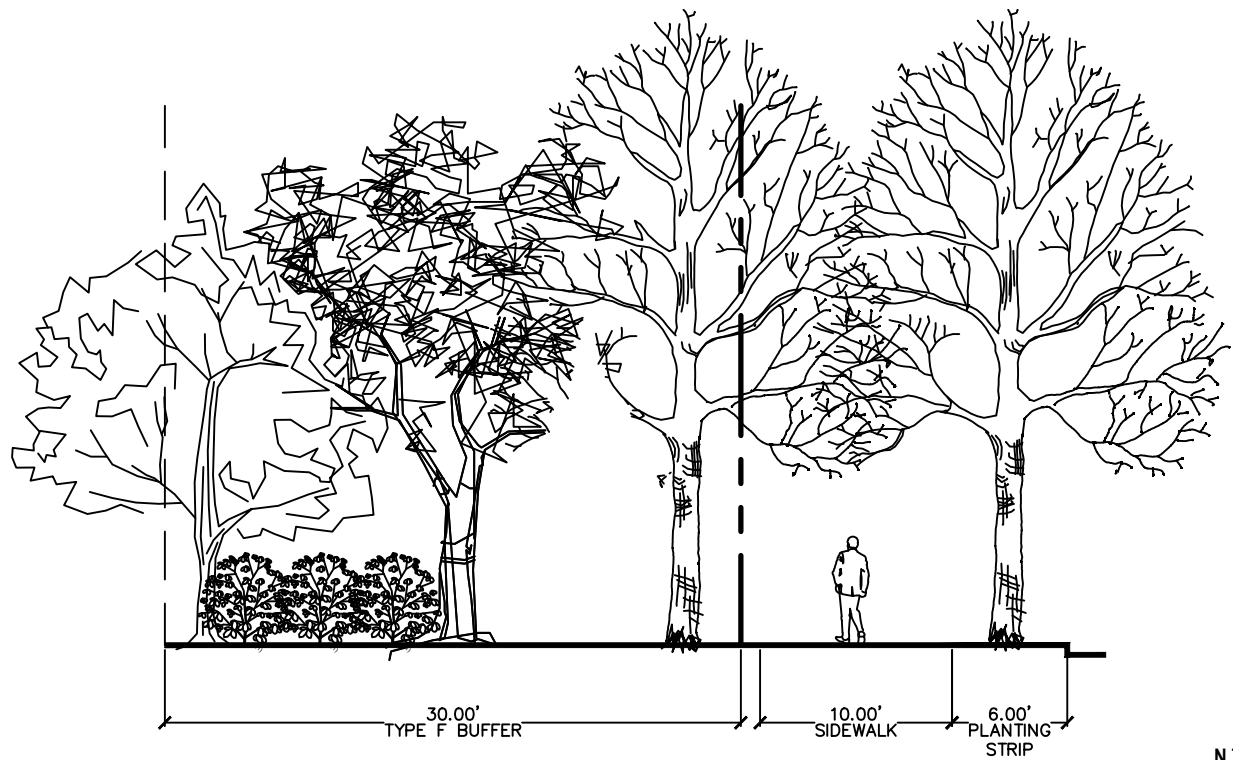
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TYPICAL LANDSCAPE BUFFER - SECTION TYPE: F, WIDTH: 30'

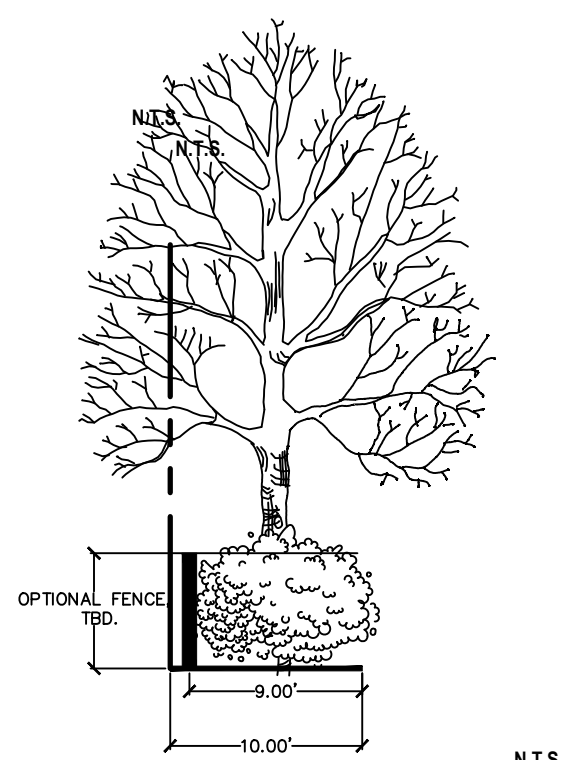


TYPICAL LANDSCAPE BUFFER SECTION - TYPE: A-2 WIDTH: 30'

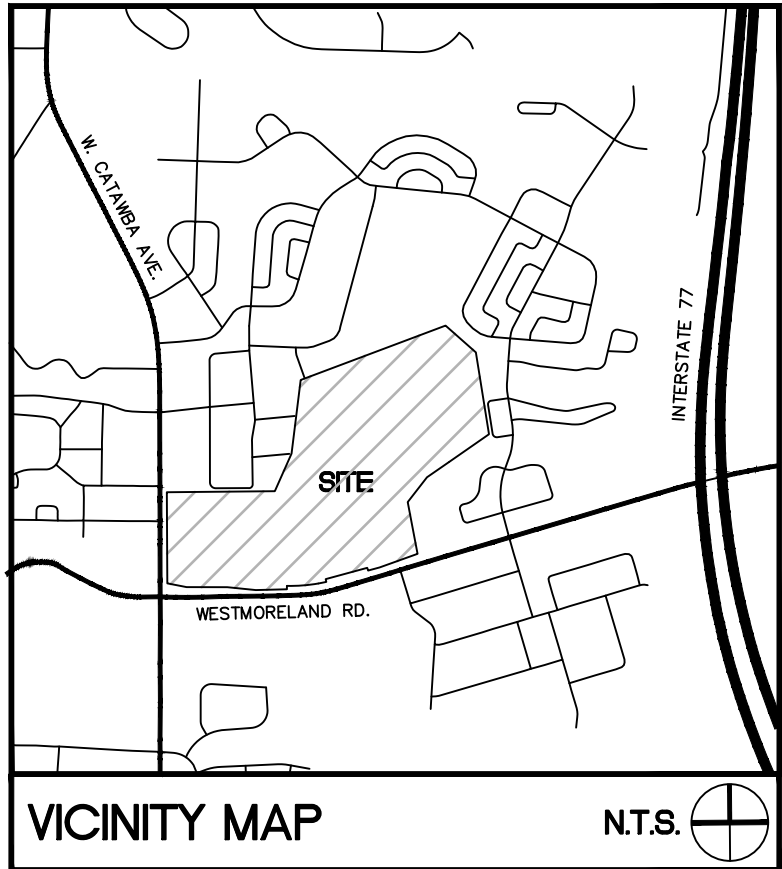
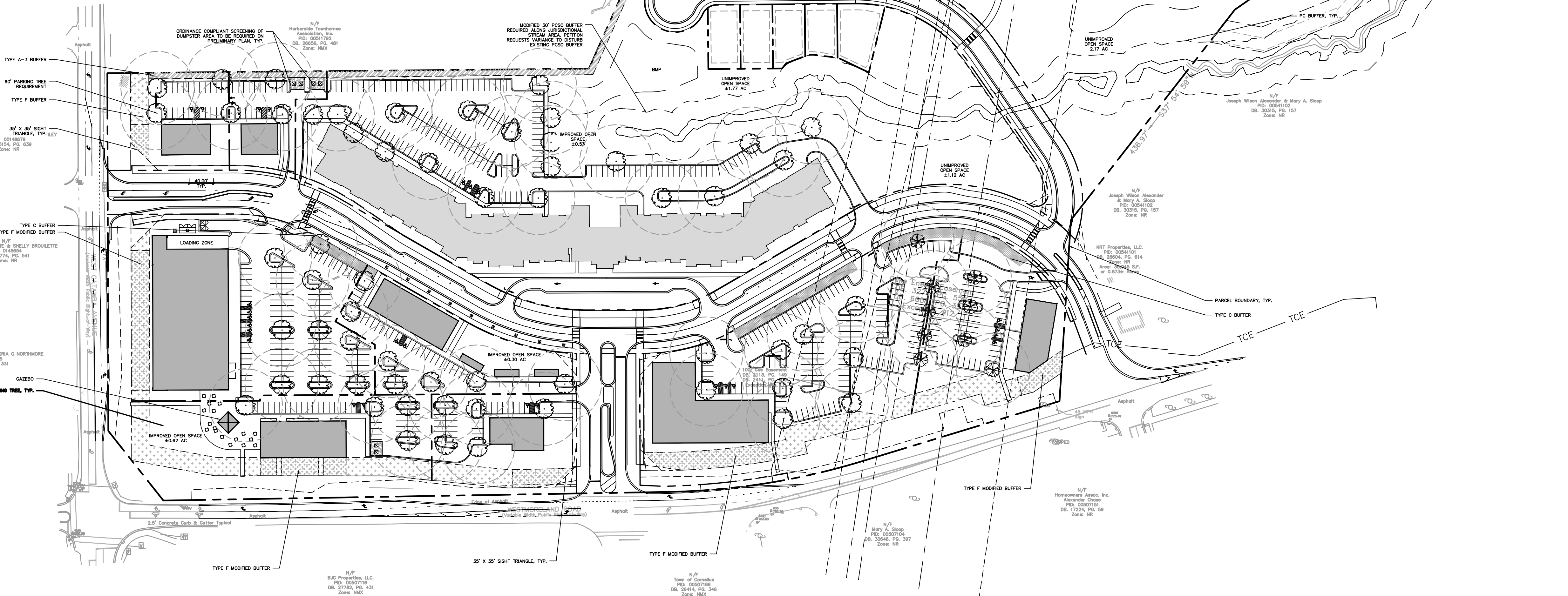


TYPICAL LANDSCAPE BUFFER - SECTION TYPE: F MODIFIED, WIDTH: 30'

TYPE F MODIFIED BUFFER MAY BE USED THROUGHOUT THE TYPE F BUFFER REQUIRED ALONG WEST CATAPBA AVE AND WESTMORELAND ROAD TO CREATE GREATER VIEW CORRIDORS FOR VISIBILITY TO THE COMMERCIAL USES.



TYPICAL LANDSCAPE BUFFER SECTION - TYPE: A-3 WIDTH: 10'



VICINITY MAP

LEGEND

SYMBOL	
	EXISTING TREE
	LARGE DECIDUOUS STREET CANOPY TREE
	PARKING CANOPY TREE
	SMALL MATURING TREE
	LANDSCAPED BUFFER: TYPE F
	LANDSCAPED BUFFER: TYPE F - MODIFIED
	LANDSCAPED BUFFER: TYPE A-2
	LANDSCAPED BUFFER: TYPE A-3
	LANDSCAPED BUFFER: TYPE C

NOTES

1. CHAPTERS 7.8 AND 9 OF THE TOWN OF CORNELIUS ZONING ORDINANCE WILL GOVERN THE LANDSCAPE SCREENING, BUFFER, AND CANOPY REQUIREMENTS FOR THE SITE.
2. STREET TREES SHOWN ON THIS PLAN ARE SCHEMATIC IN NATURE AND SUBJECT TO CHANGE DURING THE CONSTRUCTION DOCUMENT PHASE.
3. ANY GRADING, DEVELOPMENT, OR LAND DISTURBING ACTIVITIES SHALL FOLLOW SECTION 8.4.32 OF THE TOWN OF CORNELIUS LAND DEVELOPMENT CODE.
4. REFER TO SECTION 8.2 OF THE TOWN OF CORNELIUS LAND DEVELOPMENT CODE FOR OPEN SPACE DEDICATION.
5. REFER TO SECTION 9.9 OF THE TOWN OF CORNELIUS LAND DEVELOPMENT CODE FOR MAINTENANCE AND SECTION 4.34 FOR MAINTENANCE RESPONSIBILITY STATEMENT.
6. PERIMETER SCREENING OF PARKING SHALL MEET ALL STANDARDS BELOW:

* TYPE A GENERAL SCREENING BUFFERS
LOCATION & REQUIRED USAGE:

— REAR AND/OR SIDE TRANSITION YARD BETWEEN EXISTING RESIDENTIAL ZONING AND ALL PROPOSED USES AND DEVELOPMENTS

— DECIDUOUS TREES MUST BE A MINIMUM OF TWO AND ONE-HALF INCHES (2 1/2") CALIPER AT PLANTING

— EVERGREEN TREES MUST BE A MINIMUM OF EIGHT FEET (8') IN HEIGHT AT PLANTING

— SHRUBBERY MUST BE MINIMUM OF THIRTY-SIX INCHES (36") IN HEIGHT AT PLANTING

— EXISTING VEGETATION MAY BE CONSIDERED, IN JOINT CONSULTATION WITH THE APPLICANT AND THE ADJOINING PROPERTY OWNER, THE PLANNING DIRECTOR MAY APPROVE AND/OR RECOMMEND AN ALTERNATIVE BUFFER THAT INCLUDES THE EXISTING VEGETATION.

* TYPE C INTERIOR AND PERIMETER PLANTINGS
LOCATION & REQUIRED USAGE:
INTERIORS OF ALL PARKING AREAS

— THIS TYPE FUNCTIONS AS A TREE CEILING OVER A PARKING AREA PROVIDING SHELTER FROM SUN AND RAIN. LARGE MATURING CANOPY TREES SHALL BE PLANTED IN A MANNER THAT PROVIDES SHADE FOR THE ENTIRE PARKING AREA AT MATURITY. TO THIS END, NO PARKING SPACE SHALL BE MORE THAN SIX FEET (6') FROM THE BASE OF A CANOPY TREE. THE USE OF DIFFERING SPECIES AROUND THE PARKING AREA IS ENCOURAGED TO PROMOTE DIVERSITY IN THE OVERALL URBAN TREE CANOPY. THE USE OF EXISTING VEGETATION TO SATISFY THIS REQUIREMENT IS ENCOURAGED. SUPPLEMENTAL PLANTINGS MAY BE REQUIRED IN ADDITION TO NATIVE MATERIALS. THE ZONING ADMINISTRATOR OR DESIGNER MAY, AT THEIR DISCRETION, REDUCE THE REQUIRED TYPE C BUFFER ON THE SUBJECT PROPERTY.

PARKING AREA PERIMETER (NON-STREET FRONT) PLANTINGS

— MINIMUM 10' WIDE BUFFER

— SHRUB PLANTINGS SHALL HAVE NO UNOBSTRUCTED OPENINGS WIDER THAN 4". AT LEAST 75% OF THE REQUIRED SHRUBS SHALL BE EVERGREEN SPECIES LOCALLY ADAPTED TO THE AREA.

* TYPE D STREET TREE CANOPY
LOCATION & REQUIRED USAGE:
ALONG ALL STREET FRONTAGES (ALL DISTRICTS)

— THIS TYPE FUNCTIONS AS A UNIFYING ELEMENT ALONG ALL STREET FRONTAGES BY ESTABLISHING AN ATTRACTIVE AND CONSISTENT STREETSCAPE AND SCALE. STREET TREE PLANTINGS SOFTEN THE TRANSITION OF THE PUBLIC STREET TO THE PRIVATE YARD AND PROVIDE SHELTER FROM SUN AND RAIN TO PEDESTRIANS AND DRIVERS. TREES SHALL BE SPACED TWENTY FEET (20') ON CENTER FOR UNDERSTORY AND FORTY FEET (40') ON CENTER FOR LARGE CANOPY TREES AT THE DISCRETION OF THE PLANNING DIRECTOR.

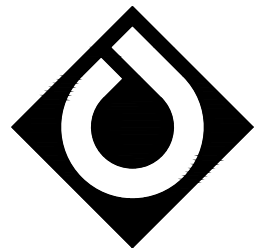
— TREES SHALL BE PLANTED PARALLEL TO THE STREET WITHIN A WELL-DEFINED PLANTING STRIP OF CONSISTENT WIDTH LOCATED BETWEEN THE CURB AND SIDEWALK, OR IN TREE WELLS LOCATED IN THE SIDEWALK. THE USE OF EXISTING VEGETATION TO SATISFY THIS REQUIREMENT IS ENCOURAGED. SUPPLEMENTAL PLANTINGS MAY BE REQUIRED IN ADDITION TO NATIVE MATERIALS.

* TYPE F (PARKWAY BUFFER)
LOCATION & REQUIRED USAGE:
ALONG MAJOR CORRIDORS

— THIS TYPE FUNCTIONS AS A UNIFYING ELEMENT ALONG ALL CORRIDORS WITH INDUSTRIAL CAMPUS ZONING AND/OR WHERE PROPOSED DEVELOPMENT IS NOT ORIENTED TOWARD THE STREET BY ESTABLISHING AN ATTRACTIVE AND CONSISTENT STREETSCAPE AND SCALE. THIS BUFFER WILL SOFTEN THE TRANSITION OF THE STREET TO THE PARKING AREA AND TO PROVIDE SHELTER FROM SUN AND RAIN TO PEDESTRIANS AND DRIVERS. THE ADDITIONAL LANDSCAPING WILL PROVIDE AN ADDITIONAL SCREENING MECHANISM TO THE LARGE SCALE USES AND PARKING AREAS. THE USE OF EXISTING VEGETATION TO SATISFY THIS REQUIREMENT IS ENCOURAGED. SUPPLEMENTAL PLANTINGS MAY BE REQUIRED IN ADDITION TO NATIVE MATERIALS. A BERM WITH A MAXIMUM FOUR FOOT (4') HEIGHT MAY BE UTILIZED WHERE FEASIBLE.



1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAG MEN, ETC. AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, TOWN OF CORNELIUS AND CHARLOTTE WATER SPECIFICATIONS.
4. SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMENDED.



ColeJenest & Stone

Shaping the Environment
Realizing the Possibilities

Land Planning
Landscape Architecture
Civil Engineering
Urban Design

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ALEXANDER FARMS MU, LLC

PRINCIPLE OFFICE
2165 LOUISA DRIVE
BELLEAIR BEACH, FL 33786

ALEXANDER FARMS REZONING PLAN

8315 WESTMORELAND RD
CORNELIUS, NC 28031

PLANTING PLAN

Project No.

4598

Issued

02/01/19

Revised

01/07/20 – PER CYCLE 1 COMMENTS

05/18/20 – PER CYCLE 2 COMMENTS

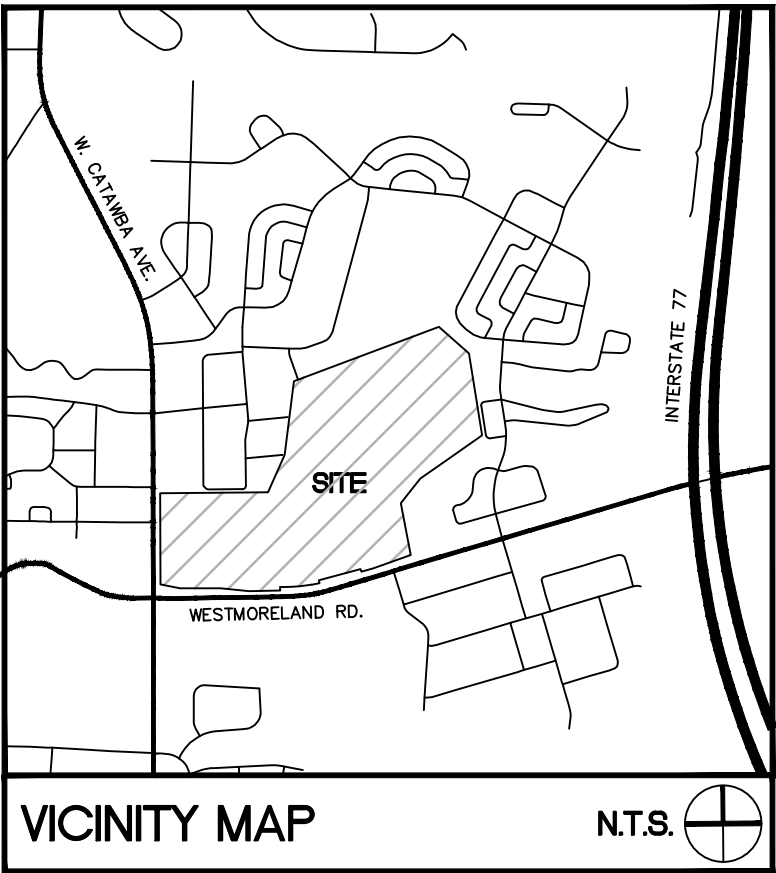
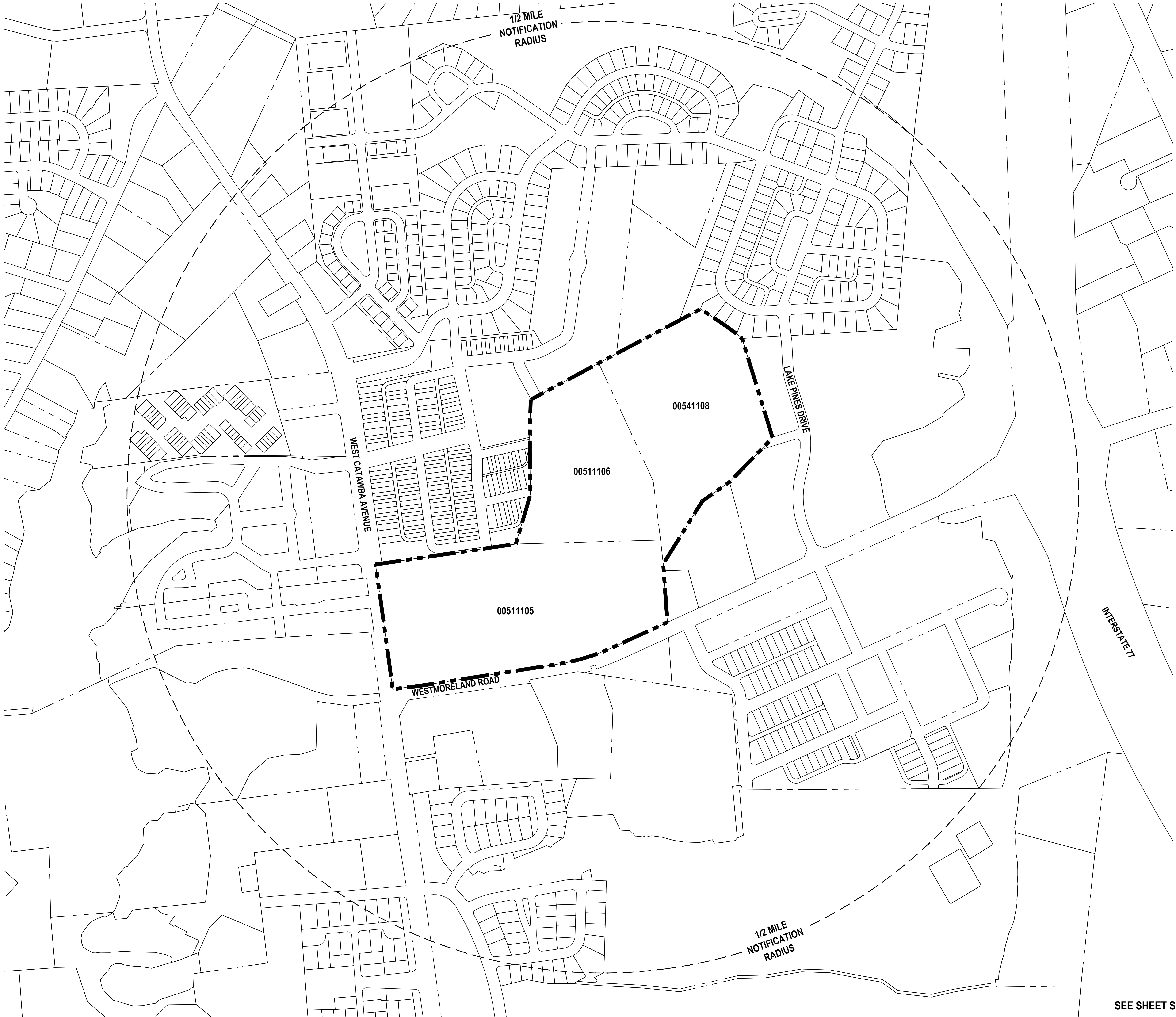
06/15/20 – PER CYCLE 5 COMMENTS

07/27/20 – PER CYCLE 6 COMMENTS

08/19/20 – PER CYCLE 7 COMMENTS

09/29/20 – PER PLAN AND NOTE MINOR REVISIONS

04/27/22 – REZONING AMENDMENT

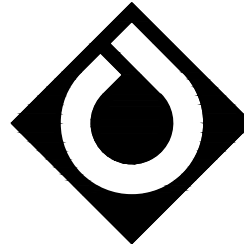


SUMMARY

CURRENT ZONING			
PARCEL 00511105:	NMX	±23.56 ACRES	
PARCEL 00511106:	NR	±15.25 ACRES	
PARCEL 00541108:	NR	±15.90 ACRES	
PROPOSED ZONING			
PARCEL 00511105:	CZ	±23.56 ACRES	
PARCEL 00511106:	CZ	±15.25 ACRES	
PARCEL 00541108:	CZ	±15.90 ACRES	
TOTAL ACRES:		±54.71 ACRES	

NOTES

1. ALL ACREAGES ARE SUBJECT TO VARIATION UPON FINAL SURVEY INFORMATION.



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BELLEAIR BEACH, FL 33786

ALEXANDER FARMS
REZONING PLAN

8315 WESTMORELAND RD
CORNELIUS, NC 28031

ADJACENT
PARCEL
MAP

Project No.

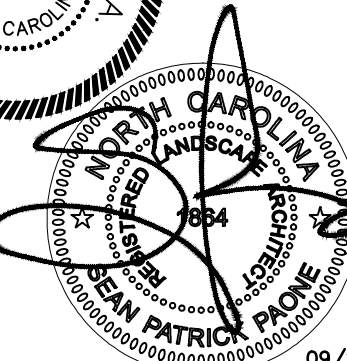
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08/19/20 – PER CYCLE 7 COMMENTS
09/29/20 – PER PLAN AND NOTE MINOR REVISIONS



09/29/20

SCALE: 1"= 250'

0 125' 250' 500'

SP-500

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SEE SHEET SP-501 FOR ADJACENT OWNER INFORMATION

00000480	1. COSTA, LINDA E	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000388	1. HERRERA, HESTER MARIA S	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA					
00000481	2. KESSLER, JAMES B	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000389	1. LAFORCE, LAFORCE	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA					
00000482	3. MAE, MICHAEL ROBERT	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000390	1. JOSEPH, JOSEPH	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA					
00000483	4. HALL, MARION	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000391	1. SHAW, SHAW	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA					
00000484	5. MEYER, MICHAEL	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000392	1. SHAW, SHAW	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA					
00000485	6. RICE, JUDITH G	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000393	1. SHAW, SHAW	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA					
00000486	7. LAYNE, MYLAUGH TRISTE	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000394	1. SHAW, SHAW	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA					
00000487	8. ARVILL, ASSOCIATES	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000395	1. SHAW, SHAW	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA					
00000488	9. WITHERSPON, VANDERHART	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000396	1. SHAW, SHAW	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA					
No Parcel ID	Owner Name	Legal Description	Deed Book, Deed Page, Land Area	Acres	00000397	1. SHAW, SHAW	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000398	1. SHAW, SHAW	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA
00000489	1. ZIMMEL, ROBERTSON	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000399	1. SHAW, SHAW	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA					
00000490	1. RIBBON, HANNA SPV LLC	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000400	1. SHAW, SHAW	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA					
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00000520	1. HARRIS, HUNG TRUL, 2 JON ROBERT F	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000430	1. SHAW, SHAW	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA					
00000521	1. HARRIS, HUNG TRUL, 2 JON ROBERT F	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000431	1. SHAW, SHAW	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA					
00000522	1. HARRIS, HUNG TRUL, 2 JON ROBERT F	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000432	1. SHAW, SHAW	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA					
00000523	1. HARRIS, HUNG TRUL, 2 JON ROBERT F	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000433	1. SHAW, SHAW	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA					
00000524	1. HARRIS, HUNG TRUL, 2 JON ROBERT F	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000434	1. SHAW, SHAW	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA					
00000525	1. HARRIS, HUNG TRUL, 2 JON ROBERT F	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000435	1. SHAW, SHAW	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA					
00000526	1. HARRIS, HUNG TRUL, 2 JON ROBERT F	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000436	1. SHAW, SHAW	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA					
00000527	1. HARRIS, HUNG TRUL, 2 JON ROBERT F	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000437	1. SHAW, SHAW	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA					
00000528	1. HARRIS, HUNG TRUL, 2 JON ROBERT F	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS	CA	00000438	1. SHAW, SHAW	18750 DEER VALLEY CR CORNELIUS NC 2003	UNIT 18750 BLVD 18750	16098	300/111	97	65	GS						

[illegible]

**MEMORANDUM OF AGREEMENT
BETWEEN
THE UNITED STATES ARMY CORPS OF ENGINEERS,
THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER
ALEXANDER FARMS MU, LLC,
AND
PRESERVE MECKLENBURG, INC.
REGARDING
CONSTRUCTION OF THE ALEXANDER FARMS MIXED USE DEVELOPMENT
MECKLENBURG COUNTY, NORTH CAROLINA
SAW-2019-00824 | ER 19-1985**

WHEREAS, Alexander Farms MU, LLC (Developer) proposes to construct a mixed-use development consisting of approximately 55 acres at the Northeast corner of *Catawba* Avenue and Westmoreland Road, Town of Cornelius, Mecklenburg County, North Carolina. The development will consist of single-family lots, age restricted senior housing, retail, office, and medical facilities along with all associated access roads, parking, utilities, and stormwater management facilities (the Undertaking); and

WHEREAS, infrastructure development on the site (grading, roads, stormwater management) will need to satisfy the watershed permit requirements of 33 CFR 325.1 as the Undertaking proposes impacts to 0.18-acre of jurisdictional wetlands and 347 linear feet (LF) of jurisdictional streams; and

WHEREAS, the proposed activities will require a U.S. Army Corps of Engineers (USACE) permit pursuant to Nationwide Permits 29 and 39 and General 401 Water Quality Certification approval DWR # 20211268, Individual Certification # WQCOO4518; and

WHEREAS, USACE has been designated the lead federal agency for this Undertaking with regard to compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108); and

WHEREAS, USACE, has determined that this Undertaking's Area of Potential Effects (APE) is the approximately 55 acres shown in Appendix A; and

WHEREAS, USACE has determined that the Undertaking will have an adverse effect on the J. Wilson Alexander Tenant House located at 18324 W. Catawba Avenue (MK2293), a property determined eligible for listing in the National Register of Historic Places in 2019, and has consulted with the North Carolina State Historic Preservation Office (SHPO) pursuant to 36 CFR § 800, the regulations implementing Section 106 of the National Historic Preservation Act (54 U.S.C. § 300101); and

WHEREAS, in accordance with 36 CFR § 800.6(a)(1), USACE has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination with specified documentation, and the ACHP has chosen not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

WHEREAS, Developer is a consulting party as an applicant for a federal permit and/or assistance and is therefore an invited signatory, pursuant to 36 CFR § 800.2(c)(4); and

WHEREAS, Preserve Mecklenburg, Inc. (PMI) has participated in the consultation regarding the resolution of adverse effects to the historic property, has responsibilities under the Agreement, and has been invited to the Agreement as an invited signatory;

NOW, THEREFORE, USACE, SHPO, Developer, and PMI agree that the Undertaking shall be implemented in accordance with the following stipulations to take into account the effect of the Undertaking on the historic property.

STIPULATIONS

USACE shall ensure that the following measures are carried out:

I. PUBLIC EDUCATION/INTERPRETIVE EXHIBIT

For the purposes of the continued public engagement and interpretation of the J. Wilson Alexander Farm Tenant House (Tenant House) and the history of tenant farming in Mecklenburg County, the Developer will create and install an interpretive exhibit (Exhibit) and Commemorative Monument (Monument) on-site as outlined below.

- A. Developer will consult with PMI and local interested parties to create the content and design for the Exhibit. The Exhibit will detail the history of the Alexander Farm, Tenant House and tenant farming in Mecklenburg County. Development strategies should include, but are not limited to, the use of resources such as the 2019 Architectural Evaluation report, historic photographs, and local written or oral histories.
- B. The Exhibit will be integrated into the design of the Alexander Farms Food Court Pavilion as shown in Appendix B and will include interpretive signage or panels and a “ghost foundation” that replicates the Tenant House footprint.
- C. A stand-alone commemorative monument will be erected at the current site of the Tenant House to indicate its historic location.
 - 1. The monument may take the form of a sign, plaque or pedestal.
 - 2. The monument should provide a clear representation of the front elevation of the Tenant House, a brief description of its significance, and encourage viewers to visit the Exhibit located at the food court.

- D. Developer will provide a draft of the Exhibit and Monument plans to SHPO and PMI within six (6) months of the execution of this Agreement.
 - 1. SHPO will have thirty (30) days to comment on the draft plans.
 - 2. If SHPO does not comment within thirty (30) days, Developer may move forward with the development of final Exhibit and Monument plans.
- E. Developer will provide a final draft of the Exhibit and Monument plans to SHPO and PMI within twelve (12) months of the execution of this Agreement.
 - 1. SHPO will have thirty (30) days to comment on the draft plans.
 - 2. If SHPO does not comment within thirty (30) days, Developer may consider the plans to be final and move forward with construction of the Exhibit and Monument as proposed.
- F. The Exhibit and Monument should be completed and installed within two (2) years of the execution of this agreement.
- G. Developer will include provisions for the maintenance and upkeep of the Exhibit and the Monument for no less than ten (10) years as part of the Alexander Farms development Homeowners Associations fees and responsibilities.

II. RELOCATION

Developer will provide a \$15,000 donation to PMI for the purpose of aiding in the relocation of the Tenant House. PMI will ensure that the Tenant House is used to continue the story of tenant farming in Mecklenburg County through adaptive reuse or other educational opportunities.

- A. Donation should be made within three (3) months of execution of this Agreement.
- B. PMI will have forty-five days (45) from the execution of this Agreement to remove the structure.
- C. Developer will offer a grace period of no less than fifteen (15) days beyond the deadline listed in Stipulation II.B, if PMI provides reasonable assurance prior to that deadline of their intent and ability to relocate the structure.
- D. If the structure has not been relocated by PMI within sixty (60) days from the execution of this Agreement, and the Developer does not have an existing agreement with PMI as cause to delay further, then the Developer may remove the structure as they see fit.
- E. To ensure that no other historic properties are adversely affected by the relocation, PMI will provide the SHPO with details of the proposed new location for review and comment. SHPO will have fifteen (15) days to provide comment. If SHPO does not

provide comment regarding affects to historic properties within fifteen (15) days then PMI and the developer may move forward with the proposed relocation plans.

III. POST-REVIEW DISCOVERIES AND HUMAN REMAINS

If additional properties are discovered that may be historically significant or unanticipated effects on historic properties found, USACE shall be immediately notified and all work in the vicinity of the discovered materials shall cease until an evaluation can be made in consultation with SHPO.

Cemeteries are protected under North Carolina General Statute section 14-148 and 14-149 and abandoned and neglected cemeteries are afforded consideration under Chapter 65. If any marked or unmarked human remains are discovered during construction, they shall be treated in accordance with the Unmarked Human Burial and Human Skeletal Remains Protection Act, North Carolina General Statute, Chapter 70 Article 3.

IV. DURATION

This Agreement will expire if its terms are not carried out within three (3) years from the date of its execution. Prior to such time, USACE may consult with the other signatories to reconsider the terms of the Agreement and amend it in accordance with Stipulation VII below.

V. MONITORING AND REPORTING

Following the execution of this Agreement, until it expires or is terminated, the Developer shall provide a summary report every six (6) months detailing the work undertaken to all parties to this agreement. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received related to carrying out the terms of this Agreement.

VII. DISPUTE RESOLUTION

Should any signatory to this Agreement object at any time to any actions proposed or the manner in which the terms of this Agreement are implemented, USACE shall consult with such party to resolve the objection. If USACE determines that such objection cannot be resolved, USACE will:

- A. Forward all documentation relevant to the dispute, including USACE's proposed resolution, to the ACHP. The ACHP shall provide USACE with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation.
- B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, USACE may make a final decision on the dispute and proceed accordingly.

- C. Prior to reaching a final decision on the dispute, USACE shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. USACE will then proceed according to its final decision.
- D. The parties' respective responsibility to carry out all other actions subject to the terms of this Agreement that are not the subject of the dispute remain unchanged.

VIII. AMENDMENTS

This Agreement may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

IX. TERMINATION

If any signatory to this Agreement determines that its terms will not, or cannot be carried out, that party shall immediately consult with the other signatories to attempt to develop an amendment per Stipulation VIII, above.

If within thirty (30) days an amendment cannot be reached, any signatory may terminate the Agreement upon written notification to the other signatories.

Once the Agreement is terminated, and prior to work continuing on the Undertaking, USACE will either (a) execute another agreement pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. USACE shall notify the signatories as to the course of action it will pursue.

X. IMPLEMENTATION

Execution of this Agreement by USACE, SHPO, Alexander Farms MU, LLC, and Preserve Mecklenburg, Inc., and implementation of its terms are evidence that USACE has taken into account the effects of this Undertaking on the historic property and afforded the ACHP an opportunity to comment.

**MEMORANDUM OF AGREEMENT
BETWEEN
THE UNITED STATES ARMY CORPS OF ENGINEERS,
THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER
ALEXANDER FARMS MU, LLC,
AND
PRESERVE MECKLENBURG, INC.
REGARDING
CONSTRUCTION OF THE ALEXANDER FARMS MIXED USE DEVELOPMENT
MECKLENBURG COUNTY, NORTH CAROLINA
SAW-2019-00824 | ER 19-1985**

AGREED:

**U.S. ARMY CORPS OF ENGINEERS
FOR THE COMMANDER**

**MCLENDON.C.SCOTT.122
9682071**

Digitally signed by
MCLENDON.C.SCOTT.1229682071
Date: 2022.02.11 08:53:45 -05'00'

Scott McLendon
Chief, Regulatory Division
Wilmington District

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SAW-2019-00824 | ER 19-1985**

AGREED:

NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER



Dr. Darin Waters
State Historic Preservation Officer

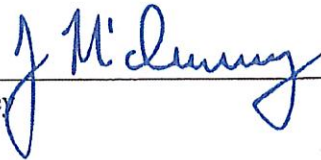
Date: 2/1/22

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MECKLENBURG COUNTY, NORTH CAROLINA
SAW-2019-00824 | ER 19-1985**

AGREED:

ALEXANDER FARMS MU, LLC

Jesse McInerney
Manager



Date: JANUARY 21, 2022

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MECKLENBURG COUNTY, NORTH CAROLINA
SAW-2019-00824 | ER 19-1985**

AGREED:

PRESERVE MECKLENBURG, INC

7LDDL Date: 1-24-22
Tommy Lee
Executive Committee Chair

FILED:

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Name/Title Date: _____

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SAW-2019-00824 | ER 19-1985**

APPENDIX A

Area of Potential Effects Map

W Catawba Ave and Westmoreland Rd, Cornelius, Mecklenburg County, North Carolina

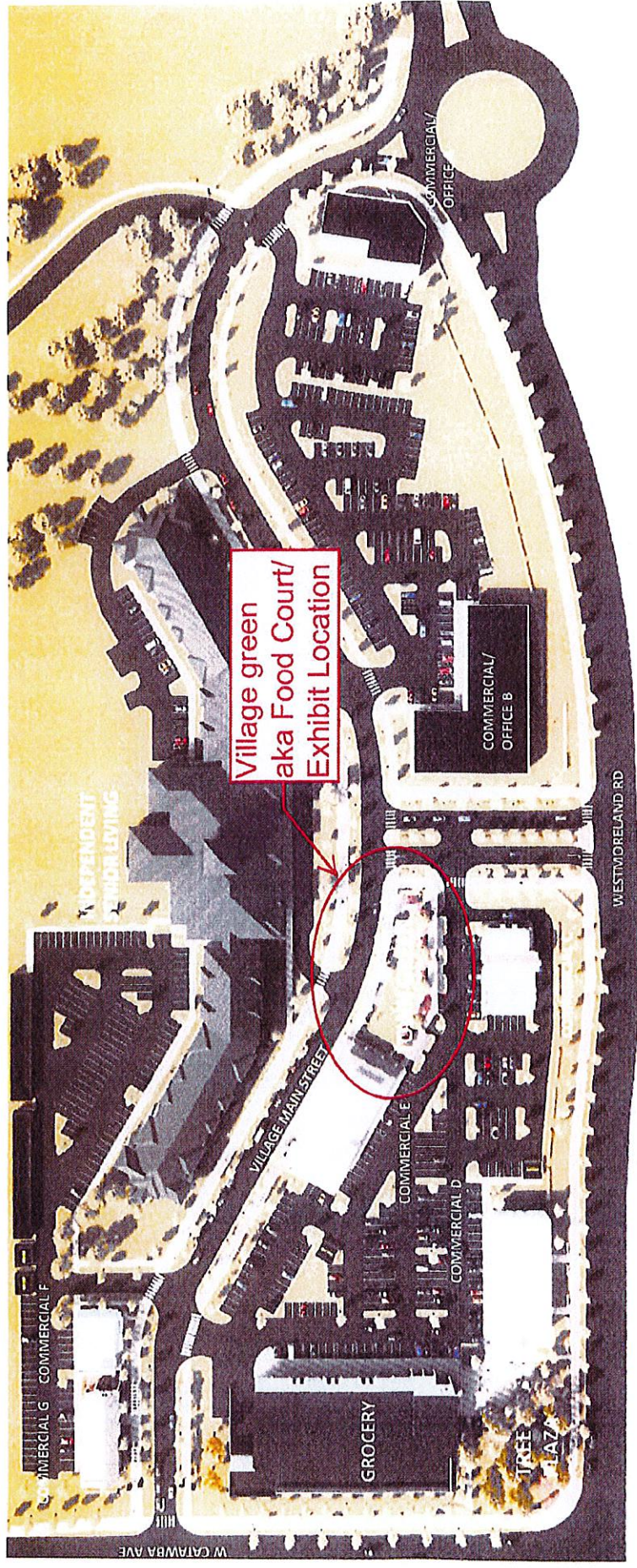


APE is outlined in RED.

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APPENDIX B

**Alexander Farms Site Map
with Food Court and Exhibit Location**



Commercial Area Site Plan



Birdseye of Village Green Looking towards W Catawba

Alexander Farms MOA | SAW-2019-00824 | ER 19-1985 | Appendix B - Site Map and Food Court

**REASONABLENESS AND CONSISTENCY
OF PROPOSED ZONING MAP AMENDMENTS**

REZ 03-22 Alexander Farms Amendment

Alexander Farms MU, LLC, applicant, initiated the process to rezone and amend the property located at the northeast corner of West Catawba Avenue and Westmoreland Road (PID 00511105, 00541108, & 00511109), which consists of 54.71 acres, to *Conditional Zoning District* as shown on *Exhibit A*, and to use the property in accordance with the conditions set forth in *Exhibit B*.

The Town's Future Land Use Plan designates these properties as "To Be Determined" (TBD). The Planning Board has considered the proposed uses including but not limited to single family residential, active adult multi-family residential, restaurant, general commercial uses, and grocery store. The Planning Board considers the proposed plan and uses to be reasonable and in the public's interest.

Keith Eicher, Planning Board Chair

May 16, 2022

Exhibit B

Conditions of REZ 03-22

1. Town approval is contingent on review and approval by other applicable local, state and federal agencies.
2. The development shall comply with all other applicable requirements of the Town of Cornelius Land Development Code.
3. Town approval incorporates and shall comply with any and all submittals in the case file and correspondence presented to the board in support of this application, including, but not limited to the following: The site/sketch plan, architectural elevations, and any other information related to this case or improvements recommended by the Town and/or other agencies.
4. The Memorandum of Agreement between the United States Army Corps of Engineering, the North Carolina State Historic Preservation Office, Alexander Farms, MU, LLC, and Preserve Mecklenburg, Inc. (Executed MOA attached) shall become a development condition.
5. In addition to the terms and conditions detailed in the MOA, Alexander Farms MU, LLC (AF) agrees to the following development conditions in preservation of the Tenant House:
 - a. AF assumes full responsibility for moving the Tenant House from its present location to the parcel which it owns on the southeastern corner of West Catawba Avenue and Westmoreland Road per the revised site plan.
 - b. AF assumes full responsibility for providing security fencing of the Tenant House until such time the new site location is ready to receive the structure. In the event the structure has to be relocated temporally based on site excavation, AF assumes full responsibility.
 - c. AF assumes full responsibility for construction and providing the necessary infrastructure, including foundation and utilities, making all necessary repairs to bring the Tenant House up to historical preservation standards, and into compliance with current building codes.
 - d. AF assumes full responsibility for making necessary arrangement for regular and routine maintenance of the Tenant House as referenced in the MOA.
6. AF shall grant a preservation easement to Preservation Mecklenburg, Inc. (PMI) on the new Tenant House Location to prevent demolition in perpetuity. The applicant shall provide a copy of the easement the Town.

7. The Applicant shall coordinate with Duke Energy and Piedmont Natural Gas to ensure the Town of Cornelius will be permitted a driveway to access the future park property.
8. In addition to the above conditions, the applicant is still subject to all conditions from the previous rezoning approval (REZ 08-17).