MAYOR

WOODY WASHAM, JR.

COMMISSIONERS

DENIS BILODEAU
COLIN FURCHT
DAVID GILROY
MICHAEL OSBORNE
TODD SANSBURY

TOWN MANAGER

ANDREW GRANT

May 19, 2022

Rezoning Case:	REZ 03-22 Alexander Farms Amendment
Owner/Developer:	Owen Ewing Alexander Farms MU, LLC 2165 Louisa Drive Bellair Beach, FL 33786
Acreage:	54.71 Acres
Tax Parcels:	00511105, 00541108, & 00511109
Location:	Northeastern quadrant of West Catawba Avenue (SR 5544) at Westmoreland Road (SR 2147)
Approved Zoning:	*CZ*

Dear Owen,

This correspondence shall serve as approval of the above referenced Rezoning (REZ 03-22 Alexander Farms Amendment). On Monday, May 16th, 2022 the Town of Cornelius Board of Commissioners approved the rezoning of the above referenced parcel based on the site-specific plan and as documented on the enclosed ordinance.

A concept plan will need to be submitted and approved by Mecklenburg County Land Use and Environmental Services Agency (LUESA). Following the concept plan approval, construction documents may be submitted electronically and reviewed and approved by the Planning Department and Mecklenburg County LUESA in accordance with the approved site plan and agreed to conditions prior to the issuance of building permits. Architectural drawings will need to be submitted and approved by the Architectural Review Board prior to the issuance of a building permit. All required improvements shall be made to the site prior to issuance of Certificate of Occupancy unless stated otherwise by these conditions. Please note that signage is permitted separately and in accordance with Chapter 10 of the Land Development Code.

Please call the Planning Department at 704-896-2461 if you have questions.
Sincerely,

Wayne Herron
Deputy Town Manager/ Interim Planning Director

Attachment: Ordinance: 2022-00790
Resolution: 2022-01054

Ordinance No. 2022 - 00790

AN ORDINANCE TO AMEND THE TOWN OF CORNELIUS ZONING MAP

REZ 03-22 Alexander Farms Amendment

WHEREAS, the Town of Cornelius has received an application requesting that the zoning classification of parcels of land subject to the zoning regulations of the Town be reclassified; and

WHEREAS, notice of public hearing on the question of the reclassification of the subject parcels has been provided through posting of the property; and

WHEREAS, notice of public hearing on the question of the reclassification of the subject parcels has been provided through advertisement in a newspaper of general circulation in the Town; and

WHEREAS, property owners contiguous to the subject parcels have been notified by first class mail of the public hearing on the question of the reclassification; and

WHEREAS, a public hearing on the question of the reclassification of the subject parcel has been held by the Board of Commissioners of the Town of Cornelius.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF CORNELIUS THAT:

Tax Parcel Numbers 00511105, 00511109, and 00541108 consisting of approximately 54.71 acres located at the northeastern quadrant of West Catawba Avenue (SR 5544) at Westmoreland Road (SR 2147), be reclassified as *Conditional Zoning (CZ) District* as shown on *Exhibit A* and as further subject to the conditions shown on *Exhibit B* attached hereto and incorporated herein by reference.

Adopted this the 16th day of May, 2022.

Woody T. Washam, Jr., Mayor

ATTEST:

Lori A. Harrell, Town Clerk

APPROVED AS TO FORM:

Town Attorney

Exhibit A

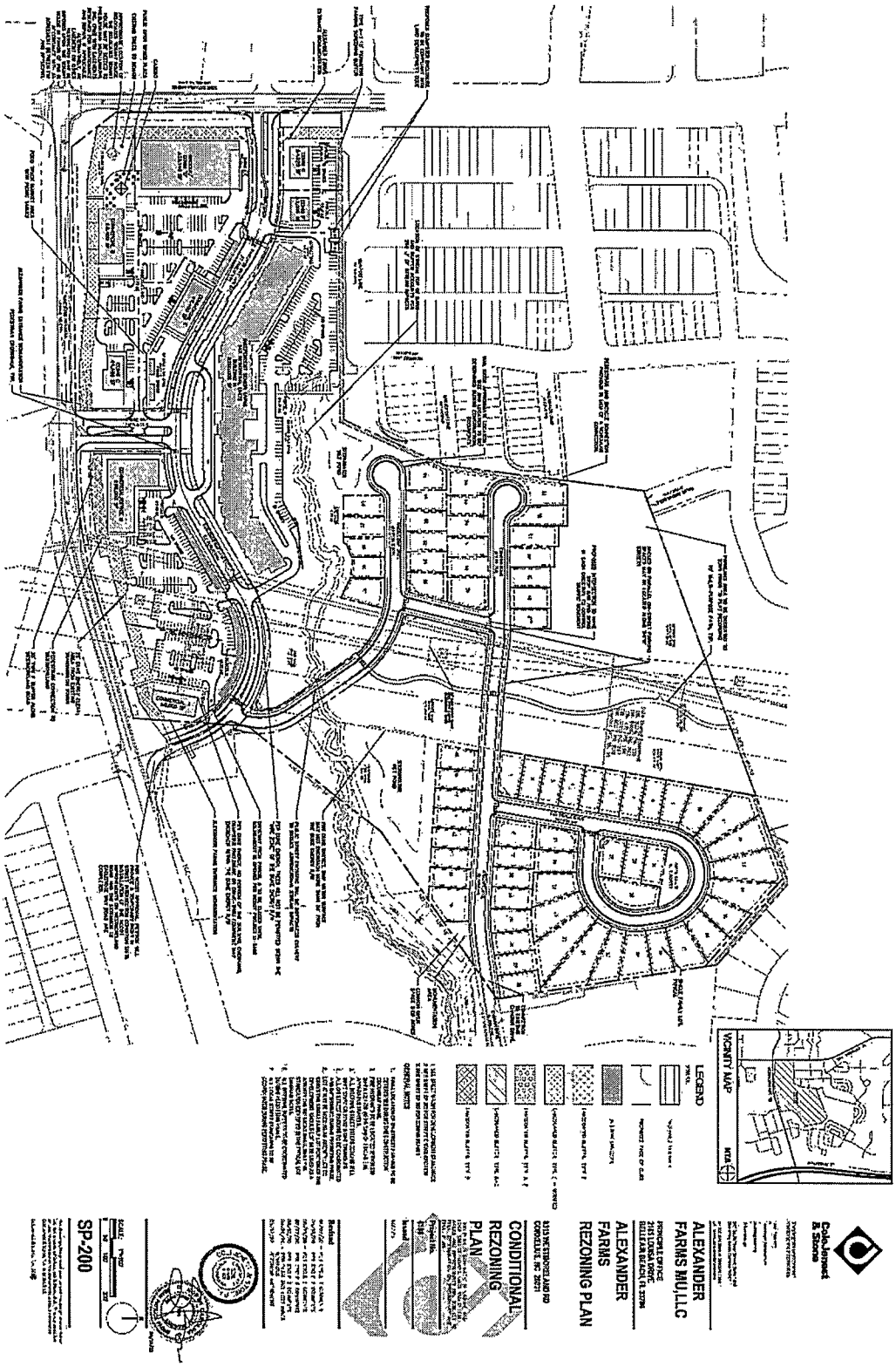

ALEXANDER FARMS MU, LLC
ALEXANDER FARMS REZONING PLAN
CONDITIONAL REZONING PLAN
SP-200

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, as modified from time to time) 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 southwestern 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 either cause a preservation easement to be granted to Preservation Mecklenburg, Inc. (PMI) on the new Tenant House Location or cause the new Tenant House Location to be deeded to PMI to prevent demolition in perpetuity. The applicant shall provide a copy of the easement or deed, as applicable, to 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. Access driveway must be a minimum 30' in width.

8. In addition to the above conditions, the applicant is still subject to all conditions from the previous rezoning approval (REZ 08-17), except as modified herein.

I, Jesse McInerney, hereby agree to the rezoning conditions of REZ 03-22 Alexander Farms Amendment as set forth.

Alexander Farms MU, LLC, Property Owner

By: _____ May 12, 2022
Date

Resolution No. 2022 -01054

RESOLUTION OF THE TOWN OF CORNELIUS BOARD OF COMMISSIONERS PERTAINING TO THE REASONABLENESS AND CONSISTENCY OF PROPOSED ZONING MAP AMENDMENTS

REZ 03-22 Alexander Farms Amendment

WHEREAS, Alexander Farms MU, LLC, applicant, initiated the process to rezone the property located at the northeastern quadrant of West Catawba Avenue (SR 5544) at Westmoreland Road (SR 2147) (PID #s: 00511105, 00511109, 00541108), which consists of 54.71 acres, to *Conditional Zoning District* as shown in *Exhibit A*, and to use the property in accordance with the conditions set forth in *Exhibit B*; and

WHEREAS, in accordance with the provisions of North Carolina General Statutes 160D-605, the Town Board has considered the reasonableness and consistency of rezoning the above described property and adopts the following statement.

NOW, THEREFORE, BE IT RESOLVED, by the Town of Cornelius Board of Commissioners that the Town's Future Land Use Plan designates these properties as "To Be Determined" (TBD). The Town 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 Town Board considers the proposed plan and uses to be reasonable and in the public's interest.

Adopted this 16th day of May, 2022.

Woody T. Washam, Jr., Mayor

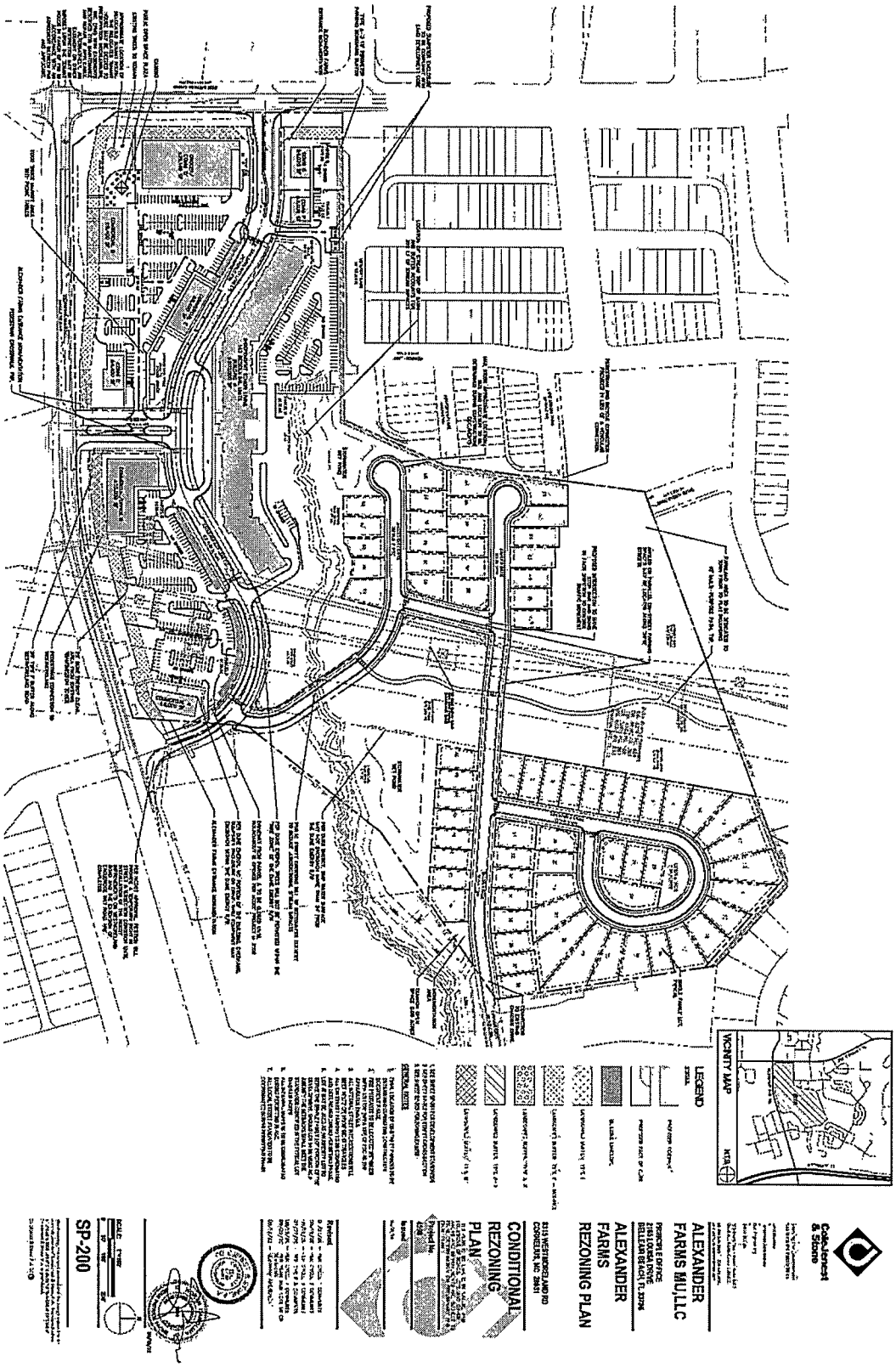
ATTEST:

Lori A. Harrell, Town Clerk

APPROVED AS TO FORM:

Town Attorney

Exhibit A



REZ 03-22

Exhibit B

Conditions of REZ 03-22

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