

**Title Page**

**CASCADE  
REDEVELOPMENT PLAN**

**PREPARED FOR**

**THE TOWN OF MOORESVILLE BY:**

**CENTRALINA COUNCIL OF GOVERNMENTS  
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**Centralina**  
**Council of Governments**

**August 2005**

**Adopted October 3, 2005**

**CASCADE**  
**REDEVELOPMENT PLAN**  
**MOORESVILLE, NORTH CAROLINA**



**As Adopted By the Mooresville Town Board of Commissioners**  
(Acting as the Mooresville Redevelopment Commission)

**October 3, 2005**

**CASCADE REDEVELOPMENT AREA  
MOORESVILLE, NORTH CAROLINA  
REDEVELOPMENT PLAN**

This Redevelopment Plan has been prepared for a redevelopment project known as the Cascade Redevelopment Area located in the Town of Mooresville, North Carolina. The proposed activities described in this plan are to be undertaken by the Town of Mooresville in accordance with and in furtherance of the North Carolina Urban Redevelopment Law, Chapter 160A, Article 22, Section 160A-500 through 160A-526, as amended. This plan provides for all necessary provisions, building requirements and other regulations, controls and restrictions, required under the State's Urban Redevelopment Law to carry out this redevelopment of the Cascade area. The boundaries of this redevelopment project are delineated on all maps, which comprise the remainder of this Cascade Redevelopment Plan.

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# CASCADE REDEVELOPMENT PLAN

## Chapter 1

### INTRODUCTION

The Town of Mooresville adopted a redevelopment plan for the Cascade neighborhood in August 1996. An accompanying master plan was adopted in 2003. This document is an update of the 1996 redevelopment plan including an expanded project area and new project goals and objectives.

The 1996 plan focused on the removal of slum and blight conditions including the clearance of dilapidated housing; the acquisition of a significant number of land parcels; and the establishment of a non-profit housing corporation to partner with the Town on housing development and homebuyer assistance.

The 2005 Plan will continue to focus on many aspects of the blight removal, but will emphasize the redevelopment of assembled parcels and the construction of in-fill housing within the redevelopment area.

#### **Overview & Background**

In the period of 1994-95, Town of Mooresville officials were concerned with the deteriorated physical conditions and crime problems associated with the Cascade Mill Village. There was a substantial amount of vacant dilapidated housing; much of it owned by a former resident who died, leaving an estate (and rental properties) in disarray. The Town felt a plan of action was necessary to save this fragile neighborhood.

The Cascade Mill is located just north of the downtown business area. Modest in size (originally only 67 houses), the actual mill village was developed beginning in the early 1900's and continued in phases into the 1920's. Original portions of the Cascade Mill building and the oldest "mill houses" have recently celebrated their 100-year-old birthdays. Many of the frame houses are excellent examples of southern piedmont mill architecture with A-frame gables or hip roofs, brick crawl spaces, long wide front porches, and vertically oriented windows. Cascade is very picturesque, and with its tree canopy and the recent addition of sidewalks and street improvements. The attachment section contains representative photographs of a sampling of the house styles currently in Cascade.

In 1995, the Cascade Mill Village was significantly deteriorated when the Town commissioned the Centralina Council of Governments of Charlotte to survey and develop a redevelopment plan under the North Carolina Urban Redevelopment Law (G.S. 160A-500). In 1996, the Mooresville Town Board of Commissioners (acting as the redevelopment commission) declared Cascade as a "rehabilitation, conservation, and reconditioning area."

The goals of the 1996 Cascade Redevelopment Plan were:

- a. Elimination of slum and blighting conditions from the neighborhood;
- b. Improve the quality of housing through a formal rehabilitation program;
- c. Provide homeownership opportunities by making rental properties and building lots available for owner-occupancy;
- d. Preserve the historical, architectural, and neighborhood aspects of the area;
- e. Stimulate private investment in this area in terms of rehabilitation and new development;
- f. Establish or create a neighborhood organization for community involvement, crime prevention, and civic activities.

To implement the 1996 Plan, the Town began undertaking a number of significant steps:

- Acquiring land parcels and demolishing dilapidated, crime plagued housing;
- Establishing a non-profit community housing development corporation;
- Offering home ownership opportunities;
- Constructing new in-fill housing and undertaking rehabilitation of the mill houses;
- Utilizing aggressive code enforcement for neighborhood clean-up such as minimum housing, junk cars, and overgrown yards; and
- Sought new ownership (and renovations) for the Kings Creek Apartments.

By 2002, plans were announced for commuter transit from Charlotte. The Charlotte Area Transit System (CATS) showed the terminus of the north railroad corridor to end in Cascade (Williams Street). The Town undertook a neighborhood charrette in October 2002 and developed a Master Plan to accompany the 1996 Redevelopment Plan. The charrette reviewed what progress had been made to date and developed the 2003 Cascade Master Plan (a collaboration of the Burgess Design Studio of Davidson, NC; Sottile & Sottile architecture of Savannah, GA; and David A. Creech, AIA of Charlotte, NC), which outlined ten (10) steps to further the revitalization of Cascade.

One of the principle recommendations of the 2003 Cascade Master Plan was to expand the boundaries of the Cascade Redevelopment Area into adjacent residential areas. The redevelopment area was subsequently amended in January 2003 to include the Kings Creek Apartments on Selma Drive to enhance the renovations of the complex. The Cascade Master Plan, however, envisioned a larger, more comprehensive expansion of the redevelopment area.

Accordingly, in 2005, the Town is again revisiting the Cascade neighborhood. The Town again enlisted the services of Centralina Council of Governments (the author of the 1996 Cascade Redevelopment Plan and the primary staff for the Town to implement the redevelopment plan goals) to produce a “new” Cascade Redevelopment Plan. Centralina COG staff (including several

involved in the 1996 version) undertook to resurvey the neighborhood (and adjacent residential areas); develop a digital database & maps; and update the redevelopment plan. The lessons learned from implementing the 1996 Plan and the 2003 Cascade Master Plan along with newer technology, have produced a “new” Plan with more refined maps, digital images, a integrated (and may be revised) database, and a restatement of the redevelopment goals.

### **Summary**

For its efforts to improve the Cascade neighborhood, the Town of Mooresville was awarded a planning implementation award in 2005 from the North Carolina Chapter of the American Planning Association (NCAPA) for its Cascade redevelopment work. A quote from the Town’s nomination application (April 2005): “The Cascade project is an example of smart growth and neo-traditional development, the revitalization of a historic mill village with established streets, water and sewer, mature trees, and houses with wide front porches that will present a new face to the 21 Century. The Cascade project is a shining example of a community that developed a plan for a troubled neighborhood and has steadily and consistently worked to implement the plan. It is ironic that a neighborhood where people used to walk to the mill to work will now walk to the transit for a ride to Charlotte.”

The Town views the Cascade Redevelopment Plan and the 2003 Cascade Master Plan as tandem documents and implements them in partnership to achieve maximum quality results. The Cascade Master Plan is incorporated into this document in the attachment section (Chapter 11) of the document.

Even with substantial improvements to the neighborhood, tasks remain to be completed. This 2005 plan will focus on the further redevelopment of Cascade, primarily infill housing. This Plan will also serve as template for similar endeavors within the larger Mooresville Mill Village on South Main Street.

## Chapter 2

### DESCRIPTION OF THE AREA

#### History of the Cascade Area

The Cascade area historically consisted of the village associated with the Cascade Mill. For this Plan, the traditional mill village was expanded to include housing constructed after World War II as well.

According to Mooresville, NC The Early Years<sup>1</sup> by W. J. Haselden<sup>1</sup>, the Cascade Mill was originally called the Dixie Cotton Mill Company, organized in 1906 by a group of investors on land owned by Espie White (E.W.) Brawley. The mill began operation in 1907-08. In 1923 the Dixie Cotton Mill was reorganized as the Cascade Cotton Mill. With the stock market crash and the Depression, the Cascade Mill was closed from 1929 to 1934. Burlington Mill (now Burlington Industries) acquired the Cascade Mill in 1933 and renamed the mill the Cascade Weaving Company.

Mill-owned housing was provided to the mill workers so they could walk to work because of the lack of private cars and public transportation at the time. The Cascade Mill village was built by E. W. Brawley on land that was originally part of his farm (the Brawley house on Williams Street was his home) in phases from 1903 to 1928. The houses were of frame construction (probably built by carpenters employed by Mr. Brawley) with wood lap siding built on brick piers (the curtain walls were added later) and varied in size (3 to 5 rooms, some with galleries) and a style of architecture, which featured hip or gable roofs, front porches, and ample sized windows. All the houses were rented to the mill employees on a weekly basis. The largest houses were reserved for the mill supervisors. There was a general store, a large rooming/boarding house on Cascade Main Street and a row of two story houses, which faced the main gate of the Cascade Mill, on Brookwood. None of these structures survive today. The mill village was laid out with streets (Cascade Main Street, Spencer, and McNeely Streets), with water from deep wells and sewage treatment provided by the Mill. The houses had electricity and indoor bathrooms.

Burlington Mill, having purchased the mill property in 1933, began selling the mill houses to individuals in 1938. There was no stipulation, however, that individual houses be sold only to persons who worked for Burlington, as was the case with the Town's other mill village (Mooresville Mill). Consequentially the Cascade houses were purchased in large numbers by investors and used as rental property. The recorded 1937 plat of the area (still used as the legal description for the land parcels) by Gilbert Engineering of Statesville still refers to the area as "Dixieland."

In 1964, the Cascade Mill and village were annexed into the Town of Mooresville. The mill owners had previously installed paved streets and utility systems (water and sewer) in Cascade. The Town has made additional infrastructure improvements in the area including an enlarged and improved Magna Park on Spencer Street.

In 1972, private developers secured a loan from the US Department of Housing & Urban Development (HUD) and built 76 rent subsidized (Section 8) apartments (1, 2, & 3 bedrooms

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<sup>1</sup> Mooresville, NC The Early Years, 1967, W. J. Haselden, pp. 96-97.

with a small office & laundry) on McNeely Street (later renamed Selma Drive). Although the Town's elected officials at the time thought Kings Creek was needed to provide affordable rental housing, the complex proved to be problematic in the decades to follow. The King Creek Apartments are nine brick, two-story buildings with dark breezeways located on a 7-acre rectangle lot with a large drainage ditch on one side and only one access. As poorly designed public housing, "The Creek" degraded the surrounding area; drugs and crime was rampant and families avoided the area. Cascade was in decline. Tenants occupied the majority of the housing in the community.

In 1995, the Town of Mooresville decided to concentrate its community development efforts in Cascade. What followed was a small town focusing its financial resources, police power, and political will to improve a fragile neighborhood.

### **Boundaries of the Redevelopment Area**

The Cascade Redevelopment Area encompasses approximately 156.7 acres and is generally located within the area bounded by Highway 150 (Oak Ridge Farm Road) to the North; Park Avenue (NC Highway 801) to the East; Statesville Avenue (NC Highway 115) to the South; and Norfolk-Southern railroad tracks to the West.

The exact boundaries of the redevelopment area are shown on the "Boundary Map" Exhibit A and other plan maps, which are, incorporated hereto, in the Redevelopment Plan.

### **Methodology of the Survey & Data Base**

A survey of the Cascade neighborhood, both the existing redevelopment area and adjacent areas proposed for inclusion, was conducted in March 2005. Centralina Council of Governments designed a special Microsoft Access database, which contained specific data on individual land parcels accompanied by photographs. Individual sheets within the database may be printed for reference.

The maps included in this plan are based on the most currently available tax maps from Iredell County.

The terms employed in the database and the subsequent conclusions are based on visual inspections and observations, neighborhood history (i.e. which houses had been repaired and to what extent), and experiences learned from implementing the goals of the 1996 Redevelopment Plan.

Structural conditions of individual structures were the primary gauge of blight from the 1996 survey of Cascade. In 1996, there was sufficient incidences of structural problems with the dwellings in the area that Cascade was declared a "rehabilitation, conservation, and reconditioning area", which under North Carolina General Statute 160A-503(21) states in part "...to be subject to a clear and present danger that, in the absence of municipal action to rehabilitate, conserve, and recondition the area, it (the area) will become in the reasonably foreseeable future a blighted area..."<sup>2</sup>

Under the 2005 survey, structural conditions were again considered as an indication of blight conditions. In addition land uses, the presence of junk cars; overgrown lots; and environmental

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<sup>2</sup> NCGS 160A-503(21)

issues were also considered indications of blighting influences. Situations were noted in the survey where the structure was standard but the related land use activities of the parcel was troublesome and “...substantially contributes to the conditions endangering the area...”

It should be noted that substantial progress has been made in Cascade to rid the neighborhood of its most visible slum and blight. Examples of improvement include the removal of the seven dilapidated houses that fronted the corner of Cascade Main Street and Williams Street (gateway to Cascade); numerous neighborhood cleanups sponsored by the Town; new housing construction; improved street drainage and sidewalks; and the multi-million dollar renovations occurring at the Kings Creek Apartments. The 76-unit complex now renamed Meadowlark Glen will, however, retain its reputation for many years.

Below is a summary of the survey results:

## Cascade Redevelopment Plan Survey Summary Results

<b>Land Use by Condition Classification</b>	0-Vacant, Associated Landuse	1-Standard/ Minor Needs	2-Moderately Deteriorated	3-Severely Deteriorated	4-Dilapidated	<b>Total</b>
Commercial		2				<b>2</b>
Industrial		1	1			<b>2</b>
Institutional	2	4				<b>6</b>
Residential	1	47	70	20	10	<b>148</b>
Vacant	35	2	1			<b>38</b>
Vacant, Associated Landuse		1				<b>1</b>
<b>Total</b>	<b>38</b>	<b>57</b>	<b>72</b>	<b>20</b>	<b>10</b>	<b>197</b>

<b>Percent (%) of Each Land Use Type Grouped by Condition Classification</b>	0-Vacant, Associated Landuse	1-Standard/ Minor Needs	2-Moderately Deteriorated	3-Severely Deteriorated	4-Dilapidated	<b>Total</b>
Commercial	0%	4%	0%	0%	0%	<b>1%</b>
Industrial	0%	2%	1%	0%	0%	<b>1%</b>
Institutional	5%	7%	0%	0%	0%	<b>3%</b>
<b>Residential</b>	<b>3%</b>	<b>82%</b>	<b>97%</b>	<b>100%</b>	<b>100%</b>	<b>75%</b>
Vacant	92%	4%	1%	0%	0%	<b>19%</b>
Vacant, Associated Landuse	0%	2%	0%	0%	0%	<b>1%</b>
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Percent (%) of Each Condition Class Grouped by Land Use Category						Total
	0-Vacant, Associated Landuse	1-Standard/Minor Needs	2-Moderately Deteriorated	3-Severely Deteriorated	4-Dilapidated	
Commercial	0%	100%	0%	0%	0%	100%
Industrial	0%	50%	50%	0%	0%	100%
Institutional	33%	67%	0%	0%	0%	100%
Residential	1%	32%	47%	14%	7%	100%
Vacant	92%	5%	3%	0%	0%	100%
Vacant, Associated Landuse	0%	100%	0%	0%	0%	100%
<b>Total</b>	<b>19%</b>	<b>29%</b>	<b>37%</b>	<b>10%</b>	<b>5%</b>	<b>100%</b>

### Abandoned Units by Condition

	Yes		No		Total	
	#	%	#	%	#	%
0-Vacant, Associated Landuse	0	0.0%	38	100.0%	38	100.0%
1-Standard/Minor Needs	1	1.8%	56	98.2%	57	100.0%
2-Moderately Deteriorated	3	4.2%	69	95.8%	72	100.0%
3-Severely Deteriorated	3	15.0%	17	85.0%	20	100.0%
4-Dilapidated	1	10.0%	9	90.0%	10	100.0%
	8	4.1%	189	95.9%	197	100.0%

### Structural Issues by Condition

	Yes		No		Total	
	#	%	#	%	#	%
0-Vacant, Associated Landuse	1	2.6%	37	97.4%	38	100.0%
1-Standard/Minor Needs	14	24.6%	43	75.4%	57	100.0%
2-Moderately Deteriorated	63	87.5%	9	12.5%	72	100.0%
3-Severely Deteriorated	20	100.0%	0	0.0%	20	100.0%
4-Dilapidated	10	100.0%	0	0.0%	10	100.0%
	108	54.8%	89	45.2%	197	100.0%

### Preliminary Environmental Issues by Condition

	With Issues	Total	% of Total
0-Vacant, Associated Landuse	5	38	13.2%
1-Standard/Minor Needs	10	57	17.5%
2-Moderately Deteriorated	20	72	27.8%
3-Severely Deteriorated	10	20	50.0%
4-Dilapidated	7	10	70.0%
	52	197	26.4%

### Nuisances by Condition

	Yes		No		Total	
	#	%	#	%	#	%
0-Vacant, Associated Landuse	22	57.9%	16	42.1%	38	100.0%
1-Standard/Minor Needs	13	22.8%	44	77.2%	57	100.0%
2-Moderately Deteriorated	25	34.7%	47	65.3%	72	100.0%
3-Severely Deteriorated	12	60.0%	8	40.0%	20	100.0%
4-Dilapidated	8	80.0%	2	20.0%	10	100.0%
	<b>80</b>	<b>40.6%</b>	<b>117</b>	<b>59.4%</b>	<b>197</b>	<b>100.0%</b>

### Tenure of Residential Structures or Parcels by Condition

Condition	Total
<b><i>Owner-Occupied</i></b>	
1-Standard/Minor Needs	31
2-Moderately Deteriorated	32
3-Severely Deteriorated	6
4-Dilapidated	2
<b>Sub-Total</b>	<b>71</b>
<b><i>Renter-Occupied</i></b>	
1-Standard/Minor Needs	14
2-Moderately Deteriorated	36
3-Severely Deteriorated	11
4-Dilapidated	6
<b>Sub-Total</b>	<b>67</b>
<b><i>Vacant</i></b>	
0-Vacant, Associated Landuse	1
1-Standard/Minor Needs	2
2-Moderately Deteriorated	2
3-Severely Deteriorated	3
4-Dilapidated	2
<b>Sub-Total</b>	<b>10</b>
<b>Total</b>	<b>148</b>

### Summary of Data

The Cascade Redevelopment Area consists of 188 parcels with five parcels containing multiple structures for a total of 197 land uses (structures and parcels) within the Redevelopment Area; 148 land uses are classified as residential. The second largest segment of the remaining parcels are vacant, undeveloped parcels. One hundred thirty-seven (137) land uses or 69.54% are considered to contribute to blighting conditions, as shown in the tables below. The area as designated on Map A, is therefore, predominately residential (75%) and contains “a predominance of buildings or improvements at least two thirds within the area are of the character

described in this subdivision and substantially contribute to the conditions making such area a blighted area”<sup>3</sup> and “...substantially impairs or arrest the sound growth of communities.”<sup>4</sup>

In addition to its residential structures (including the historic Brawley House), the redevelopment area includes the historic Cascade Mill (which is fully occupied, but used primarily as warehousing), two churches, a garage, a city park, and several cemeteries.

<b>Cascade Redevelopment Area</b>	Total Land Uses	Percent of Total
Commercial	2	1.0%
Industrial	2	1.0%
Institutional	6	3.0%
<b>Residential</b>	<b>148</b>	<b>75.1%</b>
Vacant	38	19.3%
Vacant, Associated Landuse	1	0.6%
<b>Total</b>	<b>197</b>	<b>100%</b>

<b>Blighting Conditions by Land Use Classification</b>	No Blighting Conditions	Contribute to Blighting Conditions	Percent Contribute to Blighting Conditions by Land Use
Commercial	0	2	100.0%
Industrial	1	1	50.0%
Institutional	4	2	33.3%
<b>Residential</b>	<b>40</b>	<b>108</b>	<b>73.0%</b>
Vacant	14	24	63.1%
Vacant, Associated Landuse	1	0	0.0%
<b>Total</b>	<b>60</b>	<b>137</b>	<b>69.5%</b>

### **Demographics of the Area**

Historic Census data is not specific for Cascade. As Mooresville has grown, Census group blocks have been available within the tract data. Even with this additional division, narrowing the Census data to correspond with the redevelopment area was conjecture. More reliable information was gained from periodic neighborhood surveys for grant applications.

Reviewing the 1990 and 2000 Census, the redevelopment area showed aged housing, but very few units “lacking of complete plumbing”(a typical indicator of slum & blight conditions); the area did reflect it’s higher than the Mooresville norm for rental units, but not an astonishing percentage (50%). The block group data for the Cascade area in the 1990 Census showed a 17% poverty rate, which by the 2000 Census had dropped to 11%.

<sup>3</sup> NCGS 160A-502 (2)

<sup>4</sup> NCGS 160A-501

Cascade was a mill village, not on the scale of the large “Mill Hill” (the Mooresville Mill village) on South Main Street, but an area many Mooresville residents were familiar with. They grew up there; played baseball at the park; or worked at the Cascade Mill (including former Mayor Joe Knox). The neighborhood was always predominantly working class.

Although not a designated historic district, the age (80-100 plus years old) of the mill dwellings make them eligible for historic review. The architecture is typical of southern piedmont mill houses and is common to Iredell, Rowan, Cabarrus, and Mecklenburg Counties, usually not warranting mention in any historic inventory. Recent discussions of "neo-traditional" design has renewed interest in the merits of mill village design, i.e., houses placed close to the street, street grids (no cul-de-sacs), walkable communities, front porches, landscaped open areas, and higher densities of lots and houses (smaller lot sizes). Such neighborhoods are also readily adapted to transit-oriented development (TOD).

The racial, familial, and age characteristics of the Cascade reflect changes from the past. As the original owners died, younger families moved into the area. A rough estimate of the current population within the area is 500 people.

In summary, the Cascade area is an older, compact residential neighborhood with municipal services (water, sewer, paved streets and garbage pick-up), aged housing, and occupied predominately by moderate-income households. It’s uniqueness lies in the fact that much of the original “mill village layout” and dwellings remain intact.

### **Conclusion**

The area is declared a “rehabilitation, conservation, and reconditioning area” under the North Carolina Urban Redevelopment Law (NCGS 160A-500). Map B, “Conditions Map” visually depicts the conditions within the Redevelopment Area.

## Chapter 3

### CASCADE REDEVELOPMENT PLAN OBJECTIVES

The land use plan, appearance standards, and program activities of the Plan are designed to achieve the following objectives:

- a. Elimination of blighting conditions from the neighborhood.
- b. Improve the quality of existing housing units through a formal rehabilitation program, which utilizing the highest standards of rehabilitation and the enforcement of the plan's appearance standards.
- c. Disallow the demolition of the "historic" mill houses.
- d. Selected new in-fill housing construction that is compatible with the existing housing, in terms of appearance, scale, features, and marketability.
- e. Provide homeownership opportunities by continuing educational and homebuyer assistance programs; continue converting rental properties to owner-occupancy and developing building lots for new housing available to homebuyers.
- f. Preserve the historical, architectural, and neighborhood aspects of the area including the area's cemeteries.
- g. Stimulate private investment in this area in terms of rehabilitation and new development.
- h. Development of a greenway and open space system.

## Chapter 4

### PROPOSED CASCADE REDEVELOPMENT GOALS & ACTIVITIES

The Cascade Redevelopment Plan is focused on the following goals:

- Removal of blighting influences to improve the desirability of living in Cascade
- Increase the percentage of owner-occupied housing
- Preserve and conserve the mill houses and village neighborhood
- Prepare the area for commuter transit by the development of appropriate in-fill housing

To this end, the Redevelopment Plan provides for a combination of acquisition, limited clearance, new construction, housing rehabilitation, code enforcement, and continued planning activities to achieve these goals. Specific recommendations:

- Continue the acquisition of houses and land parcels for housing rehabilitation, homeownership opportunities, in-fill housing, and street & greenway connections;
- Continue the partnership with the Mooresville Community Housing Development Corporation (CHDO) and seek additional non-profit and private development partners to construct in-fill housing on parcels assembled by the Town;
- Continue the resale of acquired houses to first-time homebuyers;
- Continue land assembling for new housing subdivision and construction;
- Establish a “conservation overlay district” under the zoning ordinance to afford additional protection to the existing “historic” houses;
- Establish “land banking” for watershed, open space and greenway protection;
- Seek removal or conversion of single-wide mobile/manufactured homes from the area;
- Promote “transit oriented development designs”, and “smart growth” concepts within the area;
- Continue to emphasis homeownership;
- Resolve the ownership issue of the abandoned cemeteries adjacent to the Town’s Green Acres cemetery; and
- Install traffic calming devices to reduce speeding thought the neighborhood.

## Chapter 5

### REDEVELOPMENT CONTROLS

#### Proposed Improvements

The proposed activities and uses are shown on the "Proposed Improvements Map" as Exhibit "C".

#### Land Use Provisions, Building Requirements, and Other Regulations, Controls and Restrictions

In order to achieve the objectives of this Plan, the redevelopment and use of the land constituting the Redevelopment Area, will be made subject to the requirements and restrictions specified in this subsection. For the purpose of (a) this Plan, and (b) any provisions of law (federal, state or local) having reference to the land uses specified or provided in the Plan for the Redevelopment Area, and (c) any contract or transaction entered into by the Town of Mooresville with respect to the Redevelopment Area; it is intended that the provisions of this subsection, together with the category of land use indicated on the land use map, shall be deemed to constitute the provisions or parts of the Plan that specify the use of land in the Redevelopment Area. It is further intended, that compliance with the requirements set forth in this subsection, together with the use indicated on the land use map, by the Town of Mooresville, by purchasers or owners or any other party, shall be deemed to constitute compliance by them with the requirements and provisions of this plan as to uses specified for the land within the Redevelopment Area.

#### Appearance Standards

Any structure which requires a zoning and/or building permit must comply with these standards. Any newly constructed structure, rehabilitated structure, or a structure moved to a site within the Redevelopment Area as defined in Map A, must provide, at a minimum, a site plan including front and side elevations of the proposed structure with sufficient exterior detail to determine roof pitch, building & size diminutions (window, door, and front porch), and proposed building materials to the Planning Director (or his/her designee) and meet the following standards and specifications before a zoning permit is issued:

- 1) Single and Two Family Detached Dwellings
  - a) Roof design; window shape and size; front porch placement, width, and size; and other exterior features/details must compliment and be compatible to the existing dwellings in the area (particularly on both sides and across the street from the proposed dwelling).
  - b) Be placed on a brick foundation (crawl space) with a dug and pored concrete footing meeting the State Building Code, unpierced except for required access and ventilation.
  - c) Utilize likekind (material, color, & pattern) roofing materials; pitched roof (having sufficient degree similar to adjacent dwellings) is required; asphalt shingles or "colored" steel including any "covered" porches with ridge and gable ventilation (no turbine vent).

- d) Exterior materials and colors similar to adjacent dwellings: specifically finished brick, “lapped” wood, concrete square (formerly asbestos) shingles, or vinyl siding (no tin, metal siding or “rolled” asphalt covering allowed). All exterior surfaces (excluding porch or deck floors or railings) must be finished with appropriate trim, painted or covered in approved vinyl or metal wrap.
  - e) Wood or plastic/vinyl windows shutters on the front and side windows (shutters must extend to or beyond the tops and bottoms of the windows).
  - f) Front porch (covered, gabled or similar finished materials as the main structure) extending more than 50% the length of the front exterior elevation and minimum of 10 feet in width with required hand railings and pickets. Samples of suggested design are in the Cascade Master Plan.
  - g) The design guidelines of the Cascade Master Plan.<sup>5</sup>
  - h) Building placement & orientation with existing structures (no missing tooth appearance).
  - i) All accessory structures must be in the rear yard.
  - j) All-weather driveway and off-street parking area must be provided on site.
- 2) Multi-Family, Attached Dwellings
- a) The standards and specification as above.
  - b) The design guidelines of the Cascade Master Plan

**General Regulations and Controls**

(1) Temporary Structures

No structure of a temporary character shall be used for residential purposes at any time on any residential lot, either temporarily or permanently. Temporary structures used in connection with construction on any lot or street within the Redevelopment Area shall be permitted only with the approval of the Town of Mooresville Zoning Administrator for a specified period of time.

(2) Easements

- a) When necessary for poles, electric lights, conduits, storm sewers and sanitary sewers, gas lines, water pipe lines or other services, easements shall be reserved and shown on a recorded plat.
- b) Any use of these easements by the property owner shall be subject to the approval of the authority having jurisdiction.

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<sup>5</sup> Town of Mooresville, Cascade Master Plan, March 2003

(3) Nuisances

- a) No illegal, noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance to adjacent or surrounding owners.
- b) All land use codes and Mooresville Town Codes must be adhered to.

(4) Visual Blight

- a) Excessive or continuous parking in yards (and outside storage) of vehicles (junked or otherwise), equipment or other materials not generally considered to be of a residential nature is strictly prohibited.
- b) No parking of tractor trailers i.e. “eighteen wheelers” (or any variation such as a tractor without a trailer or a trailer without a tractor) is allowed at any time on the street, in driveways, parking areas, in the yard area, or on any lot/parcel.
- c) Commercial or work vehicles are limited to one (1) truck of less than 1-ton and must be parked in the side, rear yard or in a garage. No on street parking is allowed.
- d) A construction trailer is permissible with a valid zoning and building permit for the duration of construction or renovations, however, must it must be removed within thirty (30) days of issuance of a certificate of occupancy. Any required permit or permission is required.

(5) Lot of Record

Where the owner of a lot of official record, at the time of adoption of this Plan or his successor in title thereto, does not have sufficient contiguous land to enable him to conform to the minimum lot size requirements of this Plan, such lot may be used as a building site provided; however, that the requirements of the land use category complied with or a variance is obtained from the Town's Board of Adjustment. Notwithstanding the foregoing, wherever two (2) or more adjoining vacant lots of record are in single ownership at any time after the adoption of this Plan, such lots shall be considered as a single lot or several lots which meet the minimum requirements of this Plan for the land use category in which such lots are located.

(6) Sanitary and Waste Refuse Storage

Sanitary and waste refuse storage and collection facilities (i.e. bulk containers) on the lot or parcel shall be appropriately screened from view. Screening must be architecturally compatible with the principle structure such as a corral enclosure of suitable materials meeting the Appearance and Design Standards.

(7) Property Maintenance

All structures shall be maintained so as to assure a state of good repair. All finished surfaces shall be maintained so as to prevent and eliminate flaking, peeling, blistering, and excessive weathering. All lots shall be free of debris and weeds.

(8) Underground Utilities

For new subdivisions, all utilities must be placed underground. For any new housing construction, structure placement, or when services are upgraded, all electric drops must be placed underground.

(9) Tree Planting & Maintenance

Property owners must properly trim and care for the trees on their lots. There is to be no “topping” of trees within the Redevelopment Area. Mature trees are not be removed unless diseased without specific approval of the Towns’ Tree Board.

(10) Prohibition of Mobile/Manufactured Homes

- a) The placement of mobile or manufactured homes (those with the HUD stamp) is prohibited within the Redevelopment Area.
- b) Modular homes (without the HUD stamp and meeting the NC Building Code) are permitted provide they meet the Plan’s appearance standards.

(11) Commercial Maintenance Code

The standards of the Mooresville Commercial Maintenance Code are hereby adopted for the Cascade Redevelopment Area and any non-residential structure must meet these standards. The Code is located in Chapter 11 as an attachment.

(12) Rehabilitation Standards

- a) All housing rehabilitation is to be of the highest standards and comply with the appearance standards contained in this Plan. Competent workmanship and materials must be utilized.
- b) Discretion and care should be utilized when applying the State Building Code (even the Rehab or New Jersey Code when applicable to Iredell County) to the existing structures as these structures have “stood the test of time”, a criteria of application. The application of these codes should not destroy the historic, aesthetic beauty and uniqueness of these structures.
- c) At completion the dwelling must meet the Town’s minimum housing and the Town’s Property Rehabilitation Standards (Exhibit 1).

(13) Demolition or Removal of Portions of Existing Structures

- a) A request (permit) to demolish a structure, substantially renovate (including any associated demolition or removing existing exterior portions of the structure), repair or replacement of windows, and alternations (repairs/renovations) to the front porch area such as the porch columns or porch roof on any structure within the Redevelopment Area must be submitted to the Mooresville Planning Department for review. A review of actions is required

even if a zoning permit or building permit is NOT required for the work. .

- b) Any request for demolition or renovation must include a scaled site plan, building elevations, photographs, and a detailed written justification by the applicant for why **any** demolition is required. *To the greatest extent feasible, the “historic” mill houses must be preserved.*
- c) The Town will have sixty (60) days to evaluate any demolition request and make recommendation including the consultation with outside experts and the development of alternates.

### **Design Objectives and Controls**

It is the intent of this Plan that all redevelopment be of the highest possible quality of design and contribute to an overall upgrading of the Redevelopment Area. Preliminary plans must be submitted and discussion held with the Town of Mooresville or its designee to review all criteria and standards before any construction shall begin. Permits are required for renovation or demolition.

The Town of Mooresville shall require that preliminary plans be submitted and approved prior to the acceptance of a bid from a private redeveloper and shall require that final construction drawings and specifications be submitted and approved before any construction shall begin.

Cut & fill land grading activities are discouraged. Every effort must be made to preserve existing buildings and trees. Site grading should be kept to a minimum.

### **Redeveloper's Obligation**

Disposition of the land comprising the Redevelopment Area will be on the basis of affording maximum opportunity, consistent with the sound needs of the locality as a whole, for the redevelopment of such area by private enterprise. The land in the area will be disposed of, by lease or sale, to public or private parties for redevelopment by them in accordance with the provisions of this Plan and their contract with the Town of Mooresville.

The Town of Mooresville in disposing of the land within the Redevelopment Area for redevelopment by private or public parties will in its contracts or deeds or other instruments to such parties, include such terms and conditions as in the judgment of the Town will be necessary or advisable to insure redevelopment of the Redevelopment Area and its use thereafter in accordance with this Redevelopment Plan and to prevent recurrence of the conditions of blight in this area. Such provisions will be contained in such contracts, deeds, or other instruments irrespective of whether they duplicate, in whole or in part, requirements of existing or proposed zoning, so that such obligations may operate independently of such zoning or other laws or regulations. In all instances, the improvements to be constructed will be undertaken in accordance with applicable local codes and ordinances; the requirements of this Redevelopment Plan; and such other requirements as may be set forth in the contracts between the Town and the redevelopers. Such contracts, deeds or other instruments, in addition to including other terms and conditions as the Town may find desirable in order to implement and effectuate objectives of this Plan, will obligate the purchaser of land in the Redevelopment Area and their successors in interest to:

- a. Devote the parcels owned by them only to the uses specified in this Redevelopment Plan.
- b. Diligently pursue the construction of the improvements agreed upon in the disposition contract and to begin and complete such improvements within a reasonable time as determined in this Contract. (This obligation; however, will not be made applicable to mortgagees and their successors in interest).
- c. Make no changes in such improvements after completion of their construction that are not in conformity with this Plan.
- d. Not effect or execute any agreement, lease or conveyance or other instrument whereby any parcels in the Redevelopment Area owned by them are restricted upon the basis of race, color, religion, sex, familiar status, handicap, or national origin in the sale, lease or occupancy thereof. (This obligation to be effective without limitation as to time, regardless of any termination date provided with respect to any other provisions of this Plan).
- e. Not to assign contract rights or to resell or otherwise transfer the land (or interests herein) purchased by them prior to the completion of the improvements thereon without the approval of the Town and not to speculate in or with respect to such land.

It is the intention of this Plan that the Town of Mooresville be the beneficiary of all such covenants and obligations and that it (in addition to other appropriate public agencies) shall be entitled to represent the interest and to act on behalf of the Town in enforcing such covenants and obligations as to the redevelopment and continued uses of the Redevelopment Area in accordance with this Plan. It is further intended that the Town, through the disposition contracts, will retain such rights and remedies, as it shall find necessary or desirable in order to protect the interests of the Town. At the same time, for the reasonable protection of the purchasers and owners of any land in the Redevelopment Area, and also to prevent undue clogging of, or clouds upon, title with respect to such land, it is intended that the Town provide, upon completion of the improvements in the Redevelopment Area, certification to that effect which shall conclusively represent a determination that the covenants, with respect to the construction of the improvements, have been compiled with and their existence is terminated.

### **Land Disposition Covenants**

These restrictions will be made effective by recording them as restrictive covenants in the Office of the Register of Deeds for Iredell County to which reference will be made in the deeds of Redevelopment Area properties or by including the applicable restrictions in the instruments of conveyance. These requirements and restrictions will be reinforced by applicable public codes, adopted and enforced by the Town of Mooresville and for Iredell County and/or the State of North Carolina. In case of conflict between requirements and restrictions of this Plan and any applicable code, the more restrictive shall apply.

## **Chapter 6**

### **PERIOD OF DURATION OF THESE PROVISIONS**

It is the intent that the provisions of this Plan, including the additional regulations, controls, and restrictions placed on the Redevelopment Area, shall be effective upon the date of approval by the governing body of the Town of Mooresville, North Carolina, and shall remain in effect for a period of twenty (20) years from the approval date.

The Official Zoning Map for the Town of Mooresville should designate the “Cascade Redevelopment Area” as an overlay district.

## Chapter 7

### OTHER PROVISIONS TO MET STATE AND LOCAL LAW

#### **Feasible Method Proposed for the Relocation of Families and Individuals Displaced from the Project Area**

The Town of Mooresville will have in compliance with state and federal law, a feasible plan for the relocation of families and individuals from the Redevelopment Area and in areas not generally less desirable in regard to public utilities and public and commercial facilities, at rents or prices within the financial means of the families and individuals displaced. Such units will be available to these displacees and will be reasonably accessible to their places of employment and needs such as handicapped accessibility.

Every family and individual displaced by the project, who is eligible for admission will, in accordance with federal and state law, be given priority in vacancies or turnovers in existing or new public housing programs. All possible relocation services will be extended to families and individuals displaced by program activities.

The Town of Mooresville considers a dwelling unit to be "standard housing" and to be decent, safe, and sanitary when:

- a. It is in compliance with the Town's building, housing, and zoning codes;
- b. It is in good repair and is weathertight, with no leakage or dampness;
- c. It has no health, fire, nor safety hazards within the structure or in the immediate vicinity;
- d. It has safe running water, a private flush toilet, and a bathroom with tub or shower with hot and cold running water, all within the dwelling unit;
- e. It has permanent, reasonably efficient kitchen facilities, including sink, cooking stove connections, shelves and storage space for food utensils;
- f. It has facilities for washing and drying clothes;
- g. It is large enough to accommodate the family without overcrowding;
- h. It is equipped with adequate heating facilities or has flue connections for adequate heating equipment, is adequately ventilated by at least one openable window in every room and is screened, or screens are available;
- i. It is safely and adequately wired for electricity;
- j. It is located in a neighborhood, which is free from nuisances, is supplied with the community facilities of a standard neighborhood, and is reasonably accessible to transportation, schools, churches and stores.

Prior to relocation, all dwellings into which families and individuals intend to relocate will be inspected by the Town's Planning Department (or its assignees).

These dwellings must be found to be decent, safe, and sanitary housing units. The Planning Department will undertake to offer such displacees every opportunity to move into suitable standard housing units. The Town will make every effort to locate any families and individuals who move without notifying the Town of their new address.

Planning Department (or its assignee) will be responsible for relocation activities and will maintain contact with the displacees, look after applications for public housing, locate suitable standard housing available in the community and will extend every assistance possible in the relocation of families and individuals.

No family or individual will be required to move from the Redevelopment Area unless they have had adequate opportunity to obtain suitable standard housing. As property is acquired, the occupants will be advised in writing and by personal interview in regard to their relocation, and information will be furnished as to suitable accommodations that are available. A file will be maintained by the Planning Department listing available dwellings evaluated through inspection by the staff.

Temporary relocation benefits will be provided to households, who voluntarily move from their dwellings during town-sponsored rehabilitation of their homes. Benefits would include reasonable temporary housing costs (deposits and rents), reasonable moving and storage expenses, and reasonable out of pocket expenses, all with receipts.

### **Zoning**

The redevelopment area is zoned R-6 MH, R-8, and GI. It is recommended that the Town consider rezoning all the residential areas as R-8 District, which will better reflect the lot sizes and uses of the area and the abutting properties. An R-8 District would be compatible with the goals and objectives of this Plan as mobile/manufactured homes are prohibited.

In addition, the Redevelopment Area should also be accorded a designation as a Conservation Neighborhood overlay district for additional protection.

### **Street Changes**

The area requires refinement of the street numbering system to eliminate duplication (there are three houses with #50 Selma Avenue), provide additional street numbers for new development, and to assist the 911 system.

### **Estimated Cost, Method of Financing, and Implementation**

The Town will primarily finance the cost of the proposed redevelopment activities with Community Development Block Grant Funds received under the Small Cities Program, the HOME Investment Partnership Programs (HOME), and recaptured loans from past rehabilitation and community development programs. Private contributions/donations, Town of Mooresville funds, and private capital will also be used.

With the number of land acquisitions, new housing construction, and the housing rehabilitation proposed in the Cascade Area, the project will be phased.

The implementation of this plan will be multi-year. The 1996 plan had a five (5) years phasing, but in actuality took nine (9) years to complete.

## **Chapter 8**

### **PROCEDURE TO MAKE CHANGES TO THE REDEVELOPMENT PLAN**

The Town of Mooresville may modify/amend this Redevelopment Plan at any time provided that, if modified after the sale of real property in the Redevelopment Area, the modifications must be consented to by the redeveloper of such real property or his successor, or their successors in interest affected by the proposed modification. Any proposed modification or plan amendment must be approved in the same manner as the Redevelopment Plan was originally adopted: 1) review and recommendation of the Mooresville Planning Board; 2) a ten (10) days published notice and a public hearing; and 3) adoption by the Board of Commissioners for the Town of Mooresville (acting as the Redevelopment Commission).

## Chapter 9

### IMPEDIMENTS TO PLAN COMPLETION

#### **Limitation of the Watershed District**

**Problem:** The Cascade Area is located in the Yadkin-Back Creek Water Supply Watershed District (WS II Balance), which limits single-family development (or in this case the redevelop of existing lots) to one dwelling per acre or 12% built upon (unless the High Option provision is approved). This is inappropriate for an existing urban neighborhood and would wreck havoc with any attempt to build affordable (i.e. low-moderate income housing) in a fast growing community such as Mooresville.

**Recommendation:** the Town must seek the cooperation of the City of Kannapolis to repeal or scale back this watershed; and/or apply to the Environmental Management Commission for a variance/waiver of the WS II Balance requirements; and/or “land bank” watershed acreage to implement portions of this Plan.

#### **Costs For Improvements**

**Problem:** The Town has limited access to the financial resources (the “big money”) required to carryout the complex activities proposed for the redevelopment of the Cascade land parcels: subdivision development (land acquisition, land design, infrastructure installation). As a non-entitlement CDBG city, Mooresville must access any CDBG funds through the State of North Carolina. North Carolina’s Small Cities CDBG program is fragmented and complex.

The State CDBG funds are divided into “categories” (or sub-categories) where individual activities/projects must be submitted under specific categories (i.e. concentrated needs, housing development, infrastructure) for awards (some are competitive with rankings & scores). Each category has a maximum amount that maybe awarded (i.e. \$250,000 for housing development, \$700,000 for infrastructure). Target areas (considerably smaller than the redevelopment area) are designated where the emphasis is on concentrations of low-income households and severe housing. A fundable program of activities that fits into the State’s criteria and meets the need of Cascade is difficult to obtain.

Identifying “targeted” activities and selecting projects that will qualify under the complexities of the State’s CDBG program is time-consuming and not always successful.

Lack of sufficient funds makes the redevelopment of Cascade proceed incrementally at a slower pace than desired.

**Recommendation:** Continue to apply for appropriate funding sources.

#### **CATS Transit**

**Problem:** The Charlotte Area Transit System (CATS) has tentative plans to run commuter rail into Iredell County with three (3) “stations” proposed for the Mooresville area (Mt. Mourne,

downtown, and Williams Street). The Williams Street station in Cascade may have the “park & ride” lot and the possibility of the maintenance shop for the trains.

The arrival of the commuter train would have a major impact on the Cascade neighborhood.

Currently there is no reliable sustained funding to facilitate the expansion of the CATS system to Mooresville.

Recommendations: 1) Continue to search for a solution or compromise for funding the transit; and 2) the Cascade name should be inserted into the planning documents and press releases instead of Williams Street to link the Cascade name to the transit station and give the terminus an identity.

## **Chapter 10**

### **Appeals**

Any person effected by the Plan or any provisions of this Plan may seek relief from the strict requirements or may appeal interpretations of the Plan by officials by filing a petition with the Mooresville Board of Adjustment. A public hearing properly advertised must be held.

Presentation of evidence and justification for a waiver or variance of the strict enforcement or applications of provisions of this Plan must be presented.

Documentation of decision by the Board of Adjustment must be recorded.

The procedures of the Board of Adjustments for zoning variance are to be followed.

# **Chapter 11**

## **Maps, Exhibits, and Attachments**