



AGENDA

Regular Town Board Meeting (VIRTUAL)

November 16, 2020 - 6:00 PM

HOSTED FROM TOWN HALL (101 Huntersville-Concord Road)

Virtual Meeting Information *This meeting will be held both in person at the Huntersville Recreation Center located at 11836 Verhoeff Drive, Huntersville, NC 28078, and virtually via livestream at <https://www.facebook.com/HuntersvilleNCTownGovernment>. The Board of Commissioners will participate remotely. The public is invited to attend and comment during public comment or during any of the public hearings (1) in person at the Huntersville Recreation Center, 11836 Verhoeff Drive, Huntersville, NC 28078 or (2) by telephonic communication in accordance with instructions sent to persons who have registered with the Town Clerk no later than 3 p.m. on November 16, 2020 to speak by telephonic communication. The public may also submit comments by email to the Town Clerk at jpierson@huntersville.org. For public hearings only, emailed comments may continue to be submitted until 24 hours after close of the public hearing. The Town Clerk may be reached by email to jpierson@huntersville.org or by phone at (704) 766-2202.*

- 1. Call to Order**
- 2. Invocation - Moment of Silence**
- 3. Pledge of Allegiance**
- 4. Mayor and Commissioner Reports-Staff Questions**
- 5. Public Comments, Requests, or Presentations** - *Speakers are limited to 3 minutes. The Mayor reserves the right to shorten the time limit for speakers when an unusually large number of persons have signed up to speak. Speakers may not give all or a portion of their time to other speakers.*
 - 5.A. NC DEQ Update on Colonial Pipeline Spill (Wayne Randolph and Scott Bullock, NC Department of Environmental Quality)
- 6. Agenda Changes**
- 7. Public Hearings**

8. Other Business

- 8.A. Consider decision on Hollins Grove Major Revision to Approved Plans. (*Sierra Saumenig*)
- 8.B. Consider decision on Petition #R19-18 - Huntersville Market REVISION, a request by Cambridge Properties, LLC to rezone +/- 28.569 acres located north of the Eastfield Road and Prosperity Church Road intersection (Parcel #s 02119101, 02119168, 0211969, 02119170, 02119171, 02119172, 02119173, 02119174, 02119175) from an existing Highway Commercial - Conditional District (HC-CD) to a REVISED Highway Commercial - Conditional District (HC-CD) to permit 190 age-restricted, active adult housing units and to eliminate a proposed public street. (David Peete)
- 8.C. Consider adopting the Huntersville 2040 Community Plan. (*Dave Hill*)
- 8.D. Consider adopting Resolution Authorizing Upset Bid Procedures Under N.C.G.S 160A-269 for Disposal of Surplus Property. (*Emily Sloop*)
- 8.E. Consider adopting Resolution Authorizing Town Manager to Dispose of Surplus Property to a Nonprofit Organization. (*Bobby Williams*)

9. Consent Agenda

- 9.A. Approve the minutes of the October 5, 2020 Regular Town Board Meeting. (*Janet Pierson*)
- 9.B. Approve Electricities Write-offs. (*Don Mitchell/Pattie Ellis*)
- 9.C. Approve Budget Amendment appropriating PARTF Grant revenue for Rosedale Nature Park to Park Construction. (*Michael Jaycocks/Pattie Ellis*)
- 9.D. Adopt Resolution to Amend the Capital Improvement Program (CIP) and Apply for Charlotte Regional Transportation Planning Organization (CRTPO) Funding for the Gilead Road Widening Project. (*Lora Mastrofrancesco*)

10. Closing Comments

- 11. **Closed Session** *Closed Session pursuant to N.C.G.S. 143-318.11(5) to instruct staff on real property acquisition.*

12. Adjourn

**Town of Huntersville
Town Board
November 16, 2020**

To: Town Board

From: Sierra Saumenig, Senior Planner

Date: November 16, 2020

Subject: Consider decision on Hollins Grove Major Revision to Approved Plans. (*Sierra Saumenig*)

EXPLAIN REQUEST:

Consider decision on Hollins Grove Major Revision to Approved Plans - Sketch Plan, a request by Blue Heel Development to revise the approved plans for the Hollins Grove Sketch to add an additional three (3) lots to the already approved 40-lot subdivision and add approximately two (2) acres of open space.

ACTION RECOMMENDED:

Consider decision on Hollins Grove Major Revision to Approved Plans - Sketch Plan, a request by Blue Heel Development to revise the approved plans for the Hollins Grove Sketch to add an additional three (3) lots to the already approved 40-lot subdivision and add approximately two (2) acres of open space.

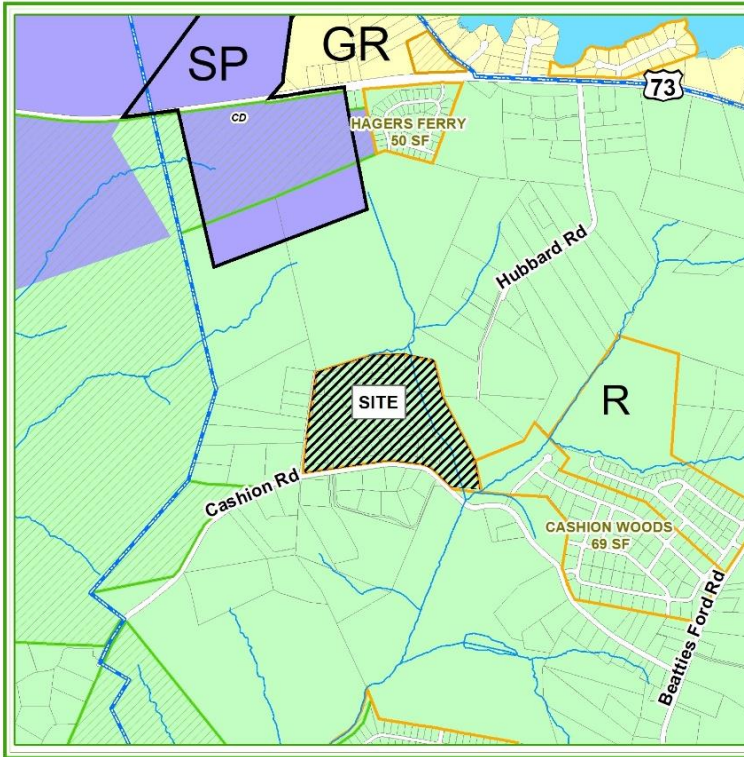
FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. Attachment A - Application
2. Attachment B - Site Plan 111620
3. Attachment C - Neighborhood Meeting Letter and Summary
4. Attachment D - DOA
5. Attachment E - CMS Report

Hollins Grove Sketch Plan (*formally Cashion Road Subdivision*)

PART 1: PROJECT SUMMARY



Applicant/Owner: Blue Heel Development, LLC

Property Address: 5917 Cashion Road

Project Size: +/- 48.28 acres

Parcel Number: 01319111

Current Zoning: Rural (R)

Current Land Use: Residential

Proposed Land Use: 43 single-family lots

The application is Attachment A. The site plan is Attachment B.

PART 2: SITE PLAN DESCRIPTION AND ISSUES

- Proposal:** This request is for a major revision to the approved plans (*previously Cashion Tract*) that was approved on March 7, 2016. If approved, this revision would include adding an additional three (3) lots as well as approximately 2 acres of common open space to the Hollins Grove subdivision.
- On July 20, 2020, the Town Board approved the text amendment (TA20-05) proposal to change the Rural Zoning district requirements (see below). With the addition of approximately 2 acres of open space and the approval of this text amendment, the applicant can increase their density to .9 units per acre as allowed in the Rural zoning district.

d) General Requirements

- Lot sizes shall average at least ~~18,000~~ **15,000** sq. ft., but in no case shall any lot be less than ~~15,000~~ **8,000** sq. ft. The front yard setback for residential lots shall be a minimum of ~~20'~~ **25'** (NOTE: 25' added by staff to correct inconsistency with Article 4, Detached House Type). The side yard setback shall be ~~12'~~ **8'** and the rear yard setback shall be a minimum of 25'.
- Lot widths shall average at least ~~100~~ **70'** feet (excluding cul-de-sac lots), but in no case shall any lot be less than ~~80'~~ **60'** wide. On cul-de-sac or turn-arounds, lots shall have at least 80% of the minimum lot width required when measured to a point 50' back from the street right-of-way. Further, these lots shall have a minimum 35' of frontage along the street right-of-way.

3. Adjacent Properties:

North: Rural (R) single-family: Vacant land, owned by Duke Energy

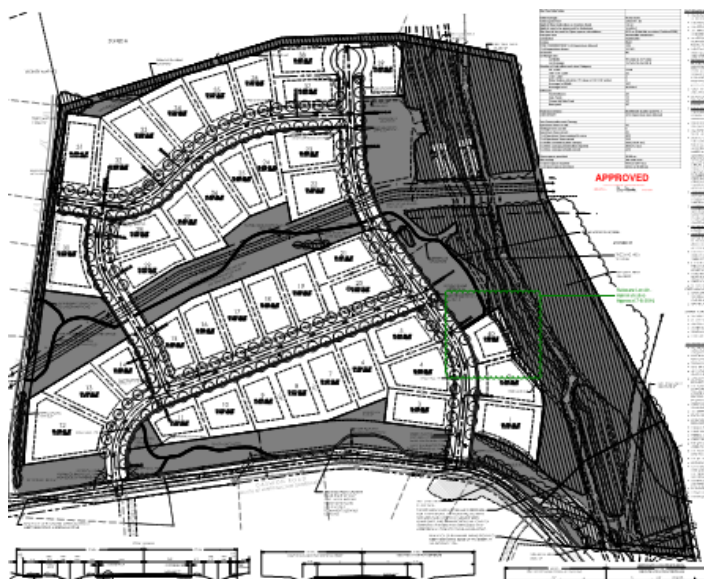
South: Rural (R), single-family: Elizabeth Circle Farmhouse Cluster

East: Rural (R) single-family: Large lot single-family residential

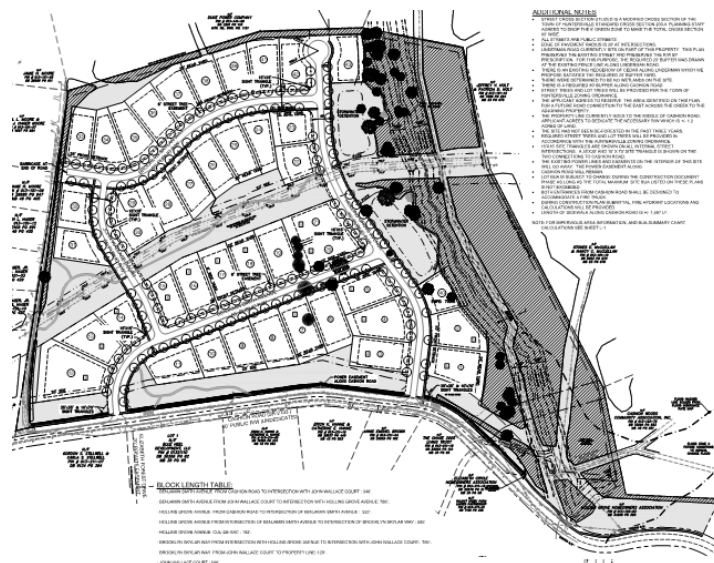
West: Rural (R) single-family: Large lot single-family residential

4. A neighborhood meeting was held on September 28, 2020 see Attachment C, Neighborhood Meeting Summary.
5. The proposed project is in the Mountain Island Lake Protected Area -1 (MIL-O, PA-1). The proposed impervious area is 17.4%
6. Max density allowed is .9 units an acre with 45% open space. The project has provided .9 units an acre with 48% open space.
7. 50% of the existing tree canopy and 50% of the existing specimen trees are required to be saved. The developer is saving 68% of the tree canopy and 71% of the specimen trees onsite.
8. Buffers, block length, street standards, connectivity and setbacks are all compliant with the zoning and subdivision ordinance.
9. This sketch plan would replace the existing 2016 Sketch Plan for a 40-lot subdivision. Below compares the approved Cashion Tract Sketch Plan (on the left) and the current proposed revision to the Hollins Grove subdivision (on the right).

Cashion Rd. Site Sketch (2016)



Hollins Grove Sketch Revision (2020)



Site Details:	Zoning Ordinance Reqs.	Cashion, 2016	Hollins Grove, 2020
Lot Count	-	40	43
Total Acreage	-	46.52 acres	48.28 acres
Density	.9 units per acre maximum	.88 units/acre	.9 units/acre
Specimen Tree Save/Tree Canopy Save	50% canopy and 50% specimen tree req. to be saved	76% specimen tree save / 66% tree canopy save	71% specimen tree save / 68% tree canopy save
Open Space	45% with .9 units per acre	46%	48%
Lot Width Range*	60' minimum	90' to 217'	80' to 170'
Lot Size Range*	8,000 sq. ft. minimum	15,763 sq. ft. - 36,188 sq. ft.	13,910 sq. ft. - 36,188 sq. ft.
Setbacks*	-	Front – 25' Side – 12' Corner Lot Side – 15' Rear – 25'	Front – 25' Side – 8' Corner Lot Side – 15' Rear – 25'

*Changes consistent with the approved text amendment (TA20-05)

PART 3: TRANSPORTATION ISSUES

No transportation issues. NCDOT reviewed the updated site plan and is not requiring road improvements for this revision.

PART 4: PLANNING STAFF ANALYSIS

Section 6.200 of the Subdivision Ordinance outlines the “general requirements and policies to be used in the design, review, and approval” of subdivisions in the Town of Huntersville. The following staff findings are provided for the Board’s consideration of the Subdivision Sketch Plan.

1. Consistency with adopted public plans and policies.

The following sections of the 2030 Huntersville Community Plan apply to this request:

- **Policy H-1: Development Pattern.** Continue to follow existing residential development pattern as reflected in “Map of Zoning Districts,” focusing higher intensity development generally within two miles of the I-77/NC 115 corridor and lower development from the east and west of this corridor extending to the Town boundaries.
STAFF COMMENT: The proposed density of Cashion Subdivision is .9 units per acre which is consistent with this policy of the 2030 Community Plan and the Rural (R) zoning district.
- **Policy E-2: Location of New Development.** Avoid locating new development in areas of significant environmental, scenic or cultural resources.
STAFF COMMENT: Planning staff has no indication that the request will adversely affect known cultural, scenic or environmental resources. On sheet L-4, the applicant has provided an updated 4-step design process, which is required by Section 6.300.14 of the Subdivision Ordinance.
- **Policy E-3: Environmental Regulations.** Support and enhance environmental regulations pertaining to tree preservation, buffer yards, open space, water quality, wetland and stream protection.
STAFF COMMENT: The Rural (R) zoning district requires fifty (50%) percent of the existing tree canopy to be preserved; the developer is providing sixty-eight (68%). As required 50% of all specimen trees are required to be saved. The applicant is saving seventy-one (71%) percent of the specimen trees. There is flood plain and storm water buffers located on the property are not being encroached upon. The site was designed using the 4-step design process per Section 6.300.14 of the Subdivision Ordinance and includes open space that meets the evaluation criteria found in Article 7.13 of the Zoning Ordinance.
- **Policy T-5: Context-sensitive Design of Streets.** Continue to support “context-sensitive” design of streets and the selection of appropriate street section designs for residential, commercial and industrial developments applications.
STAFF COMMENT: The street cross section used is appropriate for residential use. There are 10’ travel lanes. On one side of the street is a ditch (total 12’), 6’ green zone (planting strip) and 5’ sidewalk and on the other side of the street is a ditch (total 12’) and a 6’ tree easement. The total right-of way width is 65’.
- **Policy T-6: Pedestrian Connections.** Support the installation of sidewalks, bikeways and greenway trails connecting residential, commercial, employment, recreational and institutional uses.
STAFF COMMENT: The applicant has provided sidewalks on one side of the street on all internal subdivision streets. A meandering sidewalk is installed along Cashion totaling 1,712 linear feet. The plan is also showing a proposed sidewalk along Cashion Rd. adjacent to the additional open space. Internal to the subdivision the developer has constructed soft surface natural trails. There are no public greenways called for within the boundaries of the subdivision; however, depending on future development a connection to the North could be made as called for in the adopted Beatties Ford Corridor Plan and the Town of Huntersville Greenway and Bikeway Master Plan.
- **Policy T-8: Street Connectivity.** Promote and require street connectivity in the Town of Huntersville among residential, commercial, employment, recreational and institutional uses.
STAFF COMMENT: The development has two separate entrances from Cashion Road. Internal to the subdivision a stub street located on the western property line provides a right of way extending to Linderman

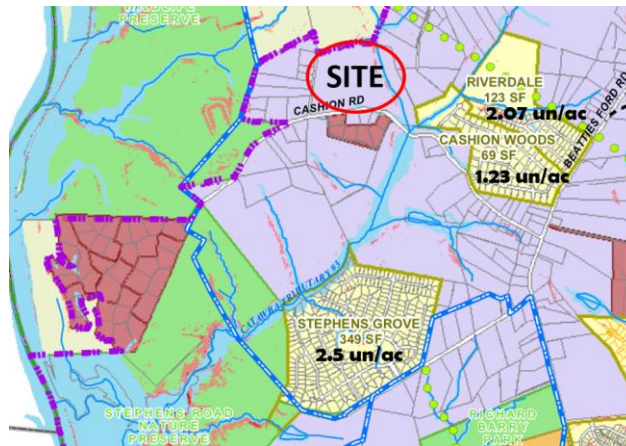
Street (private easement) to provide for future connectivity. A connection to the east, due to the creek provides restraints. A connection to the north into Duke Energy property is not warranted, but the developer has extended the right-of-way to the property line to provide for future connectivity should development occur. The developer, as called for in Beatties Ford Corridor Plan, is reserving area within the southeast corner of the subdivision to allow for a north-south collector street.

- **Policy PF-2: Adequate Public Facilities Ordinance (APFO).** Continue use of “Adequate Public Facilities Ordinance (APFO)” to ensure that demand generated by existing and future growth and development for police, fire and parks & recreation capital facilities can be met by available supply of facilities.

STAFF COMMENT: An APFO application was submitted for 43 single-family units. See #19 of this section for further details.

2. Conformity.

The proposed development is lower density than other major subdivisions in this area of Beatties Ford (Cashion Woods, Riverdale and Stephen’s Grove). The Cashion Subdivision proposes to develop 43 single family homes at rural density of .9 units per acre.



3. Access between Adjoining Properties.

The development is providing a right of way extending to Linderman Street (private easement) to provide for future connectivity. A connection to the north into Duke Energy property is not warranted, but the developer has extended the right of way to allow for future connectivity, should development occur. Block length and cul-de-sac requirements have been met. Reservation of future right-of-way for the north-south collector street has been established.

4. Relation to topography.

The street network is designed to respect the general topography, foliage and avoid sensitive streams and wetlands.

5. Mature trees and natural vegetation.

The proposed project is required to save fifty (50%) percent of the tree canopy, fifty (50%) percent of the specimen trees and one hundred (100%) percent of the heritage trees and these requirements are being met. Sixty-eight (68%) percent of the tree canopy is being saved; seventy-one (71%) percent of the specimen trees are being saved; and there are no heritage trees on site. There is an existing flood plain and storm water buffers, which permanently protects a significant portion of natural vegetation.

6. Access to parks, schools, etc.

The applicant has provided sidewalks on one side of the street for all internal streets. Installation of a meandering sidewalk on Cashion Road has been installed at a total of 1,712 linear feet. The plan is also showing a proposed

sidewalk along Cashion Rd. adjacent to the additional open space. Future development will aid tying the sidewalk network together.

7. Discourage through traffic.

All streets are appropriately sized for residential traffic and there is no straight access to any adjoining property. There is no direct access to a thoroughfare.

8. Relationship to railroad rights-of-way.

Not Applicable

9. Half streets.

Not Applicable

10. Parallel streets along thoroughfares.

Not Applicable

11. Public School and Public Park Sites

The parcels associated with the Cashion Subdivision have not been identified for a public school or park site.

12. Public Facilities

The parcels associated with Cashion Subdivision have not been identified for a public facility.

13. Proposed street names

Street names were established at the preliminary/construction level.

14. Easements.

A 100 ft. gas line easement runs east/west through the property.

15. Proposed water and sewerage system.

A *Willingness to Serve* Letter has been provided by the developer from Charlotte Water.

16. Restrictions on the subdivision of land subject to flooding.

Flood plain is present on the south east corner of the property and has been labeled open space.

17. Reserved.

18. Open Space

The applicant is required to provide forty-five (45%) percent open space onsite. There are 22.8 acres (48%) of open space proposed on site. The applicant is reserving an adequate amount of area for the proposed north-south collector street to be engineered and installed. This area being reserved is allowed to count toward the open space total. Should the collector street not be built, then the reserved area will return back to the homeowners association.

19. Impact of Development on Public Facilities

Under the provisions of the APF Ordinance, all residential development greater than twenty (20) lots are required to receive a "Determination of Adequacy (DOA)" for the following public facilities: fire vehicles, fire station, police station, police vehicles, indoor park and recreation facilities, and parks acreage. A DOA letter has been issued for all of the facilities, see Attachment D: Determination of Adequacy.

Additionally, staff has contacted Charlotte-Mecklenburg Schools (CMS) for an enrollment evaluation of this project, see [Attachment E: CMS School Assessment](#).

PART 5: STAFF RECOMMENDATION

In considering Hollins Grove Residential Subdivision revision to approved plans, staff finds:

- The application is complete.
- The request is in keeping with the spirit and intent of the Town's future land use plans.
- The Hollins Grove Residential Subdivision revision to approved plans can be supported by staff.

Hollins Grove Residential Subdivision revision to approved plans, complies with all applicable requirements and staff recommends approval of the proposed Subdivision Sketch Plan revision.

PART 6: PLANNING BOARD RECOMMENDATION

The Planning Board met on October 27, 2020 and recommended approval, with conditions, by an 8-0 vote. The Motion to Approve was based as the application being complete, the application meets or exceeds all applicable requirements and is in keeping with the spirit and intent of the Town's future land use plans for the area. The Planning Board recommends approval subject to all minor site plan comments by the Planning Staff.

PART 7: DECISION STATEMENTS

In considering whether to approve an application for a subdivision sketch plan the Planning and Town Board must complete the following. These statements are paraphrases. The full version can be found in [Section 6.320.5](#) of the Subdivision Ordinance.

- Is the application complete (lacking any particular requirement)? *If no member of the Board moves that the application is incomplete, then this inaction is taken as an affirmative finding that the application is complete.*
- Does the application comply with all the applicable requirements? *A statement must be made that the application complies or does not comply that includes the support documentation of the particular motion.*
- Lastly, the Board must make a motion to approve or deny based on the previous statements.

PART 8: ATTACHMENTS/ENCLOSURES

Attachments

- A – Application
- B – Site Plan
- C – Neighborhood Meeting Summary
- D – Determination of Adequacy
- E – CMS School Assessment



General Application

INCOMPLETE SUBMISSIONS WILL NOT BE ACCEPTED. PLEASE CHECK ALL ITEMS CAREFULLY.

1. Application Type

Please indicate the type of application you are submitting. In addition to the application, the submission process for each application type can be found at <https://www.huntersville.org/528/Permits-Process>

- ☐ Change of Use
- ☐ Commercial Site Plan
- ☐ Conditional Rezoning
- ☐ General Rezoning
- ☐ Master Signage Program
- ☐ Special Use Permit
- ☒ Revision to Preliminary – Major Revision
Original Project # 385564
- ☐ Other _____

- SUBDIVISION CATEGORIES: Per the Huntersville Subdivision Ordinance
- ☐ Sketch Plan
 - ☐ Preliminary Plan
 - ☐ Final Plat (Includes Minor Subdivision)
 - ☐ Exempt Subdivision
 - ☐ Final Plat Revision
 - ☐ Farmhouse Cluster

2. Project Data

Date of Application September 3, 2020

Name of Project Hollins Grove

Phase # (if subdivision) _____

Project Address 5917 Cashion Road

Parcel Identification Number(s) (PIN) 013-191-11

Current Zoning District R Proposed District (for rezoning only) _____

Property Size (acres) 48.28 ac Street Frontage (feet) 1723

Current Land Use Residential

Proposed Land Use(s) Residential

Is the ☒ project within Huntersville's corporate limits?

Yes ☒ No ☐ If no, does the applicant intend to voluntarily annex? _____

3. Description of Request

Explain the nature of this request. If a separate sheet is necessary, please attach to this application.

revise lots to add 3 lots to overall subdivision

4. Site Plan Submittals

Consult the particular type of *Review Process* for the application type selected above. These can be found at <https://www.huntersville.org/528/Permits-Process>.

5. Outside Agency Information

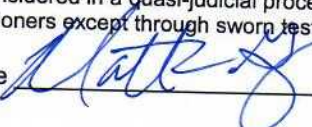
Other agencies may have applications and fees associated with the land development process. The Review Process list includes plan documents needed for most town and county reviewing agencies. For major subdivisions, commercial site plans, and rezoning petitions please enclose a copy of the Charlotte-Mecklenburg Utility Willingness to Serve letter for the subject property.

6. Applicant

Printed Name Blue Heel Development

☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Commissioners except through sworn testimony at the public hearing. (Applicable if box is checked.)

Signature 

Title _____ Email matt@blueheeldevelopment.com

Address of Applicant 442 South Main Street, Suite 100 Davidson NC
9096 Bailey Rd, Suite 265, Cornelius, NC 28031

7. Property Owner (if different than applicant)

* Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the owner my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Commissioners except through sworn testimony at the public hearing. (Applicable if box is checked.)

Signature _____

Title _____ Email _____

Address of Property Owner _____

* Property owner hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

Every owner of each parcel included in this application, or the owner (s) duly authorized agent, must sign this application. If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION. If additional space is needed for signatures, attach the Town of Huntersville Signature Addendum Form.

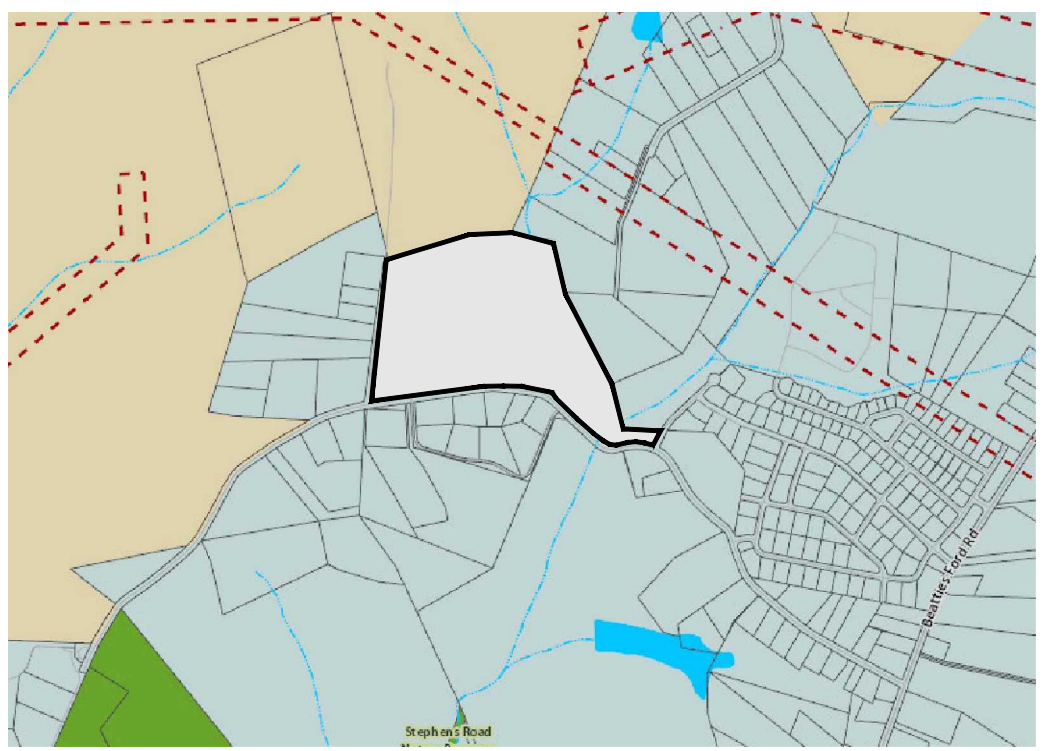
7. Development/Design Firm Contact Information

Urban Design Partners	Brian Smith	704-334-3303	brian@urbandesignpartners.com
Development Firm	Name of Contact	Phone	Email

Design Firm	Name of Contact	Phone	Email
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Contact Information

Town of Huntersville Planning Department PO Box 664 Huntersville, NC 28070	Phone: 704-875-7000 Fax: 704-992-5528 Physical Address: 105 Gilead Road, Third Floor Website: https://www.huntersville.org/228/Planning-Department
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VICINITY MAP



HOLLINS GROVE SKETCH PLAN REVISION

5917 CASHION ROAD HUNTERSVILLE, NC
EPM NO: 419580

DEVELOPER: BLUE HEEL DEVELOPMENT
9606 BAILEY ROAD, SUITE 265
CORNELIUS, NC 28031

SHEET INDEX

- L-1 COVER SHEET
- L-2 EXISTING FEATURES PLAN - SITE SURVEY
- L-3 SITE ANALYSIS
- L-4 FOUR STEP PROCESS
- L-5 SITE PLAN
- L-6 PLANTING PLAN
- L-7 GRADING PLAN
- SF-EXHIBIT 1 SAND FILTER EXHIBIT

- NOTES:
- APPROVAL OF THIS CONCEPT PLAN DOES NOT IMPLY OR GUARANTEE APPROVAL OF THE FINAL CONSTRUCTION PLAN. FINAL CONSTRUCTION PLAN WILL BE REVIEWED FOR COMPLIANCE PER ALL TOWN, COUNTY, AND STATE REGULATIONS IN EFFECT AT THE TIME OF SUBMITTAL.
 - RETAINING WALLS: ALL RETAINING WALLS REQUIRING SPECIAL INSPECTIONS (> 5' IN HEIGHT) SHALL MEET THE REQUIREMENTS OF THE MCSBC CHAPTER 17--SPECIAL INSPECTIONS AS DETAILED PER THE MECKLENBURG COUNTY CODE ENFORCEMENT SPECIAL INSPECTIONS PROCESS. ADDITIONALLY, COPIES OF THE RETAINING WALL PLANS SHALL BE SUBMITTED TO THE HUNTERSVILLE ENGINEERING DEPARTMENT FOR REVIEW AND APPROVAL. THE TOWN OF HUNTERSVILLE SHALL BE COPIED ON ALL STATEMENTS OF SPECIAL INSPECTIONS, SPECIAL INSPECTIONS FINAL REPORTS, AND DESIGN PRINCIPAL IN RESPONSIBLE CHARGE (DPRC) LETTERS.
 - THE TOWN OF HUNTERSVILLE 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 HUNTERSVILLE ENGINEERING STANDARDS AND PROCEDURES MANUAL FOR ADDITIONAL INFORMATION INCLUDING THE REQUIRED CERTIFICATION FORM.
 - UPON APPROVAL OF THE AMENDED SKETCH PLAN ALL APPLICABLE CONSTRUCTION PLANS AND PLATS WILL BE REVISED TO REFLECT THE AMENDED SKETCH PLAN.



PROJECT REFERENCES

- 360482 SUBDIVISION CONCEPTUAL/SKETCH PLAN REVIEW
- 365564 LARGE SUBDIVISION >10 AC, CONSTRUCTION DOCUMENTS
- 375049 CASHION ROAD WATER LINE, EROSION CONTROL PERMIT ONLY
- 382866 RTAP, MINOR CHANGES TO APPROVED PLANS
- 419850 SKETCH PLAN REVISION

BUA SUMMARY

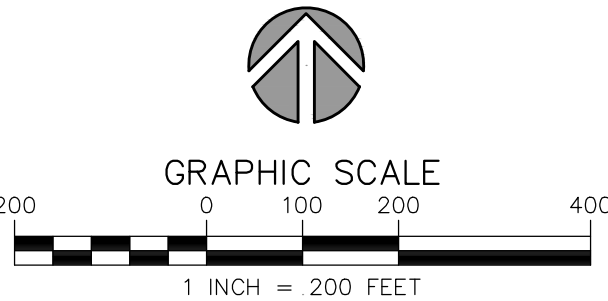
LOT NO.	LOT AREA (SF)	LOT WIDTH (FT)	BUA AT COMPLETION	RESERVE BUA (SF)	TOTAL MAX BUA (SF)
1	23,732	101	6,100	200	6,300
2	21,309	100	6,100	200	6,300
3	19,475	100	5,273	200	5,473
4	23,680	166	6,100	200	6,300
5	19,846	114	6,100	200	6,300
6	20,330	100	6,100	200	6,300
7	20,495	100	6,100	200	6,300
8	19,861	103	5,775	200	5,975
9	17,422	103	5,775	200	5,975
10	14,920	103	5,775	200	5,975
11	18,462	170	5,750	200	5,950
12	36,188	80	6,100	200	6,300
13	22,199	80	5,605	200	5,805
14	16,989	80	6,100	200	6,300
15	16,950	91	5,190	200	5,390
16	19,796	100	6,100	200	6,300
17	20,000	100	6,100	200	6,300
18	20,000	100	6,100	200	6,300
19	20,000	100	5,070	200	5,270
20	21,804	102	6,100	200	6,300
21	19,427	103	6,100	200	6,300
22	15,560	102	5,905	200	6,105
23	15,007	104	5,865	200	6,065
24	15,642	107	4,596	200	4,796
25	18,985	104	6,155	200	6,355
26	18,990	97	6,205	200	6,405
27	18,979	97	6,075	200	6,275
28	17,901	92	5,828	200	6,028
29	14,106	120	5,168	200	5,368
30	13,910	107	5,266	200	5,466
31	15,721	128	6,300	200	6,500
32	15,158	100	4,973	200	5,173
33	15,579	83	4,671	200	4,871
34	17,523	138	5,333	200	5,533
35	18,073	120	5,493	200	5,693
36	18,432	97	6,020	200	6,220
37	18,781	89	5,935	200	6,135
38	17,127	91	5,935	200	6,135
39	17,194	87	5,915	200	6,115
40	15,336	107	5,605	200	5,805
41	18,012	97	5,935	200	6,135
42	16,915	102	5,113	200	5,313
43	18,284	159	5,875	200	6,075
TOTAL MAX LOT BUA (SF):					256,279
AVERAGE LOT AREA					18,700
AVERAGE LOT WIDTH					105

R/W ALLOWABLE BUA SUMMARY CHART	
ROAD:	81,878 SF
SIDEWALK	28,021 SF
TOTAL:	109,899 SF
	2.52 AC

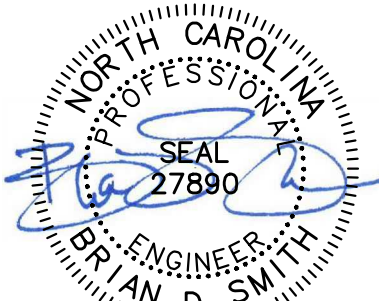
LOT BUA: 256,279 SF

TOTAL BUA: 366,178 SF
8.41 AC (17.4%)

NOTE: BUA AS-BUILT OF THE RIGHT-OF-WAY SHALL BE PROVIDED PRIOR TO THE ISSUANCE OF THE C.O. FOR THE LAST LOT TO BE CONSTRUCTED.



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charlotte, nc 28205 F 704.334.3305
urbandesignpartners.com
nc firm no: P-0418
sc cda no: C-03044



11.05.2020

Blue Heel Development
Matt Gallagher
9606 Bailey Road, Suite 265
Cornelius, NC 28031

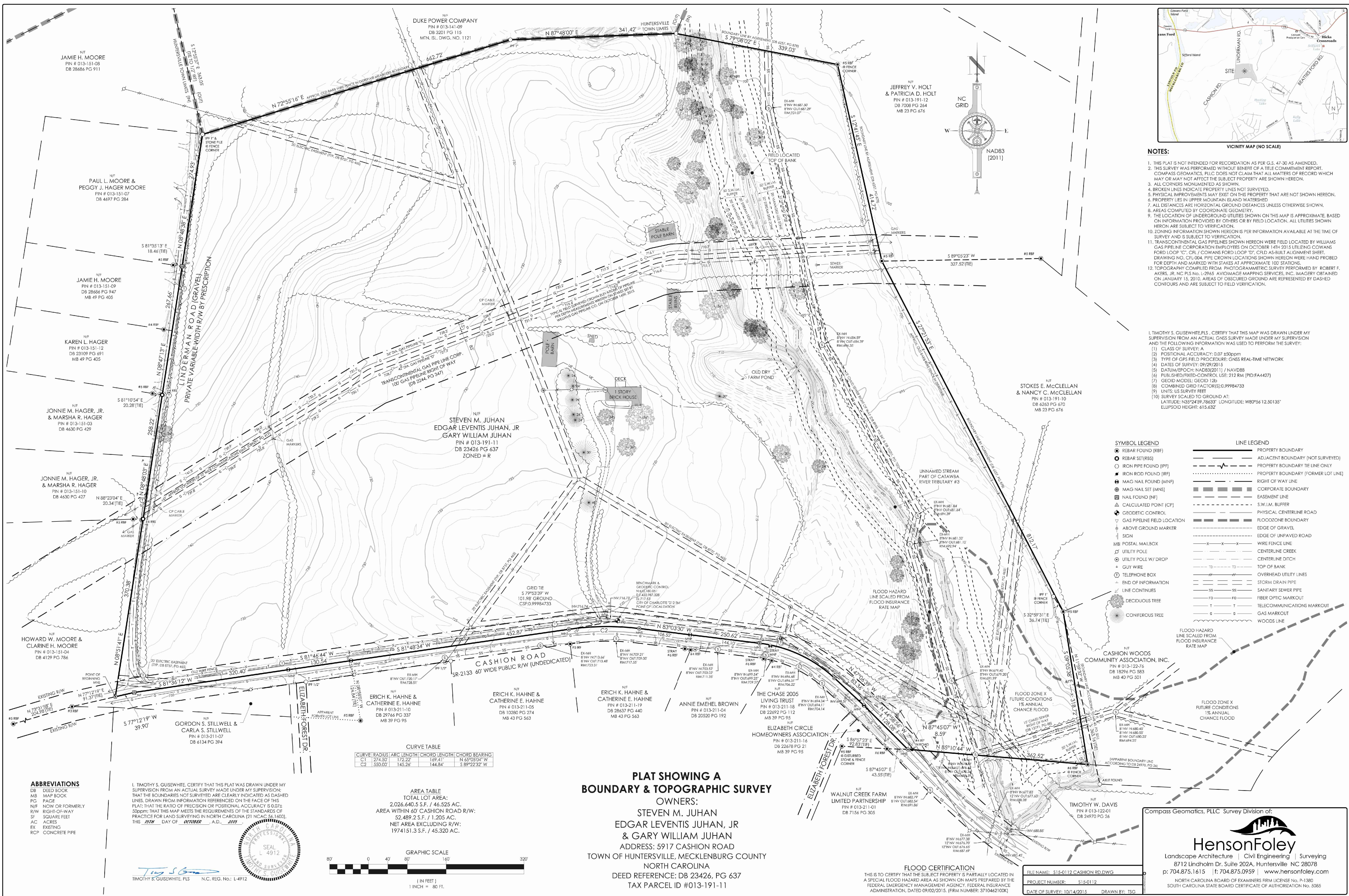
Hollins Grove

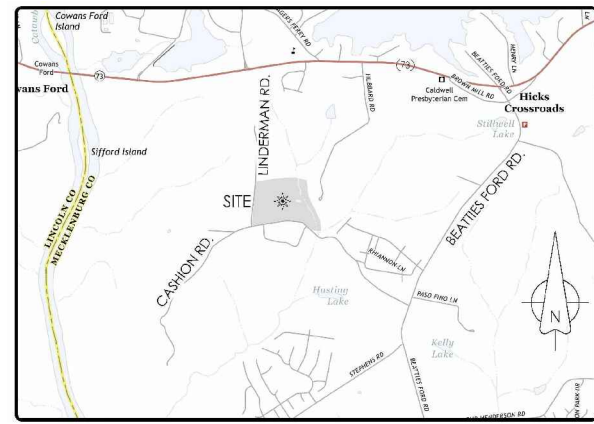
Cover Sheet
Cashion Road Huntersville, NC

NO.	DATE:	BY:	REVISIONS:
1	10.09.20	bds	per town comments
2	10.16.20	bds	sidewalk along Cashion Road
3	11.05.20	bds	per town comments

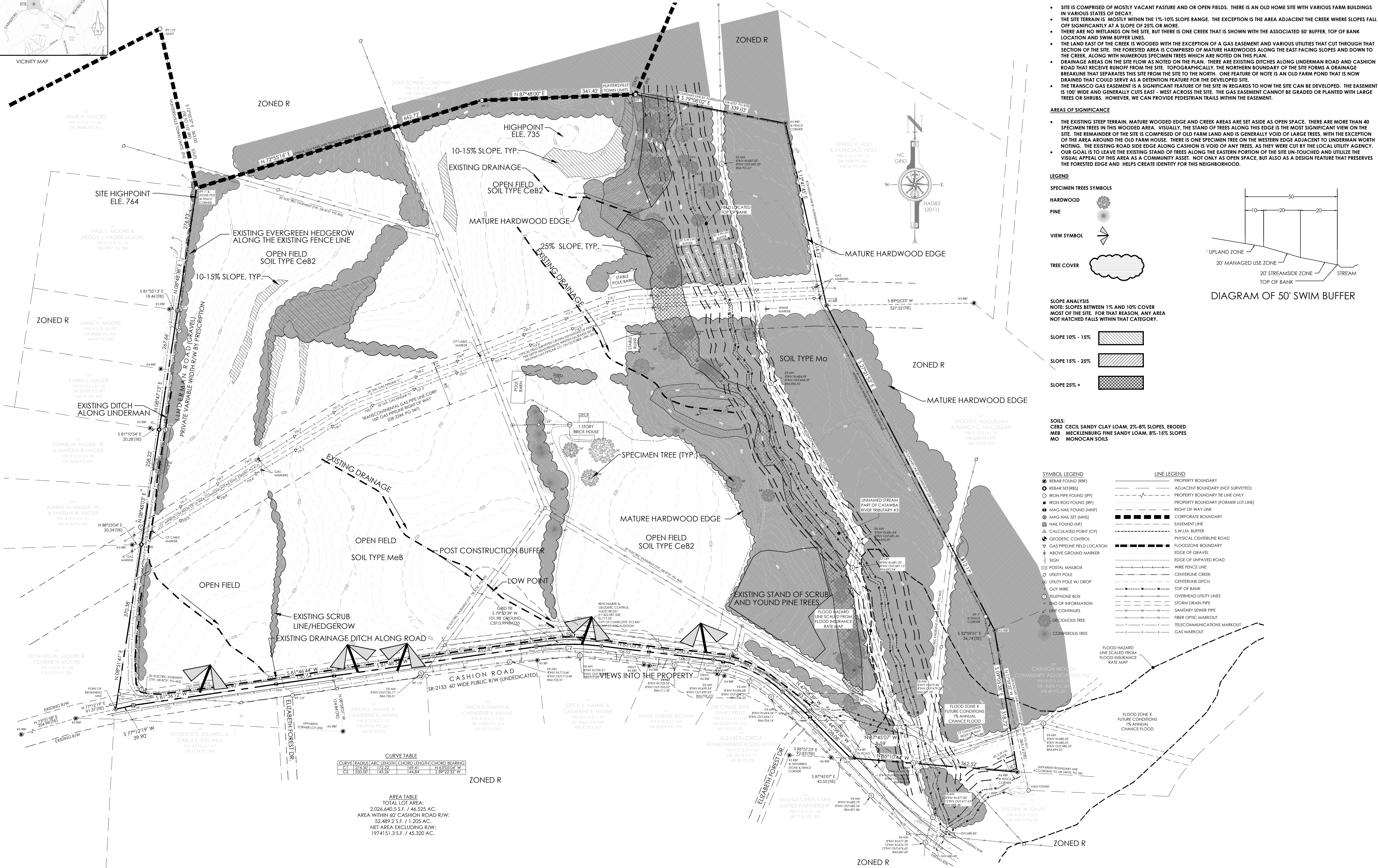
Project No: 20-047
Date: 09.01.20
Designed By: bds
Checked By: bds
Sheet No:

L-1





VICINITY MAP



CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	174.24	174.24	174.24	S 89°22'32" W
C2	550.00	145.26	144.84	S 89°22'32" W

AREA TABLE	
TOTAL LOT AREA:	2,026,640.5 S.F. / 46,525 AC.
AREA WITHIN 60' CASHION ROAD R/W:	52,489.2 S.F. / 1,205 AC.
NET AREA EXCLUDING R/W:	1974151.3 S.F. / 45,320 AC.

SITE ANALYSIS: NOTES

SITE DESCRIPTION:

- SITE IS COMPRISED OF MOSTLY VACANT PASTURE AND OR OPEN FIELDS. THERE IS AN OLD HOME SITE WITH VARIOUS FARM BUILDINGS IN VARIOUS STATES OF DECAY.
- THE SITE TERRAIN IS MOSTLY WITHIN THE 1%-10% SLOPE RANGE. THE EXCEPTION IS THE AREA ADJACENT TO THE CREEK WHERE SLOPES FALL OFF SIGNIFICANTLY AT A SLOPE OF 25% OR MORE.
- THERE ARE NO WETLANDS ON THE SITE, BUT THERE IS ONE CREEK THAT IS SHOWN WITH THE ASSOCIATED 50' BUFFER, TOP OF BANK LOCATION AND SWIM BUFFER LINES.
- THE LAND EAST OF THE CREEK IS WOODED WITH THE EXCEPTION OF A GAS EASEMENT AND VARIOUS UTILITIES THAT CUT THROUGH THAT SECTION OF THE SITE. THE FORESTED AREA IS COMPRISED OF MATURE HARDWOODS ALONG THE EAST FACING SLOPES AND DOWN TO THE CREEK, ALONG WITH NUMEROUS SPECIMEN TREES WHICH ARE NOTED ON THIS PLAN.
- DRAINAGE AREAS ON THE SITE FLOW AS NOTED ON THE PLAN. THERE ARE EXISTING DITCHES ALONG UNDERMAN ROAD AND CASHION ROAD THAT RECEIVE RUNOFF FROM THE SITE. TOPOGRAPHICALLY, THE NORTHERN BOUNDARY OF THE SITE FORMS A DRAINAGE BREAKLINE THAT SEPARATES THIS SITE FROM THE SITE TO THE NORTH. ONE FEATURE OF NOTE IS AN OLD FARM POND THAT IS NOW DRAINED THAT COULD SERVE AS A DETENTION FEATURE FOR THE DEVELOPED SITE.
- THE TRANSCO GAS EASEMENT IS A SIGNIFICANT FEATURE OF THE SITE IN REGARDS TO HOW THE SITE CAN BE DEVELOPED. THE EASEMENT IS 100' WIDE AND GENERALLY CUTS EAST - WEST ACROSS THE SITE. THE GAS EASEMENT CANNOT BE GRADED OR PLANTED WITH LARGE TREES OR SHRUBS. HOWEVER, WE CAN PROVIDE PEDESTRIAN TRAILS WITHIN THE EASEMENT.

AREAS OF SIGNIFICANCE

- THE EXISTING STEEP TERRAIN, MATURE WOODED EDGE AND CREEK AREAS ARE SET ASIDE AS OPEN SPACE. THERE ARE MORE THAN 40 SPECIMEN TREES IN THIS WOODED AREA. VISUALLY, THE STAND OF TREES ALONG THIS EDGE IS THE MOST SIGNIFICANT VIEW ON THE SITE. THE REMAINDER OF THE SITE IS COMPRISED OF OLD FARM LAND AND IS GENERALLY VOID OF LARGE TREES, WITH THE EXCEPTION OF THE AREA AROUND THE OLD FARM HOUSE. THERE IS ONE SPECIMEN TREE ON THE WESTERN EDGE ADJACENT TO UNDERMAN WORTH NOTING. THE EXISTING ROAD SIDE EDGE ALONG CASHION IS VOID OF ANY TREES, AS THEY WERE CUT BY THE LOCAL UTILITY AGENCY.
- OUR GOAL IS TO LEAVE THE EXISTING STAND OF TREES ALONG THE EASTERN PORTION OF THE SITE UNTOUCHED AND UTILIZE THE VISUAL APPEAL OF THIS AREA AS A COMMUNITY ASSET. NOT ONLY AS OPEN SPACE, BUT ALSO AS A DESIGN FEATURE THAT PRESERVES THE FORESTED EDGE AND HELPS CREATE IDENTITY FOR THIS NEIGHBORHOOD.

LEGEND

SPECIMEN TREES SYMBOLS

HARDWOOD

PINE

VIEW SYMBOL

TREE COVER

SLOPE ANALYSIS

NOTE: SLOPES BETWEEN 1% AND 10% COVER MOST OF THE SITE. FOR THAT REASON, ANY AREA NOT HATCHED FALLS WITHIN THAT CATEGORY.

SLOPE 10% - 15%

SLOPE 15% - 25%

SLOPE 25% +

SOILS:

CEB2 CECIL SANDY CLAY LOAM, 2%-8% SLOPES, ERODED
MEB MECKLENBURG FINE SANDY LOAM, 8%-15% SLOPES
MO MONOCAN SOILS

SYMBOL LEGEND

LINE LEGEND

PROPERTY BOUNDARY

ADJACENT BOUNDARY (NOT SURVEYED)

PROPERTY BOUNDARY (FORMER LOT LINE)

RIGHT OF WAY LINE

EASEMENT LINE

S.W.I.M. BUFFER

PHYSICAL CENTERLINE ROAD

FLOODZONE BOUNDARY

EDGE OF GRAVEL

EDGE OF UNPAVED ROAD

WIRE FENCE LINE

CENTERLINE CREEK

CENTERLINE DITCH

TOP OF BANK

OVERHEAD UTILITY LINES

STORM DRAIN PIPE

SAHARY SEWER PIPE

FIBER OPTIC MARKOUT

TELECOMMUNICATIONS MARKOUT

GAS MARKOUT

DECIDUOUS TREE

CONIFEROUS TREE

FLOOD HAZARD

LINE SCALED FROM

FLOOD INSURANCE

RATE MAP

FLOOD ZONE X

FUTURE CONDITIONS

1% ANNUAL

CHANCE FLOOD

FLOOD ZONE X

FUTURE CONDITIONS

1% ANNUAL

CHANCE FLOOD

FLOOD ZONE X

FUTURE CONDITIONS

1% ANNUAL

CHANCE FLOOD

FLOOD ZONE X

FUTURE CONDITIONS

1% ANNUAL

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FLOOD ZONE X

FUTURE CONDITIONS

1% ANNUAL

CHANCE FLOOD

FLOOD ZONE X

FUTURE CONDITIONS

1% ANNUAL

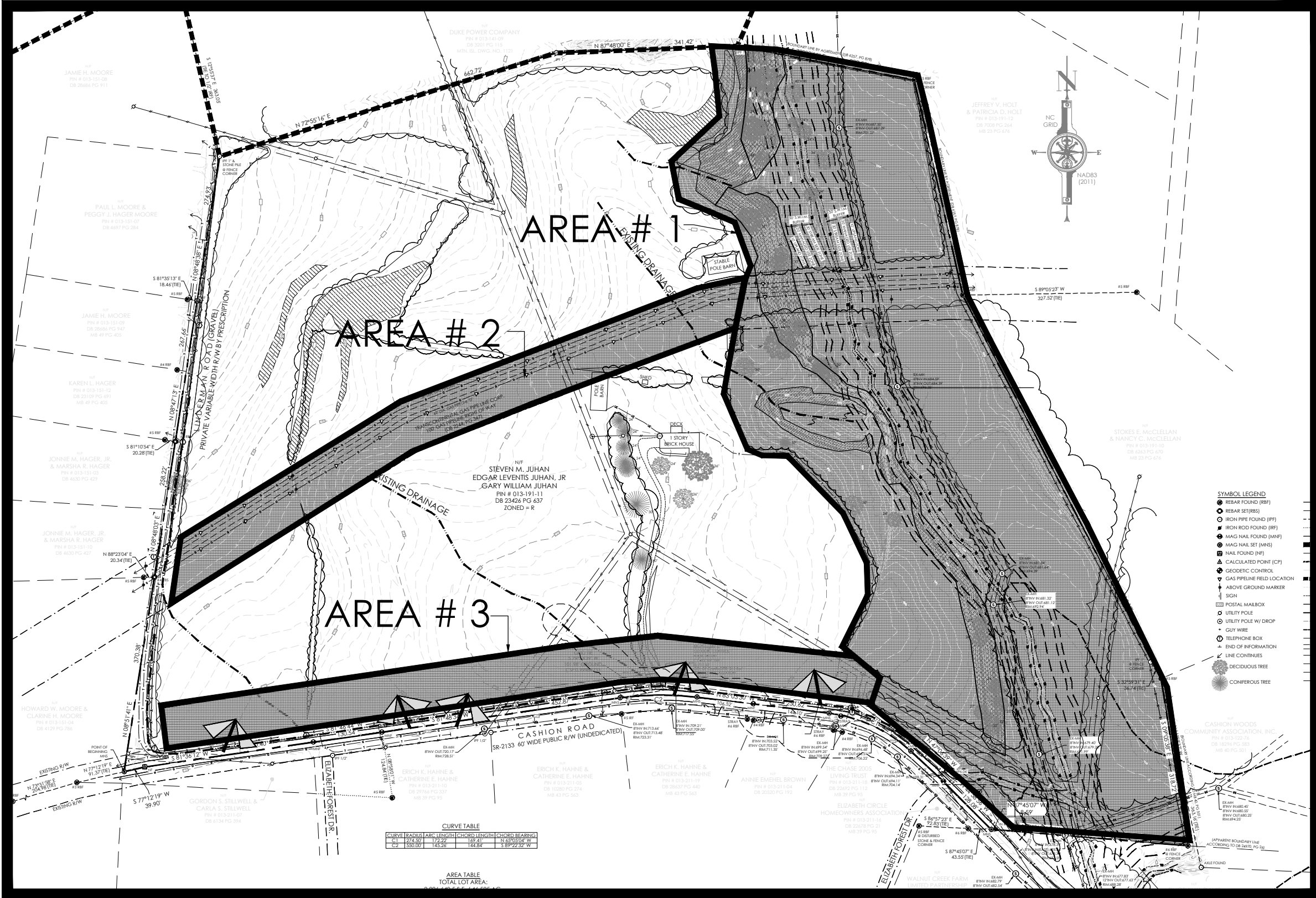
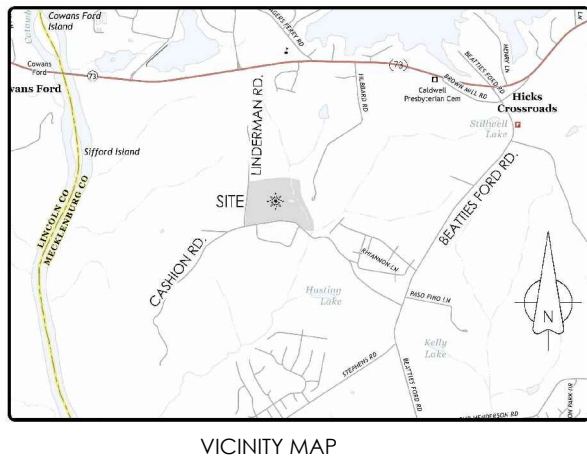
CHANCE FLOOD

FLOOD ZONE X

FUTURE CONDITIONS

1% ANNUAL

CHANCE FLOOD

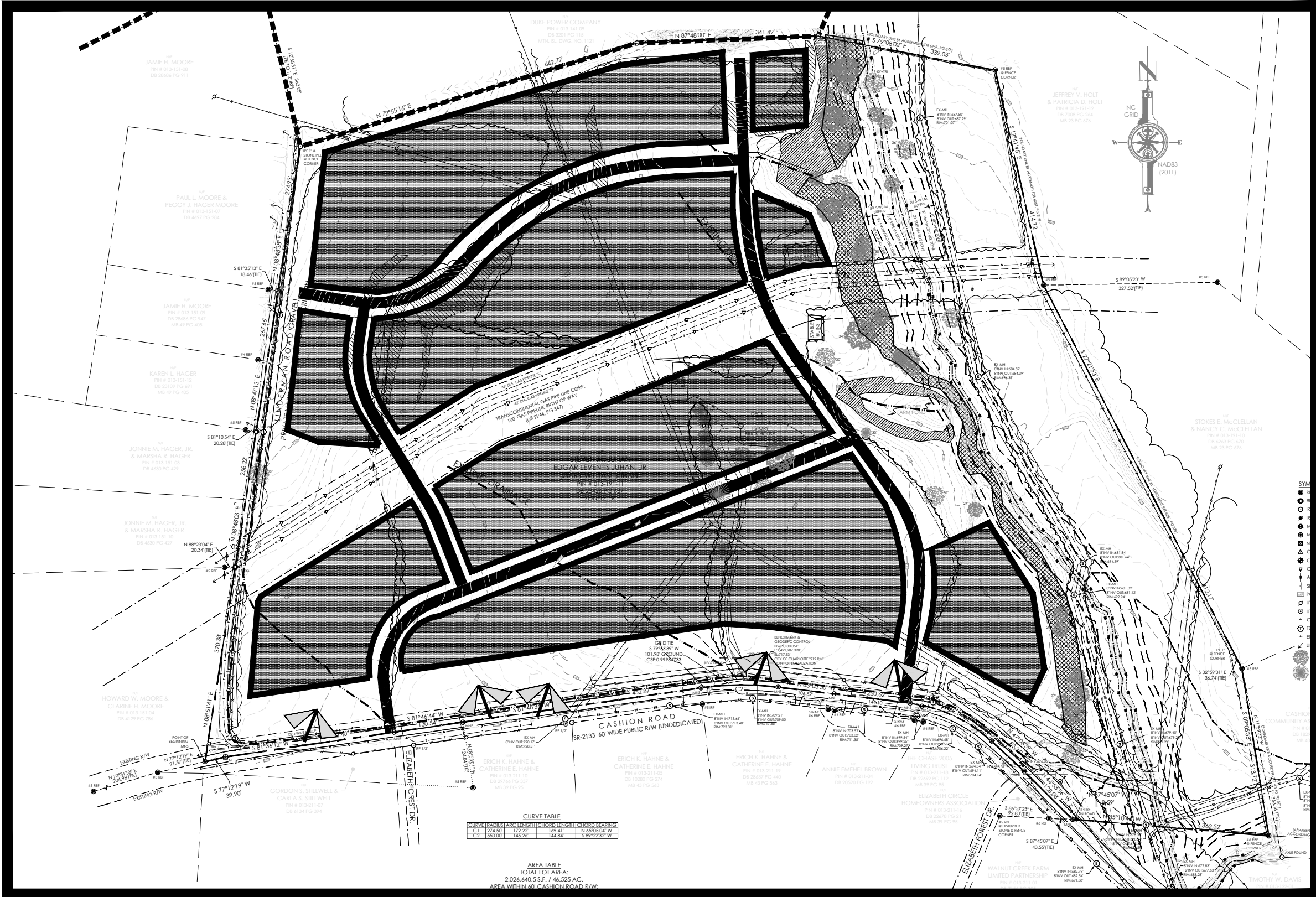


STEP 1: IDENTIFY OPEN SPACE

SHADED AREA #1 REPRESENTS OPEN SPACE THAT IS OF HIGH NATURAL VALUE AND THE MOST SIGNIFICANT SCENIC FEATURE OF THE SITE. THE AREA IS A MATURE HARDWOOD FOREST, CONTAINS STEEP SLOPES, A CREEK, AND A SIGNIFICANT NUMBER OF SPECIMEN TREES.

AREA #2 IS OPEN SPACE BY DEFAULT-THE GAS EASEMENT THAT CANNOT BE BUILT UPON. IT PROVIDES A CONTIGUOUS EXTENSION OF THE FORESTED AREA ON THE EASTERN SIDE OF THE SITE.

AREA #3 REPRESENTS THE REQUIRED 80' BUFFER ALONG CASHION ROAD. THESE COMBINED OPEN SPACES DEFINE THE BUILDABLE AREAS.

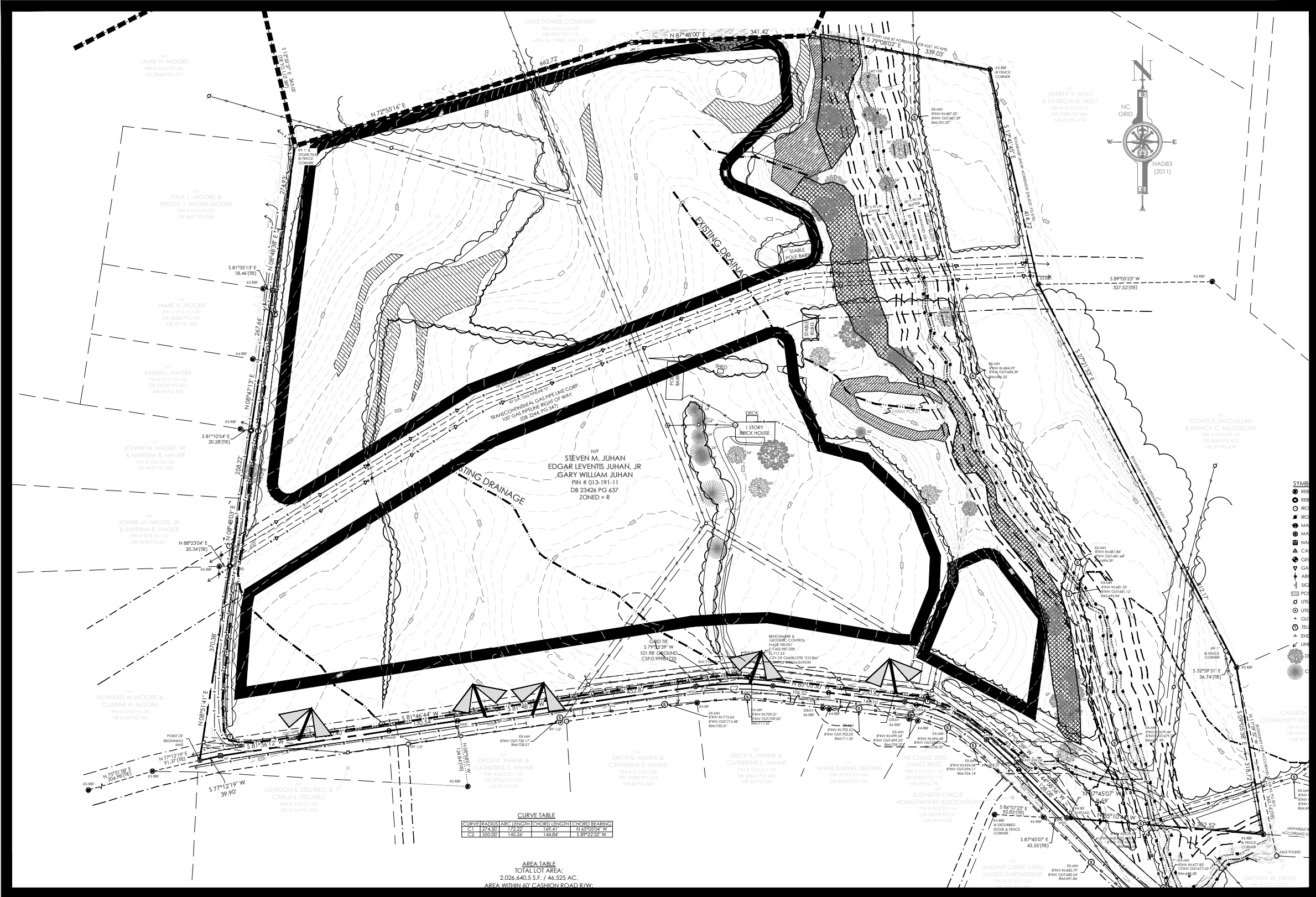


STEP 3: STREET AND LOT LAYOUT

THE ROAD NETWORK BUILDS UPON THE PREVIOUS 2 STEPS. BY PRESERVING THE LARGE WOODED AREA TO THE EAST, WE UTILIZED THE VIEW OF THE WOODLAND EDGE TO CREATE THE SIGNATURE MOMENT IN THE DESIGN OF THE NEIGHBORHOOD. WE CREATED A "CREEK SIDE DRIVE" OF SORTS BY LOCATING THE DRIVE ALONG THE OPEN SPACE, WITH ONLY A FEW SELECT HOME SITES ON THE OPEN SPACE SIDE OF THE DRIVE. THOSE HOME SITES WERE SELECTED BECAUSE OF THE POORER QUALITY OF THE TREES AND THE TOPOGRAPHIC LIMITATIONS WERE NOT AN ISSUE. THE LOTS ON THE OPPOSITE OF THE STREET COULD FACE INTO THE OPEN SPACE. THIS CREATES A FRONT DOOR TO THE NEIGHBORHOOD THAT IS BUILT ENTIRELY AROUND THE VIEWS OF THE EXISTING FOREST EDGE.

FURTHER, WITH THIS APPROACH, WE WERE ABLE TO ALIGN THE MAIN DRIVE TO FOCUS ON A SPECIMEN TREE, WITH THE WOODED EDGE IN THE BACKGROUND.

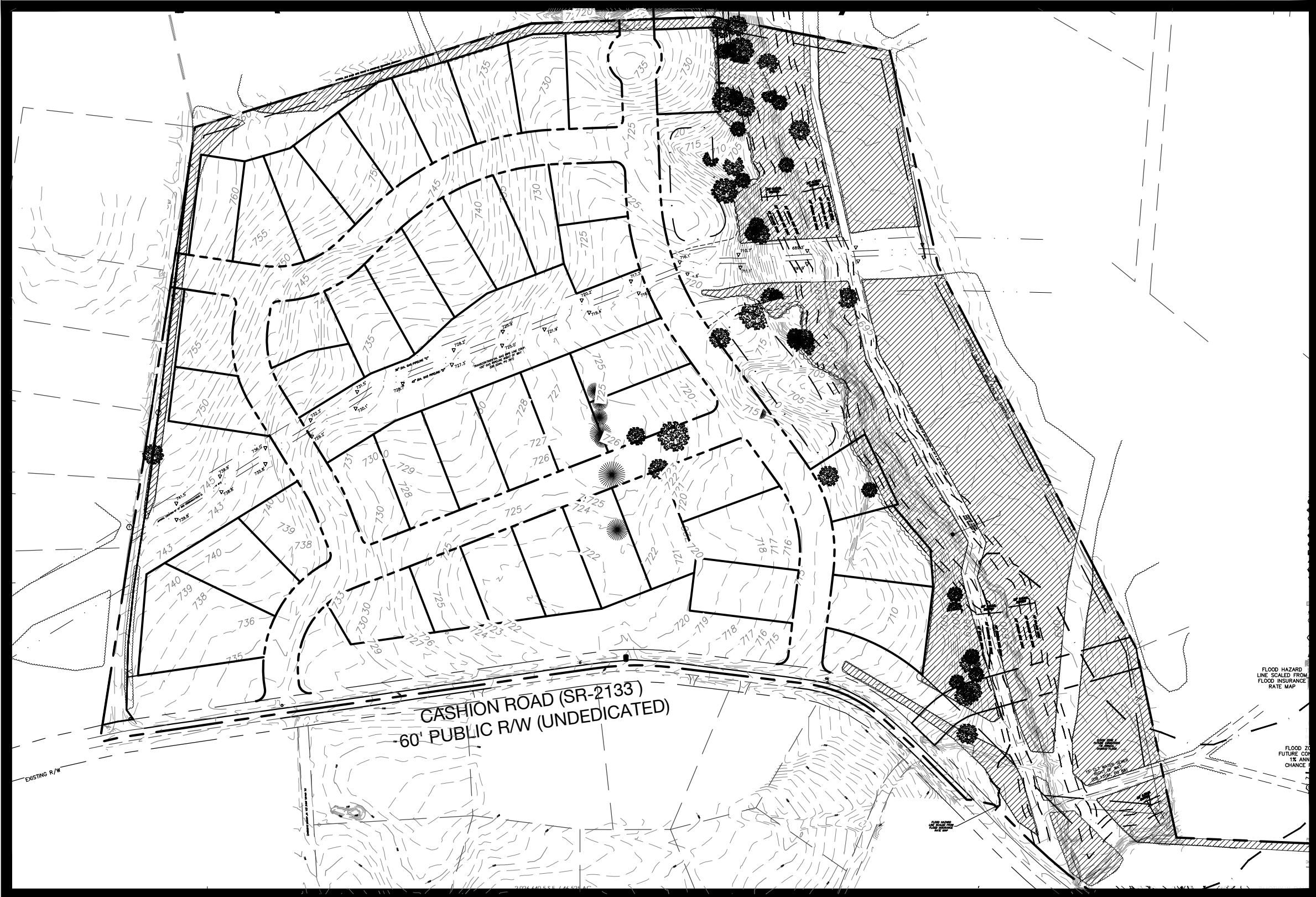
WE ORIGINALLY CROSSED THE GAS EASEMENT IN TWO AREAS, BUT IT WAS CLEAR FROM DISCUSSIONS WITH THE GAS COMPANY, THAT ONE CROSSING WOULD BE TO EVERYONE'S ADVANTAGE. THIS PUTS MORE EMPHASIS ON OUR MAIN DRIVE ALONG THE FORESTED EDGE, AND ALLOWS FOR A PEDESTRIAN CIRCULATION PATTERN TO ACCESS THE OPEN SPACE AT SEVERAL LOCATIONS



STEP 2: LOCATION OF HOUSE SITES

THE TWO AREAS IDENTIFIED FOR HOUSING SITES ARE LARGER OPEN FIELDS, WITH A FEW SCRUB HEDGE ROWS. THERE ARE SEVERAL SPECIMEN TREES LOCATED AROUND THE OLD HOME SITE THAT ARE A MIX OF PINE AND HARDWOOD. THE EXISTING POWER EASEMENTS THAT RUN THROUGH THIS AREA WILL EITHER GO AWAY COMPLETELY OR BE RE-ROUTED AROUND OR THROUGH THE SITE AT APPROPRIATE LOCATIONS.

WE ALSO IDENTIFIED AS HOME SITES A STAND OF SCRUB GROWTH AND YOUNG PINES ON GOOD TERRAIN THAT WAS NOT IN KEEPING WITH THE AESTHETIC QUALITY AND NATURAL SIGNIFICANCE OF THE HARDWOOD AREA.



STEP 4: DRAW THE LOT LINES

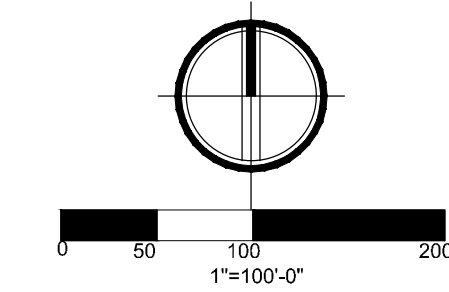
A TOTAL OF 43 LOTS ARE CREATED WITHIN THE DEVELOPMENT. THE LOTS RANGE IN SIZE FROM 80' TO 170' IN WIDTH. THE LOT SIZE AND SHAPES VARY THROUGHOUT THE DEVELOPMENT WHICH CREATES VARIETY WITHIN THE NEIGHBORHOOD.

Blue Heel Development
442 South Main Street, Suite 100
Davidson, North Carolina

HOLLINS GROVE
5917 Cashion Road
Huntersville, North Carolina

FOUR STEP
PROCESS

Revisions:



Date: 05/04/16
Project No. 1370
Sheet # L-4





STREET IMPROVEMENTS TO CASHION ROAD

- LARGE MATURING TREES WILL BE PLANTED 40' O/C WITHIN THE REQUIRED PLANTING STRIP ALONG ALL STREETS WITH THE EXCEPTION OF RURAL PARKWAYS WHERE EXISTING TREES CAN SATISFY THE STREET TREE REQUIREMENT.
- SMALL MATURING TREES ARE TO BE USED WHERE OVERHEAD POWER LINES EXIST.
- STREET TREES WILL BE PLACED WITHIN A 6' STREET TREE EASEMENT ON THE SIDE OF THE STREET THAT DOES NOT HAVE A SIDEWALK.
- ALL PLANTING WILL COMPLY WITH THE TOWN OF HUNTERSVILLE REQUIREMENTS.
- THE REQUIRED 20' BUFFER YARD IS SATISFIED WITH EXISTING VEGETATION ALONG THE PERIMETER OF THE SITE, WITH THE EXCEPTION OF CASHION ROAD, WHICH WILL BE PLANTED AS THE REQUIRED 80' BUFFER.
- RESIDENTIAL LOT TREES WILL BE PROVIDED PER THE HUNTERSVILLE ORDINANCE
 - LOTS LESS THAN 10,000 - 15,000 SF 1 FRONT YARD, 2 REAR YARD TREES
 - LOTS LESS THAN 15,001 - 20,000 SF 2 FRONT YARD, 3 REAR YARD TREES
 - MORE THAN 20,000 SF 3 FRONT YARD, 3 REAR YARD TREES
- SPECIMEN TREES SHOWN ARE NOTED WITH THE SIZE LISTED BUT SPECIES NAMES WERE NOT PROVIDED ON THE SURVEY.
- SPECIMEN TREES TO BE REMOVED ARE NOTED ON THIS SHEET.

80' OPAQUE SCREEN ALONG CASHION ROAD (SEE DIAGRAM BELOW)

- 3 TREES/1000 SF OF AREA
- 100 LF EXAMPLE (80' X 100' = 8000SF)
- 24 TREES REQUIRED (50% TO BE EVERGREEN)
- 6 LARGE MATURING
- 6 SMALL MATURING
- 12 EVERGREEN

SHRUBS

- 10 SHRUBS/1000 SF (75% EVERGREEN)
- 80 SHRUBS REQUIRED PER 100 LF OF 80' BUFFER

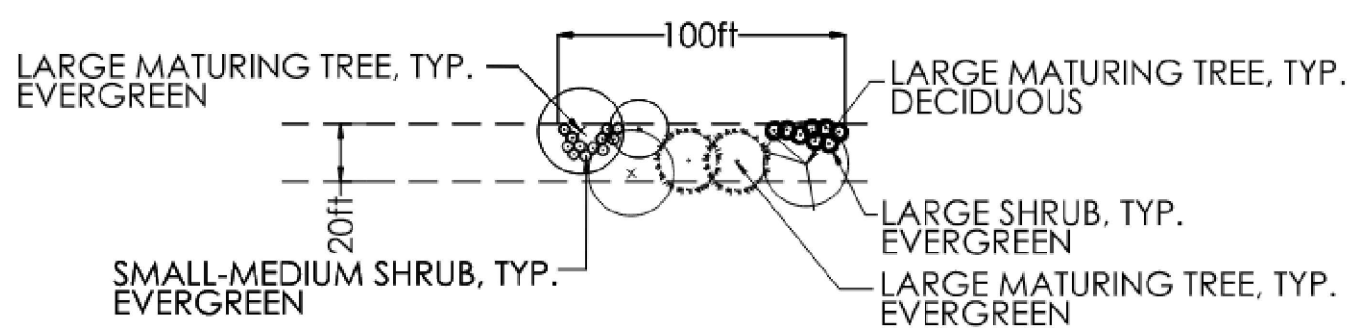
NOTE REGARDING THE BUFFER AREA IMPACTED BY THE POWER EASEMENT. WE REPLACED 2 LARGE EVERGREEN TREES WITH TWO SMALL MATURING TREES TO ACCOMMODATE THE POWER EASEMENT.

20' BUFFER YARD

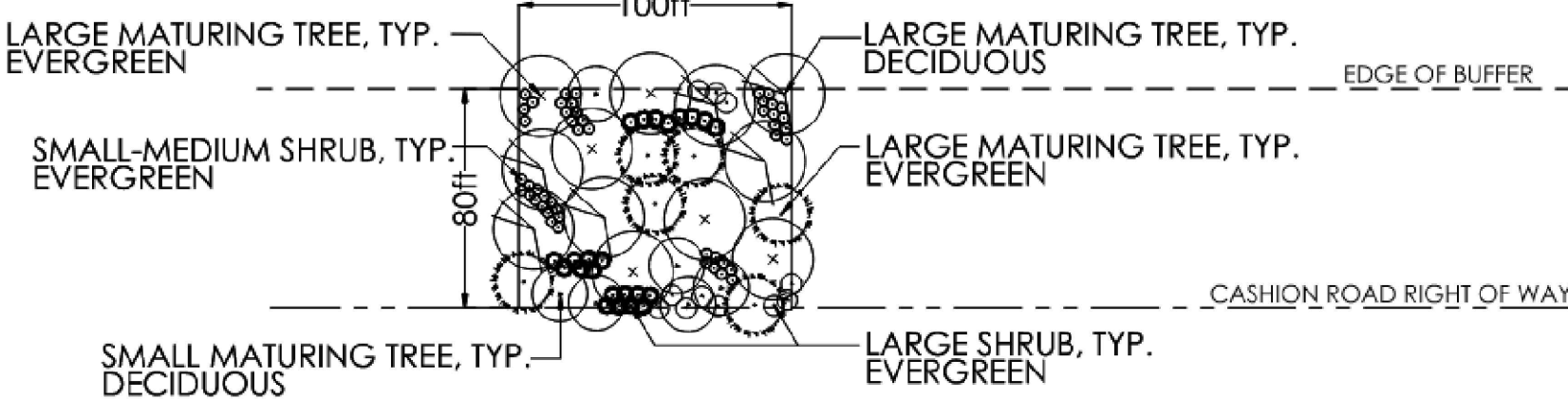
- 3 TREES/100 SF OF AREA
- 100 LF EXAMPLE (20' X 100' = 2000SF)
- 6 TREES REQUIRED (25% TO BE EVERGREEN)
- 20 SHRUBS REQUIRED (100% EVERGREEN)

OPEN SPACE

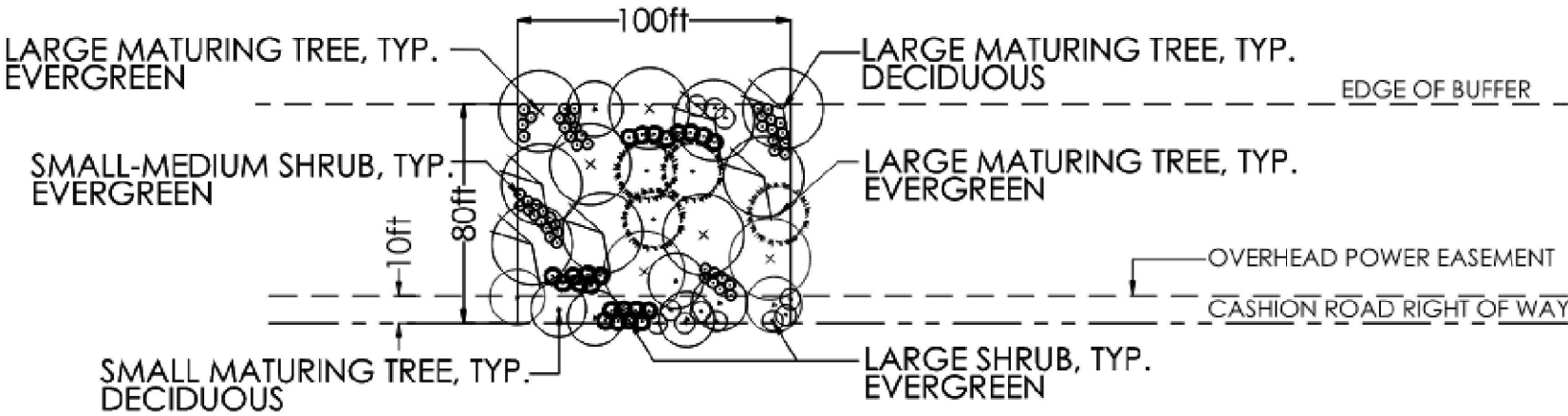
TREE SAVE



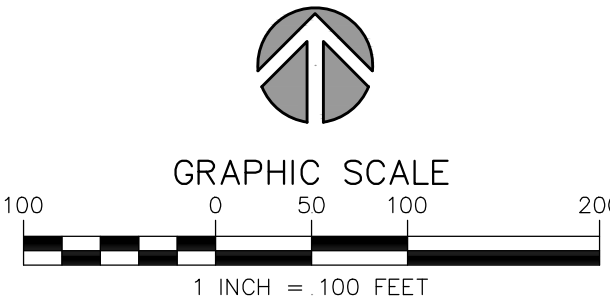
20' REQUIRED BUFFER YARD.
THIS TYPICAL SECTION WILL BE USED IN THE EVENT THAT THE EXISTING VEGETATION IS DETERMINED TO BE INSUFFICIENT TO MEET THE TOWNS STANDARD.



80' OPAQUE BUFFER - TYPICAL 100' SECTION WITH NO IMPACT FROM POWER EASEMENT

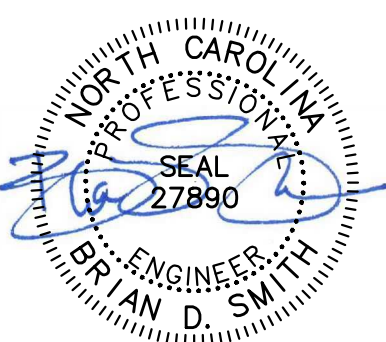


80' OPAQUE BUFFER - TYPICAL 100' SECTION WITH IMPACT FROM POWER EASEMENT



URBAN
DESIGN
PARTNERS

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charlotte, nc 28205 F 704.334.3305
urbandesignpartners.com
nc firm no: P-0418
sc coa no: C-03044



11.05.2020

Blue Heel
Development

Matt Gallagher
9606 Bailey Road, Suite 265
Cornelius, NC 28031

Hollins Grove

Planting Plan
Cashion Road Huntersville, NC

NO.	DATE	BY:	REVISIONS:
1	10.09.20	bds	per town comments
3	11.05.20	bds	per town comments

Project No: 20-047
Date: 09.01.20
Designed By: bds
Checked By: bds
Sheet No:



Blue Heel Development

Matt Gallagher
9606 Bailey Road, Suite 265
Cornelius, NC 28031

Hollins Grove

Grading Plan

Cashion Road Huntersville, NC

[illegible]

Sheet No:

L-7



**BEFORE YOU DIG!
CALL 811 OR 1-800-632-4949
N.C. ONE-CALL CENTER
IT'S THE LAW!**



GRAPHIC SCALE

100 0 50 100 200

1 INCH = 100 FEET





SAND FILTER #1 BMP SUMMARY CHART						
PEAK CONTROL STORM EVENTS	PRE-DEVELOPMENT RUNOFF		POST-DEVELOPMENT RUNOFF		POST-ROUTING RUNOFF	
TOP OF BERM					ELEVATION	
50YR-24HR	17.98	CFS	38.84	CFS	16.25	CFS
25YR-24HR	14.73	CFS	34.03	CFS	11.34	CFS
10YR-24HR	10.59	CFS	27.15	CFS	4.76	CFS
2YR-24HR	4.20	CFS	15.13	CFS	0.31	CFS
BMP	REQUIRED		PROVIDED		ELEVATION	
CPv	21,096	CF	21,096	CF	715.52	
WQv	10,973	CF	10,973	CF	714.81	
SAND FILTER	1,306	SF	1,440	SF	713.15	
SAND FILTER MAX ALLOWABLE BUA						122,592 SF
TOTAL SITE MAX ALLOWABLE BUA						364,999 SF

SAND FILTER #2 BMP SUMMARY CHART						
PEAK CONTROL STORM EVENTS	PRE-DEVELOPMENT RUNOFF		POST-DEVELOPMENT RUNOFF		POST-ROUTING RUNOFF	
TOP OF BERM					ELEVATION	
50YR-24HR	40.66	CFS	66.29	CFS	43.07	CFS
25YR-24HR	33.80	CFS	56.61	CFS	30.69	CFS
10YR-24HR	25.00	CFS	43.23	CFS	17.56	CFS
2YR-24HR	10.96	CFS	20.95	CFS	0.78	CFS
BMP	REQUIRED		PROVIDED		ELEVATION	
CPv	10,186	CF	10,186	CF	706.41	
WQv "2A"	10,266	CF	10,266	CF	705.54	
WQv "2B"	11,317	CF	11,317	CF	705.54	
SAND FILTER "2A"	1,222	SF	1,263	SF	703.70	
SAND FILTER "2B"	1,347	SF	1,393	SF	703.70	
SAND FILTER MAX ALLOWABLE BUA						239,307 SF
TOTAL SITE MAX ALLOWABLE BUA						364,999 SF



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charlotte, nc 28205 F 704.334.3305
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nc firm no: P-0418
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11.05.2020

Blue Heel
Development

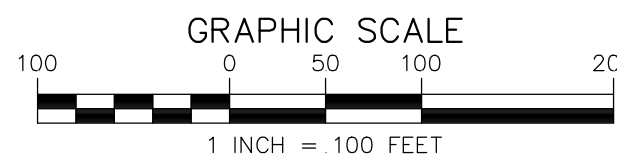
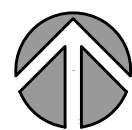
Matt Gallagher
9606 Bailey Road, Suite 265
Cornelius, NC 28031

Hollins Grove

Sand Filter Exhibit
Cashion Road Huntersville, NC



BEFORE YOU DIG!
CALL 811 OR 1-800-632-4949
N.C. ONE-CALL CENTER
IT'S THE LAW!



NO.	DATE	BY:	REVISIONS:
1	10.09.20	bds	per town comments
3	11.05.20	bds	per town comments

Project No: 20-047
Date: 09.01.20
Designed By: bds
Checked By: bds
Sheet No:

SF-1



Hollins Grove Community Meeting Minutes and Attendees

Date: September 28, 2020

Time: 6p

Location: Zoom Meeting

Attendees:

Representing Developer – Matt Gallagher, Blue Heel Development & Susan Irvin, Irvin Law Group

Representing Town of Huntersville – Sierra Saumenig, Town Planning & Nick Walsh, Town Commissioner

Representing the Community – Julia Copping, Justin Greer, Michelle Mendoza, Coley O'Shaughnessy

Minutes:

- Meeting start – 6:10p
- Introductions by Blue Heel Development
- Presentation by Matt Gallagher of Blue Heel Development
- Project History
- Inclusion of additional open space along Cashion Road
- Relocating of lots from along Cashion Road to Phase 2 of Hollins Grove – north of the gas line easement – total of 3 additional lots bringing the community from 40 lots to 43
- All aspects of the Town of Huntersville's Rural zoning will be adhered to
- Questions and Answers
 - Will there be sidewalks in the community?
 - Yes, pointed out the locations on one side of the street that sidewalks would be installed and community is designed to have the builders install the sidewalks as they build out.
 - How much more open space and tree save does the new plan include?
 - Pointed out two main locations – the full amount of land added along Cashion Road, an additional section in the northwest corner of the community and an additional sliver along the gas line between the gas line and the lots to the north of the gas line
 - % of tree save added?
 - Unsure of final percentage but the site plan data shows another 2% of tree save and an additional 1 acre (approximately) of open space.
- Meeting finished at 6:30p

Matt Gallagher
Blue Heel Development

Community Attendees

Michelle Mendoza msmendoza60@gmail.com

Justin Greer jugreer@cisco.com

Julia Copping juliagcopping@gmail.com

Coley O'Shaughnessy coleyjohn10@outlook.com



October 15, 2020

Blue Heel Development
442 South Main St, Suite 100
Davidson, NC 28036

**RE: Adequate Public Facilities (APF) Application – Cashion Rd Juhan/Hollins Grove
(File#2015-07)**

Dear Blue Heel Development:

The Town has completed its review of the above referenced APF Application and deemed it to be complete, per Article 13.6.3 of the Zoning Ordinance. Based upon your request for an allocation of capital facilities for the above-referenced development proposal, consisting of 43 Single Family Homes, I am issuing a “Determination of Adequacy (DOA)” for the following public facilities:

- Fire vehicles and station space
- Police vehicles and station space
- Parks & Recreation gym and parks

Please be advised that this DOA is valid for one (1) year, or until October 15, 2021, by which date this development proposal must have achieved vesting, per Section 2.2 of the Zoning Ordinance. Once vesting has been achieved, this DOA is valid for 3 years, at which time it will expire unless a certificate of occupancy or final plat approval has been granted.

Please feel free to contact me with any questions brichards@huntersville.org or by phone: (704) 766-2218.

Sincerely,

Brian Richards

Brian Richards
Assistant Planning Director

CC: Jack Simoneau
Sierra Saumenig

Planning

Post Office Box 664 • 105 Gilead Road, Third Floor • Huntersville, NC 28070
phone 704.875.7000 • fax 704.992.5528 • www.huntersville.org



Planning Services

4421 Stuart Andrew Blvd.

Charlotte, NC 28217

Phone: 980-343-6246

Email: planning@cms.k12.nc.us

Town of Huntersville: Hollins Grove Subdivision

IMPACT OF THE PROPOSED DEVELOPMENT

Proposed Housing Units: 43 single family dwellings under Residential (R) zoning.

CMS Planning Area: North

Average Student Yield per Unit: 0.4624

This development may add 20 students to the schools in this area.

The following data is as of 20th Day of the 2019-20 school year.

<i>Schools Affected</i>	<i>Total Classroom Teachers</i>	<i>Building Classrooms/ Teacher Stations</i>	<i>20th Day, Enrollment (non-ec)</i>	<i>Building Classroom/ Adjusted Capacity (Without Mobiles)</i>	<i>20th Day, Building Utilization (Without Mobiles)</i>	<i>Additional Students As a result of this development</i>	<i>Utilization As of result of this development (Without Mobiles)</i>
BARNETTE ELEMENTARY	47	39	836	694	121%	9	123%
BRADLEY MIDDLE	57.7	53	1085	997	109%	5	109%
HOPEWELL HIGH	92.5	100	1819	1966	93%	6	93

The total estimated capital cost of providing the additional school capacity for this new development is \$491,000; calculated as follows:

Elementary School: **9**x \$34,000 = \$306,000

Middle School: **5**x \$37,000 = \$185,000

RECOMMENDATION

Adequacy of existing school capacity is a significant problem. We are particularly concerned about a case where school utilization exceeds 100% since the proposed development may exacerbate the situation. Approval of this petition may increase overcrowding and/or reliance upon mobile classrooms at the schools listed above.

**Town of Huntersville
Town Board
November 16, 2020**

To: Town Board

From: David Peete, Principal Planner

Date: November 16, 2020

Subject: Consider decision on Petition #R19-18 - Huntersville Market REVISION, a request by Cambridge Properties, LLC to rezone +/- 28.569 acres located north of the Eastfield Road and Prosperity Church Road intersection (Parcel #s 02119101, 02119168, 0211969, 02119170, 02119171, 02119172, 02119173, 02119174, 02119175) from an existing Highway Commercial - Conditional District (HC-CD) to a REVISED Highway Commercial - Conditional District (HC-CD) to permit 190 age-restricted, active adult housing units and to eliminate a proposed public street.

EXPLAIN REQUEST:

Consider decision on Petition #R19-18 - Huntersville Market REVISION, a request by Cambridge Properties, LLC to rezone +/- 28.569 acres located north of the Eastfield Road and Prosperity Church Road intersection (Parcel #s 02119101, 02119168, 0211969, 02119170, 02119171, 02119172, 02119173, 02119174, 02119175) from an existing Highway Commercial - Conditional District (HC-CD) to a REVISED Highway Commercial - Conditional District (HC-CD) to permit 190 age-restricted, active adult housing units and to eliminate a proposed public street.

ACTION RECOMMENDED:

Consider decision on Petition #R19-18

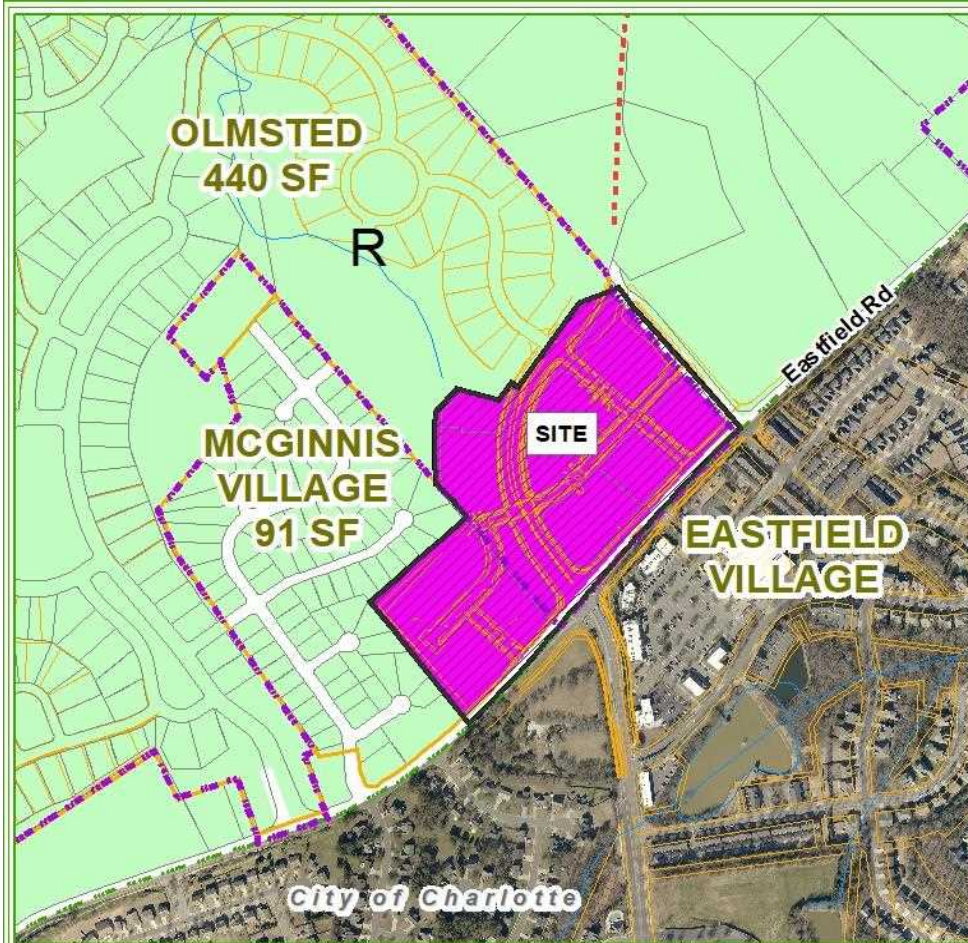
FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. R19-18 FINAL ACTION 11-16-20
2. Attachment A - Huntersville Market General_Application
3. Attachment B-1 Huntersville Market CD Rezoning Plan 1 of 2
4. Attachment B-2 Huntersville Market CD Rezoning Plan 2 of 2
5. Attachment C-1 - 1st & 2nd Neighborhood Mtg. Minutes
6. Attachment C-2 - 3rd Neighborhood Mtg. Minutes
7. Attachment C-3 - 4th Neighborhood Mtg. Minutes
8. Attachment D - CMS Development Impact Statement

Petition R19-18
Huntersville Market Conditional District Rezoning – Revision
(UPDATES IN RED)

PART 1: PROJECT SUMMARY



Applicant: Cambridge Properties, Inc.
(Jay Priester).

Property Owner: Cambridge-Huntersville, LLC (see Attachment A).

Property Address: 4664 Hylas Ln.

Project Size: (+/-) 28.569 -acres

Parcel Number(s):

02119101, 02119168, 02119169,
02119170, 02119171, 02119172,
02119173, 02119174 & 02119175.

Current Zoning: Highway Commercial Conditional District (HC-CD).

Current Land Use: Commercial & Medical Office.

Proposed Zoning: Revised Highway Commercial —Conditional District (HC-CD).

Proposed Land Use:
Commercial, Medical Office & Age-Restricted, Active Adult Housing.

1. Purpose: Proposed third major amendment to the existing Highway Commercial - Conditional District Rezoning Plan that proposes three major changes: 1) to eliminate a portion of general commercial square footage and replace with one (1) age-restricted, active-adult housing building with (up to) **175** ~~190~~ units; 2) eliminate a platted, but un-opened, public street that is no longer required for access; and to allow the apartment building to be four (4) stories in height. No other major amendments are proposed. If the proposed rezoning revision is approved, a coinciding Subdivision Sketch Plan will be reviewed by staff for compliance.
2. *NOTE: This petition was originally submitted in November of 2019, scheduled for a February 2020 Public Hearing. During the second plan-review cycle, the applicant proposed a major change to the rezoning, thus requiring the Public Hearing to be re-scheduled for April 2020. After this deferral action, the COVID-19 quarantine delayed the Public Hearing until June 2020. The June hearing was held, the Planning Board made recommendation and the project was scheduled for Final Action on July 20, 2020 – however, the applicant, again proposed a major revision to the plan – thus a new timeline was established with a October 5, 2020 Public Hearing.*
3. Adjoining Zoning and Land Uses.
North: Rural (R) – single-family homes (McGinnis Village & Olmstead Subdivisions) & vacant.
South: – (City of Charlotte) commercial (Eastfield Village Shopping Center), townhomes & vacant.

East: Rural (R) – church (Harvest Community Church).

West: Rural (R) – single-family homes (McGinnis Village Subdivision).

4. Neighborhood meetings were held on Wed., Feb. 12 and Thurs., Feb. 27, 2020 on the first rezoning plan version, on May 21, 2020 for the second version and on Aug. 19, 2020 for the current version. It should be noted that there was almost no attendance at these meetings and no comments were received. Summaries of all meetings are included in Attachments C-1 - C-3.
5. Notice for this rezoning request was provided for each hearing via postcards sent to adjoining property owners; a legal ad placed in the Charlotte Observer; and posting of rezoning signs on the property in two (2) locations.

PART 2: REZONING/SITE PLAN ISSUES

The original Huntersville Market Conditional District Rezoning was approved in 2008. This request is the third revision to the Conditional District Rezoning Plan, and it is generally compliant with the Zoning Ordinance and Subdivision Regulations, with significant elements as follows:

- Removal of 54,750 square feet of commercial building space, to be replaced by (up to) **175** ~~190~~ age-restricted, active-adult housing units (only 174 units are proposed on the plan);
- Removal of a publicly dedicated, but un-opened, street right-of-way (Street D) and the combination of two parcels into one (to be called Parcel I);
- Request to permit one (1) age-restricted, active-adult apartment building to be four (4) stories in height;
- **The extension of Prosperity Church Road and Rocky Ford Club Road to tie-in at new intersection;**
- The addition of an Urban Open Space (Plaza) at the corner of Prosperity Church Road and Hylas Lane;

The applicant requests the following **four (4)** modifications to Ordinance requirements:

- 1) Permit block length along Hylas Lane for Parcel I to exceed maximum block length, but not to exceed 750 linear feet.
STAFF COMMENT: Block length modifications may be granted, per Article 5.2 of the Zoning Ordinance, if “a longer block will reduce the number of railroad grade crossings, major stream crossings, or where longer blocks will result in an arrangement of street connections, lots and public space more consistent with this Article and Article 7 of these regulations”. This mixed-use node is developed under the “Urban Conditions” block category that limits block-length to a pedestrian-friendly 250 – 500 feet. The proposed modification would permit the block north of Hylas Lane to be longer than 500 feet, but not to exceed 750 feet in length. There are no existing physical features to merit block length extension and the overall length of the proposed block is excessive for the block pattern established within the original Conditional District Rezoning Plan. The block length modification has been requested to accommodate the size of the proposed apartment building. It is possible, through building design (eliminate repetitive architecture, “push-in” sections of the building, etc...), streetscape arrangement (require on-street parking, install intersection tabletops, etc...) and other street-level improvements, to diminish the impact of the longer building within the block. One of the techniques suggested by Staff to address this issue was to create an “architectural indentation” in approximately the mid-point of the building, to break the long, linear appearance of the façade. **The latest version of this revision has an indentation shown as 30 feet wide and provides an entrance into the building, which provides a “façade-break” to simulate multiple buildings. At the “mid-block” entrance, there is a landscaped gathering-area with seating. The plan provides four (4) sections of the active-adult apartment building; the longest of which is 317 feet in length (see Rezoning Plan Sheet AS-6). In addition, the mid-point of the building has an entrance and a small seating area to create a mid-block access point into the main areas of the building. These elements, combined with the building articulation, streetscape additions along Hylas Lane (including larger-than-minimum street trees and 5 – 8 feet wide sidewalks) and traffic calming improvements to Hylas Lane (pedestrian crossing and intersection tables) will all work to diminish the perceived length of the building within the block.**

- 2) Permit an age-restricted, active-adult apartment building located on Parcel I to have a building height of four (4) stories (not to exceed 50 ft. max.).

STAFF COMMENT: The applicant is requesting a modification to permit one (1) building limited to four (4) stories or fifty (50) feet in height. The proposed modification would not apply to any other buildings - which are limited to 36 feet in height. Staff does not support this modification, as it is not consistent with Zoning Ordinance Article 11.7.k that states, "in approving a conditional district, the Town Board may modify standards established in the zoning or subdivision ordinance provided the spirit of the regulation is maintained". There are no environmental factors, adjacent buildings of similar scale and mass or other factors to justify the request for four (4) stories. The Eastfield Road Small Area Plan recommends that "adjacent to Huntersville Market, higher intensity uses, transitioning from commercial development to low density residential" is supported, but higher intensity development does not, necessarily, mean increased building height (see Part 5 of this report). As proposed, the density of this development would be ~~29.76~~ 30.95-units per acre for Parcel I, or ~~6.12~~ 6.37-units per acre over the entire CD Rezoning area. The adjoining residential developments have low intensity (McGinnis Village = 2.95 & Olmstead = 1.0), but there is no transitional use or spacing from the proposed high-intensity use, to the existing low intensity uses (except for the Prosperity Church Road right-of-way). An essential question of this request is whether that density level is supported in this area. Of additional note, the infrastructure network to support increased density will not be expanded in the near future. While a connection into the Olmstead Subdivision is forthcoming, Prosperity Church Road does not extend north to provide connection to another major thoroughfare and the City of Charlotte has not identified any timeframe for improvements to Eastfield Road or Prosperity Church Road, to the south. Introducing residential uses into a mixed-use node is absolutely supported by the Town's long-range plans, and an increase in density as part of this development is also supported, however no rationale consistent with the "spirit of the regulations" has been offered to justify modification to the height limit. **If the four-story height is supported by the Town, it is recommended that the mass of the building should be reduced by setting the top floor back from the street slightly – to create patio space, and reducing the perceived height from the street.**

- 3) To remove approximately 347 linear feet of platted, but unopened, public right-of-way and to combine that right-of-way with the adjoining parcels to create a new "Parcel I".

STAFF COMMENT: If the proposed Conditional District Rezoning Plan Revision to combine Parcels I & J into one parcel is to be approved, the modification request to eliminate this section of platted right-of-way is appropriate, as the right-of-way would not be required to provide access or frontage for the development.

- 4) To allow side yard parking so long as the parking is screened with either landscape screening or a masonry knee wall a minimum of 3' in height.

STAFF COMMENT: Article 8.16.7 of the Zoning Ordinance requires parking and detached garages to be located in the rear yard. As detached garage clusters would be a permitted accessory use to a building of this type, it is reasonable to permit such buildings, provided they are appropriately screened from view from public right-of-ways. Staff would recommend that the modification request is revised to state the following: "To allow side yard surface parking and garages only along the eastern side of Parcel I, provided they are screened from view from public streets with a combination of landscaping and a masonry knee-wall, a minimum of 3 ft. in height.

Applicant agrees to this condition and will provide both the wall and landscaping.

Additional items:

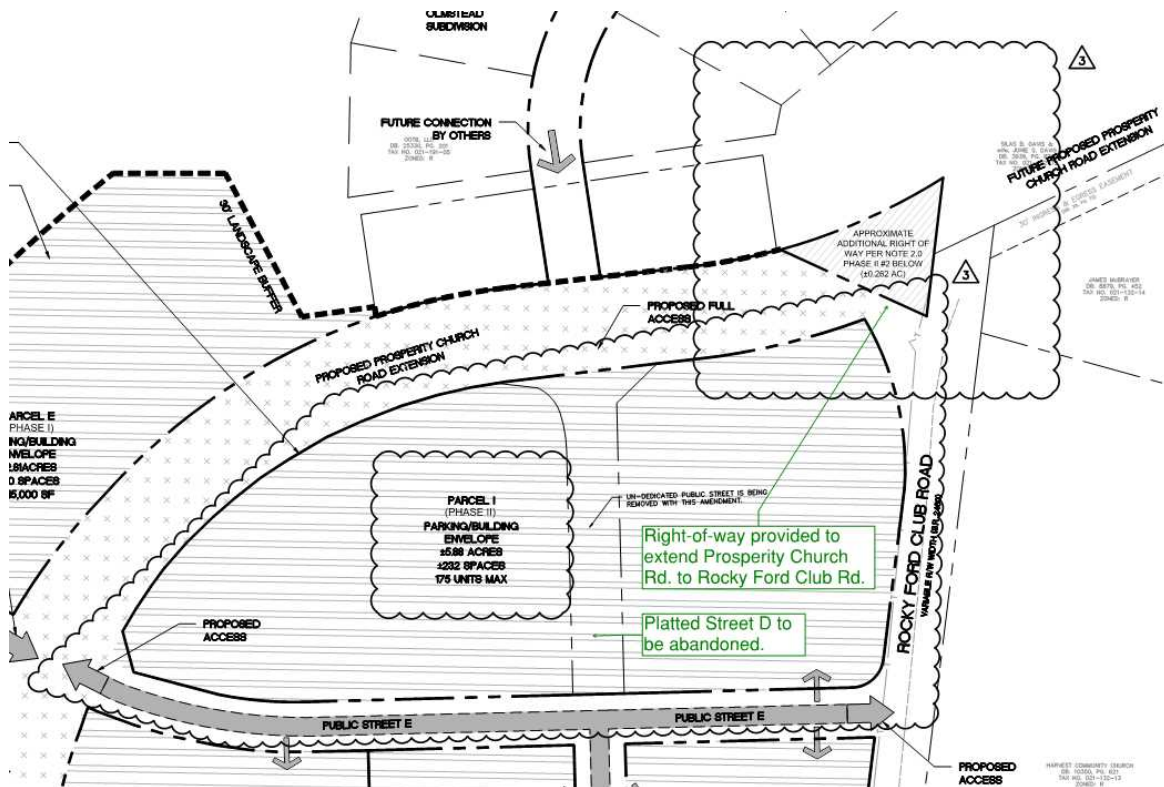
- The original Huntersville Market CD Rezoning did not extend the right-of-way for Rocky Ford Club Road to the future alignment of Prosperity Church Road. In working with the adjoining Olmstead Subdivision development, it is possible to extend the public right-of-way to set-up connection to Prosperity Church Road right-of-way. The applicant has proposed to provide this set-up, by dedicating required right-of-way, however, while permission from an adjoining property owner has been verbally agreed-to, the required right-of-way for Prosperity Church Road is not shown as added to the project, nor has written permission been provided. **Per Rezoning Plan Sheet**

SP2.0, all right-of-way required to connect Prosperity Church Road to Rocky Ford Club Road are to be provided and both roads will be constructed to create a new intersection tie-in of two 2-lane public streets.

- The current CD Rezoning provides Urban Open Space via one Plaza A, totaling 3,600 SF. The proposed revision adds a new Plaza B (5,000 ~~2,400~~ SF) at the intersection of Prosperity Church Road and Hylas Lane for a new total of Urban Open Space of 8,600 ~~6,000~~ SF. The type, location, minimum size and overall design of Urban Open Spaces are required at Rezoning / Sketch Plan (see Rezoning Plan Sheet SP1.0).
- The ground-level units along Hylas Lane need to have enhanced treatments to clearly define the private areas from the public realm. This would involve providing appropriate space from the public sidewalk, combined with knee-walls, decorative fencing, landscape elements and possible grade changes to separate these two areas. As this is senior housing, privacy and security along Hylas Lane will be important and these ground-level enhancements can help to achieve this effect. Rezoning Plan Sheet AS-6 indicates, "every unit may have patios, but every unit shall not have a patio. However, every unit fronting a public street shall have an exterior pedestrian door connecting to the sidewalk within the right-of-way". The ground floor patios shall have decorative fencing and/or landscaping separating them from the public areas."

PART 3: TRANSPORTATION ISSUES

A TIA revision was not required by the Town for the proposed CD Rezoning Revision as the elimination of 54,750 sq. ft. of retail space and the addition of a 175 ~~190~~-unit, age-restricted, active-adult housing units, represents a decrease in trips generated from the site. All previously required TIA improvements are still in effect, per the original Approved Conditional District Rezoning Plan and no changes to the Approved TIA are proposed. All remaining improvements are to be installed, per the approved Rezoning/ Sketch Subdivision Plan, with the exception of the installation of public Street D, which is proposed to be eliminated (see Plan below).



- At such time that Prosperity Church Road is extended north, several intersections will no longer have full-access – as this thoroughfare is designed as a median-divided multi-lane facility. It is critical to prepare for this eventuality by making sure adequate right-of-way is provided for all future improvements. Adequate right-of-way at the Prosperity Church Road and Rocky Ford Club Road should be dedicated as part of this revision (see

plan above). In addition, to provide adequate access, now and when Prosperity Church Road is upgraded, it is recommended that the 2-lane section of Prosperity Church Road is extended to connect with Rocky Ford Club Road. **Per Rezoning Plan Sheet SP2.0, all right-of-way required to connect Prosperity Church Road to Rocky Ford Club Road are to be provided and both roads will be constructed to create a new intersection tie-in.**

PART 4: ADEQUATE PUBLIC FACILITIES (APF)

Under the provisions of the APF Ordinance, all residential development greater than twenty (20) lots / dwelling units are required to receive a “Determination of Adequacy (DOA)” for the following public facilities: fire station, fire vehicles, police station, police vehicles, indoor park and recreation facilities, and parks acreage. An APF Ordinance Determination of Adequacy was issued on Dec. 31, 2019.

PART 5: REZONING CRITERIA

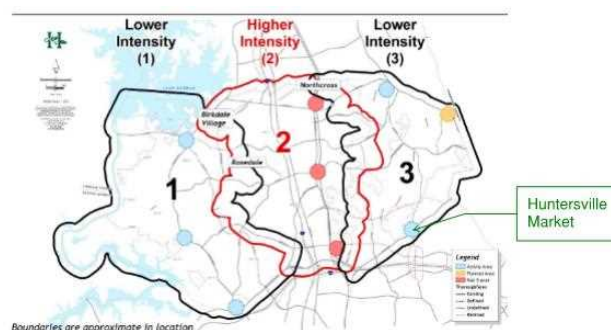
Article 11.4.7(d) of the Zoning Ordinance states that “in considering any petition to reclassify property, the Planning Board in its recommendation and the Town Board in its decision shall take into consideration any identified relevant adopted land-use plans for the area including, but not limited to, comprehensive plans, strategic plans, district plans, area plans, neighborhood plans, corridor plans, and other land-use policy documents”.

The Town of Huntersville 2030 Community Plan supports the development of “mixed-use nodes” at the intersection of major thoroughfares. Page 30 (Section 10.0) of the 2030 Community Plan states “the new village development pattern is focused in small and large mixed-use centers located at the intersection of major thoroughfares” (see map below). Page 31 of the Plan states that “it is important that future mixed-use village nodes in the eastern and western areas of Huntersville should not be rezoned for speculative purposes but instead be established to meet an existing need after significant public input is received following the development of an area plan”. Such public input was provided in the adoption by the Town of the Eastfield Road Small Area Plan (SAP), which is discussed later in this section. The 2030 Community Plan also states, “it is anticipated that future mixed-use village nodes in the eastern and western areas of Town will be characterized by small commercial component, civic uses, a variety of residential types and significant open space with very low density surrounding the village”. Page 32 of the Plan states the mixed-use node development pattern “is intended to avoid ‘sprawl’ development, allowing for the efficient provision of public utilities, roads and services, along with the preservation of open space and recreation areas to serve these nodes”. While the Huntersville Market CD Rezoning Plan does not, by itself, represent a node, it is the main component due to its location at the intersection of two thoroughfares and the introduction of residential uses is completely supported by the Town’s long-range plans.

The 2030 Huntersville Community Plan supports this project through the following sections:

- **Policy H-2: Continue to encourage mixed-use village development pattern at key nodes as identified in Small Area Plans adopted by the Town.**

STAFF COMMENT: The Proposed conditional rezoning site is located within an activity node identified in the Town’s Long Range Plan. See clip below.



- **Policy H-4: For proposed developments, either in the core or within identified nodes, adhere to the principles set forth in the Zoning Ordinance and adopted small area plans to ensure an approximate mix of residential, commercial, and employment uses to maximize land use and transportation efficiencies, while minimizing environmental impacts.**

STAFF COMMENT: The proposed Conditional District Rezoning Plan is generally consistent with the requirements of the Zoning Ordinance, and the Small Area Plan adopted for this area, aside from the elements identified in Part 2 of this report. The CD Rezoning Plan can be modified to address comments and redlines.

- **Policy H-5: Encourage housing options which accommodate senior citizens (e.g. age restricted/retirement communities, congregate care/assisted living facilities,) allowing seniors to remain in the community.**

STAFF COMMENT: The (up to) ~~175~~ 190, age-restricted, active-adult housing units may (but are not required to) provide affordable housing options for senior residents that are not present in large numbers, throughout Town.

- **Policy H-9: Higher intensity residential development will be focused generally within two miles of the I-77/NC-115 corridor and future mixed use nodes in the eastern and western areas of Huntersville's zoning jurisdiction.**

STAFF COMMENT: Huntersville Market is located within the activity node at Prosperity Church Road and Eastfield Road, identified in the Town's Long Range Plan, therefore increased density would be appropriate in this location. See additional comments regarding the Eastfield Road Small Area Plan below.

- **Policy PF-2: Continue use of "Adequate Public Facilities Ordinance" to ensure that demand generated by existing and future growth and development for police, fire and parks & recreation capital facilities can be met by available supply of facilities.**

STAFF COMMENT: see Part 4 of this report.

- **Policy T-6: Support the installation of sidewalks, bikeways and greenway trails connecting residential, commercial, employment, recreational and institutional uses.**

STAFF COMMENT: The plan proposes sidewalks to be installed along all public streets. Bike-lanes and sidewalks are installed along most of the frontage of Prosperity Church Road (north of Eastfield), but not along the entire frontage. **Latest Rezoning Plans extend sidewalks along Prosperity Church Road to tie into Rocky Ford Club Road.**

- **Policy T-8: Promote and require street connectivity in the Town of Huntersville among residential, employment, recreational and institutional uses.**

- STAFF COMMENT: The proposed development extends one public street (Rocky Ford Club Road) to connect to a future thoroughfare, but does not extend Prosperity Church Road northward to connect with Rocky Ford Club Road. The Olmstead Subdivision will connect into Prosperity Church Road in their last residential phase. **Per Rezoning Plan Sheet SP2.0, all right-of-way required to connect Prosperity Church Road to Rocky Ford Club Road are to be provided and both roads will be constructed to create a new intersection tie-in.**

The Eastfield Road Small Area Plan (SAP) (adopted 2014) addresses this request as follows:

The Huntersville Market development is located in "Planning Zone 3 - A" of the plan (Pages 31-32) which recommends to "maintain approved development pattern within Huntersville Market. Adjacent to Huntersville Market, higher intensity uses, transitioning from commercial development to low density residential, may be appropriate for consideration".

STAFF COMMENT: Reducing the amount of commercial square-footage allowed and permitting (up to) ~~175~~ 190 age-restricted, active-adult housing units is supported by the provisions of the Eastfield Road Small Area Plan, as the proposed revision represents an intensification and mixing of uses at the intersection of two thoroughfares. As you move away from Huntersville Market, whether east, west, or north, the development pattern quickly becomes less intense (see map below). The boundaries of Huntersville Market are McGinnis Village Subdivision to the west (2.95-units per acre), Olmstead Subdivision to the north (one unit per acre) and Community Harvest Church and large-lot residential (less than one unit per acre) to the east.



Article 11 Section 11.4.7(e) of the Zoning Ordinance states that: “in considering any petition to reclassify property the Planning Board in its recommendation and the Town Board in its decision should consider:

- 1. Whether the proposed reclassification is consistent with the overall character of existing development in the immediate vicinity of the subject property.**

STAFF COMMENT:

The proposed Huntersville Market CD Rezoning Revision is supported by the 2030 Comprehensive Plan, as the proposed use is consistent with the development pattern within a mixed-use node. While the proposed overall density is moderate. (6.12 6-65 units per acre), Staff can recommend approval of an age-restricted, senior apartments, as this level of intensity is only appropriate within identified mixed-use nodes and where supported by a Small Area Plan (SAP), both of which apply to this request. The Small Area Plan approved for this area recommends to “maintain the approved development pattern within” the project. Therefore, the key question is whether the removal of approximately 54,000 square feet of commercial space and replacing with (up to) 175 190 age-restricted, active-adult housing units is supported for this area. Huntersville Market currently has a drug store, gas station and a medical office with additional retail space currently under construction. Providing senior housing, which would help create a true mixed-use node, would move the development toward satisfying the goals of the Small Area Plan.

- 2. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, transit service, parks and recreational facilities, police and fire protection, hospitals and medical services, schools, storm water drainage systems, water supplies, and wastewater and refuse disposal.**

STAFF COMMENT:

- A Transportation Impact Analysis was originally required in 2008, but NOT for this revision, as an update was not required – see Part 3 of this report.
- An APF Ordinance Determination of Adequacy was issued for the revision on 12-31-19 (see Part 4 of this report).
- A Willingness-to-serve letter from Charlotte Water was issued for the initial CD Rezoning Plan. An updated letter reflecting the proposed revision was issued by Charlotte Water on 12-9-19.
- A Conceptual Storm Water Drainage Plan (PCO-1) is under review and must be approved by staff.
- The CD Rezoning Plan revision was sent to Charlotte-Mecklenburg School (CMS) for consideration. CMS found “no significant impact on (their affected) schools” due to proposed land use (see Attachment D).

3. Whether the proposed reclassification will adversely affect a known archeological, environmental, historical or cultural resource.”

STAFF COMMENT:

Planning staff has no indication that the request will adversely affect known archeological, environmental, historical or cultural resources.

PART 6: STAFF RECOMMENDATION

The Huntersville Market Conditional District Rezoning Plan Revision can be supported by staff subject to the following:

- Staff SUPPORTS the Huntersville Market CD Rezoning Revision (from HC-CD to REVISED HC-CD) to replace 54,750 sq. ft. of commercial area for Parcel I with one (1), age-restricted, active-adult apartment building – not to exceed 175 units (see bullet items, below), for the reasons outlined in Part 5 of this report;
- Staff DOES SUPPORT Modification #1 (block length) as presented. **The additional modifications to the proposed building and improvements along Hylas Lane, work to reduce the impact of overall building and block length (see Part 2 of this report);**
- Staff DOES NOT SUPPORT Modification #2 (building height), as no rationale has been given that is consistent with the “spirit of the regulations” to support this request (see Part 2 of this report);
- Staff SUPPORTS Modification #3 (right-of-way abandonment) as the unopened section of public right-of-way (Street D) would not be required if the overall CD Rezoning Revision is approved;
- Staff SUPPORTS Modification #4 (side yard parking) for the surface spaces and garages, as long as they are only located on the east side of Parcel I and screened with both a 3’ masonry knee wall AND appropriate landscaping to screen view from adjacent public right-of-ways.
- Provide additional architectural changes and ground-level enhancements near the building indentation to “break” the building length (see Part 2, Item 1 above);
- Dedicate all required right-of-way and extend Prosperity Church Road to connect to Rocky Ford Club Drive to create a new intersection; **This is now part of the Rezoning Plan.**
- Provide property owner consent to dedicate right-of-way for Prosperity Church Road near Rocky Ford Club Drive; **This is now part of the Rezoning Plan.**
- All outstanding redline comments must be addressed.

PART 7: PUBLIC HEARING COMMENTS

The Public Hearing was held on Monday, October 5, 2020. **No comments were received from the public. The Town Board asked questions of the applicant and staff.**

PART 8: PLANNING BOARD RECOMMENDATION

The Planning Board on October 27, 2020, recommended approval by unanimous vote (8-0). An amended Motion to Approve was made for R19-18 Huntersville Market revision, as it is consistent with many implementation goals and the 2030 Community Plan, the property is located within a mixed-use development node and Huntersville has made a commitment to active adult housing. The recommendation is contingent upon all staff recommendations on part 6 of the Staff report. The recommendation includes approval of the 4-story height substantiated by the commitment to this type of development and precedents set for intensification of congregation housing [STAFF NOTE – this is not congregational housing]. With the vestibule at the midpoint either recessed or modified to staffs’ recommendation to improve the building break. With these provisions, it is reasonable and in the public’s interest to revise the conditional district plan and remove the 54,750 square feet of commercial space because it is consistent with all application long-range plans. It was also clarified that public street access for each ground-level unit would remain consistent with the Ordinance and Staff recommendations.

PART 9: SCHEDULED FINAL TOWN BOARD ACTION

Final Action scheduled for November 16, 2020.

PART 10: ATTACHMENTS/ENCLOSURES

Attachments

A – Rezoning Application.

B-1 – Huntersville Market CD Rezoning Plan Revision.

B-2 – Huntersville Market CD Rezoning Plan Revision.

C-1 - Neighborhood Meeting Reports from Wed., Feb. 12, & Thurs., Feb. 27, 2020.

C-2 - Neighborhood Meeting Reports from Thurs. May 21, 2020.

C-3 - Neighborhood Meeting Reports from Wed, Aug. 19, 2020.

D – CMS Development Impact Statement.

PART 11: CONSISTENCY STATEMENT - R 19-18 Huntersville Market Conditional District Rezoning - Revision

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed rezoning application R19-18; Huntersville Market Conditional District Rezoning Revision, the Planning Staff RECOMMENDS CONDITIONAL APPROVAL FOR the rezoning as it is consistent with Implementation Goals H-2, H-4, H-5, H-9, PF-2, T-6 & T-8 of the 2030 Community Plan, as well as the Recommended future land uses for Planning Zone 3 of the Eastfield Road SAP. The property is located within a mixed-use development node of the 2030 Comprehensive Plan and the reduction of commercial space for age-restricted, active adult housing is supported by the Town's long range plans. Recommendation of approval is also based on all provisions outlined in Part 6 being addressed, as indicated. <u>With those provisions, it is reasonable and in the public interest to revise the Huntersville Market Conditional District Rezoning Plan to remove 54,750 SF of commercial space and permit age-restricted, active-adult housing (max. number to be determined) BECAUSE it is consistent with the 2030 Comprehensive Plan & the Eastfield Road SAP (as outlined above) and the applicable provisions of the Zoning Ordinance can be adequately addressed, with staff's recommendations in Section 6.</u>	APPROVAL: In considering the proposed rezoning application R18-18; Huntersville Market Conditional District Rezoning Revision, the Planning Board recommends approval (8-0) based on the Plan being consistent with many implementation goals and the 2030 Community Plan, the property is located within a mixed-use development node and Huntersville has made a commitment to active adult housing. The recommendation is contingent upon all staff recommendations on Part 6 of the Staff report. The recommendation includes approval of the 4-story height substantiated by the commitment to this type of development and precedents set for intensification of congregation housing. With the vestibule at the midpoint either recessed or modified to staffs' recommendation to improve the building break. With these provisions, it is reasonable and in the public's interest to revise the conditional district and remove the 54,750 square feet of commercial space because it is consistent with all application long-range plans. There was clarification on the motions requirements for public street access and it was confirmed that his intent was to remain consistent with the Ordinance and Staff recommendation.	APPROVAL: In considering the proposed rezoning application R18-18; Huntersville Market Conditional District Rezoning Revision, the Town Board recommends approval based on the Plan being consistent with <u>(insert applicable plan reference)</u>. <u>It is reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>
		DENIAL: In considering the proposed rezoning application R19-18; Huntersville Market Conditional District Rezoning Revision, the Town Board recommends denial based on the Plan being <u>(consistent OR inconsistent) with (insert applicable plan reference)</u>. <u>It is not reasonable and in the public interest to approve the Rezoning Plan because... (Explain)</u>



General Application

INCOMPLETE SUBMISSIONS WILL NOT BE ACCEPTED. PLEASE CHECK ALL ITEMS CAREFULLY.

1. Application Type

Please indicate the type of application you are submitting. In addition to the application, the submission process for each application type can be found at <https://www.huntersville.org/528/Permits-Process>

- ☐ Change of Use
- ☐ Commercial Site Plan
- ☒ Conditional Rezoning
- ☐ General Rezoning
- ☐ Master Signage Program
- ☐ Special Use Permit
- ☐ Revision to -
Original Project # _____
- ☐ Other _____

- SUBDIVISION CATEGORIES: Per the Huntersville Subdivision Ordinance
- ☒ Sketch Plan
 - ☐ Preliminary Plan
 - ☐ Final Plat (Includes Minor Subdivision)
 - ☐ Exempt Subdivision
 - ☐ Final Plat Revision
 - ☐ Farmhouse Cluster

2. Project Data

Date of Application 11/14/19

Name of Project Huntersville Market Phase # (if subdivision) _____

Project Address 4664 Hylton Lane and 10720 Oyster Lane

Parcel Identification Number(s) (PIN) 02119172 + 02119171

Current Zoning District HC(CO) Proposed District (for rezoning only) HC(CO)

Property Size (acres) ~~2.8~~ 28.569 Street Frontage (feet) 1/2 835'

Current Land Use Vacant

Proposed Land Use(s) Age restricted active adult housing

Is the ☒ project within Huntersville's corporate limits?
Yes ☒ No ☐ If no, does the applicant intend to voluntarily annex? _____

3. Description of Request

Explain the nature of this request. If a separate sheet is necessary, please attach to this application.

To allow an age restricted active adult housing development within the Huntersville Market development to create a mix of complementary uses.

4. Site Plan Submittals

Consult the particular type of *Review Process* for the application type selected above. These can be found at <https://www.huntersville.org/528/Permits-Process>.

5. Outside Agency Information

Other agencies may have applications and fees associated with the land development process. The Review Process list includes plan documents needed for most town and county reviewing agencies. For major subdivisions, commercial site plans, and rezoning petitions please enclose a copy of the Charlotte-Mecklenburg Utility Willingness to Serve letter for the subject property.

6. Applicant

Printed Name Cambridge Properties, Inc.

☒ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☒ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Commissioners except through sworn testimony at the public hearing. (Applicable if box is checked.)

Signature John J. Priate Jr.

Title Executive Vice President Email jjp@cambridgeprop.com

Address of Applicant 831 E. Morehead Street, Suite 245 Charlotte, NC 28202

7. Property Owner (if different than applicant)

* Printed Name Cambridge - Huntersville, LLC

☐ Corporation ☒ Limited Liability Company ☐ Trust ☐ Partnership ☐ Other: _____

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the owner my understanding this application will be considered in a quasi-judicial proceeding and that neither I, nor anyone on my behalf, may contact the Board of Commissioners except through sworn testimony at the public hearing. (Applicable if box is checked.)

Signature Glenn L. Platon

Title Manager Email glp@cambridgeprop.com

Address of Property Owner 831 E. Morehead St, Suite 245 Charlotte, NC 28202

* Property owner hereby grants permission to the Town of Huntersville personnel to enter the subject property for any purpose required in processing this application.

Every owner of each parcel included in this application, or the owner (s) duly authorized agent, must sign this application. If signed by an agent on behalf of the Owner, this petition MUST be accompanied by a Limited Power of Attorney signed by the property owner (s) and notarized, specifically authorizing the agent to act on the owner (s) behalf in signing this application. Failure of each owner, or their duly authorized agent, to sign, or failure to include the authority of the agent signed by the property owner, will result in an INVALID APPLICATION. If additional space is needed for signatures, attach the Town of Huntersville Signature Addendum Form.

7. Development/Design Firm Contact Information

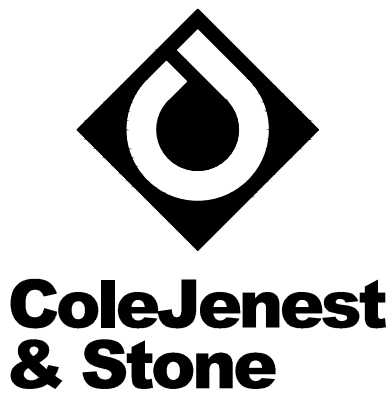
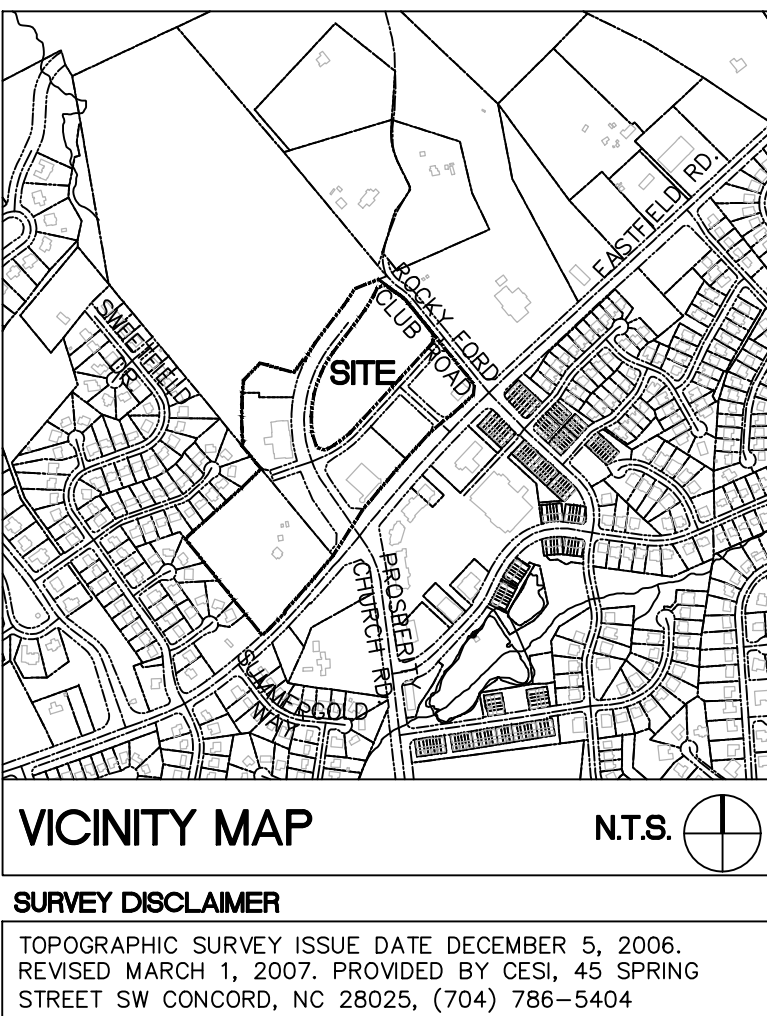
<u>Cambridge Properties, Inc.</u>	<u>John J. Priate Jr.</u>	<u>(704) 333-2393</u>	<u>jjp@cambridgeprop.com</u>
Development Firm	Name of Contact	Phone	Email
<u>Cole Jewett + Stone</u>	<u>Jacob Bachman</u>	<u>(704) 971-4513</u>	<u>jbachman@colejewettstone.com</u>
Design Firm	Name of Contact	Phone	Email

Contact Information

Town of Huntersville
Planning Department
PO Box 664
Huntersville, NC 28070

Phone: 704-875-7000
Fax: 704-992-5528
Physical Address: 105 Gilead Road, Third Floor
Website: <https://www.huntersville.org/228/Planning-Department>

HUNTERSVILLE MARKET
CAMBRIDGE PROPERTIES, INC.
CONDITIONAL DISTRICT REZONING/ SKETCH PLAN
AMENDMENT #3
EPM# 404189



Shaping the Environment
Realizing the Possibilities

Land Planning
+ Landscape Architecture
Civil Engineering
+ Urban Design

200 South Tryon Street, Suite 1400
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p+ 704.376.1555 f+ 704.376.7851
url+ www.colejeneststone.com

CAMBRIDGE
PROPERTIES

831 E. MOREHEAD STREET, #245
Charlotte North Carolina 28284

HUNTERSVILLE
MARKET

EASTFIELD ROAD
HUNTERSVILLE
North Carolina 28284

OVERALL PLAN

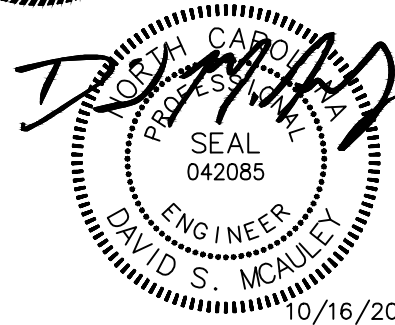
Project No.
4663

Issued
12/02/19

PRELIMINARY
NOT FOR
CONSTRUCTION

Revised

05/19/20 - REZONING AMENDMENT
10/16/20 - REZONING AMENDMENT



SCALE: 1" = 100'
0 25' 50' 100'

SP0.0

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SHEET INDEX

SHEET LIST

SP0.0	OVERALL PLAN
SP1.0	SKETCH PLAN/REZONING PLAN
SP2.0	REZONING TECHNICAL DATA SHEET
SP3.0	PRELIMINARY GRADING + STORMWATER CONCEPT PLAN
SP3.1	PRELIMINARY GRADING + STORMWATER CONCEPT PLAN - REVISED PLAN
SP4.0	TREE PRESERVATION + EXISTING CONDITIONS PLAN
SP5.0	EXISTING BUFFERS + ZONES
SP6.0	SLOPE ANALYSIS
SP7.0	EXISTING HYDROLOGY
SP8.0	SOIL ANALYSIS
SP9.0	EXISTING ZONING ADJACENT PROPERTY OWNER INFORMATION
SP10.0	EMERGENCY VEHICLE ACCESS EXHIBIT
SP10.1	EMERGENCY VEHICLE ACCESS EXHIBIT
AS-1	SCHEMATIC ARCHITECTURAL ELEVATIONS
AS-2	SCHEMATIC ARCHITECTURAL ELEVATIONS
AS-3	SCHEMATIC ARCHITECTURAL ELEVATIONS
AS-4	SCHEMATIC ARCHITECTURAL ELEVATIONS
AS-5	SCHEMATIC ARCHITECTURAL ELEVATIONS
AS-6	SCHEMATIC ARCHITECTURAL ELEVATIONS

EPM REFERENCE NUMBERS

PROJECT #	PROJECT NAME
324582	HUNTERSVILLE MARKET
330082	HUNTERSVILLE MARKET
331897	HUNTERSVILLE MARKET WALGREENS
332134	HUNTERSVILLE MARKET - ROCKY FORD CLUB RD. DED.
332243	HUNTERSVILLE MARKET PHASE 1, MAP 1
334980	HUNTERSVILLE MARKET - PARCEL 6
336580	HUNTERSVILLE MARKET MAJOR RTAP
344869	HUNTERSVILLE MARKET
346696	HUNTERSVILLE MARKET PHASE 1, MAP 1 REVISION
350573	HUNTERSVILLE MARKET PH1, MAP 1, LOT #3 REVISED
351962	HUNTERSVILLE MARKET - PARCEL 6
355964	HUNTERSVILLE MARKET - PARCEL 6

HUNTERSVILLE MARKET ADMINISTRATIVE AMENDMENT #1 - MARCH 15, 2012
HUNTERSVILLE MARKET ADMINISTRATIVE AMENDMENT #2 - NOVEMBER 1, 2012

HUNTERSVILLE MARKET STATEMENT OF PURPOSE

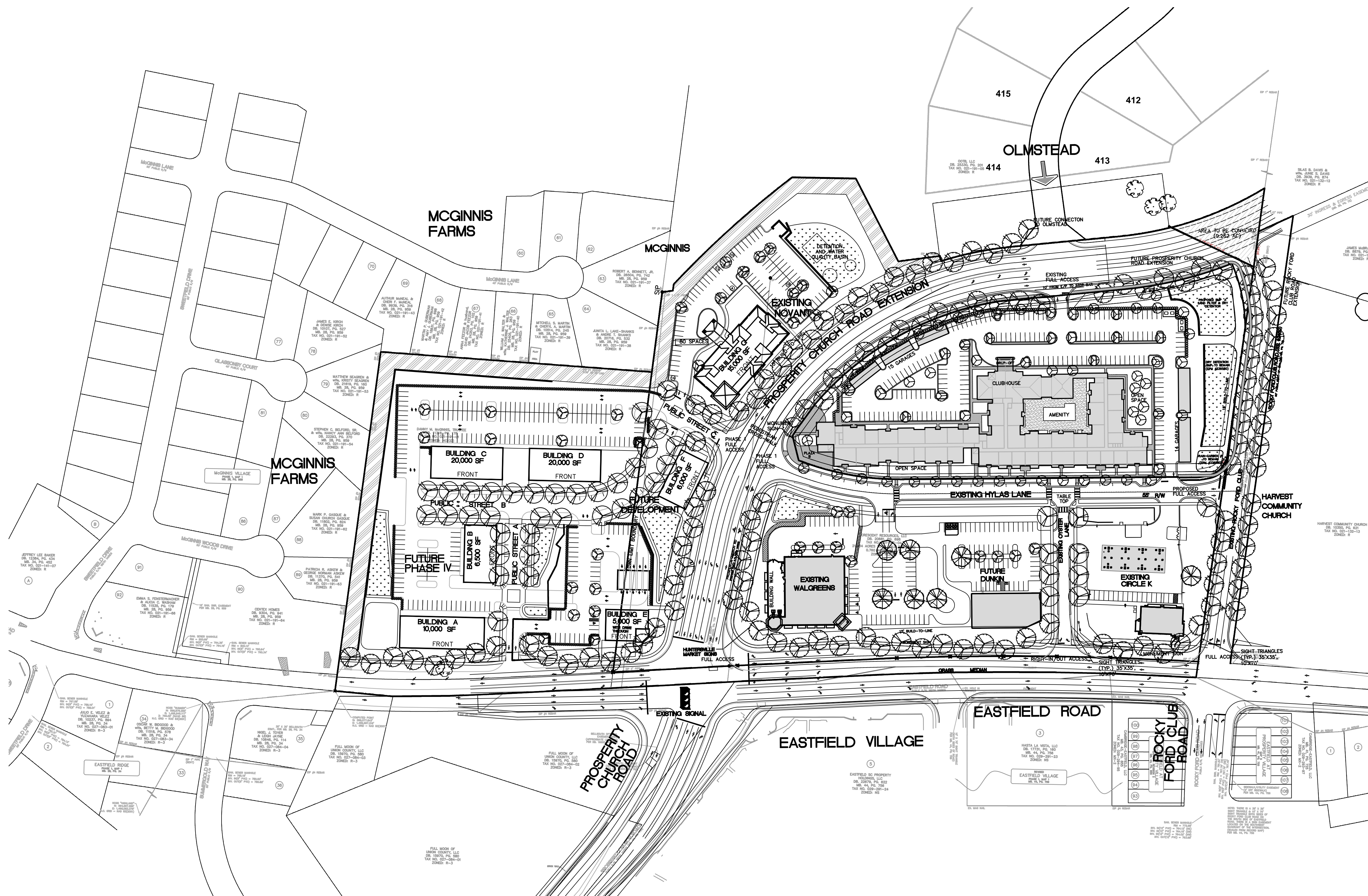
CAMBRIDGE PROPERTIES, INC. PURPOSE OF REZONING IS TO AMEND A PORTION OF THE CONDITIONS TO THE PREVIOUSLY APPROVED REZONING TO ALLOW A PORTION OF THE HUNTERSVILLE MARKET DEVELOPMENT TO BE CONSTRUCTED FOR ACTIVE ADULT RETIREMENT HOUSING AND/OR SENIOR INDEPENDENT LIVING.

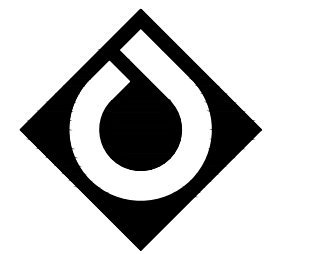
THE PROPOSED REVISIONS TO THE HUNTERSVILLE MARKET CONDITIONAL DISTRICT REZONING PLAN INCLUDE FOUR (4) MODIFICATIONS, AS FOLLOWS:

- 1) THE BUILDING ON PARCEL I FRONTING HYLAS LANE MAY HAVE A BLOCK LENGTH UP TO 750 FEET
- 2) THE BUILDING ON PARCEL I SHALL BE ALLOWED TO BE UP TO FOUR STORIES IN HEIGHT
- 3) TO REMOVE ±350 LINEAR FEET OF PREVIOUSLY PLATTED (BUT UNOPENED) PUBLIC RIGHT-OF-WAY LOCATED BETWEEN HYLAS LANE AND PROSPERITY CHURCH ROAD WILL NOT BE REQUIRED AND WILL BE COMBINED WITH PARCEL 1.
- 4) TO ALLOW SIDE YARD SURFACE PARKING AND GARAGES ONLY ALONG THE EASTERN SIDE OF PARCEL I, PROVIDED THEY ARE SCREENED FROM VIEW FROM PUBLIC STREETS WITH A COMBINATION OF LANDSCAPING AND A MASONRY KNEE-WALL, A MIN. OF 3 FT. IN HEIGHT.

CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE AGENCIES TO ENSURE THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.

2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE THE SAFETY OF THE PUBLIC.
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
4. SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 CFR, PART 1926, SUBPART P, OR AS AMENDED.





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HUNTERSVILLE MARKET

EASTFIELD ROAD
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REZONING/ SKETCH PLAN - AMENDMENT #3

Project No.

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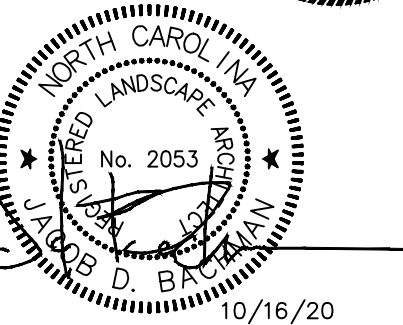
Issued

12/02/19

PRELIMINARY NOT FOR CONSTRUCTION

Revised

12/16/08 - TOWN OF HUNTERSVILLE COMMENTS
01/12/09 - REVIEW COMMENTS - AGENDA DEADLINE
01/28/09 - REVIEW COMMENTS - PUBLIC HEARING
02/12/09 - REVIEW COMMENTS - PLANNING BOARD
02/24/09 - REVIEW COMMENTS - PLANNING BOARD
03/06/09 - REVIEW COMMENTS - TOWN BOARD
03/16/09 - FINAL REVIEW COMMENTS - TOWN BOARD
03/15/12 - ADMINISTRATIVE AMENDMENT #1
11/01/12 - ADMINISTRATIVE AMENDMENT #2
10/16/20 - REZONING AMENDMENT

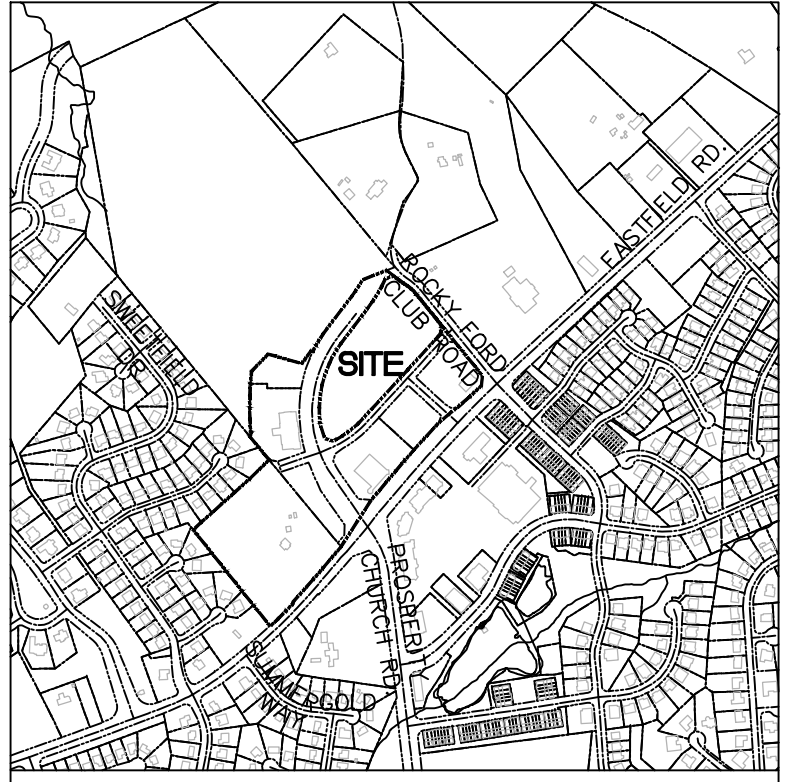


SCALE: 1" = 100'
0 50' 100' 200'

SP1.0

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VICINITY MAP N.T.S.

SURVEY DISCLAIMER
TOPOGRAPHIC SURVEY ISSUE DATE DECEMBER 5, 2006
LEGEND
STIPPLES
PROPOSED RAIN GARDEN
PROPOSED DETENTION
PROPOSED 30' LANDSCAPE BUFFER
PROPOSED STREET TREE (40' O.C.)

ZONING CODE SUMMARY

PROJECT NAME: HUNTERSVILLE MARKET
PARCEL TAX #S: 021-89-73, 021-89-74, 021-89-75, 021-89-01, 021-89-04, PORTION OF 021-89-05
OWNER: JAY PRESTER
PLANS PREPARED BY: COLEJENEST & STONE, P.A.
PROPOSED ZONING: HC-CD
EXISTING JURISDICTION: TOWN OF HUNTERSVILLE CORPORATE & ETJ

SITE SUMMARY:
TOTAL SITE ACREAGE: ± 28.569 AC
PARCEL 021-191-01: ± 2.410 AC
PARCEL 021-191-04: ± 19.990 AC
PARCEL 021-191-05 (PORTION OF): ± 1.166 AC (TOTAL PARCEL AREA ± 38.34)

DEVELOPMENT SUMMARY:
CURRENT LAND USE: HIGHWAY-COMMERCIAL/ VACANT
PROPOSED LAND USE: HIGHWAY-COMMERCIAL/AGE RESTRICTED ACTIVE ADULT HOUSING
PROPOSED OFFICE/RETAIL: ± 113,250 SF (REDUCED BY 54,750 SF FROM AMENDMENT #2)
PROPOSED AGE RESTRICTED: MAX: 175 UNITS
1BR: 87 UNITS (50%)
2BR: 87 UNITS (50%)
TOTAL: 174 UNITS

DEVELOPMENT ALLOCATION:
RIGHT-OF-WAY SUMMARY:
EXISTING EASTFIELD: ± 1.12 AC
PROPOSED EASTFIELD: ± 1.19 AC
PROPOSED PROPERTY CHURCH: ± 1.48 AC
PUBLIC STREET A: ± 0.40 AC
PUBLIC STREET B: ± 0.40 AC
PUBLIC STREET C: ± 0.18 AC
PUBLIC STREET D: ± 0.02 AC
PUBLIC STREET E: ± 0.96 AC

BUILDING AND LOT TYPE SUMMARY:
HIGHWAY COMMERCIAL:
FRONT BUILD TO LINE:
REAR YARD SETBACK:
BUILDING HEIGHT:
SHOP FRONT:
FRONT BUILD TO LINE:
BUILDING HEIGHT:
AGE-RESTRICTED APARTMENT BUILDING:
FRONT BUILD TO LINE:
REAR YARD SETBACK:
BUILDING HEIGHT:
BUILDING LOT DIAGRAMS:
BUILDING LOT SIZE (RANGE):
LOT WIDTHS (RANGE):
PARKING SUMMARY:
REQUIRED:
TOTAL REQUIRED:
TOTAL PROVIDED:

PER ARTICLE 7.4 OF HUNTERSVILLE ZONING ORDINANCE
HERITAGE TREES 100 %
SPECIMEN TREES 30 %
EXISTING SAVED MITIGATED*
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OPTION 1 OPTION 2
BUILDINGS: ±112,956 SF/±2.59 ACRES ±120,206 SF/±2.76 ACRES
BUILDINGS (FUTURE): ±17,000 SF/±0.39 ACRES ±17,000 SF/±0.39 ACRES
CURB, GUTTER, PARKING: ±422,617 SF/±9.70 ACRES ±392,619 SF/±8.91 ACRES
CURB, GUTTER, PARKING (FUTURE): ±26,000 SF/±0.59 ACRES ±14,000 SF/±0.32 ACRES
TOTAL SITE PROPOSED IMPERVIOUS: ±578,573 SF/±13.28 ACRES ±543,825 SF/±12.48 ACRES
±13.28 AC/22.78 AC = 58.3% ±12.48 AC/22.78 AC = 54.8%
IMPERVIOUS PERCENTAGE ALLOWED: 100% (SITE IS NOT LOCATED WITHIN A WATERSHED SUPPLY OVERLAY)
TOTAL SITE: ±28.569 ACRES
PROPOSED DEDICATED NON-SITE R.O.W. (1.12 AC + 1.19 AC + 3.48 AC): ±5.790 ACRES
NET SITE ACREAGE: ±22.779 ACRES
BLOCK LENGTH:
PUBLIC STREET A: ±250-300 LF
PUBLIC STREET B: ±200-450 LF
PUBLIC STREET C: ±250-300 LF
OYSTER LANE: ±250-400 LF
HYLAS LANE: SEE MODIFICATION ON SHEET SP2.0

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TOTAL SITE PROPOSED IMPERVIOUS: ±578,573 SF/±13.28 ACRES ±543,825 SF/±12.48 ACRES
±13.28 AC/22.78 AC = 58.3% ±12.48 AC/22.78 AC = 54.8%
IMPERVIOUS PERCENTAGE ALLOWED: 100% (SITE IS NOT LOCATED WITHIN A WATERSHED SUPPLY OVERLAY)
TOTAL SITE: ±28.569 ACRES
PROPOSED DEDICATED NON-SITE R.O.W. (1.12 AC + 1.19 AC + 3.48 AC): ±5.790 ACRES
NET SITE ACREAGE: ±22.779 ACRES
BLOCK LENGTH:
PUBLIC STREET A: ±250-300 LF
PUBLIC STREET B: ±200-450 LF
PUBLIC STREET C: ±250-300 LF
OYSTER LANE: ±250-400 LF
HYLAS LANE: SEE MODIFICATION ON SHEET SP2.0

PER ARTICLE 7.4 OF HUNTERSVILLE ZONING ORDINANCE
HERITAGE TREES 100 %
SPECIMEN TREES 30 %
EXISTING SAVED MITIGATED*
0 0 0
7 1 1
*TO BE MITIGATED ON PRELIMINARY PLAN IN ACCORDANCE WITH HUNTERSVILLE ZONING ORDINANCE 7.4
PER ARTICLE 7.5 OF HUNTERSVILLE ZONING ORDINANCE
30'
PER SECTION 7.6 OF HUNTERSVILLE ZONING ORDINANCE
OPTION 1 OPTION 2
BUILDINGS: ±112,956 SF/±2.59 ACRES ±120,206 SF/±2.76 ACRES
BUILDINGS (FUTURE): ±17,000 SF/±0.39 ACRES ±17,000 SF/±0.39 ACRES
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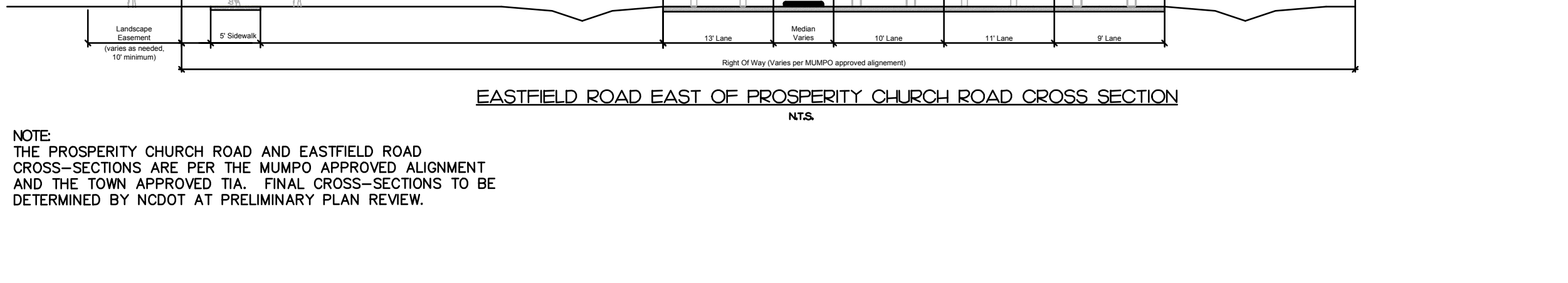
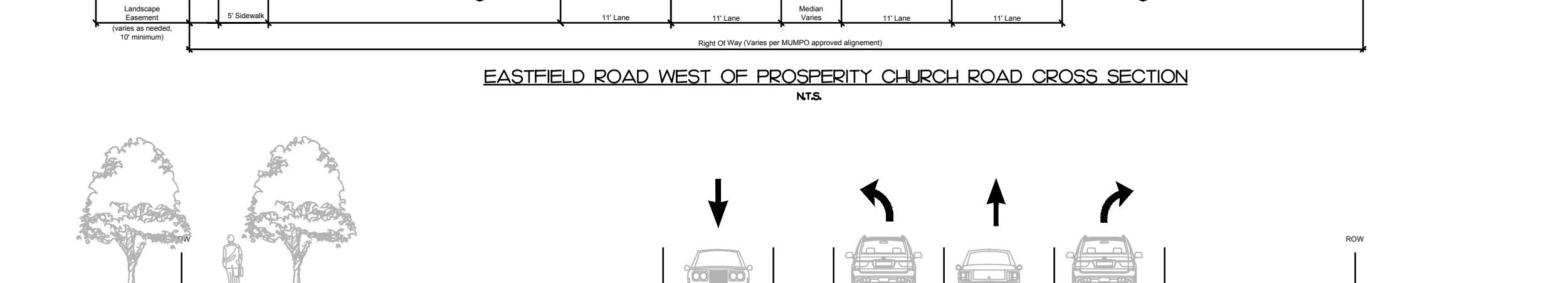
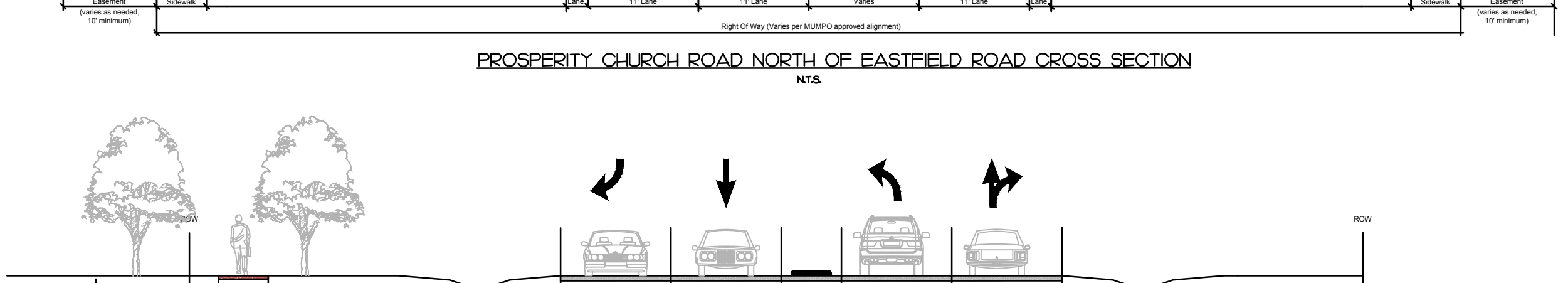
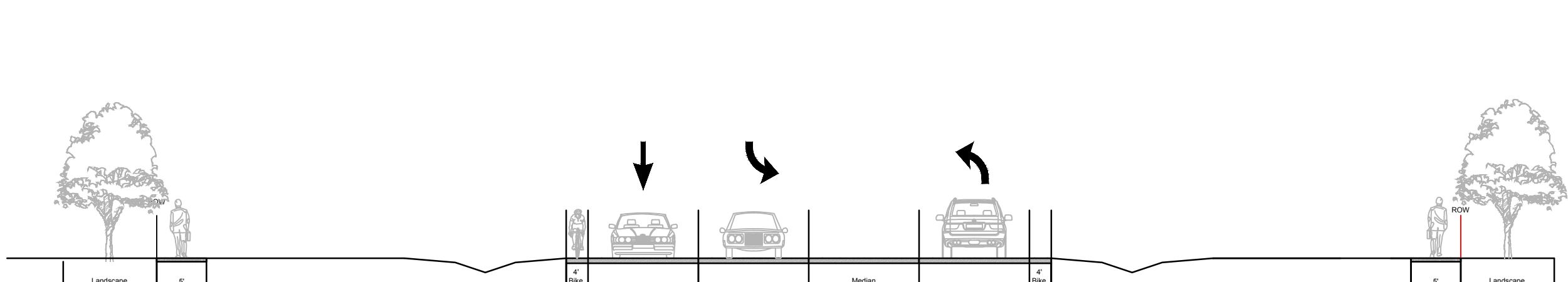
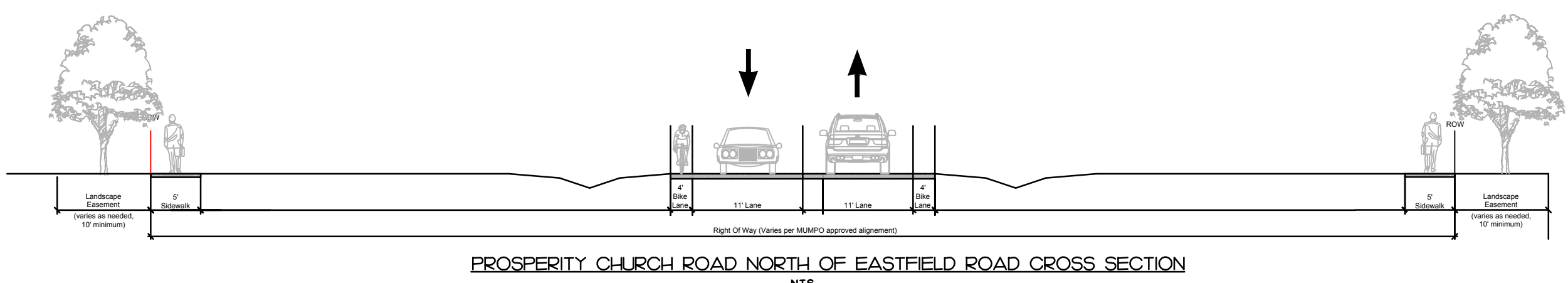
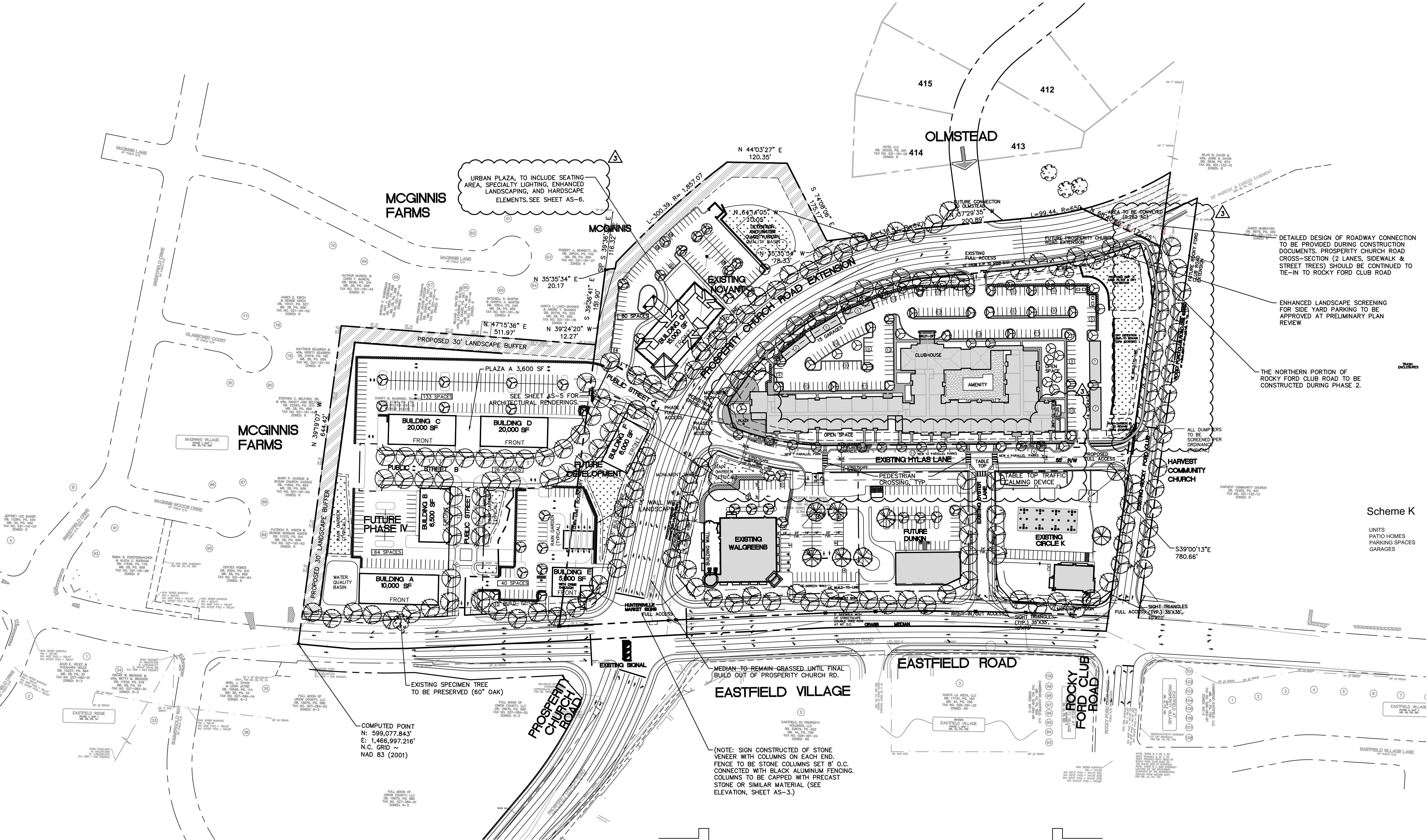
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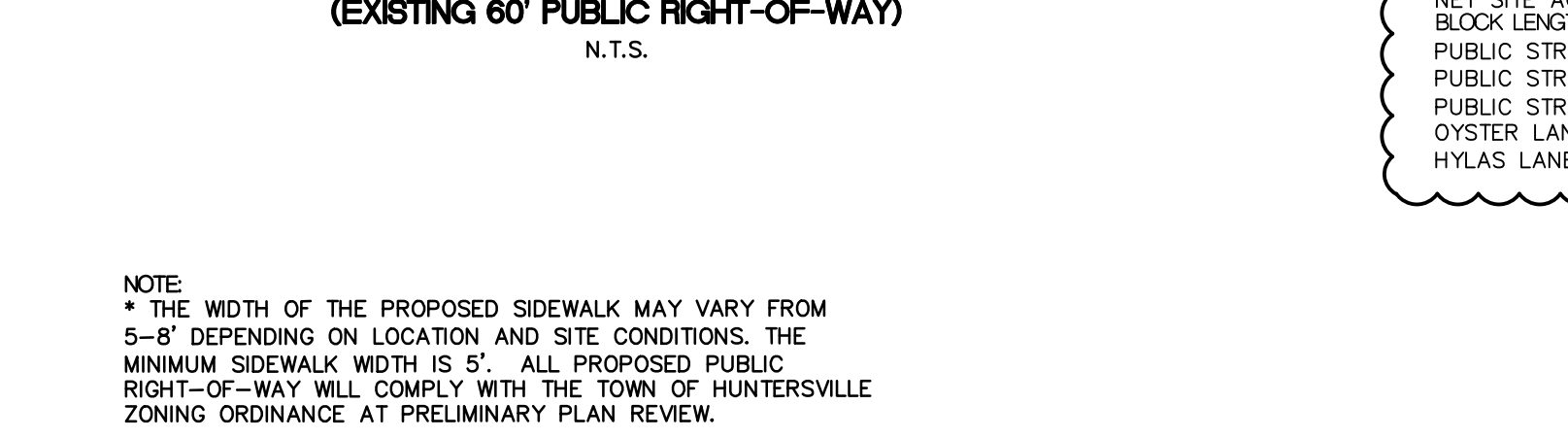
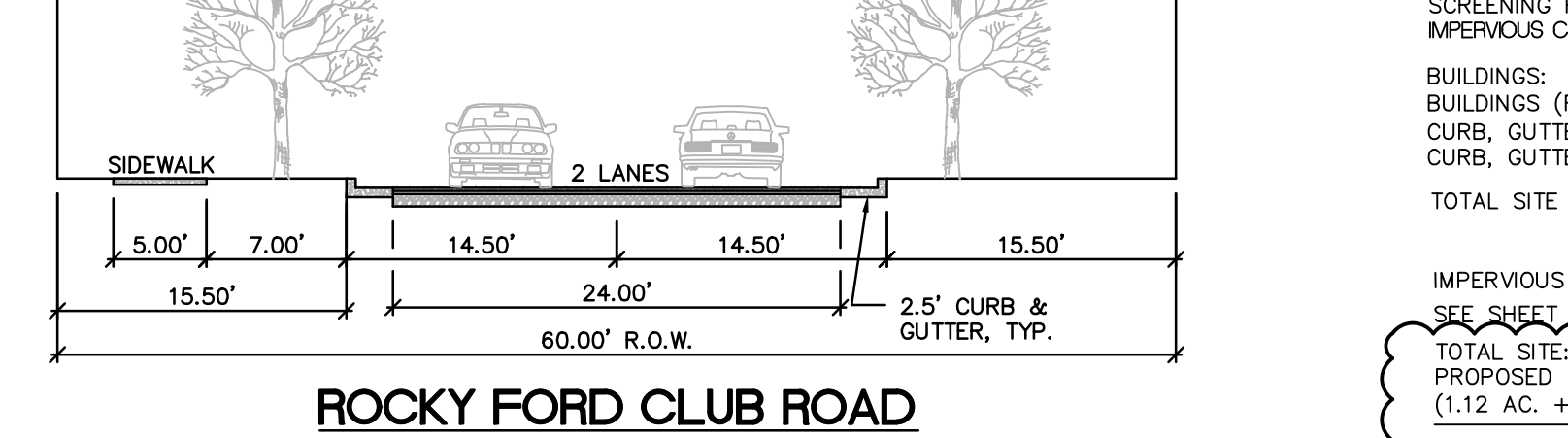
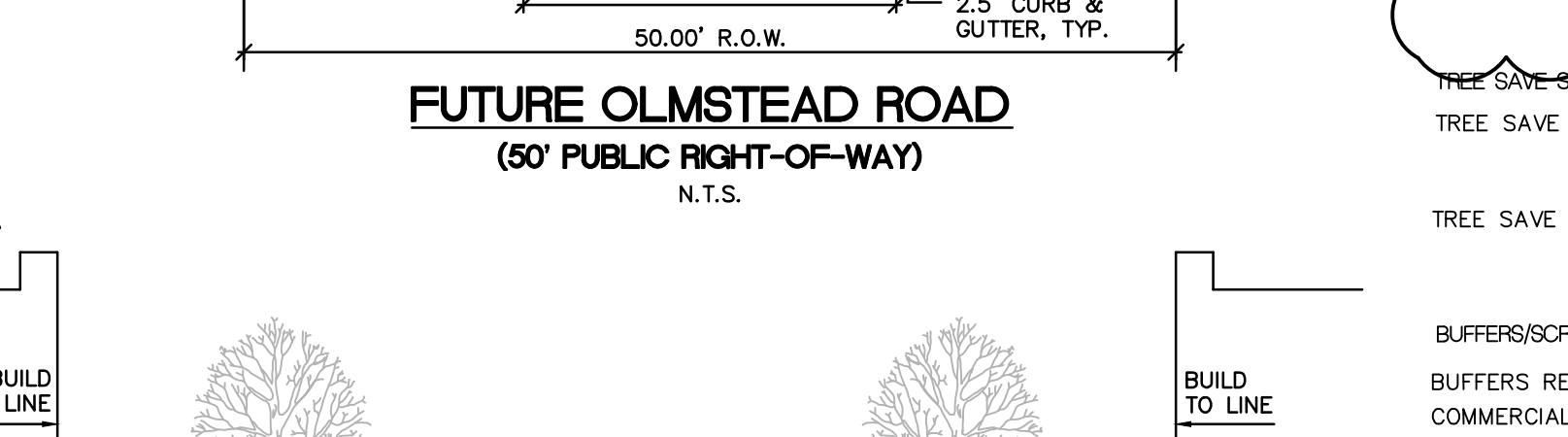
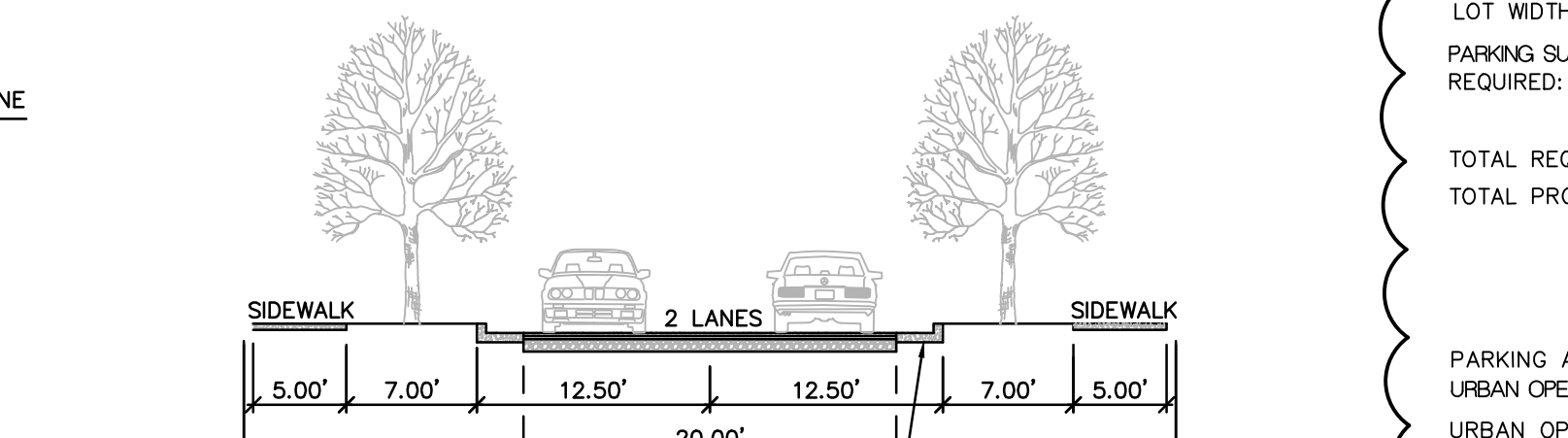
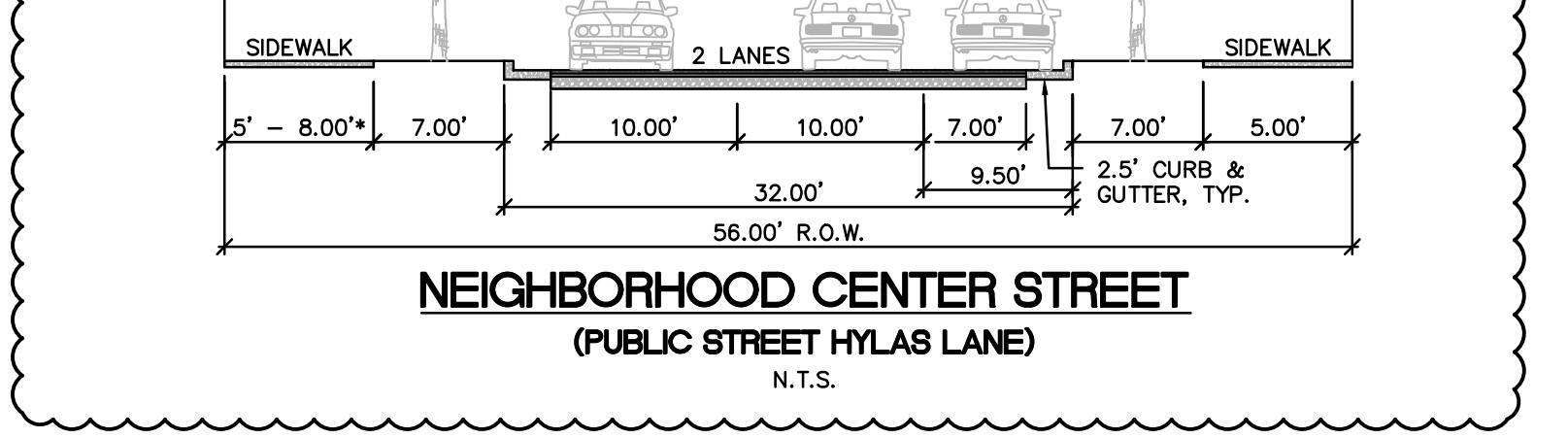
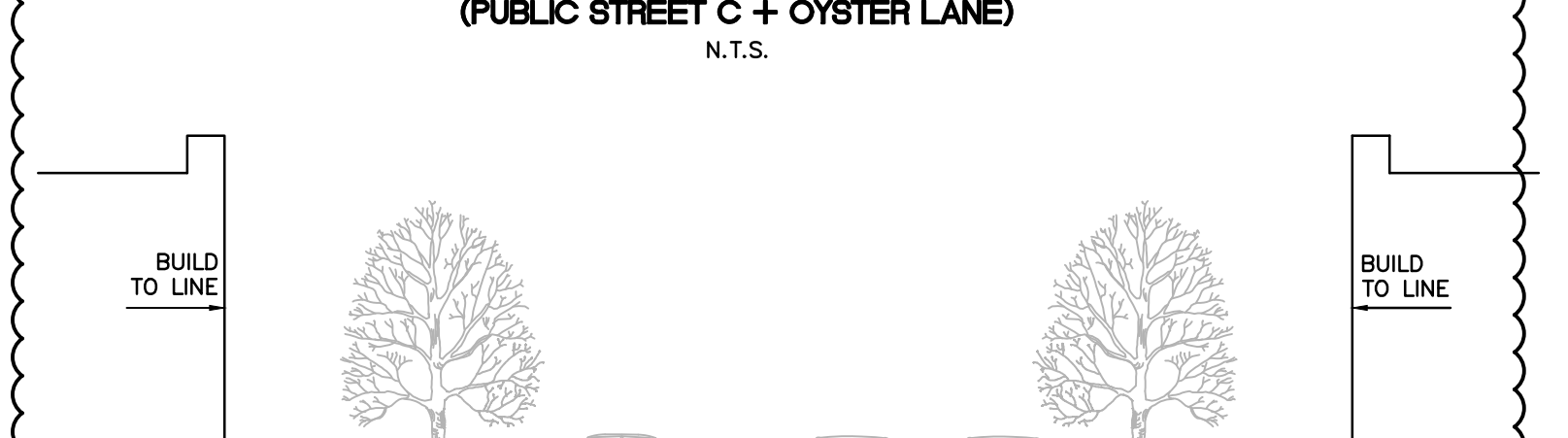
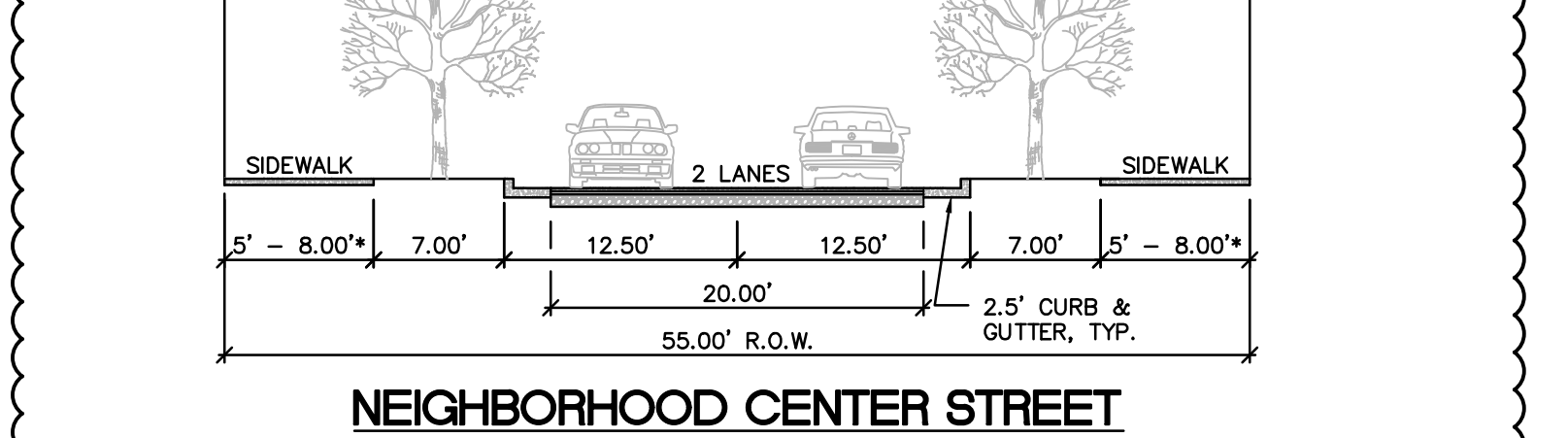
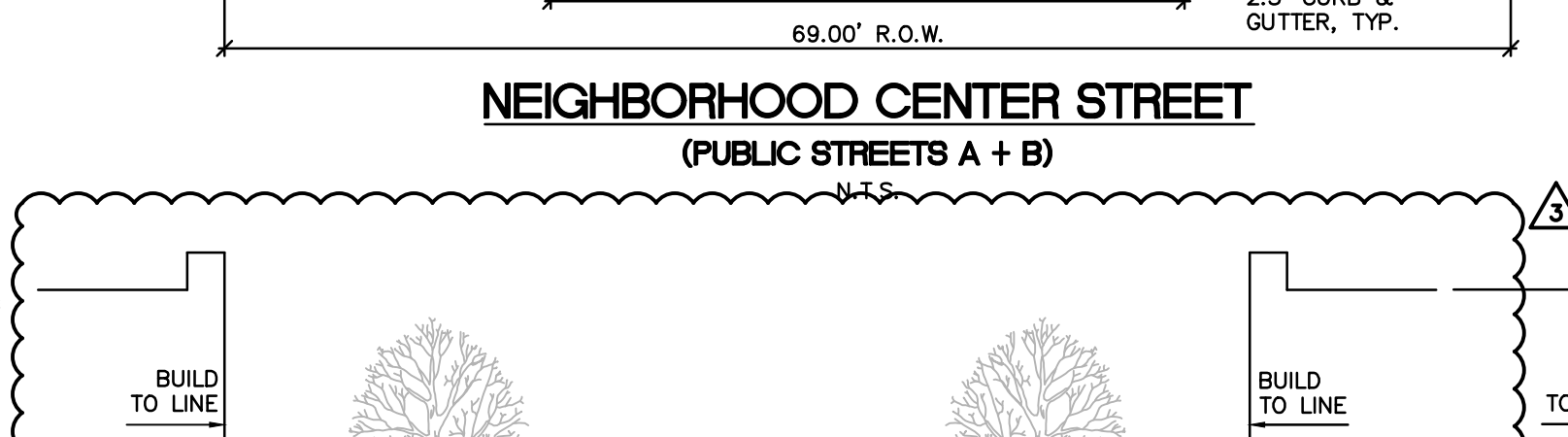
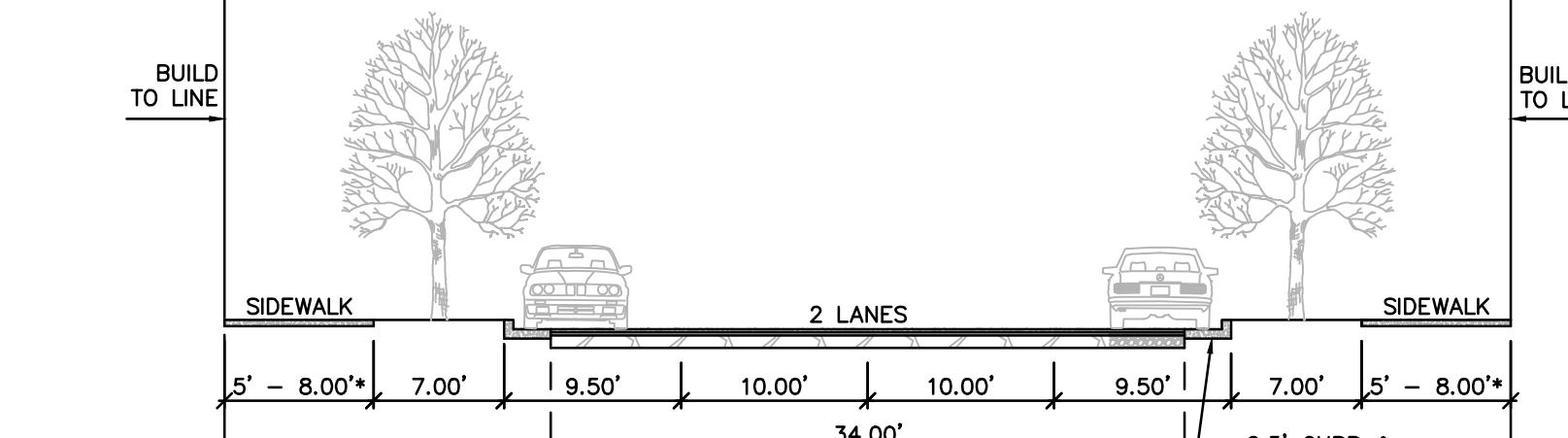
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NOTE:
THE PROSPERITY CHURCH ROAD AND EASTFIELD ROAD
CROSS-SECTIONS ARE PER THE WUMPO APPROVED ALIGNMENT
AND THE TOWN APPROVED TIA. FINAL CROSS-SECTIONS TO BE
DETERMINED BY NCDOT AT PRELIMINARY PLAN REVIEW.

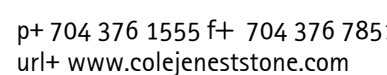
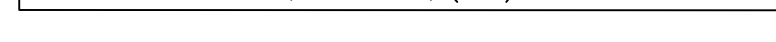


NOTE:
* THE WIDTH OF THE PROPOSED SIDEWALK MAY VARY FROM
5'-8" DEPENDING ON LOCATION AND SITE CONDITIONS. THE
MINIMUM SIDEWALK WIDTH IS 5'. ALL PROPOSED PUBLIC
RIGHT-OF-WAY WILL COMPLY WITH THE TOWN OF HUNTERSVILLE
ZONING ORDINANCE AT PRELIMINARY PLAN REVIEW.

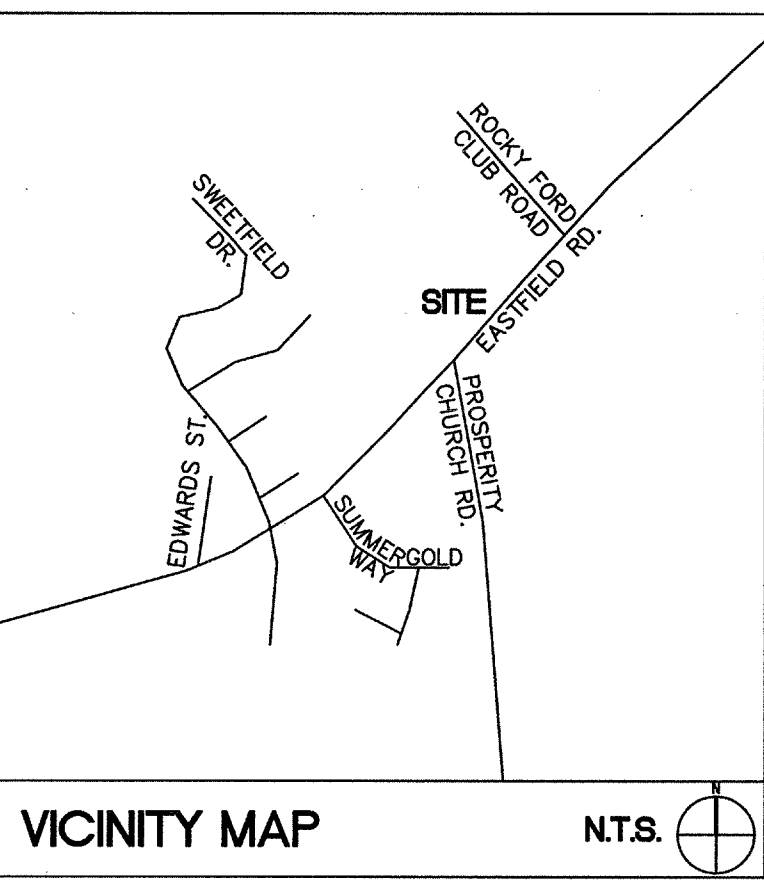
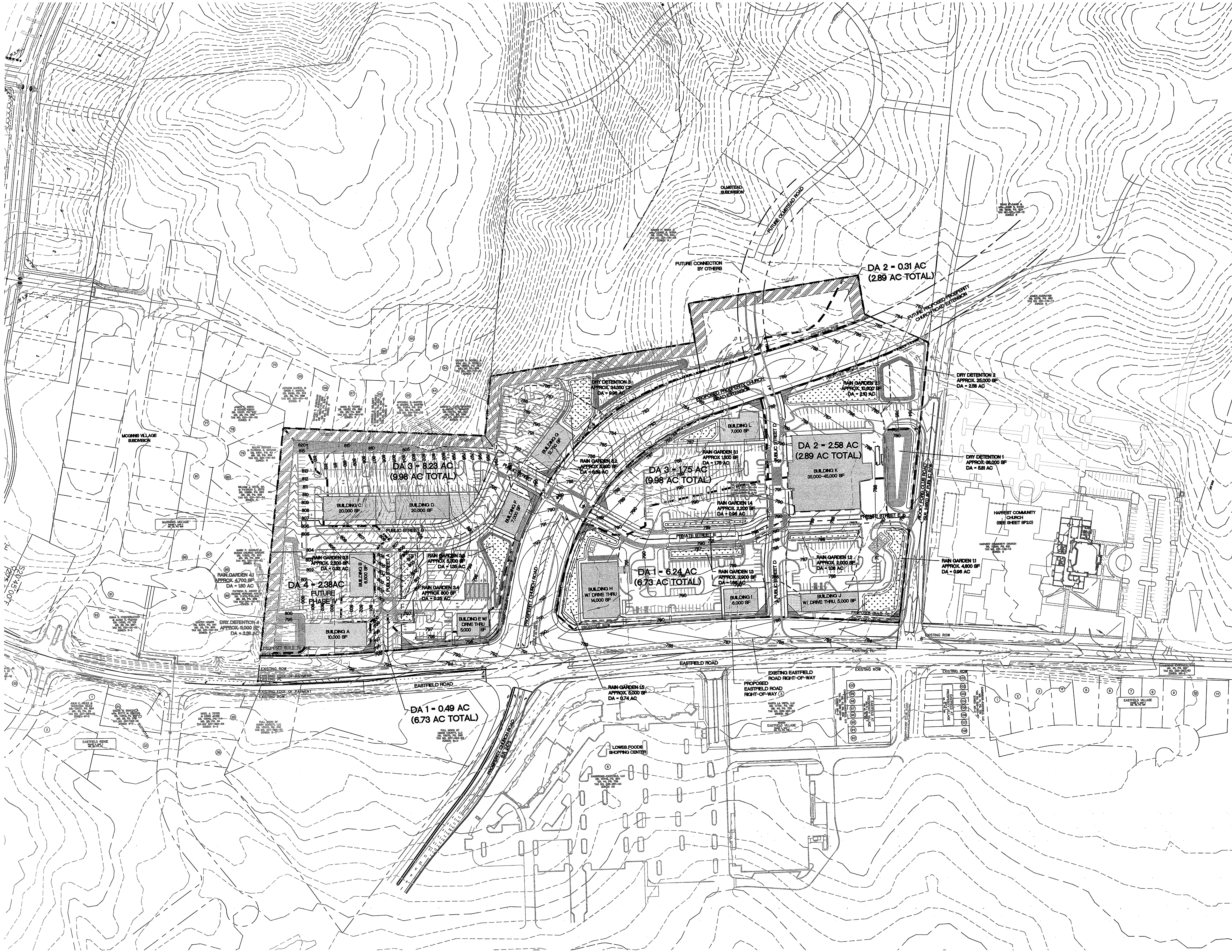


ALL STREETS WITH THE EXCEPTION OF RURAL PARKWAYS WHERE EXISTING TREES CAN SATISFY THE STREET TREE REQUIREMENT. SMALL MATURING TREES ARE TO BE USED WHERE OVERHEAD POWER LINES EXIST.

ZONING SUMMARY:
CURRENT ZONING: HIGHWAY COMMERCIAL-CONDITIONAL DISTRICT (±28.569 AC)
PROPOSED ZONING: HIGHWAY COMMERCIAL-CONDITIONAL DISTRICT (HC-CD)



PHASE I-III TEMPORARY ACCESS ENLARGEMENT



SURVEY DISCLAIMER
TOPOGRAPHIC SURVEY ISSUE DATE: DECEMBER 5, 2006.
REVISED MARCH 1, 2007. PROVIDED BY CES, 45 SPRING STREET SW CONCORD, NC 28025, (704) 786-5404

LEGEND	SYMBOL	DETAIL
		PROPOSED CONTOUR
		PROPOSED INDEX CONTOUR

IMPERVIOUS AREA CALCULATIONS:			
OPTION 1:			
DRAINAGE AREA 1:			
PRE-DEVELOPMENT:		POST-DEVELOPMENT:	
PERVIOUS:	6.41 AC.	PERVIOUS:	2.59 AC.
IMPERVIOUS:	0.00 AC.	IMPERVIOUS:	4.14 AC.
TOTAL:	6.41 AC.	TOTAL:	6.73 AC.
DRAINAGE AREA 2:			
PRE-DEVELOPMENT:		POST-DEVELOPMENT:	
PERVIOUS:	3.36 AC.	PERVIOUS:	1.26 AC.
IMPERVIOUS:	0.00 AC.	IMPERVIOUS:	1.63 AC.
TOTAL:	3.36 AC.	TOTAL:	2.89 AC.
DRAINAGE AREA 3:			
PRE-DEVELOPMENT:		POST-DEVELOPMENT:	
PERVIOUS:	9.53 AC.	PERVIOUS:	5.29 AC.
IMPERVIOUS:	0.00 AC.	IMPERVIOUS:	4.69 AC.
TOTAL:	9.53 AC.	TOTAL:	9.98 AC.
DRAINAGE AREA 4:			
PRE-DEVELOPMENT:		POST-DEVELOPMENT:	
PERVIOUS:	2.68 AC.	PERVIOUS:	1.15 AC.
IMPERVIOUS:	0.00 AC.	IMPERVIOUS:	1.23 AC.
TOTAL:	2.68 AC.	TOTAL:	2.38 AC.
TOTAL SITE PROPOSED IMPERVIOUS: ±11.69 ACRES OR 53 %			
OPTION 2:			
DRAINAGE AREA 1:			
PRE-DEVELOPMENT:		POST-DEVELOPMENT:	
PERVIOUS:	6.41 AC.	PERVIOUS:	2.59 AC.
IMPERVIOUS:	0.00 AC.	IMPERVIOUS:	4.14 AC.
TOTAL:	6.41 AC.	TOTAL:	6.73 AC.
DRAINAGE AREA 2:			
PRE-DEVELOPMENT:		POST-DEVELOPMENT:	
PERVIOUS:	3.36 AC.	PERVIOUS:	1.26 AC.
IMPERVIOUS:	0.00 AC.	IMPERVIOUS:	1.63 AC.
TOTAL:	3.36 AC.	TOTAL:	2.89 AC.
DRAINAGE AREA 3:			
PRE-DEVELOPMENT:		POST-DEVELOPMENT:	
PERVIOUS:	9.53 AC.	PERVIOUS:	5.19 AC.
IMPERVIOUS:	0.00 AC.	IMPERVIOUS:	4.79 AC.
TOTAL:	9.53 AC.	TOTAL:	9.98 AC.
DRAINAGE AREA 4:			
PRE-DEVELOPMENT:		POST-DEVELOPMENT:	
PERVIOUS:	2.68 AC.	PERVIOUS:	1.15 AC.
IMPERVIOUS:	0.00 AC.	IMPERVIOUS:	1.23 AC.
TOTAL:	2.68 AC.	TOTAL:	2.38 AC.
TOTAL SITE PROPOSED IMPERVIOUS: ±11.79 ACRES OR 54 %			

ColeJenest & Stone

Shaping the Environment
Realizing the Possibilities

Land Planning
Landscape Architecture
Civil Engineering
Urban Design

200 South Tryon Street, Suite 1400 Charlotte, NC 28202
P: 704.376.1395 • F: 704.376.7801 • www.colejeneststone.com

CRESCENT RESOURCES, LLC

400 South Tryon St, #1300
Charlotte, North Carolina 28285

HUNTERSVILLE VILLAGE

13105 Eastfield Rd.
Huntersville, North Carolina 28078

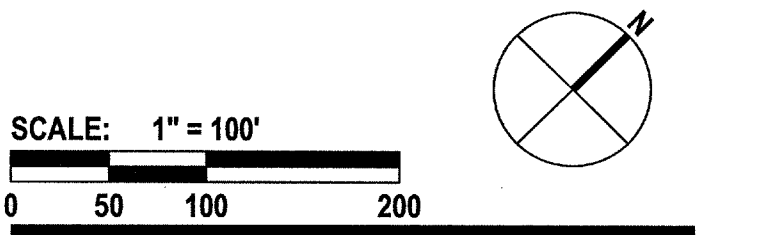
PRELIMINARY GRADING & STORMWATER CONCEPT PLAN

Project No.
3479

Issued
10/01/08

Revised

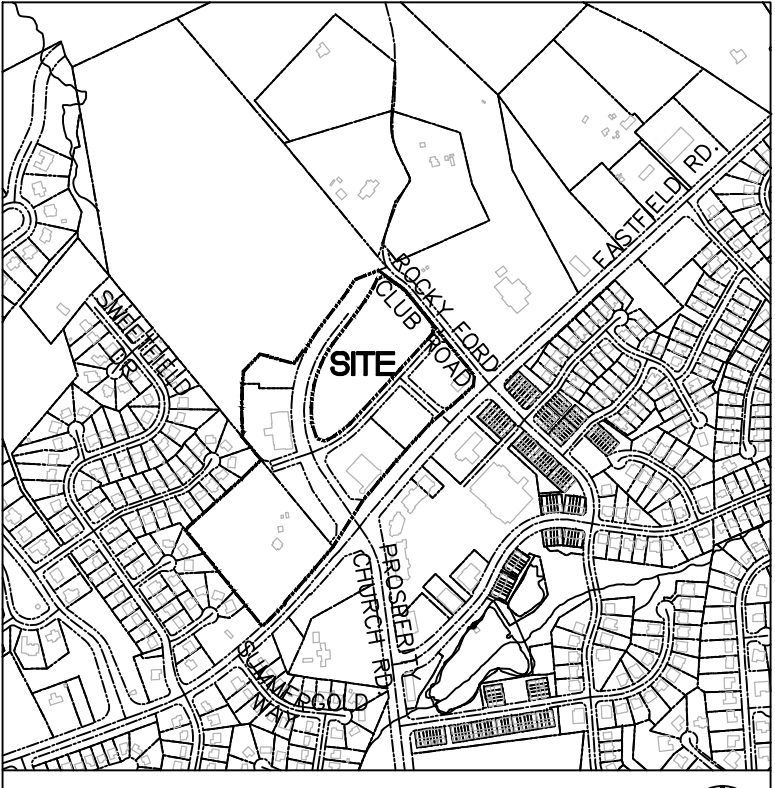
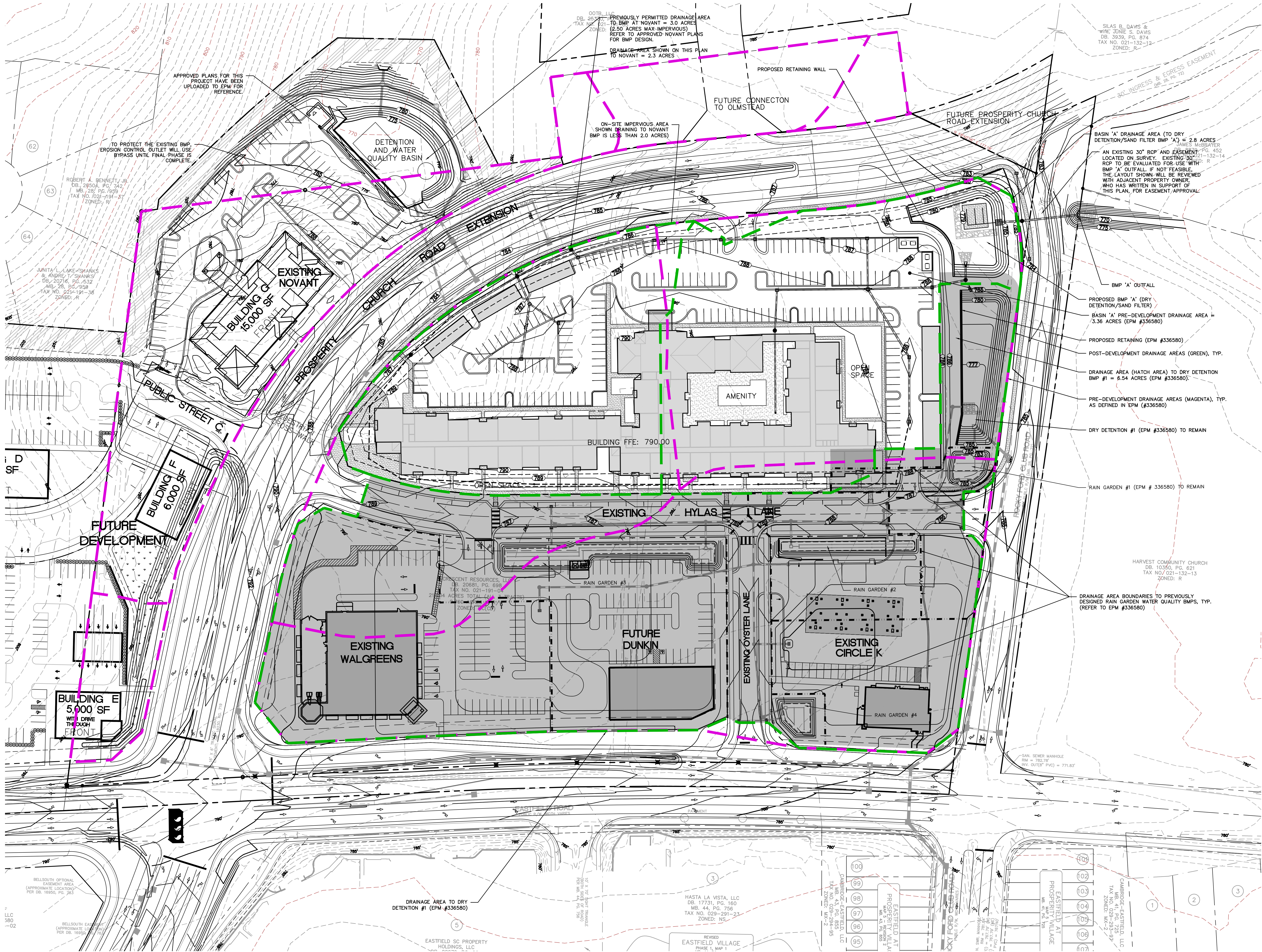
12/16/08 – TOWN OF HUNTERSVILLE COMMENTS
01/12/09 – REVIEW COMMENTS – AGENDA DEADLINE
01/28/09 – REVIEW COMMENTS – PUBLIC HEARING
02/12/09 – REVIEW COMMENTS – PLANNING BOARD
02/24/09 – REVIEW COMMENTS – PLANNING BOARD
03/06/09 – REVIEW COMMENTS – TOWN BOARD
03/16/09 – FINAL REVIEW COMMENTS – TOWN BOARD



SP3.0

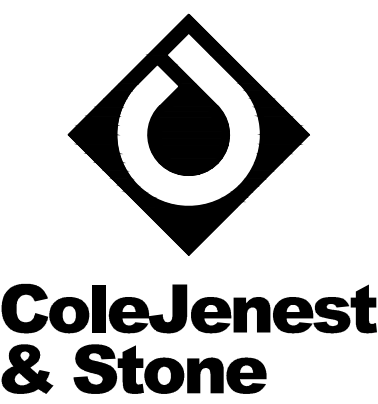
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SYMBOL	DETAIL
	PROPOSED CONTOUR
	PROPOSED INDEX CONTOUR
	PROPOSED STORM DRAINAGE
	PROPOSED GRAVEL AND RIPRAP APRON



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Realizing the Possibilities

Land Planning
+ Landscape Architecture
Civil Engineering
+ Urban Design

200 South Tryon Street, Suite 1400
Charlotte, North Carolina 28202
p+704.376.1555 f+704.376.7851
url+www.colejeneststone.com

CAMBRIDGE PROPERTIES

831 E. MOREHEAD STREET, #245
Charlotte North Carolina 28284

HUNTERSVILLE MARKET

EASTFIELD ROAD
HUNTERSVILLE
North Carolina 28284

GRADING & STORMWATER CONCEPT PLAN - REVISED PLAN

Project No.

4663

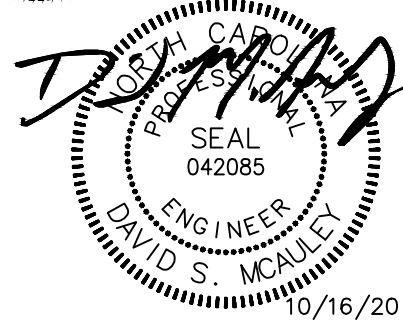
Issued

12/02/19

Revised

05/19/20 - REZONING AMENDMENT
08/14/20 - REZONING AMENDMENT

**PRELIMINARY
NOT FOR
CONSTRUCTION**



SCALE: 1" = 50'
0 25' 50' 100'

SP3.1



- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE THE SAFETY OF THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
- SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 CFR, PART 1926, SUBPART P, OR AS AMENDED.

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BMP SUMMARY

DRY DETENTION/SAND FILTER - BMP 'A'

WATER QUALITY
WATER QUALITY WILL BE PROVIDED BY TREATING THE 1" STORM.
SEE ATTACHED HYDROCAD CALC.

DETENTION
CHANNEL PROTECTION VOLUME CONTROL WILL BE PROVIDED FOR THE 1-YR/24-HR STORM. SEE ATTACHED HYDROCAD CALC.

DETENTION POND WILL BE PROVIDED FOR 2-YR AND 10-YR (24-HR) STORM EVENTS. SEE ATTACHED HYDROCAD CALC.

DETENTION POND DESIGNED TO PASS THE 50-YR (24-HR) STORM EVENT. SEE ATTACHED HYDROCAD CALC.

DRY DETENTION #1
SEE EPM #336580 FOR ORIGINAL DRY DETENTION #1 DESIGN.
DRY DETENTION #1 TO BE REMAIN.

RAIN GARDEN #1
SEE EPM #336580 FOR ORIGINAL RAIN GARDEN #1 DESIGN.
RAIN GARDEN #1 TO BE REMAIN.

RETAINING WALL NOTES

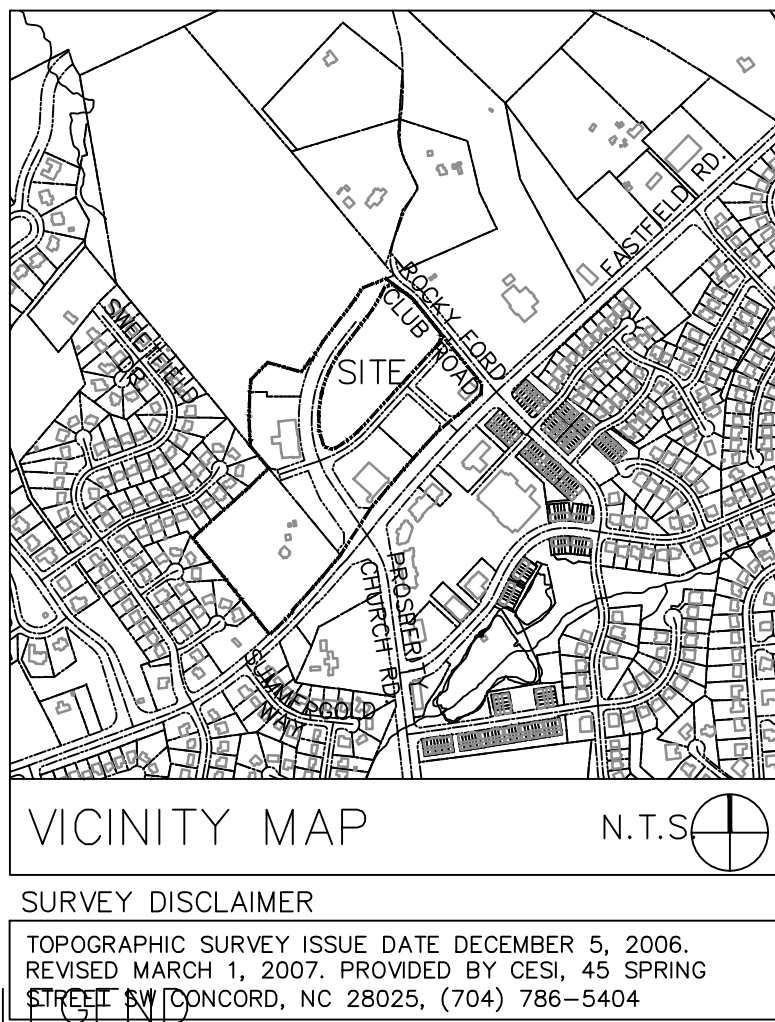
- RETAINING WALLS GREATER THAN 4' (RESIDENTIAL) OR 5' (COMMERCIAL) IN HEIGHT REQUIRE A PERMIT FROM CODE ENFORCEMENT PRIOR TO CONSTRUCTION.
- CONSTRUCTION OF WALL CANNOT BEGIN UNTIL ALL NECESSARY PERMITS ARE ACQUIRED.
- THE MECKLENBURG COUNTY ENGINEERING DEPARTMENT HAS NOT REVIEWED THE STRUCTURAL STABILITY OF ANY RETAINING WALLS ON THE SITE AND DOES NOT ASSUME RESPONSIBILITY FOR THEM.
- ALL RETAINING WALLS REQUIRING SPECIAL INSPECTIONS (>5' IN HEIGHT) SHALL MEET THE REQUIREMENTS OF THE MORSB CHAPTER 17 - SPECIAL INSPECTIONS AS DETAILED PER THE MECKLENBURG COUNTY CODE ENFORCEMENT SPECIAL INSPECTIONS PROCESS. ADDITIONALLY, COPIES OF THE RETAINING WALL PLANS SHALL BE SUBMITTED TO THE HUNTERSVILLE ENGINEERING DEPARTMENT FOR REVIEW AND APPROVAL. THE TOWN OF HUNTERSVILLE SHALL BE COPIED ON ALL STATEMENTS OF SPECIAL INSPECTIONS, SPECIAL INSPECTIONS FINAL REPORTS, AND DESIGN PRINCIPAL IN RESPONSIBLE CHARGE (OPRC) LETTERS.



TREE PROTECTION:

APPLICABILITY:
A TREE AND ROOT PRESERVATION PLAN DELINEATING AREAS OF TREE SAVE SHALL BE INCORPORATED AS PART OF THE LANDSCAPING, GRADING, AND EROSION CONTROL PLANS. THE FOLLOWING MEASURES SHALL BE FOLLOWED TO PROTECT EXISTING TREES ON A DEVELOPING SITE PRIOR TO DEMOLITION, CLEARING, CONSTRUCTION, GRADING, AND INSTALLATION OF EROSION CONTROL MEASURES: TREE PROTECTIVE BARRIERS MUST BE INSTALLED AROUND ALL TREE SAVE AREAS BY THE DEVELOPER AND APPROVED BY THE TOWN.

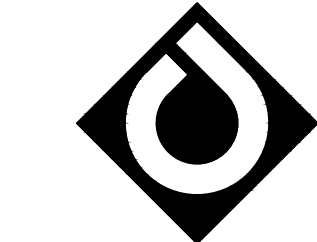
- THE TREE PROTECTION FENCE SHALL BE LOCATED ALONG THE PERIMETER OF THE TREE SAVE AREA (DRIP LINE PLUS 5 FEET). TREE PROTECTION FENCING FOR A FOREST CANOPY STANDS AREA IS TO BE LOCATED ALONG THE PERIMETER OF THE TREE SAVE AREA AROUND THE FOREST EDGE. TREE PROTECTION FENCING SHALL CONSIST OF ORANGE SAFETY FENCING OR A COMBINATION OF ORANGE SAFETY FENCING WITH SILT FENCING AT A MINIMUM OF 4 FEET IN HEIGHT ON METAL OR WOOD POSTS.
- ALL TREE PROTECTION AREAS MUST BE DESIGNATED AS SUCH WITH "TREE SAVE AREA SIGNS" POSTED IN ADDITION TO THE REQUIRED PROTECTIVE FENCING. SIGNS REQUESTING SUBCONTRACTOR COOPERATION AND COMPLIANCE WITH TREE PROTECTION STANDARDS ARE RECOMMENDED FOR SITE ENTRANCES.
- NO SOIL DISTURBANCE OR COMPACTION, STOCK PILING OF SOIL OR OTHER CONSTRUCTION MATERIAL, VEHICULAR TRAFFIC, OR STORAGE OF EQUIPMENT AND MATERIALS ARE ALLOWED WITHIN THE TREE SAVE AREA.
- NO POLES, SIGNS, WIRES, UNPROTECTED ELECTRICAL INSTALLATION OR OTHER DEVICE OR MATERIAL SHALL BE SECURED OR FASTENED AROUND OR THROUGH A TREE OR SHRUB.
- ALL PROTECTIVE MEASURES SHALL BE MAINTAINED THROUGHOUT THE LAND DISTURBING AND CONSTRUCTION PROCESS, AND SHALL NOT BE REMOVED UNTIL FINAL LANDSCAPING IS INSTALLED.



- SYMBOL**
- EXISTING TREES
 - EXISTING SPECIMEN TREES*
 - EXISTING TREE LINE
 - EXISTING ELECTRIC LINE
 - EXISTING WATER LINE
 - EXISTING GAS LINE
 - EXISTING TELEPHONE LINE
 - EXISTING FIBER OPTIC LINE
 - EXISTING SANITARY SEWER LINE
 - EXISTING SANITARY SEWER MANHOLE
 - EXISTING LIGHT FIXTURE

NOTE:

1. SPECIMEN TREES ARE DEFINED PER THE TOWN OF HUNTERSVILLE ORDINANCE: LARGE HARD/SOFTWOODS WITH A DIAMETER BREST-HIGHT OF 24" OR GREATER.
2. REQUIRED TREE PRESERVATION FOR ADDITIONAL AREA WILL BE SURVEYED AND PRESERVATION REQUIREMENTS MET ACCORDING TO TOWN OF HUNTERSVILLE STANDARDS AT THE TIME OF PRELIMINARY PLAN REVIEW.



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CAMBRIDGE PROPERTIES

831 E. MOREHEAD STREET, #245
Charlotte North Carolina 28284

HUNTERSVILLE MARKET

EASTFIELD ROAD
Charlotte
North Carolina 28284

TREE PRESERVATION & EXISTING CONDITIONS PLAN

Project No.

4663

Issued

12/02/19

Revised

01/12/09 - REVIEW COMMENTS - AGENDA DEADLINE
01/28/09 - REVIEW COMMENTS - PUBLIC HEARING
02/12/09 - REVIEW COMMENTS - PLANNING BOARD
02/24/09 - REVIEW COMMENTS - PLANNING BOARD
03/06/09 - REVIEW COMMENTS TOWN BOARD
03/16/09 - FINAL REVIEW COMMENTS - TOWN BOARD
11/01/12 - ADMINISTRATIVE AMENDMENT # 2
05/19/20 - REZONING AMENDMENT



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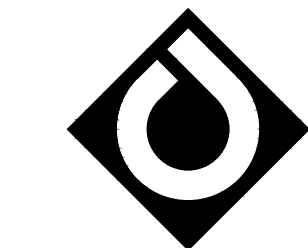
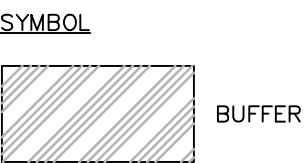
1. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE THE SAFETY OF THE PUBLIC.
3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
4. SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 CFR, PART 1926, SUBPART F, OR AS AMENDED.

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CAMBRIDGE PROPERTIES

831 E. MOREHEAD STREET, #245
Charlotte North Carolina 28284

HUNTERSVILLE MARKET

EASTFIELD ROAD
Charlotte
North Carolina 28284

EXISTING BUFFERS & ZONES

Project No.

4663

Issued

12/02/19

Revised

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**PRELIMINARY
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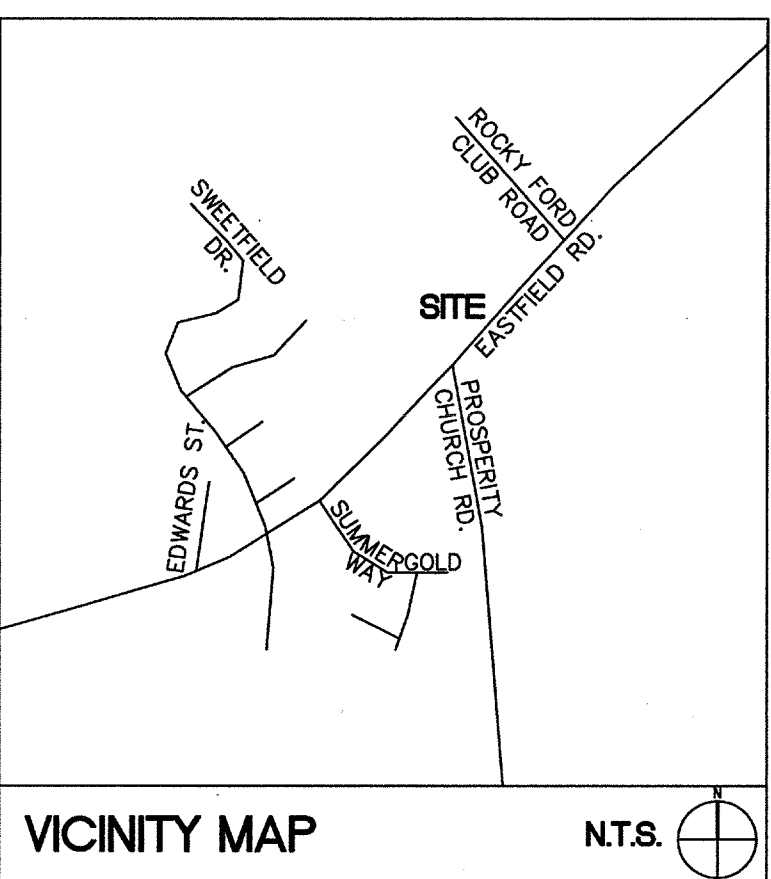
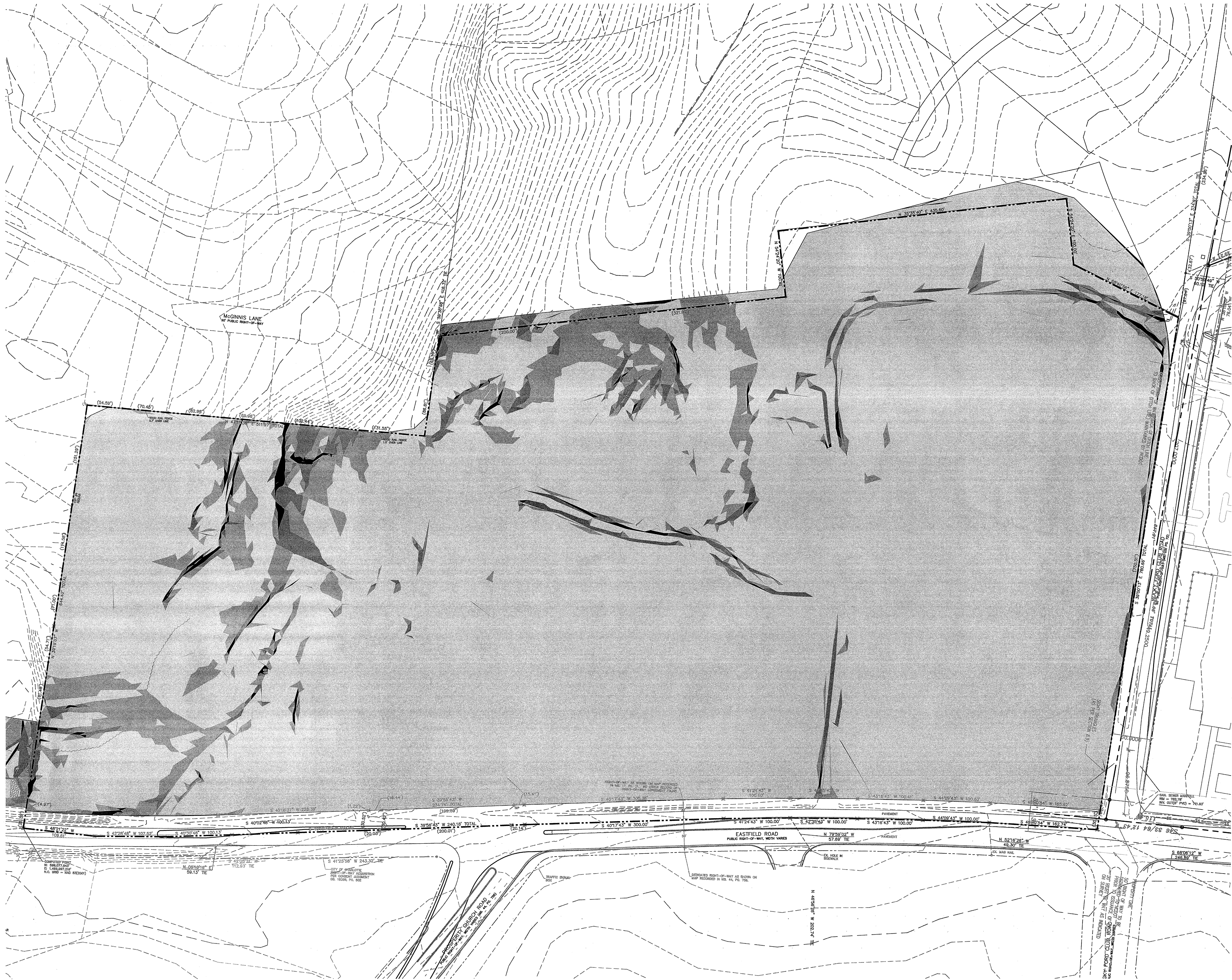
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SP5.0

- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
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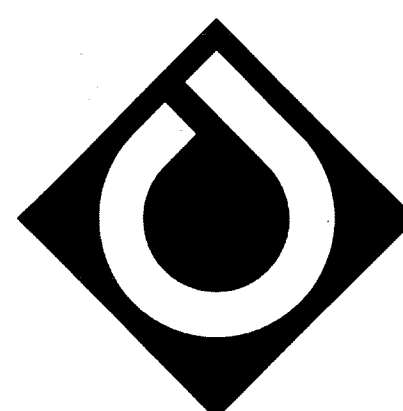
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LEGEND	
SYMBOL	
	SLOPES LESS THAN 10% - 25.76 AC
	SLOPES BETWEEN 10%-15% - 2.19 AC
	SLOPES BETWEEN 15%-25% - 0.75 AC
	SLOPES GREATER THAN 25% - 0.22 AC



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HUNTERSVILLE VILLAGE

13105 Eastfield Rd.
Huntersville, North Carolina 28078

SLOPE ANALYSIS

Project No.
3479

Issued
10/01/08

Revised

12/16/08 - TOWN OF HUNTERSVILLE COMMENTS
01/12/09 - REVIEW COMMENTS - AGENDA DEADLINE
01/28/09 - REVIEW COMMENTS - PUBLIC HEARING
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03/16/09 - FINAL REVIEW COMMENTS - TOWN BOARD

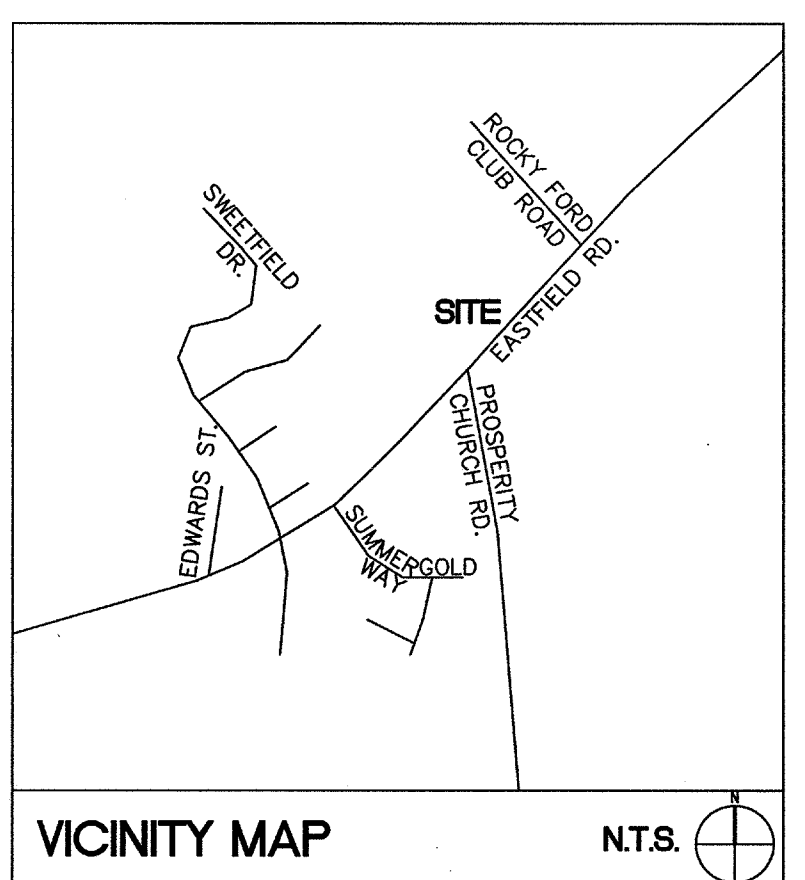
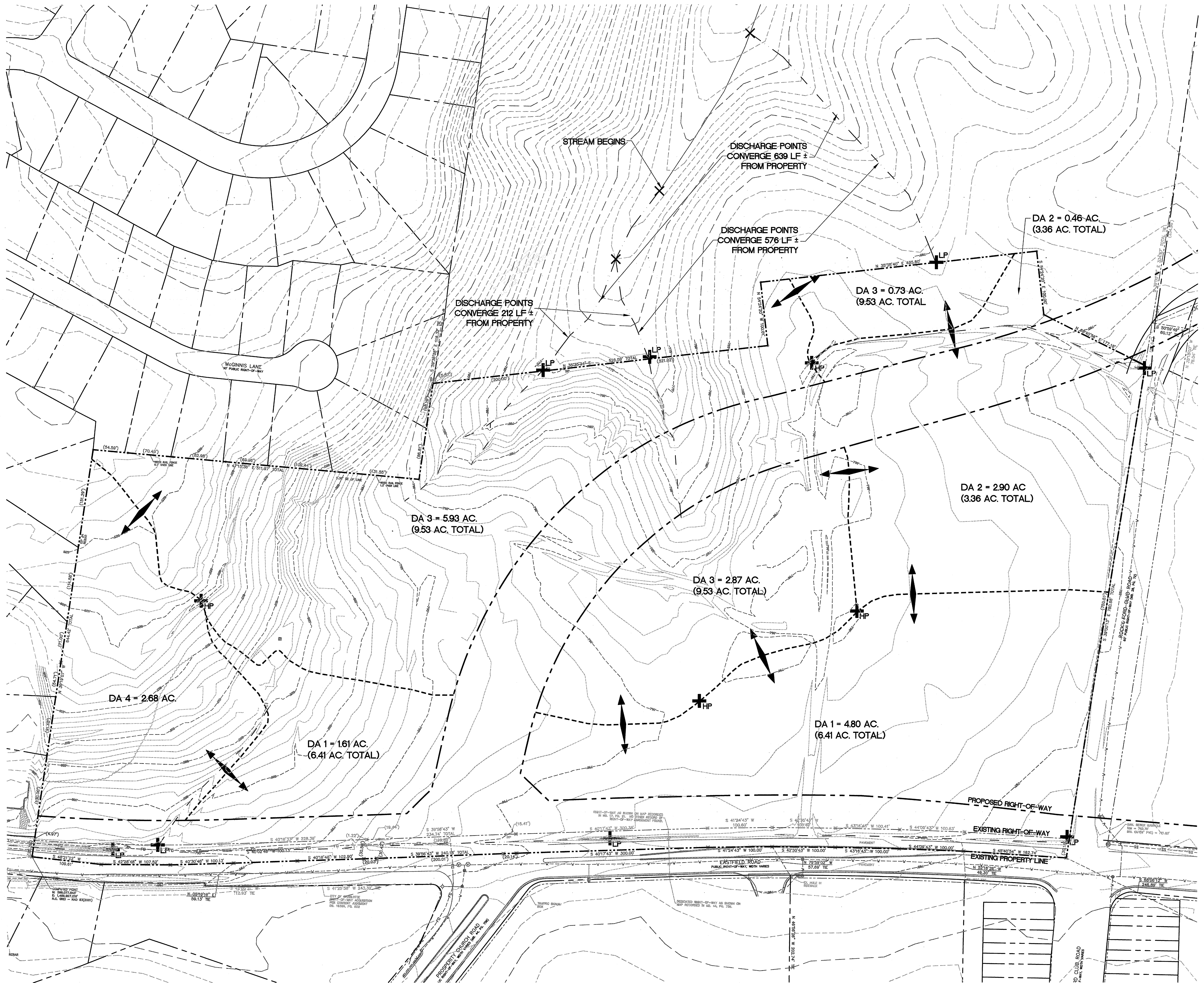
ADMINISTRATIVE AMENDMENT #2 NOTE: 11/01/12
REVISIONS MADE PER ADMINISTRATIVE AMENDMENT #2 DO NOT
IMPACT THE DEVELOPMENT INFORMATION INCLUDED ON THIS
SHEET. THE PROJECT NAME: HUNTERSVILLE MARKET AND THE
PROJECT OWNER: CAMBRIDGE PROPERTIES HAVE CHANGED SINCE
THE ORIGINALLY APPROVED DOCUMENT SHOWN HERE.

SCALE: 1" = 60'
0 30 60 120

SP6.0

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- LEGEND**
- SYMBOL
- LOCAL HIGH POINTS
 - LOCAL LOW POINTS
 - FLOW DIRECTION
 - RIDGELINES
 - SWALES

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HUNTERSVILLE VILLAGE

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EXISTING HYDROLOGY

Project No.
3479

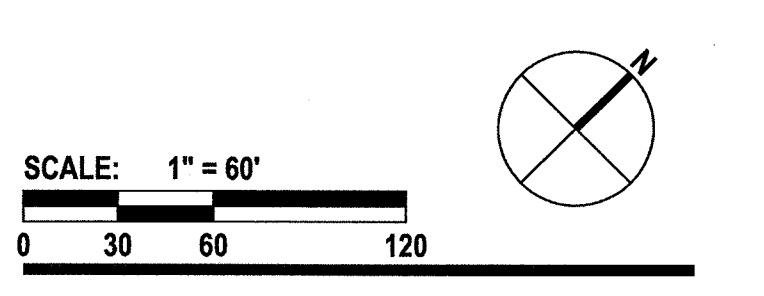
Issued
10/01/08

Revised

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ADMINISTRATIVE AMENDMENT #2 NOTE: 11/01/12

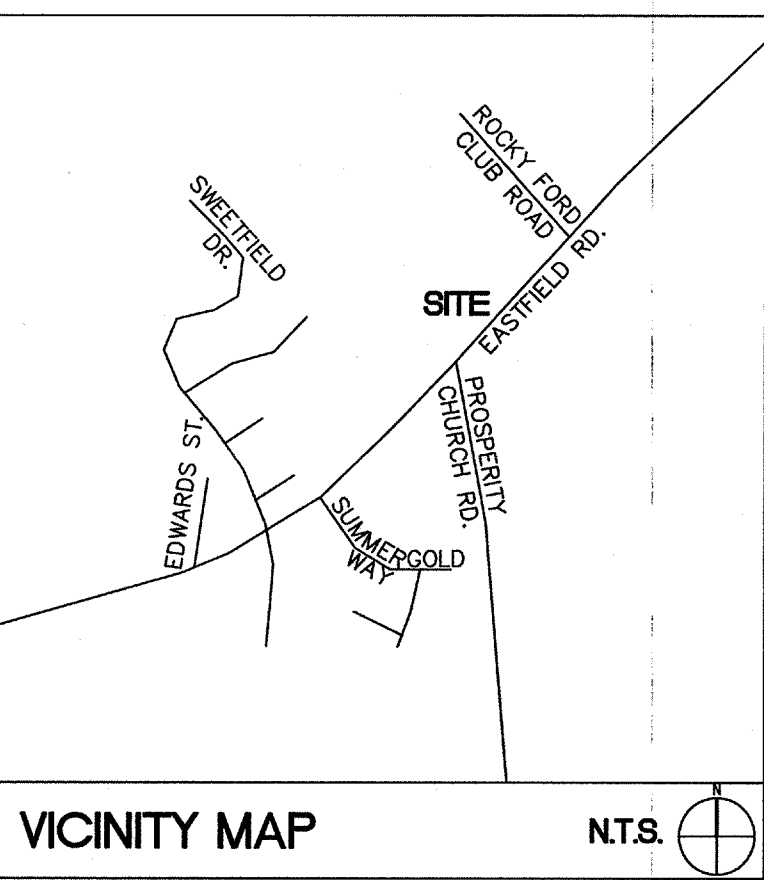
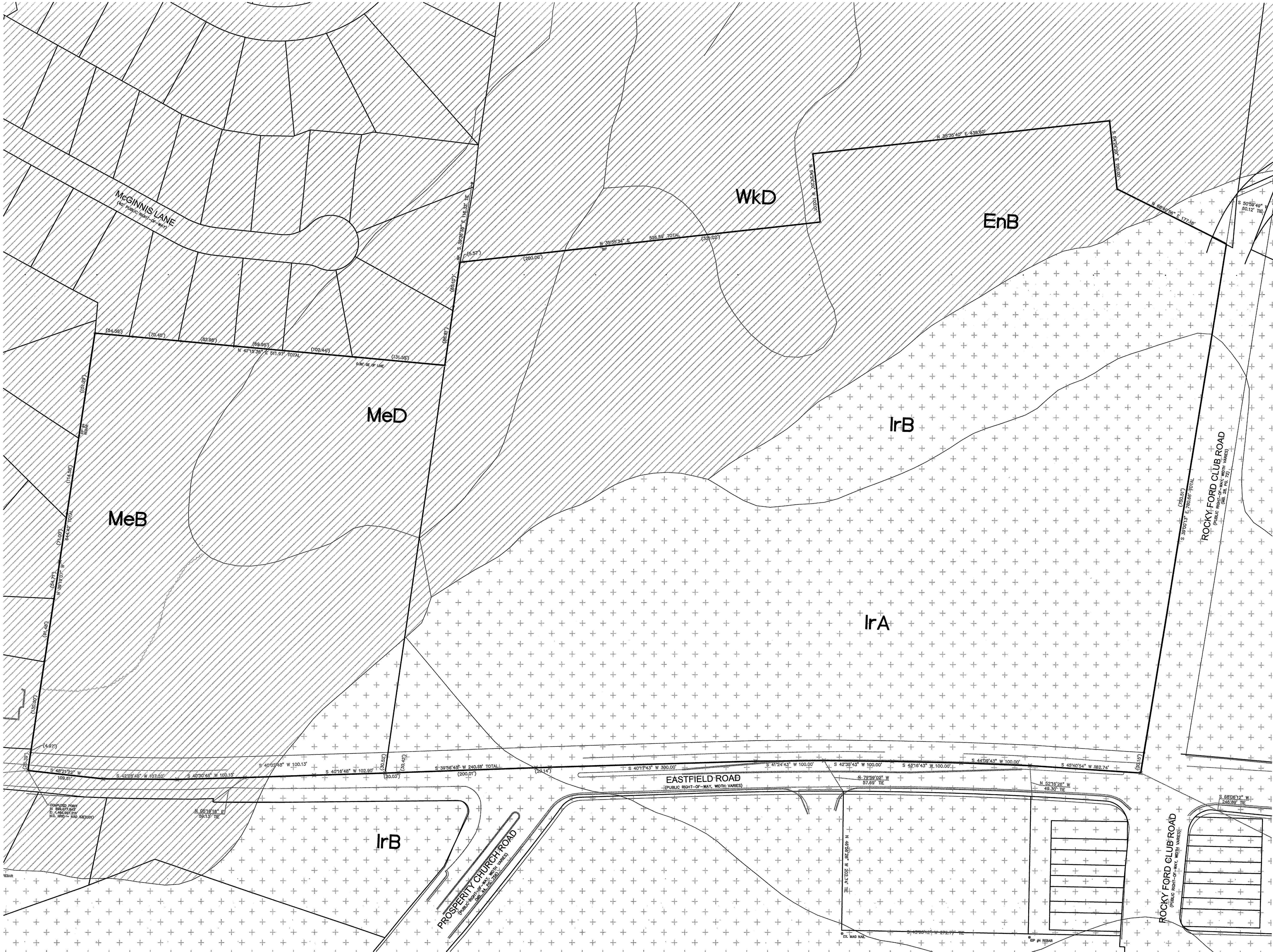
EXISTING HYDROLOGY SHOWN HERE PER ORIGINAL SKETCH PLAN DOCUMENTS APPROVED ON 04/06/09. EXISTING HYDROLOGY PER REVISED SITE PLAN AS DEPICTED ON SP1.0 (11/01/12) TO MAINTAIN GENERAL DESIGN AND INTENT AS SHOWN HEREIN ON ORIGINAL SKETCH PLAN DOCUMENTS APPROVED ON 04/06/09.



SP7.0

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LEGEND

SYMBOL

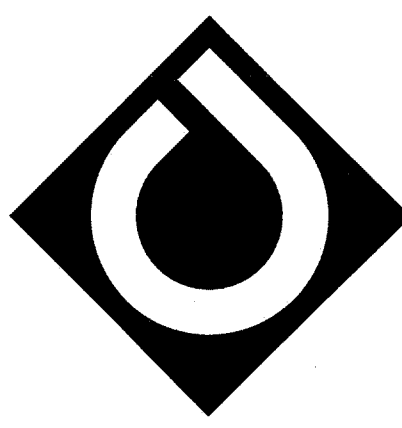
	HYDRIC SOILS GROUP "D"
	HYDRIC SOILS GROUP "C"

DESCRIPTIONS:

EnB- Enon sandy loam, 2 - 8% slopes (C)
IrA- Iredell fine sandy loam, 0 - 1% (D)
IrB- Iredell fine sandy loam, 1 - 8% (D)
MeB- Mecklenburg fine sandy loam,
2 - 8% slopes (C)
MeD- Mecklenburg fine sandy loam,
8 - 15% (C)
WkD- Wilkes loam, 8 - 15% slopes (C)

SUMMARY:

HYDRIC SOIL GROUP C:	15.54 AC (53.84%)
HYDRIC SOIL GROUP D:	14.18 AC (46.16%)
TOTAL SITE:	30.72 AC



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SOIL ANALYSIS

Project No.
3479

Issued
10/01/08

Revised

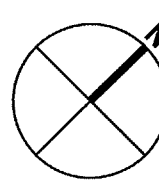
12/16/08 - TOWN OF HUNTERSVILLE COMMENTS
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ADMINISTRATIVE AMENDMENT #2 NOTE: 11/01/12

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SHEET. THE PROJECT NAME: HUNTERSVILLE MARKET AND THE
PROJECT OWNER: CAMBRIDGE PROPERTIES HAVE CHANGED
SINCE THE ORIGINALLY APPROVED DOCUMENT SHOWN HERE.

SCALE: 1" = 60'

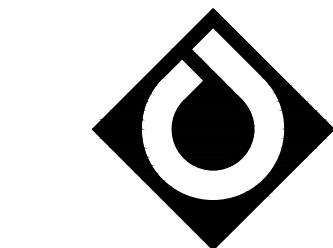
0 30 60 120



SP8.0

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CAMBRIDGE PROPERTIES

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HUNTERSVILLE MARKET

EASTFIELD ROAD
Charlotte
North Carolina 28284

EXISTING ZONING ADJACENT PROPERTY OWNER INFORMATION

Project No.

4663

Issued

12/02/19

Revised

01/12/09 - REVIEW COMMENTS - AGENDA DEADLINE
01/28/09 - REVIEW COMMENTS - PUBLIC HEARING
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11/01/12 - ADMINISTRATIVE AMENDMENT # 2
05/19/20 - REZONING AMENDMENT



**PRELIMINARY
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SCALE: 1" = 60'

0 30 60 120

SP9.0

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ColeJenest & Stone, P.A. 2019



PARCEL LEGEND

PARCEL #	PARCEL I.D.	PARCEL OWNER	MAILING ADDRESS	ZONING
1	02119101	DANNY M. MCGINNIS TRUSTEE R/T/A	P.O. BOX 862 HUNTERSVILLE, NC 28070	R
2	02119104	CRESCENT RESOURCES LLC	400 S. TRYON ST. SUITE 1300 CHARLOTTE, NC 28202	R
3	02119105	EASTFIELD ROAD LLC	1950 SULLIVAN RD. ATLANTA, GA 30337	R
4	02113212	SILAS B. DAVIS AND JUNIE S. DAVIS	10801 ROCKY FORD CLUB RD. HUNTERSVILLE, NC 28078	R
5	02113213	HARVEST COMMUNITY CHURCH	14702 STATESVILLE RD. SUITE 105 HUNTERSVILLE, NC 28078	R
6	02929397	CAMBRIDGE-EASTFIELD LLC	1043 EAST MOREHEAD ST. SUITE 202 CHARLOTTE, NC 28204	MX-2
7	02929301	CONRAD R. HOWSON AND KAREN S. HOWSON	10560 ROCKY FORD CLUB RD. CHARLOTTE, NC 28269	MX-2
8	02929456	SAMUEL L. SMITH AND SUSAN A. SMITH AND WILLIAM TAYLOR (JTWS) SMITH	10559 ROCKY FORD CLUB RD. CHARLOTTE, NC 28269	MX-2
9	02929495	CAMBRIDGE-EASTFIELD LLC	1043 EAST MOREHEAD ST. SUITE 202 CHARLOTTE, NC 28204	MX-2
10	02929123	HASTA LA VISTA LLC	2190 LAKESHORE LANDING ALPHARETTA, GA 30009	NS
11	02929124	EASTFIELD SC LLC PROPERTY HOLDINGS	5959 W. CENTURY BLVD. SUITE 1010 LOS ANGELES, CA 90045	NS
12	02708402	FULL MOON OF UNION COUNTY LLC AND THE MOSER GROUP LLC	231 POST OFFICE DR. SUITE B8 HUNTERSVILLE, NC 28079	R3
13	02708401	FULL MOON OF UNION COUNTY LLC AND THE MOSER GROUP LLC	231 POST OFFICE DR. SUITE B8 INDIAN TRAIL, NC 28079	R3

PARCEL LEGEND

PARCEL #	PARCEL I.D.	PARCEL OWNER	MAILING ADDRESS	ZONING
14	02708403	FULL MOON OF UNION COUNTY LLC AND THE MOSER GROUP LLC	231 POST OFFICE DR. SUITE B8 INDIAN TRAIL, NC 28079	R3
15	02119164	CENTEX HOMES	5350 77 CENTER DR. SUITE 100 CHARLOTTE, NC 28217	R
16	02119163	PATRICIA R. ASKEW AND GEORGE NORMAN ASKEW (H/W)	12718 MCGINNIS WOODS DR. HUNTERSVILLE, NC 28078	R
17	02119162	MARK P. GASQUE AND SUSAN CHURCH GASQUE (H/W)	12717 MCGINNIS WOODS DR. HUNTERSVILLE, NC 28078	R
18	02119154	STEPHEN C. BELFORD SR AND NANCY BELFORD	12814 GLASSONBY CT. HUNTERSVILLE, NC 28078	R
19	02119153	MATTHEW SEAGREN AND KRISTY SEAGREN	12820 GLASSONBY CT. HUNTERSVILLE, NC 28078	R
20	02119152	JAMES E. KIRCH AND DENISE KIRCH	12815 GLASSONBY CT. HUNTERSVILLE, NC 28078	R
21	02119143	ARTHUR McNEAL AND CHERI F. McNEAL	12706 MCGINNIS LN. HUNTERSVILLE, NC 28078	R
22	02119142	MARTIN P. GUBERMAN AND AMY J. GUBERMAN	12712 MCGINNIS LN. HUNTERSVILLE, NC 28078	R
23	02119141	ANNA N. YOUNG	12718 MCGINNIS LN. HUNTERSVILLE, NC 28078	R
24	02119140	EDWARD S. DELANEY AND MARGARET U. DELANEY	12724 MCGINNIS LN. HUNTERSVILLE, NC 28078	R
25	02119139	MITCHELL S. MARTIN AND CHERYL A. MARTIN	12730 MCGINNIS LN. HUNTERSVILLE, NC 28078	R
26	02119138	JUANITA L. LAKE-SHANKS AND ANDRE T. SHANKS	12736 MCGINNIS LN. HUNTERSVILLE, NC 28078	R
27	02119137	VICTOR A. HOWELL AND JILL S. HOWELL	12742 MCGINNIS LN. HUNTERSVILLE, NC 28078	R



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Charlotte, NC 28202

HUNTERSVILLE MARKET

Eastfield Road
Huntersville
North Carolina 28078

**EMERGENCY
VEHICLE
ACCESS EXHIBIT**

Project No.
4075.01

Issued

10/01/08

Revised

12/16/08 - TOWN OF HUNTERSVILLE COMMENTS
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02/12/09 - REVIEW COMMENTS - PLANNING BOARD
02/24/09 - REVIEW COMMENTS - PLANNING BOARD
03/06/09 - REVIEW COMMENTS - TOWN BOARD
03/16/09 - FINAL REVIEW COMMENTS - TOWN BOARD
03/15/12 - ADMINISTRATIVE AMENDMENT #1

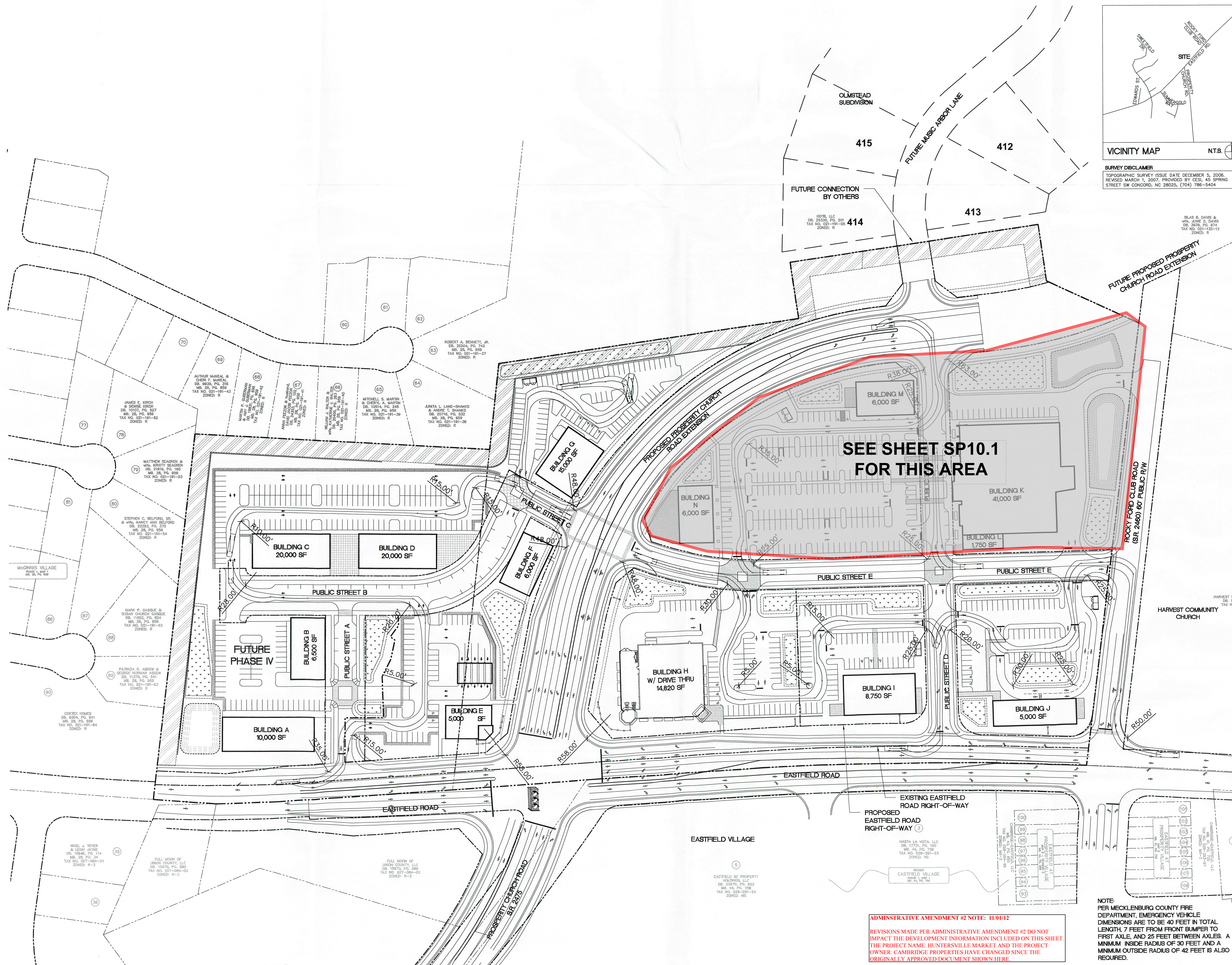
SCALE: 1" = 60'



SP10.0

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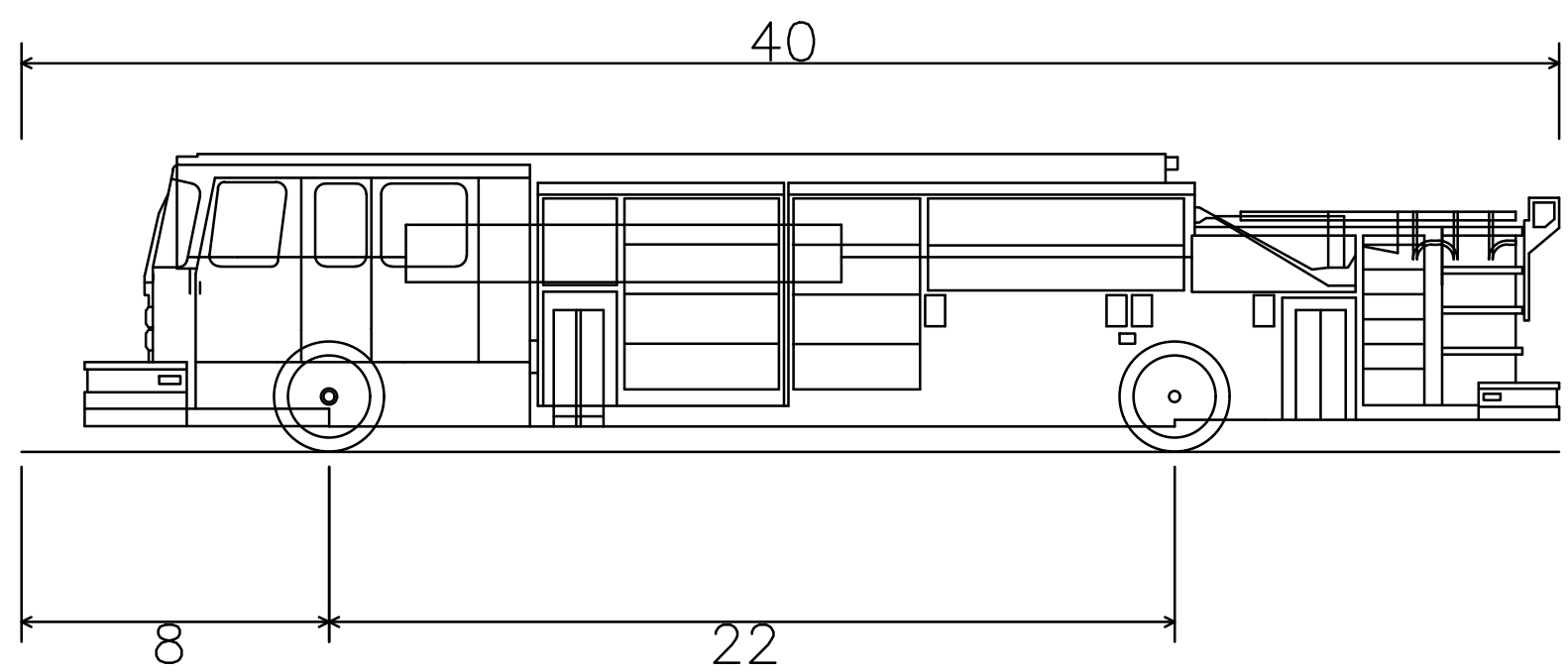
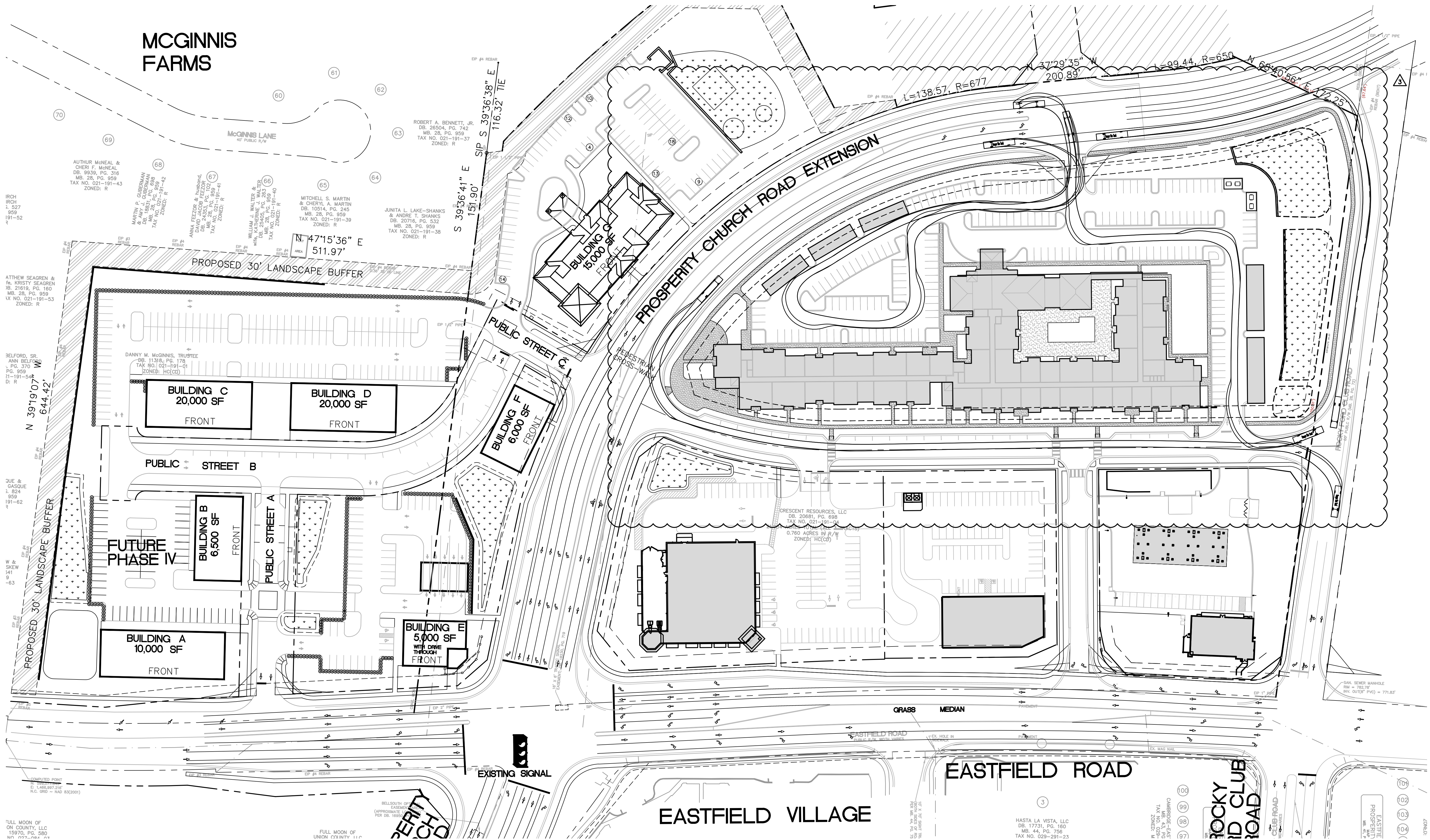
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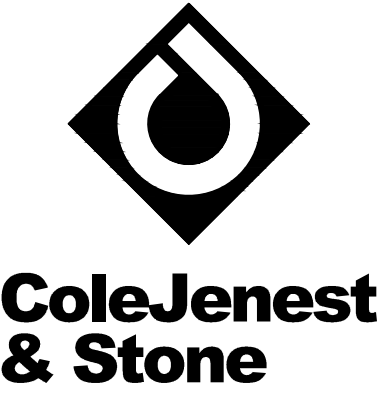
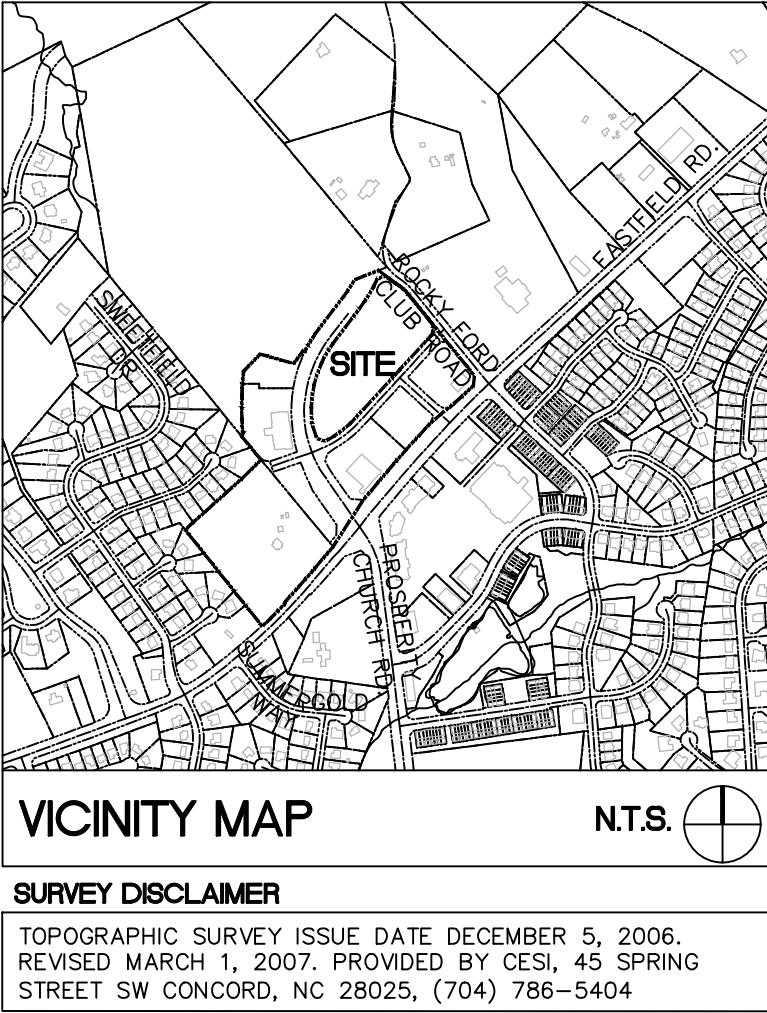
ADMINISTRATIVE AMENDMENT #2 NOTE: 11/01/12

REVISIONS MADE PER ADMINISTRATIVE AMENDMENT #2 DO NOT
IMPACT THE DEVELOPMENT INFORMATION INCLUDED ON THIS SHEET.
THE PROJECT NAME: HUNTERSVILLE MARKET AND THE PROJECT
OWNER: CAMBRIDGE PROPERTIES HAVE CHANGED SINCE THE
ORIGINALLY APPROVED DOCUMENT SHOWN HERE.

NOTE:
PER MECKLENBURG COUNTY FIRE
DEPARTMENT, EMERGENCY VEHICLE
DIMENSIONS ARE TO BE 40 FEET IN TOTAL
LENGTH, 7 FEET FROM FRONT BUMPER TO
FIRST AXLE, AND 25 FEET BETWEEN AXLES. A
MINIMUM INSIDE RADIUS OF 30 FEET AND A
MINIMUM OUTSIDE RADIUS OF 42 FEET IS ALSO
REQUIRED.



Pumper Fire Truck	
Overall Length	40.000ft
Overall Width	8.167ft
Overall Body Height	7.745ft
Min Body Ground Clearance	0.656ft
Track Width	8.167ft
Lock-to-lock time	5.00s
Max Wheel Angle	45.00°



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HUNTERSVILLE MARKET

EASTFIELD ROAD
HUNTERSVILLE
North Carolina 28284

EMERGENCY VEHICLE ACCESS EXHIBIT

Project No.

4663

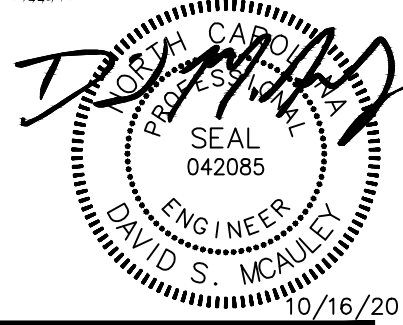
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Revised

12/16/08 - TOWN OF HUNTERSVILLE COMMENTS
01/12/09 - REVIEW COMMENTS - AGENDA DEADLINE
01/28/09 - REVIEW COMMENTS - PUBLIC HEARING
02/12/09 - REVIEW COMMENTS - PLANNING BOARD
02/24/09 - REVIEW COMMENTS - PLANNING BOARD
03/06/09 - REVIEW COMMENTS - TOWN BOARD
03/16/09 - FINAL REVIEW COMMENTS - TOWN BOARD
03/15/12 - ADMINISTRATIVE AMENDMENT #1
11/01/12 - ADMINISTRATIVE AMENDMENT #2
05/19/20 - REZONING AMENDMENT
10/16/20 - REZONING AMENDMENT



SCALE: 1" = 60'
0 30' 60' 120'

SP10.1

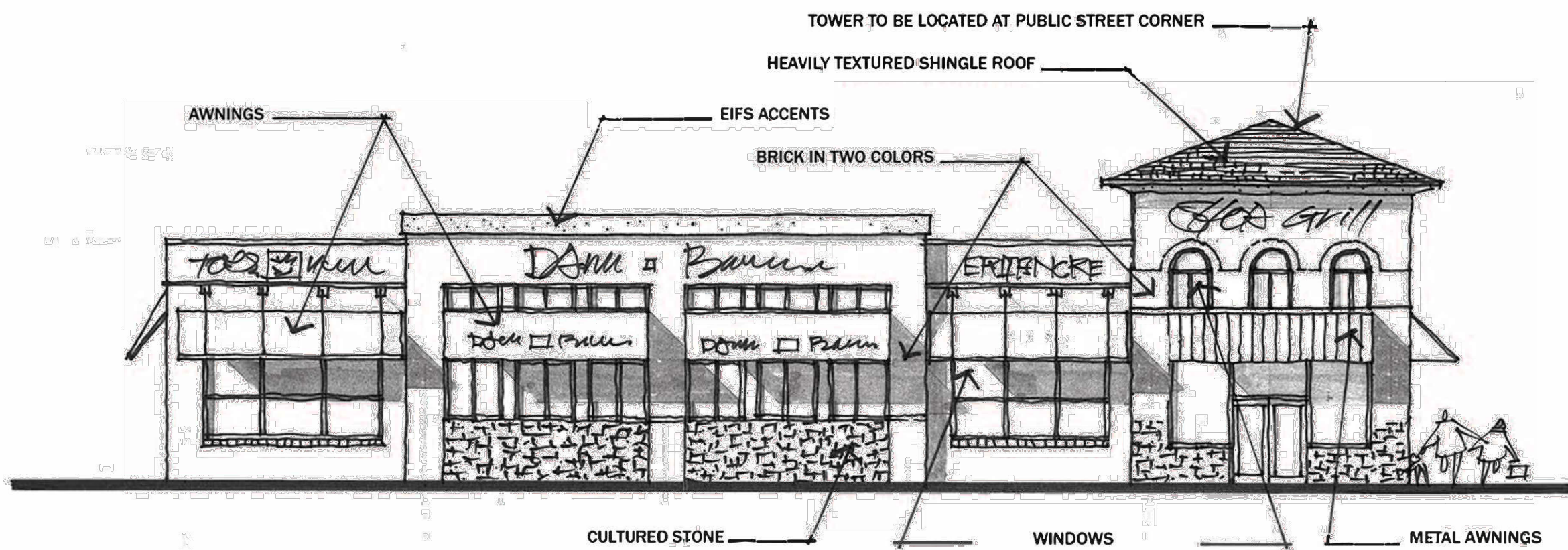
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Huntersville Market
Architectural Design Standards

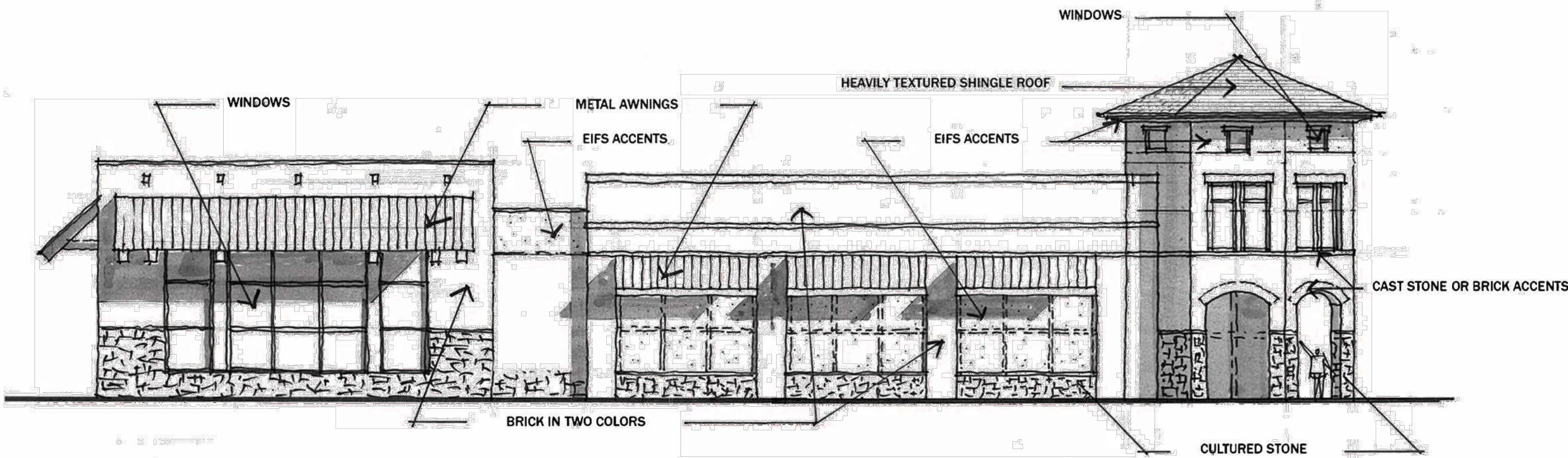
- 1) All buildings will be 4-sided buildings..
- 2) Materials allowed will include: brick, split-faced CMU (excluding walls facing public or private streets), stone or synthetic stone, fiber cement EIFS or hard coat stucco, metal (as an accent building material) or canvas awnings, metal or aluminum (as an accent building material) overhangs or sun screens.
- 3) A combination of brick and stone is encouraged on each building.
- 4) EIFS or hard coat stucco shall not comprise more than 40% of any particular building.
- 5) An applicant controlled Architectural review committee (ARC) for the development will review specific building designs including material selections. The Town of Huntersville will also review building designs and materials in compliance with the Ordinance. In the event that the (ARC) guidelines are more stringent than the Town of Huntersville requirements, the ARC guidelines will take precedence.
- 6) Blackened or fully opaque windows, Viracom or similar spandrel glass or displays installed behind glass (collectively, "non-operable false windows") may occur as stated herein. Unless specified on the plan, specific locations for non-operable false windows will be reasonably located and coordinated with Town staff during the preliminary plan review. In addition, specific locations of non-operable false windows as shown on the architectural elevations are approved.
- 7) Signage will be allowed per Article 10 of the Town of Huntersville Ordinance; however, the Planned Development Flex Option will be allowed and Petitioner may submit for specific individual building sites or for entire project.
- 8) All elevations are schematic in nature to demonstrate the design intent and proposed material selections. The elevations may be revised prior to preliminary plan review to accommodate architectural/site revisions or future tenant selections. All public street elevations shall be required at preliminary plan review as required by the Ordinance. All final elevations will be approved by Town staff during the preliminary plan review as required by the Ordinance.



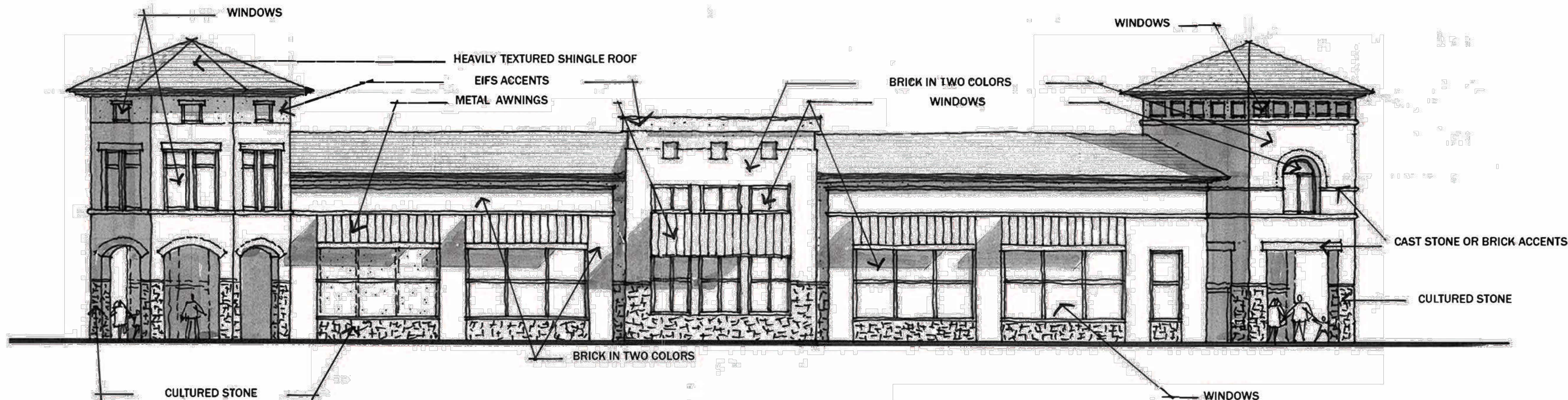
04 BUILDINGS C & D - TYPICAL STREET ELEVATION
3/32" = 1'-0"



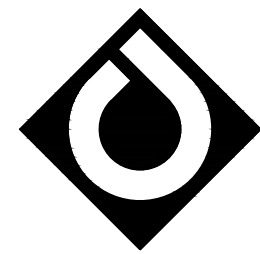
03 BUILDING E - EASTFIELD RD ELEVATION
3/32" = 1'-0"



02 BUILDING H - (PHARMACY) PROSPERITY CHURCH RD ELEVATION
3/32" = 1'-0"



01 BUILDING H - (PHARMACY) EASTFIELD RD ELEVATION
3/32" = 1'-0"



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MARKET

EASTFIELD ROAD
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SCHEMATIC
ARCHITECTURAL
ELEVATIONS

Project No.

4663

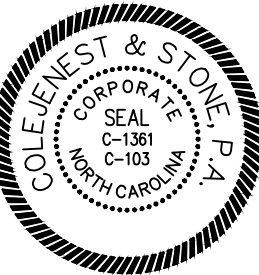
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03/15/12 - ADMINISTRATIVE AMENDMENT #1

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SCHEMATIC ARCHITECTURAL ELEVATIONS

Project No.

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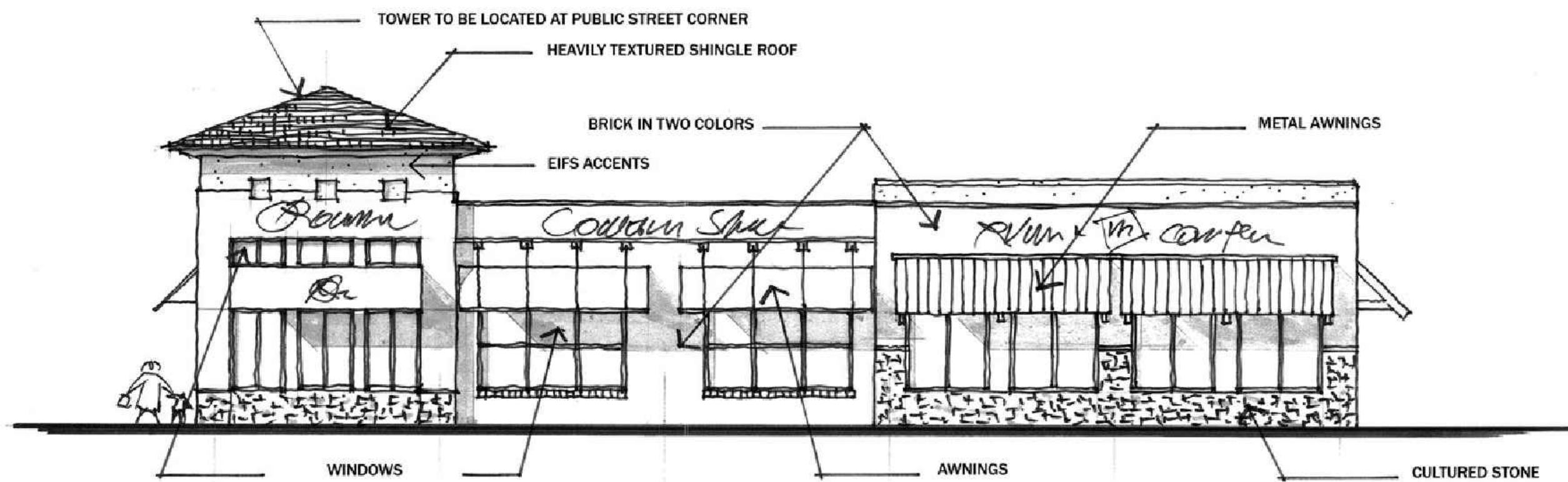
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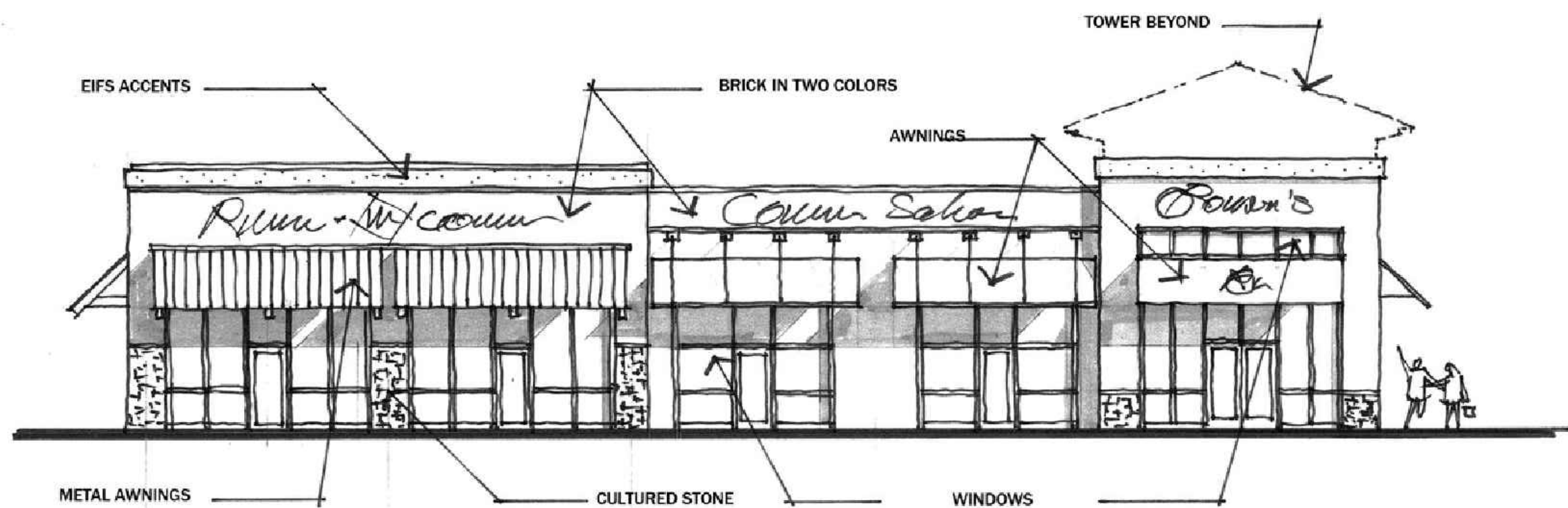
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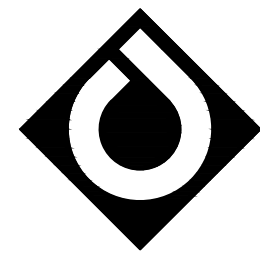
05/19/20 – REZONING AMENDMENT



02 BUILDINGS I, J, A, B, F, & G - TYPICAL STREET ELEVATION
3/32" = 1'-0"



01 BUILDINGS I, J, A, B, F, & G - TYPICAL PARKING AREA ELEVATION
3/32" = 1'-0"



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SCHEMATIC SIGN ELEVATION AND RAIN GARDEN PLANTING

Project No.

4663

Issued

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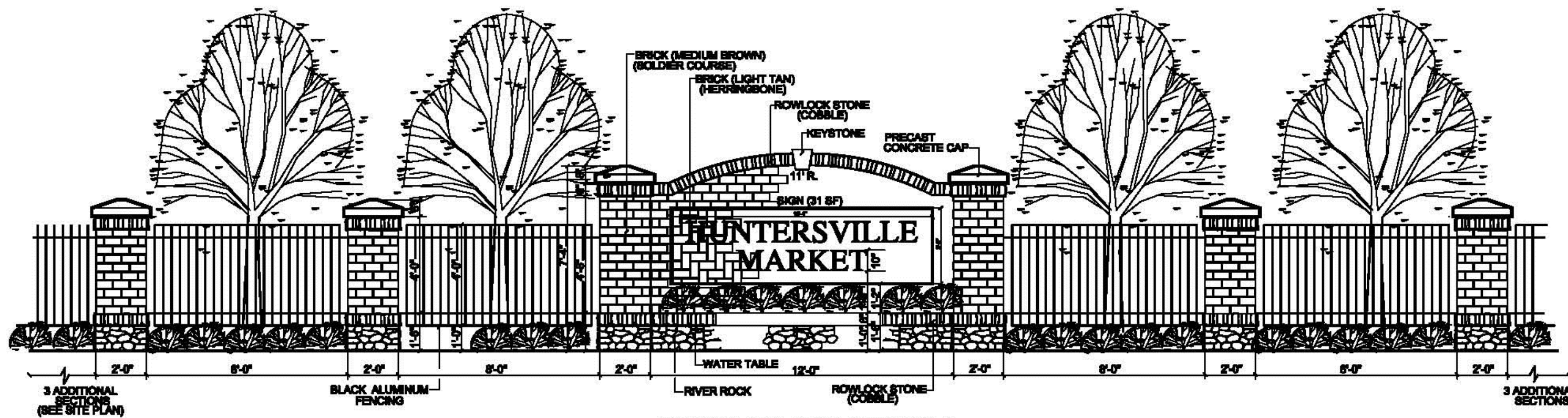


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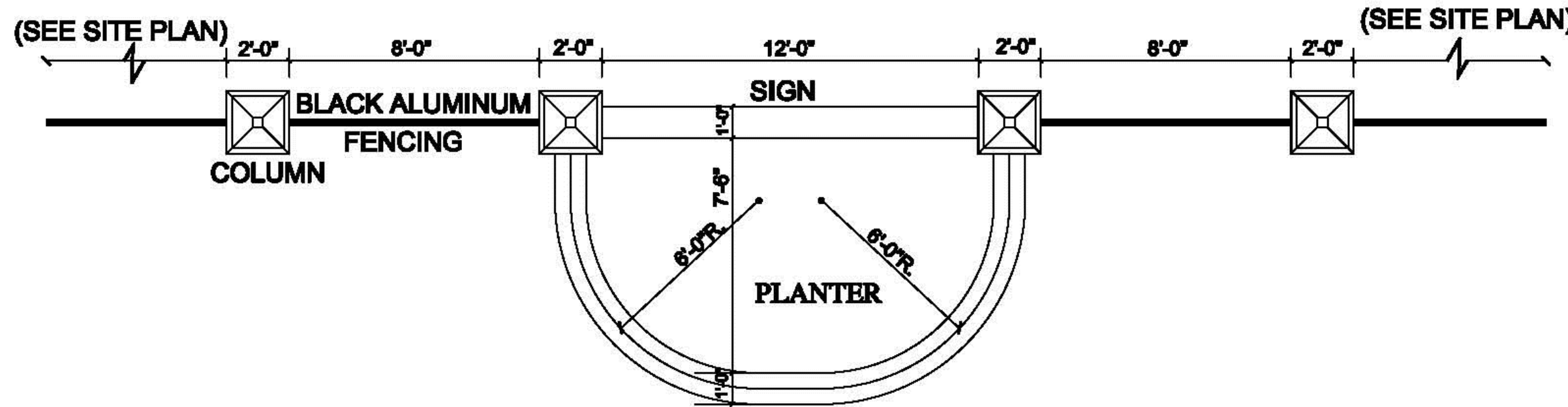
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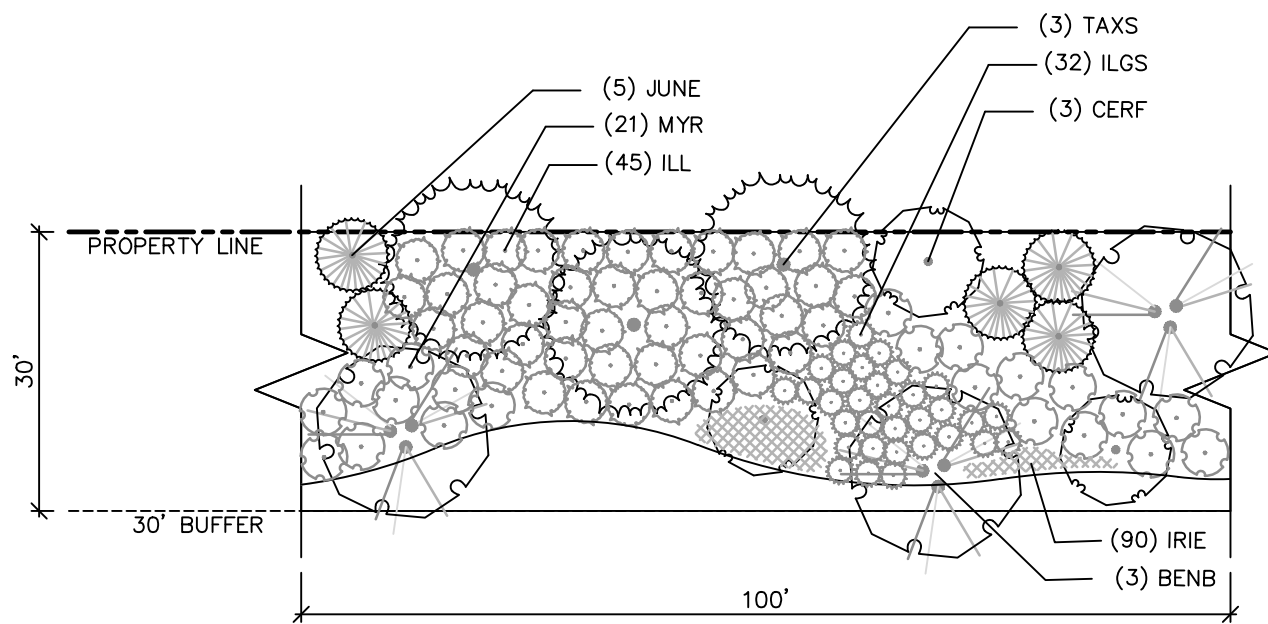
ColeJenest & Stone, P.A. 2019



SIGN ELEVATION
SCALE: 1/4" = 1'-0"



PLAN VIEW
SCALE: 1/4" = 1'-0"
ENTRY SIGN & FENCING



PLANT SCHEDULE: 30' LANDSCAPE BUFFER/ RAIN GARDEN

TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT	SIZE
BENB	3	BETULA NIGRA 'BNMTF'	DURA HEAT RIVER BIRCH	B&B	2" CAL. 8'-10' HT.
CERF	3	CEROIS CANADENSIS 'FOREST PANSY' TM	FOREST PANSY REDBUD	B&B	2"-2.5" CAL., 8'-10' HT.
JUNE	5	JUNIPERUS VIRGINIANA	EASTERN RED CEDAR	B&B	2"-2.5" CAL., 8'-10' HT.
TAXS	3	TAXODIUM DISTICHUM 'SHAWNEE BRAVE' TM	BALD CYPRESS	B&B	2" CAL., 8'-10' HT.
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	CONT	SIZE
ILGS	12	ILEX GLABRA 'SHAMROCK'	WINGSBERRY	CONT.	20"-24" HT.
ILL	45	ILICUM PARVIFOLIA	SMALL ANISE	CONT.	36"-42" HT.
MYR	21	MYRICA CERIFERA 'DON'S DWARF'	DON'S DWARF WAX MYRTLE	CONT.	20"-24" HT.
GROUND COVERS	QTY	BOTANICAL NAME	COMMON NAME	CONT	SIZE
IRIE	90	IRIS ENSATA 'BUTTERFLIES IN FLIGHT'	BUTTERFLIES IN FLIGHT JAPANESE WATER IRIS	CONT.	16"-24" HT.

RAIN GARDEN CALCULATIONS:
0.07 ACRES @ 2000 PLANTS/ ACRE= 140 REQUIRED PLANTS
10% TREES = 14 REQUIRED TREES/ 14 PROPOSED TREES
70% SHRUBS = 98 REQUIRED SHRUBS/ 98 PROPOSED SHRUBS
20% HERBACEOUS = 28 REQUIRED HERBACEOUS PLANTS/ 90 PROPOSED HERBACEOUS PLANTS

TYPICAL RAIN GARDEN PLANTING IN LANDSCAPE BUFFER



- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
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TOWN OF HUNTERSVILLE LIGHTING CHECKLIST

General Requirements

- 1. All street lights are to be located in the center of the roadway. This allows maximum to provide uniform lighting and to provide the best view of the roadway. No more than one light per side of the road.
- 2. Light fixtures are to be designed to minimize lighting spillage, glare, and/or shadows. All lighting fixtures are to be designed to provide uniform lighting and to provide the best view of the roadway.
- 3. All lighting fixtures are to be designed to provide uniform lighting and to provide the best view of the roadway.
- 4. All lighting fixtures are to be designed to provide uniform lighting and to provide the best view of the roadway.
- 5. All lighting fixtures are to be designed to provide uniform lighting and to provide the best view of the roadway.

Lighting Fixtures

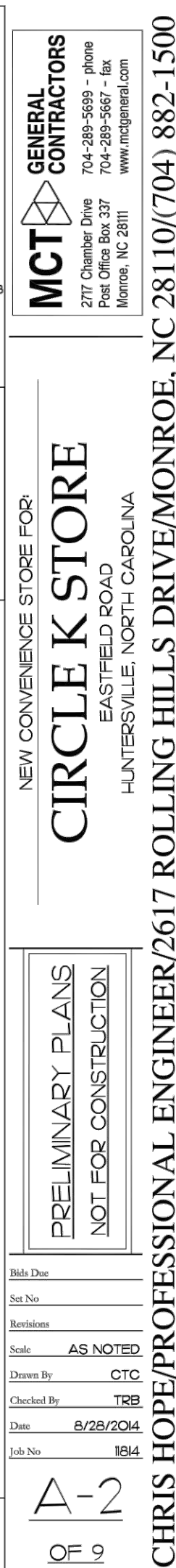
- 1. All lighting fixtures are to be designed to provide uniform lighting and to provide the best view of the roadway.
- 2. All lighting fixtures are to be designed to provide uniform lighting and to provide the best view of the roadway.
- 3. All lighting fixtures are to be designed to provide uniform lighting and to provide the best view of the roadway.
- 4. All lighting fixtures are to be designed to provide uniform lighting and to provide the best view of the roadway.
- 5. All lighting fixtures are to be designed to provide uniform lighting and to provide the best view of the roadway.

Lighting Controls

- 1. All lighting fixtures are to be designed to provide uniform lighting and to provide the best view of the roadway.
- 2. All lighting fixtures are to be designed to provide uniform lighting and to provide the best view of the roadway.
- 3. All lighting fixtures are to be designed to provide uniform lighting and to provide the best view of the roadway.
- 4. All lighting fixtures are to be designed to provide uniform lighting and to provide the best view of the roadway.
- 5. All lighting fixtures are to be designed to provide uniform lighting and to provide the best view of the roadway.

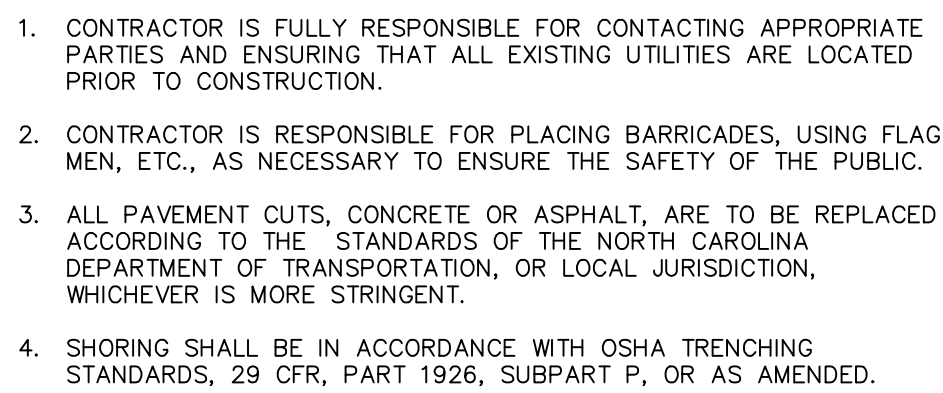
Lighting Maintenance

- 1. All lighting fixtures are to be designed to provide uniform lighting and to provide the best view of the roadway.
- 2. All lighting fixtures are to be designed to provide uniform lighting and to provide the best view of the roadway.
- 3. All lighting fixtures are to be designed to provide uniform lighting and to provide the best view of the roadway.
- 4. All lighting fixtures are to be designed to provide uniform lighting and to provide the best view of the roadway.
- 5. All lighting fixtures are to be designed to provide uniform lighting and to provide the best view of the roadway.



REAR ELEVATION - PARKING LOT SIDE

FRONT ELEVATION - PROSPERITY CHURCH ROAD ELEVATION



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EASTFIELD ROAD
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Project No.

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11/01/12 - ADMINISTRATIVE AMENDMENT # 2

05/19/20 - REZONING AMENDMENT



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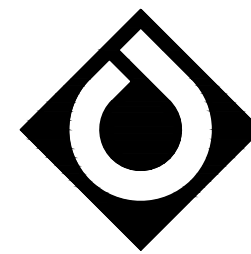
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ARCHITECTURAL RENDERING

2



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SCHEMATIC ARCHITECTURAL ELEVATIONS

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05/19/20 - REZONING AMENDMENT
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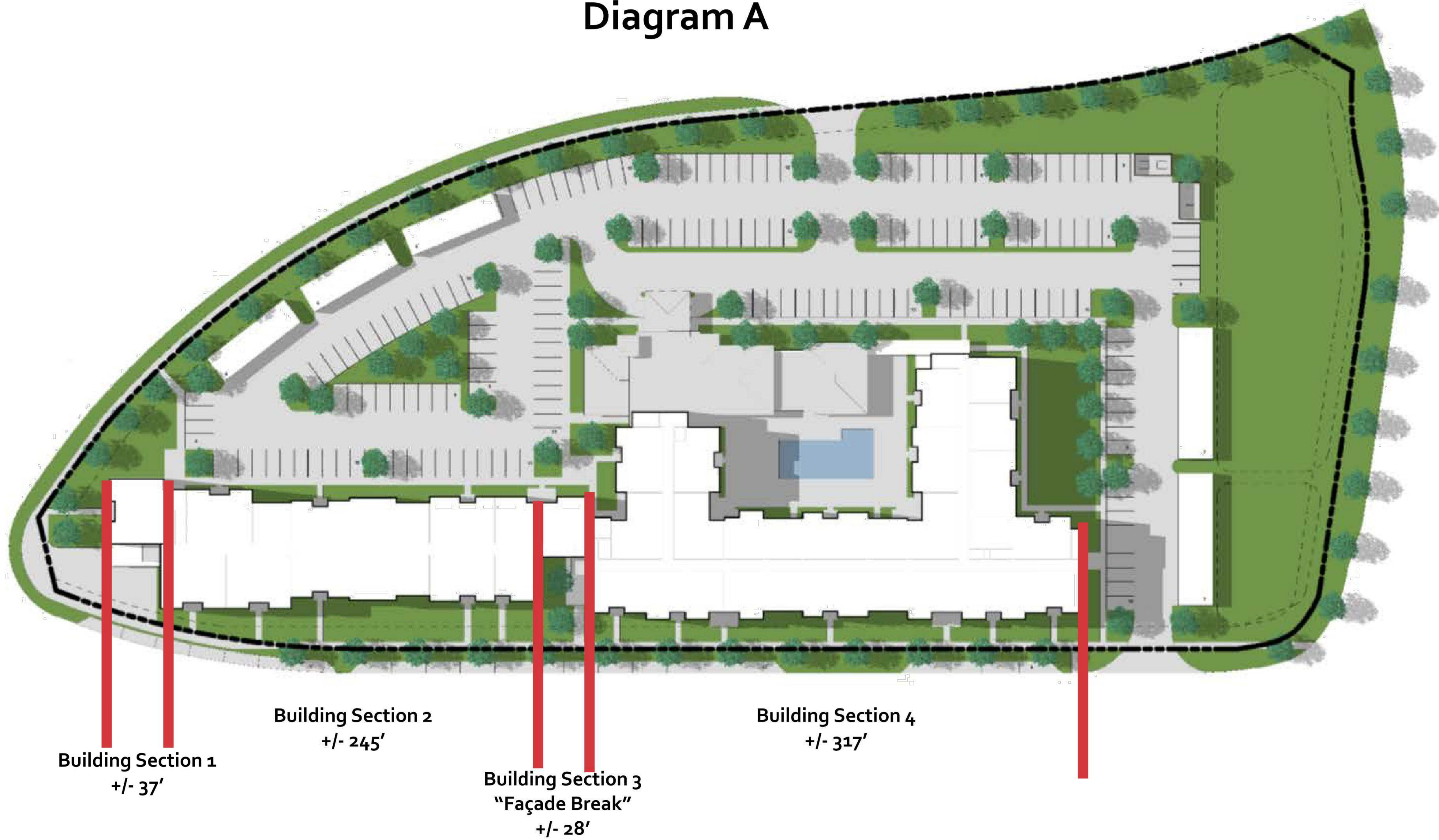


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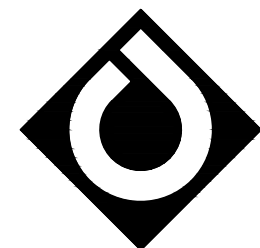
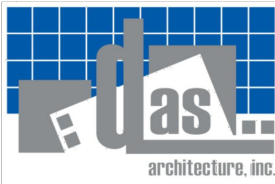
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Diagram A



- PARCEL 1 – ADDITIONAL SITE AND BUILDING DESIGN COMMITMENTS
- 1)THE MAIN BUILDING ON PARCEL 1 FRONTING HYLAS LANE SHALL HAVE A MINIMUM OF 4 ARTICULATED 'BUILDING SECTIONS', AS APPROXIMATELY SHOWN IN DIAGRAM A.
 - 2)NO BUILDING SECTION FRONTING HYLAS LANE SHALL EXCEED 325' AS APPROXIMATELY SHOWN IN DIAGRAM A.
 - 3)BUILDING SECTION 1 SHALL HAVE AT LEAST 1 PEDESTRIAN ACCESS, WHICH MAY BE 'SECURE ACCESS' CONTROLLED CONNECTING TO THE URBAN PLAZA.
 - 4)BUILDING SECTION 3 SHALL BE A MINIMUM OF 25' WIDE AND THE BUILDING SHALL BE RECESSED BY A MINIMUM OF 15' FROM BUILDING SECTION 2'S FRONT FAÇADE, KNOWN AS A 'FAÇADE BREAK'.
 - 5)THE 'FAÇADE BREAK' SHALL INCLUDE THE FOLLOWING:
 - i) A FUNCTIONING COMMON DOOR TO ALLOW PEDESTRIAN ACCESS IN AND OUT OF THE BUILDING, WHICH MAY BE 'SECURE ACCESS' CONTROLLED.
 - ii) A SIDEWALK SHALL BE CONSTRUCTED CONNECTING THE ACCESS DOOR TO HYLAS LANE SIDEWALK.
 - iii) WITHIN THE FAÇADE BREAK, LANDSCAPING, HARDSCAPE, AND OUTDOOR SEATING SHALL BE PROVIDED.
 - 6)THE PEDESTRIAN DOOR IN THE FAÇADE BREAK MAY EXTEND EXTERIORLY INTO THE FAÇADE BREAK COURTYARD SO LONG AS SUCH DOOR AND COVERED WALK IS AN ARCHITECTURAL FEATURE AND NOT AN EXTENSION OF THE BUILDING. THE EXTERIOR DOOR AND COVERED AREA SHALL NOT EXTEND TO THE FRONT FACE OF THE MAIN BUILDING. PETITIONER AND TOWN PLANNING STAFF SHALL HAVE THE ABILITY TO MODIFY THE COVERED ENTRY DOOR WITH THE FINAL ARCHITECTURAL DRAWINGS SO LONG AS THE INTENT OF THE FAÇADE BREAK, ENTRY DOOR, AND COVERED WALK IS IN KEEPING WITH THE INTENT TO VISUALLY 'BREAK UP' THE BUILDING.
 - 7)THE UNITS ON THE GROUND FLOOR FRONTING HYLAS LANE MAY HAVE PATIOS, BUT EVERY UNIT SHALL NOT HAVE A PATIO; HOWEVER, EVERY UNIT FRONTING A PUBLIC STREET SHALL HAVE AN EXTERIOR PEDESTRIAN DOOR CONNECTING TO THE SIDEWALK WITHIN THE RIGHT-OF-WAY. THIS IS INTENDED TO CREATE A VARYING FAÇADE. THE INDIVIDUAL PRIVATE WALKING PATHS CONNECTING THE UNIT DOORS TO THE PUBLIC SIDEWALK IN THE RIGHT-OF-WAY MAY BE CONSTRUCTED OF CONCRETE, DECORATIVE PAVERS, OR OTHER MEANS OF HARDSCAPE ALLOWING PEDESTRIAN CONNECTIVITY. THE PRIVATE PATHS MAY BE CONNECTED AND SHARED WITH ADJACENT UNITS TO MINIMIZE MULTIPLE PATHWAYS. THE GROUND FLOOR PATIOS SHALL HAVE DECORATIVE FENCING AND/OR LANDSCAPING SEPARATING THEM FROM THE PUBLIC AREAS.
 - 8)ALL LANDSCAPE AREAS FRONTING HYLAS LANE WHICH CALL FOR GRASS SHALL BE SODDED.
 - 9)LANDSCAPING BETWEEN HYLAS LANE AND THE BUILDING SHALL HAVE VARYING HEIGHT AND SHALL INCLUDE PEDESTRIAN BENCHES AND OTHER PEDESTRIAN ACTIVATED FOCAL POINTS.
 - 10)THE ROOF OF THE MAIN BUILDING SHALL BE A MIX OF A PITCHED ROOF WITH ARCHITECTURAL GRADE SHINGLES AND A FLAT ROOF.



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SCHEMATIC
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ELEVATIONS

Project No.
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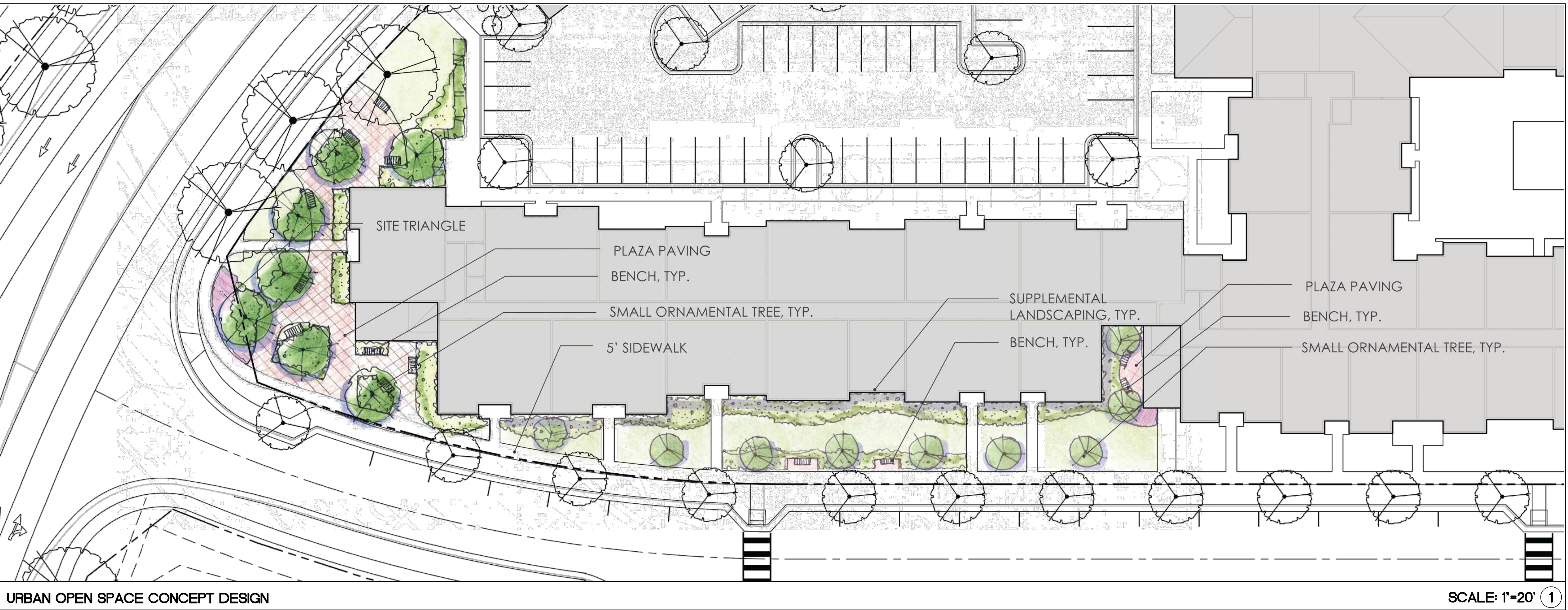
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10/16/20 – REZONING AMENDMENT



AS-6



NOTE: URBAN PLAZA, TO INCLUDE SEATING AREA, SPECIALTY LIGHTING, ENHANCED LANDSCAPING, AND HARDSCAPE ELEMENTS.



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3. ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
4. SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 CFR, PART 1926, SUBPART P, OR AS AMENDED.

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1st Neighborhood Meeting Minutes Summary

Date/Time: Wednesday, February 12, 2020 – 6:00 PM

Location: Town of Huntersville Town Hall

Petitioner: Jay Priester & Meredith Richmond – Cambridge Properties, Inc.

Introduction:

Mr. Jay Priester opened the meeting by welcoming the two attendees (as shown on the sign in sheet). Mr. Priester then showed the proposed site plan, explaining the intent of the rezoning was to remove a portion of the current approved retail within Huntersville Market and replace it with for rent active adult housing for up to 190 units. Mr. Priester explained that the market demand for this product is being driven by empty nesters wanting to be closer to their children and grandchildren who are living in the single family neighborhoods nearby and the fact that many from the Baby Boomer generation are looking for more maintenance free living opportunities. Mr. Priester said the building would front Hylas Lane, which would have parallel parking and create a walkable urban environment. The building would have elevators and would be up to 4 stories in height. Mr. Priester then asked the attendees if they had any questions.

Mr. Walter and Mr. Smith said they both live in McGinnis Village neighborhood and asked if the rezoning changed anything on the portion of the property that backs up to their homes. Mr. Priester responded that his company just recently purchased the additional land backing up to their neighborhood, and that this rezoning does not impact the current plan or zoning on that portion of the property. Mr. Priester further stated that he had no immediate plans to develop the property adjacent to their neighborhood.

Mr. Smith asked, "What would be rents in the units?" Mr. Priester responded, roughly \$1,500-\$2,000 per month.

Mr. Walter asked, "Would the development be assisted living?" Mr. Priester said that it would be active adults who do not need assisted living.

Mr. Smith and Mr. Walter asked, "How would the development impact traffic?" Mr. Priester said the traffic impact is significantly less than the current approved plans for retail, so it is a net reduction in traffic. Mr. Priester further stated that the peak trips for active adult is also significantly reduced.

Mr. Walter and Mr. Smith then thanked Mr. Priester and said they both thought it was a good plan and a very positive addition to the area.

Mr. Priester thanked Mr. Walter and Mr. Smith for coming and said "Should you have any additional questions to please call or email anytime" and Mr. Priester then handed them his business card.

HUNTERSVILLE MARKET – NEIGHBORHOOD MEETING

WEDNESDAY, FEBRUARY 12, 2020, 6:00 PM

TOWN OF HUNTERSVILLE TOWN HALL BOARD ROOM

REZONING PETITION #RZ19-18

SIGN-IN SHEET

	NAME	ADDRESS	PHONE	EMAIL
1.	Bill Walter	12724 McGinnis LN	704.992.2356	eLebill@aol.com
2.	Kevin Smith	12820 Glassanby Ct	704.677.4006	Kevin R. Smith 87@gmail.com
3.				
4.				
5.				
6.				
7.				
8.				
9.				
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11.				
12.				
13.				
14.				
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19.				
20.				

2nd Neighborhood Meeting Minutes Summary

Date/Time: **Thursday, February 27, 2020 – 6:00 PM**

Location: **Town of Huntersville Town Hall**

Petitioner: **Jay Priester & Meredith Richmond – Cambridge Properties, Inc.**

Mr. David Peete of the Town Huntersville Planning Department was the only attendee.

Mr. Peete, Ms. Richmond, and Mr. Priester stayed at the meeting location until 6:36PM.

HUNTERSVILLE MARKET – NEIGHBORHOOD MEETING

THURSDAY, FEBRUARY 27, 2020, 6:00 PM

TOWN OF HUNTERSVILLE TOWN HALL BOARD ROOM

REZONING PETITION #RZ19-18

SIGN-IN SHEET

	NAME	ADDRESS	PHONE	EMAIL
1.				
2.				
3.				
4.				
5.				
6.				
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20.				

3rd Neighborhood Meeting Minutes Summary

Date/Time: Thursday, May 21, 2020 – 6:00 PM

Location: Virtual Zoom Meeting

Petitioner: Jay Priester & Meredith Richmond – Cambridge Properties, Inc.

Introduction:

Due to social distancing restrictions, the meeting was conducted via Zoom video conference. Access information to attend via video or audio call was included in the Notice of Third Neighborhood Meeting (attached as Exhibit A).

Mr. Priester and Ms. Richmond opened up the meeting to attendees at 6:00PM. Mr. David Peete of the Town of Huntersville Planning Department was the only attendee. Mr. Peete discussed plans for Town of Huntersville meetings and hearing moving forward, as well as the schedule relating to the Rezoning Petition. The Meeting concluded at approximately 6:16PM.

Exhibit A

NOTICE TO INTERESTED PARTIES OF THIRD NEIGHBORHOOD MEETING

Regarding: Proposed Rezoning of +/- 28.57 Acres consisting of Property Parcels 02119172, 02119171, 02119170, 02119169, 02119168, 02119173, 02119174, 02119175, 02119101, located at the intersection of Eastfield Road and Prosperity Church Road.

Site: 4505, 4615, 4625, 4664 and 4715 Hylas Lane; 10720 Oyster Lane; 6909 Prosperity Church Road; 12901 Eastfield Road

Meeting Date: Thursday, May 21, 6:00 PM

Petition #: R19-18. For full information, visit www.Huntersville.org

Petitioner: Cambridge Properties, Inc.

Meeting Place: As in-person meetings are not permitted at this time, an online-only Zoom Meeting Video Call will be conducted. Join via:
<https://us02web.zoom.us/j/85684267847>
Meeting ID: 856 8426 7847. For Audio call: 646-558-8656

Contact: Jay Priester (704) 333-2393, ext. 108

Cambridge Properties, Inc. will be holding a video neighborhood meeting via Zoom to present Petitioner's request to rezone the property from HC (CD) to **REVISED** HC (CD) zoning classification to allow for an age-restricted active adult housing development within a portion of the Huntersville Market development to create a mix of complimentary uses.

The Petitioner is holding a third Neighborhood Meeting prior to the Town Board Public Hearing for this Rezoning Petition. Please reach out to Jay Priester directly at the number above should you be unable to access the video conference or wish to ask questions.



CAMBRIDGE PROPERTIES
INCORPORATED

4th Neighborhood Meeting Minutes Summary

Date/Time: Wednesday, August 19, 2020 – 5:30 PM

Location: Virtual Zoom Meeting

Petitioner: Jay Priester & Meredith Richmond – Cambridge Properties, Inc.

Introduction:

Due to social distancing restrictions, the meeting was conducted via Zoom video conference. Access information to attend via video or audio call was included in the Notice of Fourth Neighborhood Meeting (attached as Exhibit A).

Mr. Priester and Ms. Richmond opened up the meeting to attendees at 5:30PM. Mr. David Peete of the Town of Huntersville Planning Department was the only attendee. Mr. Peete discussed the timeline for Town of Huntersville meetings and hearings moving forward with this Rezoning Petition. The Meeting concluded at approximately 5:45PM.

Exhibit A

NOTICE TO INTERESTED PARTIES OF FOURTH NEIGHBORHOOD MEETING

Regarding: Proposed Rezoning of +/- 28.57 Acres consisting of Property Parcels 02119172, 02119171, 02119170, 02119169, 02119168, 02119173, 02119174, 02119175, 02119101, located at the intersection of Eastfield Road and Prosperity Church Road.

Site: 4505, 4615, 4625, 4664 and 4715 Hylas Lane; 10720 Oyster Lane; 6909 Prosperity Church Road; 12901 Eastfield Road

Meeting Date: Wednesday, August 19, 5:30 PM

Petition #: R19-18. For full information, visit www.Huntersville.org

Petitioner: Cambridge Properties, Inc.

Meeting Place: As in-person meetings are not permitted at this time, an online-only Zoom Meeting Video Call will be conducted. Join via:
<https://us02web.zoom.us/j/88497306183>
Meeting ID: 884 9730 6183. For Audio call: 1-301-715-8592

Contact: Jay Priester (704) 333-2393, ext. 108

Cambridge Properties, Inc. will be holding a video neighborhood meeting via Zoom to present Petitioner's request to rezone the property from HC (CD) to **REVISED** HC (CD) zoning classification to allow for an age-restricted active adult housing development within a portion of the Huntersville Market development to create a mix of complimentary uses.

The Petitioner is holding a fourth Neighborhood Meeting prior to the Town Board Public Hearing for this Rezoning Petition. Please reach out to Jay Priester directly at the number above should you be unable to access the video conference or wish to ask questions.

Town of Huntersville: Huntersville Market, Cambridge Properties

IMPACT OF THE PROPOSED DEVELOPMENT

Proposed Housing Units: Highway-Commercial/Age restricted active adult dwelling units

CMS Planning Group: North

Average Student Yield per Unit: N/A

This development may add zero student(s) to the schools in this area.

The following data is as of 20th Day of the 2019-20 school year.

<i>Schools Affected</i>	<i>Total Classroom Teachers</i>	<i>Building Classrooms/ Teacher Stations</i>	<i>20th Day, Enrollment (non-ec)</i>	<i>Building Classroom/ Adjusted Capacity (Without Mobiles)</i>	<i>20th Day, Building Utilization (Without Mobiles)</i>	<i>Additional Students As a result of this development</i>	<i>Utilization As of result of this development (Without Mobiles)</i>
BLYTHE ELEMENTARY	55.5	50	918	866	110%	0	110%
JM ALEXANDER MIDDLE	47.2	54	964	1103	87%	0	87%
NORTH MECKLENBURG HIGH	130.5	108	2151	1881	114%	0	114%

RECOMMENDATION

There is no significant impact on the schools listed above.

**Town of Huntersville
Town Board
November 16, 2020**

To: Town Board

From: David Hill, Principal Planner

Date: November 16, 2020

Subject: Consider adopting the Huntersville 2040 Community Plan. *(Dave Hill)*

EXPLAIN REQUEST:

The Huntersville 2040 Community Plan was recommended for approval by the Huntersville Planning Board on October 27, 2020. Prior to that, a public hearing for the 2040 Plan was held on October 19, 2020. All state law requirements have been met to allow the Board of Commissioners to consider adoption of the 2040 Plan by ordinance. Documents provided for Town Board review include: (1) The Draft 2040 Plan, (2) an analysis of the recommendations made by the Planning Board on October 27, 2020, and (3) a list of all edits made to the draft plan during the review and refinement process.

ACTION RECOMMENDED:

The Planning Board recommended approval of the 2040 Plan on October 27, 2020.

FINANCIAL IMPLICATIONS:

The professional services contract used to produce the 2040 Plan was approved in September 2019. No direct expenses are proposed related to adoption of the Plan.

ATTACHMENTS:

1. Resolution

A RESOLUTION ADOPTING THE HUNTERSVILLE 2040 COMMUNITY PLAN

WHEREAS, the Town of Huntersville, North Carolina adopted the Huntersville 2030 Community Plan on June 20, 2011; and

WHEREAS, the 2030 Community Plan comprehensively assessed the impacts of rapid growth and created a vision for land use and development within the Town of Huntersville for a period of 20 years; and

WHEREAS, in January 2019, the Huntersville Town Board of Commissioners instructed staff to prepare an update of the 2030 Community Plan; and

WHEREAS, from September 2019 through October 2020, the Planning Department staff and a consultant team conducted a process to update the 2030 Plan; and

WHEREAS, the Huntersville 2040 Plan Steering Committee provided oversight to the development of the Huntersville 2040 Community Plan (the "2040 Plan"), which included three public surveys, several public meetings, seven Steering Committee meetings, extensive website public outreach that resulted in 11,570 individual engagements, and distribution of a newsprint copy of the draft 2040 Plan to every Huntersville household; and

WHEREAS, the Huntersville Planning Board reviewed different aspects of the draft 2040 Plan on four separate occasions, resulting in a recommendation of approval of the draft 2040 Plan on October 27, 2020; and

WHEREAS, a joint public hearing was conducted by the Huntersville Board of Commissioners and the Huntersville Planning Board on October 19, 2020; and

WHEREAS, the Huntersville 2040 Community Plan has been produced and subjected to a review and approval process that is compliant with the North Carolina General Statutes;

NOW, THEREFORE BE IT RESOLVED BY THE TOWN OF HUNTERSVILLE BOARD OF COMMISSIONERS:

1. The Huntersville 2040 Community Plan is hereby adopted and is effective immediately.
2. The Huntersville 2040 Community Plan now replaces the Huntersville 2030 Community Plan.
3. Should a conflict arise, the Huntersville 2040 Community Plan takes precedence over all Small Area Plans adopted by the Town of Huntersville.
4. Prior to publication of the final 2040 Plan, staff is instructed to make any non-substantive revisions needed to correct errors and omissions.

Adopted this _____ day of _____, 2020.

ATTEST:

TOWN OF HUNTERSVILLE

Town Clerk

Mayor

APPROVED AS TO FORM:

Town Attorney

**Town of Huntersville
Town Board
November 16, 2020**

To: Town Board

From: Emily Sloop, Town Attorney

Date: November 16, 2020

Subject: Consider adopting Resolution Authorizing Upset Bid Procedures Under N.C.G.S 160A-269 for Disposal of Surplus Property. *(Emily Sloop)*

EXPLAIN REQUEST:

ACTION RECOMMENDED:

Adopt Resolution

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. Blythe final Commercial Agreement Blythe Property - FINAL 11.3.2020 (760 Craft Works - Signed)
2. Resolution

AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY

THIS AGREEMENT, including any and all addenda attached hereto ("Agreement"), is by and between **760 Craft Works, LLC**, a North Carolina Limited Liability Company ("Buyer"), and the **Town of Huntersville, North Carolina**, a North Carolina municipality ("Seller").

FOR AND IN CONSIDERATION OF THE MUTUAL PROMISES SET FORTH HEREIN AND OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT AND SUFFICIENCY OF WHICH ARE HEREBY ACKNOWLEDGED, THE PARTIES HERETO AGREE AS FOLLOWS:

Section 1. Terms and Definitions: The terms listed below shall have the respective meaning given them as set forth adjacent to each term.

(a) **"Property": Approximately 1.671 acres**, consisting of all or portions of three separate (3) parcels: (i) **PIN 01712210**, approximately 1.26 acres, (ii) **PIN 01712211**, approximately .231 acres and (iii) **PIN 01712245**, approximately .0180 acres; as generally shown on **Exhibit A**, attached hereto and incorporated herewith by reference, together with all buildings and improvements thereon and all fixtures and appurtenances thereto. The final boundary of the Property will be identified by survey on a plat in proper form for recording at the Mecklenburg County Register of Deeds Office. The Seller will perform the survey at Seller's expense within thirty (30) days after the Contract Date. The survey shall identify the reserved access easement and parking easement as also shown on **Exhibit A**.

\$1,500,000.00 (b) **"Purchase Price"** shall mean the sum of **One Million Five Hundred Thousand** Dollars,
payable on the following terms:

\$75,000.00 (i) **"Earnest Money"** shall mean **Seventy-Five Thousand** Dollars

Upon this Agreement becoming a contract in accordance with Section 14, the Earnest Money shall be promptly deposited in escrow with **Clerk for the Town of Huntersville** (name of person/entity with whom deposited- "Escrow Agent"), to be applied as part payment of the Purchase Price of the Property at Closing, or disbursed as agreed upon under the provisions of Section 10 herein.

☐ **ANY EARNEST MONEY DEPOSITED BY BUYER IN A TRUST ACCOUNT MAY BE PLACED IN AN INTEREST BEARING TRUST ACCOUNT, AND: (check only ONE box)**

☐ **ANY INTEREST EARNED THEREON SHALL BE APPLIED AS PART PAYMENT OF THE PURCHASE PRICE OF THE PROPERTY AT CLOSING, OR DISBURSED AS AGREED UPON UNDER THE PROVISIONS OF SECTION 10 HEREIN. (Buyer's Taxpayer Identification Number is: _____)**

☐ **ANY INTEREST EARNED THEREON SHALL BELONG TO THE ACCOUNT HOLDER IN CONSIDERATION OF THE EXPENSES INCURRED BY MAINTAINING SUCH ACCOUNT AND RECORDS ASSOCIATED THEREWITH.**

\$ N/A (ii) **Proceeds of a new loan** in the amount of _____ Dollars for a term of _____ years, with an amortization period not to exceed _____ years, at an interest rate not to exceed _____% per annum with mortgage loan discount points not to exceed _____% of the loan amount, or such other terms as may be set forth on **Exhibit B**. Buyer shall pay all costs associated with any such loan.

\$N/A (iii) **Delivery of a promissory note** secured by a deed of trust, said promissory note in the amount of _____ Dollars being payable over a term of _____ years, with an amortization period of _____ years, payable in monthly installments of principal, together with accrued interest on the outstanding principal balance at the rate of _____ percent (_____%) per annum in the amount of \$_____, with the first principal payment beginning on the first day of the month next succeeding the date of Closing, or such other terms as may be set forth on **Exhibit B**. At any time, the promissory note may be prepaid in whole or in part without penalty and without further interest on the amounts prepaid from the date of such prepayment. **(NOTE: In the event of Buyer's subsequent default upon a promissory note**

and deed of trust given hereunder, Seller's remedies may be limited to foreclosure of the Property. If the deed of trust given hereunder is subordinated to senior financing, the material terms of such financing must be set forth on Exhibit B. If such senior financing is subsequently foreclosed, the Seller may have no remedy to recover under the note.)

\$N/A (iv) **Assumption** of that unpaid obligation of Seller secured by a deed of trust on the Property, such obligation having an outstanding principal balance of \$ _____ and evidenced by a note bearing interest at the rate of _____ percent (_____%) per annum, and a current payment amount of \$ _____.

\$1,425,000.00 (v) **Cash, balance of Purchase Price**, at Closing in the amount of **One Million Four Hundred Twenty-Five Thousand** Dollars.

(c) **"Closing"** shall mean the date of completion of the process detailed in Section 11 of this Agreement. Closing shall occur on or before **150 days after the Contract Date**.

(d) **"Contract Date"** means the date this Agreement has been fully executed by both Buyer and Seller. [After approval by the Huntersville Board of Commissioners.]

(e) **"Examination Period"** shall mean the period beginning on the first day after the Contract Date and extending through 5:00pm (based upon time at the locale of the Property) on the date that is **120 days after the Contract Date. TIME IS OF THE ESSENCE AS TO THE EXAMINATION PERIOD.**

(g) **"Broker(s)"** shall mean:
None _____ ("Listing Agency"),
_____ ("Listing Agent" – License # _____)

Acting as: ☐ Seller's Agent; ☐ Dual Agent

And **Cheryl C. Crawford, Commercial Real Estate Group**
11330 Vanstory Dr., Huntersville, NC 28078 ("Selling Agency"),
_____ ("Selling Agent"- License # _____)

Acting as: ☒ Buyer's Agent; ☐ Seller's (Sub)Agent; ☐ Dual Agent

(h) **"Seller's Notice Address"** shall be as follows:

Anthony Roberts, Town Manager

Town of Huntersville

101 Huntersville-Concord Road

Huntersville, NC 28078

e-mail address: _____ fax number: _____

except as same may be changed pursuant to Section 12.

(i) **"Buyer's Notice Address"** shall be as follows:

Knox Wagner Ramsey III

153 McAlway Rd

Charlotte, NC 28211

e-mail address: _____ fax number: _____

except as same may be changed pursuant to Section 12.

☒ (j) If this block is marked, additional terms of this Agreement are set forth on **Exhibit B** attached hereto and incorporated herein by reference. (**Note: Under North Carolina law, real estate agents are not permitted to**

draft conditions or contingencies to this Agreement.)

- ☐ (k) If this block is marked, additional terms of this Agreement are set forth on the Additional Provisions Addendum (Form 581-T) attached hereto and incorporated herein by reference.

Section 2. Sale of Property and Payment of Purchase Price: Seller agrees to sell and Buyer agrees to buy the Property for the Purchase Price.

Section 3. Proration of Expenses and Payment of Costs: Seller and Buyer agree that all property taxes (on a calendar year basis), leases, rents, mortgage payments and utilities or any other assumed liabilities as detailed on attached **Exhibit B**, if any, shall be prorated as of the date of Closing. Seller shall pay for preparation of a deed and all other documents necessary to perform Seller's obligations under this Agreement, excise tax (revenue stamps), any deferred or rollback taxes, and other conveyance fees or taxes required by law, and the following: [none].

Buyer shall pay recording costs, costs of any title search, title insurance, survey, the cost of any inspections or investigations undertaken by Buyer under this Agreement and the following: [none].

Each party shall pay its own attorney's fees.

Section 4. Deliveries: Seller agrees to use best efforts to deliver to Buyer as soon as reasonably possible after the Contract Date copies of all material information relevant to the Property in the possession of Seller, including but not limited to: title insurance policies (and copies of any documents referenced therein), surveys, soil test reports, environmental surveys or reports, site plans, civil drawings, building plans, maintenance records and copies of all presently effective warranties or service contracts related to the Property. Seller authorizes (1) any attorney presently or previously representing Seller to release and disclose any title insurance policy in such attorney's file to Buyer and both Buyer's and Seller's agents and attorneys; and (2) the Property's title insurer or its agent to release and disclose all materials in the Property's title insurer's (or title insurer's agent's) file to Buyer and both Buyer's and Seller's agents and attorneys. If Buyer does not consummate the Closing for any reason other than Seller default, then Buyer shall return to Seller all materials delivered by Seller to Buyer pursuant to this Section 4 (or Section 7, if applicable), if any, and shall, upon Seller's request, provide to Seller copies of (subject to the ownership and copyright interests of the preparer thereof) any and all studies, reports, surveys and other information relating directly to the Property prepared by or at the request of Buyer, its employees and agents, and shall deliver to Seller, upon the release of the Earnest Money, copies of all of the foregoing without any warranty or representation by Buyer as to the contents, accuracy or correctness thereof.

Section 5. Evidence of Title: Seller agrees to convey fee simple insurable title to the Property without exception for mechanics' liens, free and clear of all liens, encumbrances and defects of title other than: (a) zoning ordinances affecting the Property, (b) Leases (as defined in Section 7, if applicable) and (c) specific instruments on the public record at the Contract Date agreed to by Buyer (not objected to by Buyer prior to the end of the Examination Period), which specific instruments shall be enumerated in the deed referenced in Section 11 (items 5(a), 5(b) and 5(c) being collectively "Permitted Exceptions"); provided that Seller shall be required to satisfy, at or prior to Closing, any encumbrances that may be satisfied by the payment of a fixed sum of money, such as deeds of trust, mortgages or statutory liens. Seller shall not enter into or record any instrument that affects the Property (or any personal property listed on **Exhibit A**) after the Contract Date without the prior written consent of Buyer, which consent shall not be unreasonably withheld, conditioned or delayed.

Section 6. Conditions: This Agreement and the rights and obligations of the parties under this Agreement are hereby made expressly conditioned upon fulfillment (or waiver by Buyer, whether explicit or implied) of the following conditions:

(a) **New Loan:** [intentionally deleted]

(b) **Qualification for Assumption:** [intentionally deleted]

(c) **Title Examination:** After the Contract Date, Buyer shall, at Buyer's expense, cause a title examination to be made of the Property before the end of the Examination Period. In the event that such title examination shall show that Seller's title is not fee simple insurable, subject only to Permitted Exceptions, then Buyer shall promptly notify Seller in writing of all such title defects and exceptions, in no case later than the end of the Examination Period, and Seller shall have thirty (30) days to cure said noticed defects. If Seller does not cure the defects or objections within thirty (30) days of notice thereof, then Buyer may terminate this Agreement and receive a return of Earnest Money (notwithstanding that the Examination Period may have expired). If Buyer is to purchase title insurance, the insuring company must be licensed to do business in the state in which the Property is located. Title to the Property must be insurable at regular rates, subject only to standard exceptions and Permitted Exceptions.

(d) **Same Condition:** If the Property is not in substantially the same condition at Closing as of the date of the offer, reasonable wear and tear excepted, then the Buyer may (i) terminate this Agreement and receive a return of the Earnest Money or (ii) proceed to Closing whereupon Buyer shall be entitled to receive, in addition to the Property, any of the Seller's insurance proceeds

payable on account of the damage or destruction applicable to the Property.

(e) **Inspections:** Buyer, its agents or representatives, at Buyer's expense and at reasonable times during normal business hours, shall have the right to enter upon the Property for the purpose of inspecting, examining, conducting timber cruises, and surveying the Property; provided, however, that Buyer shall not conduct any invasive testing of any nature without the prior express written approval of Seller as to each specific invasive test intended to be conducted by Buyer. Buyer shall conduct all such on-site inspections, examinations, testing, timber cruises and surveying of the Property in a good and workmanlike manner, at Buyer's expense, shall repair any damage to the Property caused by Buyer's entry and on-site inspections and shall conduct same in a manner that does not unreasonably interfere with Seller's or any tenant's use and enjoyment of the Property. In that respect, Buyer shall make reasonable efforts to undertake on-site inspections outside of the hours Seller's or any tenant's business is open to the public. Buyer shall provide Seller or any tenant (as applicable) reasonable advance notice of and Buyer shall cause its agents or representatives and third party service providers (e.g. inspectors, surveyors, etc.) to give reasonable advance notice of any entry onto the Property. Buyer shall be obligated to observe and comply with any terms of any tenant lease which conditions access to such tenant's space at the Property. Upon Seller's request, Buyer shall provide to Seller evidence of general liability insurance. Buyer shall also have a right to review and inspect all contracts or other agreements affecting or related directly to the Property and shall be entitled to review such books and records of Seller that relate directly to the operation and maintenance of the Property, provided, however, that Buyer shall not disclose any information regarding this Property (or any tenant therein) unless required by law and the same shall be regarded as confidential, to any person, except to its attorneys, accountants, lenders and other professional advisors, in which case Buyer shall obtain their agreement to maintain such confidentiality. Buyer assumes all responsibility for the acts of itself, its agents or representatives in exercising its rights under this Section 6(e) and agrees to indemnify and hold Seller harmless from any damages resulting therefrom. This indemnification obligation of Buyer shall survive the Closing or earlier termination of this Agreement. Except as provided in Section 6(c) above, Buyer shall have from the Contract Date through the end of the Examination Period to perform the above inspections, examinations and testing. **IF BUYER CHOOSES NOT TO PURCHASE THE PROPERTY, FOR ANY REASON OR NO REASON, AND PROVIDES WRITTEN NOTICE TO SELLER THEREOF PRIOR TO THE EXPIRATION OF THE EXAMINATION PERIOD, THEN THIS AGREEMENT SHALL TERMINATE, AND BUYER SHALL RECEIVE A RETURN OF THE EARNEST MONEY.**

Section 7. Leases (Check one of the following, as applicable):

☒ If this box is checked, Seller affirmatively represents and warrants that there are no Leases (as hereinafter defined) affecting the Property.

☐ If this box is checked, Seller discloses that there are one or more leases affecting the Property ("Leases") and the following provisions are hereby made a part of this Agreement.

(a) A list of all Leases shall be set forth on **Exhibit B**. Seller represents and warrants that as of the Contract Date, there are no other Leases, oral or written, recorded or not, nor any subleases affecting the Property, except as set forth on **Exhibit B**;

(b) Seller shall deliver copies of any Leases to Buyer pursuant to Section 4 as if the Leases were listed therein;

(c) Seller represents and warrants that as of the Contract Date there are no current defaults (or any existing situation which, with the passage of time, or the giving of notice, or both, or at the election of either landlord or tenant could constitute a default) either by Seller, as landlord, or by any tenant under any Lease ("Lease Default"). In the event there is any Lease Default as of the Contract Date, Seller agrees to provide Buyer with a detailed description of the situation in accordance with Section 4. Seller agrees not to commit a Lease Default as Landlord after the Contract Date, and agrees further to notify Buyer immediately in the event a Lease Default arises or is claimed, asserted or threatened to be asserted by either Seller or a tenant under the Lease.

(d) In addition to the conditions provided in Section 6 of this Agreement, this Agreement and the rights and obligations of the parties under this Agreement are hereby made expressly conditioned upon the assignment of Seller's interest in any Lease to Buyer in form and content acceptable to Buyer (with tenant's written consent and acknowledgement, if required under the Lease). Seller agrees to deliver an assignment of any Lease at or before Closing, with any security deposits held by Seller under any Leases to be transferred or credited to Buyer at or before Closing. The assignment shall provide: (i) that Seller shall defend, indemnify and hold Buyer harmless from claims, losses, damages and liabilities (including, without limitation, court costs and attorneys' fees) asserted against or incurred by Buyer which are caused by or the result of any default by Seller under any Lease prior to the date of Closing, and (ii) that Buyer shall defend, indemnify and hold Seller harmless from claims, losses, damages and liabilities (including, without limitation, court costs and attorneys' fees) asserted against or incurred by Seller which are caused by or the result of any default by Buyer under any Lease after the date of Closing.

(e) Seller also agrees to execute and deliver (and work diligently to obtain any tenant signatures necessary for same) any estoppel certificates and subordination, nondisturbance and attornment agreements in such form as Buyer may reasonably request.

Section 8. Environmental: Seller represents and warrants that it has no actual knowledge of the presence or disposal, except as in accordance with applicable law, within the buildings or on the Property of hazardous or toxic waste or substances, which are defined as those substances, materials, and wastes, including, but not limited to, those substances, materials and wastes listed in the United States Department of Transportation Hazardous Materials Table (49 CFR Part 172.101) or by the Environmental Protection Agency as hazardous substances (40 CFR Part 302.4) and amendments thereto, or such substances, materials and wastes, which are or become regulated under any applicable local, state or federal law, including, without limitation, any material, waste or substance which is (i) petroleum, (ii) asbestos, (iii) polychlorinated biphenyls, (iv) designated as a Hazardous Substance pursuant to Section 311 of the Clean Water Act of 1977 (33 U.S.C. §1321) or listed pursuant to Section 307 of the Clean Water Act of 1977 (33 U.S.C. §1317), (v) defined as a hazardous waste pursuant to Section 1004 of the Resource Conservation and Recovery Act of 1976 (42 U.S.C. §6903) or (vi) defined as a hazardous substance pursuant to Section 101 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. §9601). Seller has no actual knowledge of any contamination of the Property from such substances as may have been disposed of or stored on neighboring tracts.

Section 9. Risk of Loss/Damage/Repair: Until Closing, the risk of loss or damage to the Property, except as otherwise provided herein, shall be borne by Seller. Except as to maintaining the Property in its same condition, Seller shall have no responsibility for the repair of the Property, including any improvements, unless the parties hereto agree in writing.

Section 10. Earnest Money Disbursement: In the event that any condition hereto is not satisfied, then the Earnest Money shall be refunded to Buyer. In the event that Seller accepts a third-party offer to purchase the Property, resulting from the "Negotiated Offer, Advertisement and Upset Bid" Process contemplated by N.C.G.S. 160A-269, then the Earnest Money shall be immediately refunded to Buyer. In the event of breach of this Agreement by Seller, the Earnest Money shall be refunded to Buyer upon Buyer's request, but such return shall not affect any other remedies available to Buyer for such breach. In the event of breach of this Agreement by Buyer, the Earnest Money Deposit shall be paid to Seller as liquidated damages and as Seller's sole and exclusive remedy for such breach, but without limiting Seller's rights under Section 6(e) or Section 22 of this Agreement. It is acknowledged by the parties that payment of the Earnest Money to Seller in the event of a breach of this Agreement by Buyer is compensatory and not punitive, such amount being a reasonable estimation of the actual loss that Seller would incur as a result of such breach. The payment of the Earnest Money to Seller shall not constitute a penalty or forfeiture but actual compensation for Seller's anticipated loss, both parties acknowledging the difficulty determining Seller's actual damages for such breach.

NOTE: In the event of a dispute between Seller and Buyer over the disposition of the Earnest Money held in escrow, a licensed real estate broker is required by state law (and Escrow Agent, if not a broker, hereby agrees) to retain the Earnest Money in the Escrow Agent's trust or escrow account until Escrow Agent has obtained a written release from the parties consenting to its disposition or until disbursement is ordered by a court of competent jurisdiction. Alternatively, if a broker or an attorney licensed to practice law in North Carolina is holding the Earnest Money, the broker or attorney may deposit the disputed monies with the appropriate clerk of court in accordance with the provisions of N.C.G.S. §93A- 12.

Seller and Buyer hereby agree and acknowledge that the Escrow Agent assumes no liability in connection with the holding of the Earnest Money pursuant hereto except for negligence or willful misconduct of Escrow Agent. Escrow Agent shall not be responsible for the validity, correctness or genuineness of any document or notice referred to under this Agreement. Seller and Buyer hereby agree to indemnify, protect, save and hold harmless Escrow Agent and its successors, assigns and agents pursuant to this Agreement, from any and all liabilities, obligations, losses, damages, claims, actions, suits, costs or expenses (including attorney fees) of whatsoever kind or nature imposed on, incurred by or asserted against Escrow Agent which in any way relate to or arise out of the execution and delivery of this Agreement and any action taken hereunder; provided, however, that Seller and Buyer shall have no such obligation to indemnify, save and hold harmless Escrow Agent for any liability incurred by, imposed upon or established against it as a result of Escrow Agent's negligence or willful misconduct.

Section 11. Closing: At or before Closing, Seller shall deliver to Buyer a special warranty deed unless otherwise specified on Exhibit B and other documents customarily executed or delivered by a seller in similar transactions, including without limitation, a bill of sale for any personal property listed on Exhibit A, an owner's affidavit, lien waiver forms (and such other lien related documentation as shall permit the Property to be conveyed free and clear of any claim for mechanics' liens) and a non-foreign status affidavit (pursuant to the Foreign Investment in Real Property Tax Act), and Buyer shall cause to be delivered the funds necessary to pay to Seller the Purchase Price. The Closing shall be conducted by Buyer's attorney or handled in such other manner as the parties hereto may mutually agree in writing. Possession shall be delivered at Closing, unless otherwise agreed herein. The Purchase Price and other funds to be disbursed pursuant to this Agreement shall not be disbursed until the Buyer's attorney's (or other designated settlement agent's) receipt of authorization to disburse all necessary funds.

Section 12. Notices: Unless otherwise provided herein, all notices and other communications which may be or are required to be given or made by any party to the other in connection herewith shall be in writing (which shall include electronic mail) and shall be deemed to have been properly given and received (i) on the date delivered in person or (ii) the date deposited in the United States mail, registered or certified, return receipt requested, to the addresses set out in Section 1(g) as to Seller and in Section 1(h) as to Buyer, or at such other addresses as specified by written notice delivered in accordance herewith, (iii) upon the sender's receipt of evidence of complete and successful transmission of electronic mail or facsimile to the electronic mail address or facsimile number, if any, provided in Section 1(g) as to Seller and in Section 1(h) as to Buyer or (iv) on the date deposited with a recognized overnight delivery service, addressed to the addresses set out in Section 1(g) as to Seller and in Section 1(h) as to Buyer, or at such other

addresses as specified by written notice delivered in accordance herewith. If a notice is sent by more than one method, it will be deemed received upon the earlier of the dates of receipt pursuant to this Section.

Section 13. Counterparts; Entire Agreement: This Agreement may be executed in one or more counterparts, which taken together, shall constitute one and the same original document. Copies of original signature pages of this Agreement may be exchanged via facsimile or e-mail, and any such copies shall constitute originals. This Agreement constitutes the sole and entire agreement among the parties hereto and no modification of this Agreement shall be binding unless in writing and signed by all parties hereto. The invalidity of one or more provisions of this Agreement shall not affect the validity of any other provisions hereof and this Agreement shall be construed and enforced as if such invalid provisions were not included.

Section 14. Enforceability: This Agreement shall become a contract when signed by both Buyer and Seller and such signing is communicated to both parties; it being expressly agreed that the notice described in Section 12 is not required for effective communication for the purposes of this Section 14. The parties acknowledge and agree that: (i) the initials lines at the bottom of each page of this Agreement are merely evidence of their having reviewed the terms of each page, and (ii) the complete execution of such initials lines shall not be a condition of the effectiveness of this Agreement. This Agreement shall be binding upon and inure to the benefit of the parties, their heirs, successors and assigns and their personal representatives.

Section 15. AS-IS CONDITION

CLOSING SHALL CONSTITUTE ACCEPTANCE OF THE PROPERTY IN ITS THEN EXISTING CONDITION UNLESS PROVISION IS OTHERWISE MADE IN WRITING.

AT OR BEFORE THE EXPIRATION OF THE EXAMINATION PERIOD, BUYER WILL HAVE APPROVED THE PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS AND CONDITION OF THE PROPERTY, AS WELL AS THE ECONOMIC CHARACTERISTICS OF THE PROPERTY. EXCEPT AS OTHERWISE SET FORTH IN THIS CONTRACT, IF BUYER DOES NOT TERMINATE THIS CONTRACT PURSUANT TO THE TERMS OF THIS CONTRACT ON OR PRIOR TO THE EXPIRATION OF THE EXAMINATION PERIOD, BUYER SHALL BE DEEMED TO HAVE WAIVED ANY AND ALL DEFECTS IN THE PHYSICAL, ENVIRONMENTAL AND ECONOMIC CHARACTERISTICS AND CONDITION OF THE PROPERTY WHICH WOULD BE DISCLOSED BY ANY INSPECTION OF THE PROPERTY. BUYER FURTHER ACKNOWLEDGES THAT NEITHER SELLER NOR ANY OF SELLER'S BOARD MEMBERS, EMPLOYEES, AGENTS, ATTORNEYS, REPRESENTATIVES, SUCCESSORS AND ASSIGNS OR ANY OTHER PERSON OR ENTITY ACTING ON BEHALF OF SELLER, EXCEPT AS OTHERWISE EXPRESSLY PROVIDED HEREIN, HAVE MADE ANY REPRESENTATIONS, WARRANTIES OR AGREEMENTS (EXPRESS OR IMPLIED) BY OR ON BEHALF OF SELLER AS TO ANY MATTERS CONCERNING THE PROPERTY, THE ECONOMIC RESULTS TO BE OBTAINED OR PREDICTED, OR THE PRESENT USE THEREOF OR THE SUITABILITY FOR BUYER'S INTENDED USE OF THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE FOLLOWING: SUITABILITY OF THE TOPOGRAPHY; THE AVAILABILITY OF WATER RIGHTS OR UTILITIES; THE PRESENT AND FUTURE ZONING, BUILDING CODE, SUBDIVISION AND ANY AND ALL OTHER LAND USE MATTERS; THE CONDITION OF THE SOIL, SUBSOIL, OR GROUNDWATER; ENVIRONMENTAL MATTERS INCLUDING WITHOUT LIMITATION THE PRESENCE OR ABSENCE OF HAZARDOUS SUBSTANCES OR ANY VIOLATION OF ENVIRONMENTAL LAWS; THE PURPOSE(S) TO WHICH THE PROPERTY IS SUITED; DRAINAGE; FLOODING; ACCESS TO PUBLIC ROADS; OR PROPOSED ROUTES OF ROADS OR EXTENSIONS THEREOF. BUYER FURTHER ACKNOWLEDGES AND AGREES THAT THE PROPERTY IS TO BE PURCHASED, CONVEYED AND ACCEPTED BY BUYER IN ITS PRESENT CONDITION, "AS IS", "WHERE IS," AND "WITH ALL FAULTS".

EXCEPT AS OTHERWISE SET FORTH IN THIS CONTRACT, ANY DOCUMENTS FURNISHED TO BUYER BY SELLER RELATING TO THE PROPERTY, SHALL BE DEEMED FURNISHED AS A COURTESY TO BUYER BUT WITHOUT WARRANTY FROM SELLER UNLESS OTHERWISE SPECIFICALLY STATED IN THIS CONTRACT. BUYER IS A SOPHISTICATED BUYER THAT IS FAMILIAR WITH THE OWNERSHIP AND OPERATION OF REAL ESTATE PROJECTS SIMILAR TO THE PROPERTY AND THAT BUYER HAS OR WILL HAVE ADEQUATE OPPORTUNITY TO COMPLETE ALL PHYSICAL AND FINANCIAL EXAMINATIONS (INCLUDING ALL OF THE EXAMINATIONS, REVIEWS AND INVESTIGATIONS REFERRED TO IN SECTION 2) RELATING TO THE ACQUISITION OF THE PROPERTY HEREUNDER THAT BUYER DEEMS NECESSARY, AND WILL ACQUIRE THE SAME SOLELY ON THE BASIS OF AND IN RELIANCE UPON SUCH EXAMINATIONS AND THE TITLE INSURANCE PROTECTION AFFORDED BY THE OWNER'S POLICY AND NOT ON ANY INFORMATION PROVIDED OR TO BE PROVIDED BY SELLER (OTHER THAN AS EXPRESSLY PROVIDED HEREIN). ALL WORK DONE IN CONNECTION WITH PREPARING THE PROPERTY FOR THE USES INTENDED BY BUYER INCLUDING ANY AND ALL FEES, STUDIES, REPORTS, APPROVALS, PLANS, SURVEYS, PERMITS, AND ANY EXPENSES WHATSOEVER NECESSARY OR DESIRABLE IN CONNECTION WITH BUYER'S ACQUIRING, DEVELOPING, USING AND/OR OPERATING THE PROPERTY SHALL BE OBTAINED AND PAID FOR BY, AND SHALL BE THE SOLE RESPONSIBILITY OF BUYER. BUYER HAS INVESTIGATED AND HAS KNOWLEDGE OF OPERATIVE OR PROPOSED GOVERNMENTAL LAWS

AND REGULATIONS INCLUDING LAND USE LAWS AND REGULATIONS TO WHICH THE PROPERTY MAY BE SUBJECT AND SHALL ACQUIRE THE PROPERTY UPON THE BASIS OF ITS REVIEW AND DETERMINATION OF THE APPLICABILITY AND EFFECT OF SUCH LAWS AND REGULATIONS. BUYER HAS NEITHER RECEIVED NOR RELIED UPON ANY REPRESENTATIONS CONCERNING SUCH LAWS AND REGULATIONS FROM SELLER.

Section 16. Survival of Representations and Warranties: All representations, warranties, covenants and agreements made by the parties hereto shall survive the Closing and delivery of the deed. Seller shall, at or within six (6) months after the Closing, and without further consideration, execute, acknowledge and deliver to Buyer such other documents and instruments, and take such other action as Buyer may reasonably request or as may be necessary to more effectively transfer to Buyer the Property.

Section 17. Applicable Law: This Agreement shall be construed under the laws of the state in which the Property is located. This form has only been approved for use in North Carolina.

Section 18. Assignment: This Agreement is freely assignable unless otherwise expressly provided on Exhibit B.

Section 19. Tax-Deferred Exchange: In the event Buyer or Seller desires to effect a tax-deferred exchange in connection with the conveyance of the Property, Buyer and Seller agree to cooperate in effecting such exchange; provided, however, that the exchanging party shall be responsible for all additional costs associated with such exchange, and provided further, that a non-exchanging party shall not assume any additional liability with respect to such tax-deferred exchange. Seller and Buyer shall execute such additional documents, at no cost to the non-exchanging party, as shall be required to give effect to this provision.

Section 20. Memorandum of Contract: Upon request by either party, the parties hereto shall execute a memorandum of contract in recordable form setting forth such provisions hereof (other than the Purchase Price and other sums due) as either party may wish to incorporate. Such memorandum of contract shall contain a statement that it automatically terminates and the Property is released from any effect thereby as of a specific date to be stated in the memorandum (which specific date shall be no later than the date of Closing). The cost of recording such memorandum of contract shall be borne by the party requesting execution of same.

Section 21. Authority: Each signatory to this Agreement represents and warrants that he or she has full authority to sign this Agreement and such instruments as may be necessary to effectuate any transaction contemplated by this Agreement on behalf of the party for whom he or she signs and that his or her signature binds such party.

Section 22. Brokers: Except as expressly provided herein, Buyer and Seller agree to indemnify and hold each other harmless from any and all claims of brokers, consultants or real estate agents by, through or under the indemnifying party for fees or commissions arising out of the sale of the Property to Buyer. Buyer and Seller represent and warrant to each other that: (i) except as to the Brokers designated under Section 1(f) of this Agreement, they have not employed nor engaged any brokers, consultants or real estate agents to be involved in this transaction and (ii) that the compensation of the Brokers is established by and shall be governed by separate agreements entered into as amongst the Brokers, the Buyer and/or the Seller.

Section 23. Attorneys Fees: If legal proceedings are instituted to enforce any provision of this Agreement, the prevailing party in the proceeding shall be entitled to recover from the non-prevailing party reasonable attorneys fees and court costs incurred in connection with the proceeding.

☐ **EIFS/SYNTHETIC STUCCO:** If the adjacent box is checked, Seller discloses that the Property has been clad previously (either in whole or in part) with an “exterior insulating and finishing system” commonly known as “EIFS” or “synthetic stucco”. Seller makes no representations or warranties regarding such system and Buyer is advised to make its own independent determinations with respect to conditions related to or occasioned by the existence of such materials at the Property.

Date: 11/5/2020

Date: _____

Buyer: **760 Craft Works, LLC**

Seller: **Town of Huntersville [SEAL]**

By: 

By: _____
Town Manager

Title: CEO

**102 Gilead Road, Huntersville, NC 28078 – Site Concept
(1.671-acre property)**



EXHIBIT B

1. Seller to reserve an access easement across driveway and parking areas as necessary to secure public access, via automobile, to Seller's adjoining property (PIN 01712213) ("Town Adjoining Property") as generally depicted on Exhibit A..
2. Seller to reserve an easement for public parking for new parking spaces to be constructed by the Town as also generally depicted on Exhibit A. Note, that most of the new parking will be constructed on the Town Adjoining Property but a 4-5 spaces are expected to cross the property line between the Property and the Town Adjoining Property.
3. Property to be conveyed subject to restrictions permitting the property to be used solely for the following uses:

USES PERMITTED BY RIGHT

- bed and breakfast inns
- boarding or rooming houses for up to six roomers
- civic, fraternal, cultural, community, or club facilities
- commercial uses
- congregate housing designed within the "civic" building type
- family care homes
- government buildings
- hotels
- indoor amusement
- multi-family homes
- nightclubs, music clubs, bars, and similar entertainment facilities
- single family homes

4. As soon as reasonably possible after completion of the survey and prior to the expiration of the Examination Period, the parties shall negotiate and mutually agree to the form of reserved easement agreement, joint parking agreement and deed inclusive of the use restrictions. These documents shall be signed and recorded at the closing.
5. Demolition of the existing Building on PIN 017712245, by the Town of Huntersville, will occur prior to closing of property.
6. Town shall remove all personal property from existing buildings prior to closing.

Resolution Authorizing Upset Bid Process

WHEREAS, the **Town of Huntersville, North Carolina** owns certain property, **approximately 1.671 acres**, consisting of all or portions of three separate (3) parcels: (i) **PIN 01712210**, approximately 1.26 acres, (ii) **PIN 01712211**, approximately .231 acres and (iii) **PIN 01712245**, approximately .0180 acres; and

WHEREAS, North Carolina General Statute § 160A-269 permits the Town of Huntersville to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the Town of Huntersville has received an offer to purchase the property described above, in the amount of **One Million Five Hundred Thousand Dollars** (\$1,500,000.00), submitted by **760 Craft Works, LLC**; and

WHEREAS, **760 Craft Works, LLC** has paid the required five percent (5%) deposit on his offer;

THEREFORE, THE BOARD OF COMMISSIONERS OF THE TOWN OF HUNTERSVILLE

1. The Town Board of Commissioners authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.

2. The Town of Huntersville clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.

3. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the Town of Huntersville clerk within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the Town of Huntersville clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

4. If a qualifying higher bid is received, the Town of Huntersville clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Town of Huntersville Board of Commissioners.

5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.

6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The Town of Huntersville will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received.

7. The terms of the final sale for any new qualifying upset bid are that

- the Town of Huntersville Board of Commissioners must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed, and
- the buyer must pay with cash at the time of closing.

8. The Town of Huntersville reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.

9. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The Town Manager of the Town of Huntersville is authorized to execute the instruments necessary to convey the property to **760 Craft Works, LLC**.

Adopted November 16, 2020.

ATTEST:

TOWN OF HUNTERSVILLE

Town Clerk

Mayor

APPROVED AS TO FORM:

Town Attorney

**Town of Huntersville
Town Board
November 16, 2020**

To: Town Board

From: Bobby Williams, Assistant to the Manager

Date: November 16, 2020

Subject: Consider adopting Resolution Authorizing Town Manager to Dispose of Surplus Property to a Nonprofit Organization. *(Bobby Williams)*

EXPLAIN REQUEST:

Consider adopting Resolution to Authorize Town Manager to Dispose of Surplus Property to a Nonprofit Organization.

ACTION RECOMMENDED:

Consider adopting resolution

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. Resolution Donate Surplus Personal Property



RESOLUTION OF INTENT TO DONATE SURPLUS PERSONAL PROPERTY

WHEREAS, the Town of Huntersville (the "Town") owns personal property located at 14707 N Old Statesville Road including architectural salvage (doors, trim, mantles) and furnace/HVAC unit; and

WHEREAS, N.C.G.S. § 160A-280 authorizes a municipality to donate personal property for nonmonetary consideration to a nonprofit organization incorporated by one of the United States if the governing board deems the property to be surplus, obsolete, or unused; and

WHEREAS, a request has been received from Habitat for Humanity of the Charlotte Region, a North Carolina non-profit corporation organized and doing business in the State of North Carolina for the donation of the above-described personal property located at 14707 N Old Statesville Road; and

WHEREAS, the Town has determined that the above-described personal property is surplus, obsolete, or unused; and

WHEREAS, it is the intent of the Town to donate said property.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners for the Town of Huntersville as follows:

1. The above-described items located at 14707 N Old Statesville Road are hereby declared surplus property.
2. The Town Manager is authorized to dispose of this property by donation to Habitat for Humanity of the Charlotte Region and any other requesting nonprofit organization; and
3. That this resolution shall be effective upon its adoption.

Adopted this the _____ day of _____, 20____.

**Town of Huntersville
Town Board
November 16, 2020**

To: Town Board

From: Janet Pierson, Town Clerk

Date: November 16, 2020

Subject: Approve the minutes of the October 5, 2020 Regular Town Board Meeting. (*Janet Pierson*)

EXPLAIN REQUEST:

Consider approving the minutes of the October 5, 2020 Regular Town Board Meeting.

ACTION RECOMMENDED:

Approve Minutes

FINANCIAL IMPLICATIONS:

ATTACHMENTS:

1. Draft Minutes

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**October 5, 2020
6:00 PM - Huntersville Town Hall**

Pre-meeting - 5:00 p.m.

The Huntersville Board of Commissioners held a pre-meeting (virtual) hosted at Huntersville Town Hall at 5:00 p.m. on October 5, 2020.

GOVERNING BODY MEMBERS VIRTUALLY PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Brian Hines, Lance Munger, Stacy Phillips and Nick Walsh.

The Town Board held a joint work session to discuss the 2040 Draft Community Plan with members of the Planning Board and the 2040 Community Plan Steering Committee. The Board expressed appreciation for all the work that's gone into the draft plan.

**REGULAR MEETING (VIRTUAL)
TOWN OF HUNTERSVILLE BOARD OF COMMISSIONERS**

The Regular Meeting of the Huntersville Board of Commissioners (Virtual) was hosted at the Huntersville Town Hall at 6:00 p.m. on October 5, 2020.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Brian Hines, Lance Munger, Stacy Phillips and Nick Walsh.

Mayor Aneralla stated this meeting is being held both in person at the Huntersville Recreation Center on Verhoeff Road as well as livestreamed on Facebook Live. The Board of Commissioners are participating remotely. The public has been invited to attend and comment during the public comments or during any of the public hearings (1) in person at the Huntersville Recreation Center or (2) by telephonic communication in accordance with instructions sent to persons who have registered with the Town Clerk no later than 3 p.m. today. The public may also submit comments by e-mail to the Town Clerk at jpierson@huntersville.org. For public hearings only, e-mailed comments may continue to be submitted until 24 hours after the close of the public hearing.

Mayor Aneralla called the meeting to order.

Mayor Aneralla called for a moment of silence.

Mayor Aneralla led the Pledge of Allegiance.

MAYOR AND COMMISSIONER REPORTS - STAFF QUESTIONS

Mayor Aneralla

- The Metropolitan Transit Commission met a couple of weeks ago. The big topic is trying to figure out how to fund the Silver Line. Next meeting is the end of October.

Commissioner Bales

- Explained the majority of the Board's decision to stay with virtual meetings. Reminded everyone that they can call in with their comments, deliver them in person from the Recreation Center or e-mail them.
- Lake Norman Economic Development Corporation is currently working 29 projects, of which 14 are in Huntersville.
- Charlotte-Mecklenburg Schools will start a phased plan on returning to school on October 12 with Pre-k, then K-5 will return to the classroom on a rotation basis starting November 2.

Commissioner Boone

- Provided update from the Lake Norman Chamber of Commerce.
- Expressed appreciation to the first responders.
- October 4-10 is Fire Prevention Week.
- Huntersville Police Department is continuing with their podcast.

Commissioner Hines

- NCDOT made a presentation to the Charlotte Regional Transportation Planning Organization about reprioritizing the STIP plan. A lot of the Town's projects have been pushed back anywhere from 1 to 3 years, and at one point 9 years.

Commissioner Munger

- Toured the Mecklenburg County Emergency Operation Center last week.
- Experienced firsthand how difficult it is to be tested for COVID.

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

None

AGENDA CHANGES

Commissioner Bales moved item 10.B (Adopt Resolution to award Engineering Services Contract for the David Kenney Farm Road Connection Project) to Item 9.B and moved Item 9.B (Presentation and discussion regarding Electric Utility Rate Schedule OP-4) to Item 9.C.

Commissioner Walsh made a motion to adopt the agenda, as amended.

Commissioner Munger seconded motion.

Mayor Aneralla called for a roll call vote.

Commissioner Bales – Approve
Commissioner Boone – Approve
Commissioner Hines – Approve
Commissioner Munger – Approve
Commissioner Phillips – Approve
Commissioner Walsh – Approve

PUBLIC HEARINGS

Mayor Aneralla called to order public hearing on Petition #R19-18 - Huntersville Market REVISION, a request by Cambridge Properties, LLC to rezone +/- 28.569 acres located north of the Eastfield Road and Prosperity Church Road intersection (Parcel #s 02119101, 02119168, 0211969, 02119170, 02119171, 02119172, 02119173, 02119174, 02119175) from existing Highway Commercial - Conditional District to a REVISED Highway Commercial - Conditional District to permit 190 age-restricted, active adult housing units and to eliminate a proposed public street.

David Peete, Principal Planner, entered the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 1.*

The original Huntersville Market Conditional District Rezoning was approved in 2008. This request is the third amendment to the Conditional District Rezoning Plan and it is generally compliant with the Zoning Ordinance and Subdivision Regulations, with significant elements as follows:

- Removal of 54,750 sq. ft. of commercial building space, to be replaced by (up to) 190 age restricted, active adult housing units (only 174 units are proposed on the plan).
- Removal of a publicly dedicated, but unopened street right-of-way (Street D) and the combination of two parcels into one (to be called Parcel I).
- Request to permit the age restricted, active adult housing to be four stories in height.
- The extension of Rocky Ford Club Road to the Prosperity Church Road right-of-way.
- The addition of an Urban Open Space (plaza) at the corner of Prosperity Church Road and Hylas Lane.

The applicant requests the following four modifications to Ordinance requirements:

1. Permit block length along Hylas Lane for Parcel I to exceed maximum block length, but not to exceed 750 linear feet.
2. Permit an age restricted, active adult apartment building located on Parcel I to have a building height of four stories (not to exceed 50' max.).
3. To remove approximately 347 linear feet of platted, but unopened, public right-of-way and to combine that right-of-way with the adjoining parcels to create a new "Parcel I."
4. To allow side yard parking so long as the parking is screened with either landscape screening or a masonry knee wall a minimum of 3' in height.

Staff's comments to those four requested modifications can be found in the attached Staff Report.

Additional items:

- The original Huntersville Market CD Rezoning did not extend the right-of-way for Rocky Ford Club Road to the future alignment of Prosperity Church Road. In working with the adjoining Olmstead Subdivision development, it is possible to extend the public right-of-way to set-up connection to Prosperity Church Road right-of-way. The applicant has proposed to provide this set-up by dedicating required right-of-way, however, while permission from an adjoining property owner has been verbally agreed to, the required right-of-way for Prosperity Church Road is not shown as added to the project, nor has written permission been provided.
- It is appropriate that road improvements are required along both roads to provide access. The extension of Prosperity Church Road to tie into Rocky Ford Club Road will provide complete fire protection access and will provide circulation options once both the connection to Olmstead Subdivision is complete and to compensate for the eventual turning movement restrictions that will be required at Prosperity Church Road and Hylas Lane.
- The current CD Rezoning provides Urban Open Space via one Plaza, totaling 3,600 sq. ft. The proposed revision adds a new Plaza 2 (2,400 sq. ft.) at the intersection of Prosperity Church Road and Hylas Lane for a new total of Urban Open Space of 6,000 sq. ft. The type, location and minimum size of the Urban Open Spaces are required at Rezoning / Sketch Plan, but the design is not, unless that design is integral to the overall review at this stage.
- The ground-level units along Hylas Lane need to have enhanced treatments to clearly define the private areas from the public realm. This would involve providing appropriate space from the public sidewalk, combined with knee-walls, decorative fencing, landscape elements and possible grade changes to separate these two areas. As this is senior housing, privacy and security along Hylas Lane will be important and these ground-level enhancements can help to achieve this effect.

The Huntersville Market Conditional District Rezoning Plan Revision can be supported by staff subject to the items outlined in Part 6: Staff Recommendation in the attached Staff Report.

Commissioner Bales said am I understanding that staff supports a three-story facility, not the four stories that they are asking for the modification around.

Mr. Peete said that would be correct. In referencing the ordinance, we found no justification for the additional height.

Commissioner Munger asked what is the adequate parking for the three stories versus the four stories and would they be able to accommodate either/or.

Mr. Peete said they are showing compliance for four stories and they are counting the on-street parking along Hylas, but only on the north side. If they are showing parking for a four-story building, then they certainly could provide for three.

Commissioner Bales said at the beginning of this we discussed 190 age-restricted housing units or 174, which is it.

Mr. Peete said my understanding is they would like the project capped at 175, but I believe they are still proposing actually building 174.

Jay Priester, Cambridge Properties, presented PowerPoint presentation. *PowerPoint attached hereto as Exhibit No. 2.* Since times have changed, we have included the active adult component. We hosted four neighborhood meetings. We had two neighbors show up from McGinnis Village, which is the neighborhood to the west, and they were just curious to see what was proposed. When they found out what was being proposed, they were in favor of the project. The other neighborhood meetings had no attendees.

The overall site plan shows the 28-acre Huntersville Market development. The 5.4 acres in color is what we are requesting site plan amendment rezoning, to allow up to 175 units. We are proposing capping it at 175 units. We will probably not even get to that number.

We've addressed the building along Hylas Lane, so that portion is four-story. Traveling north on Prosperity Church Road, the three rectangular shaped buildings are one-story buildings that will be garage accessory units to the main building. As you come in the main access drive, the first building is the one-story clubhouse and pool area. We've tried to internalize the four-story component of the building into the development. We're not having any four-story building imposing on adjacent neighbors. Harvest Community Church would be the closest neighbor to this project that's not within our development. They have written a letter which we will be submitting for the record in support of this project.

The big change in the plan is not having to look at a sea of parking from public right-of-way. That's done by design so that you are not looking across a wide open parking space and a big box grocery store, which also at the back you have loading docks which are less attractive to look at as you come Rocky Ford Club Drive.

We are proposing and agreeing to additional road improvements. Our main entrance into it, that road stops today. We will construct two additional lanes all the way to connect to Rocky Ford Club Road. Rocky Ford Club Road is a NCDOT gravel road with a ditch section. We will pave that road, add curb and gutter and provide streetscape, to make that connection. We have already given seven acres of the land to public right-of-way on Eastfield Road, internal streets, as well as Prosperity Church Road. In order to make the connection we have to get additional right-of-way owned by the Olmstead developer. We have had dialogue with them and they have offered to dedicate that at our request as additional right-of-way for NCDOT to allow that connection to be made as well as future expansion of the road whenever NCDOT makes the next connection.

Moving down Hylas Lane, we have added the raised tabletop at the intersection of Oyster Lane and Hylas Lane. We've also added an additional crosswalk there to connect to Walgreens, in addition to the crosswalks that go over to the existing Novant building as well as down at the traffic signal at Eastfield and Prosperity Church Road where we installed a traffic signal with push buttons for pedestrian crossing. We have also agreed to add the additional parallel parking on Hylas Lane.

We recently updated the plan to help further react to the comments that the Town had related to the building articulation. I'll show a couple of things that we have done. We call it a visual block length. Starting at the left side, that's 37' so that building is kind of its own building. Visually it will look detached from the main building. We have a big urban plaza in front, which will be hardscaped and landscaped

with benches and seating. The next section is 245'. At about the midway point of the building we do have a 28'.....what was shown on the last plan was 8'. We did a resident door there, so it will be a key fob door. There will be a hardscaped area and landscaped with that. The next section is 317'. While the overall block length is longer than the 500', we have articulated the building facade and building breaks. In addition to that, you will see the 245' section of the building. That sits back slightly more than the 317'. That's all done by design to create a better landscaping as well as visual. You will also notice sidewalks connecting the first floor to the Hylas Lane sidewalk. That's done intentionally and not every ground floor unit will have direct connection to the sidewalk and not every unit will have balconies either. It's intended to visually break that up.

I wanted to kind of show you what goes on behind the scenes. This is the first floor of the building and you can see the individual units and how they are laid out in there. That kind of dictates how we do the exterior of the building. The yellow is shown as interior hallways. The orange is the clubhouse that is one-story and then the blue squares are the location of the elevators. On the slide of the building elevation, you can see how we break up the roof pitches, design and color elements, that the fourth floor is actually a little bit recessed so that it visually goes away.

The front elevation has been updated since your package to address some of the Town's comments. You will see common architecture into the adjacent retail building that we've already constructed.

This is a streetscape rendering similar to what we provided before. As a part of our zoning conditions we will install larger trees than minimum and put in 3-1/2" to 4" caliper trees along the streetscape so that we continue to break up that visual aspect.

Commissioner Bales asked if you are proposing four stories, how many apartments per floor.

Mr. Priester said we are at about 170 units right now, so the first floor there are about 40 to 42. There are a couple of variations on each floor.

Commissioner Bales asked why did the product change from what we saw in June. The cottages I found to be interesting along the edges and now you have pulled those away.

Mr. Priester said it got a bit tight. We felt like we were trying to put too much on the plan.

Commissioner Walsh asked how many units were proposed in the original plan.

Mr. Priester said 190.

Dan Suchoza, DAS Architecture, said we have a couple of tools that we are trying to use to offset the fact that's a fairly long elevation. We've widened it to 28' between the two buildings. We set it back a full depth all the way back to the corridor. We plan on developing that with landscaping and sidewalk. We pushed the left back a little bit. We have hipped roofs and those projections stick out so that will cause some shadow lines and develop the elevation further and we also have some stitching of flat roof areas that are somewhat quieted by the removal of balconies. As the landscaping plan develops we would further highlight the fact that we are trying to create the illusion of multiple buildings even within the two larger sections.

I'd like to address the building height, which is based on a very practical and quantifiable issue with buildings like this. We try to define what I call the comfort level of the residents and the product essentially is we are trying to create a community. When you are dealing with seniors or even active seniors, what you are really trying to do is provide an environment that they can live their life to the fullest and a big part of that is the social structure that a residence like that creates for them so that they can fulfill themselves socially and the sweet spot for something like this is somewhere around 160-190 units. I think we're going to be somewhere in the 175 range. That gives some level of activity based on the normal demographics that will be in here - how many people will be in there as couples, as singles and also how many people will be in the common areas at any one time. It's going to be leased up to 85-90 percent.....that's the number we are targeting. When you target that number, it creates a number of units. When you do surface parking, this building is nice because it distributes the parking along the back, so there will be exit points and people can get to those cars with a reasonable length. Inside, the dimensions between the elevators is very critical. They shouldn't have to walk more than 200' plus or minus and on this building right now, we are at about 210' for a few units. If you can imagine you take these 170 units and you deal with these dimensions and it gets us a four-story building. If we took the same units down to three levels, we're either not going to have enough people in there, again it's about the social structure, or our distances are going to be too far to the amenities and the elevators. What you find is the lower dollar rents or the lower demographics, the buildings are like three stories. When you get into the high-end, they will go five stories or high rise and they are much more consolidated. This one is really meeting right where the developer is in terms of the rents, the amenity package, the size of the community. When you place it on this site, you really wind up with like a four-story building. I think this is a really well thought out elevation in terms of the block length and we definitely can develop it a little further with landscaping.

There was a question about the three stories and the four stories. All but one or two bays at the end over where the cottages were along Hylas have always been four stories. We did try to lower it down a little bit on the connector to the clubhouse, but the discussion about four stories really hasn't changed on the elevation that we are looking at. If you look at the elevations, we do want to kind of downplay the four stories in terms of material and color so that the more bold and more enriched exterior floors will be the first through third and then we are going to try to subordinate with our materials and colors the fourth floor just to kind of reinforce the idea that there was a trend to want to hold this thing at three stories. We have a configuration of community that's dependent on that fourth floor for distribution for the seniors or 55 active adults and I would ask you to really consider all that's gone into this.

Commissioner Walsh said you mentioned price points. These are probably some combination of one and two bedroom. What price points are you looking at.

Josh Glover, Greystar, said our goal is to start rent around \$1,100 to \$1,200 range for the entry level one-bedrooms and those kind of run all the way up to \$2,000 or just north of \$2,000 for some of the larger corner two-bedroom units.

Commissioner Munger asked for a breakdown of the one-bedrooms versus the two-bedrooms.

Mr. Priester noted it's split almost exactly 50/50 between ones and twos - 85 and 85.

Commissioner Munger said on the maps you had Phase 4. Are there any thoughts when that might occur.

Mr. Priester said Phase 4 of the project is the additional 7 acres. Our plans are to have that be a retail and office component, primarily medical.

Commissioner Boone said we have a five-story rental, 55 and older targeted building, in Huntersville and at this time one of the most important parts is the distance walking to and from the elevator with groceries. During this virus there's only allowed one person on the elevator at a time and from what I've seen the line of people waiting to get on the elevator is starting to back up. It's something you might want to look at.

Commissioner Phillips said I would just like to thank the applicants for jumping through the ringers twice and for providing us with so much information.

Mr. Suchoza, said Commissioner Bales had asked about the unit count and the unit count kind of has been at 170-171. I just wanted to impress upon you that as we continue to develop the plans, we may need some technical space and lose a unit or we may see an opportunity or when we address some of David Peete's concerns. It's not like we don't really have a target that we are going after, but it's perfectly natural that they fluctuate a unit or two.

There being no further comments, Mayor Aneralla closed the public hearing.

Petition #R20-03 – North State Development. Mayor Aneralla called to order public hearing on Petition #R20-03 - Huntersville Town Center Mixed-Use, a request by North State Development, LLC to rezone +/- 9.947-acres located south of Gilead Road (just west of NC 115), north of Greenway Street and east of Hillcrest Drive (Parcel #s 01711616, 017116699, 01711617, 01711618, 01711643, 01711619, 01711627, 01711626, 01711625, 01711632, 01711633, 01711634, 01711637, 01711638, 01711639, 01711640, 01711801, 01711811) from Town Center, Neighborhood Residential and General Residential to Town Center - Conditional District to permit a mixed-use development with 140 apartments, 61 townhomes and 10,900 sq. ft. of non-residential space.

David Peete, Principal Planner, entered the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 3.*

Commissioner Hines said early 2015 I was in communications with Piedmont Capital Advisors and we were going to join forces and start Invest Properties. At the time, we were looking at other properties that we had listed and he currently had at the time the Bradford tract listed with Mr. D. Bradford. Those negotiations for joining forces did not come to fruition, so we never became partners in that brokerage company. Mr. Watson and I do own some rental properties in the area that are completely separate entities. While in this process, Mr. Watson created a brochure in anticipation of the merger that showed Invest Properties as being a broker. My name was on the brochure. With that being said, I did not receive any financial contributions. I did not receive any commissions at all on this property. I wasn't even involved in this since 2015. My question is for the Town Attorney. With that being said and there's a flyer out there that I was recently made aware of, do you see any potential conflict.

Emily Sloop, Town Attorney, said no I do not. Under Statute 160A-381, you would have had to have had a substantial and readily identifiable financial gain in order to need to recuse yourself from voting on this matter or being involved in it.

Commissioner Hines said with that, I'll take the advice of our Town Attorney, unless my fellow Board members feel differently.

Mr. Peete said I just want to clarify for everyone involved, that the items in red in the Staff Report constitute the e-mailed comments that came from the applicant a couple of days before the hearing. There is an element of the public hearing that the plan that goes to the hearing must be, as we call it, locked in leading up to it. That makes sure that everybody who takes a look at it.....gets it on the website, if they were to come to Town Hall if we were open, those types of things, that they are seeing the same thing that everybody else is seeing and there isn't kind of a change up and you have good information. The Staff Report was done on the second version of the plan which is the one that has been on our website the entire time. But having said that, there was communication happening between the applicant and various groups and they did formalize some of those comments into the e-mail that was attached to the plan set that you received last week and so I decided to help make sense of those comments to put them where they would belong or the issues that they were dealing with within the Staff Report. Having said that, I want to be clear I'm not talking about those during my presentation and they are not on the table until tonight's presentation is concluded and then they can be whatever you want them to be. The applicant is certainly free after that to mention whatever they want to do in terms of possible changes to the plan.

The basic project proposal is to rezone 9.947 acres from Town Center and Neighborhood Residential and General Residential to Town Center - Conditional District. Proposed uses include 140 apartment units (in one building), 61 townhomes, 3 new streets and 3 urban open spaces.

The following ordinance modifications are proposed:

1. Provide more than 50 percent residential of first floor. Staff Comment: Staff cannot support this modification at this time.
 2. The 10' buffers along external boundaries. Staff Comment: Request is not needed, as buffers are not required in TC District.
 3. On-street parking may count as required parking. Staff Comment: Request not needed as this is allowed per zoning ordinance.
 4. Town to construct required street improvements. Staff Comment: Staff does not support this request.
 5. Urban open space may change, but comply with Zoning Ordinance. Staff Comment: Request not supported, as written. Type, size and location of Urban Open Space must be understood as part of plan approval (if applicable).
- The façade of the mixed-use building adjacent the Town parking garage (along Street A) is extremely long (+/- 400 ft.) which does not create a pedestrian-friendly streetscape. In addition, vehicles entering from Gilead Road must drive the entire length of the building to access the parking to the rear. The Downtown Master Plan (page 20) indicates as a "guiding philosophy", "parking areas should be convenient, easy to find and safe but need not dominate the visual landscape." In addition, without more direct access to the project's parking, the majority of drivers may use the Town's parking garage, which should not be dominated by any one use. STAFF COMMENT: the mass and scale of the mixed-use building should be reduced via architectural variation and effective streetscape elements. To reduce the mass and scale of the mixed-use building, it is recommended to split the building into two separate structures. If this is not preferred, provide direct access to parking, by adding a vehicle pass-thru in the middle of the building. UPDATE (9/24/20) – Applicant will provide a vehicular pass through to Street A bisecting

the mixed-use building in approximate location of the pedestrian passageway on the plan or Applicant will create two mixed-use buildings.

- All perimeter buffers consist of either undisturbed existing trees and vegetation or they are cleared and replanted. It is not clear, particularly along the western boundary of the project, which buffers are proposed to be undisturbed, natural buffers and which are to be planted. STAFF COMMENT: While the Ordinance permits both types of buffers, it is important for adjoining property owners to understand what the buffers closest to them will consist of. If mature trees/vegetation exist, it is generally recommended that buffers save the existing trees/vegetation and are wide enough to provide appropriate buffers. UPDATE (9/24/20) – All buffers will be planted or undisturbed.
- The proposed townhomes along Greenway Street do not provide an effective transition to the single-family homes south of Greenway Street. STAFF COMMENT: The housing units fronting Greenway Street should be more in keeping with the single-family homes across the street. The homes do not have to be of equal size to the existing homes. UPDATE (9/24/20) – Applicant will provide for detached houses along Greenway with some minor adjustments to setbacks.
- A compliant parking plan must be provided. STAFF COMMENT: The Rezoning Plan must show that all Ordinance-required parking can be provided on site. UPDATE (9/24/20) – Applicant will show the total number of parking spaces within the project in the calculations; however, Applicant will add a note that the total number of parking spaces required by the Ordinance will be provided in the Preliminary Plan phase of the project.
- The Town's storm water review indicates that the size of the proposed BMP can be reduced, thereby altering the impact to the adjoining property owners and providing additional area for larger buffers. STAFF COMMENT: The BMP must meet all Ordinance requirements and if a smaller BMP is appropriate, and provides more space for buffers, then the plan should be revised. UPDATE (9/24/20) – The storm water plan will be in compliance with the Ordinance and Applicant is looking at reducing the size of BMP in the final engineered Preliminary Plan, but this rezoning will show the reduction in size to accommodate the 20' buffer.
- The storm water bypass-system is shown in the vegetated buffers along the project boundaries (see Sheet RZ-12). STAFF COMMENT: This system cannot be located in vegetated buffers - unless they are large enough to accommodate both plantings and the bypass system. Pipes will need to be re-routed.
- The BMP access path, as shown, does not connect to a public street. STAFF COMMENT: While there is a note that the "conceptual access path (is) to be determined during design", it is important to show that viable options exist to connect the path to public Street C. Concerns relate to whether the route to the public street will fit between the proposed townhomes and the mail kiosk. In addition, on-street parking, which is highly recommended, is located along this section of street. A clearer understanding of how the BMP will-be-accessed is required.
- Tree preservation data is not clear. The summary of tree preservation in Sheet RZ-02 does not show compliance for specimen tree-save. The plan states that the applicant "reserves the right to mitigate/buyout of tree preservation requirements according to the Ordinance." While there is a mitigation provision in the Ordinance, it is to be applied when "site conditions are not conducive for healthy tree replacement". Buffer areas are identified on the plan, as well as open spaces where trees can be saved and the tree preservation plan should be updated to minimize mitigation.
- A public sidewalk should be added to the east side of Hillcrest Drive along the frontage of the project. STAFF COMMENT: Transportation improvements along public street frontages are required as part of subdivision of the site. While it will not initially connect, as improvements to the rest of Hillcrest Drive/Holbrook Street are provided, it will provide pedestrian

accommodations for the neighborhood.

- Site plan provisions to handle roll-out garbage collection have not been provided. STAFF COMMENT: A site plan that explains and provides for the orderly collection of trash roll-out cans must be provided, as this could impact the new public streets. UPDATE (9/24/20) – Applicant will provide that roll-out garbage and recycling for townhomes along Holbrook Street will be on Holbrook Street and that roll-out garbage and recycling for townhomes along Greenway Street will be on Greenway to address concerns about roll out along the internal roads.
- RECOMMENDATION: the full elevations for the mixed-use building should be provided for both Gilead Road and Street A.
- RECOMMENDATION: On-street parking should be added along the east side Street A.
- RECOMMENDATION: sidewalks along both sides of Street A should be 8 ft. wide. While 7ft. is required for “mixed-use sidewalks”, per Zoning Ordinance, 8 ft. provides additional width and matches the sidewalks next to the existing Town Center/DPK building.

A TIA Determination of Need was completed for the proposed Conditional District Rezoning and based on the land uses and intensities proposed, a TIA Scoping was required. After completion of the TIA scoping process, no intersections were determined to be above the threshold for study that were not already included in a current TIP project. As no intersections were required to be studied, a TIA was not required.

Under the provisions of the Adequate Public Facilities Ordinance (APFO), all residential development greater than 20 lots are required to receive a "Determination of Adequacy (DOA)" for the following public facilities: fire vehicles, fire facilities, police facilities, police vehicles and Parks & Recreation facilities. The proposed CD rezoning met the required threshold for submission of an APF application, and the proposed Rezoning Plan (and associated subdivision) is subject to the requirements of the APFO. A Determination of Adequacy (DOA) has been issued for the following public facilities: Fire Vehicles, Fire Facilities, Police Facilities, Police Vehicles and Parks & Recreation Facilities. No mitigation is required.

Charlotte-Mecklenburg Schools issued a report estimating based on their formulas that this project could generate 27 students. Multi-family tends to generate fewer students per unit than single-family.

Staff could support approval of this rezoning with the following addressed:

- Substitute detached single-family homes along Greenway Street instead of townhomes.
- Provide data to ensure required parking is provided.
- Show ordinance-compliant reduced BMP area and enhanced buffer along Hillcrest Drive.
- Provide details on how/where roll-out garbage and recycling bins will be handled and located on collection days so as not to impact public streets.
- All outstanding redline comments must be addressed.
- Recommend Street A should have on-street parking on the east side and 8' sidewalks on both sides.

Commissioner Hines said on the platted area that connects to Hillcrest, how much right-of-way is currently there.

Mr. Peete said there is enough and staff has looked at a modified cross-section. There is not enough for a regular ordinance-required right-of-way cross section, but we have worked on a modified section and you would have to do things like perhaps your sidewalks or maybe you would place them back of curb and then your lanes would probably be reduced perhaps maybe to 9'. I believe that unopen right-of-way is

around 30'.

Commissioner Munger said do we have any plan in terms of how to limit the use of the Town parking garage by residents of this development.

Mr. Peete said the garage itself is gated and there can be a fee structure. I think that was part of the original vision.

Commissioner Bales said does this plan marry up with the multiple plans that we have for downtown revitalization.

Mr. Peete said the staff's recommendation and position is that it does.

Commissioner Bales said the apartments and the retail space that is being proposed fits within the current zoning, so that portion doesn't have to be rezoned, correct.

Mr. Peete said I think the best way to answer your question is Town Center allows for commercial, apartments. To say that it accommodates what you are seeing there, I am not comfortable with saying that specifically.

Commissioner Bales said I'm just trying to make sure that I'm understanding what's being proposed and what's on our plans and how it is currently zoned.

Mr. Peete said the use that they are proposing in that location would be allowed under Town Center today and they are looking to unify the entire site as the same zone, Town Center.

Mayor Aneralla called on Planning Board member Stephen Swanick.

There was no reply from Mr. Swanick.

Commissioner Munger said I can read Mr. Swanick's question. This request is an intensification from combination GR/NR to TC. What aspects of this plan benefit from that intensification.....what can be developed by right and what requires the intensifications.

Mr. Peete said I don't think I can answer what requires the intensification. I think that would be for the applicant. But to make sure that all three of the existing zoning districts are understood, we'll start with, of course we've just gone over Town Center allows for a variety of uses without minimum lot sizes or density or caps or that type of thing. The Neighborhood Residential district does not have minimum lot sizes or density either. It lets the site handle the context of what you are going to get. However, with regard to attached units like townhomes and apartments, you would be capped at 30 percent attached, unless you are within 1/4 mile of the identified rail station, so that could very well capture that as well. Lastly is the General Residential district. As you know, that is one that has an interesting history. That was the zone that was created when we brought in developments that were originally reviewed and approved under the County's regulations and so it's always been seen as a way to allow those developments to continue and move forward, but that if you are really going to redevelop that you would change from GR and you would go to one of the other districts. I want to state that GR also has a minimum lot size of 20,000 sq. ft., so by extension very low density would be required in that zone.

Susan Irvin, Attorney for the Applicant, addressed the Board. Ms. Irvin played a video of business owners and developers speaking in support of the project.

Ms. Irvin presented PowerPoint presentation. *PowerPoint attached hereto as Exhibit No. 4.* I came in a little bit late on this project and so I am doing this for the benefit for everyone who hasn't been here from the beginning. Just starting with the timeline. I'm not going to touch on everything, but I went back to 1997 when Town Hall and the old Police Station were built. I was actually here then. Two thousand six (2006) was when the Downtown Master Plan was adopted, which recommended high density households in downtown and in 2007 the Town acquired Discovery Place and in 2009 built Discovery Place. That was really the beginnings of the efforts to try to revitalize downtown. In 2011, the 2030 Comp Plan recommends high density households in downtown. The Town acquired the two acres that zoned to Town Center that are part of this project between 2015 and 2017. It was actually zoned Town Center CD in 2008 and in 2017 it was rezoned to Town Center. The Town then began to actively recruit developers. I saw a video clip of a story on WSOC-TV in 2015 today, actually interviewing the mayor at the time, Mayor Jill Swain, where she talked about the importance of revitalizing downtown and finding a developer for a mixed-use building that would be three to four stories high at that location. Fast forward two more years and the Town and North State signed a contract for that two-acre piece of property. They worked together on the initial concept for the mixed-use development on that two acres and their due diligence began in November of last year. They hit the ground running on due diligence but in March as we all know COVID delays caused them to not get all of their due diligence completed, but during that time they began negotiations with Mr. Bradford for the eight acres adjacent piece and notified the Town in April of this year that they had a letter agreement to add the 8 acres to the project and signed the contract in May and then began the zoning process for the entire 10 acre project. The idea as Shane Buckner said on the video was to have a cohesive plan for the entire 10 acres. In July the zoning plan for the 10 acre piece was filed. In August the applicant purchased the 8 acres from Mr. Bradford and we began doing review of plans in end of July and August and submitted the second round of revisions in late August. We received the comments back that David Peete has gone over with everyone in his presentation on the 16th and I think he mentioned at that point it's too late under the ordinance for the applicant to respond to those comments and to refile. I want to say that we have had two community meetings. Our first one was in August via Zoom. We heard some concerns that there were people who wanted to attend an on-site meeting, so we had a second community meeting in September on-site following all of the COVID guidelines. Here we are at the public hearing.

This kind of touches on the comments that David made. The red is the area that's currently zoned Town Center. To address one of the questions raised by Mr. Swanick, the portion that is not in the red overlay that's north of Holbrook, is currently zoned Neighborhood Residential and the portion of the property that is south of Holbrook is zoned General Residential.

This gives you a little bit of an answer to that question what does the current zoning already allow. I have to say the community meetings that we have had have been very courteous and very respectful. We've had two very good community meetings I think. We've had excellent conversations with people who live nearby and we sat down with tracing paper after those meetings and worked on addressing those comments. There is also, I understand, a Facebook effort right now to try to stop apartments in downtown. I just don't think that all of the information has been given to the people who are signing these petitions. But to be clear, the zoning that is on the Town property allows apartments and commercial. That's the Town Center. The Neighborhood Residential zoning allows apartments, townhomes and single-family. The General Residential zoning, as David said, is an old zoning that is not for new development. If you are going to develop, the ordinance contemplates that the GR zoning would

be rezoned in accordance with the Town's adopted plans. The point I'm making here is that the Town's adopted plans do support the project.

The next slide gives a list of the, I think, pertinent plans, and really David has gone over in great detail what those plans do say, but there was a lot of citizen involvement in those. Again, you know before 2006 all the way to now really the draft 2040 Community Plan – there are community workshops, stakeholder interviews, a lot of outreach and surveys and ultimately these plans are approved by resolution of the elected officials.

When I say the adopted plans support the project, this is the Downtown Master Plan which was the very first one that talked about developing downtown.....the rezoning from NR to TC essentially for the property north of Holbrook and the rezoning of the property south of Holbrook from GR to NR. One of the things that I will talk about as far as addressing comments that we've heard from Commissioners and the community and the Planning staff is we are approaching this as a unified development of Town Center CD but the portion of the property south of Holbrook meets all of the design criteria for NR. It's just not split out as a separate zoning classification

This is the 2030 Comp Plan. Again, downtown development and a variety of housing are really in all aspects of the 2030 Comp Plan. These are some slides from the 2040 Draft. The downtown will be a walkable mixed-use area with high density residential which is what we are proposing.

This is another slide from the Comp Plan. It kind of shows the two tiers. Tier One is where the mixed-use building is with the apartments and that is intended for apartments and shop front buildings. The area south of Holbrook essentially is the Tier Two which recommends apartments, townhomes, duplexes, triplexes and urban single-family homes which is again the type of development we're proposing there.

Just a short reference to the Strategic Economic Development Plan. I mean certainly revitalizing downtown is key to economic development in Huntersville. One thing I wanted to say about that is I did receive an e-mail from Addison Causey and I forwarded some of his comments to the Town Board at his request. As you all know, Mr. Causey and his predecessors have done work at The Park and built a thriving job center for Huntersville and the broader Lake Norman community. The Park currently has over 6,000 quality high paying jobs and it is the largest single job center in the Lake Norman region outside of Charlotte. Mr. Causey asked me to pass some of his comments on to the Town Board and what he said there is that all development, existing and contemplated, benefits from having a vibrant and well-rounded Town Center with various types of housing from apartments and townhomes to single-family and with various attractions such as offices, Town offices, small retail and eateries, Discovery Place Kids, the library and so on. But little of these higher office, retail and restaurant use types will be consumed by the development community unless the population density and mix of housing types support such uses. That is essentially the message from the video earlier.

We wanted to address community concerns. I'm calling these community concerns and I realized as we were going through David's presentation that we have had a lot of communications from the Town Commissioners about these concerns as well, so when I say community concerns we certainly heard these concerns at the community meetings, but we have had a lot of comments and emphasis from the Town Commissioners about these concerns, as well as from the staff. We have taken those to heart, and I wanted to go through each one because they are very important.

The first question is about traffic generated by the multi-family. One of the first questions we got in our first community meeting was a request to obtain a traffic memorandum. We requested one and I put some key parts of that in this presentation. This is the trip generation table for all of the uses, but I wanted to point out here that the a.m./p.m. peak hour and these are the total amount of trips that are generated on all of the roads leading out of and into the project – 11 total trips in the a.m. peak hour and 8 for single-family. For multi-family it's 28 total trips in the a.m. peak hour and 35 in the p.m. peak hour. And for the multi-family mid-rise 47 and 61. The way that breaks out is one of the key concerns we heard was about cars going onto Greenway, so only 3 percent of the total residential are turning right onto Greenway, so that was the trip distribution estimate and that's based on the Institute of Transportation Engineers Trip Generation Manual.

The next slide is one of those Traffic Engineer diagrams, but it's showing the site where the asterisk is and Access B full-movement coming out of the site is Greenway and what this indicates is 3 percent of the residential traffic will be turning right onto Greenway out of the site. The next slide shows the a.m. peak hour number of trips and the p.m. peak hour number of trips and it's giving you a distribution and you can see most of the cars are going out of the Holbrook Extension onto Hillcrest and the other access roads are Street A and going to Highway 115. The next slide is basically showing the majority of the traffic which we talked about earlier on the trip generation table. These are the avenues of entry and exit for the cars according to the traffic memo.

The second concern we heard was about road infrastructure and funded projects. This is the most recent information that we have and it's showing the projects that are funded and this slide relates to the next slide which kind of gives the prioritization of these projects. If you could go to the next slide I can explain that the local projects are the Downtown Greenway and the Holbrook Street Extension. That is the extension to 21. This project will be building the extension within the project to Hillcrest. The state projects are listed here – primarily this 77/Gilead Road interchange, the Highway 21/Gilead Road interchange, Gilead Road from Highway 21 to Highway 115, Gilead Road intersection improvements and the Main Street improvements which are due east of the project.

These are just some designs of the improvements I just mentioned that we pulled off of the Town's website and I'll just run through these. These are the Gilead Road improvements. The next slide shows this is the project that is the widening of Gilead Road from 21 to 115 and the next slide is the Main Street improvements I was mentioning earlier. The star is where this project is.

The third concern was storm water. I did some research into this and the Greenfield neighborhood where we had heard the concerns about storm water was actually developed before the storm water regulations were in effect. Now all development has to follow regulations that protect watersheds and control storm water. The storm water controls will be put in place to meet or exceed the applicable laws. And this is a list of those regulations and laws that are in effect that have to be complied with for new development and so I think that is a primary difference and it's better for me to list each one of these and explain what it does.

The soil erosion and sedimentation control ordinances are, we've got to comply with those. Post construction storm water control, that is another storm water control ordinance that minimizes impacts to surface water quality. The surface water improvement, the SWIM ordinances, the watershed supply ordinances, floodplain regulations and storm water pollution controls.....all of those are a part of the evaluation and approval of this project during the engineered documents portion of the development and they must be met.

Another concern we heard was about the schools. I just included this portion of the CMS information that David Peete has already presented to you showing the additional students as a result of this development. A lot of the information that I noticed on some of the Facebook posts don't really have facts to back them up. For instance, they say that this project is not in accordance with the Town's long-term plans and I think we've shown here tonight that it absolutely is and that the burden on schools and infrastructure, what we are showing here is that it isn't actually factually the burden that it has been presented to be.

This is a list of the revisions that we have discussed with the Planning staff and with the Commissioners and with some of the members of the community. Again, we have talked about making these changes and are not allowed to submit a revised plan until after tonight's meeting, but I do want to run through those. We are changing the buffers to accommodate some of the community concerns. South of Holbrook it will be a 20' landscaped buffer in compliance with the Neighborhood Residential zoning requirements. North of Holbrook the applicant has agreed to construct a fence within the 10' landscaped buffer putting the landscaping on the west side and the fence on the project side. A key concern we heard was taking the townhomes off of Greenway and replacing them with detached houses, so they will be making that change. A vehicular passthrough rather than a pedestrian passthrough and we will meet all ordinance requirements. We are looking at reducing the size of the BMP and the applicant has agreed to extend Holbrook Street to Hillcrest and that's paying not just for the paving, but for all of the infrastructure to create that road and also the same thing with Street A, which is the street along Discovery Place Kids and the parking garage. The storm water plan, the buffers, that comment about buffers will be planted or undisturbed, that is a comment to address the staff's concern and then the non-residential will be 33 percent of the entire mixed-use building and recycling we talked about ways to address concerns about that.

One of the things that we had talked with the Town staff about was not a right-turn onto Greenway coming out of the project. There's so little traffic from the residential going onto Greenway, it just seemed reasonable just to have a no right-turn there coming out of the project. As David mentioned, there's always additional minor comments.

The next slide kind of shows these briefly. We've got 12,040 sq. ft., 20 percent of that is clubhouse and leasing or non-residential. The vehicular connection, the cost to build this street along Discovery Place and to build the Holbrook Extension to Hillcrest is plus or minus \$400,000. South of Holbrook, 20' buffers and townhomes on Greenway will be converted to single-family. We are asking for a no right-turn onto Greenway and a reduction in the pond size for a larger buffer. All of these things as a result of extensive community, commissioner and staff communications and meetings.

I just wanted to point out the economic benefits and this is really something that the Town has wanted to do and really one of the reasons for the revitalization plans that started back in 2006. This is just the tax value difference. Right now the tax value of the property is a little over \$2 million. With this development it would be \$36 million. Total annual tax revenue now is \$17,000. With the project it would be \$325,000 and the annual tax revenue going to the Town would go from about \$5,000 to \$125,000 each year. It also brings the additional benefits of additional jobs related to construction, operation and employment and we can also quantify those.

That's just really kind of showing, everybody knows where that is. That's basically standing in front of the old police station. The next one was example townhome designs for the project.

That's my last slide. I have some slides in the appendix, but I wanted to mention, first of all I didn't say this, but I wanted to thank the Town Commissioners and the Planning staff and the community for their input on this over the last two months and I wanted to introduce our team. Here we have with North State Shane Seagle, David Dupree, Shane Buckner and James Jones. With Land Design here we have Richard Petersheim, Chris Cook and Kevin Vogel. They are here as well to answer any specific questions the commissioners may have.

Commissioner Phillips said I was wondering where in Policy H-7 it says support appropriate mix of housing for all income levels. I was wondering if you guys could give us a projection of what the cost is going to be on the housing units.

Ms. Irvin said when you say cost, are you asking about what the rents will be for the apartments and what we think the townhomes will sell for and the single-family homes.
Commissioner Phillips said yes.

Ms. Irvin said on the rents I'll have to defer that to Shane or David, but this is not IRS tax credit housing or Section 8 housing, so we do not have an affordable component as a part of the multi-family and I think that's what you are getting at. This is going to be market rate apartments. They are high-end apartments, so the rents will be higher. They will not address what I think you are asking. They are not planned to be an affordable component in these apartments. I wanted to ask Shane and David if they would like to pitch in on that, but as far as actual range, what your low range and your high range on the apartments, I know we talked about the townhomes and the single-family homes and they felt very comfortable that the townhomes and the single-family homes are going to be at the high-end for townhomes and certainly commensurate or better on the single-family homes than what is surrounding them.

Shane Seagle, North State Development, said the apartments will rent for probably in the \$1,100 to \$1,200 range for the one-bedroom units and it will go up to just under \$2,000 per month for the larger units. We project the townhomes to start in the low to mid \$300,000's, as well the single-family.

Commissioner Walsh said I would like to focus in on that ground floor non-residential. The 33 percent you are referring to or 12,000 sq. ft. give or take, that box that is I'll call it to the left, how many square feet is that, if you were guessing.

Ms. Irvin said Chris Cook is on with Land Design and Richard are on the line, but we did estimate that the entire area that is shaded is about 12,040.

Commissioner Walsh said so to be clear, when you say shaded I kind of see two different....well I see several shades, that taupe or whatever it says there, then there's a little lighter color, is that like a walkway or something.

Ms. Irvin said that's just intended to show a pedestrian passthrough. That was one of the things that came out in the discussions I believe with the Planning staff early on, a way to get from Gilead Road through the building to the back, just a pedestrian connection there. But the area when I say it's shaded, it's that kind of peach color or that darker red peach color that is not just the area that says ground floor non-residential, but the other side as well. That entire area is 12,040 sq. ft.

Commissioner Walsh said so all of the frontage there on Gilead Road would be for retail. When we say retail, we're not including leasing offices or gyms for the apartments, correct.

Ms. Irvin said that's correct. This says 12,040 sq. ft. of ground floor non-residential, 20 percent of that is intended for the clubhouse and leasing. They would like to put that adjacent to the multi-family portion of the building, but not the frontage on Gilead is my understanding. I believe that left of the breezeway they're looking on that area at approximately 7,500 sq. ft. right there.

Commissioner Bales said I just want to be very clear, you are saying that the clubhouse leasing space would be in the corner to the right.

Ms. Irvin said one of the things that we talked about was not putting that on Gilead Road and so I'll hand that over to David Dupree and Shane to discuss because that's one of the things actually that was important to some of the commissioners was that the non multi-family related portion of that non-residential that the things that are not part of the clubhouse and the leasing that that be what's on the frontage of Gilead Road.

Commissioner Bales said certainly you have heard that from me from pre-development meetings and so forth. If you are looking at that and you are saying that's that corner unit there as you are turning onto I believe it's Street A, it would probably be a good location for a restaurant or something of that sort. Would it not make more sense to move the clubhouse leasing space more into the multi-family portion just pass that.

David Dupree, North State Development, said we agree with you 100 percent. That corner would be a good place for a restaurant and our integration of the clubhouse and leasing space will come during design, but we really want to focus on activating Gilead, that's something the Planning staff has really drilled into us that activation of Gilead is important and we certainly don't see the leasing and the clubhouse as being a space that's profitable, so we certainly don't want to put it where we might could put a restaurant or have other retail users. During our design phase and building phase hopefully we will have this all leased up and we can just integrate that into a lesser pronounced portion of the building. The way that looks doesn't give any credence to where we think anything will be necessary, but we do agree that corner will probably be the easiest place to lease because of its presence on that median corner.

Commissioner Bales said I could concede the pedestrian pass way through to get folks off of Gilead and into the space, but I am still very concerned when we are talking 33 percent of the first floor non-residential when the initial plan called for 50 percent, so I know you are looking for that happy medium and that sweet spot, but I feel like for the Town it's very important if we are moving forward that the non-residential that we are maximizing as much of that non-residential space as we possibly can. One of the other things that I would ask that you would consider is designing that corner in a way where if it could hold a restaurant with outdoor seating and a space for folks to gather, I think that would enhance as well. That is just something off the top of my head. I do have another question and it kind of goes back to Ms. Irvin's presentation. You said the townhomes and single-family homes south of Holbrook meet the Neighborhood Residential zoning. Is that correct.

Ms. Irvin said yes, that's correct. They meet it or actually exceed it because with Neighborhood Residential zoning you would not need to put single-family homes on Greenway.

Commissioner Bales said going back to the non-residential ground floor, how many square feet is that first floor of the entire mixed-use building.

Ms. Irvin said I'm going to have to defer to Land Design on that exact number. I believe it's around 36,000.

Commissioner Bales said you've already answered the questions about price points. One of the things that I would highly recommend is that this Board have access and everyone to the public to understand and see the elevations and what the plan is. I know you gave us a brief kind of picture of what the townhomes could look like, but in addition to that the larger building understanding what those elevations are going to look like and how that vehicular passthrough is going to manifest itself visually.

Ms. Irvin said yes, thank you, we will do that.

Commissioner Hines said I think the plan that we are seeing, the changes are not reflected here especially when it comes to the length of the building along Street A, can you describe for us....I see you show a vehicular connection underneath, what some of the architecture is going to look like – is it all going to be the same three-story throughout the whole project or is there going to be a step-down beyond that vehicular connection.

Ms. Irvin said I can answer that and then ask David or Shane to fill in, but we have gone through this and discussed this at length about adding vehicular connection. To the south of the vehicular connection the topography steps down and so that building would actually step down with the topography and you'll notice that the street there actually jags a little bit toward the parking garage, so another thing that has been discussed because the street curves a little bit is to bring the building out a little bit on that side to match the curve of the street or to match the way the street shifts there to the east. Then as far as articulation goes the idea would be to have that vehicular passthrough with an indented portion of the building above it so that from the street it actually does look like two buildings because the second portion of that building steps down and is pushed out a little bit from the other one so the facades look different and so those are the things that we have been discussing.

Commissioner Hines said I'm really concerned about how that looks.....500' for a building is extremely long. I know there's one up in Oakhurst that's about 270' long and has the vehicular connection as you are discussing here so that's very much a concern of mine and I'm looking forward to seeing if it can be accomplished to where it does look like multiple buildings.

Ms. Irvin said okay, thank you.

The Board took a 5-minute break.

Upon return from the break, Mayor Aneralla called on public speakers.

Bill Russell, 9449 Mt. Holly-Huntersville Road, said I moved to Huntersville in 1995 to take on a position with our local Chamber of Commerce and not long after that, Town Manager Ed Humphries and Mayor Randy Quillen gave me a windshield tour of Huntersville. One of the first things they showed was a brand-new development coming out of Huntersville called Northstone. I can't believe that's been 25 years ago. But then we went to Town Center and Ed talked about where they were going to locate the new Town Hall, which is woefully too small now, but talking to me they shared their vision of the town

and we all talked about the sense of community a downtown presence gives us. Fast forward these many years, I can't remember and recall how many focus groups and stakeholder meetings, committee meetings that we've had talking about the revitalization of downtown. As a matter of fact every time the Chamber hosts a candidate forum, every candidate running for Town Board talks about what they are going to do to revitalize downtown. Susan Irvin just talked about a 2015 video which showed our former mayor standing in front of DPK talking about in 5 years the transformation that was going to take place in downtown. Sadly, really the only thing that has changed downtown is the sign at the restaurant in front of Town Hall, which was Lupie's and now it's Slice Pizza, which is great pizza, but not the transformation I think that we were looking for. Nate Bowman talked about what the other communities are doing to revitalize their downtown. Davidson has always had a very strong downtown, but the commercial development taking place at Exit 30 along I-77, we've seen some high-end restaurants now come to downtown because of that. Cornelius introduced the Antiquity project which has mixed use, it has the apartments, it has the retail and now we are starting to see a transformation in downtown Cornelius. My native town of Rock Hill, South Carolina introduced high end apartments downtown and now we are seeing a revitalization there. The bottom line is we need to introduce the density downtown that's going to drive business. We should not just save downtown, we have to reenergize downtown. We have to bring life to downtown.

Mayor Aneralla said our next speaker and several others have given their time to Mr. and Mrs. Hallman. With all the people that have given their time, you have 20 minutes.

Amy Hallman said we are Lee and Amy Hallman and we live at 100 Cambridge Road. Thank you for allowing us to address the Board even if virtually. We asked to deliver a PowerPoint, but we were told the Town doesn't allow electronic presentations for the citizens at public hearings, so we will try to paint this as clearly as possible. For purposes of this speech, we are speaking only for Save Downtown Huntersville, which is a Facebook group and several Huntersville neighborhoods with a protest petition of 1,500 signatures from residents and small business owners and we oppose the rezoning request and the site plan in general. *Petition attached hereto as Exhibit No. 5.*

We stand with Greenfield Park because this proposed plan hurts all Huntersville residents, visitors and the downtown potential. While at least one Town commissioner has said that he or she will not be swayed by traffic or school concerns, petitions, floodplain issues and not in my backyard cries, we submit that we are coming to you as a diverse group to say that this plan is not in the public interest of the residents, particularly in the Greenfield Park neighborhood.

Two weeks ago Lee spoke to the Board and asked you to deny the extension of the contract because we thought that the sale was not a good one and we still plead that. Because the Board declined to deny the extension we are faced with North State's amended site plan to add the additional 8 acres of undeveloped woods they purchased just in August 2020 to increase their initial plan of 80 apartments and 96 parking spaces to 140 apartments, an additional 61 townhomes and 300 parking spaces. This bait and switch plan will destroy the character of our town's oldest neighborhood and begin a dangerous precedent for the future of Huntersville neighborhoods all together. It is certainly not within the public interest.

Because the Board declined to deny the contract, here we are. This is literally the last time for us to get the downtown development right. North State managing partner David Dupree told the Charlotte Ledger last Friday that this proposed development would be second only to Discovery Place Kids. That statement speaks to the enormity of this project and how it will cast a dark shadow onto our downtown.

On the surface the Town should cancel the contract. The Town knows that any concept plan submitted that meets.....the offer will not be consistent with the developer's overall site plan. At present, not granting rezoning is your only recourse to save Greenfield Park because once the zoning is changed nothing can stop the development and very little can be done to prevent the developer from pushing the limits of that new already broad zoning.

Greenfield Park is the first neighborhood in Huntersville. It contains a protected watershed and is still a well-maintained family neighborhood. Greenfield Park is approximately 90 acres, with 170 existing unique single-family homes, 900 residents and 75 percent home ownership. The average single-family parcel is 0.6 of an acre. Greenfield Park has eight forest acres nestled between Hillcrest Street and Greenway Drive parcels, stocked with century old trees including Slippery Elm trees that are rare and wildlife and vegetation. It is one of the most walkable neighborhoods with mature tree canopy, a Town park and some of the oldest families in Huntersville. It is not a neighborhood you drive through and thinks need raising. It does not.

In the 1950's the Town's zoning ordinances were purposely established because of Greenfield Park and the Town's desire to protect the neighborhood from development in the future i.e. now. Similar language in the Town's 2040 Draft Community Plan introduction it is with this reverence for the past and anticipation for the future that the reader will see throughout this document a strategy that is looking forward and thinking back. The North State proposal is not in the public interest because it wants to plot down 200 new households in between just 17 of those existing family homes. While the average lot size is currently 0.6 of an acre, in relation this project's housing density proposes .05 of an acre per household, a 10 times density variance. It is not in good faith. All but about 200' of the perimeter of this proposed area is surrounded by single-family homes. Nowhere else in Greenfield Park has been drilled into like this, not even along 115. It bears repeating, at present all parcels save that 20' field frontage are undeveloped woods encircled by single-family homes. The proposal will add 140 apartments and 61 townhomes to land that currently exists in three zones – Town Center, Neighborhood Residential and General Residential.

Granting this rezoning request is not in the public interest because the majority of Greenfield Park parcels are zoned General Residential which would require that you jump two entire zoning grades to reach Town Center, with no step down for intensity which goes against the 2040 Draft Community Plan which calls for eased density and housing types where they abut established neighborhoods. Also, the rezoning goes against the spirit of the 2030 Community Plan and current Zoning Ordinances. While much of the Greenfield Park acreage at risk is zoned General Residential, two Neighborhood Residential parcels are in the proposed request. Current Zoning Ordinances state that Neighborhood Residential preservation orders development to mimic the space and physical properties within.

North State knew when they purchased this land for \$1.2 million less than two months ago that the zoning would prevent their type of a development. Why buy it anyway. Absolutely nothing fits within the current guidelines. This rezoning is not in the public interest because it intrudes on this established well-maintained neighborhood and it sets a dangerous precedent. It will allow more developers to swoop in and buy seed parcels along Mt. Holly-Huntersville Road and then bore inward. Voting to grant this rezoning request will tell developers big and small to come in and chip away at all General Residential, Neighborhood Residential areas within a radius of downtown, not just Greenfield Park. This proposed rezoning will irreparably harm the neighborhood and ignores the entire planning process. The character of this neighborhood will irreversibly be altered. Eight acres of inveterate trees that cannot be duplicated with any tree canopy ordinance will be eliminated. The quaintness is gone. The ½ acre to 1

acre lots cannot be recreated. If you are serious about preserving neighborhoods you will vote against the request, it is that simple. Make North State come back to the table for a more reasonable discussion. The developer's site plan used the bait and switch approach which speaks to a pattern of developer behavior in our Town's recent history. The original contract for 2 acres may support those 80 apartments and 96 parking spaces, but now it's five times as big and the retail space is basically unchanged. This is a false equivalency. There's no value add for the downtown. Similar to Anchor Mill with some of the same players, the developer pattern persists – lock the Town into the contract, negatively change it later. Where's that grocery store anchor. Oh yeah, last week Bowman's amended proposal called for additional apartments and townhouses and cuts 165,000 sq. ft. of retail growth. His original proposal promised to 11,000 sq. ft. and changed 400 residential to 296 apartments and 71 townhouses. Such modifications are not unlike a car dealership up sale. The Town Board has bought the car and now the developer is here with the undercoating and the floormats, things nobody really wants, but are stuck with anyway. Also, Vermillion homeowners were sold their houses being promised that a Birkdale mixed-use property would be across their way. Instead Vermillion has 99 townhouses to look forward to on the 14 acres in front of their development appropriately named Vermillion front. The Town should not be beholden to the developer. To our knowledge, no one told North State or its developers to cobble together the additional 8 acres for General Residential and Neighborhood Residential property. The Town cannot consider it relevant that North State spent the additional \$1.2 million to buy this property, the core of Greenfield Park neighborhood and they should not feel obligated to grant the rezoning.

The rezoning request is not in the public interest because no transportation impact assessment was completed for this project, not at 2 acres and not at 10 acres. There are no downtown exemptions for a TIA. Also, any previous TIA is outdated and does not include Hillcrest, Dallas, Holbrook Street, Greenway Drive, their connector streets nor any intersections with Mt. Holly-Huntersville or Highway 21 that comes into the back. Another reason the rezoning request is not in the public interest is the infrastructure is not in place and a plan is not in sight. Had the developers had to make any road improvements for turn lanes in Huntersville, worst case scenario, the Town of Huntersville cannot partner with NCDOT, because NCDOT's financial issues have delayed current projects for years. At present, any improvement to Gilead Road is slated for 2035, at best. If these road improvements get added to a state list, they would be buried at the bottom if at all.

The housing values will plummet. Recently a new house in Greenfield Park was appraised 10 percent higher only because she had to get outside of the house comps. In addition to Greenfield Park's beautiful forest currently at risk, there are other environmental disruptions. Part of the neighborhood is in a floodplain and the neighborhood itself is a protected watershed. This proposed site is not in the public interest because of the dramatic potential run-off. Just 1" of rain on this much impervious surface equals 176,000 gallons of run-off and the Town already understands similar complaints in Shepherds Vineyard with the Huntersville United Methodist Church water run-off. The tree ordinance alone challenges the public interest for this proposed site. Under 7.4.2(a) Applicability, significant forest stands shall be preserved. If you believe this proposed site plan fits Greenfield Park or even that it could, you are ignoring this neighborhood. Throughout zoning history in Huntersville, nothing like this has been done, there is no history for this, it is why it should not be done.

When a developer stands up to present Town created documents or uses his attorney to do so, a little context and a lot of common sense is necessary to see what they are doing. In 2010, the 2030 Community Plan predicated on the commuter rail coming to town, was created just after the great recession of 2008. These community plans are vision plans, not contracts. If we are holding to the 2030 plan verbatim, we'd be developing transit centers right now for the commuter rails that are not coming.

It is necessary with a vision plan to be able to assess and regroup and react in the short term and the 2030 plan recognizes this. Periodic and comprehensive evaluation of a community's growth plan is imperative in order to ensure the city develops in a desirable fashion. The Town's website, too, agrees to ensure we are current and forward in our thinking, especially in light of changing economic and market conditions the need to revisit these policies and recommendations are in these plans. From here in 2020 I'd say it's a good time to revisit some of these plans. We've had a mortgage crash, red line shelved, the pandemic shifted how people view urban living along with reevaluating the commuting and work from home models. An exit from extensive high-density housing occupancy is enough to show this proposal is not in the public interest. Nowhere in these working documents does it say Huntersville wishes to be a bedroom community, high rent or otherwise. We understand that Town Center zoning means that just about anything can go for development to encourage growth of any kind. The definition of Town Center in Huntersville was focused on the notion of a rail transit as we have heard and nearly every commissioner past and present has admitted that the train is not coming. The time is now to eliminate specific language to any transit station, train or rail system and such need for high density housing near such transit stations because the language is how the developers are trying to sell us.

The 2030 Community Plan explains that downtown Huntersville is supposed to be a thriving mixed-use area not just housing. We are good on apartments. According to the Town, Huntersville had 7,262 multi-family apartments. Currently, of that 2,073 apartments are unbuilt. The additional number of people for those 2,073 unbuilt is estimated at 5,200 to 7,300 more people. For the Vermillion Village proposal which we mentioned because it is already approved and it is within ½ mile of this proposed site plan, the additional number of people for downtown Vermillion Village, not including townhouses, is 800 to 1,200 new people and potentially 500 to 1,000 cars. We assume everyone here knows the term mixed-use. Of necessary mixed-use elements, downtown is most lacking retail, not housing. Let us not forget Vermillion Village and Vermillion Front, were both approved within ½ mile walking distance. We need a public setting. When they are offering 10,900 sq. ft. of undetermined non-residential space is not a true mixed-use development. Some types of needed retail could be like Wild Birds Unlimited, Uncommon Sense, rumor mill market type stores, maybe Metrolina Greenhouses could open a retail shop or the owner of NoDa successful McTabby Café, a Huntersville resident could consider opening a second store in downtown rather than Concord. We could use outdoor markets, a place for weekly food trucks, public facilities for arts and culture. Ideas like that. Right now visitors only choice is to get a slice of pizza or pack a picnic lunch and nothing is open on Sunday. Still we need cultural art in downtown. We need greenspace, trees and landscaping, scattered lounging seating, tables and chairs and encourage meandering, leisurely walks and gatherings, athletic rest stops and areas for reading or reflecting. This would definitely fit on part of that 2 acre parcel currently under contract. It could protect the tree canopy what is imminently endangered by North State's current proposal.

Mr. Hallman said ultimately the need of downtown is develop a purpose. Sellers of this proposal said that we need people to live here in order to build mixed-use, but the Board already has a lot of housing approved. We have some open spaces, parks and parking, but we have little retail and no real restaurant draw. We are here, Greenfield Park, Sherwood Forest, Shepherds Vineyard, Ashton Acres, Vermillion, Anchor Mill and Centennial Park. We are ready. Residents have shown that they will pack Veterans Park and the downtown streets for events such as Movies at the Park, Hello Huntersville, Music in the Park and Christmas in Huntersville. I'll say it again, this is the last time we have to get the development right in downtown. The proposed site plan and rezoning request are not in the public interest. Huntersville's downtown transportation system reports that citizens also recognize walkability and bike ability as the most important to downtown's future ranked at 57 percent. The plan currently recommends designing roads that will calm traffic and slow down cars. The survey also found that downtown planning and

design themes found most important to residents are economic development and safety. Interestingly, the least favorite answer is livability – apartments and townhouses.

Public input into the 2040 Draft Community Plan says the top priority surveyed is traffic and congestion growth management. While the top three concerns are growth management, downtown and greenways. That's right, Issue No. 2 for the entire town is our downtown. True walkability of our downtown is questionable because Gilead Road and 115 intersect at the crux of Town Center. Adding the greenway trail head is for athletic purposes, not travel through town. The plan to widen Gilead Road will do nothing to slow down current traffic. The proposed development is not in the public interest because it will add a significant thoroughfare type traffic, not small town mixed-use walkability traffic. Actually, walkability will decrease because it doesn't give us anything to walk to. The approved but not yet built apartments and townhouses within walking distance of this proposed plan already need somewhere to walk to. Currently, all literature about the Town tells that we are the fastest growing population. As some point we must focus on supporting the current population and not simply acquiring people.

Since 2010, Huntersville's population has grown 31 percent. Similarly, we discussed before you can read the CMS report for yourself but it does say that it will put excess capacity or put Huntersville Elementary, Bailey Middle and Hough High above capacity. In the last few weeks many of us have been approached and asked what we want again. But these questions are simply a bait dismissal. We already answered that question in the planning surveys being ignored by developers. Developers target Huntersville because of our well-advertised uncontrolled growth. Why even have a Planning Board if a developer can do whatever he wants. First, they came for the west side, but we did nothing because they brought us Birkdale. Then they came for the east side, but we still did nothing because it was a third-generation farmer finally getting his payday and the only time I go that way is to get on 85. So, the model comes to downtown Huntersville. The Town's properties are being sold for half price. The zoning rules are written in pencil. And if you need more land for your project, they will solicit surrounding property owners for you. We are tired of holding out waiting on the choo choo. Just submit a plan that promises the public some retail amenity, anything really. We've not had anything new sit here since 1970, just some shiny bobble to distract it like a grocery store, it doesn't matter really because in the end you end up pulling it for housing. Leverage your product with local money so we'll have all the power and none of the risk. We've done our homework, we know exactly who was doing what on this. True, only 17 percent of the population of the electors voted for commissioners in the last election. But that is still 6,000 people, 1,500 of which signed the petition in a state of a pandemic. At the last election this project did not exist. As elected officials your job is to be the gatekeepers against this bait and switch tactic in development plans clearly not in the public interest. Vote down the rezoning request, terminate for cause the negotiated offer with North State, put the land back into the Town's extensive inventory and start over. According to the Town's official website the future growth and vitality of downtown Huntersville is dependent on many factors, however foundational to the growth is that infrastructure necessary to support it.

Tammy Johnston, 405 Hillcrest Drive, said thank you commissioners for listening to our concerns. My husband took a job here with Huntersville Police Department in May 2015. Not being familiar with the area, we wanted to find the right house in the area that was the best option for our family. We have two boys with special needs so we knew that we were going to have to find something that would fit the boys. We looked at many different locations and houses. Both of my boys love being outside. One of the main reasons we picked Greenfield Park is because of how quiet the neighborhood is. My oldest who is 25 and no longer in school has a three-wheel bike that he rides around the neighborhood all the time. As he is on the waitlist for services for community support, he is home with me every day. Thanks to

COVID, he has no Special Olympics or other activities that he can participate, so his only option for entertainment and exercise are playing outside, walking, and biking the neighborhood. He rides the blocks of Dallas, Hillcrest, Joyce and Virginia. Many of the neighbors know Derick and keep an eye on him. He enjoys waving to our neighbors. My youngest is 18 and has epilepsy and has full-time nursing. My nurse walks the neighborhood with him all the time. We have noticed an increase in traffic already and it is hard to keep Brian off to the side of the road as the roads are narrow and there are no sidewalks. He loves the neighborhood dogs. He makes up names for the ones he hasn't made friends with. We love this neighborhood and how welcoming the neighbors have been to us and our boys. We are concerned with this development that has so many apartments and housing units that it will increase traffic in the neighborhood that our boys won't be able to enjoy walking and biking anymore. There are also a lot of older population that live there and walk the quiet neighborhood, along with a lot of families with their kids on bikes, in strollers and walking their dogs. Another concern for my husband and I with his job is the increase in crime. Take a look at the statistics in shootings in Huntersville with apartment complexes, it will speak for itself. We hope that you will not ruin this wonderful neighborhood that we have found to love. Please consider keeping it the way it is.

Gary Tompkins, 115 Holbrook Street, said I want to thank the Mayor and the Board for the opportunity to address you briefly. I'm a life-long resident. My family has been here pre-1900's. I grew up in the Greenfield area. I built within ½ mile still in the area on Holbrook Street. I would like to say growing up I loved going downtown – go down to the drug store, to the hardware store, this is where we did a lot of our local shopping. I would love to see the downtown develop. I'd like to see it develop properly. I resent the fact that a developer is coming in and trying to tell us what they want to do, what we need, when I know our commissioners and our board knows what the vision should be for Huntersville. I'm adamantly opposed on the present plan that they have, but I would love to see some type of development that would enhance our downtown area.

Amber Kovacs, 207 Greenway Street, said upon recent research I came across some information that was alarming to me. The brochure previously mentioned by Mr. Hines was something that stuck out to me greatly. This was updated September 13, 2020 and what was alarming was it clearly states the property is ideally situated for high density residential, whether apartments, townhomes or mixed use. Huntersville staff is willing to review all potential plans and excited about the development. It also later states the property is zoned TC-CD and GR. Huntersville staff has indicated support in rezoning the property to higher density residential. The brochure promotes the land on the idea that there will be rezoning. The name listed as the contact on the front page is Brian Hines followed by one of his company names, Invest Properties. Mr. Hines, whether or not you were a broker on the deal, per your previous statement what was your involvement in this if you no longer were involved in the brokerage. Were you the one that stated that the Town was onboard with this before the land was even sold. One of the Huntersville general principles of underlining the Code of Ethics said the governing board must be able to act in a manner that maintains their integrity and independence yet is responsive to the interests and needs of those they represent and the resolution adopting Code of Ethics unless disclosure is made in accordance with the Code of Ethics no one shall engage, accept private employment or render services for business and entities for compensation when such employment or service is or could be perceived as incompatible with the proper discharge of their official duties or would impair their independence or judgment of an action in the performance of their official duties. We have a public official, we have a private sale advertised with the public official's name on it, we have marketing materials that blatantly advertise how this has already been discussed with the city and at the same time we have a long lasting city code that protects against this type of conflict of interest. It's the law and yet now we are at the point where now these potential people could be voting on this. It's not whether or not you violated some

statute, it's whether or not your vote represents us or your best interests.

Jim Puckett, 216 Greenway, said today, without any further development, my house literally touches the federal floodplain on two corners – one in the front and one in the back. When there are flood warnings I have to sandbag my crawl space entrance to protect my HVAC equipment. When there are floods, and that happens often, raw sewage percolates up through the manhole cover in my backyard and that's before you approve more water and before you approve more sewage. Like others, I'm not happy with no traffic study on the neighborhood roads that are already overutilized as cut-throughs. But those are not the biggest issues with this rezoning. The biggest issue is that with thousands of acres in Huntersville that could be developed for multi-family, more on top of 2,000 already approved, but not yet built, you are considering taking the last few acres in downtown that could be used to define the personality of downtown and instead make it look like everywhere else, rather than using this land as a part of a design that can finally make a destination not just another place with infill apartment complexes. So, do you add apartments and multi-family or do you enhance the aging single-family inventory that helps define our downtown as a quintessential small town North Carolina place or even better, do you hold out for a project with broader government commercial retail and public spaces, a better project not something with just a bit of retail on Gilead. More people are needed in the area, but not at this spot. The latter options are clearly in the best public interest. Past errors in downtown have robbed us of the very things that we need to develop. If this project goes through, it not only robs us of our last best chance to return character to downtown, it seals our fate as just another transition area between the over urbanized area of University City and the classics of urban charm with the towns of Cornelius and Davidson. We've become what many of us have feared for years. We've become just the most northern of Charlotte suburbs with no real identity of our own. Let's remember it's not the developer's job to define and build that's in the best public interest, it's yours. Their job is to make a profit and I encourage them to do so, just not at this location. The very reason there are zoning laws is to keep the simple free market concept of ownership and property rights from overwhelming the overall needs of the public in general. Zoning nudges the private sector, the government and the public into synergistic partnerships to allow everyone to prosper. People who sat in those seats ahead of you laid out zoning that would allow citizens to make life-long decisions with some assurance of stability. There needs to be compelling reasons to undo the foundation upon which those citizens have made those decisions. Simply turning a profit for the town for a private developer are not, in my opinion, compelling enough to lose the public trust. Basically, you have litmus test and one decision. One can the developer do what they say they will and that is if you give them the opportunity and two is this change that you are talking about in the best of the public's interest. There are at least 2,000 members of the public telling you no. You have to weigh which path you take and then deal with the consequences. But the consequences you deal with are political and fluid. Depending on the path you choose, the consequences the public has are either a continued opportunity to redefine what downtown Huntersville becomes for decades forward or literally cast in concrete the removal of the last chance for a far better option going forward.

Robert Kerns, 301 Hillcrest, said I do live in the Greenfield Park neighborhood. I am both downhill and downstream of the proposed development and it has a lot of implications. First, I would like to say there was a time, I've been in Huntersville my whole life and my family is here for six or seven generations.....I remember a time when Huntersville's downtown was the center of town. It was the center of commerce and community activity, where everybody went to meet and conduct their business. My dad walked to work every day of his life and he had that pleasure and that ability. I wish we all did. But downtown was an important place. And I think it could be an important place again. I would love to see a lively, vibrant Town Center. However, a block of apartments facing a huge parking lot will not contribute to this goal. I

strongly disagree with the rezoning request, especially the GR part along Greenway. It does not match the existing zoning or the character of the neighborhood. I also have a problem with the three road connections – two in particular, but all three of them. They are logistically problematical, and I am stunned that we don't think that there is a traffic study necessary. A simple traffic study would be to go drive down Greenway, drive down Dallas Street, drive down Hillcrest. Two cars cannot pass each other without one of them putting their wheels in the dirt. At 5 p.m. in the afternoon the traffic flow increases dramatically when the interstate backs up, when 21 backs up, 115 backs up, the next recourse is to cut through down Dallas Street crash over the speed bump and slide through the turn up onto Hillcrest, try to make it up onto Gilead before the traffic light changes. Mr. Peete said to me oh don't worry, no one will take a small street when a big street is available. Well, that's the nature of cut-through and when you cut-through you are in a hurry so you go fast. The promised improvements on 115 and Gilead Road are irrelevant because they are probably not going to happen in our lifetime. References to the transit station and light rail we know are moot. These things are not going to improve. Everything seems to be pushed far into the future. I don't see any obvious advantage to this project for our town and I do care about our town. The timing seems poor. It doesn't match the original intent as far as I can tell for this parcel. It frankly just doesn't fit. It doesn't make North State bad people, but it doesn't fit here, it's not good for Huntersville and that's what we need to concern ourselves with. It's certainly going to negligibly impact my neighborhood, which is Greenfield Park. It's one of the oldest and most stable neighborhoods in the town. Greenfield Park is a neighborhood which has a diversity of income and home size and style and age and the age of the residents are various all the way across the spectrum. So, it's a vibrant neighborhood and it recycles itself. Young people come in, they buy houses, they recondition, they raise their family. I've been there long enough to watch it happen. Why should this neighborhood pay the price for North State's profits. It's okay to make a profit, but we are going to suffer the impact. They just take the profits and they go back to wherever they came from. Where's our traffic study, where's our stormwater run-off study, what's the environmental impact and don't just say, as I heard at one of the developer meetings, oh it will probably be fine.....don't worry, the state is going to take care of it. Where is the due diligence of a responsible and responsive town council. You need to look after our needs and our desires. This is also the last stand of natural forest in the central town area that I'm aware of. Removing mature pines, oaks and elms and replacing them with some of those exploding pear trees is not really acceptable. It's not a reasonable substitute. Maybe before we pave paradise and put up a parking lot we should look at some other options. Some of the people here have mentioned some of those options.

Rick Ranson, 214 Greenway Drive, said as a descendent of Ella Hunter and the Hunter family you will excuse me if I have too much passion and I apologize for my anger. But no traffic study.....really. No impact study for the environment – it's mind boggling. As you good folks on this council make this hundred year decision it needs to be very clear the opponents are totally against it and the public interest needs to be your first consideration. Ms. Irvin was talking about the people on the petition....that we are confused or something. That petition is clearly written, strongly stated, it doesn't leave any room for doubt, debate, confusion or misunderstanding. They know what they are signing. They know what it is. We understand what it is and what's being sold. It's a building and a parking lot. That's all it is. You can get population into the city with a knife market. You can do anything to get people downtown. You don't put them into the city like this. Home ownership is what Nate Bowman did in Vermillion. They are stable, they are part of the community, they are neighbors when they own their home. Much like Save Davidson, this is a movement. The petitioners, we are against these 140 apartments and 60 townhomes. From Birkdale I knocked on 300 doors. I went everywhere. I went all over the neighborhoods. It's only going to get bigger. This is a movement that's getting bigger and stronger. We are determined to fight, we are not going away and there's a couple of things that Mr. Dupree said – he said that we are going to

tell the truth and let the chips fall where they may. That's an absurd notion and it's a disingenuous narrative that we are hell bent and whatever it was – whiskey bent and hell bent. The people against this development are doctors, they're lawyers, they are sophisticated people, world travelers. We know what it is. It's a cash cow for the one developer. That's what it is and all the anticipated tax revenues are going to be heavily diluted, largely offset by the corresponding expenses for infrastructure development. Any tax windfalls are going to be totally wiped out if the mitigation efforts to control the displaced rainwater go awry. Ten years from now if North State sells this, who is going to fix that mess. It's the taxpayers. These are predictable outcomes. And the last thing that I want to say.....there's a spring fed creek that's below this project. The head waters of it is not where the map shows it. It's actually 75' further up there. There's also that sewer line that runs through it that Mr. Puckett mentioned. It overflows. The water comes down through there and we had the meeting with North State on it the other night, they were unaware of this. They didn't understand it. This lack of information.....it fuels the distrust. If they are going to cut down 500 trees, how is that going to make it better. I just don't see that. I realize we have enough time to find commitment and consensus. My parents, when they were on the town council, they all talked about a vibrant downtown, but you don't need to put 500 people right there in the middle to do it and if you do, make them homeowners, not apartments. All that is, it's just a revenue stream for that corporation, that's all it is. *Petition attached hereto as Exhibit No. 6.*

Commissioner Hines said regarding the storm water and I know that it's all-natural right now, it's primarily wooded with that creek down there, has Engineering taken a look at it. Will this help or exasperate the current problem that's already there.

Mr. Peete said the storm water plan at this stage has been reviewed by our Storm Water Engineer. Comments have been made. Suggestions have been made about how to alter the plan, but the alterations I believe.....there are many ways to comply with the regulations. Susan Irvin's slide during her presentation listed all of the state and local regulations that would be in place. No matter what the plan, whether there's a rezoning or not, any plan or any project that the Town of Huntersville signs off on is required to meet and satisfy all of those requirements that have been handed down from the state and they are going to definitely have to provide all of that detail that's required at the construction level. At this stage, we do what's called a conceptual plan, which is does their solution and the amount of area that they have set aside for it work within the parameters that have been defined.

Commissioner Munger said due to there being substantial changes to this plan that we have yet to see including, but not limited to, the addition of detached houses instead of townhouses on Greenway, modifications to multiple buffers, vehicular passthrough in the section of the apartment building along Street A, modifications to the sizing of the BMP, revisions to the connection on Holbrook Street and percentage of non-residential on the first floor, I move to table further discussion on Agenda Item 8.B based on Article 11.4.4(d) of the Town Zoning Ordinance for no less than 30 days.

Commissioner Boone seconded motion.

Mayor Aneralla said you are using the terminology table, do you just want to postpone for 30 days or keep open the public hearing for 30 days.

Commissioner Munger said I believe so, the wording I had asked for clarification from our Town Attorney, so I am open to however you would like to interpret it.

Emily Sloop, Town Attorney, said as long as it's no less than 30 days you can modify the language of the

motion so that it states leave open as appropriate for no longer than 30 days.

Commissioner Munger said okay, I'm good with that.

Mayor Aneralla said that would be until the November 2 meeting.

Commissioner Munger said at a minimum.

Mayor Aneralla said is there any discussion on that.

Commissioner Phillips said there's unanswered questions, there's a lot of what-ifs and if we are going to be moving toward the future of our town I think 30 days is worth it.

Commissioner Hines said I guess I would ask staff what does that do.....I know I think it was the last meeting we just extended the due diligence. Does that impact that to where we don't have to do another extension before it comes for a decision. How that would be impacted.

Mr. Peete said what would happen is this item could still go to the Planning Board in October with the hearing held open, however as you could imagine the Planning Board might not be prepared to make their recommendation until the hearing is closed. But the Planning Board would meet again in November and their meeting is a week early because of Thanksgiving, so the best scenario with this action is the Planning Board could make a recommendation in November and then it would be potentially on your docket first of December for potential final action. There is a path that would work with this.

Mayor Aneralla said Commissioner Munger can I make a suggestion that you give us the date November 2.

Commissioner Munger said yes, I'm open to that.

Mayor Aneralla said if you can just say instead of the 30 days, November 2 – that's 28 days.

Commissioner Munger said sure, I move to table further discussion of Agenda Item 8.B on Article 11.4(d) of the Zoning Ordinance until November 2.

Commissioner Bales said I just want to clarify that we are leaving the public hearing open until November 2.

Commissioner Boone said I'm good with that.

Mayor Aneralla called for the roll call vote.

Commissioner Bales – Approve
Commissioner Boone – Approve
Commissioner Hines – Approve
Commissioner Munger – Approve
Commissioner Phillips – Approve
Commissioner Walsh – Approve

E-mailed comments attached hereto as Exhibit No. 7.

OTHER BUSINESS

Budget Amendment – Police Department. Consider approving budget amendment recognizing Department of Justice Equitable Sharing Fund revenue in the amount of \$203,270 and Treasury Asset Forfeiture revenue of \$40,175 and appropriate to the Police Department Capital Projects fund.

Police Chief Bence Hoyle reviewed the request.

DJI Matrice 300 RTK Drone Platform

55,200

2 Matrice Drone Platforms

1 Phantom 4 V2 Drone (mainly for training)

Spotlight

Battery Systems and Chargers

On-Site Training

Drone technology has bridged the gap between the need for aerial surveillance for public safety agencies and the cost of helicopters and helicopter crews. Huntersville has a lack of fiber technology available for camera technology and has severely limited our ability to monitor events in real time. During recent protest events we utilized drones from neighboring agencies and were able to detect armed persons among the protestors. This technology would also be utilized to assist with large crime scenes and searching for suspects and suspect vehicles.

NOTE: Drones will be used for public spaces unless authorized by a court. The 4th amendment requires us to have a court order before using drones for surveillance of private property. All drone deployments would otherwise be in areas where the public would not have an expectation of privacy.

Mobile Field Force Equipment

80,000

Equipment worn by individual officers
during disturbance events

(uniforms, face shields, batons, etc.)

Mobile Field Force equipment is equipment worn by officers working in the midst of a riot or potential riot situation where standard uniforms are not adequate. These included mostly protective gear for 40 officers. Our intent is to create a mobile field force unit that will deploy to deal with isolated incidents of civil unrest should they occur.

Police Canines and Training

22,630

2 Dual Purpose Dogs

We currently have 3 of the original authorized 5. This will bring our K-9 back up to full staff. We may request adding a 6th dog at a later date.

Robot for High Risk Entry

85,615

This is a remotely controlled robot used to send into a volatile situation such as a barricaded suspect or suspicious circumstances. This is not an offensive robot with weapons systems other than a door breaching tool. It provides tactical video feeds back to operators and command units and can establish communication with the person or persons inside.

Commissioner Walsh made a motion to approve the budget amendment recognizing Department of

Justice Equitable Share Fund revenue in the amount of \$203,270 and Treasury Asset Forfeiture revenue of \$40,175 to the Police Department's capital projects fund.

Commissioner Munger said in the past few months I've made several attempts to elicit support amongst my fellow commissioners for simple changes to policies as they relate to crowd control during protests. For the most part these attempts have been met with quite a bit of resistance.....I've heard things like this are not likely to occur in Huntersville and yet tonight we are voting to approve mobile field force equipment for \$80,000, specifically for protest related activities or riot situations that may stem from these activities. This causes me great pause. As a result I would like to make an amended motion to remove Line Item for mobile field force equipment and the associated appropriation for \$80,000 from Line Item 9.A and I will add my apologies if the amended motion is incorrect in form.

Commissioner Phillips seconded motion.

Commissioner Bales said let's take a moment and talk about what the mobile field force equipment is supposed to be for because the way I understand it is this equipment is protection for our officers. If it's protection for our officers and they are being put into a difficult situation in harm's way I think it's very important that we make sure that they have the tools necessary to keep themselves safe in addition to working to keep our community safe, so I will not be supporting the substitute motion.

Commissioner Walsh said that equipment is defensive in nature, not offensive in nature and the fact that we would send police officers into harm's way without the appropriate equipment is just mind boggling. For the same reason whatever that robot whatever the use, if we can send in a robot and not send in an officer or human being and it may save their life, why wouldn't we.

Commissioner Bales said at the end of the day we all hope that they never have to use it. We all hope they never have to gear up and put on this type of protective equipment, but at least we know that we have it for them.

Commissioner Hines said I would like to echo what Commissioner Bales and Walsh said. I want to give our police officers every tool that is necessary for whatever situation. Like Commissioner Walsh said, this is defensive, this is not offensive. It's protecting our officers. It's protecting our citizens. It's being proactive. Hopefully we never have to use this gear. This is asset forfeiture money. I have no problem with this.

Commissioner Phillips said with the mobile field force equipment, we just heard the Chief say it was about riots and protests and what Commissioner Munger is concerned about is about riots and protests so I'm not saying not ever, I'm saying not right now so we can discuss what's most holistic for all of our community so no one is worried or nervous or scared because I do put faith in HPD but I also understand and validate the concerns that our citizens have and I feel like there is some common road where we could revisit and do something that doesn't make people fear our police department or fear that we are not protecting them too.

Commissioner Munger said just to clarify I'm 100 percent in support of giving the police officers everything they need to be able to do their job and be safe. My motion on this stems from the idea that I feel like if we made this motion and passed this particular budget item, at the same time we should make a motion to protect our citizens. So we should protect our citizens and protect our police at the exact same time so that everyone's rights are allowed to continue and our officers are allowed to be protected.

This is not about trying to take something away from our officers. If we are acknowledging the fact that our officers need to be protected during protests and possible riot situations we also have to acknowledge that our citizens deserve that same protection.

Mayor Aneralla said I have to disagree with Commissioner Munger. I have no idea what one has to do with the other. We'll roll call on the amended motion.

Commissioner Bales – Deny
Commissioner Boone – Deny
Commissioner Hines – Deny
Commissioner Munger – Approve
Commissioner Phillips – Approve
Commissioner Walsh – Deny

Mayor Aneralla said that goes back to the original motion which was Commissioner Walsh's.

Commissioner Bales – Approve
Commissioner Boone – Approve
Commissioner Hines – Approve
Commissioner Munger – Deny
Commissioner Phillips – Deny
Commissioner Walsh – Approve

Resolution – David Kenney Farm Road Engineering Services Contract. Anthony Roberts, Town Manager, said this is about moving the David Kenney project ahead as far as engineering services. This is not building the actual road. As you have instructed as part of our goals of continuing to move projects along, so this is just like every other project that you have asked us to move along.

Commissioner Bales made a motion to adopt the resolution to award the Engineering Services Contract for the David Kenney Farm Road Connection project.

Commissioner Walsh seconded motion.

Commissioner Phillips said I need to clarify, I'm going to vote no and the reason is that I voted against the 2020 bonds and I feel like it's not right for me to have opposed the bonds but then vote for bond projects.

Mayor Aneralla called for a roll call vote.

Commissioner Bales – Approve
Commissioner Boone – Approve
Commissioner Hines – Approve
Commissioner Munger – Approve
Commissioner Phillips – Deny
Commissioner Walsh – Approve

Resolution attached hereto as Exhibit No. 8.

Electric Utility Rate Schedule OP-4. Christina Cress, said I'm with the law firm of Bailey and Dixon. We

are here tonight on behalf of Reynolds Consumer Products and on behalf of Reynolds we thank the Board for your time and for providing us with the opportunity to speak with you this evening. With me tonight assuming that he was able to troubleshoot his own technical issues is Mr. Bryan Keys, the Director of Procurement and Logistics for Reynolds. Also with me tonight is my colleague J. T. Crook who will introduce himself at this time.

J. T. Crook said I'm an attorney with Bailey and Dixon. She's the subject matter expert for our firm when it comes to utilities and utility rate making. I practice in commercial litigation although from time-to-time I do represent towns, cities and municipalities in civil rights matters, but tonight I'm here tonight to hold Ms. Press's case and let her talk to you all.

Ms. Cress said for anyone who may not know, Reynolds Consumer Products is a leading provider of household products that simplify daily life so that folks can focus on what matters most. Reynolds products include the iconic Reynolds wrap that I'm sure that many of you have in your own homes. Reynolds kitchen parchment paper, plastic wrap, oven bags, slow cooker liners, the Hefty brand also is a Reynolds brand. Hefty is known for strong dependable trash bags, slider bags, plate and cups. Reynolds is proud to be a citizen of and an economic partner to the Town of Huntersville, where it employs 550 residents of Mecklenburg County. As you may be aware, electric utility costs often represent one of the largest expense line items for manufacturing companies such as Reynolds. As a result it is important to the financial health and sustainability of manufacturing companies that this expense line item be managed to the fullest possible extent. This is why manufacturing companies who take electric service from investor owned utilities like Duke Energy, for example, in North Carolina that's why they intervene in Duke's rate cases and they advocate on behalf of industrial rate payer interest. Manufacturers who take service from a municipality or a municipally owned electric utility, however, do not have the ability to intervene and advocate in such rate making proceedings that are presided over by the Utilities Commission and that's because retail rates that are set by municipalities are not regulated by the Utilities Commission. So for this reason manufacturers will often enter into contracts before taking ownership of a manufacturing plant or before assuming the obligations of a lease of a manufacturing plant to ensure that not just current electric rates but also future electric rates will be such that the company will be able to flourish financially and will be able to continue operating the plan in the long run.

For background here Reynolds leases the manufacturing plant located within the North Mecklenburg Industrial Park at 14201 Meacham Farm Drive in Huntersville. And prior to operating as a Reynolds plant, that location originally was Prairie Packaging, Inc. and subsequently became Pactiv which is Reynolds' former sister company. As a result, Reynolds became the successor in interest to various agreements entered into between Pactiv and its predecessor Prairie and the Town of Huntersville as it relates to electric utility rates for the provision of electric service to that plant. Reynolds certainly understands that the Town has an obligation to recoup the amount that it cost to provide electric service and electric utility functions to its customers. Reynolds absolutely is not asking any other class of rate payers to subsidize the electric service cost that it causes the Town to incur on its behalf. Reynolds likewise is not asking for special treatment but merely wants to be treated just the same as any of the other industrial rate payers in terms of the timing of any such rate increase that may occur. Likewise Reynolds understands that the town commissioned a cost of service study earlier this year to be undertaken by an electric rate consultant and that the rate increases proposed here are the result of that consultant's recommendations and work papers. But so that you know there are many different assumptions and various methodologies that go into the design of any cost of service study. These include, but are not necessarily limited to, the methodology by which demand is allocated, the methodology by which the energy factor is allocated, so on and so forth, so a slight tweak to any of the underlying assumptions or

any of the methodologies used in a specific cost of service study can really cause the end result to vary dramatically depending on what the underlying assumptions and methodologies that are used. So for example, Duke Energy in its current rate case has agreed through various intervening parties that in its next rate case it will put forward no fewer than six different cost of service studies because it's widely accepted and understood that different methodologies taking the place of others in various portions and variables of the cost of service studies will lead to vastly different conclusions and those conclusions might have unintended consequences for certain rate payers and certain classes of rate payers. In order to get a more fuller picture and in order to understand the context, Duke Energy has agreed to commission at least six different cost of service studies to get that full picture and make sure that the rates that are being proposed are fair to all rate payers. The rate increase being proposed by the Town as it currently stands with respect to industrial customers like Reynolds who takes service on the large general service on peak 4 or the OP-4 rate schedule amounts quite frankly to rate shock. It proposes a nearly 12 percent rate increase in three of the next four years and when you convert this to dollar figures, we are quite literally talking about millions of dollars. We have done some rough calculations and number crunching on our end and sort of just as a point of reference here, it seems fairly clear to us as we sit here today that Reynolds would pay substantially similar or perhaps even lower electric utility rates where it's served by Duke Energy right now as opposed to the Town. Respectfully that fact alone should cause the Town some pause that it is considering increasing rates when already right now where the rates are for the Town are at parity more or less with those being charged by Duke Energy for these large industrial customers.

We're here tonight not to ask of the Town to dispense entirely with the rate increase altogether, we're simply asking that the Town honor its word as to the timing of any such rate increase in the company's fiscal year which previously the Town had agreed would not happen after July in any fiscal year, so the earliest in our view that a rate increase should take effect as we sit here today would be July 2021. And we are asking the Town honor its word as to the nature of the rate increase. The Town agreed that it would not charge the interest holder of the manufacturing plant where Reynolds is now located any rates that would exceed those charged by Duke Energy....the comparable rate schedule charged by Duke Energy. If the Town will at least agree to just hold off on increasing those rates until July 2021 per the terms of the agreement, this will allow additional time to perform more cost of service studies instead of just using one methodology for one set of conclusions and one ultimate rate increase based on this single study, it will allow time to perform more studies to get a fuller picture and make sure that there are no unintended consequences with the rate design changes being proposed here as a result of the cost of service study that was commissioned earlier this year by the Town. And it will not be rate shock to industrial customers who are very glad to be a part of the Town of Huntersville and want to continue to be.

CONSENT AGENDA

Commissioner Hines made a motion to approve the Consent Agenda. Commissioner Phillips seconded motion.

Mayor Aneralla called for a roll call vote.

Commissioner Bales – Approve
Commissioner Boone – Approve
Commissioner Hines – Approve
Commissioner Munger – Approve
Commissioner Phillips – Approve
Commissioner Walsh – Approve

The following items on the Consent Agenda were approved:

1. Resolution to Amend Capital Improvement Program (CIP) and Apply for the Charlotte Regional Transportation Planning Organization (CRTPO) Additional Funding for the Gilead Road West Widening Project. *Resolution attached hereto as Exhibit No. 9.*
2. Adopt Resolution to Amend Capital Improvement Program (CIP) and apply for the Charlotte Regional Transportation Planning Organization (CRTPO) Funding for The Park – Huntersville Greenway Project from existing Torrence Creek Greenway to Mt. Holly-Huntersville Road. *Resolution attached hereto as Exhibit No. 10.*

CLOSING COMMENTS

None

CLOSED SESSION

Closed Session pursuant to NCGS 143-318.11(a)(3) - To consult with attorney and to protect the attorney/client privilege.

Commissioner Bales made a motion to go into closed session pursuant to NCGS 143-318.11(a)(3) to consult with attorney and to protect the attorney/client privilege. Commissioner Walsh seconded motion.

Mayor Aneralla called for a roll call vote.

Commissioner Bales – Approve
Commissioner Boone – Approve
Commissioner Hines – Approve
Commissioner Munger – Approve
Commissioner Phillips – Approve
Commissioner Walsh – Approve

Upon return from closes session, Commissioner Bales amended the agenda to add under Other Business 9.D, an action item on OP-4 utility tariff.

Commissioner Walsh made a motion to make the effective date for electric usage for OP-4 November 1, 2020. Commissioner Hines seconded motion.

Mayor Aneralla called for a roll call vote.

Commissioner Bales – Approve
Commissioner Boone – Approve
Commissioner Hines – Approve
Commissioner Munger – Approve
Commissioner Phillips – Approve
Commissioner Walsh – Approve

There being no further business, the meeting was adjourned.

Approved this the ____ day of _____, 2020.

DRAFT

**Town of Huntersville
Town Board
November 16, 2020**

To: Town Board

From: Pattie Ellis

Date: November 16, 2020

Subject: Approve Electricities Write-offs. *(Don Mitchell/Pattie Ellis)*

EXPLAIN REQUEST:

Town staff and Electricities have cooperatively worked at collecting final electric accounts to accurately reflect the amount customers owe the Town.

As we did in FY 20, Staff recommends that annually the Board approve the write-offs of amounts that have proven uncollectible for more than three years. While this will not stop our collection efforts (these amounts will remain with our collection agency and we will continue to seek collection through debt set off program for accounts over \$50), our financial statements will no longer report the amounts as likely collectible.

Staff is recommending the Board approve write-offs for FY2017 totaling \$23,118.51.

In total, this represents .12% of the total 2017 Electric revenue and 137 customers.

ACTION RECOMMENDED:

Approve Electric Fund write-offs for FY 2017 totaling \$23,118.51.

FINANCIAL IMPLICATIONS:

Loss of revenue collected from final accounts.

ATTACHMENTS:

None

**Town of Huntersville
Town Board
November 16, 2020**

To: Town Board

From: Pattie Ellis

Date: November 16, 2020

Subject: Approve Budget Amendment appropriating PARTF Grant revenue for Rosedale Nature Park to Park Construction. (*Michael Jaycocks/Pattie Ellis*)

EXPLAIN REQUEST:

Appropriate PARTF Grant revenue for Rosedale Nature Park (403419.9999.20004) of \$150,000 to park construction (406200.0592.20004).

ACTION RECOMMENDED:

Approve Budget Amendment

FINANCIAL IMPLICATIONS:

No net impact to fund balance; offsetting revenue and expense.

ATTACHMENTS:

None

**Town of Huntersville
Town Board
November 16, 2020**

To: Town Board

From: Lora Mastrofrancesco, Transportation Engineer/Project Manager

Date: November 16, 2020

Subject: Adopt Resolution to Amend the Capital Improvement Program (CIP) and Apply for Charlotte Regional Transportation Planning Organization (CRTPO) Funding for the Gilead Road Widening Project. *(Lora Mastrofrancesco)*

EXPLAIN REQUEST:

Resolution to Amend the Capital Improvement Program (CIP) and Apply for Charlotte Regional Transportation Planning Organization (CRTPO) Funding for the Gilead Rd Widening Project.

ACTION RECOMMENDED:

Adopt Resolution to Amend the Capital Improvement Program (CIP) and Apply for Charlotte Regional Transportation Planning Organization (CRTPO) Funding for the Gilead Rd Widening Project

FINANCIAL IMPLICATIONS:

General Fund

ATTACHMENTS:

None



RESOLUTION OF THE TOWN OF HUNTERSVILLE TO AMEND THE CAPITAL IMPROVEMENT PROGRAM (CIP) AND APPLY FOR CHARLOTTE REGIONAL TRANSPORTATION PLANNING ORGANIZATION (CRTPO) FUNDING FOR THE GILEAD RD WIDENING PROJECT

Whereas the Town of Huntersville rescinds Resolution #2020-41 dated 10/5/2020 and updates it with this resolution;

Whereas the Town of Huntersville has identified and selected the Gilead Rd Widening Project, from Wynfield Creek Pkwy to McCoy Rd, as a project for the CRTPO's 2020 Fall Call for Projects; and

Whereas the CRTPO's total funding for this call is \$8,100,000.00 in STBG-DA funds available for qualifying projects and no one project can request more than \$2,025,000.00 which equates to 25% of the total available funding; and

Whereas the total estimated cost of the Gilead Rd Widening Project is \$13,817,500.00 including contingency factors from which the Town of Huntersville is requesting \$1,990,000.00 from CRTPO and will commit \$497,500.00 of local dollars which equates to a 20% local match; and

Whereas the Town of Huntersville has amended the FY2021's CIP for the Gilead Rd Widening Project attached as Exhibit A; and

Whereas the Town of Huntersville has prepared the commitment letter for the CRTPO application, formally documenting the local match, attached as Exhibit B;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Board of Commissioners approves the Gilead Rd Widening Project to be submitted for CRTPO funding.
2. The Amended of the FY2021 CIP, as show in Exhibit A, is approved.
3. The amount and percentage for local dollars, per Exhibit B, is approved.
4. The Board hereby authorizes the Town Manager, acting on advice of counsel, to take any actions necessary to effect the provisions of this Resolution; and
5. This Resolution shall be effective as of the date its adoption.

Adopted this 16th day of November, 2020.

ATTEST:

TOWN OF HUNTERSVILLE

Town Clerk

Town Mayor

APPROVED AS TO FORM:

Town Attorney

EXHIBIT A

PROJECT NAME: Gilead Road West				DEPT: Engineering / Public Works													
PROJECT DESCRIPTION: Widen Gilead Road from west of Wynfield Creek Parkway to east of McCoy Road to multi-lane divided facility. Improve capacity and reduce congestion by providing additional lanes for more efficient travel. A request for additional CRTPO funding has been submitted.				PROJECT COSTS: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Estimate Project cost</td> <td style="text-align: right;">\$ 13,776,000</td> </tr> <tr> <td>Spent Project to date Fund 94</td> <td style="text-align: right;">283,510</td> </tr> <tr> <td>Spent Project to date (2/17/20)</td> <td style="text-align: right;">276,050</td> </tr> <tr> <td>Remaining to be spent</td> <td style="text-align: right; border-bottom: 1px solid black;">16,713,940</td> </tr> <tr> <td>Total Project costs</td> <td style="text-align: right; border-bottom: 3px double black;">\$ 17,273,500</td> </tr> </table>				Estimate Project cost	\$ 13,776,000	Spent Project to date Fund 94	283,510	Spent Project to date (2/17/20)	276,050	Remaining to be spent	16,713,940	Total Project costs	\$ 17,273,500
Estimate Project cost	\$ 13,776,000																
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Spent Project to date (2/17/20)	276,050																
Remaining to be spent	16,713,940																
Total Project costs	\$ 17,273,500																

PART A: TOTAL PROJECT BUDGET							
		\$ 17,273,500					
<u>DESCRIPTION/DETAIL</u>	<u>Prior Yrs</u>	<u>FY 21</u>	<u>FY 22</u>	<u>FY 23</u>	<u>FY 24</u>	<u>FY 25</u>	<u>Total</u>
Planning / Permitting / Design	\$ 559,560	\$ 800,000	\$ -	\$ -	\$ -	\$ -	\$ 1,359,560
Right of Way / Utility Relocation / Construction	-	1,620,000	6,920,000	4,886,440	497,500	1,990,000	15,913,940
TOTAL	\$ 559,560	\$ 2,420,000	\$ 6,920,000	\$ 4,886,440	\$ 497,500	\$ 1,990,000	\$ 17,273,500

PART B: FUNDING SOURCES							
<u>DESCRIPTION/DETAIL</u>	<u>Prior Yrs</u>	<u>FY 21</u>	<u>FY 22</u>	<u>FY 23</u>	<u>FY 24</u>	<u>FY 25</u>	<u>Total</u>
General Fund Appropriation	\$ -	\$ -	\$ -	\$ -	\$ 497,500	\$ -	\$ 497,500
General Obligation Bonds - <u>2020 Bonds issued</u>	-	5,733,490	-	-	-	-	5,733,490
General Obligation Bonds - <u>2016 Bonds issued</u>	283,510	-	-	-	-	-	283,510
Special Revenue Funds-Designated <u>CRTPO</u>	-	-	-	8,769,000	-	1,990,000	10,759,000
Other(Describe)_____							
TOTAL	\$ 283,510	\$ 5,733,490	\$ -	\$ 8,769,000	\$ 497,500	\$ 1,990,000	\$ 17,273,500

PART C: OPERATING IMPACTS							
<u>DESCRIPTION/DETAIL</u>	<u>Prior Yrs</u>	<u>FY 21</u>	<u>FY 22</u>	<u>FY 23</u>	<u>FY 24</u>	<u>FY 25</u>	<u>Total</u>
Debt Service - <u>2016 Bonds Issue</u>	\$ 36,245	\$ 17,735	\$ 17,479	\$ 17,223	\$ 16,967	\$ 16,711	\$ 122,360
Debt Service - <u>2020 Bonds Issue</u>		472,349	460,540	448,732	436,923	425,114	2,243,658
TOTAL	\$ 36,245	\$ 490,084	\$ 478,019	\$ 465,955	\$ 453,890	\$ 441,825	\$ 2,366,018



Date: November 9, 2020

To: Ms. Jennifer Stafford
Project Development Planner
Charlotte Regional TPO

From: Anthony Roberts
Town Manager – Town of Huntersville

SUBJECT: Local Match Commitment
2045 MTP ID 375 Widen SR-2136 (Gilead Rd) from two lanes to four lanes
from Wynfield Creek Pkwy to SR-2138 (McCoy Rd)

In submitting this application package for the widening of SR-2136 (Gilead Rd) project, the Town of Huntersville would like to formally document its commitment of an additional \$497,500 towards the \$2,487,500 shortfall amount. The match percentage of this additional request is 20%. The shortfall is due to the increase in estimated stormwater construction, overhead utility relocation, and right-of-way acquisition costs.

The Huntersville Town Board took official action on November 16, 2020 committing the \$497,500 of local funds with both a specific action item as well as the formal adoption of the Town's CIP identifying this matching amount. The source of local matching funds will be General Fund Balance.

Thank you for the opportunity to submit this package for consideration and, should additional information be needed, please let us know.

Anthony Roberts
Town Manager

Pattie McGinnis
Finance Director

Engineering&PublicWorks

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