TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES

December 7, 2020 (Virtual)
6:00 p.m. – Hosted From Huntersville Town Hall

PRE-MEETING

The Huntersville Board of Commissioners held a pre-meeting (virtual) hosted at Huntersville Town Hall at 5:15 p.m. on December 7, 2020.

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

Dave Hill, Transportation Planner, reviewed the Draft Huntersville 2040 Community Plan.

Following discussion by the Board, there being no further business, the Pre-meeting was adjourned.

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 December 7, 2020.

GOVERNING BODY MEMBERS VIRTUALLY 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.

Mayor Aneralla called the meeting to order.

Mayor Aneralla called for a Moment of Silence.

Mayor Aneralla led the Pledge of Allegiance.

Mayor Aneralla

- There will be no Mayor's Luncheon this month.
- The Solomon House is going to be closing permanently.

- The Metropolitan Transit Commission met and are moving forward with three new bus stop enhancements around town. They are going to be asking for at least a 1 percent sales tax for a mass transit line in Charlotte.
- The Town received an upset bid for the Blythe Building from another restaurant/brewery.
- There was an article in the Charlotte Observer last week about how there has been a sharp increase in people dying at home and also a sharp increase of people calling for 911 service and yet refusing to go to the hospital once the paramedics have helped them. People are scared to go to the hospital because of COVID. Encouraged everyone to go to the hospital if directed.
- The Town did not have the annual staff Christmas party; however, a video will be posted to Facebook with all the accomplishments that the Town has made this year.
- Noted that on the Consent Agenda is an agreement between the Town of Huntersville and Huntersville Presbyterian Cemetery and Church to start the process of connecting Church Street from Dellwood to Holbrooks.

Commissioner Bales

- Noted today is Pearl Harbor Remembrance Day. We got through that, we will get through COVID and together we should continue to make this country stronger.
- Lake Norman Economic Development Corporation currently has 37 projects, 16 of which are in Huntersville.
- The COVID numbers continue to increase. Encouraged people to wear a mask, social distance and wash your hands often.

Commissioner Boone

- Congratulated Commissioner Munger and Commissioner Phillips on their 1-year anniversary serving on the Town Board.
- At the last meeting of the Huntersville Ordinances Advisory Board they discussed how the greenways may be approved as part of the subdivision approval process versus dedicating or reserving the land for a possible greenway. They also discussed changes required to the Zoning Ordinance and Subdivision Ordinance to comply with NCGS 160-D.
- Provided update from the Lake Norman Chamber of Commerce.
- Announced Huntersville Fire Department has sent their annual fundraising letter.
- Huntersville Police Officer Odette Saglimbeni was promoted to sergeant.

Commissioner Hines

- Charlotte Regional Transportation Planning Organization will vote in January on the reprioritization of transportation projects. Just for an update, US 21 and Gilead, construction is supposed to start around April of next year. That's the same thing with 77 to Gilead Road exchange. Highway 73 was basically pushed out two years from right-of-way acquisition from 2023 to 2025, so we are hoping some of those things through conversations we can have facilitate some of those. CRTPO is working on the 2050 Metropolitan Transportation Plan. Our next meeting is December 16.

Commissioner Munger

- Attended a ribbon cutting at Elevate Beauty Lounge in Rosedale area on Friday. I would like to welcome them to our community and wish them a successful future.
- Encouraged people to donate to local non-profits.

Commissioner Phillips

- Blythe Landing Self Storage is collecting items for Block Love Charlotte.
- Recognized Project Lit of Huntersville, a group that takes their mobile library out into the community and meet children where they are.

Commissioner Walsh

- Next virtual Public Art Commission meeting is this Wednesday.
- Provided update from Visit Lake Norman.

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

Cassie Wilson, Martin Starnes & Associates, reported that they issued a clean opinion with no findings and no management letter for the financials for fiscal year 2020.

AGENDA CHANGES

Commissioner Boone made a motion to adopt the agenda, as presented.

Commissioner Bales 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

Petition #R20-04. Mayor Aneralla called to order public hearing on Petition #R20-04, a request by Palillo Holdings, LLC to rezone +/- 37.19 acres at the southwest corner of Hambright Road and Statesville Road from Corporate Business to Corporate Business - Conditional District, Transit-Oriented Development Residential Conditional District, and Highway Commercial - Conditional District, for a mixed-use development with commercial, apartments, hotel, and flex space; (Parcels: 01704401, 01704402, 01704403,01704404, 01704406, 01704407, 01704409).

The petitioner has requested the public hearing be continued to January 4, 2021.

Commissioner Munger made a motion to continue the public hearing either remotely or in-person at a location to be published, to January 4 at 6 p.m.

Commissioner Bales 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

Petition #R20-05. Mayor Aneralla called to order public hearing on Petition #R20-05, a request by Vermillion Anchor Mill Village, LLC to revise the +/- 30-acre Vermillion Village Rezoning at 404 N. Church Street (PARCEL IDs 01902201 and 01902202) from Town Center - Conditional District to Town Center - Conditional District to include 361 attached residential units (300 apartments and 61 townhomes) and 23,100 sq. ft. of commercial.

The petitioner has requested the public hearing be continued to January 4, 2021.

Commissioner Walsh made a motion to continue the public hearing on Petition #R20-05 remotely to January 4, 2021 at 6 p.m.

Mayor Aneralla said did you mean remotely and also in person or just remotely.

Commissioner Walsh said remotely for now.

Mayor Aneralla said because the other one was made for remotely and/or in person.

Commissioner Walsh said I understand.

Commissioner Boone 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

Petition #R20-03. Mayor Aneralla called to order continuation of 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 138 apartments, 53 townhomes, 7 detached-homes and 12,000 sq. ft. of non-residential space.

Commissioner Hines said I would like to state I currently have a property under contract that may be impacted by this rezoning. I am requesting to be recused from this project.

Commissioner Boone made a motion to ask Commissioner Hines to recuse himself from the second half of this public hearing.

Commissioner Phillips seconded motion.

Commissioner Munger said no amount of public pressure should force an elected official to recuse themselves due to unfounded accusations. The only reason an elected official should be recused is if they stand to have a direct, substantial and readily identifiable financial impact as a result of the decision. Because Commissioner Hines has recently disclosed that he will be acquiring one of the properties that would be most directly affected by a street coming through this development and emptying onto Greenway and because the discussions about whether or not the street should be built through are still ongoing and because the resulting decision, in my opinion, may have a material affect on the value of this property, I will be voting in favor of Commissioner Hines' recusal. I do want to be clear that I will be voting yes on this decision for this reason and this reason alone. I consider Commissioner Hines to be a highly ethical individual who is navigating a highly contentious and passionate situation as best he can and appreciate the fact that he has made every effort to keep the Board informed of his ongoing business dealings in the area. He has also made great efforts to keep our Town Attorney informed and relied heavily on her counsel.

Mayor Aneralla called for a roll call vote to recuse Commissioner Hines.

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

David Peete, Principal Planner, said I want to enter the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 1.* My intent tonight is just to go over what has significantly changed from the last time we went over this and then kind of recap where the recommendation stands and then I'll be glad to answer any questions that you have. And then Susan Irvin and Shane Seagle and the rest of their team are standing by and I think they have a presentation as well and they will be happy to try to answer questions as well.

I think everyone is very familiar with the site in question. On the left of the screen you will see the last version of the plan that came to hearing, which was I know it says October 21, but this was for the November public hearing that was continued. And then on the right side you see the one for tonight 11/23 which is for the 12/7 meeting.

The apartment building in the yellow has been reduced by 4 units to 134. The townhomes in orange have been reduced by 3 to 50. Street C is now more what you might call atypical cross section. The detached homes are still at 7, but you can see that they have been reconfigured to 4 along Greenway which are now larger lots and then there are 3 in the back that will be facing a greenway served by an alley that's located there.

All of the modifications that are on the plan are supported by staff with the exception of the two that are not required. That would be 3 and 5 dealing with on-street parking and fences in the buffer. If you would like to go over any of those modifications, I'm happy to go back and do that, but just wanted to

let you know that all the modifications on the plan and the Staff Report are supported by staff at this time.

There is a note about the parking that was asked at the last meeting and they have added. Essentially the note states that the parking that is provided is what will serve the units and if they do not have enough parking, then they acknowledge that they will need to reduce the units. The mix of the type of units one versus two versus three bedrooms will affect and impact the parking and they have noted on the plan that they will move forward in that regard.

Trash service collection is still not quite resolved. There are some solutions that the applicant and the Town are discussing. I think the applicant may have a scenario that they would like to show tonight and so there will be some additional Town review of that and that is something that we are still continuing to work through, but as of tonight we do not have an acceptable trash collection service program.

As is typical with every project we do, there are a lot of miscellaneous red-lined comments, notes, things like that, that are not of tremendous substance, but will make sure that the plan is ordinance compliant and addresses all the right issues in the right way, so that's what the last comment there is all about.

I want to show you an update on the TIA. When last the hearing was scheduled, we were under the provision that a TIA was not going to be required, but when the non-residential square footage was increased to the level that it is, that triggered the need for a TIA scoping and study and you can see there in the underline that the mitigation identified in the TIA currently is that there would be a southbound right-turn lane on 115 with some storage. The Town has not finalized its review as this was only received on 11-30 and we will be making a recommendation on that as quickly as we can, but that is the status of the TIA tonight.

Commissioner Phillips said I was curious who will pay for the right-turn lane.

Stephen Trott, Director of Engineering, said right now the TIA is still under review and typically developers would pay for improvements identified, if that's what the Town Board decides. I guess once review of the TIA is complete, a recommendation will be made to the Town Board and then it will be up to the Town Board to decide what improvements are required.

Mr. Peete said I wanted to show very quickly that in light of the unit reduction, I sent back the new plan and the data to CMS for an updated report and you see that on the right. On the left is the last version that we had. CMS regularly adjusts the formula that they use to calculate how apartments, townhomes, and single-family homes impact a school and so they have made that adjustment and you can see there that the projection that CMS has offered in this advisory document is the projected impact has gone from 27 students to 29, even though the unit count has gone down. If there's any questions on that, we can certainly follow-up, but this is something CMS provides to us on our projects and their methodology is spelled out in that report as well.

All of the elevations have not changed. The only comment that I wanted to share with you at this time was we had asked at the last hearing, which again was not fully held, that they provide atypical. You just saw three elevations for the apartments. They do show a couple for the townhomes, but they do not have anything for the detached homes, so we would like to see some illustrative elevations that will show what those detached homes will look like as well.

That is the basis of the presentation for tonight. If there are any elements at all that you would like to go over or look for clarity on, I am happy to do that.

Commissioner Munger said overall I see the seven ordinance modification requests. It is my understanding that staff supports all, or in some of the cases the modification is not required. Is that correct?

Mr. Peete said that is correct. There's really just five, two are not required.

Commissioner Munger said how was the TIA done without school in session.

Mr. Trott said traffic counts were used from 2017 when school was in session. This is something that's done in-town currently due to pandemic conditions and also something that NCDOT is allowing.

Commissioner Munger said there was a multiplier used to accommodate the growth rate that occurred between the time it was actually taken and now.

Mr. Trott said yes, that's correct. A growth rate of 2 percent was utilized for this particular TIA based on data from the Metrolina Regional Travel Demand Model. Traffic volume growth in this area has been about 1 percent and 1-1/2 percent to 2 percent per year growth and that base data is used to approximate the traffic volume growth from whatever year the count was taken to current year conditions.

Commissioner Munger said why was the intersection of Greenway and 115 not included in the TIA given this particular intersection is in the area of intense scrutiny.

Mr. Trott said Article 14.3 of the Town's Zoning Ordinance requires study of signalized and major unsignalized intersections where peak hour traffic on a proposed development is anticipated to be 30 or more trips on an intersection approach or 50 or more trips for the intersection. Since Greenway Street is not a major street, it wouldn't be a major unsignalized intersection and also the intersection is not signalized. Furthermore, the anticipated number of trips based on the TIA scoping is not above either one of the thresholds mentioned, so therefore was not required for study.

Commissioner Munger said there have been one or more comments that this project could be considered spot zoning. Can you comment on that.

Mr. Peete said that was something that was discussed with the applicants at the very beginning. The project abuts the Town Center zone, so this is an expansion of an existing zone that is immediately adjacent. This is not an introduction of a zone that does not exist in this general vicinity. In our opinion, it would not be spot zoning.

Commissioner Munger said would it be possible to introduce traffic calming measures along Greenway to help reduce speeds of cut-through traffic.

Mr. Trott said the Town does have a Traffic Calming Policy, which addresses speeding concerns on local maintained streets. Residents can request that process get started at any time now or in the future. We have a policy and request form online that can be filled out and sent into the Engineering Department to start that process.

Commissioner Munger said is it possible we can just go ahead and start the process for the speed traffic calming on Greenway. Can we just put something out there and say we're going to go ahead and look at it now, rather than wait for the residents. Let's just get out there and proactively check it and see where we are.

Mr. Trott said yes, we can go out and add Greenway Street to the list of locations to count in Town.

Commissioner Munger said I would like to see the gate lowered at the Town parking garage prior to the start of any construction and a plan put in place for validation by local businesses and the Town itself, so it doesn't become a future issue. I'd like that addressed sooner rather than later.

Commissioner Boone said can you tell me the number of trees that are going to be saved in that two acres of forestry that's close to this project or in this project.

Mr. Peete said currently there is one specimen tree to be saved which represents two percent of the existing trees that would qualify.

Commissioner Boone said and the Planning staff is good with this saving of one tree.

Mr. Peete said the Planning Staff is comfortable that the ordinance is followed and if the site plan that is proposed does not save the minimum that the ordinance would like, then you have to first try to replant at the prescribed ratio in the ordinance throughout the site and then further, if that is not completely possible, then there is a provision that you can go to the Planning Board with your mitigation scheme and you ultimately may be able to pay into a tree fund, but it's not automatic, you have to kind of progress through those scenarios. As long as they are complying with the provisions of the ordinance, then staff will be okay.

Commissioner Phillips said could you explain to the people that are watching and keeping up with everything how paying into the tree save works and where that money goes, because we say paying into tree save, but we haven't really explained that through this process.

Mr. Peete said what the ordinance contemplates is that you would come up with a number of trees that you are not able to save of your stock and they are all going to have a size and you will choose the number that you are deficient from your stock and you will total up the caliper inches, which is the diameter of the tree measured at breast height, and you will add that up in totality and then, because this project came in the door before the recent changes that we just approved, the applicant would have the choice to either go with the rules that were in place when they came in the door or the new rules. There would be a percentage of that caliper that's added up to a maximum of 100 percent if they were to choose that they would have to go out and get new trees to plant on the site at the prescribed or recommended size, which is usually about 2-1/2", 3" or 3-1/2", so significantly smaller than probably the stock that's out there because of the age of those trees, because you want to plant a smaller size because they have the best chance to grow and create the reforestation that you are looking for. Once you know how many of these smaller new trees are going to be planted, then you have to go out and get around three estimates from installers and it would be for the tree itself, as well as installation. Those estimates are given to Town staff, they evaluate to make sure that they seem reasonable based upon our own knowledge and inhouse efforts on tree planting and then we would take that to the Planning Board and that would be approved by them as their mitigation scenario. All during that process we are continually reviewing with the applicant opportunities that they may have to plant. For instance, if you had a large open space or maybe even a BMP that had a large top area or a shallow slope, you can

do some planting in there and so there may be planting opportunities that they can come back in and reforest in an area. Obviously, it's going to take several years until you would have mature tree growth. We do that all throughout town on almost all projects that we review or approve.

Commissioner Phillips said if someone decides to go with the option of just paying into replacing the trees, the money that they pay into, does that go specifically within that community or is the money used throughout Huntersville, like not any particular project.

Mr. Peete said there are not particular limitations on where the funds may be utilized.

Susan Irvin, representing the applicant, said I am representing the applicant in this case and I appreciate the opportunity to come before you. We do have a presentation. *PowerPoint attached hereto as Exhibit No. 2.* I want to say that I put a lot of slides that I've already presented at the prior public hearing in the appendix and I'm not going to go over those, but I do have some slides to address the changes and some of the additional questions that have been raised.

I think it bears repeating, even though I have said this in a prior presentation, that the Town plans and these four plans in particular, prioritize development of the downtown area and those plans are based on stakeholder interviews, citizen involvement and workshops, outreach surveys and have gone through a process.

I basically superimposed very lightly the plan on this 2040 density plan and the 2040 plan recommends in Tier 1 high density residential and commercial, urban workplaces in apartment buildings and two to four stories is allowed. That darker area is the area north of Holbrook and also the area east of Street C that bisects the area south of Holbrook, so you could see the townhomes on the east side of Street C between the AT&T building and Street C are in Tier 1. The portion of the property that is in Tier 2 is south of Holbrook on the west side of Street C and the 2040 Plan is recommending generally two to three stories there, predominantly residential which can include small scale apartments which we are not doing on this plan, townhomes, duplexes, triplexes and urban single-family home types. That is the recommendation of the 2040 Plan and the plan that we are proposing meets the requirements of that plan.

The next slide is just a slide that talks about the impact of the overall citizen survey in the Town of Huntersville and the importance of developing the downtown area.

The next slide is one that David has already discussed, but I do think that one of the primary things we've done with the mixed-use building is contained the mix of uses in a smaller footprint by having it be in one building with a vehicular passthrough and including more commercial on the front portion of the building.

This is a slide that gives a timeline, but what I wanted to focus on here is that three civic buildings have been built downtown since 1997 around this intersection. The pictures at the bottom of this slide, on the bottom right-hand side, show you the two other buildings besides the civic buildings at this intersection. The Town Hall and the old police station were built in 1997 and Discovery Place Kids was built in 2009.

One of the things I wanted to say just on behalf of our team is that we have had some very good meetings with the community, primarily with the Greenfield neighborhood representatives. This is just a slide that shows and highlights the various meetings that have taken place in addition to just the

community meeting which was August 26. We had a second community meeting that was on-site. We had the public hearing on October 5 and then on the 15th the applicant team met with adjoining owners around the site and on the 26th they had another meeting at Greenfield Park with Greenfield community members. The Planning Board meeting was on October 27. We had a third community meeting on October 28 and then we were fortunate that we were able to meet with some representatives of the Greenfield HOA and the Save Downtown Huntersville organization. We met with them over a period of two weeks and during that period we did work on changes to the plan. I thought that we had an agreement from the representatives on making those changes, but ultimately the Greenfield neighborhood determined not to support those changes, but nevertheless we met as a team and decided to go ahead and submit the plan that we had been working with Greenfield on.

I just want to talk briefly about the changes that were made as a result of the community meetings. The first community meeting Mr. Fletemier had asked us to do the traffic analysis, which we did, and that was performed by Design Resource Group and it showed that 3 percent of the residential traffic would turn right on Greenway and 5 percent of the commercial traffic would turn right on Greenway. We also increased the commercial from one of the initial square footages was 3,500. I should go back and check that number, but it was essentially the front half of the building on Gilead and it also included leasing offices. That is now 12,000 sq. ft. of the entire building on Gilead and does not include leasing offices for the apartments that are ancillary for administrative offices and it doesn't include the clubhouse.

We converted ten townhomes that were on Greenway to what is now four single-family homes, added a 20' undisturbed buffer around the pond, reduced the size of the BMP and we are looking at reducing it further. We converted the western buffer south of Holbrook to 20' from 10' and added a fence and we also reduced the overall residential density by 18 units. That was a reduction in multi-family count from 140 to 134, a removal of 12 townhome units south of Holbrook, increased the setback from Greenway and replaced the townhomes that were on Greenway with four single-family larger lot.

The next slide kind of gives you a visual of those density reductions. The plan on the left is the pre-development meeting plan with a total of 209 units. The October 5 public hearing was 201 units and we are now at 191 units.

The next slide gives you kind of a close-up of some of the key…….this was kind of the final discussion in our negotiations and we had a spirited discussion among our team about this, but ended up reducing the townhomes on Greenway to these four single-family homes that you see and there was a townhome unit on the second row that was converted to three single-family homes.

This next plan is something that David had mentioned about the public trash. This is a sketch. We are going to have to get the radiuses confirmed, but as you can see you essentially need to add an alley along the western edge of the project and along the eastern edge of the project to allow the public trash vehicles which have a sidearm and also the larger vehicles…….they have to be able to drive around, not like private trash service, they can't pull in and pull back out onto the street.

Another thing I would like to show, and we've worked on this also over the weekend, is a cross-section to kind of better visualize the buffer and the distance and the topography changes. This is the western boundary of the property. On the very left-hand side you can see an existing single-family residence. The property line is shown and then there's a 20' planted residential buffer and a 6' high privacy fence and then beyond that fence there is additional landscaping and you can see the grade change here. What we have is a garage on the first floor and then that is a three-story townhome unit. The team is

discussing also putting in two-story townhomes, so it could be either this which is a three-story or a two-story.

Another thing that we discussed with the representatives of the community was extending the Holbrook Street to the driveway that goes alongside the AT&T building and creating a different connection out to Greenway Street. That was something we discussed briefly with Stephen and looking at the turning radius for that vehicular connection, it didn't work. One of the things that we have added to the plan is a 10' pedestrian connection that would allow people to walk from Holbrook across to that town driveway.

The next slide is just the overall plan that shows the pedestrian connection and kind of where it is in relation to the plan.

The next slide we have the IMPLAN Program and we used that because it's also a program that's used by the Lake Norman Economic Development Commission. Also, this is just a list of some of the cities and towns and universities that use this study. This is a study that talks about the economic benefits of a project and it assesses the different benefits and the amount of benefits to a community. You can look at impacts in Mecklenburg County or impacts in North Carolina or just the impacts in Huntersville. We just looked at the impacts in Huntersville.

The next slide tells you the types of benefits that this program evaluates. You can have the direct benefits which are what's being spent for materials and labor and again these are just the benefits in Huntersville. The indirect benefits are services and appliance stores and people who are benefitted indirectly by the project that's also in Huntersville and the induced benefits are what happens when people spend money as this project is being constructed and operated.

The next slide just gives you construction benefits to Huntersville and the construction benefits are $44 million. The next slide gives you the output from IMPLAN for the tax benefits just for new residents for the next two years once the project is built and then the third slide gives you the operational benefits over the next 10 years once the project is built.

This next slide is not something I'm going to go into. We started writing down our changes since October 5 and the slide after this kind of hits on some of the major ones. This kind of gives you the summary of some of the major changes that were made – the 12,000 sq. ft. of the commercial on Gilead, vehicular connection, more than $400,000 to build this street along Discovery Place parking garage and also extension of Holbrook to Hillcrest, the expansion of the buffer south of Holbrook to 20' and adding the fence to that, the nine townhomes on Greenway converted to four single-family detached, six townhomes converted to three single-family detached and the 20' undisturbed buffer around the pond.

This next slide, I don't think I need to go into that too much, but I did mention this before, there have been a lot of concerns about the storm water situation in the Greenfield neighborhood. It was developed before these regulations were in effect, but this Town Center project is subject to the current regulations which are listed at the bottom and they require this project to manage the 10 acres of water that is not being managed now. And then as David pointed out, we have the elevations. This next elevation, the only thing I would like to show you here is just to point out that we've increased the height of the first floor commercial to 19' to give that a real visual presence. This next slide is the side elevation. The next slide shows you what you will actually see because the parking garage is in front of the apartments and Discovery Place Kids is in front of it. The one thing I wanted to say if you could go to

the townhome design, over the course of the community meetings one of the things that the developer has determined is that they will be evaluating different architectural styles and conforming more to a craftsman style. And then just again to hit on the importance of the 2040 plan which is an elaboration on the 2030 Plan, what the Huntersville community has said is that they want to encourage future development in the downtown area and they want to encourage residential development in downtown including for sale and rental housing integrated with commercial uses and that's exactly what we are doing, and to encourage new businesses. I've spoken already with one person who brought a client to downtown Huntersville because they felt the apartments in this project would provide customers for their business. The last slide here is we do have a website with some frequently asked questions.

The one thing I would like to say, I think it was brought up earlier about the trees, there were some questions about the tree save and David if you could just go back to the slide that shows the concept plan by itself. We actually met and over the course of the last three days have worked with the engineering team. Originally, they had estimated that they would be able to save 15 percent of the specimen trees onsite as opposed to the 30 percent that's required. This is the downtown project and as you can see, especially the property north of Holbrook, is a higher intensity use. Because of some of the other infrastructure changes removing the tree save area in center that number went down. There were some trees that were on the borderline south of Holbrook. There were a total of 16 specimen trees, that 30 percent of those would need to be saved. We were looking at Holbrook trees that needed to be saved. What we were able to do as we talked about it over the weekend and over the last few days was increase that number. We think that we can increase that back to the 15 as we looked at where those trees were, many of them are along the boundary line and two of them are in the area of the pond, but we think we can reduce the size of the pond.

Commissioner Munger said you talked about possibly reducing the size of the BMP to increase some of the tree save, is that going to adversely affect any of the drainage mitigation that would be required in the area.

Ms. Irvin said that's a good question. You would not be able to create a situation that did not manage the water onsite, so we would not be able to reduce the pond size if it affected the drainage negatively. We're looking at ways to engineer the pond so that it can be smaller and still comply with all those storm water requirements.

Ms. Irvin said it's not actually on that plan, this was something that we worked on, we had a discussion with staff on Thursday and I had really misunderstood. Jack had very clearly said that we should come up with a solution to the trash and I just did not understand that he meant we had to have a design solution that included public trash and so we spent quite a bit of time on the phone with the developer's private trash service and had a solution, but we had to have these extra alleys for public trash and when we talked to Jack on Thursday he said it absolutely has to be designed for public trash even if we are using private and so this is what this design does.

There was one thing I forgot to mention in response to the question about the trees, can I just add that very quickly. One thing I forgot to mention is that in addition to any mitigation that's being done, we looked at the number of trees that would be planted in the buffer because we did expand the buffer and the street trees and the trees on the lots in addition to the mitigation trees, we are well over 300 new trees will be planted on the site. I just thought that was an important number for people to know about.

Jim Fletemier, 209 Hillcrest Drive, said if you leave this map up, this sort of funny looking home right there on the southwest corner next to the pond, that is in fact where I am speaking to you from. And I will start my 3 minutes now. I do want to recognize North State and Ms. Irvin for the small changes that have been made to the proposal. I think that within the confines of what many to believe is a critically flawed plan, those changes have definitely lessened the negative impact of the neighborhood. That can't be argued, particularly I think that they will be pleasantly surprised and the neighborhood will be pleasantly surprised with the single-family detached homes along Greenway. I want to thank you for that and I want to recognize that. I want to speak to the BMP pond and pardon me if this seems a little selfish, but I have talked to the developer several times and I'm hearing words like the intent is and the hope is and the plan is for this to be a gorgeous, a visually pleasing recreational site. The problem is that the facts are and the plan is and historically proven data shows that a BMP pond ……not included as part of a recreational area when it's just simply built as a traditional BMP pond can negatively impact homes, particularly those adjacent to the property and in this case quite frankly the Eppley's at 208 Greenway and ourselves could be significantly harmed if the variable is in place and I know how these projects work, it's not my first rodeo. The intent can be there, but that intent can be lost for the sake of environmental issues or economic issues or sometimes even convenience issues. My big concern is I would ask that the size of the BMP and that area to be developed and maintained as a recreational site be included as part of the plan. If the variable needs to be adjusted because the pond can't control the storm water, then the variable should be to reduce the density on the property to remove some of those units, because you are risking what could significantly easily be, and by the way I sent you guys copies of the studies, you could, we could be looking at losing up to potentially 20 percent of our market value and it's just not fair to ask the Eppley's and ourselves and the folks in Greenfield Park to carry the burden of that gamble. I fully believe that the intent is there to make it great. I want to see that in writing so that that intent becomes a constant not a variable and again thank you for the adjustments that have already been made.

Erin Gillespie, 14039 Bankside Drive, said I was a member of the 2040 Steering Committee and as well we had a subcommittee focused on outreach and engagement, and so I was happy to be a part of that group as well. I think you also heard from George during the last hearing who was also a part of that subcommittee. We spent a lot of time making sure that we heard from a lot of folks across Huntersville, across all corners of Huntersville to get a lot of input. As you all have heard the goal for engagements was doubled by the staff and the consultant, so we definitely had a lot of input going into this and I wanted to say just from my perspective as a steering committee member, this plan really is supported by that 2040 plan. You know, it's justified. The density supports the vision that the goals that we heard from community members for what they want to see for Huntersville as well as for downtown. It's also justified by that future transit station area. I know that's been mentioned a lot. The steering committee discussed that at length about keeping those future transit plans in the 2040 plan knowing that they would affect and impact future land use and that was important because that's what we heard in our surveys and in our community feedback was we still needed to hold on to that future and a vibrant dense downtown does not necessarily need to have that fixed rail line, but that transit can be provided in other ways and that density will be supported by all those modes of transit. It's also justified by our historic and ongoing housing demand that we are seeing in Huntersville. We need that mix of housing types. We are seeing a demand for that housing type and the mix of housing that's all in the plan and was well supported by all of the feedback that we heard and then also that mix of retail, commercial, office, residential, folks are wanting to see that more and more in downtown. I think we don't want to see another 20 years go by without seeing some big positive change happening in downtown Huntersville to really create that active dynamic vibrant district and I think this project will help bring us one step closer to that vision. As an economic development professional, I know that retail follows rooftops, it's a motto I hear all the time, and so these new units will help attract more retail. And

another thing I want to point out, I think that this new construction retail is really important. I know there's a lot of demand for that Class A level of retail space and commercial space in downtown and near downtown and it's just not there without projects like this.

Rick Ranson, 214 Greenway, said as a descendant of the Hunter family, it's hereditary to help fighting this I guess. It's in my blood, DNA, but it's not just my heart, it's my brain and when I look at this and I hear about Gilead Road, the funding from the state not being I guess anticipated – not coming through as anticipated, but it's still going to cause such traffic congestion on Gilead Road especially. I took a drive up to Catawba Avenue in Cornelius this past weekend and it took me 20 minutes to go from 115 to 21 on that two-lane road and putting this many people in here. When I was canvassing around the neighborhoods, there was always traffic. The problems with Greenfield Park, they weren't interested in it, the explosion of the people that signed the petitions, they didn't care what the small issues with Greenfield Park, but they do care about this traffic and the things that you have said tonight are good. I appreciate it. We all want a good downtown, but it keeps coming back to that traffic and I just don't see why we want to pack so many people in there without the roads being built. And Gilead Road, it's not clear enough if there's enough room in there. The policies of the past administrations have changed whether it wanted it to be a small downtown area where you went exclusively for what you wanted to do or whether or not it's going to be a corridor and it seems like there's just too many things in there. I guess the last thing, I've been as partisan as anybody and I hope I haven't hurt anybody's feelings too badly, but people ask me what do you want – you grew up here, you are from here, and I guess the most thing that it comes down to is pride……growing up around here it was always the Davidson Daemons and the Cornelius Corncobs against the Huntersville Heroes and we always had that competition and what I really want more than anything else is for those cities, all the other cities in the region, to be jealous about Huntersville – to see something and say hey, let's go to Huntersville and have a good time and if you put apartmentzilla in there you are just going to take up too much space and you are going to give the citizens too much traffic. It's going to hurt the impact and the quality of their life and I really do feel like this is a legacy issue.

Randy Brawley, 8338 Sandowne Lane. *Refer to written comments attached hereto as Exhibit No. 3.*

Kathy Jones, 104 Walters Street, said I am a Huntersville native and I have strong emotional and very personal views on this project and why I feel it's not suitable for this particular property, but I'm going to set that aside for right now and I'm going to try to speak in general about why I feel that the property doesn't really fit from a common sense perspective. When we look at the projects that we already have that have been approved or are going to be or in the approval process like Vermillion Front, Hill Street and Vermillion Village, which is in the approval process, but Vermillion Front and Hill Street have been approved and they are ready to start moving dirt come spring. We have the rooftops that everybody is harping on that we need to support a commercial retail development in the downtown area. Once those three projects are built, we will have 470 apartments and townhomes and that's all within three blocks of Gilead and 115 intersection, but it only gives us 23,000 sq. ft. of non-residential since the Vermillion Village original plan has changed dramatically, so everything that was promised to create a new Town Center that was going to revitalize downtown Huntersville on the east side and got the Town really all inspired and excited about how this was going to help with the congestion at 21 and 115 and Gilead, because it was going to give opportunity for the people on this side of town to shop and not have to cross the interstate or go out there in all that traffic and have to do their business….now that that has been taken out of the project and replaced with apartments and townhomes, we need that Town Center retail commercial space. The property behind Discovery Place Kids is perfect for that. That's what we need. We have the rooftops. I've heard from several people that okay, yeah, we're going to have 470 apartments and townhomes, but it's across the railroad and it's not easily accessible

to walk to downtown. Well, we've got the Main Street project coming up. That's going to create a more walkable friendly place for people on the east side of the tracks to go downtown, to walk, to leave their vehicles in their driveway because it's going to create new sidewalks, wider sidewalks. It's going to create a more walkable assessible crossover there at the railroad, so that shouldn't be a concern at this point as far as being able to walk three blocks to downtown from the east side. The North State project, it's going to set a precedence for future development and we need development, that's not going to just benefit the financial needs of the town, but we need it to also steer us in a positive direction. We know development is coming. It's here, it's been here. So, we're not going to stop it, we don't want to stop it, but we want smart, functional and beautiful development and that should be the Town's goal and everyone's goal. We want pride in our town, we want to be able to say we're from Huntersville, because we've always felt that way, at least the people who have lived here all their lives have always felt that way.

Scott Harrington, 13314 Union Square Drive, said I also served on the steering committee alongside 14 great capable volunteers, two of which have already spoken and that's the disadvantage of going third. The role of our committee was really to serve in an advisory board capacity to both the Planning Board and the Board of Commissioners in the development of the 2040 Plan. Our primary goal and I think we succeeded at that was to engage in the most diverse community conversation possible and probably ever here in Huntersville. As I said, I think we succeeded and we presented every stakeholder we could reach out to with an opportunity to express themselves in at least three different questionnaires. We solicited questions and comments both online and where we went in public. We met with HOA's and civic groups. I think I saw something today that Dave Hill spoke to 12 of 14 of them. I know I sponsored a couple myself of which he did a good job in addressing questions. There was a sponsorship of a 3-1/2 day workshop with a variety of formal and informal public meetings. All of that's to say that by last count I think we had 11,500 points of contact, some of which may have double counted people, but there's some people, including myself, that filled out more than one of those questionnaires, so specific to tonight's discussion, the raw data clearly shows that the majority of our citizens and stakeholders support having a vibrant pedestrian-friendly downtown with restaurants/bars, retail businesses and higher density housing options. The North State development mixed-use project is very much compatible with the 2040 Huntersville Community Plan as drafted today. And then looking back at the 2030 Plan, it's custom fit for the 2030 Plan, too.

Janet Webb, 109 Joyce Avenue, said you know that December 7 is an infamous day in America's history. It was 1941, 7:55 a.m. Hawaii time, a Japanese dive bomber bearing the red symbol of the Rising Sun of Japan appeared out of the clouds above the island of Oahu. A swarm of 360 Japanese warplanes followed, descending on the U.S. Naval Base at Pearl Harbor in a ferocious assault. The surprise attack struck a critical blow against the US Pacific fleet and drew the United States irrevocably into World War II. President Roosevelt and his advisors knew that an imminent Japanese attack was probable, but nothing had been done to increase security at the important naval base at Pearl Harbor. It was Sunday morning and a lot of the personnel were away at religious services off base. AT 7:02 a.m. two radar operators spotted large groups of aircraft in flight toward the island from the north, but with a flight of B-17s expected from the United States at the time, they were told to sound no alarm. Thus, the Japanese air assault came as a devastating surprise to the naval base. Fast forward to today, December 7. A few months ago the Greenfield Park residents never saw the bomb of high-density housing, apartments, townhomes and a few single-family homes for our quiet neighborhood. What a surprise to learn what was planned and almost written in stone before we even knew what was coming. I am sure you Mayor and Town Board members must have been aware of this bomb months ago. None of you live in Greenfield Park and I believe you value your neighborhood as much as we do. Many concerned residents have spent hours and money meeting with Board members and even North State developers

to hopefully change your minds about rezoning the area south of Holbrook Street to no avail. You Board members and Mayor hold all the power to [inaudible] the full development. You could recommend that North State re-do their plan for high density housing and amend the plan to include most of the single-family homes. Tonight is our last opportunity to ask you to consider voting no on the rezoning request. Please don't drop a bomb on Greenfield Park by building high density townhomes. It would destroy the uniqueness of our neighborhood. You Mayor and Town Board members have all the power to keep that bomb from dropping. We do not want December 7, 2020 to become an infamous day in Huntersville.

Brittany Duncan, 7628 Berrywood Circle, said my future home is my parents' home behind Huntersville Elementary at 110 Pineridge Drive. I am not here tonight to give you a sob story about being a fifth-generation citizen, raising a sixth, or how much things have changed, because change is not bad. You have been presented with facts and intelligent opinions. Countless hours of research, conversation, speech building and community teamwork have gone into a fair and detailed argument about the right plans for our downtown. I have been cautioned not to come to you with an emotional argument. You have the facts, numbers and research already, but before you write me off as whiskey bent and hell bound, which I find endearing, I am asking for three minutes for a speech that you need to hear and I hope you will think long and hard about it before you proceed on making decisions that will affect our entire community for years to come. I am here to plead with you to make the right decision in regard to the North State development situation. Thousands of citizens are asking for changes to this plan. They've sent emails and signed petitions and they're either not being heard or they are not being listened to. I have seen people of all ages be angry, heartbroken and in tears because of the actions of a few people. The actions of a few people are going to take a devastating toll on the community they live in and have spent their entire lives building so that they can live their American Dream here and now and can pass that livelihood onto future generations, the way generations before them have done for them and me and you. The decisions you make cannot be based on a false sense of progress, big ideas or personal monetary gain. Factors that are being ignored here are the integrity of our town infrastructure, the ability of our town to meet the demands this plan will create, the history and culture of our town and the people who live here and one of the most important things which is the safety and well being and quality of life of our citizens. When you became elected officials, an entire town of residents put their faith and future in your hands to do what is best and what is right. You have an enormous responsibility to make the best decisions possible for these citizens and their families. A few short years in office can impact the foreseeable future greatly and has become apparent that some of you have failed to see the weight of the choices that you make. When you think about what is best for our town, I am asking you to think about the past, present and future of our citizens and our town fiscally and geographically. Think about what you swore to care for and protect and do the right thing. To North State development, consider the families you are affecting because you can move on to the next one, but my family and thousands of others will be affected by what you do for years.

Ernie Lee, said I've been here 50 years living on the corner of Greenway and Watkins and I've certainly enjoyed sitting on my front porch along with my wife and we have seen all the folks coming up and down Greenway and Watkins, walking with their dogs, just having fun, riding their bicycles. But if you allow this project to take place right here, downtown Huntersville just on 9 to 10 acres is what I want you to think about. I want you to look at those pictures before you make a decision. Nine to ten acres, that is nothing. And they are trying to cram so much of this in downtown Huntersville…..it is not big enough to even probably plant a tree. I just hope you make the right decision and I have talked to some commissioners about the opportunity of maybe blocking off Watkins Street right in front of my house and also on the left side on Greenway and let the people if you are going to do this let them come out of that development, I heard a little bit tonight and you can take a left turn go to 115 and take a right turn going to wherever you want to go. Don't take a left turn, you could go down Gilead come to the square

and take a right come one block, take a left on Greenway and you go in that development. But I certainly hope that's not going to be the case. But you will make a big decision about shutting this thing down, representing the Town of Huntersville, doing the right thing and help not to be crammed in on us so bad, because if you allow this to happen, we won't have the private streets that we've got now. If you allow them to go down Watkins Street and Greenway it will flood us so bad we won't even walk our streets. Come down there if you will and some of you have and look at the streets. They are not big enough. We don't have no sidewalks and we really don't want no sidewalks, but come and look if you will.

Amber Kovacs, 207 Greenway Street, said first I would like to comment on the previous conversation about traffic calming devices. It was stated that it is up to the citizens to request these and that they have not. But I would like to remind you that the citizens created a petition and submitted it and requested for traffic calming devices and it was returned to them saying that they could not get one due to the fact that the fire trucks use the road. It has recently been told to us that that's not factual, so we wanted it on record that we did ask for it. Since the start of all of this, one of the most voiced concerns has been the increase in traffic. We, the citizens, were told a TIA had been done, but nobody knew where it was. That TIA was magically found and ended up being a traffic memorandum done previously. Unfortunately, at present, the Town of Huntersville does not require TIA's upon development requests. During the most recent neighborhood meeting in October we found out that the state was now requiring a full TIA. When we were told this, I was so excited that an accurate representation would be shown of how the streets will be affected. There are so many projects being built and it's impossible to accept that this intersection will not grossly be affected. Upon reading the TIA, I see that the numbers from the 2017 study were being used and a 2 percent increase was being accounted for. I understand that we are in strange times, but I don't find it appropriate to use the study from three years ago when so much has changed and continues to change. Does this account for the fact that more people are home throughout the day now that remote work is common. Does it account for the extra kids moving into the centralized area that causes more trips during the day or families to transport those kids. Did it take into account the new businesses that will be popping up possibly at the Blythe Building or at 121 Gilead. What about Vermillion Front. School's not fully in session. There are a lot of people working from home and so many things seem to be oh so graciously approved recently to be built. A Greenway resident recently took it upon herself to use her outdoor cameras to do her own version of a TIA. She watched the cars that drove down Greenway and her findings were that 100 to 200 cars, which also included 18-wheelers, were using the street daily. There is no way that the TIA submitted accounts for the appropriate numbers when that finding was just from one street. Please consider these points when you are looking and willing to accept the TIA as factual and up-to-date information.

Elaine Kerns, 301 Hillcrest Drive, said before I get started, I just want to address some things that the speakers who served on the steering committee said. First, thank you for their work on the committee. I know that involved a lot of time, however the speakers talked about if we don't do this project now, do we want to wait another 20 years. I think that is all or nothing thinking, and it doesn't mean that it will be another 20 years that we can have some development in downtown, but this is not the project to be developed now. The second speaker compared this development to Birkdale and what I can say about that is I have been to Birkdale and this is no Birkdale. In Birkdale they have retail that doesn't just front one street. They have retail that goes down different streets and lots of it. And finally the third speaker, Mr. Harrington, thank you for your work and your remarks, however I don't think that this plan is compatible with the 2030 or the 2040 plan because it's based on the premise of the transit-oriented development. We don't have a transit center and the commuter rail is not coming. I'll try to be quick about this part. I just wanted to speak a minute about the journey that Greenfield Park has been on over the past four months. We first heard about this in late August. We don't have a formal

neighborhood association, so we were late in the game getting notice. We met as a neighborhood, formed an informal board, learned that other folks were working on this also, so we joined forces and Save Downtown Huntersville came to be. We got to work. We did e-mails, phone calls, research, meetings, speeches, but we weren't being heard so at that point we hired an attorney. The attorney that we hired and North State's attorney spoke and it was decided that we would try to negotiate with North State, so we had a small team from our development that did that. The negotiations were amicable. They are not evil developers, they just want maximum profit. All along our main concern has been density. The negotiations were for just south of Holbrook Street. We started with the plan that was submitted to the Town on October 13 and that plan south of Holbrook had 44 townhomes and 7 single-family homes. When we finished the negotiations the plan that they presented had 44 townhomes and 7 single-family homes, still 51 dwellings south of Holbrook. For that reason, we rejected their offer. They did not give any on density. They did give on buffers and other things, particularly the four houses on Greenway and that is greatly appreciated. They countered with one less townhouse and at that point we made the decision not to continue to negotiate because we couldn't do it without an attorney and we could not afford to have negotiations dragged out. We also did not appreciate that the developer's attorney presented the things that they had given in somewhat of a slanted way. She said that they had given up 17 townhouses, however that number is based on a pre-development plan that was done in May that none of us ever saw. It was not the plan that was submitted with the rezoning application and it certainly wasn't the plan that we were working off of in the negotiations. I just want to reiterate that I do not think this plan is the best plan for downtown Huntersville. I do not think it will revitalize the area. I think we need a plan with more vision. I think we need something that is going to suit everyone. I urge you to vote no to the rezoning.

Lee Hallman, 100 Cambridge Road, property owner also at 119 Gilead, said I've got a couple of rants and then I'll let you know what I think needs to happen next. First, there appears to be some confusion around the Save Downtown Huntersville organization……..who we are, our mission, our goals and our vision. We are organized. The appearance that we weren't early on was just a campaign strategy. We have a leadership board, we meet regularly, we're sizeable, we're approaching 1,600 people on our Facebook page, we're backed by 200 local signatures. We culled out the non-locals. I think overall we had maybe 3,000…..not a group of legacy Huntersville residents that oppose all development. There's a fairly diverse group on our board and we support smart development. It's been necessary to shift our goal for this project as the pieces continue to move. Our vision is to ensure that the Town staff and elected officials are acting in the public's interest as they make the decisions that affect the downtown area. The second rant has to do with how this deal got cooked. The two acres that front Gilead were bought with the bond money we all approved. Selling those parcels should also require our approval. I get that there's power couples on the Board that have ideas of how the Town should use its real estate. I know that you are still upset by the public/private deals of the past like the HFFA and DPK deals, but the sale of this land for a mere $600,000, and you just spent $8 million procuring right-of-way for the paired one ways, gives the appearance that there is more to this and possibly a vendetta against the prior administration. These transactions also conflict selling land to get people to downtown and then buying land to get people to move through it. Here's what I think needs to happen. I've written to you and I have met with a lot of you following our discussion with North State. In short, nothing significant was gained as Ms. Kerns pointed out. North State feels they were guaranteed this rezoning. For the Town to sell the 160' of road frontage on Gilead, they're allowed to drill into the Huntersville's oldest neighborhood with maximum density and total disregard to current zoning ordinances. And that's not a reference to the GR zoning south of Holbrook that everybody insists needs to be just freshened up so this development can go through. The fact is the Greenfield neighborhood begins at Holbrook Street, south of Holbrook is Greenfield neighborhood. The 2040 Community Plan DT-2 states step down intensity and density near established residential neighborhoods. So, while we had a lot of proponents

for the 2040 plan, a lot of people that worked on it, they overlooked the fact DT-2 states that the step down needs to start before you approach the border of the neighborhood. That's not what we are doing here, so for that 160' of Gilead Road frontage, we are going to allow 200 households, 400 resident development to take place on just ten acres, six of which are in the oldest neighborhood in Huntersville. Here's what needs to happen, tell North State that the rezoning will be denied unless they either remove the Greenfield parcels from the application or come back with a site plan that complies with our community plan DT-2 policies.

Amy Hallman, 100 Cambridge, also own property at 119 Gilead Road, said first I need to say that based on my viewing of the steering committee meetings, what I learned tonight does not seem to match the actual survey data. Still, there was no majority of Huntersville residents participating in such surveys and the largest percentage of respondents said they preferred large homes with large lots. I own my family home on Gilead Road that is 112 years old. In 2014 I wrote a published essay and a book entitled 27 Views of Charlotte about my love for Eastland Mall, but that the transient nature of the massive apartment development and its roles where the malls in the area demised. I get worked up when a neighbor sells a parcel to someone else to build a house because I know they will clear that lot. Do I like Birkdale? Of course. I understand and even appreciate good development. The surveys you distributed across town have asked residents if they are for downtown development. Nearly all said yes. But you have to finish that sentence. They said yes to retail and offices and green space. This project is no Birkdale. Mr. Dupree himself has said this mixed-use retail in this area is a bad idea, which we disagree with. He has had similar projects, papered up the windows and it just won't work. Birkdale has the infrastructure that our downtown doesn't, so that is an apples to oranges discussion. Just because you can do something, doesn't mean that you should. And I get that I can get eyes rolled at me and whispers behind my back. That says more about them than it does about me. My opinions almost never infringe on someone else. I don't take part in the passive aggressive taunts posted on social media. I hadn't even spoken before the Board until this deal came through. This North State development is too great a sacrifice for any of us and it's why I showed up here just days after my mother's sudden passing away and I've been loyal to these Huntersville residents, most of whom I did not know and I didn't swear any oath. I let it lie when the Mayor told us from the dais that if anybody had wanted to do anything with Doc Craven's house, they had three years to do it because it had been up for sale, even though no single person could approach the Penninger family and seal a deal at nearly half the asking price. Only the Town could do that and then I let it lie when there were exasperated remarks about how development had been on the books and in the works for 20 years. I guess that depends on your definition of development, so I'm a little gun shy when a commissioner tells me that a four-lane widening of Gilead Road really isn't going to happen……..that's what I was looking at was the DOT recommendation and that it's up to local government to make different recommendations and do what's best for the town because that's exactly what got us here in the first place, because the widening plan is on the Town website, not unlike any of these development plans we've talked about and written about for months. We have repeatedly asked why we have an ordinance that approves high density housing because of a transit center when we all know that the transit center isn't coming and no one, not a commissioner, not a Mayor, not a staff employee has answered that question. We've got a lot of smiles and a lot of nods but no answers. I'll ask you this, why have none of you requested that change. Please deny the rezoning for the General Residential parcels. If you like the ordinance then you'd have to tell North State and your Planning Department that you want a full 50 percent required non-residential space on that 470' apartment building and that you don't agree with the fourth floor of the apartment building because granting either of those goes against your own ordinances. Those of you that think that Anchor Mill is not walking distance, it is. I beg you to go sit outside Solomon House and watch the Vermillion residents flock out of there like the Who's out of Whoville going to Main Street Coffee and Café 100. Albeit flat soled shoes, it is walking distance. Any vote for rezoning on the GR

parcels is short sighted. The high-density vote is short sighted. The vote for North State's fourth floor is short sighted and the vote for one tree and the tree save is short sighted and if you don't think these short sighted votes tell us exactly what you think of downtown Huntersville, save it.

Oliver Peters, 211 Hillcrest Drive, said I believe you have been unwilling to listen to the seriousness of the Town's concerns. The traffic, house price, tree save, the list goes on. You say you have covered these areas in detail. I say you have glossed over them, meaning we the town from our own pocket met with North State. Listen they did, come to the table they did, but all they heard was what they wanted to hear. As with any business looking to make a considerable profit on any given project, they will do what they can to protect what is most important to them, profit. I empathize with North State to an extent. They bought this land under the pretense that they would get the rezoning and the planning. They have looked at this plot of land from the start as dollar signs. I turn my attention back to the town council. It is your job, no your duty, to look at this land as what it could be. With all the information you have gathered and gained over the last couple of months, listen to your residents. I strongly advise this committee to deny this project as it stands and stop, think for more than 2 seconds, listen to your town and help create a plan that moves Huntersville forward, but keeps its original plan. You have the opportunity to make a real difference. Don't squander it by putting a cookie cutter development into a space that could be something special. Think outside the box. Think as a local resident. Don't let this rushed development trademark this beautiful town.

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

Commissioner Phillips made a motion to bring back Commissioner Hines.

Commissioner Munger seconded motion.

Mayor Aneralla called for a roll call vote.

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

OTHER BUSINESS

Agreement to amend due diligence period – North State Development. Emily Sloop, Town Attorney, explained you have before you a request from North State to extend the due diligence period of negotiated offer through March 15, 2021. This is just to cover additional due diligence items.

Commissioner Walsh made a motion to extend the due diligence period of the negotiated offer executed on May 20, 2019 through March 15, 2021.

Commissioner Boone seconded motion.

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

Agreement attached hereto as Exhibit No. 4.

Appointments to Parks & Recreation Commission. Mayor Aneralla noted there are going to be three appointments.

Mayor Aneralla called for nominations for first appointment.

Commissioner Bales nominated Deanna Baumgardner
Commissioner Boone nominated Deanna Baumgardner
Commissioner Hines nominated Deanna Baumgardner
Commissioner Munger nominated Deanna Baumgardner
Commissioner Phillips nominated Deanna Baumgardner
Commissioner Walsh nominated Deanna Baumgardner

Mayor Aneralla called for a roll call vote to appoint Deanna Baumgardner to the Parks & Recreation Commission.

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

Mayor Aneralla called for nominations for the second appointment to the Parks & Recreation Commission.

Commissioner Bales nominated Scott Harrington
Commissioner Boone nominated Scott Harrington
Commissioner Hines nominated Scott Harrington
Commissioner Munger nominated Scott Harrington
Commissioner Phillips nominated Scott Harrington
Commissioner Walsh nominated Scott Harrington

Mayor Aneralla called for a roll call vote to appoint Scott Harrington to the Parks & Recreation Commission.

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

Mayor Aneralla called for nominations for the third appointment to the Parks & Recreation Commission.

Commissioner Bales nominated Andrew Munro
Commissioner Boone nominated Andrew Munro
Commissioner Hines nominated Andrew Munro
Commissioner Munger nominated Andrew Munro
Commissioner Phillips nominated Alexander Capecci
Commissioner Walsh nominated Andrew Munro

Mayor Aneralla called for a roll call vote to appoint Andrew Munro to the Parks & Recreation Commission.

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

Appointments to Public Art Commission. Mayor Aneralla noted two appointments need to be made to the Public Art Commission.

Mayor Aneralla called for nominations for the first appointment to the Public Art Commission.

Commissioner Bales nominated April Dunn
Commissioner Boone nominated April Dunn
Commissioner Hines nominated April Dunn
Commissioner Munger nominated April Dunn
Commissioner Phillips nominated April Dunn
Commissioner Walsh nominated April Dunn

Mayor Aneralla called for a roll call vote to appoint April Dunn to the Public Art Commission.

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

Mayor Aneralla called for nominations for the second appointment to the Public Art Commission.

Commissioner Bales nominated Jessica Horton
Commissioner Boone nominated Jessica Horton
Commissioner Hines nominated Jessica Horton
Commissioner Munger nominated Jessica Horton
Commissioner Phillips nominated Jessica Horton
Commissioner Walsh nominated Jessica Horton

Mayor Aneralla called for a roll call vote to appoint Jessica Horton to the Public Art Commission.

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

Appointments to Greenway, Trail and Bikeway Commission. Mayor Aneralla noted there are four appointments needed to the Greenway, Trail and Bikeway Commission.

Commissioner Walsh said the committee has nine people on the committee and one of the goals back when we went to term limits etc. was to ensure that we had people rolling off each year and they could only serve two terms. I'm not sure what got sideways, but for some reason we have four rolling off this year, we have three rolling off next year and the following year, too. While it probably is unlikely, we would not want to be in a situation where four people were term limited out because it kind of has an impact on the group, so in an effort to try and align this board I'm going to *make a motion to waive the term and service limits of the Greenway, Trail and Bikeway Commission pursuant to Resolution No. R-2018-24 in order to align the terms of the commission members by allowing the reappointment of Mr. Tim Sanborn for a 2-year term with an option to be reappointed for an additional 3-year term*. What this will do is align it, so we have three coming off every year.

Commissioner Bales seconded motion.

Commissioner Boone said I understand the logic of aligning it, but why are you specifically putting a name with that motion.

Commissioner Walsh said Tim Sanborn is the co-chair. As you know I sit on with that group and from my perspective he was a good choice for it.

Commissioner Boone said so you made that decision on your own to have him on for a total of possibly 8 years.

Commissioner Walsh said no, I think I talked to all of you over the last week about it.

Commissioner Boone said you haven't talked to me.

Commissioner Walsh said okay.

Mayor Aneralla said it would be for five years – a two-year term and a three-year term, correct.

Commissioner Boone said no, two years. He is filling in somebody else's term and those two years will not count towards a term. The only time that a term starts is a 3-year window, so Tim could be on the Greenway Committee for a total of 8 years.

Commissioner Walsh said which is possible for anybody because when you finish out a term you are allowed to have two successive 3-year terms, so if somebody left after six months we would appoint somebody to fill that position, to finish that term, and they are allowed two more 3-year terms.

Commissioner Boone said I agree with that, but I'm just saying you are putting a specific person with that. Don't you think that we should have voted on that.

Commissioner Walsh said my motion stands.

Mayor Aneralla said would you like to amend that motion to just motion to have a two-year term appointment and withdraw Mr. Sanborn from that.

Commissioner Boone said no, we've got a pretty good system now and I think that Nick's trying to line it up and that's what I would do, I just have an issue with putting that with a specific person. Usually if a person that's new that's being elected tonight on the board, they would take that 2 years. It usually takes about a year to get your feet under you on a committee and if they like it or don't like it, they can continue on for additional 6 years. That's the only point I'm trying to make

Commissioner Hines said just for clarification, so the motion is basically to appoint Mr. Sanborn for a two-year term. He is eligible for another 3 years, but he's got to reapply for that.

Commissioner Walsh said absolutely, and he may not want to.

Mayor Aneralla said point of clarification, they are amending the rules to allow for the 2-year term to line up so now we don't have four people expiring, we'll have three.

Commissioner Bales said regardless of the name, someone is going to have to align that up, so you would have to have someone. I'm fine with Mr. Sanborn. He's done a good job for us so far and someone is going to have to take that in order for us to line it up, so why not Mr. Sanborn. I'm fine with it.

Mayor Aneralla called for a roll call vote to waive the term and service limits of the Greenway, Trail and Bikeway Commission in order to align the terms of the commission members by allowing the reappointment of Tim Sanborn for a 2-year term with an option to be reappointed for an additional 3-year term.

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

Mayor Aneralla called for nominations for the second appointment to the Greenway, Trail and Bikeway Commission.

Commissioner Bales nominated Maria Reese
Commissioner Boone nominated Kim Van Sickler
Commissioner Hines nominated Maria Reese
Commissioner Munger nominated Kim Van Sickler
Commissioner Phillips nominated Kim Van Sickler
Commissioner Walsh nominated Maria Reese

Mayor Aneralla called for a roll call vote to appoint Maria Reese to the Greenway, Trail and Bikeway Commission.

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

Mayor Aneralla cast his vote for Maria Reese.

Mayor Aneralla called for nominations for the third appointment to the Greenway, Trail and Bikeway Commission.

Commissioner Bales nominated Kim Van Sickler
Commissioner Boone nominated Annie Will
Commissioner Hines nominated Kim Van Sickler
Commissioner Munger nominated Kim Van Sickler
Commissioner Phillips nominated Kim Van Sickler
Commissioner Walsh nominated Kim Van Sickler

Mayor Aneralla called for a roll call vote for Kim Van Sickler.

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

Mayor Aneralla called for nominations for the fourth appointment to the Greenway, Trail and Bikeway Commission.

Commissioner Bales nominated Kyle Schackert
Commissioner Boone nominated Annie Will
Commissioner Hines nominated Kyle Schackert
Commissioner Munger nominated Kyle Schackert
Commissioner Phillips nominated Annie Will
Commissioner Walsh nominated Kyle Schackert

Mayor Aneralla called for a roll call vote to appoint Kyle Schackert to the Greenway, Trail and Bikeway Commission.

Commissioner Bales – Approve
Commissioner Boone – Deny
Commissioner Hines – Approve

Commissioner Munger – Approve
Commissioner Phillips – Deny
Commissioner Walsh – Approve

2020 Bike Plan. Tracy Houk, Assistant Parks & Recreation Director, said as you all remember back in February 2019 the Town received the Bicycle & Pedestrian Planning Grant Initiative to update a 2020 Bike Plan. The final draft was recommended for Town Board approval by the Greenway, Trail and Bikeway Commission on September 15, 2020. On September 21, 2020 the final draft was presented to the Town Board. On September 28, 2020 the final draft was reviewed and approved by NCDOT and on November 17, 2020 the final draft was presented to Planning Board and they recommended it for Town Board approval.

Commissioner Walsh made a motion to approve the final draft of the Huntersville 2020 Bike Plan.

Commissioner Boone 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

Huntersville 2020 Bike Plan attached hereto as Exhibit No. 5.

COVID-19 Allowance Policy. Anthony Roberts, Town Manager, said back when all this COVID went on there was a lot of talk about CARES Act funds and COVID related dollars and what the towns were doing related to using those funds as police and fire employees are working through these conditions. We looked at that at that time while other towns were looking at it. Obviously, we didn't know how long COVID was going to go on and still don't know how long it's going to go on. The Board wanted to consider a COVID-19 allowance policy to consider distribution to some of the staff. In this policy that you have before you are several sections – Purpose, Eligibility, Employee Distribution Scale and Allowance Funding. In the employee distribution scale there are three categories. Two are related to the CARES Act Funding and the sworn PD employees. All sworn employees of HPD serving in a full-time capacity as of the effective date of this policy will receive an allowance of $1,050. Fire Department employees, Huntersville Fire Department will receive a lump sum payment of $60,000. Allowance will be paid out in a lump sum to HFD employees of record as of the effective date of this policy based on the number of weeks worked determined by the Fire Chief. The last, which is not paid out of actual COVID or CARES Act funds, is other employees. All other Town employees serving in a full-time capacity on the effective date of this policy will receive an allowance of $625.

Commissioner Boone made a motion to adopt a one-time COVID-19 Pay Allowance Policy for eligible employees of the Town of Huntersville who are directly involved in responding to the COVID-19 pandemic, who are public facing or who continue to perform their regular duties and responsibilities in positions, including those where telemarketing is not possible, limited in availability, and/or whose work site does not allow for adequate social distancing.

Commissioner Bales seconded motion.

Commissioner Hines said will this require a budget amendment.

Mr. Roberts said not related to these dollars that you are approving, but you have to remember there are some FEMA dollars that are associated with COVID funds and CARES Act, so at that time we will need to recognize that revenue that comes in and do a budget amendment related to that.

Commissioner Munger said I just want to commend the Board for coming together on this action acknowledging our first responders and Town staff who continue to persevere during these difficult times

Commissioner Phillips said I am not going to be voting in favor of this tonight and it's not because I don't appreciate our Town employees, but I had said from the beginning I only wanted to spend CARES Act funds because I don't feel comfortable, even though it's budgeted, using tax dollars right now when we have citizens that have lost their jobs, we are heading for potentially another shut down. People continue to lose their jobs and I would just rather err on the side of caution.

Commissioner Walsh said I will be supporting this this evening. We've often talked about one town, one team and this is the Huntersville team dealing with some very stressful situations and obviously a lot of challenges since March and so I think this is a way of recognizing all of our employees who have worked diligently through this and actually will continue for several more months, so I will be supporting this tonight.

Commissioner Boone said I would just like to publicly thank Anthony Roberts and his staff Jackie Huffman for taking their time to work through this and Bobby Williams for going back to Mecklenburg County and getting our money back from them and I'd also like to commend the commissioners for responding to my emails and talking on the phone about this. I think we work very well together and I want to thank each one of you.

Commissioner Bales said I truly want to commend staff for all of the work that they have done. Commissioner Boone, you did a fabulous job grabbing the cat by the tail, if you will, and heading this charge and our staff has worked through some trying times and in addition we haven't slowed down so they have had to continue to turn on a dime. Permitting is up and they are looking for ways to continue to keep this town moving forward and I want to thank them for that and I also want to encourage them to continue to stay safe as COVID continues to spread within our community. With that, I will be supporting this.

Mayor Aneralla called for the roll call vote.

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

Mayor Aneralla said I do also want to commend Commissioner Boone for taking the lead on this and using the funds appropriately.

COVID-19 Policy attached hereto as Exhibit No. 6.

CONSENT AGENDA

Commissioner Boone made a motion to approve the Consent Agenda. 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

The following items on the Consent Agenda were approved:

- Minutes of the November 2, 2020 Regular Town Board Meeting.
- Authorize Town Manager to execute Master Job Order Contracts with Southeastern Consulting Engineers, Inc. and Booth and Associate, LLC for ongoing engineering and financial services for the electric system. *Contracts attached hereto as Exhibit No. 7.*
- Resolution for Property Acquisition Agreement for the Church Street – Holbrooks Road to Dellwood Drive Project. *Resolution attached hereto as Exhibit No. 8.*

CLOSING COMMENTS

None

There being no further business, the meeting was adjourned.

Approved this the 4th day of January 2021.

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Janet Pierson, Town Clerk