AGENDA

Regular Town Board Meeting
April 17, 2023 - 6:00 PM
TOWN HALL (101 Huntersville-Concord Road)
Live Stream available via YouTube @townofhuntersvillenc28078

Persons desiring to address the Board during a public comment period or a public hearing shall list their full name, address, telephone number, and subject matter to be discussed on the speaker sign-up sheet as provided by the Town Clerk prior to the beginning of the meeting. Once the meeting has begun, a person may not sign up to speak.
(Public Comment and Public Hearing Policy - Adopted April 19th 2021)

1. Pre-meeting - 4:30 p.m.

1.A. Five Year Capital Improvement Program and Potential Bond Referendum. *(Anthony Roberts)*

2. Call to Order

3. Invocation/ Moment of Silence

4. Pledge of Allegiance

5. Staff Questions

6. Public Comments, Requests, or Presentations

6.A. Citizens' Climate Lobby Presentation.

7. Agenda Changes/Adoption of Agenda

8. Consent Agenda

8.A. Approve the minutes of the March 20, 2023 Regular Town Board Meeting. *(Janet Pierson)*

8.B. Approve budget amendment appropriating $15,913.89 to the Transfer to General Fund account and Police Salaries related to interest earned on ARPA funds. *(Pattie McGinnis)*

8.C. Call a public hearing for Monday, May 15, 2023 at 6:00 p.m. at Huntersville Town Hall to receive comments on the proposed budget for FY24. *(Pattie McGinnis)*

9. Public Hearings

10. Other Business

10.A. Consider adopting the 2023 Downtown Master Plan. *(Jack Simoneau)*

10.B. QUASI-JUDICIAL. Conduct evidentiary hearing and consider decision on Charter Caldwell Station Subdivision Sketch Plan, a request by Charter Properties, Inc. to subdivide 5.51-acres located at 17223 Old Statesville Road for a 39-unit townhome development. *(David Peete)*

10.C. Consider adopting MEDIC Resolution. *(Mayor Bales/Commissioner Boone)*

10.D. Consider awarding the purchase of HFFA HVAC equipment and installation of services to MSS Solutions. *(Zach Brown)*

10.E. Consider approving budget amendment for HFFA HVAC equipment appropriating $650,000 to Grant Revenue and Capital Expense, and appropriating Fund Balance of $1,350,000 and Capital Expense. *(Pattie McGinnis)*

10.F. Consider approving budget amendment appropriating Department of Treasury - Homeland Security revenue in the amount of $284,000 to the Police Capital expense account. *(Major Graham)*

11. Mayor and Commissioner Reports/Closing Comments

12. Adjourn

Special Accommodations: Anyone needing special accommodations when attending this meeting and/or if this information is needed in an alternative format please contact the Town Clerk. The Clerk can be reached by phone or fax: 704-875-6541, email: clerk@huntersville.org or at 101 Huntersville-Concord Rd, Huntersville, NC 28078.
We request at least 72-hours' notice prior to the meeting to make the appropriate arrangements.

The Board reserves the right to deviate from the agenda.

Town of Huntersville
Town Board
April 17, 2023

To: Town Board

From: Anthony Roberts, Town Manager

Date: April 17, 2023

Subject: Five Year Capital Improvement Program and Potential Bond Referendum

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EXPLAIN REQUEST:
Discuss Five Year Capital Improvement Program and Potential Bond Referendum.

ACTION RECOMMENDED:

FINANCIAL IMPLICATIONS:

ATTACHMENTS:
1. 5 Year CIP
2. Bond Referendum Apr 2023

Town of Huntersville
NORTH CAROLINA

PROJECTED CAPITAL IMPROVEMENT PROGRAM
FY 2024
SUMMARY

Project	Funded Prior Years	Cost Estimate FY24	FY25	FY 26	FY 27	FY 28	Future	TOTAL
								-
Gilead Rd West	6,072,766	920,000	1,462,000	3,916,734	5,445,000	-	-	17,816,500
Main Street Upgrades	23,126,877	4,340,000	-	-	-	-	-	27,466,877
Ferrelltown Parkway/Ramah Road	1,142,500	2,657,500	1,300,000	-	-	-	-	5,100,000
Sidewalks	151,795	685,000		-	-	-	-	836,795
Seagle - McCord to NC 73	1,000,000	750,000		-	-	-	-	1,750,000
Huntington Green Sidewalk	1,389,961	1,473,039		-	-	-	-	2,863,000
Church Street - Holbrooks Rd to Dellwood	870,000	1,880,000	650,000	-	-	-	-	3,400,000
Beatties Ford Rd/Gilead Rd	1,524,532	1,175,468		-	-	-	-	2,700,000
The Park Huntersville Greenway	280,000	515,200		-	2,696,850	-	-	3,492,050
Town Hall	3,242,400	26,000,000	-	-	-	-	-	29,242,400
Beatties Ford Rd/McCoy Rd	1,520,661	1,179,339		-	-	-	-	2,700,000
North Meck Park Greenway	100,000	1,800,000	-	-	-	-	-	1,900,000
Beatties Ford Rd/Hambright	1,006,542	1,143,458		-	-	-	-	2,150,000
Stumptown Road Extension	1,409,058	-	3,330,000	-	10,931,042	-	-	15,670,100
Arahova Drive	1,300,000	-	200,000	-	-	-	-	1,500,000
Commerce Centre Drive	1,000,000	-	500,000	-	-	-	-	1,500,000
Firestation #5	350,000	-	-	-	-	-	2,800,000	3,150,000
Reese Blvd at Vanstoy Drive	-	300,000	-	-	-	-	-	300,000
Rosedale Nature Park Greenway Connection	-	125,000	-	-	-	-	-	125,000
NC115 - McCord to NC73	-	-	2,562,000	-	-	5,980,000	-	8,542,000
US 21/Gilead - Mast arms		-	850,000	-	-	-	-	850,000
Waymer Park Splash pad	-	-	1,000,000	-	-	-	-	1,000,000
NCDOT - Northcross Drive Ext	-	-	250,000	-	-	-	-	250,000
I77-NC 73 Interchange Cost Sharing	-	-	-	1,000,000	-	-	-	1,000,000
US 21 Cost Share on NCDOT TIP projects	-	-	-	1,000,000	-	-	-	1,000,000
HAP Amphitheater	-	-	-	450,000	-	-	-	450,000
Firestation #2 replacement	300,000	-	-	5,600,000	-	-	-	5,900,000
McCoy @ Hambright	450,000	-	-	-	-	1,650,000	-	2,100,000
McCoy @ McIlwaine	300,000	-	-	-	-	1,000,000	-	1,300,000
Bradford Park Phase 3	-	-	-	-	-	8,800,000	-	8,800,000
Recreation Center - Expansion	-	-	-	-	-	6,500,000	-	6,500,000
NC 73 cost share NC DOT TIP projects	-	-	-	-	-	4,500,000	-	4,500,000
Park land acquisition	-	-	-	-	-	1,000,000	1,000,000	2,000,000
US 21 Greenway/Tunnel	-	-	-	-	-	650,000	-	650,000
Ervin Cook Rd Extension	-	-	-	-	-	-	8,200,000	8,200,000
Birkdale Commons Ext - Oliver Hager	-	-	-	-	-	-	8,200,000	8,200,000
Beatties Ford / Neck Road	-	-	-	-	-	-	2,600,000	2,600,000
Huntersville Concord Road	-	-	-	-	-	-	3,000,000	3,000,000
Walters (Huntersville Concord - 3rd)	110,919	-	-	-	-	-	3,510,919	3,621,838

Town of Huntersville
NORTH CAROLINA

PROJECTED CAPITAL IMPROVEMENT PROGRAM
FY 2024
SUMMARY

Project	Funded Prior Years	Cost Estimate FY24	FY25	FY 26	FY 27	FY 28	Future	TOTAL
Upgrade existing Ervin Cook Rd	-	-	-	-	-	-	7,200,000	7,200,000
Hambright @ Mt Holly Huntersville	-	-	-	-	-	-	3,200,000	3,200,000
Church Street - Realignment to Walters	-	-	-	-	-	-	3,400,000	3,400,000
Holbrooks Rd between 115 and Central	-	-	-	-	-	-	2,400,000	2,400,000
Holbrook Park expansion	-	-	-	-	-	-	2,120,000	2,120,000
David Kenney Farm Connection	506,887	-	-	-	-	-	1,493,113	2,000,000
NMP field project	300,000	-	-	-	-	-	2,200,000	2,500,000
Vance Road	2,518,071	-	-	-	-	-	-	2,518,071
Lower McDowell Creek Greenway	1,800,000	-	-	-	-	-	-	1,800,000
Ranson Rd widening	1,600,000	-	-	-	-	-	-	1,600,000
HAP Baseball Field lighting upgrade	1,100,000	-	-	-	-	-	-	1,100,000
Storage and Maintenance facility	300,000	-	-	-	-	-	-	300,000
South Prong Clarke Creek Greenway	1,500,000	-	-	-	-	-	-	1,500,000
Patterson Road Extension	2,750,000	-	-	-	-	-	-	2,750,000
Barry Park Restroom Addition & Parking lot	1,350,000	-	-	-	-	-	-	1,350,000
HAP Infield turf (2 new and 2 replace)	750,000	-	-	-	-	-	-	750,000
Waymer Park Improvements	350,000	-	-	-	-	-	-	350,000
Seagle St/4th Street	1,500,000	-	-	-	-	-	-	1,500,000
Abernathy Park improvements	200,000	-	-	-	-	-	-	200,000
Gibson Park Drive Phase 2	900,000	-	-	-	-	-	-	900,000
North Meck Splash Pad	425,000	-	-	-	-	-	-	425,000
	$ 64,497,969	**$ 44,944,004**	**$ 12,104,000**	**$ 11,966,734**	**$ 19,072,892**	**$ 30,080,000**	**$ 51,324,032**	233,989,631

Transportation Capital Reserve		2,256,326	-	-	-	-	-	2,256,326
General Fund Balance/Tourism	7,669,131	8,567,333	3,440,000	2,891,734	7,507,042	650,000	-	30,725,240
BA/DA Funding/CRTPO/CDBG (HG)		1,033,306	2,652,000	3,475,000	8,869,000	-	-	16,029,306
CRTPO - Park/Rec		257,600			1,348,425	-		1,606,025
Transportation Referendum		6,466,839	5,012,000	-	-	13,130,000	25,510,919	50,119,758
Parks and Recreation Referendum		-	1,000,000	-	1,348,425	16,300,000		18,648,425
Installment Financing		26,000,000	-	5,600,000	-	-	-	31,600,000
Escrow		362,600						362,600
Other			-	-	-		25,813,113	25,813,113
	7,669,131	44,944,004	12,104,000	11,966,734	19,072,892	30,080,000	51,324,032	177,160,793
		$ -	$ -	$ -	$ -	$ -	$ -	

4/12/2023

2023 Potential Bond Referendum

April 17, 2023

1

2012 Bonds – 3 Questions

Street Bonds - $17,850,000

"SHALL the order authorizing $17,850,000 of bonds secured by the pledge of the full faith and credit of the Town of Huntersville, North Carolina to provide funds to pay the capital costs of constructing, reconstructing, enlarging, extending and improving streets and non-motorized paths, including streets and roads constituting a part of the State highway system or otherwise the responsibility of the State and including the cost of related studies, streetscape and pedestrian improvements, relocation of utilities, plans and design; acquiring, constructing, reconstructing, widening, extending, paving, resurfacing, grading or improving streets, roads and intersections; acquiring, constructing, reconstructing or improving sidewalks, curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings and providing related landscaping, lighting and tra c controls, signals and markers; and acquiring land, rights-of way and easements required for any of the foregoing, and a tax to be levied for the payment thereof be approved?"

Public Improvement Bonds - $7,150,000

"SHALL the order authorizing $7,150,000 of bonds secured by the pledge of the full faith and credit of the Town of Huntersville, North Carolina to provide funds to pay the capital costs of public improvements in the Town, including the construction of firefighting facilities, improvements to existing administration and public safety facilities and the construction of streetscape and pedestrian improvements, sidewalks, curbs, gutters, drains, bridges, overpasses, underpasses and grade crossings, lighting and traffic controls, signals and markers; and acquiring land, rights-of-way and easements required for any of the foregoing, and a tax to be levied for the payment thereof be approved?"

Parks and Recreation Bonds - $5,000,000

"SHALL the order authorizing $5,000,000 of bonds secured by the pledge of the full faith and credit of the Town of Huntersville, North Carolina to provide funds to pay the capital costs of acquiring and constructing parks and recreation facilities and athletic elds, including the construction of a Town recreation center; renovating existing parks and recreation facilities and athletic fields, including improvements to the Huntersville Market and the Huntersville Family Fitness & Aquatics facility; developing parkland, greenways and trails; and acquiring land, rights of-way and easements for park and recreation uses, if necessary, and a tax to be levied for the payment thereof be approved?"

2

November 2023 GO Bonds (Calendar)

5/15/23 Board of Commissioners adopts (1) Resolution directing publication of notice of intent to apply to the Local Government Commission (the *"LGC"*); (2) Resolution authorizing the Finance Officer to apply to the LGC and making certain findings of fact by 5/19/23 Publish Notice of Intent in *Newspaper of General Circulation*

5/30/23 File Application with LGC and prepare Sworn Statement of Debt

6/20/23 Board of Commissioners (1) Introduces the Bond Order(s); (2) adopts the Resolution setting a public hearing on the Bond Order(s)

by 7/11/23 (1) Send Statement of Disclosure to LGC, post Statement on the Town's Website and file with the Town Clerk's Office (day before the notice of Public Hearing is published); (2) Publish Notice(s) of Public Hearing on the Bond Order(s) in *Newspaper of General Circulation* [at least 6 days before public hearing]; and (3) File Sworn Statement of Debt with the Town Clerk and LGC

7/17/23 Board of Commissioners (1) holds public hearing(s) on Bond Order(s); (2) adopts the Bond Order(s) at the conclusion of the public hearing; and (3) adopts the Resolution setting a Special Bond Referendum

3

November 2023 GO Bonds (Calendar - continued)

7/18/23 Clerk delivers certified copy of the Resolution setting a Special Bond Referendum to the County Board of Elections

7/21/23 Publish Bond Order(s) as adopted in Newspaper of General Circulation by 7/[21]/23 File Notice with Joint Legislative Commission [not needed for certain types of projects]

9/[5]/23 LGC approval of Bond Order(s) [or LGC might do this in October] by 9/29/23 Publish first Notice of Special Bond Referendum in Newspaper of General Circulation by 10/6/23 Publish second Notice of Special Bond Referendum in Newspaper of General Circulation

11/7/23 Referendum

11/17/23 Adoption of Certificate of Canvass by the County Board of Elections

12/4/23 Board of Commissioners adopts Resolution Certifying and Declaring Results of Special Bond Referendum

4

Bond History

2003 Referendum

	Par	Type	% in Favor		Sold		Never Issued
$	8,500,000	Street Bonds	77%	$	8,500,000	$	-
$	5,500,000	Public Improvement	70%	$	4,500,000	$	1,000,000
$	6,000,000	Parks & Recreation	69%	$	6,000,000	$	-
$	20,000,000	Total bonds		$	19,000,000	$	1,000,000

https://www.mecknc.gov/BOE/data/Documents/general03-summary.pdf

2012 Referendum

	Par	Type	% in Favor
$	17,850,000	Street Bonds	68%
$	7,150,000	Public Improvement	68%
$	5,000,000	Parks & Recreation	66%
$	30,000,000		

All $30 million authorized were issued by Feb 2020.

https://er.ncsbe.gov/?election_dt=11/06/2012&county_id=60&office=REF&contest=0

5

Debt Capacity and Debt Affordability Analysis

- Sept 2022 Financial Advisor report:
  - $94,800,000 in debt would result in appx 5.5 cent tax increase, incrementally as bonds are issued
    - Assumes issue appx $65 million in 2024
    - $8 million 2026
    - $21 million in 2029
- March 2023 Financial Advisor analysis with *new* revaluation numbers:
  - $100,000,000 debt would result in approx. 2.8 cent tax increase
  - $152,000,000 in debt would result in approx. 4.2 cent tax increase, also incrementally
    - Assumes issue appx $30 million in FY 2024 (Town Hall), plus $35 Million GO in FY 2024
    - $35 million in FY 28
  - A 5 cent tax increase could result in $200 million debt proceeds

NOTE – Scenarios from FA are applicable regardless of what the tax rate is at the time of debt. *No guarantee of that increase over life of bonds.*

6

How Much Debt to Issue? / Potential Projects

Town Hall $30 million

Parks & Recreation Bonds ***(Sum approx. $18,650,000)***

• The Park Huntersville Greenway	$1,350,000
• Waymer Splash Pad	$1,000,000
• Recreation Center Expansion	$6,500,000
• Bradford Park Expansion	$8,800,000
• Park Land Acquisition	$1,000,000
• Other P&R Projects	$4,320,000 (Future)

7

How Much Debt to Issue? / Potential Projects

Transportation Bonds ***(Sum approx. $60,000,000)***

• Beatties Ford/McCoy	$1,200,000	• Beatties Ford/Neck Rd	$2,600,000
• Seagle – McCord to 73	$750,000	• Walters-HC-Third St	$3,500,000
• Commerce Centre	$500,000	• Huntersville Concord	$3,000,000
• Ferrelltown Parkway	$4,000,000	• O Hager/E Cook	$16,400,000
• Church St Dellwood	$2,500,000	• NC 73 Cost share	$4,500,000
• NC 115 McCord to 73	$8,550,000	• Others Transp. Proj.	$17,700,000 (Future)
• Stumptown Rd	$9,100,000		
• McCoy @Hambright	$1,650,000		
• McCoy @ McIlwaine	$1,000,000		

8

Town of Huntersville
Town Board
April 17, 2023

To: Town Board

From: Janet Pierson, Town Clerk

Date: April 17, 2023

Subject: Approval of Minutes - March 20, 2023

EXPLAIN REQUEST:
Consider approving the minutes of the March 20, 2023 Regular Town Board Meeting.

ACTION RECOMMENDED:
Approve Minutes

FINANCIAL IMPLICATIONS:
N/A

ATTACHMENTS:
1. Draft Minutes

TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES

March 20, 2023
6:00 p.m. – Huntersville Town Hall
101 Huntersville-Concord Road

PRE-MEETING

The Huntersville Board of Commissioners held a Pre-meeting at Huntersville Town Hall, 101 Huntersville-Concord Road, at 5:15 p.m. on March 20, 2023.

GOVERNING BODY MEMBERS PRESENT: Mayor Melinda Bales; Commissioners Dan Boone, Rob Kidwell, Amber Kovacs, Lance Munger, Derek Partee and Stacy Phillips.

Mayor Bales called the Pre-meeting to order.

DeLane Huneycutt presented FY2023 Market Study Review and Recommendations. *Refer to PowerPoint attached hereto as Exhibit No. 1.*

There being no further business, the Pre-meeting was adjourned.

REGULAR MEETING
TOWN OF HUNTERSVILLE
BOARD OF COMMISSIONERS

The Regular Meeting of the Huntersville Board of Commissioners was held at the Huntersville Town Hall, 101 Huntersville-Concord Road, at 6:00 p.m. on March 20, 2023.

GOVERNING BODY MEMBERS PRESENT: Mayor Melinda Bales; Commissioners Dan Boone, Rob Kidwell, Amber Kovacs, Lance Munger, Derek Partee and Stacy Phillips.

Mayor Bales called the meeting to order.

Mayor Bales called for a moment of silence.

Mayor Bales led the Pledge of Allegiance.

STAFF QUESTIONS

None

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

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Mayor Bales awarded a Police Commendation to Officer Juan Garay who demonstrated a high degree of professional excellence during incident related to a female suffering a mental health crisis.

Mayor Bales awarded the Police Life-Saving Award to Officer Mark Aguayo and Officer Carrington McClary for administering Narcan to possible opioid overdose patient.

Frank Gammon, 8912 Deerland Court, said I'm here to talk about Colonial Pipeline. Everybody else can talk about Birkdale tonight. I've had my say. After attending the pipeline public hearing last Thursday, I have a recommendation for them…..Colonial, that is. They can take that treatment plant and add a water treatment plant to it, purification portion. They can bottle it, they can label it Colonial Pipeline Reserve, and they can give it to their families and their children and their employees instead of dumping it in our creeks.

Merlin Villar, 17130 Bridgeton Lane, said I want to thank you for your careful consideration of the comments from constituents over the last six months about the issues in Birkdale Village. I'll be brief because I know you've heard what we are going to outline to you in the past. We hate to repeat ourselves, but we just want to emphasize how we feel about this. I would simply like to say that I know that NAP has also heard all of the same input from residents and guests, yet NAP has mostly ignored the complaints about parking, traffic, safety and unfinished projects. Nothing has actually improved. As both a resident and a frequent guest in the Village, I'd like to state that I am opposed to Petition R22-01 as submitted, but I am not against development. I support responsible rezoning that respects the character of the village and the town while providing a pleasant traffic and parking experience for customers so that businesses succeed and Birkdale Village can continue to be a prime destination for the Lake Norman community.

Nick O'Shaughnessy, 8217 Parkton Gate Drive, said thank you for the last six months of your diligence, your patience. You'll be glad to know I don't have the model with me tonight. The courtesy that you've awarded us all, we appreciate that. You may have concluded over the last six months that I do not support the Rezoning Petition 22-01. I am, however, in favor of responsibly scaled, complimentarily designed, development that also addresses the current traffic and parking issues that the village has right now. It is an iconic village with an ambience that is unique, slightly changed in the past few months, but it is an experience that Birkdale is renowned for regionally, nationally. We would hope that your decision tonight would help that be maintained, and I thank you for your consideration and courtesy and patience listening to my ramblings.

Izzy Zarsadias, 17303 Inglewood Lane, said thank you for the time and effort you've put not only in this but in what you do behind closed doors, countless hours. I know it's a thankless job, so thank you. I have seen Birkdale Village develop from a cow pasture and a picture on a piece of wood into this amazing asset we have. It's known for its character, its accessibility, it's walkability. Developers, city planners come to visit Birkdale Village to try to capture what we have, this asset in Birkdale Village, so they can develop that and capture it in their own town. You're going to be asked to vote on some plans put before you. They are big, they are bold, and they promise big things for the village and for Huntersville. While I believe their intent is sincere, I think it fails to honor what your predecessors have so carefully planned and cultivated in Birkdale Village. We have big in Concord Mills. We have better in Northlake Mall. What North American Properties is trying to do is it reminds me of when I was a high school student, my favorite meal was chicken nuggets and Coke. It was mid-80s, Coca-Cola wanted to be bigger, they wanted to be better, they wanted to generate more revenue than Pepsi, so they introduced New Coke. It failed. In three months, it failed, and within three months they discovered people didn't want bigger. They didn't want better. They wanted the original recipe, they wanted the

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nostalgia. They want what we have in Birkdale Village. They want that accessibility, they want the character, they want the walkability, they want what brought us all here today to live in this area. When you look about, look at Dick's for instance. They had two stores. They wanted to close one. They didn't close the small one, they closed the bigger one. Regal Cinemas has properties and theaters all over the nation. They're keeping this one because it just performs. When you're asked to vote upon this project....I am not anti North American Properties. I am for maintaining the character of Birkdale Village so that it's not for me, it's for my kids, your kids, their grandkids, so that they can see how we live, they can enjoy how we live, they can enjoy the nostalgia and that's what creates revenue. That's what maintains our property values and that's what I ask that you consider when you vote. Look at your predecessors, look what they've cultivated and vote for the future of the village for our kids so they can prosper here in Huntersville and in the region.

Suzanne Villar, 17130 Bridgeton Lane, said I want to thank you for listening carefully as residents and guests have outlined the many issues encountered within NAP's Birkdale Village. As you consider your vote tonight, I'd ask you to imagine this scenario. If you needed a home renovation and hired a contractor that did shoddy work, walked off the job before it was completed, left your yard unsafe, destroyed your entranceway, and did no work for months, would you give that contractor more and bigger projects to work on around your house? I know I would not. As a resident and as a daily guest in the village, I'd like to state that I am opposed to North American Properties Petition R22-01 as it was submitted, but I'm not against development. I don't think many of us are. I support responsible rezoning that respects the character of the Village and the town while providing a pleasant traffic, parking and visitor experience for customers. I want village businesses to succeed so that Birkdale Village can continue to be a prime destination in the Lake Norman community. Thank you for hearing us tonight and thank you for all you do for the community.

David Schurr, 17142 Pennington Drive, said there are approximately 500 homes in Birkdale Village and all were purchased under the current zoning. A vote in favor of rezoning would invalidate the criteria used by existing homeowners when they made their purchase. This could raise concerns in future home buyers to look elsewhere if they are nervous about zoning that could change on their purchase as well. Does the Town Board favor an out-of-state company whose only presence in Huntersville, let alone North Carolina, is via assets on its balance sheet? It's disconcerting that NAP's balance sheet would be given a higher priority than the valid concerns of residents, constituents and taxpayers. Has North American Properties even proven themselves to be a trusted community partner? Are you in favor of rezoning so much that you are willing to counter the recommendations of the Planning staff and Planning Board? Have all safety infrastructure and financial aspects of the project been vetted and addressed? Have you heard about the meandering route firetrucks had to take recently to respond to a call at the Cheesecake Factory work site? I want to pull this out one more time. We talked about this before. The current heights of the buildings, middle pencil being what is proposed, this pencil doesn't belong in our village. I am opposed to Petition R22-01 as submitted, but I am not against development. I support responsible rezoning that respects the character of the village and the town and provides a good traffic and parking experience for customers of the village so that businesses can succeed and Birkdale Village can continue to be a prime destination for the Lake Norman community.

Kim DiBenedictis, 8814 Camberly Road, said I'm an OG of the village. I've loved all of my years up until now and now I'm a little concerned. I do thank you and I want to say thank you so much because I know this has been a very long six months or so of all of your time listening to all of us and our concerns and I know it's a lot of work on your end, so just thank you so much all of you. I am definitely opposed to the bill that we're voting on. I'm not opposed to development as long as it's responsible and respectful. I just want to mention that if this was to be passed, there's no going back because once the buildings are

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built skyscraper height, I mean that's what it feels like, it's going to be New York City. I don't know so I'm a little bit exaggerating, but it's what it feels like. Once it's built it's like that forever and our sweet village will be no more. It'll be just over and done with. Please take note that both Cornelius and Davidson have listened to their citizens and protected their towns and turned down over development. I just really hope and pray that you will do the same for Huntersville and keep the crown jewel, Birkdale Village. Some things are meant to remain classic, and I think that's it.

Errol Genois, 8537 Camberly Road, said I remain positive about Birkdale Village. Thank you for reading all my emails and listening to my concerns. I oppose Petition R22-01 as submitted, but I am not against development. I support responsible rezoning that respects the character of the village and the town and provides a good traffic and parking experience for customers of the village so that businesses succeed and Birkdale Village can continue to be a prime destination for the Lake Norman community.

Lesley Williams, The Cape, said I live in the Cape Residency in Huntersville. I've lived there for over 18 years, approximately 10 minutes from Birkdale. Again, like everybody else, I appreciate the work everybody has put into these discussions. It's a huge decision and the message it will send is immense. Unfortunately, all too often retail malls and strip centers become stale because the all important constant foot traffic is not there. The town is then just left with a developer who will take any tenant just to fill a space and get rent without concern for the needs and hopes of consumers. We've all witnessed it. Thanks to the investments to date by North American Properties, what has transpired at Birkdale is wonderful. It's still a work in progress. It's not a residential property. This is a huge development. I know just from doing improvements in my own home, the delays that have been caused by raw materials, by processes, and the weather that they have to experience. They can't work 24/7. They're doing a great job and I really want to keep this momentum going to maintain the success of Birkdale for now and for our children. My concern at Birkdale is predominantly parking, or lack thereof, especially weekends and holidays. Myself and many other friends and family have almost given up on going to Birkdale in these times. I certainly don't want to have to go down I-77 to SouthPark for the stores we finally have on our doorstep, thanks to North American Properties. As we know, there is no such thing as a free lunch. In order to build the much needed parking, there has to be a mechanism to recover the costs. The win-win for everybody is the class A office space desperately lacking in Huntersville and Cornelius, and office tenants to absorb the cost of the parking deck for the benefit of the retail consumers. Traffic doesn't belong on the main retail area. It's unsafe and unpleasant. Parking your vehicle and walking around the stores is fun. We just need more parking and the parking deck is an ideal option. Birkdale is an existing real estate. What's less desirable to me is the continuation of urban sprawl and high density housing on greenfields and farmland…….the 241 apartments planned for the other side of Highway 73, the 725 townhomes and condos and apartments planned for a 70 acre greenfield site, Town 1 off Hambright Road. We all appreciate traffic as a problem, but when you have a lake the size of Lake Norman with no crossings west to east other than Highway 73 and the amount of greenfield development in the area, you've got a problem. I have heard many of the Planning and Town Board members are in favor of the Class A office vacant parking deck, but the process is problem. Whose process? I believe the legal department……

Mayor Bales said thank you Ms. Williams, your time is up.

Ms. Williams said as I have already told you, you can vote on the process that’s in front of you.

Dawn Snow, 8132 Evanston Falls Road, said first of all, I want to thank all of you for your patience in hearing us over the last six months. It's been a long six months. By now you are very familiar with all our concerns and the reasons I have opposed this rezoning, so I'm not going to rehash all those again.

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An NAP representative previously made a statement about people being fearful of change. I am not against change or development and I am not a NIMBY. I am opposed to the current proposal as submitted because it's not the right change for all the reasons that you've been hearing over the last many months. The fear of change is also overcome with trust. There are too many loose ends in phase one with workmanship issues, unfinished and vacant buildings, a broken fountain, and unaddressed traffic and parking problems, which have been made worse by the decisions of NAP, such as the removal of the street parking and the closing of the Lindholm roundabout. Let's truly finish Phase One before any work is ever begun on a second phase of redevelopment. Again, I am opposed to the R22-01 proposal as submitted, but I am not against development. I just want responsible rezoning and development that respects the character, the scale, and the aesthetics of the village and provides a good traffic and parking experience for customers so that the village can remain successful and thrive as the Lake Norman gem that it has been for the last 20 years.

Martin Williams, The Cape, said thank you for the opportunity to speak tonight. I live at the Cape, Huntersville, which is approximately 10 minutes from Birkdale. I also have a daughter in Georgia, and we go and visit her very often. We go to a place called Avalon, which is owned by NAP. It's what my daughter used to call Birkdale on steroids. But if you know it and if you've been there, it's a very impressive development. It's very prosperous. It's very busy. And we used to visit that before we knew the NAP was going to invest in Birkdale. But when we found out that was the case, we were really, really excited and frankly, having seen what NAP has done so far and what they intend to do, I'm very confident that this is going to be a real shot in the arm that Birkdale is going to need. And frankly, when we would visit Birkdale in the past, we'd be very disappointed and frustrated at how quiet, how empty the restaurants and the stores were, and we really believe that this investment is necessary and it's going to do a great thing for the prosperity of Huntersville. Couple of specific points, the Class A office space and much needed parking deck is part of this overall investment plan. I don't think you can have one without the other. And I think anybody that would visit NAP's development in Avalon would be very impressed by what they've done there. I'm very confident that what they plan to do here is going to be right and it's going to be done properly. A couple of specific issues that have been raised as objections. One is traffic. I believe the widening of Sam Furr 73 was proposed a long time before Birkdale redevelopment was proposed. And that was in the expectation of significant increase in traffic, Concord, Denver, along the 73 corridor. Consequently, I believe that any increase in traffic in Birkdale due to this development is going to be a drop in the bucket and negligible in the big scheme of things and already accommodated and planned for within that Highway 73 widening. I think I'd just like to say in conclusion that the Class A office space is really needed in Huntersville for employment and for increased prosperity. The developers would not be submitting it in their proposals if that was not the case. It's a bonus for Birkdale that the additional parking will come with this office development. I urge you to please vote yes for this much needed development and this forward-looking development for the area.

Peter Romaniello, 15821 Trenton Place Road, said I'm not going to bore you with rehashing everything we've all presented for the last seven months, but I just wanted to take a minute and thank all of you up here for all your time and all your effort. This is a super hard decision that you have to make and in some respects, it's your legacy. You're going to look back at this and you're either going to be happy with your decision or you're not going to be happy with your decision. And your decision affects almost 70,000 people. Regardless of how the decision goes, I hope that all of you will make a concerted effort to put people ahead of profit and respect the wishes of the incredibly strong majority of people who have fought hard to keep the integrity of their crown jewel of Huntersville, which is Birkdale Village. I am opposed to Petition R22-01 as submitted. I'm not against development. We've shown that by presenting alternate design ideas. The reality is that there's more than one way to skin a cat. You don't

DRAFT

have to do 110' foot tall building to get an office building. I support responsible rezoning that respects the character of the village and the town and so that businesses can succeed and Birkdale Village can continue to be a prime destination for the Lake Norman community.

Chanda Pope, 16846 Bridgeton Lane, said I want to thank you again Mayor and Commissioners. We just want good change, and however we get there, we're looking at you to make sure that it's done properly and right. NAP, I'm not against NAP, but what I would like is actually some clarity. I think everyone would like some clarity. We have unfinished buildings that have been sitting for a while, not just a month, not just two months. It's not because of weather, and maybe it is. Maybe it's because, like you said, permits. But what I have found is that on February 20, 2023, Good Wurst finally just issued four permits. The permit states, not finaled. There are also holds from LUESA Agency on Parcel 00537156. Hold reason, work done without an agency permit. I don't need to disclose and define that. I'm sure you guys can figure out what that means. Also, I did find failed inspections that are all public knowledge on code enforcement. This is all public knowledge. That's just on one parcel. I also heard they cannot even get one of the buildings even insured. Do you see a pattern here? If they can't pull a right permit to start building or how the permit process works, how do we know that they're equipped or educated to hire the correct contractors, subcontractors to get the work done and safe? Right now, when I walk out there, I feel like I should probably have maybe a hard helmet on walking around because those are not safe. I'm not against change. I'm for good change. There's a huge difference. So once again, I'm not for the rezoning and the proposed R22-01, but once again, I thank you for your time, all your time, and the police and everyone here tonight because you guys are faces of our future, of our children. I've been in Avalon. Was that already a mixed-use space or did they develop that from ground up? I know what Avalon is. I don't want to be Atlanta, Georgia. And that's just my opinion.

Pat McLean, 8103 Parkton Gate Drive, said I felt that there were comments made at the last Town Board meeting praising half the community were meant to divide us. We all live, work, and play here. We take care of each other. There are I'll bring your packages in. We watch each other's dogs. We really love our community. We all think it needs to be built up, a little renovation, but we just love our community and whatever you do, whatever how you vote, you affect all of us and it could change our whole community.

Catherine Wright, 8203 Strandhill Road, said thank you so much for listening to us all these months and it's a big decision. We just really are grateful for all your work on it. I wanted to just touch base on a couple of things that came to mind. First of all, I'm not against progress. I was really excited when NAP started to consider taking over and I thought things are going to really be freshened up a little bit. I have to admit, it's gotten a little bit cluttered looking to me now, and things are unfinished, so I'm a little concerned about that. But more importantly, I'm not really opposed to change. But I am really concerned about this rezoning R22-01. And I hope that we can vote against that. I know they'll come back again and will talk about new things later. But I think for right now, my biggest concern is, I'm starting to hear more and more sirens at night. Sirens during the day. We're growing really rapidly. The thing that concerns me is the fact that we had a firetruck that had a hard time accessing part of Birkdale the other day. It's interesting to me and the gentleman gave me a fresh thought, it is kind of like Birkdale on steroids. Is that a positive thing? I'm not thinking that's very positive. That just makes me a little freaked out because we're starting to struggle already with the concerns of safety and that's going to be a problem going forward with the traffic patterns we have and that will change. I think we need to really push NCDOT. I hope we can get them to do more than what they're doing because we are an evacuation route. And I know we laugh about that. Oh, there'll never be an incident where we have to worry. But when you're having a child maybe up here in Birkdale and you're working in Charlotte, and you hear that there's some kind of a disaster that happens or there's a huge problem like another giant

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gas leak and you're worried about your family, what are you going to think about that [inaudible] that's up here in the village area and you can't get out. And that's what I'm worried about the most. We need to slow down on some of this development until we get NCDOT to do their part better for us and make a way so that we're not trapped in our neighborhoods.

Kim Zarsadias, 17303 Englewood Lane, said I want to thank all of you for your attention to our voices over the last six or seven months. Once again, I do oppose the 110' high building in Birkdale Village, but I do support responsible development by North American Properties. As a real estate professional, it is part of my job to promote what is best for my community. There are many concerns throughout the Lake Norman area about the uncertainty brought on by unfinished buildings, unattractive and temporary architecture, empty retail spaces, traffic, and parking in the village. The aesthetics and ambiance of Birkdale Village are important to our patrons and guests, as well as its residents. Contrary to previous comment, it is not an anomaly that Birkdale Village home prices rose significantly from 2019 to 2022. This happened across the country and in particular, the Charlotte, Huntersville, and Lake Norman area. North American Properties did not make this happen for Birkdale Village. In fact, since the inception of Birkdale Village, homes here have historically outperformed area homes. I am opposing Petition R22-01 as it is submitted, but am not against development by North American Properties. I support responsible rezoning that respects the original character of the village and town and promotes a good traffic and parking experience for village guests so that businesses can succeed and Birkdale Village can continue to be a prime destination for the Lake Norman community and its visitors.

Pierce Pope said I'm a minor, so I can't really provide my address. I am against the rezoning of R22-01, and this is mainly because already Birkdale is dangerous. I was there yesterday walking around in the big area in the middle that had fences around it. Any kid could easily get in there and get extremely hurt. This is nervous for me because as a frequent visitor of the village, I'm worried for these new developments when it seems that these past developments that are not being developed correctly and not being finished. I have noticed that there have been less police in these past few months than there have been usually. And again, it's scary because I feel like the village should be a safe place. Another thing is, most of the customers there are kids around my age, teenagers. They don't have the cash to be shopping at these big stores that'll be popping up after this new rezoning. I know I don't have the cash to be shopping at a Gucci or Louis Vuitton. I like shopping with my friends at these cute little boutique stores that are just fun to shop in. They're small and it's easier to spend money at than say, Louis Vuitton. Another thing is the grid system. All these new buildings and developments will put a strain on our electrical grid, and that is frankly, quite nerve-racking as for I may be here when I'm older and my children, this will be crazy because if it's developing now, it'll develop even more in the future. So, if there's not proper things set in place to help increase the grid, if NAP is not helping develop the grid, as these developments in Birkdale Village are increasing, then we might have frequent blackouts and it's frankly quite nerve-racking. Anyway, thank you Mayor and Commissioners for listening and being here.

Sheila Wilson, 8148 Evanston Falls, said I echo what others have said. We've all been up here before and have stated our case. I just wanted to reiterate, Birkdale Village is an incredibly special place to all of us. I moved to the state of North Carolina having never set foot in the state on the strength of the village alone about three years ago. It is absolutely my forever home. I frequently joke that I will be buried in my crawl space. That's a different zoning issue. The passion around the development from both sides is indicative of how much we deeply care about our village. I just wanted to state tonight that I am in favor of the planned development. I've enjoyed all of the updates NAP has made. I look forward to seeing what will come next. The strength of my property investment is contingent upon the success of the village, and I believe that they're moving in the right direction. Thank you for your careful consideration.

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Brian Rice, 17232 Bridgeton Lane, said thank you for listening to us over the last six months. I know personally, I've learned so much about the process, the protocol, and the people involved in this Birkdale Village rezoning proposal. And again, I ask that you say no to this proposal as written. So I don't belabor the points made over the last six months, I'm only going to update three items. Number one, update on the petition. As of Monday night, we have 1,805 signatures. These are voters, these are customers, and these are concerned community members that want Birkdale Village to thrive. Number two, please believe that we know the success of Birkdale Village relies on its convenience for the broader community and not just the adjacent neighborhood. Improve the traffic, you'll improve the experience. Improve the parking, you'll improve the experience, and compel developers to finish what they start. Number three, in 18 years of living next to Birkdale Village, I've many times heard about the beauty of the green space, the relevant businesses, and the quaint character and aesthetic that makes it so successful. Of course, I've also heard concerns around parking and lately around traffic. I hope that by saying no to this proposal as it is, it sends a message that listening to customers and residents is the best way to do business in Huntersville. To sum up, I ask that you say no to this proposal as written. We support responsible rezoning that respects the character of the village and the town while providing a good traffic and parking experience so that businesses succeed and Birkdale Village remains a prime destination for the Lake Norman community.

Kerry Edelstein, 8810 Camberly Road (Casey Childers deferred their time), said I did want to talk about something that's come up over and over again. This is this characterization that those of us who are in opposition to this particular rezoning proposal are afraid of development, afraid of growth, opposed to change. I actually really want to thank you and credit you because I think all of you have really heard that that's not true. And I really appreciate that you've listened to us and realized that that's not true. I'm not sure everybody else in the room understands that that's not true. And so I want to talk a little bit about what change requires, because that's where my opposition is coming from. I have actually made a career out of embracing change. In fact, the reason I missed the March 6 meeting is that I was literally at a conference called Agents for Change. That's how important it is to my business. And the tagline from my own company is Reimagine, Reconsider, Rethink, Reinvent. They're all change related words. I'm a big believer in change and innovation, but I also know that even when you're passionate about change and committed to it, and everybody's on the same page, it's hard. Change is really hard. And it requires a lot of thought and a lot of discipline to do well. And there's this concept... I think anybody who's worked in engineering or tech will know this is maybe agile. But in other worlds, it might be called a beta test or a pilot test. But there's this concept in change, in business change of start with something small. Start with some sort of pilot test and design, and then execute that design and then learn and then iterate. Design, execute, learn, iterate. Do that over and over again. And that's a path to really giving yourself a chance to build knowledge and build to success so that you don't start too big and fail and never get that second chance. And one of the things I actually recognize about all of this is that we have a pilot test happening right now in Birkdale Village. We have that first stage of reimagining Birkdale taking place today. We have our pilot test. And I think that's fantastic. I think that's a huge opportunity. And one of the things I believe in a pilot test is that you have to finish it, so my concern with this rezoning is that we're skipping design, execute, and learn, and we're going straight to iterate. We're going straight to that big splashy final thing that maybe we want to accomplish, maybe not. But right now, as many of my neighbors have noted, we're not done with design. We're not done with execution, and we certainly haven't learned all of the lessons. That's why we're seeing unpermitted buildings still remaining unfinished on the green. If you actually walk by, I'm actually not one to generally complain about parking in Birkdale because I walk to Birkdale most of the time, but you'll actually see cracks in the foundation of those unfinished buildings right now. You'll see cracks in some of the new things that have been built already. You'll see lots of unfinished and vacant different shops

right now as everything moves around. And that's not necessarily bad, but it is unfinished. And to me, the number one priority of a pilot is getting it done. And so I think we need this space to be done before we can move into a stage of iterating. You guys have asked me time and time again what do I want to see. I want to see the pilot get done. I want to see us finish that. I want to see a design and learning from what we've executed now so that we can sit down together and have a thoughtful and meaningful and responsible conversation of what does reinvention look like? Do we even need rezoning? What would be the ideal thing to have there? But we've skipped all these steps and we've gone right to the end. And so that's why I'm asking you tonight to deny this petition for rezoning, not because I don't believe in development, but because I think there is a way better, more responsible and more effective way to get it done.

Mike Lant, 5142 Enniskillen Court, Suwanee, GA (Rachel Leonard deferred her time), said I just want to go over a couple of things and reiterate several things we've stated before here at the podium. But first of all, before I do that, I just want to thank.....it's really difficult for people who are for something to come out and speak their minds and send emails. And I just want to thank everybody of all the supporters. I don't know a lot of you, but I want to thank everyone of you for coming out. We really appreciate the support. One of the things we do is, it's our business to renovate and go into older projects and make them a little bit better. Nuveen Real Estate, who's here in Charlotte, owned Birkdale Village. And knowing our reputation, they brought us in. We partnered with them because they said Birkdale's got the sales per square foot, which is the barometer on how healthy tenants are, was continuing to sink and getting lower and lower. There were a lot of vacant stores, so they asked us to come in and say can you come up with a plan. We came up with that plan and we completed the plan. There's been a lot of talk about unfinished business. Again, I'll mention it one more time. The fountain was operable before Christmas. And it was ready to go. We put the Christmas tree on it. That's where the Christmas tree is going to go every year. Unfortunately, when the Christmas tree got taken down and then when the ice rink was being removed, several pieces, several of the planks, the pavers, and some of the components of some of the [inaudible] were broken when the ice rink folks dismantled the ice rink. So, we're waiting on parts. Parts are supposed to be here any week. We should have that fountain operating by the end of the month. In regards to the two, what we call jewel box, the small retail buildings, the last time I spoke, we did not have a permit for that Good Wurst building. They do have it now. And now they're negotiating with a contractor, and they should be starting any week on that building. The second building, the one with the rooftop, it's a little more complicated, but I'll be happy to spend a couple seconds and talk about that. The reason we build these small retail buildings the way we do when they look unfinished is because we want the retailers to brand. We want them to express their brand by their storefront design. Many times, they want to move the storefront in a little bit because they want more covered patio. There's a lot of things that change when we design these buildings, so we let the tenants do that. The tenant's architect was talking to the county and they had some preliminary plans about the roof deck and how the plans are coming together. And the county said well, we're not sure, you might have to sprinkle the roof, the second level. And they recommended we do a test. So, we hired a consultant, did a fire suppression test and it came back, we don't need the fire sprinkler. We gave that report back to the county. The county said finish your plans and then we'll review your occupant load, and then we'll make a decision. At that time, the tenant said we're not going to spend any more money until we have a firm determination by the county. After a few weeks of negotiation with the tenant, we agreed. We told them, whatever the county's final determination is, we'll pay the price. We'll pay whatever additional cost there is in order to do that. So now the tenant is in the process of completing their building plans. That's where we are with those two buildings. So, it's not unfinished. We've completed every other building out there that we started.

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Kathleen Rose, 630 Davidson Gateway Drive, Davidson (Ann Kabaklian 8712 Lindholm Drive deferred her time), said I am here on behalf of the applicant, North American Properties, to address as an expert witness information regarding land use, real estate, economic development, and real estate markets. I've previously provided my credentials, so I won't bore you with all that. I also previously provided two technical memorandums to the Board regarding issues around these points. I only want to make really four points. One is about the fiscal health of the community as it stands…….land use, real estate market, and economic development. Let's talk about fiscal impacts and fiscal health of the community, tax balance, and economic health. Your annual comprehensive financial report of June of this year noted that 73 percent of your assessed value is residential and 27 percent is commercial. And it states that while a majority, 73 percent of the Town's assessed value is residential in nature, the Town continues to work at diversifying the tax base with commercial growth. So, the revaluation that everyone's just recently received demonstrates just the need for that continued focus on balance in terms of the real estate tax base. And in that regard you have, per your 2045 Land Use Plan, we'll move to land use, is really only six areas for this more intense commercial mixed-use development to occur at Exit 23 at Rosedale, The Park, and areas around the hospital, of course downtown Huntersville where we are now, and Exit 25, which is Birkdale and Northcross. Much of the development that has occurred in the last couple of years to help balance that tax base has been in the industrial development sector. So, the goal here is to really look at how do we create other high paying jobs and opportunities for improved customer traffic and the health of Birkdale through office development. And so, with that, we move into just the real estate market and we provided some market assessment and the need for new office product in Huntersville, as was noted by the Lake Norman Economic Development Corporation. In fact, part of that is for newer, larger footprints and a signature building, as we've only really seen in Huntersville one new building built since 2015 in the office sector, and that was the medical office building on Highway 21. And so, to point that out, in the office market, in fact just yesterday, Colliers International came out with a report on fiscal impacts and valuation for the financial markets, and they noted that there's a clear bifurcation in newer built, highly amenitized, functional office product versus everything else. That's where we are with office product for the Town of Huntersville and the Lake Norman region in general, as it is really a high demand for that. With that, the best practices of office product needs to meet the needs of workers and companies post pandemic. That's improved lighting, ventilation, outdoor space, all the amenities that Birkdale offers, including shorter commutes, healthy design, onsite amenities. And in fact, as a result the Congress of New Urbanism, which is a nonprofit, international group whose focus and mission is on walkable urbanism, is visiting Birkdale in May to highlight the importance of the future of this development. Not only its past, but its future potential in terms of the development that's being proposed. With that, we would hope that you would consider approving the plan to not only sustain, but to continue to be a model for development for these types of products into the future.

Susan Irvin, 19726 Zion Avenue, Cornelius (Robert Irvin deferred his time), said I also want to thank the Board and everyone here, and really especially the people who have come out in support of this, which is so rare. The one thing I noticed is over the last 12 days there has been a very positive momentum about this project from all over Huntersville. We had people call our office. I think as of this morning, 17 people from all over Huntersville and the region had emailed the Town Board to voice support for this project. The thing that occurred to me as I thought back through everything…….we've had at least 22 meetings. We started out with one process then we were told that we should talk with the commissioners about the design. We could not do that, according to the Legal Department, with the processes that we had. The Legal Department felt that we could drop one process and have this decision made as a part of a conditional zoning. We did that because it was important to collaborate with the Town leaders. We went back to the design and came up with a better design for the office building. I think back through those 22 meetings and one thing I realized is that what you've been asked

to do by the group that's opposing this has changed. We started out with the apartments and the hotel. Those were completely removed from the plan. There has always been a concern about compatibility. And really what that means is, if the office building were four stories high, would a parking garage be built. And the answer is no. There's been a lot of reference to responsible development. Responsible development is building a parking garage that is free to the public and that is available to everyone in Huntersville. It doesn't matter who you are, it doesn't matter where you live. You can come to Birkdale and you can park in a free parking garage. In order to do that, you've got to have a signature office building that's very expensive that pays for that parking garage. That's a $90 million project. Now, this is something that the developers of Birkdale sat down and did after numerous meetings – community meetings, meetings with town leaders, and they said what do we need to do for our entire community. And the answer was parking. Number one, parking. What they decided to do was make Birkdale available to everyone in Huntersville. It is going to change. If the parking garage is approved with the Class A office, the Class A office workers will come in in the morning when the residents leave. It's opposite traffic, so it certainly doesn't hurt the existing situation. The project would have workers there during the day to help the local businesses and then they would go home in the afternoon and visitors and residents would come back, park free in the parking garage and be able to use Birkdale. So, it opens up Birkdale to a much broader group of people than an exclusive group, many of whom don't need the parking garage because they can walk to Birkdale. So, it does change Birkdale. It makes Birkdale a vibrant, mixed-use development that is a regional gem. And so, the real question tonight before the Board is not just what's best for Birkdale, it's what is best for the entire community. What is best for all of Huntersville. That's the question. And the answer to that is Class A office, as Ms. Rose explained, that helps individual taxpayers, it provides local businesses, it populates them during the weekdays and helps their overall ability to thrive, and there's so little of it in Huntersville. So, building a Class A office building which is not a four-story suburban office building, and by doing that, building a parking deck that is available to everyone... is it inclusive when people can't come park at Birkdale. That's the thing that we heard when people read the article in the Charlotte Observer on the 8th. I think that's the reason we've gotten the comments that we've gotten over the last 12 days, and the emails to the Town Board and the people talking to me saying Birkdale is cool now. I would love to go. I wish there were a parking garage. So, these things seem to be positive things for Birkdale and the Town, a free, public parking garage. The other thing is that that parking garage frees up 150 spaces for the 50,000 sq. ft. of office tenants that are there now. Those office tenants can actually park in the parking garage and the people who are using it won't be taking up space.

Mayor Bales called for a 10-minute recess.

The Town Board reconvened.

AGENDA CHANGES/ADOPTION OF AGENDA

Commissioner Phillips made a motion to adopt the agenda.

Commissioner Munger seconded motion.

Motion carried unanimously.

CONSENT AGENDA

Budget Amendment – Parks & Recreation Insurance. Commissioner Phillips made a motion to approve budget amendment appropriating $2,971.78 from Insurance – Parks & Recreation to Maintenance –

Bldg & Grounds for water damage sustained due to burst pipes at the Barry Park storage building. Commissioner Kovacs seconded motion. Motion carried unanimously.

Budget Amendment – Downtown Revitalization. Commissioner Phillips made a motion to approve budget amendment appropriating $8,500 to Downtown Revitalization revenue for SculpTOUR art piece. Commissioner Kovacs seconded motion. Motion carried unanimously.

Accept Streets – Bryton Parcel 3 – Bryton Crossing. Commissioner Phillips made a motion to accept streets in Bryton Parcel 3 – Bryton Crossing for Town Maintenance. Commissioner Kovacs seconded motion. Motion carried unanimously.

Street Name	From	To	Approx. Length
Meacham Farm Drive	Bryton Ridge Parkway	End of Roadway	1070
Winding Gorge Drive	Meacham Farm Drive	Leafy Canopy Lane	375

Accept Streets – Bryton. Commissioner Phillips made a motion to accept streets in Bryton Single-family Subdivision for Town Maintenance. Commissioner Kovacs seconded motion. Motion carried unanimously.

Street Name	From	To	Approx. Length
Bryton Parkway	Roderick Drive	Roderick Drive	1390
Bordley Place	Roderick Drive	Bryton Parkway	455
Briarmead Place	Roderick Drive	End of Roadway	610
Roderick Drive	Maher Lane	End of Roadway	600

Accept Streets – Arrington Phase 3, Maps 1, 2 and 3. Commissioner Phillips made a motion to accept streets in Arrington Phase 3, Maps 1, 2 and 3 for Town Maintenance. Commissioner Kovacs seconded motion. Motion carried unanimously.

Street Name	From	To	Approx. Length
Rickard Drive	Charmont Place	End of Road	1620
Barnette Crest Dr	Rickard Drive	Rickard Dr	530
Cantrell Way	Rickard Drive	190’ E of Rickard Dr	190
Grenfell Ave	Rickard Drive	120’ E of Caledenia Dr	2220
Genfell Ave	Mona Vale Drive	60’ N of Branmore Dr	715
Watergum Dr	Grenfell Ave	End of Road	155
McCowan Dr	Grenfell Ave (East)	Grenfell Ave (West)	640
Mona Vale Dr	Grenfell Ave	Rickard Drive	285
Charmont Place	Grenfell Ave	143’ E of Rickard Dr	345
Caledenia Dr	McCowan Dr	164’ N of Grenfell Ave	395
Powderworks Dr	Bud Henderson Rd	Beecroft Valley Dr	1195

DRAFT

Accept Streets – The Park Huntersville – Torrence For Development. Commissioner Phillips made a motion to accept streets in The Park Huntersville – Torrence Ford Development for Town Maintenance. Commissioner Kovacs seconded motion. Motion carried unanimously.

Street Name	From	To	Approx. Length
Torrence Ford Dr	End of Road	765-ft East of Reese Blvd	365 ft

Peace Pole Artwork. Commissioner Phillips made a motion to approve the artwork submitted by Phoenix Montessori Academy for the Peace Pole public art project. Commissioner Kovacs seconded motion. Motion carried unanimously.

Artwork attached hereto as Exhibit No. 2.

Resolution – Call for Public Hearing on Petition #ANNEX23-01. Commissioner Phillips made a motion to call a public hearing for Monday, April 3, 2023, at 6:00 p.m. at Huntersville Town Hall on Petition #ANNEX23-01, a request by Camden Bowman, LLC to annex 33.535 acres of Parcel #011-241-04 into the Town of Huntersville. Commissioner Kovacs seconded motion. Motion carried unanimously.

Resolution attached hereto as Exhibit No. 3.

Resolution – Call for Public Hearing on Petition #ANNEX23-02. Commissioner Phillips made a motion to call a public hearing for Monday, April 3, 2023, at 6:00 p.m. at Huntersville Town Hall on Petition #ANNEX23-02, a request by Bobby MacNaughton, Richard Carpentieri, Emily Bice, Logan Ruffin, Abril Jimenez, and Chirag B. Patel to annex 62.593 acres of Parcels 021-031-04, 021-031-32, 021-031-07, 021-031-38, 021-033-89 thru 021-033-91, 021-033-01 thru 021-033-18, 021-033-52 thru 021-033-88 into the Town of Huntersville. Commissioner Kovacs seconded motion. Motion carried unanimously.

Resolution attached hereto as Exhibit No. 4.

PUBLIC HEARINGS

None

OTHER BUSINESS

Amend Livestock Ordinance. Proposed amendments were made at the request of the Town Board clarifying the location for livestock shelters.

Emily Sloop, Town Attorney, confirmed if an HOA does not allow livestock, that supersedes this change.

Commissioner Boone suggested including as a part of the motion language that roosters are not allowed.

Commissioner Phillips made a motion to approve adopting the ordinance to amend Article 94.46 of the Huntersville Code of Ordinances entitled “Livestock.”

Commissioner Munger seconded motion.

Commissioner Boone asked about including roosters are not allowed in the motion.

DRAFT

Commissioner Phillips explained she will not include that because a rooster is needed to protect the flock and the Town already has a noise ordinance that addresses the sounds of animals.

Mayor Bales called for the vote to adopt Ordinance to amend Article 94.46 of the Huntersville Code of Ordinances entitled Livestock.

Motion carried unanimously.

Ordinance attached hereto as Exhibit No. 5.

Petition #R22-05. Petition #R22-05 Oak Grove Hill – Addition, is a request by Carver Bowman, LLC to rezone +/- 28.87-acres generally located north of Mt. Holly-Huntersville Road, east of Beatties Ford Road and south of Pembroke Road from existing Neighborhood Residential - Conditional District (existing Oak Grove Hill CD-Rezoning) and Rural to Neighborhood Residential - Conditional District (REVISED Oak Grove Hill CD-Rezoning) for a 161-lot subdivision; (Parcel #s 01526443, 01526504, 0152606, 01526460, 015254432, 01526456, 01526432, 01526450, 01526455, 01526428, 01526429 & 015264431).

David Peete, Principal Planner, entered the Staff Report into the record and briefly reviewed request.
Staff Report and Staff PowerPoint attached hereto as Exhibit No. 6.

The Planning Board voted unanimously to recommend approval at their last meeting.

Commissioner Munger said there's a connection that happens to Mt. Holly-Huntersville Road. At what point during the development process does that happen? And if it happens when I think it does, which is towards the end, can it be brought more forward to happen nearer to Phase 1?

Nate Bowman, 205 South Church Street, said if the plan is approved by the Board, usually it takes an engineer two to three months to prepare fully engineered drawings and submit them to the Town. At that point for the Town to review the plans, it's anywhere from eight months to over a year. It's been what we've been dealing with. And actually, Charlotte Water has been more of a problem than land development approval with the Town. The current builder, DR Horton, plans to build the houses…..take all the lots as soon as they're ready. There's no slow take down schedule and they build spec houses. We don't have a builder for the second phase because we don't have an approved plan. But once we do, my guess is three months to get the plans approved, let's say eight months to ten months for the final approval so we can move dirt, and then after that takes about a year. So, there will be no hold up. The lots that DR Horton is... the 104 lots they have now will be ready for that. And again, from a marketing standpoint, the front door is really Mt Holly-Huntersville Road, so we need to get that open as soon as possible so the traffic flows the way we want it to.

Commissioner Kidwell asked what is the plan for the five points intersection.

Stephen Trott, Director of Engineering, said the Beatties Ford, McCoy, Overhill intersection, we're currently working on the plans. The plans are to straighten out Beatties Ford Road a little bit and have McCoy come into it and align more with the road on the west side. And then Overhill would be closed off right at that intersection.

Commissioner Kidwell said have we done any forecasting of the traffic that would come out of the Phase 1 here, or where it would come out.

Mr. Trott said there was a traffic study scoping that was done as part of the development. Most of the traffic was projected to come out at Carver or out onto Mt Holly-Huntersville.

Commissioner Partee made a motion in considering the proposed conditional district rezoning application R22-05, Oak Grove Hill Addition, the Town Board recommends approval as it is consistent with Policies LU-2, LU-2.1, LU-3.1, LU-7.1, LU-10.2, LU-10.4, LU-12.3, EOS-1.1, EOS-4.1, EOS-10, and T-2.3 of the 2040 Community Plan. The Town Board also makes the following recommendations: (1) approval of the block length modification for Block 16, Carver Avenue, for 958 linear feet, and Block 19, Cherry Bark Oak Lane, for 994 linear feet; (2) a 10' wide multi-use path should be provided along Mt Holly-Huntersville Road as called for in the Huntersville Bike Master Plan; (3) add a note of willingness to annex Phase 3 into the Town; (4) rezoning notes from the Sheet SP-8 of the original plan must be added to the plan set; (5) all notes and data will need to be coordinated with Petition R23-04, which would remove the 6.89 acres from the original rezoning to permit this addition; (6) ensure maintenance of access easements so that BMPs do not encroach into the swim buffers; (7) all outstanding red line comments from the staff are addressed. It is reasonable and in the public interest to approve the conditional district rezoning plan because it is consistent with the objectives of both the Beatties Ford Road and Mt Holly-Huntersville Road Small Area Plan, and the Beatties Ford Road Corridor Plan. It is also consistent with the plans for the surrounding area and meets the applicable provisions of the Zoning Ordinance.

Commissioner Phillips seconded motion.

Commissioner Boone said I have a clarification on the motion. Right after EOS-10, you said T2.2. Is that correct?

Commissioner Partee said T-3.2.

Commissioner Boone said that's correct, then.

Commissioner Munger said I recall this coming to us in January 2020. It was probably one of my first significant votes that I remember being a part of, and one of the things I did at that time was actually drive down into that area and take a look at it. And unfortunately, across the street is Charlotte. In theory, you're not supposed to look at Charlotte because it's not Huntersville, but if you take everything into context, some of the houses, some of the structures that are in existence, this felt very much out of character with its surrounding neighborhood. And that's why I voted no in 2020. I still think it's out of character with that surrounding area, so I will vote no on this.

Commissioner Kovacs said I wasn't a part of the original vote, but when looking at this project I have to agree with Commissioner Munger. I do think it's out of place with the high density. I understand adding this piece because it has so much green space, lowers the density, but I'm more comfortable with 105 units that exist than adding in another 51, so I'm not for this project either.

Mayor Bales called for the vote to approve Petition #R22-05.

Motion was tied 3 to 3 (Commissioners Boone, Partee and Phillips in favor; Commissioners Kidwell, Kovacs and Munger opposed).

DRAFT

Mayor Bales said I will say that the lack of communication from this Board to me, if I'm going to have to cast a tie vote, it would've been beneficial to have had some conversations ahead of time. With that said, Mr. Peete, clarify this for me. This sits in one of our Activity Nodes, correct.

Mr. Peete said there is a portion of it that is.

Mayor Bales said I was on the Board when this was originally approved, and if memory serves, I did support this. It sat in that node with all the development that's happening around it. I guess this evening I will support the addition. I know that that was one of the things that Mr. Bowman originally had looked at and had hoped this parcel would've been brought in. It was not originally, so I will be supporting that this evening, and that motion is approved.

Petition #R23-04 – Oak Grove Hill Revision. Petition #R23-04 Oak Grove Hill – Revision, is a request by Carver Bowman, LLC to remove +/- 6.89-acres generally located north of Mt. Holly-Huntersville Road, east of Beatties Ford Road and south of Pembroke Road from the existing Oak Grove Hill Neighborhood Residential - Conditional District. The removal of the 6.89-acres is contingent upon approval of R22-05, a proposed revision to Oak Grove Hill CD-Rezoning for an overall 161-lot subdivision (see R22-05); (Parcel #s 015254432 & 01526450).

David Peete, Principal Planner, entered the Staff Report into the record and briefly reviewed the request. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 7.*

In order for the previous motion to work, you'll need to pull that 6 acres out of the original, so that it will follow suit with what you just reconfigured. The long-range plans, the 2040 Plan, all are still supportive of the original vote that you referenced from several years ago, and this does not change that by making it smaller.

Commissioner Partee made a motion in considering the proposed Conditional District Rezoning Application R23-04, Oak Grove Hill Revision, the Town Board recommends approval to remove 6.89 acres from Oak Grove Hill Conditional District Rezoning, NR-CD. This recommendation for approval is conditional upon final approval of the R22-05 Oak Grove Hill Addition. The approval of R22-05 would facilitate the removal of the 6.89 acres and would not impact the original Oak Grove Hill's consistency with adopted policies as outlined in R18-10A. It is reasonable and in the public interest to approve the conditional district rezoning plan revision because it is consistent with the plans referred in R18-10A, and the applicable provisions of the Zoning Ordinance can be adequately addressed.

Commissioner Boone seconded motion.

Mayor Bales called for the vote to approve Petition #R23-04.

Motion carried unanimously.

Petition #R22-01 – DDRTC Birkdale Village. Petition #R22-01 is a request by DDRTC Birkdale Village, LLC to rezone +/- 8.82 acres located at the intersection of Townley Drive and Lindholm Drive (Parcels 00537157 and 00537197) from Highway Commercial Conditional District to Highway Commercial Conditional District for 150,000 sq. ft. office and 25,000 sq. ft. commercial.

Brian Richards, Assistant Planning Director, entered the Staff Report into the record and reviewed the request. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 8.*

We're here to present Petition R22-01, Birkdale Village. On February 6, the Board handed the project back down to the Planning Board. That meeting took place on February 28.

Just for a quick recap, here we are at Birkdale. What we currently have up for the rezoning is a 150,000 sq. ft. office space and the replacement of the existing 25,000 sq. ft. of commercial, which is Barnes and Noble. You can see there the concept plans currently. Previously, we had the three buildings on the bottom right. Those were removed and we're just sticking with the office building and retail, I'm sorry, commercial with the associated parking deck in the rear.

They are requesting a modification for the building height. Staff does not support that as we feel it is not in keeping with the spirit of the ordinance. You can see here a profile of the building shows up to 110' in height. Here's some pictures of Birkdale as it sits today. These are potential elevations, including the original that showed the sizing and scaling of the building, the building elevated in height. Below on the larger picture there on the left is a potential representation of what could be built.
Here are some other perspectives of what that future building could look like. The Community Plan has a number of items that do support the project. Staff does feel it is a good project, but due to the change in course, as this moved through the public process, we're going to take a position of not supporting the project. And here are some items of the community plan that do not support the project.

The Planning Board recommendation. Actually, the Planning Board motion was for approval. Unfortunately, that did not pass. The motion failed with a two to five vote. Planning staff does not find that this is reasonable and in the public interest to amend the Zoning Ordinance because the building modification requested under section 11.47 of 110' substantially exceeds the maximum for the urban workplace and shop front building height, and is not in keeping with the spirit of the ordinance regulations.

Commissioner Kovacs said I have questions for the applicant. During the meetings with residents with the original plan……..I'm trying to think of how to word it because it's based off of the comments I heard. Were the things that were taken out what was important to be taken out to the residents or was this just a culmination of after speaking to everybody?

Mr. Lant said the removal of the multi-family and the hotel?

Commissioner Kovacs said yes.

Mr. Lant said that was basically in communication with everybody.

Commissioner Kovacs said is this current height the absolute lowest height you would be able to go for the office building.

Mr. Lant said one of the important things about the Class A is the type of tenant it's going to bring. We feel like the village deserves high quality type tenants, who are willing to pay a little bit more in rent because it's got to support a parking deck. Therefore, you've got to have some density, got to have some height, and you've got to have a really good building, and a building that a high profile tenant is going to be proud to be in. And that's the key is that they want the name on the building. When their customers come, they want to be proud that they're in this building and not a low-rise office like we currently have.

DRAFT

Ms. Irvin said do you want to answer the……so the question was, would they consider a height modification lower than what was requested. And I think what you're saying is you can't do a four story, and I'd already explained that it doesn't pay for a parking garage. The question is, is there something that you could do that would pay for a parking garage? The cost of the parking garage is in the initial structure, doesn't matter how tall it is, so at some point, you've got to hit that initial amount.

Mr. Lant said right. If there was a request to take a floor off, I think we can consider that and think through that. Yes.

Commissioner Kovacs said I just wanted to ask for clarification because the parking deck is one of the things that has been the biggest thing that's confusing me. Sometime in the past six months, I can't remember, you guys had stated that the parking deck needs to be rebuilt no matter what. Correct?

Mr. Lant said the existing parking decks, all four existing parking decks, need some repair because they've not been maintained at all, so there is some repair to be done at all of the decks.

Commissioner Kovacs said it's just repair, the whole thing's not to be replaced.

Mr. Lant said what we were saying is that it wouldn't make, on that particular deck it wouldn't make any sense to repair it and then tear it down to build a new one. It made sense, then if the office building came and we had to build a new deck, we would demolish that existing deck and build a new one.

Commissioner Kovacs said that was my question. I thought you had to demolish it and then rebuild it anyway.

Mr. Lant said no ma'am.

Commissioner Boone made a motion in considering the proposed Rezoning Petition R22-01, Birkdale Village, the Town Board recommends denial based on the amendment being inconsistent with the Huntersville 2040 Community Plan Policies, Land Use 5.1, Land Use 11.1, Land Use 11.2, and LU-12.3. It is not reasonable in the public interest to amend the Zoning Ordinance because the building height modification requested under section 11.4.7(k) to increase the building height to 110' exceeds the maximum for Urban Workplace, which is 45' and shopfront buildings, and does not maintain the spirit of the regulations. Previous height modifications granted under section 11.4.7(k) were for several feet were added to one story and some involve unusual topo to demonstrate the modifications maintained in the spirit of the regulation. The project does not involve any unusual topo setbacks.

Commissioner Kidwell seconded motion.

Commissioner Munger said I wasn't going to speak tonight, but I've always been in the habit of trying to explain why I vote the way I do. And what I wanted to do was walk you through what my process is, so that maybe you can understand where I'm coming from. For me... and I'm sorry, my notes are all over the place because I was trying to write this haphazardly. For me, when something comes to the Board, the first thing I do is find a path to yes, and ask for it. That's what we should do. That's what I feel like we should do. My process might be different from other people's up here, but I always feel like you have to, whatever comes forth, you have to try and figure out, what are the merits to it, what parts don't you like, what parts do you like and if there are parts you don't like, ask for specific modifications to those parts so that you can get to a reasonable path of yes. And for me, initially, and it's changed over time, but initially, one of the three things I heard were, traffic flow, parking, building height. And I

would argue that those are still the core values that we're talking about here. So, when the hotel was pulled, when the apartments were pulled and the parking garage remained, in my opinion that addressed parking. A very core issue that everyone said we need more parking, we need more parking. And in my opinion, the developers said okay, here's parking. The next one gets a little bit more complicated, traffic flow. One of the specific things I've asked from the developer, and I believe that they would agree to it, is to contribute $2 million to the extension of Townley to Northcross. Also, to extend the right-turn lane coming out of Lindholm onto Sam Furr. These are very key things for traffic flow. Is the $2 million enough to pay for the entire extension? Absolutely not. I believe Brian would probably tell you it's probably going to cost somewhere between $10 million to $15 million to do that. So, $2 million doesn't answer everything, but $2 million is not nothing. It's something. They went to that point and addressed that. The third issue, unfortunately for me, wasn't something that bothered me. Building height, to me, when someone sees a building from a distance and they say what's that, they come. They come in, they bring dollars with them, they spend their money locally, they do really interesting things. And from my perspective, Class A office space, a building that size is a place where I'm probably going to work. And the jobs that a building like that bring, are significant paying jobs. And so I have to look at it and say that would be a significant boost to the bottom line of our town, increase our tax base, increase sales tax. I acknowledge that I may be alone on the building height, that's why you have six people up here. They have different opinions, and we're all allowed to have different opinions. I do want to say, and I should have said this at the beginning, I absolutely appreciate all of you showing up, all of you caring, and I appreciate you all expressing your opinions, even if they're not in agreement with mine. This is involvement. This is beautiful. You absolutely should be involved in other things. One of the things we went to earlier this week, and Mr. Gammon spoke about it, is Colonial Pipeline……..spilled over a million gallons. Imagine if all of you came out here and were like hey, they're going to release some of the remnants of this into our streams. These are things that matter as well. So, don't lose that fire. Please continue with things like that. The biggest problem for me with traffic flow is we're held hostage by NCDOT. I'm not a fool. I drive down I-77, I see that exit coming and Sam Furr trying to go to Birkdale Village. It's a disaster. It's an absolute mess. And everything that happens on Sam Furr, you're just like, I'm constantly stuck in traffic. My problem is, we as a town cannot be held hostage by NCDOT. Their inability to provide us the correct infrastructure and adequate infrastructure to be able to get traffic flow and get residents like you in and out of Birkdale Village, man, I'd love to go to NCGA and just say what in the heck are you thinking…..how can you not expand that road. I'm frustrated. I don't go on that road because I don't live down there. I can only imagine how frustrating it is for you to be on that road. It's insanity. And any member of NCGA, if you're listening, fix the road. People here want to be able to get in and out of places. It drives me insane. So, I feel your passion there. That's probably an odd ending, but that kind of hits all the points. I wanted it to happen, it probably won't, but I wanted you to at least understand the thought process I had to get to this point.

Commissioner Kidwell said I want to thank all sides for coming out over the past six months. I especially want to point out that we had a young man, Pierce, today come up here and speak. And for someone from our teenage population to come up here and talk about how they feel, and specifically advocate for something, that takes a lot of courage. That is not easy. I know as an adult, when I first started getting up in front of people and speaking, it was not easy. And we all get up there and sometimes we stumble and we get a little sweaty. I still do it up here. So young man, if you're still out here, I think you are, nice job. I Just want to tell you that. I want to thank the Board up here for looking at every possibility, looking at different ways, and talking to each other on that. And that's all I'm going to say on it.

Commissioner Partee said in working and speaking with the residents of the Birkdale community and the Greens, I've been doing a lot of research because this is a tough decision. The Charlotte Business

Journal printed a story on January 15, and the headline was Huntersville Leads Opendoor Ranking of Hottest Charlotte Area Zip Codes. Landing number one is 28078 in Huntersville, which is about 15 miles north of Uptown Charlotte. Features range of family friendly amenities and activities. That was Birkdale and that is Birkdale. And as I said before, that was the hook that grabbed my wife and I. And now that I live in Latta Springs, and as I drive to Town Hall, there are at least six plus active construction sites that are either within the process of clearing, excavating, or building within a two-mile radius. Statesville Road/Alexandriana Road, Hambright/Mt. Holly-Huntersville Road, Hambright/Beatties Road, which is the Aspire High School, Mt. Holly-Huntersville between Hambright and Reese Boulevard. There's a construction site there. Now we've got Birkdale Commons and Sam Furr, right across the street. Huntersville's transformation is a major hub of business and bedroom communities, which has exploded. Hopefully this growth generates a tax base that can ease the pain of our upcoming assessments to all our homeowners. Now, Birkdale Village is a beacon of attraction for all individuals living in Huntersville and the surrounding towns. After shining for approximately 21 years, upgrades are necessary. Upgrades are necessary to replace the damage [inaudible] structures that are there now, that's a given even though we upgrade our homes. But reading all the emails from all those that are for and against North American Properties, I made it a point to spend a lot more time in Birkdale. My wife and I, we always patronize the restaurants, eeZ Fusion, Red Rocks, Smokes, Bonefish Grill. But now, over the past several months, I spent a lot of time in the Starbucks in Barnes and Noble. Most of you know that I sit in there and I do my work there. I bring my little workstation. Well, one day, I was sitting in Barnes and Noble, and I spotted a young lady that I recall came up here and spoke before us in October. I watched her sitting over there in the high back chairs, reading a book, tranquil, peaceful. And when I got up to leave, I didn't say anything to her, I didn't acknowledge her. It just dawned on me that I should go back and recall her statement to us at the Board meeting. I pulled the young lady's comment to us. Her name was Audra Collins. She lives at 8904 Sutherland Drive. She said I am here to talk about the development and what would be Barnes and Noble and Sporting Goods. I am mentally ill and during my depression, Barnes and Noble was my home away from home. When I needed to leave from my house, that's where I would go. I would take an Uber, I would have my parents drive me there. Barnes and Noble got me into reading, and reading was my escape from school when I was bullied. It got me into writing. I just don't know what I would do without it, honestly. It definitely made a change in my life. I've lived here for 23 years out of my 25 and I can't even remember when it was built. That's how long it has been. I don't know what I would do without it, I hope you vote against it. Now, mind you, in my 20, 30 years as an investigator, I have a hard edge. I've been in a room with murderers, rapists to get confessions and admissions. This young lady's comment, for her, the courage like Commissioner Kidwell said, the courage of our youth to come up and speak before us, to articulate their concern is profound. Audra's comment projected an innocence that hit me to my core, but also close to my family, when a child is on the spectrum. For Audra to stand up there in front of the room of strangers and expose her struggles, takes a lot of courage and strength, and that penetrated me personally. So therefore, that's why listening to Audra, I hear you. Sometimes the loudest voice in the room could be in the most silent voice. And that's why I'm voting to deny North American Properties.

Commissioner Kovacs said I wanted to point out what Commissioner Munger said. There were the three big things, and I've said it to everybody that I've talked to…….parking, traffic and the height. All three of those were very important to me. Knowing that we could potentially get money towards a road is…..I thank you and applaud North American Properties if that's what you were willing to do. I do see the need for parking and knowing that if this doesn't pass, the parking garage will not get extended is really unfortunate, but I also do hope that because North American Properties has stated how important the customers are and their experiences, there might be a way to find other ways to improve the parking. But the height is just something that I just couldn't swallow. While this has been a six-month journey, I appreciate all sides and all of your input and staying engaged.

DRAFT

Commissioner Boone said I've been listening to my other commissioners here and I just want to echo what they said. Thank you for getting engaged in this. A lot of work's been done to see if we could get this passed. It was a conditional rezoning. We could put conditions on this, but speaking amongst ourselves, we really couldn't agree to the height, the traffic. I think the bridge over to Rubbermaid would probably be the key to the traffic situation in this. And then the parking deck is almost a no-brainer for this thing to be successful. I'd just like to say thank you to my fellow commissioners and the audience for being engaged in this, and thank you for your input.

Commissioner Phillips said I wasn't going to talk, I wasn't going to actually vote. This has been the worst experience being a commissioner. When your family has veiled threats made against their business, when people say that if you vote a certain way, they're going to accost you in public, and you have two nieces that you like to take out, it puts the fear of God in you because I never want to do anything in my life that hurts the people that I love. However, as the only person up here that's involved with small business, the Lake Norman Chamber of Commerce has spoken out in favor of this project. We've had small businesses in Birkdale speak out in favor of it, and I in good faith cannot support other small businesses having the same access that I have to customers, because I believe in supporting our economy, diversifying our tax base. And unfortunately, what we're going to see is, if you haven't already looked already, the revals from the county are going to wreck people. They're going to be the reason people move. Because while people say my home increased, yes your value did increase, but so did your tax bill and so did everything else in your life. I think this whole ordeal has just been a shame. I appreciate the people that have spoken out, but I feel like we're not seeing the forest through the trees right now. And my concern is a year from now when this Board has complaints about parking and other things going on, how are they going to address it when they've just killed the solution? I'm the only native sitting up here, too, so I've seen progress, I've fought progress, but sometimes you've got to take the good with the bad and look towards the future. And I'm very sorry to those small businesses that did reach out and advocate and I hope that they can survive going forward in the future because they're businesses that I patronize myself. So, just felt like I'd put that out there because I was going to abstain, but my parents have told me they'll take the hits with me because they don't want me to feel like I can't do my job because I'm so protective of them.

Mayor Bales called for the vote to deny Petition #R22-01.

Motion to deny carried by 4 to 2 vote (Commissioners Boone, Kidwell, Kovacs and Partee in favor of denial; Commissioners Mungers and Phillips opposed).

Mayor Bales called for a 5-minute recess.

The Board reconvened.

Petition #TA22-16. Petition #TA22-16 Multi-family Use One Building One Lot is a request by the Huntersville Planning Department to amend Zoning Ordinance Articles 3.2 General Districts and 9 Conditions for Certain Uses to establish buffer standards for a multi-family home use in one building, on one lot.

Jack Simoneau, Planning Director, entered the Staff Report into the record and briefly reviewed the request. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 9.*

DRAFT

In the Neighborhood Residential, Neighborhood Center, Town Center, and Highway Commercial Zoning Districts, one apartment building on one lot is permitted by-right. There is concern that buffers from adjoining lower density development (detached house, duplex house, attached house) do not currently increase based on apartment size (i.e., 4-unit apartment building has same buffer when adjoining single-family homes as a 250-unit apartment). To address this issue, the proposed amendment is to move multi-family home use from a use permitted by right to a use permitted with conditions in the NR, NC, TC, and HC Zoning Districts. The condition for a multi-family home use would be that the width of the required landscape buffer increases as the density of the proposed apartment building increases.
The width of the landscape buffer starts at 5'. The 5' would apply if a) the apartment has four dwelling units or less; b) boundaries are internal to a major subdivision containing the apartment; or c) the apartment adjoins property zoned TC, TOD R or TOD E regardless of number of units, density, or adjoining land use.
The buffer width can increase to 10', 20', 30', or 40' based on the proposed density of development and if the development adjoins a detached house, duplex, or attached house.

The Planning Board and the Huntersville Ordinances Advisory Board recommended approval.

Mayor Bales recognized Planning Board members present: Frank Gammon and Jeff Sny.

Commissioner Boone made a motion in considering the proposed Amendment #TA22-16, the Board recommends approval based on amendment being consistent with policies LU-7.2, LU-9 and LU-11.1 of the Huntersville 2040 Community Plan. It is reasonable in the public interest to amend the Zoning Ordinance because the amendment will help to protect the privacy of the existing residential development from one building, one lot multi-family infill development.

Commissioner Partee seconded motion.

Mayor Bales called for the vote to approve Petition #TA22-16.

Motion carried 5 to 1, with Commissioner Phillips opposed.

Petition #TA22-17. Petition #TA22-17 is a request by the Huntersville Planning Department to amend Section 7.5.3 of the Huntersville Zoning Ordinance increasing the buffer for major residential subdivisions from 20' to 40' when the proposed subdivision is two times greater than the existing residential subdivision.

Jack Simoneau, Planning Director, entered the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 10.*

This amendment is a result of us modifying subdivisions from a quasi-judicial process to an administrative process. The provision that allowed us to increase setbacks used to be a requirement and now it has been modified to a guideline. To address that, we are recommending that the buffers be increased whenever there is a development that is twice the density of adjoining residential development, so it goes from a 20' setback to a 40' setback. We have changed the wording.

The amendment language as approved by the Huntersville Ordinances Advisory Board and presented at the public hearing is as follows:
20' minimum in Town Center zone when adjoining the Town Center zone and where density is less than two times greater than existing development. In all other cases, 40' minimum is required.

The Planning Board and Staff recommends Option 2, which says:
40' minimum where density is two times greater than the existing development except in Town Center zone when adjoining Town Center zone. In all other cases 20' minimum is required.

Commissioner Kovacs said Town Center to Town Center development it's 20', but anything in TC that abuts Neighborhood Residential or any other kind of zoning is automatically 40', correct?

Mr. Simoneau said if it's double the density, that's exactly right, and that's a specific request from the Ordinances Advisory Board. We initially said if you're in the Town Center zone, it's a 20' setback regardless. And the Ordinances Advisory Board felt like there's a lot of Neighborhood Residential and lower density around the Town Center and we needed to protect that, so that's why the language is as it is proposed.

Commissioner Kovacs said that can be disturbed or undisturbed, it just has to be a buffer.

Mr. Simoneau said it is intended to be undisturbed. If it does get disturbed, it has to be replanted and we have the planting requirements so that you can get a complete visual buffer.

Commissioner Kovacs said if it's on a vacant lot, what's the buffer going to be……if it's abutting a vacant lot.

Mr. Simoneau said it would be 20' if it's a vacant lot. If it's a residential lot and it's twice the density, then it will be 40'.

Commissioner Kovacs said just hypothetical, if I'm building Plan A and it's against a vacant lot, I only have to do a 20' buffer but then someone coming in to build something else might end up having to do the 40' buffer because they are kind of the last one to come in.

Mr. Simoneau said it's always that way. So, whatever that land use is adjoining you, then that's what's going to apply. If you're adjoining vacant land, you have the 20', but if you adjoin property that is half the density of what you've got, then you're going to have to have a 40'.

Commissioner Munger said the harmony requirements in 160D, do they have any affect on this……are they able to bypass any of this buffer.

Mr. Simoneau said no, this is a buffer requirement, so this isn't architecturally changing anything.

Commissioner Boone made a motion to approve Petition #TA22-17, Staff's Option 2, based on the amendment being consistent with Policy LU-11 and DT-2 of the 2040 Huntersville Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because it helps protect the unique character of the existing housing stock.

Commissioner Munger seconded motion.

Mayor Bales called for the vote to approve Petition #TA22-17.

Motion carried 5 to 1, with Commissioner Phillips opposed.

DRAFT

Resolution – Acquire Property for Gibson Park Phase 2 Project. Stephen Trott, Director of Engineering, pointed out the remaining parcel to be acquired for the Gibson Park Phase 2 Project. *Refer to PowerPoint attached hereto as Exhibit No. 11.* It's a relatively small area that needs to be acquired. It's 74 sq. ft. of drainage and utility easement and 489 sq. ft. of temporary construction easement that needs to be acquired. In trying to contact the property owners, we understand that one of the property owners is deceased. We're trying to get the documentation on that, but the other one we've tried to reach out to the family for about six months. Our acquisition consultant has gone out there in person, sent regular mail, text messages to one family member that has responded, not the owner, but one of the family members did respond. We've called and emailed with them over the past six months. Our latest correspondence that we sent out was via certified mail to I believe the property owner's current address, the one listed in GIS, the actual parcel address, which we believe are being rented to some tenants that aren't part of the owners. I'm just asking if we can move forward if we're unable to contact those owners since it already has been six months of time.

Commissioner Munger said if memory serves, we actually approved this without the use of eminent domain some time ago and you went through this entire process of six plus months trying to track down the owner, relatives, anyone who would respond, and so we are literally at the moment of last resort.

Mr. Trott said as I said, we have not heard from either of the property owners. We believe one is deceased. A family member of the property owners has reached out, but we haven't heard from that family member in over a month. We are going to keep trying. They could all of a sudden call tomorrow. That would be great and we would work with them to settle, but at this point we're just asking for this option if we're unable to do that.

Commissioner Munger made a motion to approve a Resolution of the Town of Huntersville Board of Commissioners to acquire property, including the use of eminent domain, for the construction of Gibson Park Drive Phase 2.

Commissioner Boone seconded motion.

Commissioner Kidwell said I drove out there this is afternoon. No one was there. I reached out to a couple of people in the area. I was told another family may know them. They live up the street, but no one was there as well. You guys know how I feel about eminent domain, so I can't support it, but I would say if you can get there and talk to somebody, possibly at 202 Gibson Park, who knows the family, that might be helpful.

Commissioner Partee said who are now paying the taxes on the property and are they delinquent or not delinquent.

Mr. Trott said not that I'm aware of, but could get that information from Polaris.

Mr. Partee said if it was delinquent is there any way we can grab it off the rolls.

Emily Sloop, Town Attorney, said we'd have to go through the foreclosure process with the county. They would essentially put it up for foreclosure if there were back taxes and we could bid on it.

Mayor Bales called for the vote to adopt Resolution to acquire property, including use of eminent domain, for Gibson Park Phase 2 project.

DRAFT

Motion was tied (Commissioners Boone, Munger, Partee in favor; Commissioners Kidwell, Kovacs, Phillips opposed).

Mayor Bales said contact the folks at 202 Gibson Park and also check on the foreclosure stuff. I would like for us to exhaust all other options and then if we are not successful, we move forward, so I will support this motion.

MAYOR AND COMMISSIONER REPORTS

Commissioner Phillips

- Congratulated Town Clerk on winning Sunshine Award.

Commissioner Boone

- Congratulated Town Clerk on winning Sunshine Award.

Commissioner Kovacs

- Provided update from the Lake Norman Chamber of Commerce.

Commissioner Kidwell

- Provided update from the Charlotte Regional Transportation Planning Organization.
- Rural Hill is having birthday party for their two Scottish Highland cows on Saturday.

Commissioner Partee

- Congratulated Town Clerk on winning Sunshine Award.
- Suggested consideration be given to moving Mayor and Commissioner Reports to the beginning of the agenda.
- Advocate for gun safety. Huntersville Police Department has free gun safety locks.
- Consider supporting local non-profits.

Commissioner Munger

- Consider supporting local non-profits.

Mayor Bales

- Next Metropolitan Transit Commission meeting is Wednesday.
- Provided update on Mayor's Fitness Challenge.
- Congratulated Sam James for receiving the Robert T. Cashion Businessperson of the Year Award from the Lake Norman Chamber of Commerce.
- Attended the Charlotte Regional Business Alliance Legislator Reception last Wednesday in Raleigh.
- Will be attending Connect Beyond this Friday.

There being no further business, the meeting was adjourned.

DRAFT

Town of Huntersville
Town Board
April 17, 2023

To: Town Board

From: Pattie McGinnis, Finance Director

Date: April 17, 2023

Subject: Budget Amendment - Appropriate Interest Earned on ARPA Funds

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EXPLAIN REQUEST:
ARPA spending best practices is to calculate interest earned on ARPA funds and allocate them to the associated project. This board action appropriates $15,913.89 to the Transfer to General fund account (103380.9999.21014) and Police salaries (105100.0121) related to interest earned on ARPA funds.

ACTION RECOMMENDED:
Approve Budget Amendment

FINANCIAL IMPLICATIONS:
No net impact to General fund balance; offsetting revenue and expense.

ATTACHMENTS:
None

Town of Huntersville
Town Board
April 17, 2023

To: Town Board

From: Pattie McGinnis, Finance Director

Date: April 17, 2023

Subject: Call for Public Hearing on FY24 Budget

EXPLAIN REQUEST:
Call a public hearing for Monday, May 15, 2023 at 6:00 p.m. at Huntersville Town Hall to receive comments on the proposed budget for FY24.

ACTION RECOMMENDED:
Call public hearing

FINANCIAL IMPLICATIONS:
N/A

ATTACHMENTS:
None

Town of Huntersville
Town Board
April 17, 2023

To: Town Board

From: Jack Simoneau, Planning Director

Date: April 17, 2023

Subject: Downtown Master Plan

EXPLAIN REQUEST:
Consider adopting the 2023 Downtown Master Plan.

ACTION RECOMMENDED:
Consider adopting the 2023 Downtown Master Plan.

FINANCIAL IMPLICATIONS:
N/A

ATTACHMENTS:
1. BOC Adoption Memo
2. 2023-02-13_TOH 2022 DMP_Final Document_01 Executive Summary_DRAFT_REV 02 with east west adjustments
3. DPCS Meeting #15 Minutes - 12-15-2022 Meeting - Draft
4. February 28, 2023 Minutes
5. Downtown Master Plan Revisions 2-27-23

Town of Huntersville
NORTH CAROLINA

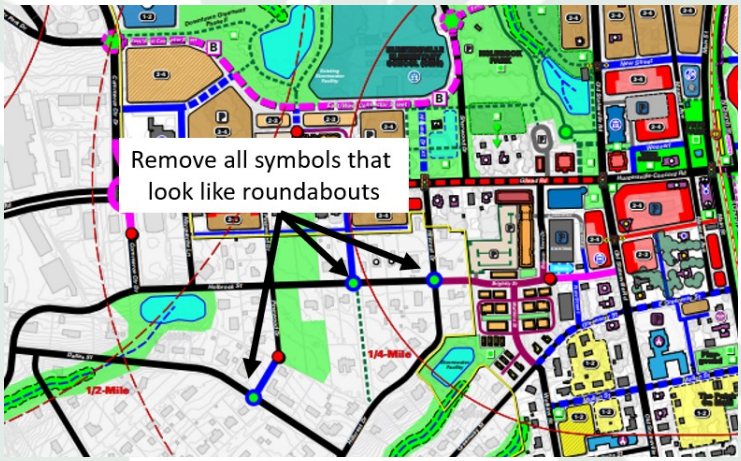
MEMO

To: Huntersville Town Board
From: Jack Simoneau, Planning Director
Date: 4-10-23
Subject: Potential Adoption of the 2023 Huntersville Downtown Master Plan

From November 2021 until December 2022, the Downtown Plan Steering Committee conducted 15 meetings with Shook Kelly, project consultant, and town staff in preparing the 2023 Huntersville Downtown Master Plan. On December 15, 2022, the steering committee unanimously (13-0) recommended to accept the Downtown Master Plan (minutes attached). On February 28, 2023, the Huntersville Planning Board unanimously (8-0) recommended approval of the Downtown Master Plan (minutes attached).

During the April 3, 2023, Public Hearing, Commissioner Kovacs questions if the symbols shown in the Greenfield community were roundabouts. Staff indicated they were not. The final version of the plan will remove those symbols to clarify the issue (below). Complete details on the draft plan, meeting minutes and other related documents can be found at: https://www.letsplanhuntersville.org/downtown-plan-project-details.

Please let me know if there are any questions.



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Town of Huntersville
NORTH CAROLINA

2022 Downtown Master Plan

DRAFT

ADOPTED
TBD 2023 - Pending

'Accepted' on December 15, 2022
by the Downtown Plan Steering Committee

Executive Summary

DRAFT

Acknowledgments

Downtown Plan Steering Committee (DPSC)

Voting Members	**Committee Interest**
Sarah McAulay, ***Chair***	Adjacent Neighborhoods
Lee Hallman, ***Vice Chair***	Adjacent Neighborhoods
Robert "Nate" Bowman	Business / Development
Gatewood Campbell	Community At-Large
Doug Ferguson	Community At-Large
Sean Flynn	Business / Development
John Foster	Business / Development
Barbara Gerhardt	
Charles Guignard	Business / Development
Janelle Harris	Adjacent Neighborhoods
Elaine Kerns	Adjacent Neighborhoods
Bob Lemon	Community At-Large
Elizabeth Rodriguez	Adjacent Neighborhoods
Cindy Trevisan	Business / Development
Jessika Tucker	Community At-Large

Ex-Officio, Non-Voting Members	**Representing**
Stephen Swanick	Planning Board
Kathy Jones	Ordinances Advisory Board
Diane McLaine	Greenway, Trail & Bikeway Commission
John O'Neill	Parks and Recreation Commission
April Dunn	Public Art Committee
John McClelland	Huntersville Chamber of Commerce
Mike Russell	Lake Norman Chamber of Commerce

Town of Huntersville - Staff Project Team

Project Manager:	Dave Hill, Senior Planner
Project Director:	Jack Simoneau, Planning Director
Project Coordinator:	Brian Richards, Assistant Planning Director
Project Assistant:	Tracy Barron, Executive Assistant
Engineering:	Stephen Trott, Director of Engineering
Transportation:	Heather Maloney, Senior Transportation Planner
GIS Coordination:	Francis Tucker, GIS Coordinator

Project Consultant Team

Master Planning & Urban Design (Project Lead)

Shook Kelley CLT, PLLC
1545 West Trade Street
Charlotte NC 28216
(704) 377-0661
www.shookkelley.com

Terry Shook, FAIA	Founding Partner & Principal
Alex Borisenko, CNU-A LEED GA	Senior Associate
Henry Stepp, CTO	Partner & Principal
Larry Zinser	Partner & Principal

Infrastructure Planning & Traffic Analysis

Gannett-Fleming, Inc.
One Glenwood Avenue
Suite 900
Raleigh NC 27603
(919) 420-7660
www.gannettfleming.com

Michael Holder, PE	Vice President, Transportation Services
Rick Tipton, PE, PLS	Vice President, Area Roadway Design Manager - NC
Lance Hartland, PE	Senior Traffic Engineer

Retail Market Analysis

Gibbs Planning Group
240 Martin Street
Birmingham, MI 48009
(248) 642-4800
www.gibbsplanning.com

Robert "Bob" Gibbs, FASLA, AICP	President

Publication Date:
January 12, 2023
Revision #1: February 1, 2023
Revision #2: February 13, 2023

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Table of Contents

COVER

Acknowledgments. i

Table of Contents. ii

Executive Summary. 1
- **Background.** 1

- **Framework Process.** 2
  - Overview. 2
  - Phase 1: Discovery. 3
  - Phase 2: Organizing Principles & Alternative Futures. 3
  - Phase 3: Final Strategy & Master Plan. 3
  - Non-Linear Services & Supplemental Activities. 3

- **Final Strategy.** 4
  - Overview. 4
  - Key Recommendations & Action Items. 4
  - Development Focus Areas & Potential Key Catalytic Projects. 6
  - Implementation & Phasing Strategy. 6

Organizing Principles. 9

2022 Downtown Master Plan. 10
- Organizing Principle: **Mobility.** 11
- Organizing Principle: **Nature.** 12
- Organizing Principle: **Gathering.** 13
- Organizing Principle: **Living.** 14
- Organizing Principle: **Civic.** 15
- Organizing Principle: **Soul.** 16

2022 Downtown Master Plan: 1/4-Mile Core Study Area. 17
- Potential Key Catalytic Projects. 18

Conceptual Vision Plan. 19
- Northwest Quadrant. 20
- Northeast Quadrant. 21
- Southwest Quadrant. 22
- Southeast Quadrant. 23

Appendix (Separate Documents)

A. **Phase 1: Discovery.**
- Infrastructure
- Land Use / Urban Design.
- Economic Development.

B. **Phase 2: Organizing Principles & Alternative Futures.**
- Organizing Principles.
- Alternative Futures (1-3).
- Alternative Futures Comparative Analysis.
- Composite Alternative Future.
- Gilead Road Mixed-Use Project: Key Considerations
- CMS Property - Huntersville Elementary School: Conceptual Planning

C. **Phase 3: Final Strategy & Master Plan.**
- DRAFT Master Plan.
- Conceptual Spatial Enclosure & Streetscapes.

D. **Retail Market Analysis.**
- .1 Placemaking for Small Town Commercial Districts.
- .2 Retail Market Analysis.

E. **Traffic Analysis.**
- .1 Traffic Analysis Report.
- .2 Traffic Analysis Appendix.

F. **DPSC & Community Surveys.**
- .1 DPSC Topical Issues Survey.
- .2 DPSC and Public Input Report.
- .3 DPSC Homework Assignment: Place Preference Images.
- .4 Public Visual Preference Survey.
- .5 Public Interactive Input Map.
- .6 Public Supplemental Inputs: In-Person & Online.
- .7 Public Forum #2.
- .8 Public Forum #3.

List of Figures

1 Downtown Huntersville Context and Study Area.
2 Potential Key Catalytic Projects: Preliminary Implementation & Phasing Timeline.
3 Potential Key Town Initiatives: Preliminary Preparation & Implementation Timeline.
4 Organizing Principles.
5 2022 Downtown Master Plan.
6 2022 Downtown Master Plan - Organizing Principle: **Mobility**.
7 2022 Downtown Master Plan - Organizing Principle: **Nature**.
8 2022 Downtown Master Plan - Organizing Principle: **Gathering**.
9 2022 Downtown Master Plan - Organizing Principle: **Living**.
10 2022 Downtown Master Plan - Organizing Principle: **Civic**.
11 2022 Downtown Master Plan - Organizing Principle: **Soul**.
12 2022 Downtown Master Plan: 1/4-Mile Core Study Area.
13 2022 Downtown Master Plan: Potential Key Catalytic Projects.
14 Conceptual Vision Plan: Potential Key Catalytic Projects.
15 Conceptual Vision Plan: **Northwest Quadrant**.
16 Conceptual Vision Plan: **Northeast Quadrant**.
17 Conceptual Vision Plan: **Southwest Quadrant**.
18 Conceptual Vision Plan: **Southeast Quadrant**.

For access to additional information and documents, please visit the 2022 Downtown Master Plan Project website: letsplanhuntersville.org

letsplanhuntersville.org

Executive Summary

BACKGROUND.

Incorporated in 1873, Huntersville was a small town for more than 100 years. With the creation of Lake Norman in 1963 and the gradual spread of growth northward from Charlotte, Huntersville's population grew dramatically – from 3,000 in 1990 to more than 70,000 today. Since 1997, the Town's sphere of influence has been 63.46 square miles (currently 41.5 square miles within Town limits and 21.96 square miles within the Extraterritorial Jurisdiction (ETJ)). Huntersville is projected to grow rapidly over the next ten years and has considerable vacant land suitable for development in its residential districts. Pressure to maintain adequate public facilities and services will continue throughout the Town. Town and regional growth will significantly impact local, state, and federal transportation facilities in the near future due to several programmed and funded construction projects.

The 2006 Downtown Master Plan included a number of recommendations and implementation strategies for the development of the downtown, covering areas such as transportation, traffic circulation, parking; civic infrastructure; private development; and marketing and branding. The 2006 Downtown Master Plan was intended to guide public and private development initiatives during a 20-year timeframe and ensure the creation of a vibrant town center that will be the defining place and image for the Town of Huntersville. Although the 2006 Plan was not fully implemented and has become dated, many successful actions have led to optimism that current market interest can make significant improvements to the Downtown in the near future.

More recently, the Huntersville 2040 Community Plan and Appendix, adopted in late 2020, responded to community consensus that Downtown improvements continue to be supported and established broader policies and goals that should guide the formation of the 2022 Downtown Master Plan. In addition to key existing features and attractions, several public and private projects located in Downtown Huntersville are recently completed, currently underway, and/or planned and approved for construction, such as the Downtown Greenway – The Vine, Holbrook Street extension, future new Town Hall, and Town Center and Vermillion Village mixed-use projects. Downtown Huntersville is also significantly impacted by ongoing and future planned NCDOT-led roadway improvement projects, both in the downtown and nearby, including: Main Street, Gilead Road, Statesville Road (NC 21) and Gilead Road Intersection, and Interstate-77 Exit 23 Interchange. Furthermore, Charlotte Area Transportation System (CATS) is advancing Bus Rapid Transit (BRT) planning of its MetroRAPID BRT North Corridor with a station proposed on the current Park and Ride lot located on Statesville Road.

The emphasis of the 2022 Downtown Master Plan (the Plan and/or Project) is to develop a set of sequenced and prioritized actions needed to build on past and current improvements. The Plan is intended to communicate an updated vision of the Downtown, identify the general infrastructure needed to support the vision, and describe the actions needed to get there. Transportation is a key element in developing the type of streetscape needed to support Downtown activities and will be a determining factor in deciding how the 'public realm' will influence private development. The Plan is also intended to encourage coordination of public actions with private investment and redevelopment/reuse decisions that help to realize a robust and attractive downtown, including convincing rationale to support putting 'skin in the game'. A development strategy that also respects the integrity of neighborhoods that surround the Downtown is a topic that will require careful attention in the Plan.

The Huntersville 2040 Community Plan contains a Regulating Plan (page 73) and Concept Plan (page 81) that generally describes the comprehensive boundary area for the 2022 Downtown Master Plan. However, while the Project does include planning considerations within the comprehensive downtown boundary area, the primary study area was focused within the ¼-mile radius (or 5-minute walkable area) of the approximate center of the downtown core, located at the intersection of Gilead Road and Old Statesville Road (NC 115) (See Figure 1).

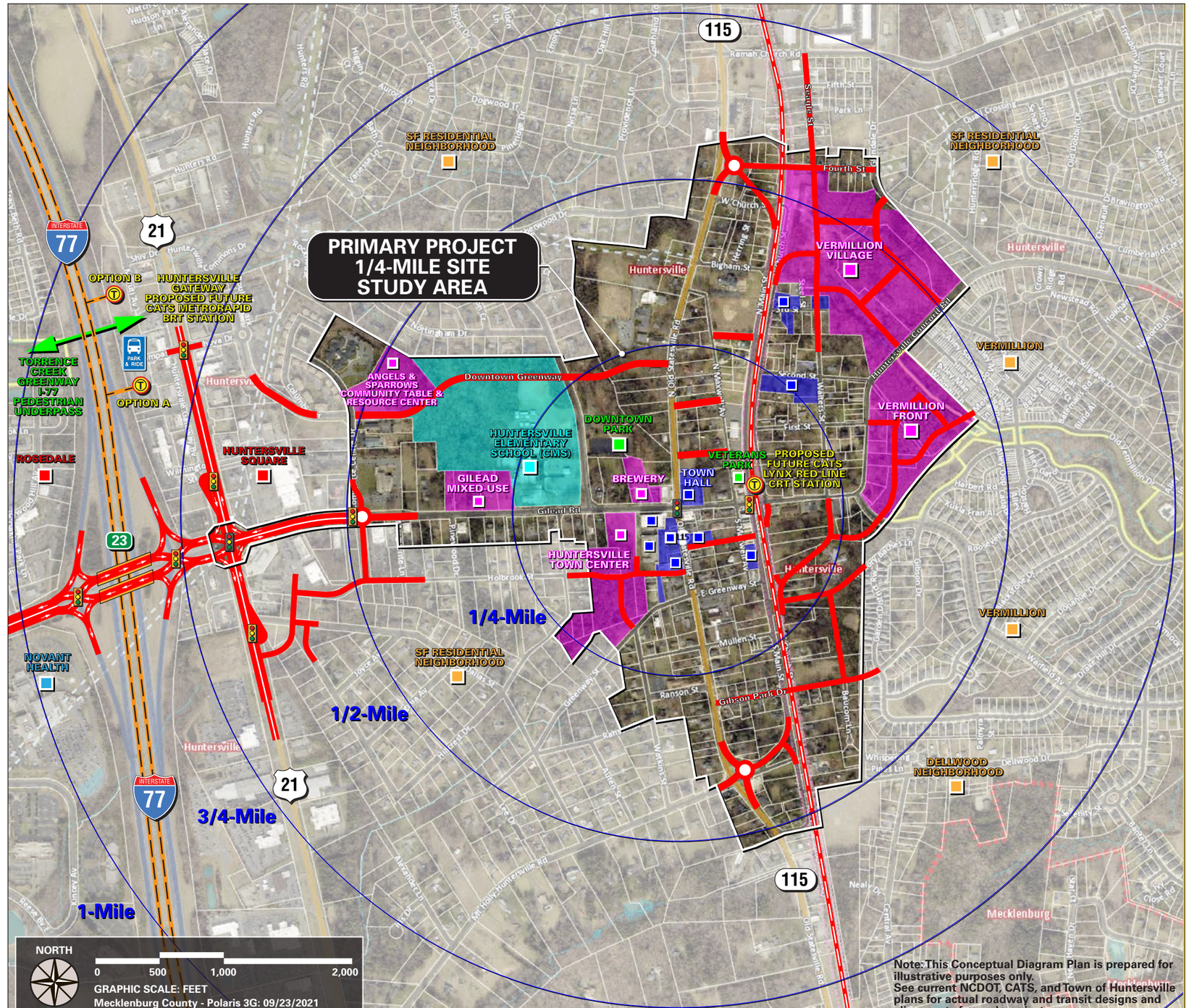


FIGURE 1: Downtown Huntersville Context and Study Area.

Executive Summary

FRAMEWORK PROCESS.

Overview.

Prior to commencement of the Project, a 2022 Downtown Plan Steering Committee (DPSC) was created with appointments made by the Town Board. The DPSC includes approximately 15 voting members representing the community at-large, surrounding neighborhoods, and business/property owners. Several other ex-officio members were also appointed to represent existing Town boards and commissions. The 2022 Downtown Master Plan is subject to an advisory recommendation by the DPSC, followed by an advisory recommendation by the Town's Planning Board, and presented to the Board of Commissioners for formal adoption as an official plan of the Town.

Past planning efforts in the Downtown Huntersville Study Area have been centered upon intense public engagement to define a community vision in a manner that informs policy. Accordingly, Shook Kelley and its Consultant Team utilized and referred to the 2006 Downtown Master Plan and 2040 Community Plan policies as foundational documents for advancing development of the 2022 Downtown Master Plan. Regular communication and feedback from the DPSC together with community engagement within a structured and published format was also essential throughout the planning process.

The fundamental understanding is that Huntersville needs a particular, design-based vision for the downtown core that citizens of all walks of life can understand and rally behind. The 2022 Downtown Master Plan is intended to craft a realistic vision in harmony with community core values, which identifies key catalytic projects for implementation within specific categories of:

Infrastructure (including Transportation – All Modes, General Infrastructure Systems, and Environment and Open Space),

Land Use/ Urban Design, and

Economic Development.

Together, these key catalytic projects will serve to guide and stimulate community activity and economic development in Downtown Huntersville. Once accepted, specific Town initiatives - "tools" in policy and in code - will be required coupled to incentives that are geared toward achieving specific outcomes that inures to the benefit of the public and private interests.

Importantly, the 2022 Downtown Master Plan is not intended as a blueprint or mechanism for implementation of eminent domain - government expropriation (taking) of private property for public use, with payment of compensation. Current individual property owners may or may not elect to participate at their sole discretion. Furthermore, the 2022 Downtown Master Plan depicts concepts and recommendations for a full build-out of development within the core study area, which are expected to occur incrementally over a 10-20 year timeframe. All illustrative plans and associated graphic exhibits are therefore conceptual in nature and intended only to depict potential planning concepts and patterns of development that could happen in the future.

Accordingly, 2022 Downtown Master Plan is intended to evolve with flexibility relative to existing conditions including, but not limited to: applicable jurisdictional and agency plans and regulations, property ownership and inclination, funding, and economic market demand.

2022 Downtown Master Plan - General Framework Process and Timeline.

Phase 1:Discovery. (November 2021 - March 2022)
- Preliminary Assessment.
  - Infrastructure.
  - Land Use / Urban Design.
  - Economic Development.
- Communication.
  - DPSC Meetings.
  - Town Staff Workshop.
  - Public Forum #1: *Our Essential Downtown*.

Phase 2: Organizing Principles and Alternative Futures. (March - June 2022)
- Organizing Principles.
- Alternative Futures (1-3).
- Composite Alternative Future.
- Communication.
  - DPSC Meetings.
  - Town Staff Workshop.
  - Public Forum #2: *Options for the Future*.

Phase 3: Final Strategy and Master Plan. (September - December 2022)
- Draft Master Plan.
- Final Master Plan.
- Master Development Strategy.
- Communication.
  - DPSC Meetings.
  - Town Staff Workshop.
  - Public Forum #3: *Our Plan for Getting There*.

Non-Linear Services & Supplemental Activities.
- Gilead Road Mixed-Use Project Considerations. (February 2022)
- CMS – Huntersville Elementary School Conceptual Planning. (May - June 2022)
- Traffic Analysis Report. (May - June 2022)

On December 15, 2022, the Final Master Plan, Organizing Principles and Final Strategy Outline were 'Accepted' by the 2022 Downtown Plan Steering Committee.

Phase 1: Discovery.

Overview.

Discovery commenced with an immersive process of organization, mobilization, and reconnaissance of available documents and information relative to existing and currently planned Infrastructure, Land Use / Urban Design, and Economic Development systems in the Downtown Huntersville Study Area. In addition, a Downtown Context Field Study and Photo Recordation was conducted by the Consultant Team in order to observe and document existing conditions. Together, these initial activities became the basis for a **Preliminary Assessment** as outlined below, which was produced in part by a 'layer stack' diagrammatic analysis along with annotated graphic exhibits and supporting case studies (see Appendix A).

Preliminary Assessment.

Infrastructure.
- Transportation.
  - Arterial Streets & Intersections (Gilead Rd & NC 115).
  - Downtown & Adjacent Neighborhood Streets.
  - Bicycle & Pedestrian Facilities.
  - Public Transit - CRT & BRT Station Area Plan.
  - Parking - Distribution, Supply & Demand.
- General Infrastructure Systems.
- Environment & Open Space.
  - Terrestrial Systems.
  - Public Greenways, Trails & Parks.
  - Stormwater Systems.

Land Use / Urban Design.
- Adopted Town Documents, Ordinance & Policies.
- Urban Design Guidelines.
- Existing Land Use & Development Site Typologies.
- Existing Development Form & Program – Uses and Typologies.

Economic Development.
- Existing Ownership Patterns: City-Owned & Private-Owned Assets.
- Existing Development Activity Types & Patterns: Recent & Emerging.
- Retail Market Study.

DPSC and Public Engagement - Surveys and Input.

Early in the Discovery process, members of the DPSC participated in a Topical Issues Survey to share their views and beliefs about the issues impacting the future of this study area and their expectations to come out of it (See Appendix F.1). While the results of the survey were not be attributed to any one member, they were discussed openly together during the initial DPSC meetings. This process was a very important "first step" in understanding the challenges and opportunities imbedded in these types of efforts, and in making sure that everyone understands the scope and the limitations of this study. The Topical Issues Survey covered the following categories and associated discussion points:

I. Land Use & Housing.
- Downtown Boundary & Program.
- Walkability.
- Non-Residential Land Uses.
- Housing Types.
- Neighborhood Character - Impacts and Improvements.

II. Economic Vitality.
- Economic State and Trend.
- Local Business Support.
- 10|10|10 Goals and Incentives.
- Town Role and Contributions.

III. Downtown.
- Key Attributes.
- Downtown Benchmark Places.
- 10-Year Improvements and Current Conditions.
- Quality of Life and Trends.
- Walkability and Accessibility.
- Parking.
- Historic Preservation.
- Technology Features.
- Public Events and Programming.

IV. Environment and Open Space.
- Parks and Public Open Spaces.
- Pedestrian and Bicyclist Access.

V. Infrastructure and Public Services.
- Private and Public Property Maintenance.
- Public Safety.
- Public Art.
- Traffic and Walkabilty.
- Transit Planning and Mobility.
- Utility Infrastructure.

In addition, as the Discovery process advanced, the DPSC and the general Public were invited to participate and provide input using a variety of interactive tools including

Executive Summary

(See Appendix F.2-F.6):

I. DPSC Homework Assignment – Place Preferences.
II. Visual Preference Survey.
III. Interactive Input Map.
IV. Supplemental Public Inputs – In-Person and Online.

Public Forum #1: ***Our Essential Downtown***.
On January 27, 2022, Public Forum #1 was conducted virtually by the Consultant Team and live-streamed in accordance with COVID-19 protocols implemented by the Town of Huntersville. Presentation exhibits were also displayed at the Huntersville Town Hall afterward for public in-person viewing, comment, and discussion with Town staff upon request. The Consultant Team explained the Master Planning Process and presented the initial findings of the Preliminary Assessment relative to Infrastructure, Land Use / Urban Design, and Economic Development along with a Downtown Context Plan, Photo Tour, and Key Existing Resources. In addition, pubic involvement and feedback was encouraged through upcoming Public Forms and DPSC Meetings, interactive tools including on-line surveys and input maps, and the Downtown Plan Project Website.

Phase 2: Organizing Principles and Alternative Futures.

Overview.
During the Phase 2 process, planning and design are but one component of determining the proper path forward. Comprehensive alternative strategies 'Alternative Futures' are created first—in how land is used; in which populations are served; in how the new place should live; what form the infrastructure will take; in how capital is to be deployed; and the phasing of development—before an attempt to create a fixed master plan.

Organizing Principles.
The first part of the Phase 2 process was the establishment of Organizing Principles that directed development of the Alternative Futures. Each of the six Organizing Principles created relates to a specific selected issue (and perhaps to more than one), and were crafted through a structured inventory and review of the collective feedback and input from both DPSC members and general public. The Organizing Principles for Downtown Huntersville are headlined and named: Mobility, Nature, Gathering, Living, Civic, and Soul – each is supported by Principle Statements, which are underpinned by Key Words extracted from the results of various surveys conducted during the Discovery process (See Figure 4).

These six Organizing Principles provided guidance and became tools by which to measure progress of the Alternative Futures and following Master Plan. They were continuously referred and used to ask questions of the DPSC members and general public to gauge their positions on the topics and suggested approaches through policy, planning, law, and public initiative.

Alternative Futures.
The second part was the development of conceptual approaches that respond to the Organizing Principles. These different concepts are called Alternative Futures, for each one represents a fundamental different approach to addresses the identified issues and therefore how the town will grow. Three Alternative Futures were developed (See Appendix B):

Alternative Future #1: 'Low Intensity'
Alternative Future #2: 'Medium Intensity'
Alternative Future #3: 'High Intensity'

The Alternative Futures include preliminary development programs; preliminary development approaches in a "bubble diagram" form showing in general terms the layout of uses and block types upon the site, key existing features, spaces to be left open/undeveloped as parks; an approach to infrastructure/roads; and an implied approach to phasing. As such, each Alternative future is about development strategy as it is master planning. Each Alternative Future is supported with a layer stack diagrams along with characteristic images depicting and annotating its specific approach to each of the six Organizing Principles (See Appendix B). Alternative Futures 1-3 were presented during a DPSC meeting and general public during Public Forum #2.

Public Forum #2: ***Our Options for the Future***.
On May 12, 2022, Public Forum #2 was conducted in-person by the Consultant Team at Huntersville Presbyterian Church. Presentation exhibits were also displayed at the Huntersville Town Hall afterward for public in-person viewing, comment, and discussion with Town staff upon request. The Consultant Team presented a brief overview of the Organizing Principles and the Alternative Futures 1-3. The participants were then invited to breakout into tableside open discussions lead by the Consultant Team and Town Staff around each Alternative Future. Afterward, the Consultant Team conducted a real-time, interactive public feedback survey with individual participants using handheld digital clickers and phones. The survey was structured to ask the audience to select which Alternative Future provides the best approach to each of the Organizing Principles, and concluded by asking to select which Alternative Future provides the best approach to a Composite Plan (See Appendix F.7). The results for best approach to a Composite Plan:

Alternate #2 'Medium Intensity': 46%
Alternate #1 'Low Intensity': 29%
Alternate #3 'High Intensity': 26%

Composite Alternative Future.
After Public Forum #2, a comparative analysis was prepared, which outlined Key Distinctions along with Advantages and Disadvantages relative to the approach of each Alternative Future 1-3 for each of the six Organizing Principles (See Appendix B). A Composite Alternative Future was then derived from the preferred Alternate #2 'Medium whereby specific and desired attributes from both Alternates #1 'Low Intensity' and # 3 'High Intensity' were carefully integrated. The Composite Alternative Future became the basis for advancing the Draft and Final Master Plan.

Phase 3: Final Strategy and Master Plan.

Overview.
During Phase 3, the Composite Alternative Future was advanced into a Draft and Final Master Plan through a structured and open planning process, which included ongoing discussion and feedback together during regular meetings with the DPSC and Public Form #3 with the general public. Planning was focused within the ¼-mile downtown core study area and organized into four quadrants defined by the crossroads of Main Street (north/south) and Gilead Road/Huntersville-Concord Road (east/west).

Final 2022 Downtown Master Plan.
Development of the Final 2022 Downtown Master Plan included a refinement of preliminary development programs and approaches in a "bubble diagram" form showing in general terms the layout of uses and block types upon the site, key existing features, spaces to be left open/undeveloped as parks; an approach to infrastructure/roads; and an implied approach to phasing (See Figures 5 and 12). The Plan is underpinned by the established six Organizing Principles and outlines key recommendations for each (See Figures 6-11). In addition, the Plan identifies potential Key Catalytic Projects for implementation within each quadrant, which are organized into categories of Economic Development – Public and Private, and Infrastructure - Transportation (All Modes) and Open Space (See Figure 13).

Conceptual Vision Plan.
A Conceptual Vision Plan was also created to demonstrate an 'expression' of potential block development patterns (build-out scenarios) based upon actual types of streets, buildings and open spaces, as well as locate and 'test fit' potential Key Catalytic Projects within the context each quadrant (See Figure 14). Key notes and considerations are also outlined to provide description of specific features and planning guidance for development each quadrant (See Figures 15-18). Furthermore, a series of annotated 3-D visualizations and vignettes were created to depict conceptual spatial enclosure (building frontage/form and site/street section) and streetscapes for various locations and conditions within each quadrant (See Appendix C).

Public Forum #3: ***Our Plan for Getting There***.
On October 20, 2022, Public Forum #3 was conducted in-person by the Consultant Team at Huntersville Presbyterian Church. The Consultant Team presented a brief overview of the Draft Master Plan and Conceptual Vision Plan. The participants were then invited to breakout into tableside open discussions lead by the Consultant Team and Town Staff around each quadrant of the Plan. Afterward, the Consultant Team conducted a real-time, interactive public feedback survey with individual participants using handheld digital clickers and phones (See Appendix F.8).

Master Development Strategy.
Following Public Forum #3, the Final Strategy for the Plan was prepared, which outlined the Key Recommendations, Development Focus Areas and Potential Key Catalytic Projects, and Implementation and Phasing Strategy (See Pages 4-6).

Non-Linear Services and Supplemental Activities.

Overview.
In support of the Project, the Consultant Team provided the following Non-Linear Services and Supplemental Activities during the Phase 1 and 2 planning process:

Gilead Road Mixed-Use Project Considerations.
In November 2021, the Gilead Road Mixed-Use Project was submitted by HFH Partners, LLC as prepared by Henson Foley for a rezoning from Neighborhood Residential (NR) to Traditional Neighborhood Development – Conditional District (TND-CD). The proposed development is situated on 3.91 acres with frontage along Gilead Road and includes 17,400 SF Commercial and 29 Townhouses. Given the location and timing of this unique project, Jay Henson with Henson Foley was agreeable to meeting together with the Town and Shook Kelley for discussion of the proposed development relative to the 2022 Downtown Master Plan. Accordingly, Shook Kelley provided an annotated and diagrammatic review of the site rezoning plan submittal including site planning and design considerations related to the Gilead Road Mixed-Use Project (See Appendix B).

CMS – Huntersville Elementary School Conceptual Planning.
On February 23, 2022, the Town met together with Dennis LaCaria, Director for Facilities Planning and Real Estate, Charlotte-Mecklenburg Schools (CMS) to discuss general planning considerations for its property (30.12 Acres) and existing Huntersville Elementary School (ES) located on the corner of Gilead Road and Sherwood Drive. Dennis explained that pending future funding availability, CMS is interested in the 'on-site replacement' including design and construction of a new Huntersville ES per its compact urban prototype facilities adjacent to the existing facility, which will be required to remain operational until the new facility is completed. A total of six Conceptual Site Plans were initially prepared by Shook Kelley to advance and evaluate considerations which maximize an integrated balance between the CMS Prototypes, the Town's Zoning Ordinance requirements, the 2008 Design Guidelines, and the current/ongoing development of Alternative Futures for the 2022 Downtown Master Plan (See Appendix B). In May 2022, CMS published its Capacity Needs Assessment 2022-2031, which listed the Huntersville ES 'on-site replacement' as 49th among a total of 125 potential projects located across the county.

Traffic Analysis.
In a separate, supplemental effort to the Project; Gannett-Fleming produced a Traffic Analysis Report, which provided traffic forecasts and capacity analysis to inform the 2022 Downtown Master Plan (See Appendix E). The objective of the study was to evaluate potential roadway and network improvement scenarios in downtown Huntersville that may be included in the Master Plan update.

Executive Summary

FINAL STRATEGY.

Overview.

The Final Strategy outlines the recommendations and action items relative to Infrastructure (including Transportation – All Modes, General Infrastructure Systems, and Environment and Open Space), Land Use / Urban Design, and Economic Development, which together support implementation of the Final 2022 Downtown Master Plan. It also identifies key initiatives to be advanced by the Town for addressing the policy elements that need to be adopted, amended, and/or written and adopted, all coupled to a strategy regarding how to approach development in a public/private manner. The latter is particularly true regarding those lands/buildings that the Town controls.

Final Strategy – Outline.

I. Key Recommendations and Action Items.

A. Infrastructure (including Transportation, General Infrastructure Systems, and Environment and Open Space).
B. Land Use and Urban Design.
C. Economic Development.

II. Development Focus Areas and Potential Key Catalytic Projects.

A. Economic Development (Public and Private).
B. Infrastructure Development (Transportation (All Modes) and Open Space).

III. Implementation and Phasing Strategy.

A. Potential Key Catalytic Projects.
B. Potential Key Town Initiatives.

I. Key Recommendations & Action Items:

A. Infrastructure Recommendations.

1. Transportation.

a. Existing Arterial Streets and Intersections (Gilead Rd, HWY 115/Old Statesville Road, Main Street:

• Continue collaboration with NCDOT to ensure roadway construction for its Main Street Improvement Project advances per designs with safe, multimodal access (vehicular, bicycle, and pedestrian) in accordance with adopted Town plans and policies.

• Convene with NCDOT and Norfolk Southern to share considerations and discuss feasibility for potential roadway design modifications and/or enhancements including traffic lane and circulation/turning movement patterns, sidewalk widths and streetscape amenities, and on-street parking relative to the U-5908 Main Street project (currently under construction) segment(s) located at the intersections of Huntersville-Concord Road and Church Street and the Norfolk Southern railroad crossing.

• Consider extending the 25 MPH traffic zone continuously along HWY 115/Old Statesville Road between the new roundabouts under construction at the intersections of Main Street at Fourth Street and Mt Holly-Huntersville Road.

• Convene with NCDOT to provide update on current Downtown and Subregional context along with results of traffic modeling conducted by Huntersville's jurisdictional metropolitan planning organization (MPO) (completion expected 1st Quarter 2023). Share considerations and discuss feasibility for potential roadway design criteria relative to the U-5807 Gilead Road project to ensure multimodal access (vehicular, bicycle, and, pedestrian) in accordance with adopted Town plans and policies. Note: It is understood this Project is currently advancing per the NCDOT STIP - Verify timing and opportunity to include updated designs.

• Convene with NCDOT relative to the U-5114: HWY 21/Statesville Road and Gilead Road project to share considerations and discuss feasibility for Town's desired intersection alignment (chicane toward east), design (signalized or roundabout), and extension (continuation of Commerce Center Dr to the Town's Holbrook St. Extension Project – recently completed).

• (Re)Prioritize Town's Capital Improvement Program (CIP) roadway projects and funding allocation, if possible, to support and enhance level of service per potential design alternate(s) for key NCDOT streets including: Gilead Road, Huntersville-Concord Road, Main Street, and HWY 115/Old Statesville Road.

• Enhance existing and identify and preserve potential new opportunities for north/south multimodal street (vehicular, bike, and pedestrian) intersections and connections across Gilead Road to increase mobility with pedestrian-oriented street grid and block patterns.

b. Downtown and Adjacent Neighborhood Streets.

• Update Town's Capital Improvement Program (CIP) roadway projects and funding allocation to include proposed new streets and improvements to targeted existing streets within the Downtown area.

• Inventory, catalogue, and illustrate existing street types, design cross-sections, and general conditions.

• Clarify existing street right-of-way widths along with associated ownership and maintenance responsibilities - NCDOT, Town, or Private.

• Enhance existing and identify and preserve potential new opportunities for east/west multimodal street (vehicular, bike, and pedestrian) intersections and connections between and across HWY 115/Old Statesville Road and Main Street to increase mobility with pedestrian-oriented street grid and block patterns.

• Establish ***Downtown Street Design Guidelines*** for new and pre-existing/retrofit street types.

• Explore implementation of innovative Woonerf street type within commercial and residential context.

• Develop street and sidewalk improvement strategy for pre-existing adjacent neighborhood streets to encourage lower traffic speeds and enhance pedestrian safety, walkability, and connectivity with Downtown.

• Advance evaluation of proposed new east/west street connection (a.k.a. 'East/West Connector Street') between Commerce Center Drive, and HWY 115/Old Statesville Road and Main Street per the *Downtown Transportation System Plan (2014-2015)* and the adopted *2040 Community Plan – Downtown Regulating Plan / Character and Connections Map* * – including but not limited to: potential street alignment(s), design criteria (design speed, cross-section(s) and intersections, etc.), and integration with existing land ownership and uses.

***Note:** The East/West Connector Street is currently included within these two pre-existing documents; and, therefore included within the 2022 Downtown Master Plan as a 'dashed' potential future conceptual alignment ONLY to provide future planning guidance and considerations. Accordingly, the proposed East/West Connector Street is defined with three incremental Segments A-C, which are contingent upon key items including:

Segment A - Between Old Statesville Road and Main Street.
Note: Segment A may be implemented as an independent street ~~prior to Segments B and C.~~
~~Key Contingent Items (per continuation as East/West Connector Street):~~

~~A. East/West Connector Street Segments B and C are fully funded and constructed.~~

~~B. Norfolk Southern approves railroad corridor crossing at Second Street.~~

Segment B - Between Commerce Center Drive and Sherwood Drive.
Key Contingent Items:

A. CMS approves funding for new Huntersville Elementary School.

B. Street design is integrated appropriately with new school site & building.

C. CMS conveys land to town for street right-of-way.

D. CMS provides Town right of first refusal for property fronting Gilead Road.

Segment C - Between Sherwood Drive and Old Statesville Road.
Key Contingent Items:

A. East/West Connector Street Segments A and B are fully funded and constructed.

B. Norfolk Southern approves ~~railroad corridor crossing at~~ Second Street.railroad crossing from Main Street to Church Street.

C. Street design is integrated appropriately with Holbrook Park and adjacent properties.

c. Bicycle and Pedestrian Facilities.

• Create a ***Downtown Sidewalk Improvement Plan*** to establish street-specific design guidelines for improving conditions of existing sidewalks within the Downtown core area and extending sidewalk pathways and connections to adjacent and emerging neighborhoods.

• Bridge existing gaps in pedestrian and bicycle mobility and connectivity with new and/or enhanced trails and sidewalks within and between Public Greenways and Parks, and the Downtown core.

• Identify, inventory, categorize, and valuate existing street and sidewalk conditions for potential improvement by associated ownership entity and maintenance responsibilities. Consider implementation of an on-line, interactive ***Mobility Improvement Geolocation Map & Strategy*** to pinpoint specific sidewalk damage or other impediments deterring pedestrian and bicyclist access, which can be prioritized for improvements by associated ownership and maintenance entities.

• Establish and reinforce requirements for regular maintenance and service activities relative to street access and interface with adjacent streetscapes including garbage pick-up and on-street deliveries.

d. Public Transit – Bus Rapid Transit (BRT) and Commuter Rail Transit (CRT) Station Area Plan.

• Establish a Station Area Planning (SAP) Team to help guide and provide

proactive feedback to Charlotte Area Transit System (CATS) as they advance short, medium, and long-term planning consideration for its proposed BRT and CRT corridors.

• Prepare ***BRT*** and ***CRT Station Area Plans*** for both stations, which clearly define the SAP Key Components and functional criteria within the context of the 1/4-mile station area and greater Downtown.

• Prepare a comparative analysis for the BRT Station location Option A and Option B proposed by CATS to evaluate and share specific considerations for preference by the Town.

• Reevaluate and update the 2008 CRT Station Area Plan prepared by CATS in accordance with expected SAP Key Components and functional criteria, subject to future review by Norfolk Southern.

• Ensure current Transportation Plans (including Roadway, Bicycle, and Pedestrian Plans) accommodate and support multimodal access to the BRT and CRT Station Area.

• Increase and enhance multimodal (vehicular, bike, and pedestrian) access and safety within 1/8-mile of the BRT and CRT Station Areas.

• Evaluate existing bus stop locations and ridership in the Downtown and create a ***Bus Stop Improvement Plan***, which ensures accessibility and enhances safety and comfort. Explore opportunities for integration of public art and downtown wayfinding signage.

• Explore implementation of innovative mobility solutions such as on-demand public transit to reduce vehicle miles traveled (VMT) and provide options for first and last-mile access to the existing Huntersville Gateway Park and Ride Lot, and future BRT and CRT Stations.

• Explore short and long-term planning and funding opportunities for potential innovative transit technologies including:

- Local and county-wide autonomous electric vehicles (EVs) [cars and pods] networks and charging infrastructure per update of the 2019 NC Zero Emission Vehicle (ZEV) Plan update (tentative August 2022) lead by NCDOT and Centralina in accordance with:

  The NC Clean Transportation Plan mandated by Executive Order (EO) 246.

  National Electric Vehicle Infrastructure formula funding plan mandated by the U.S. Infrastructure Investment and Jobs Act (IIJA).

- Hyperloop high-speed transportation system connecting between Huntersville and other Lake Norman area Towns together with Charlotte.

- Air-Taxi services via small, piloted and pilot-less aircraft designed for short passenger hops in and around cities.

e. Parking - Distribution, Supply and Demand.

• Review and revisit the recommendations outlined within the Town of Huntersville *2006 Downtown Parking Study** including:

- Conduct a more detailed parking study.

- Consider street improvements to allow for more on-street parking.

- Consider establishing shared-use parking agreements.

- Consider adopting an In-Lieu Fee System to fund future public parking.

- Implement a maximum off-street parking limit.

- Allow on-street parking to count toward required parking.

- Revise the existing parking ordinance to provide additional design and quantitative guidelines for development and uses within the Downtown context.

***Note**: The *2006 Downtown Parking Study* was prepared with projected need for parking according to the 2005/2006 Master Plan and prior to the construction of the parking structure serving the Huntersville Town Center/Discovery Place Kids building.

• Create a ***Downtown Parking Plan***, which builds on the recommendations of the *2006 Downtown Parking Study* and incorporates current conditions and the 2022 Downtown Master Plan upon final adoption.

• Collaborate with existing property and business owners to evaluate existing off-street parking conditions and potential funding mechanisms for improvements including but not limited to:

- Vehicular access and circulation efficiency (automobile and service vehicles) within and between adjoining lots.

- Electric Vehicle (EV) spaces and charging infrastructure locations.

- Pedestrian safety, accessibility, and circulation within and between adjoining lots, and adjacent sidewalks and building entrances.

- Wayfinding signage – vehicular and pedestrian; which should include not only greenways, trails, and parks, but also civic building and attractions and other related items of interest to the visiting public.

- Surfacing materials, landscaping, lighting, drainage (including integration of potential stormwater strategies such as pervious pavers, bio-retention areas, and underground vaults).

• Identify location(s) and approaches for potential future public, shared parking facilities (surface and/or structured) as determined appropriate relative to site parcel and block size and geometry, street access, and demand per existing and potential future adjacent and nearby development program.

2. General Infrastructure Systems.

• Coordinate development program and intensity in conjunction with existing infrastructure capacities and/or phase in accordance with Town's CIP.

• Recognize the Water and Sewer Authority of Cabarrus County (WSACC) existing wastewater basin status and capacity limits and impact on timing and phasing of potential future development on the eastern Downtown area.

3. Environment and Open Space.

a. Terrestrial Systems.

• Conduct a comprehensive ***Arborist Tree Assessment Report*** to inventory conditions of the existing tree canopy within the Downtown area.

• Identify existing wooded areas to consider for potential preservation and use to supplement public greenway and open space systems in the Downtown area.

• Consider recalibrating tree preservation requirements, mitigation strategies, and/or provide incentives to developers for contributions to a ***Downtown Tree Fund/Bank*** set up by the Town for the planting and maintenance of trees elsewhere in the Downtown area.

• Create ***Urban Forestry Design Guidelines*** outlining sensitive approaches to the integration of new development within pre-existing wooded areas, which facilitate the preservation of a maximum number of trees.

b. Public Greenways, Trails, and Parks.

• Enhance wayfinding signage within Public Greenways and Parks, and throughout the Downtown to promote locations and activities, and encourage community and visitor access.

• Identify existing features within parks for potential future design and material enhancements including but not limited to decorative hardscapes, light fixtures, railings and fencing, furniture (benches, waste/recycle receptacles, bicycle racks, etc.), public art installations, shelters, playground equipment, etc.

• Implement Holbrook Park post-construction inspection and clean-up of internal and perimeter wooded areas and understory brush.

c. Stormwater Systems.

• Identify primary existing stormwater problem areas within the Downtown and develop potential on-site and/or upstream mitigation and improvement strategies.

• Conduct a detailed ***Downtown Stormwater Study*** to determine feasibility for a potential 'regional' stormwater approach for the Downtown area.

• Identify and encourage preservation and/or consider purchase of larger land parcels (or portions of) as stormwater capture sites for implementation of potential ***Regional Stormwater Strategy*** in harmony with the existing topography, and flow patterns and drainage basins together with existing and potential future development intensities within each quadrant of the Downtown area.

• Encourage and implement innovative and creative stormwater features within open spaces and 'Green Streets' as intentional and visually appealing amenities, which are designed, scaled, and integrated sensitively within the surrounding context – urban/developed and natural/undeveloped areas of the Downtown.

• Pending feasibility and implementation of ***Regional Stormwater Strategy*** and associated facility(s), consider potential ***Stormwater Banking and Mitigation Program*** for existing and future development in the Downtown area.

B. Land Use / Urban Design Recommendations.

1. Adopted Town Documents, Ordinance & Policies.

• Consider an update and expansion of Building and Lot Type definitions and regulations within the existing Zoning Ordinance and/or create new Types to include broader range of varieties with the Downtown area.

For example: Currently, the Apartment Building and Lot Type Regulations covers a broad range of potential building forms and configurations (one size fits all approach); which could contain at least three, however typically a much greater quantity of dwelling units depending on the lot size. Therefore, to provide guidance supporting an incremental approach to implementation of Apartment buildings in harmony with smaller lots located within the Downtown Area; consideration should be given to breakdown the Apartment Building and Lot Type into smaller

categories – such as:
- Small (3-15 Dwelling Units).
- Medium (16-50 Dwelling Units).
- Large (More than 50 Dwelling Units).

• Consider review of Development Plan (By-Right and Rezoning) submittals to include evaluation of adherence to the adopted Master Plan and proposed Downtown Urban Design Guidelines document (see below).

• Development Plan submittal checklist should include requirement for provision of an Urban Context Plan, whereby the proposed project is depicted within the surrounding ¼-mile context.

• Consider additional community engagement process(s) for review of Development and Rezoning Plan submittals within the Downtown including collaborative charrettes together with town staff and department heads, adjacent neighborhoods, and other community stakeholders.

2. Urban Design Guidelines.

• The existing Urban Design Guidelines 2008 Design Guidebook provides good and broad guidance for design of development throughout the entire Town. However, a new and separate ***Downtown Urban Design Guidelines*** document should be created to provide specific guidelines focused on the design of new and existing development improvements within the Downtown area - including but not limited to building form and design (including clear definition of building heights in terms of stories and feet), open space, and streets.

• Include urban design strategies for sensitive transition and integration between Downtown and adjacent existing and emerging neighborhoods.

• Craft proposed ***Downtown Urban Design Guidelines*** to clearly describe and encourage form-based and context sensitive approach to design of new development.

• Identify, inventory, categorize, and valuate existing building and site conditions for potential retrofit improvements to encourage and enhance compliance with proposed Downtown Urban Design Guidelines.

3. Existing Land Use and Development Site Typologies, Form, and Program.

• Define and reinforce appropriate pattern(s) and hierarchy of development and open space in the Downtown (Tier 1 and Tier 2) with intentional building frontages and complimentary building sizes to frame streets and open spaces which transition sensitively between adjacent neighborhoods.

• Follow and enforce proposed ***Downtown Urban Design Guidelines*** to encourage form-based and context sensitive approach to design of new development.

• Update and expand the Building and Lot Type definitions and design criteria established within the current Zoning Ordinance and/or consider the formation and inclusion of new Types.

• Consider establishing a ***Downtown Overlay District***, with clear boundaries and regulations and/or guidelines in support of the adopted Master Plan.

C. Economic Development Recommendations.

1. Existing Ownership Patterns: Town-Owned & Private-Owned Assets.

• Identify underutilized private properties (or portions of) and engage owner(s) to consider opportunities including Access and/or Parking Agreements, Land Swaps, Purchase, or Public Private Partnerships (P3).

• Inventory existing Town-Owned properties and establish/reevaluate strategic planning for future sale, swap, use, and/or potential additions per aggregation with acquisition of adjacent parcels.

• Recognize and plan for a phased approach to potential future development based on the realities of existing land ownership patterns and associated parcel sizes, geometries, and street frontage.

2. Existing Development Activity Types and Patterns: Recent, Emerging & Future.

• Engage and encourage collaboration with developers and landowners to share and coordinate recent, emerging, and potential future development concepts and/or intensions per short, medium, and long-term planning horizons.

• Facilitate potential joint-development approaches with multiple developers and landowners.

• Encourage incremental, smaller scale, infill development congruent with existing land ownership, and parcel sizes and geometries.

• Encourage implementation of shared parking and/or joint access agreements.

3. Business and Community Development: Support and Leadership.

• Establish and reinforce ***Best Practices Criteria*** to elevate design quality of existing and new development to enhance commercial viability and success.

• Establish mechanism(s) for management of existing and new commercial activity such as a ***Main Street Program*** or ***Business Improvement District (BID)***.

• Identify, inventory, categorize, and valuate existing building and site conditions for potential improvement.

• Provide intentional and active marketing and recruitment for local and new business development in the Downtown.

II. Development Focus Areas and Potential Key Catalytic Projects.

Overview.

The Plan identifies a range of key catalytic projects intended to stimulate community activity and economic development, and advance/provide essential infrastructure improvements in Downtown Huntersville. Potential projects are focused within each quadrant to support existing downtown blocks and neighborhoods, and to leverage or encourage recent, emerging, and/or currently planned projects, as well as catalyze new development programs and activities. The Projects are organized into categories of Economic Development – Public and Private, and Infrastructure - Transportation (All Modes) and Open Space.

A. Economic Development.

1. Public:
   a. Town Center Parcel.
   b. Town Hall (New) & Civic Parking Structure.
   c. Town Hall (Existing).
   d. Main Street Town Parcel.
   e. Cultural / Performing Arts Center.
   f. CMS Huntersville Elementary School.
2. Private:
   a. Main Street Mixed-Use Block.
   b. American Legion Site & Building.
   c. Huntersville-Concord Rd & N Church St Corner Mixed-Use Block.
   d. 100 Ranson Street Site & Building.
   e. White Hill Senior Apartments.
   f. Hunter Village Assisted Living.

B. Infrastructure Development.

1. Transportation (All Modes):
   a. NCDOT Gilead Road Project.
   b. Maxwell Avenue Woonerf (Shared Street).
   c. Walters Street & S Church Street – Improvement & Extension.
   d. Holbrook Street Extension.
   e. Gibson Park Drive - Improvement.
   f. Huntersville-Concord Road – Street Curve Improvement.
   g. Huntersville-Concord Road & Second Street - Intersection Improvement.
   h. The Seam Trail & Church Street – Co-Location & Improvement.
   i. East/West Connector Street.
2. Open Space:
   a. Huntersville Town Square.
   b. Holbrook Park Extension.
   c. Gilead Road Neighborhood Park.
   d. Magla Mills (Walters Street) Neighborhood Park.
   e. S Church Street Greenway Park.
   f. Gibson Park.
   g. Regional Stormwater Facilities.

III. Implementation and Phasing Strategy.

Overview.

The 2022 Downtown Master Plan and associated potential Key Catalytic Projects represent a combination of near, medium, and long term improvements and opportunities, for which implementation and phasing will depend on number of variables including, but not limited to: applicable jurisdictional and agency plans and regulations, property ownership and inclination, funding, and economic market demand. Furthermore, it is expected several Key Town Initiatives must be concurrently advanced and/or prepared to support implementation of the various and specific components of the Plan.

A. Potential Key Catalytic Projects.

A Preliminary Implementation and Phasing Timeline lists and graphs the potential Key Catalytic Projects over 5, 10 and 15-year timeframes (See Figure 2). This graph is intended as a simple 'working' diagram and tool for use by the Town in order to track, prioritize, and calibrate project timing based on applicable variables mentioned above.

Public Economic Development Projects such as the Town Hall Parcel, the Town Hall and Civic Parking Structure, and Main Street Town Parcel are prime candidates for potential near and medium term implementation through public private partnership (P3) development structures. Infrastructure projects such as street improvements and/or new streets, trails, and greenways or large parks are typically phased for design and construction depending on scale and scope along with available funding, which may be sought and potentially obtained through applicable local, state, and federal programs. Evaluation and (re)prioritization of these projects must continue in a manner that is guided by the Plan. Long term projects include those which may require diligent outreach and patient discussions together with existing owners over time to gauge interest and inclination toward future participation in the Plan.

B. Potential Key Town Initiatives.

A Preliminary Preparation and Implementation Timeline lists and graphs the potential Key Town Initiatives relative to Infrastructure, Land Use / Urban Design, and Economic Development over a 5-year timeframe (See Figure 3). This graph is intended as a simple 'working' diagram and tool for use by the Town in order to track, prioritize, and calibrate timing of each initiative in accordance with department staffing and budget support together with outreach and collaboration with downtown businesses and neighborhoods.

Executive Summary

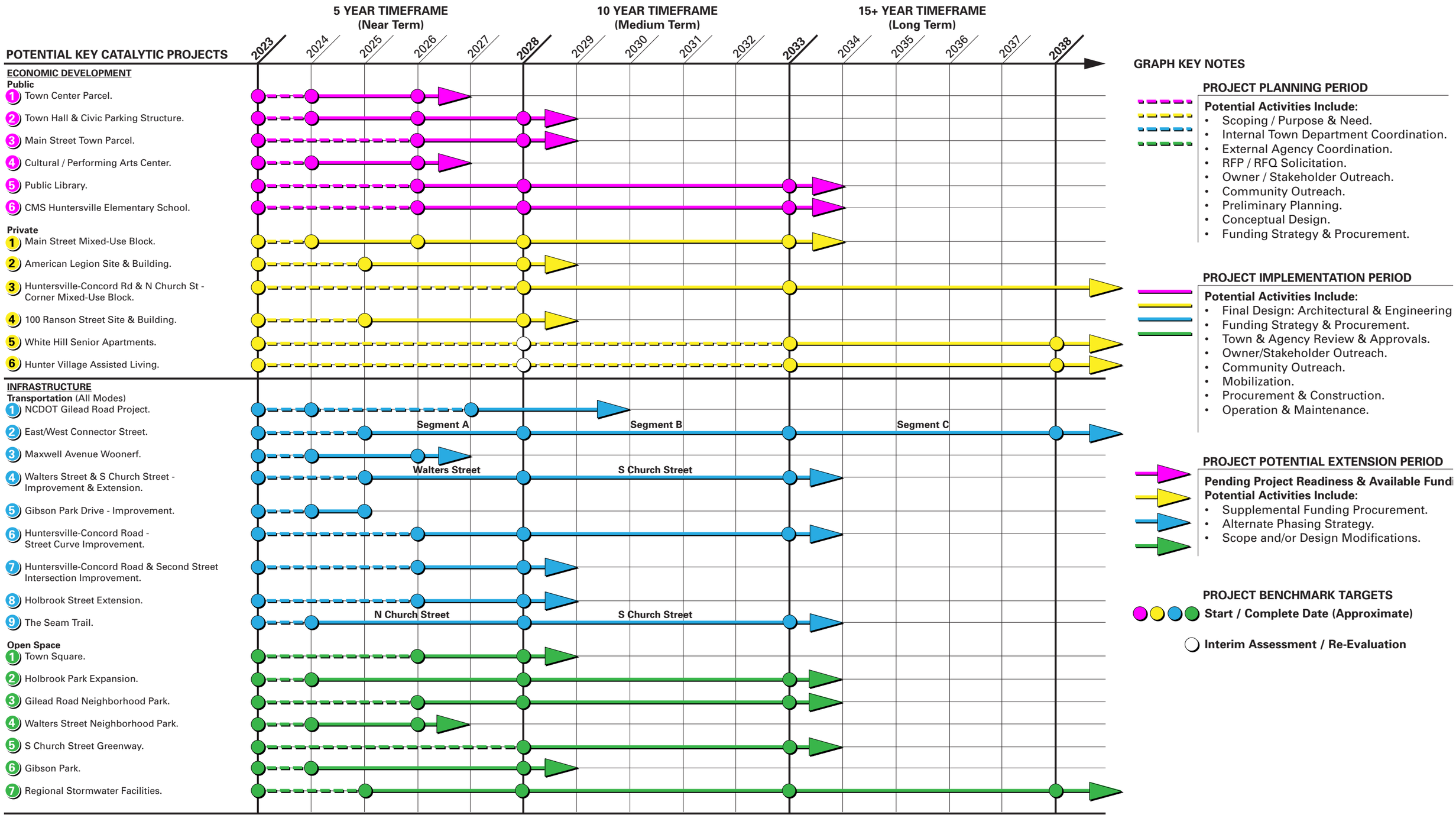
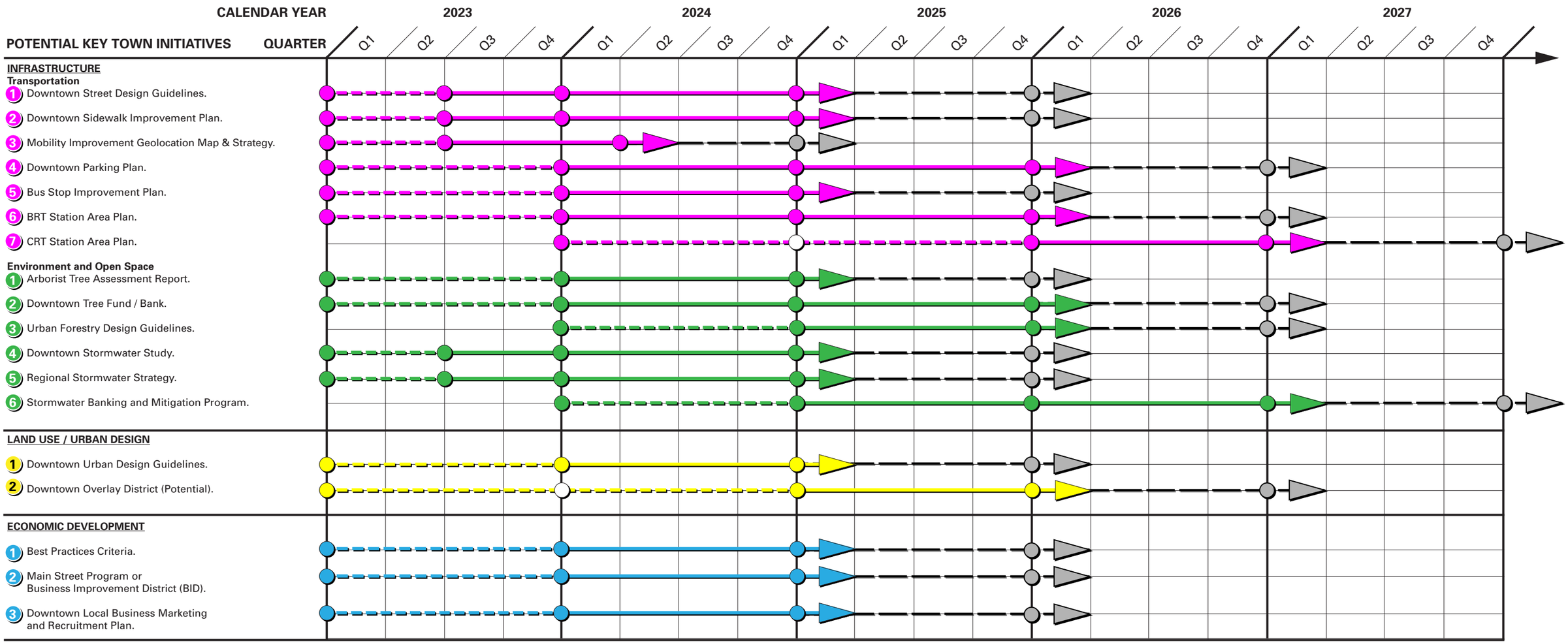


FIGURE 2: Potential Key Catalytic Projects: Preliminary Implementation and Phasing Timeline.

Executive Summary



GRAPH KEY NOTES

INITIATIVE PREPARATION PERIOD

Potential Activities Include:
- Scoping / Purpose & Need.
- Internal Town Department Coordination.
- External Agency Coordination.
- RFP / RFQ Solicitation (If Outsourced).
- Owner / Stakeholder Outreach.
- Community Outreach.
- Funding Strategy & Procurement.

INITIATIVE IMPLEMENTATION PERIOD

Potential Activities Include:
- Document(s) Production.
- Owner / Stakeholder Outreach.
- Community Outreach.
- Approvals & Adoption.
- Funding Strategy & Procurement.
- Final Document(s) Roll-Out/Launch.

INITIATIVE POTENTIAL EXTENSION PERIOD

Pending Project Readiness & Available Funding, Potential Activities Include:
- Supplemental Funding Procurement.
- Alternate Phasing and/or Implementation Strategy
- Scope Modifications.

INITIATIVE ASSESSMENT PERIOD

Annual Initiative Assessment & Reporting, Potential Activities Include:
- Supplemental Funding Procurement.
- Alternate Phasing and/or Implementation Strategy.
- Scope Modifications & Amendments.
- Report Preparations & Publications.

INITIATIVE BENCHMARK TARGETS

Start / Complete Date (Approximate)

Interim Assessment / Re-Evaluation

Annual Assessment / Re-Evaluation

FIGURE 3: Potential Key Town Initiatives: Preliminary Preparation and Implementation Timeline.

Organizing Principles

MOBILITY

• Treat the car as Guest on all streets.

• Create an optimal pedestrian environment—along all streets and within nature.

• Plan for automobile circulation with a street network approach vs. the current dendritic (branched, tree-like form) and disconnected pattern.

• Advance Transit planning….for now and for whatever future may unfold.

• Seek on-street parking solutions in policy, design and in law.

KEY WORDS:

- GREENWAYS AS MOBILITY FOR PEDESTRIANS AND BIKES, MORE GREENWAYS
- CONNECT GREENWAYS TO DOWNTOWN
- STREET DESIGN TO MATCH DOWNTOWN ENVIRONMENT
- SAFER, WIDER SIDEWALKS
- CONNECT NEIGHBORHOODS
- MAKE DOWNTOWN MORE WALKABLE AND BIKEABLE
- CREATE ROAD CONNECTIONS, EXTEND ROADS
- WOONERF ALONG MAXWELL
- BAN LARGE TRUCKS
- SAFER PEDESTRIAN STREET CROSSINGS
- REDESIGN GILEAD RD
- BETTER TRAFFIC FLOW
- SAFE RAIL ROAD CROSSING FOR PEDESTRIANS
- PARKING IMPROVEMENTS
- ON-STREET PARKING ON MAIN STREET
- MORE ON-STREET PARKING
- SCHOOL TRAFFIC
- SPEED TABLES
- ACQUIRE ROW TO IMPROVE STREETS
- RAIL AND BUS RAPID TRANSIT ARE THE FUTURE
- ROUNDABOUTS AS GATEWAYS TO DOWNTOWN
- ENHANCEMENT OF NORFOLK SOUTHERN RAILROAD CORRIDOR
- ADDRESS BLIND CORNERS

NATURE

• Integrate a variety of natural parks and public greens into the passive and active recreation and events of everyday urban life.

• Plant and protect street trees, which enhance beautification and pedestrian walkability, and help to calm traffic.

• Preserve and protect the existing tree canopy with a sensitive balance of new development within significant wooded areas.

• As a Lake Adjacent town situated along the ridge-line of two watershed basins, seek creative water solutions that are environmentally based while enhancing urban life.

KEY WORDS:

- PROTECT TREE CANOPY
- PLANT HEARTY, FAST GROWING STREET TREES
- CREATE MORE GREENWAYS AND TRAILS, GREENWAY ADDITION IS FABULOUS, MAKE GREENWAYS A PRIORITY
- CREATE MORE OUTDOOR SPACES
- VETERANS PARK IS LOVED
- SMALLER URBAN PARKS
- STORM WATER TO INCLUDE "WET" POND AND WATER GARDENS AS COMMUNITY ASSET
- MULTI-USE GREEN SPACES
- NATIVE PLANTS
- PLAYGROUNDS
- SPLASH PADS
- POCKET PARKS
- PRESERVE OPEN SPACE/MAKE INTO PARKS
- BETTER LANDSCAPING IN DOWNTOWN
- RETAIN EXISTING FORESTED AREAS FOR WILDLIFE
- OUTDOOR SEATING
- BUILDINGS AS ENCLOSURE FOR PUBLIC SPACE
- ENHANCE BEAUTY OF THE NEIGHBORHOODS

GATHERING

• Encourage uses that support, facilitate and celebrate a walking environment.

• Promote a balance of food and beverage venues and those stores that support town life and that appeal to visitors.

• Provide for office uses in step with Post-COVID expectations of Live/Work/Play.

• Establish a downtown that supports and encourages the creation of rituals—from 1 person to a 1,000 people.

KEY WORDS:

- ART AND CULTURE VENUES NEEDED
- VETERANS PARK IS ASSET
- OUTDOOR ENTERTAINMENT COURTYARD
- CREATE DESTINATIONS TO WALK TO
- COORDINATED FESTIVALS AND ACTIVITIES
- DEVELOPMENT THAT BRINGS THE COMMUNITY TOGETHER
- RESTAURANTS AND BREWERIES ARE NEEDED
- ENGAGING GROUND FLOOR RETAIL AND DESTINATION AREAS

LIVING

• Include housing options for all—in socio-economic status, family type, and ownership structure.

• Be respectful of existing neighborhoods.

• Develop with a scale and intensity in proportion to other uses.

KEY WORDS:

- GROCERY STORE
- AFFORDABLE HOUSING
- LIVE/WORK TOWNHOMES
- MIXED USE HOUSING FROM HIGH DENSITY TO LOW
- POTTSTOWN AS PART OF DOWNTOWN
- THOUGHTFUL PLANNING AND DESIGN OF RESIDENTIAL BUILDINGS

CIVIC

• Provide a place for all institutions of government, faith and the non-profit sector.

• Welcome and manage an institutional responsibility to be a good neighbor, supporting and adding to the life of the street.

• Strive toward being the example for the change the community wants to see.

KEY WORDS:

- EXPAND EXISTING TOWN HALL OR NEXT TO DISCOVERY PLACE KIDS
- SAVE OLD JAIL AT ALL COSTS - OLDEST MUNICIPAL BUILDING
- NEED MORE CIVIC USES
- "CIVIC PLAZA"
- DISCOVERY PLACE KIDS IS BIG ASSET
- GET GOVERNMENT OFF CORNER LOTS IN DOWNTOWN
- EXISTING ELEMENTARY SCHOOL SITE AS OPPORTUNITY FOR CIVIC/REDEVELOPMENT
- MIXED-USE CIVIC BUILDINGS
- CEMETERY

SOUL

• Reflect a natural and moderated evolution and integration of a small rural town into a 21st Century metropolitan region.

• Build at a scale, at a rhythm, and according to patterns that respect historical precedent.

• Bend the arc of change more toward supporting small town livability and less toward simply accommodating typical market-based development products.

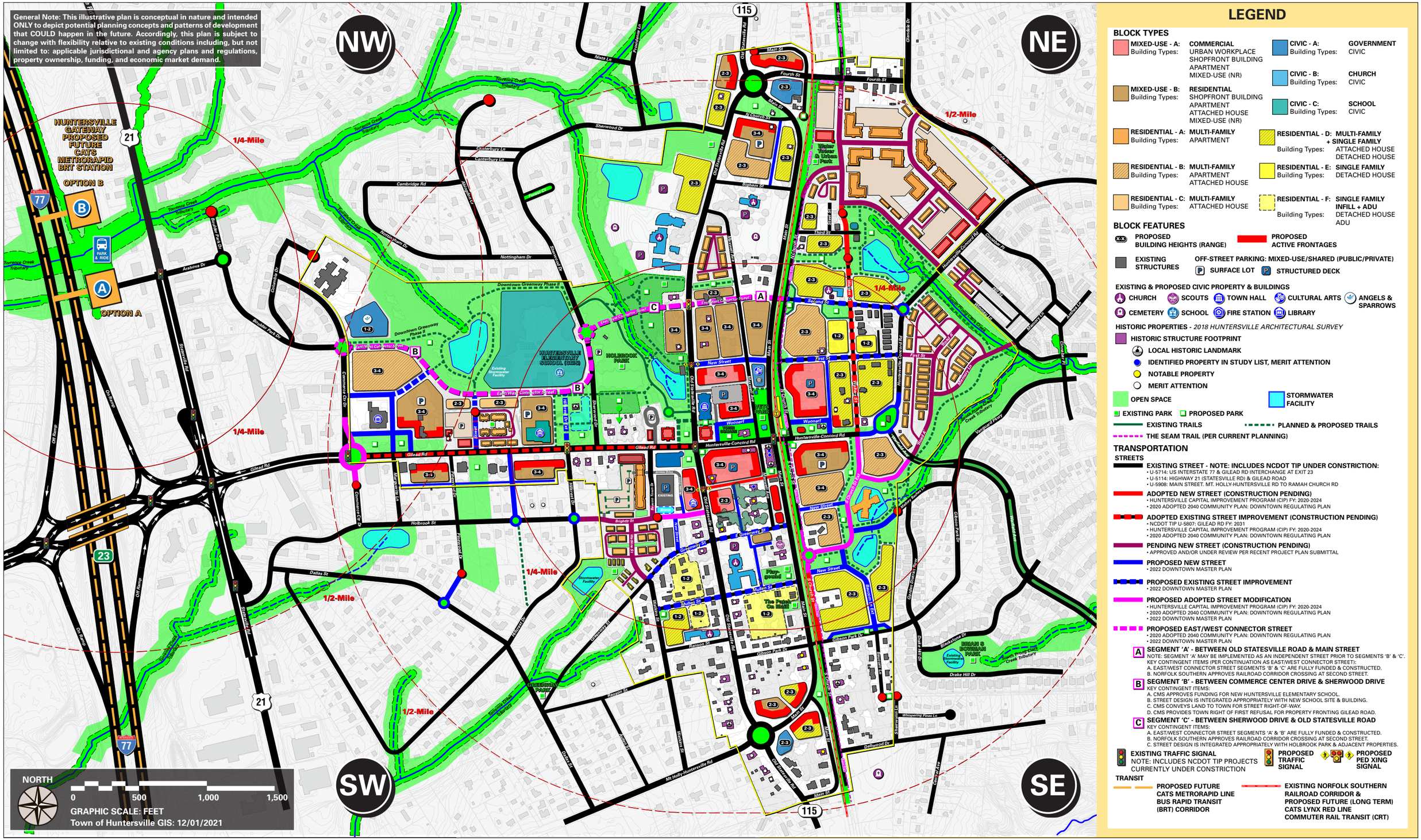
• Recognize that balance in all things is the hallmark of great small towns: They are more than the sum of their parts.

• Strive for the "X" Factor: An experience lived that becomes your identity.

KEY WORDS:

- MORE SMALL/LOCAL BUSINESSES - SUPPORT AND PRESERVATION
- MAIN STREET BUILDINGS HAVE GOOD BONES
- CHURCHES ARE BACKBONE/ASSET
- WATER TOWER CAN BE LANDMARK
- PRESERVE HISTORIC BUILDINGS
- REVITALIZE HISTORIC LANDMARKS
- CREATE ARTS DISTRICT
- FARMERS MARKET
- IMPROVE OR REDEVELOP PROPERTIES
- DESIGN CODE
- BUILDING FACADES REDESIGN
- A GENERAL STORE
- LOCALLY EXPRESSIVE, INTENTIONAL, AND WELL-MAINTAINED APPROACH TO STREETSCAPE
- MIX OF OLD AND NEW BUILDINGS
- OUTDOOR DINING AREAS
- PROGRAMMED GATHERING AREAS
- OUTDOOR MERCHANDIZING
- ART INSTALLATIONS AND DECORATIVE LANDSCAPING
- COORDINATION OF BUILDING
- NEAT AND ECLECTIC DOWNTOWN
- FORMATION OF A HUNTERSVILLE DOWNTOWN BUSINESS ASSOCIATION IS VERY IMPORTANT

FIGURE 4: Organizing Principles.



LEGEND

BLOCK TYPES

- **MIXED-USE - A:** Building Types: COMMERCIAL, URBAN WORKPLACE, SHOPFRONT BUILDING, APARTMENT, MIXED-USE (NR)
- **MIXED-USE - B:** Building Types: RESIDENTIAL, SHOPFRONT BUILDING, APARTMENT, ATTACHED HOUSE, MIXED-USE (NR)
- **RESIDENTIAL - A:** Building Types: MULTI-FAMILY, APARTMENT
- **RESIDENTIAL - B:** Building Types: MULTI-FAMILY, APARTMENT, ATTACHED HOUSE
- **RESIDENTIAL - C:** Building Types: MULTI-FAMILY, ATTACHED HOUSE
- **CIVIC - A:** Building Types: GOVERNMENT, CIVIC
- **CIVIC - B:** Building Types: CHURCH, CIVIC
- **CIVIC - C:** Building Types: SCHOOL, CIVIC
- **RESIDENTIAL - D:** Building Types: MULTI-FAMILY + SINGLE FAMILY, ATTACHED HOUSE, DETACHED HOUSE
- **RESIDENTIAL - E:** Building Types: SINGLE FAMILY, DETACHED HOUSE
- **RESIDENTIAL - F:** Building Types: SINGLE FAMILY INFILL + ADU, DETACHED HOUSE, ADU

BLOCK FEATURES

- X-X PROPOSED BUILDING HEIGHTS (RANGE)
- PROPOSED ACTIVE FRONTAGES
- EXISTING STRUCTURES
- OFF-STREET PARKING: MIXED-USE/SHARED (PUBLIC/PRIVATE)
- P SURFACE LOT
- P STRUCTURED DECK

EXISTING & PROPOSED CIVIC PROPERTY & BUILDINGS

CHURCH, SCOUTS, TOWN HALL, CULTURAL ARTS, ANGELS & SPARROWS, CEMETERY, SCHOOL, FIRE STATION, LIBRARY

HISTORIC PROPERTIES - *2018 HUNTERSVILLE ARCHITECTURAL SURVEY*

- HISTORIC STRUCTURE FOOTPRINT
- LOCAL HISTORIC LANDMARK
- IDENTIFIED PROPERTY IN STUDY LIST, MERIT ATTENTION
- NOTABLE PROPERTY
- MERIT ATTENTION

OPEN SPACE

- STORMWATER FACILITY
- EXISTING PARK
- PROPOSED PARK
- EXISTING TRAILS
- PLANNED & PROPOSED TRAILS
- THE SEAM TRAIL (PER CURRENT PLANNING)

TRANSPORTATION

STREETS

EXISTING STREET - NOTE: INCLUDES NCDOT TIP UNDER CONSTRICTION:
- U-5714: US INTERSTATE 77 & GILEAD RD INTERCHANGE AT EXIT 23
- U-5114: HIGHWAY 21 (STATESVILLE RD) & GILEAD ROAD
- U-5908: MAIN STREET, MT. HOLLY-HUNTERSVILLE RD TO RAMAH CHURCH RD

ADOPTED NEW STREET (CONSTRUCTION PENDING)
- HUNTERSVILLE CAPITAL IMPROVEMENT PROGRAM (CIP) FY: 2020-2024
- 2020 ADOPTED 2040 COMMUNITY PLAN: DOWNTOWN REGULATING PLAN

ADOPTED EXISTING STREET IMPROVEMENT (CONSTRUCTION PENDING)
- NCDOT TIP U-5807: GILEAD RD FY: 2031
- HUNTERSVILLE CAPITAL IMPROVEMENT PROGRAM (CIP) FY: 2020-2024
- 2020 ADOPTED 2040 COMMUNITY PLAN: DOWNTOWN REGULATING PLAN

PENDING NEW STREET (CONSTRUCTION PENDING)
- APPROVED AND/OR UNDER REVIEW PER RECENT PROJECT PLAN SUBMITTAL

PROPOSED NEW STREET
- 2022 DOWNTOWN MASTER PLAN

PROPOSED EXISTING STREET IMPROVEMENT
- 2022 DOWNTOWN MASTER PLAN

PROPOSED ADOPTED STREET MODIFICATION
- HUNTERSVILLE CAPITAL IMPROVEMENT PROGRAM (CIP) FY: 2020-2024
- 2020 ADOPTED 2040 COMMUNITY PLAN: DOWNTOWN REGULATING PLAN
- 2022 DOWNTOWN MASTER PLAN

PROPOSED EAST/WEST CONNECTOR STREET
- 2020 ADOPTED 2040 COMMUNITY PLAN: DOWNTOWN REGULATING PLAN
- 2022 DOWNTOWN MASTER PLAN

A SEGMENT 'A' - BETWEEN OLD STATESVILLE ROAD & MAIN STREET
NOTE: SEGMENT 'A' MAY BE IMPLEMENTED AS AN INDEPENDENT STREET PRIOR TO SEGMENTS 'B' & 'C'.
KEY CONTINGENT ITEMS (PER CONTINUATION AS EAST/WEST CONNECTOR STREET):
A. EAST/WEST CONNECTOR STREET SEGMENTS 'B' & 'C' ARE FULLY FUNDED & CONSTRUCTED.
B. NORFOLK SOUTHERN APPROVES RAILROAD CORRIDOR CROSSING AT SECOND STREET.

B SEGMENT 'B' - BETWEEN COMMERCE CENTER DRIVE & SHERWOOD DRIVE
KEY CONTINGENT ITEMS:
A. CMS APPROVES FUNDING FOR NEW HUNTERSVILLE ELEMENTARY SCHOOL.
B. STREET DESIGN IS INTEGRATED APPROPRIATELY WITH NEW SCHOOL SITE & BUILDING.
C. CMS CONVEYS LAND TO TOWN FOR STREET RIGHT-OF-WAY.
D. CMS PROVIDES TOWN RIGHT OF FIRST REFUSAL FOR PROPERTY FRONTING GILEAD ROAD.

C SEGMENT 'C' - BETWEEN SHERWOOD DRIVE & OLD STATESVILLE ROAD
KEY CONTINGENT ITEMS:
A. EAST/WEST CONNECTOR STREET SEGMENTS 'A' & 'B' ARE FULLY FUNDED & CONSTRUCTED.
B. NORFOLK SOUTHERN APPROVES RAILROAD CORRIDOR CROSSING AT SECOND STREET.
C. STREET DESIGN IS INTEGRATED APPROPRIATELY WITH HOLBROOK PARK & ADJACENT PROPERTIES.

EXISTING TRAFFIC SIGNAL
NOTE: INCLUDES NCDOT TIP PROJECTS CURRENTLY UNDER CONSTRICTION

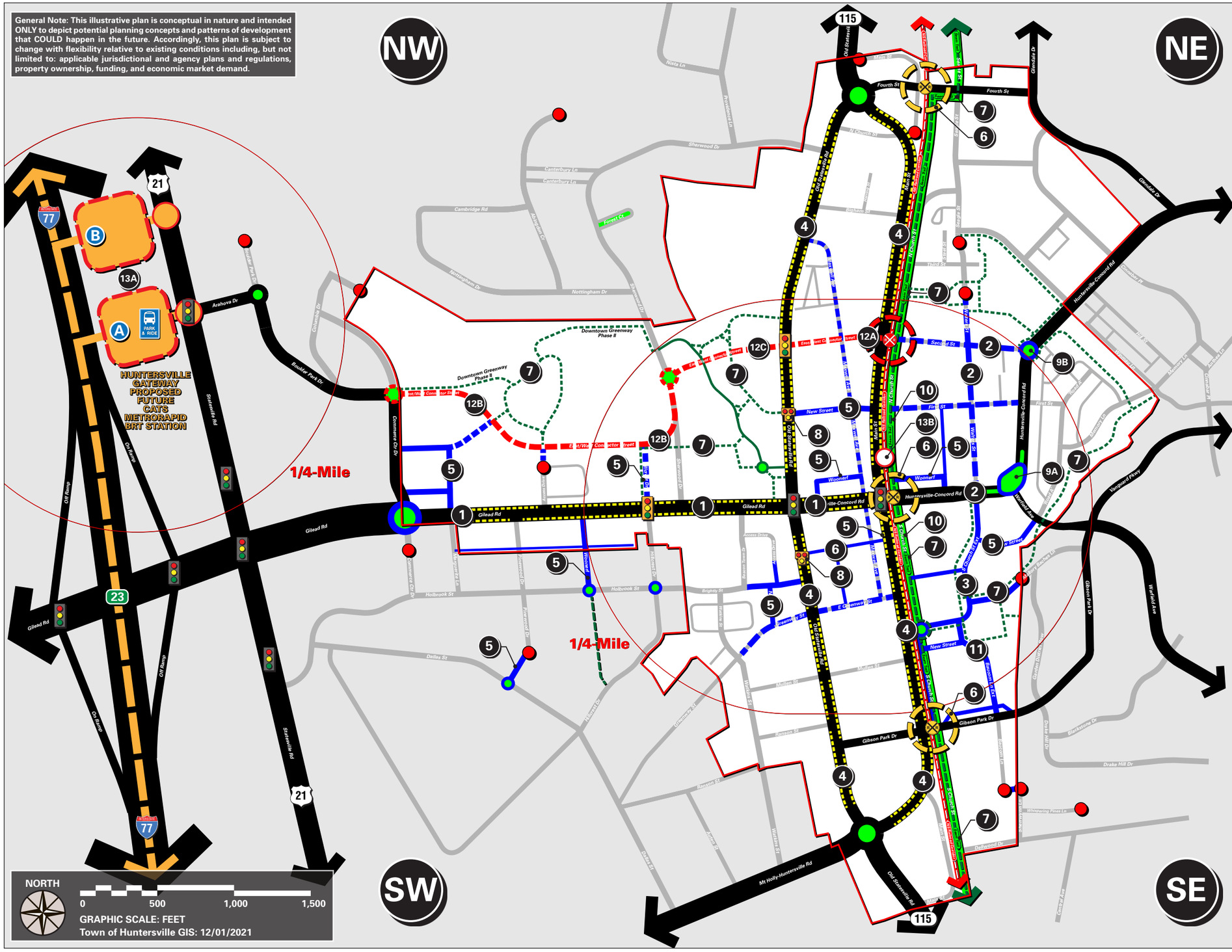
PROPOSED TRAFFIC SIGNAL

PROPOSED PED XING SIGNAL

TRANSIT

- PROPOSED FUTURE CATS METRORAPID LINE BUS RAPID TRANSIT (BRT) CORRIDOR
- EXISTING NORFOLK SOUTHERN RAILROAD CORRIDOR & PROPOSED FUTURE (LONG TERM) CATS LYNX RED LINE COMMUTER RAIL TRANSIT (CRT)

FIGURE 5: 2022 Downtown Master Plan.



Mobility
Key Recomendations

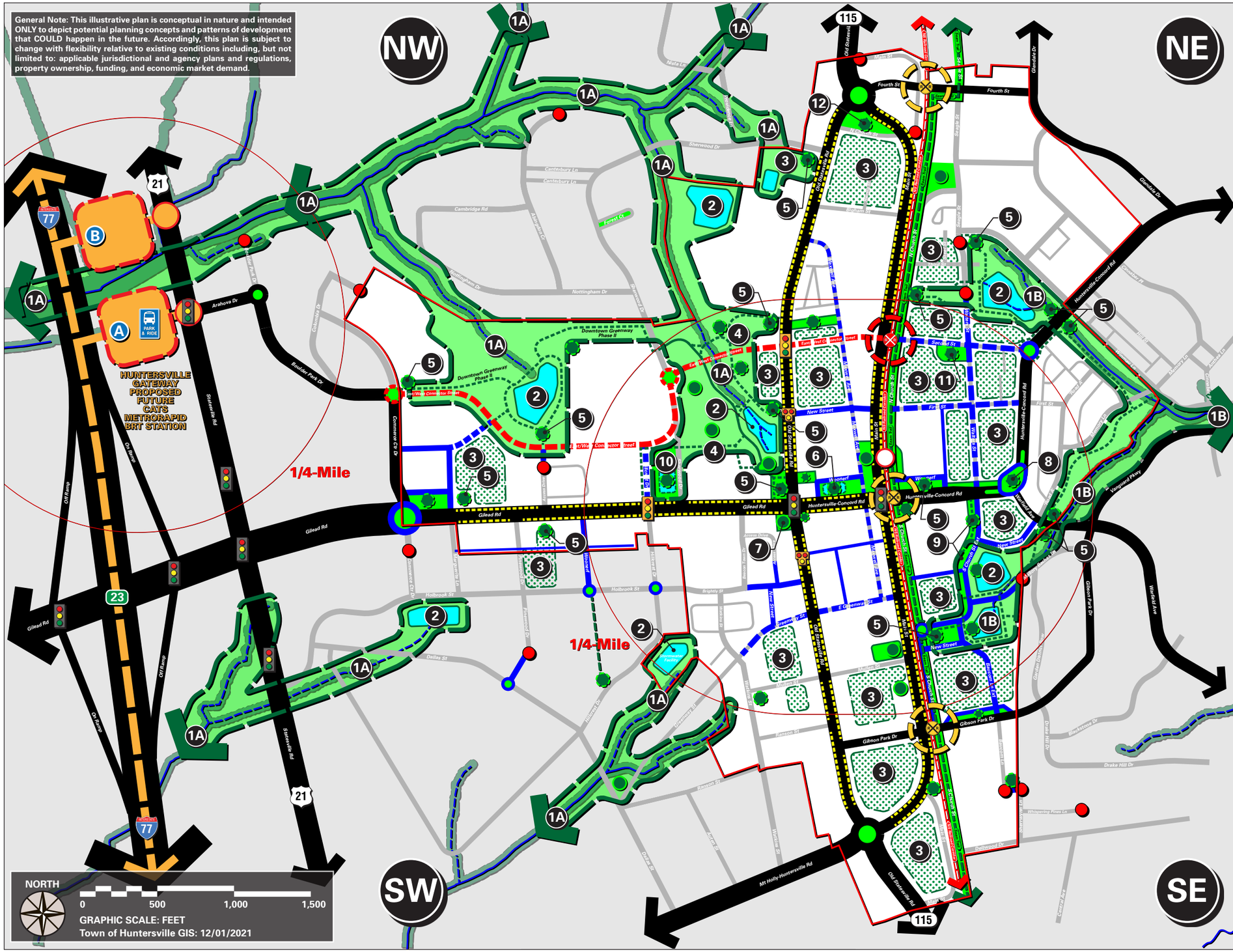
1. Gilead Rd is not widened and is designed as a Multimodal street and includes on-street parking.
2. Walters Street is improved with 'Green Street' design features & extended to provide enhanced North/South Access.
3. S Church Street Extension per Town CIP is proposed to align with existing Circle Dr.
4. Main St Improvement Project is potentially modified in the future from a Two-Way to One-Way Pair traffic pattern to facilitate additional On-Street Parking.
5. Street Network, Connectivity and Block Sizes are improved with a range of New Streets & Types with streetscape designed with wide sidewalks and furnishings, and landscaped with street trees and plantings.
6. Street Access Across the Norfolk Southern Railroad Corridor remain and are improved at Three Locations: Fourth St, Huntersville-Concord Rd, and Gibson Park Dr.
7. Advance the Downtown Greenway - Phase II and The Seam Trail, and expand trail network within each quadrant.
8. Mid-Block Pedestrian Crossings are implemented at key locations along Old Statesville Rd.

Huntersville-Concord Road Improvements include:

- 9A Street Curve at Warfield Ave: designed as an 'Expanded' Roundabout & Gateway Park.
- 9B Second Street Intersection: design with Roundabout.

10. Implement Street Improvements along Church St including Woonerf (shared street) & Green Street design features.
11. Extend Baucom Lane as a new street across Gibson Park Dr to increase connectivity with Pottstown Neighborhood.
12. The proposed East/West Connector Street is defined with three incremental Segments A-C, which are contingent upon key items including:
    - 12A Segment A: Independent Street (w/o RR Xing) ~~Continutation Contingent on NS Approval of RR Xing + Completion of Segments B & C.~~
    - 12B Segment B: CMS Funding for New HES, Conveyance of Street R/W, and ROFR for Property Fronting Gilead Rd.
    - 12C Segment C: Segment A & B Completion, Street Design Integration with Holbrook Park & Adjacent Properties, & Norfolk Southern approval for a Railroad Corridor crossing at Second St.
13. Transit Planning includes ALL CATS North Corridor Recommendations:
    - 13A Near Term: Future Bus Rapid Transit (BRT).
    - 13B Long Term: Future Commuter Rail Transit (CRT).

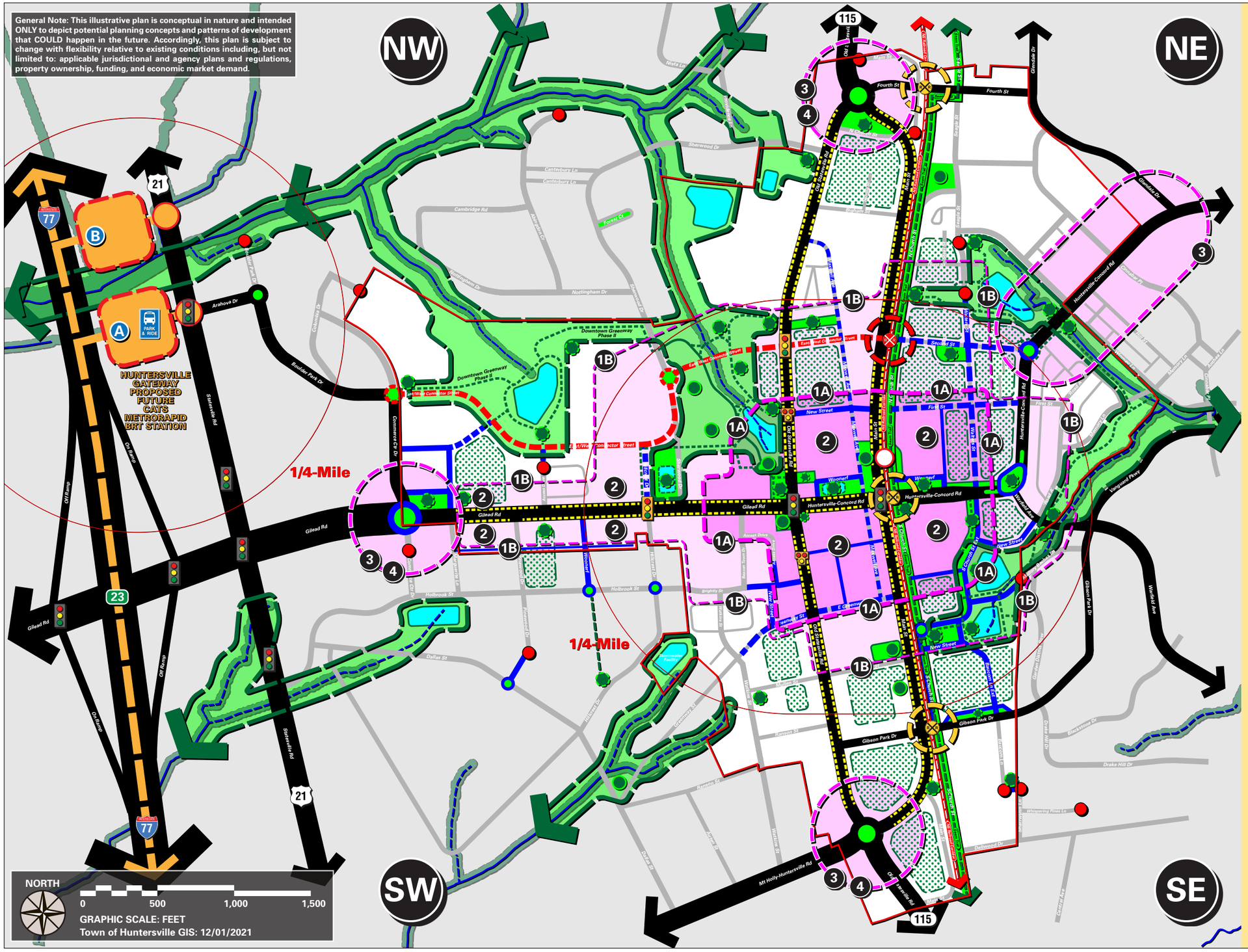
FIGURE 6: 2022 Downtown Master Plan - Organizing Principle: **Mobility**.



Nature
Key Recomendations

1. Streams are Maximally preserved and protected as the primary natural water cycle corridors flowing from Downtown into and within the surrounding watershed basin areas:
   A. Catawba River (Torrence Creek).
   B. Yadkin-Pee-Dee River (S Prong Clarke Creek).
2. A Regional Stormwater Strategy is evaluated to provide additional capacity and management within Downtown, designed and amenitized as landscape features within existing and proposed greenways.
3. Significant tree canopy areas are inventoried, selectively preserved and protected with future new development.
4. Pursue expansion of Holbrook Park with potential land acquisition and/or conservation easement strategies and incentives with adjacent property owners.
5. Greenway connections are established at intentional locations along existing/planned Trails and Streets.
6. A new Town Square central park is established with connected public open spaces linking with the Downtown Greenway.
7. Preserve an area of land adjacent to the Huntersville Town Center hardscape plaza for an intentional softscape/landscape design to compliment existing and future building street level programming.
8. A new East Gateway Park is created with the proposed Huntersville-Concord Road Street Curve improvement at Warfield Ave - designed as an 'Expanded' Roundabout, which is aligned to maximize preservation of existing adjacent specimen tree canopy.
9. Create a Linear Greenway Park (tree preservation area) parallel to the S Church St Extension project.
10. A new Neighborhood Park with frontage along Gilead Rd is created with CMS site design for its future New Huntersville Elementary School and designed as an extension of Holbrook Park.
11. A new Magla Mills Neighborhood Park is created at the corner of Walters St & Second St and designed to maximize preservation of existing tree canopy.
12. A new North Gateway Park is created between the roundabout, Old Statesville Rd, Main St, and N Church St.
13. A street tree implementation program is established along primary streets.

FIGURE 7: 2022 Downtown Master Plan - Organizing Principle: **Nature**.



Gathering
Key Recomendations

1. A layered approach to the Primary Gathering Area is defined whereby:

   Area A. The Downtown Core micro-district encompasses a few blocks, crosses the NS Railroad Corridor, and is focused around:
   - The existing Main St. Commercial Block.
   - Town Hall.
   - Veterans Park.
   - Discovery Place Kids.
   - Entrance to Holbrook Park & The Vine.
   - Proposed Town Square.

   Area B. The Primary Gathering Area is expanded as the approximate 1/4-Mile walkable district to encompass several blocks on both sides of NS Railroad Corridor, and extend along Gilead Rd between the West Gateway and Downtown Core.

2. New Commercial Development is limited to feasible locations within the Primary Gathering Area.

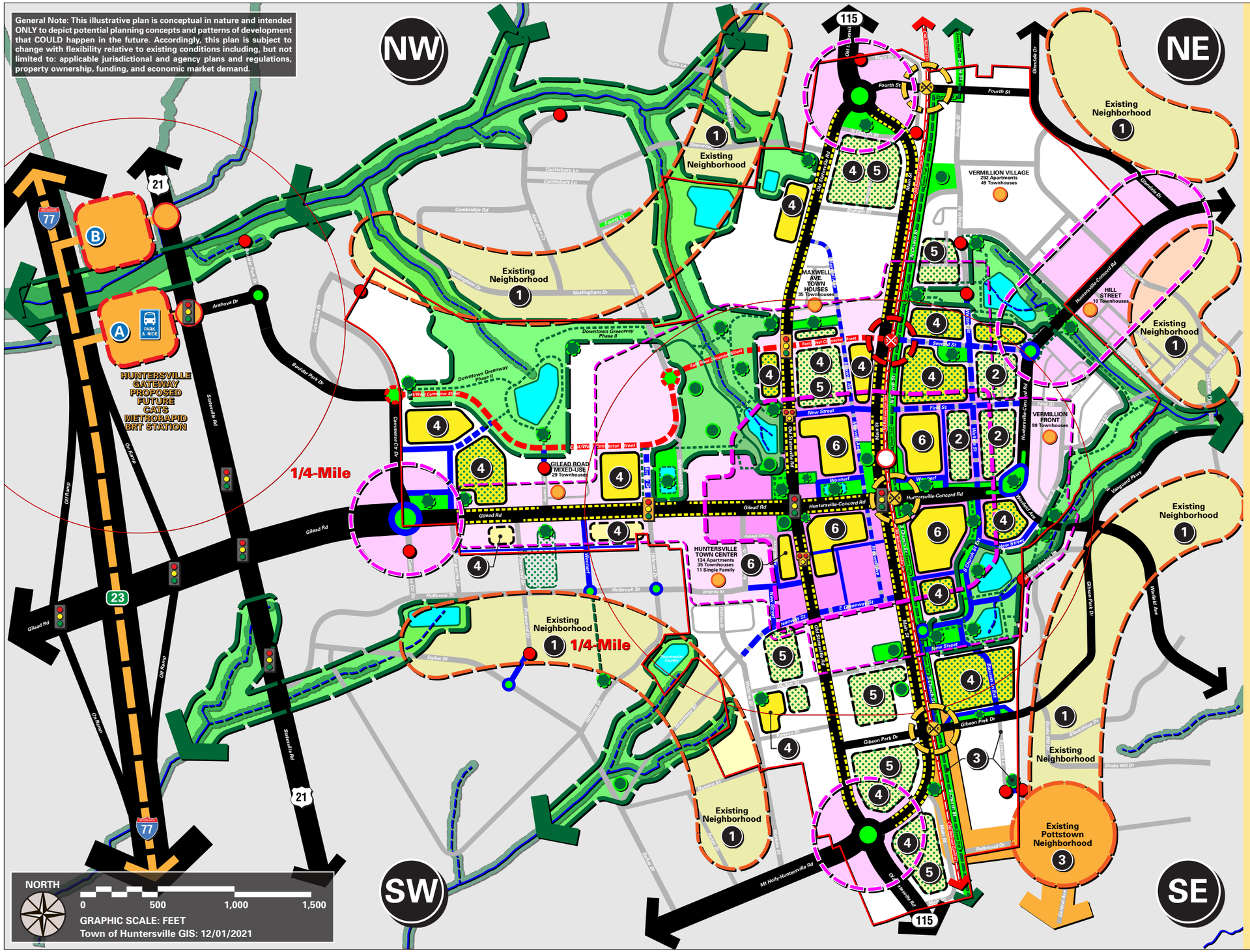
   Note: This does mean that the entire Primary Gathering Area (A or B) would or should contain Commercial Development.

3. Secondary Gathering Areas are focused around the North, South, East and West Downtown Gateways.

4. New Commercial Development is limited to locations within the Secondary Gathering Areas defined in each Downtown Gateway.

   General Note: Opportunities for convening outdoor activities and events (Post-COVID) within unique gathering areas should be provided including, but not limited to elevated parking decks, roof tops, and open air adaptive structures and venues.

FIGURE 8: 2022 Downtown Master Plan - Organizing Principle: **Gathering**.

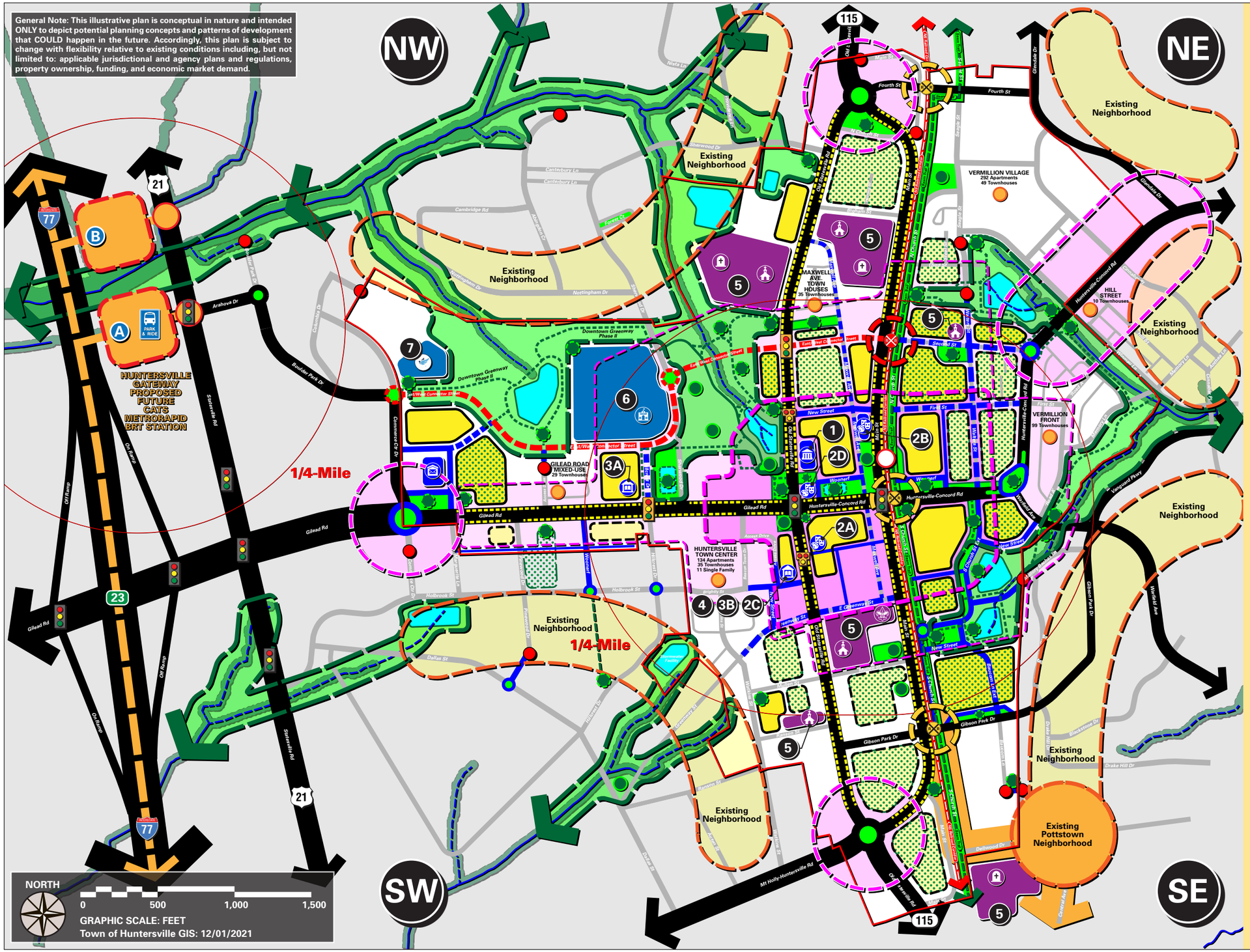


Living
Key Recomendations

1. Existing Neighborhoods located adjacent to Downtown are respected in strict accordance with current zoning designations.
2. Magla Mills Neighborhood and existing homes are respected and embraced with sensitive improvement of Walters St together with potential future incremental infill residential in harmony with existing ownership patterns and scaled appropriately to compliment existing homes.
3. Pottstown Neighborhood is respected and embraced with enhanced connection to Downtown along Dellwood Drive, South Church Street, The Seam Trail, and proposed new street and extension of Baucom Lane.
4. Potential New Residential Development areas (in addition to currently approved Projects) are defined by focused redevelopment areas supported by existing and potential future ownership patterns and improvements to infrastructure capacity, and balanced with pre-existing vacant and/or under-developed land areas.
5. Explore opportunities for Potential New Infill Residential Development with unique building types including Cottage Houses and Accessory Dwelling Units (ADU)s located within existing Downtown neighborhood blocks.
6. A range of Mixed-Use Multifamily and Attached housing types are encouraged within the Downtown Core as defined by the Primary Gathering Area A.

General Note: A range of housing options (market rate and affordable opportunities) and building types are encouraged within Downtown as permitted by existing Zoning regulations; along with potential amendments, which may enhance existing and/or define new building and lot types, and associated form-based regulations (such as building height and setbacks) and transit-based regulations (such as parking ratios).

FIGURE 9: 2022 Downtown Master Plan - Organizing Principle: **Living**.



Civic
Key Recomendations

1. The existing Huntersville Town Hall building is preserved (for potential new civic use or sold for adaptive re-use TBD), and a new Town Hall is constructed on the adjacent site with frontage along Old Statesville Rd to accommodate current and future government space needs. An adjacent surface parking lot is configured to accommodate a future parking structure (up to 4 levels).

2. Options for locating the Huntersville Arts & Cultural Center include:
   - **A.** Renovation or reconstruction in place on the current site located with frontage along Old Stateville Rd.
     Note: It is understood the site and building must remain a Civic Use or the property reverts to Mecklenburg County Library.
   - **B.** A New facility is designed and constructed to anchor Veterans Park.
   - **C.** A new facility is designed and constructed on a portion of the Town's property adjacent the Town Center - DKP, OR as part of a potential mixed-use development.
   - **D.** Relocation to the existing Town Hall building, OR designed as a new building anchoring the new Town Square.

3. Options for locating a potential new Public Library include:
   - **A.** Adaptive Re-use of a portion of the existing CMS Huntersville Elementary School building.
   - **B.** A new facility is designed and constructed on a portion of the Town's property adjacent the Town Center - DKP, OR as part of a potential mixed-use development.

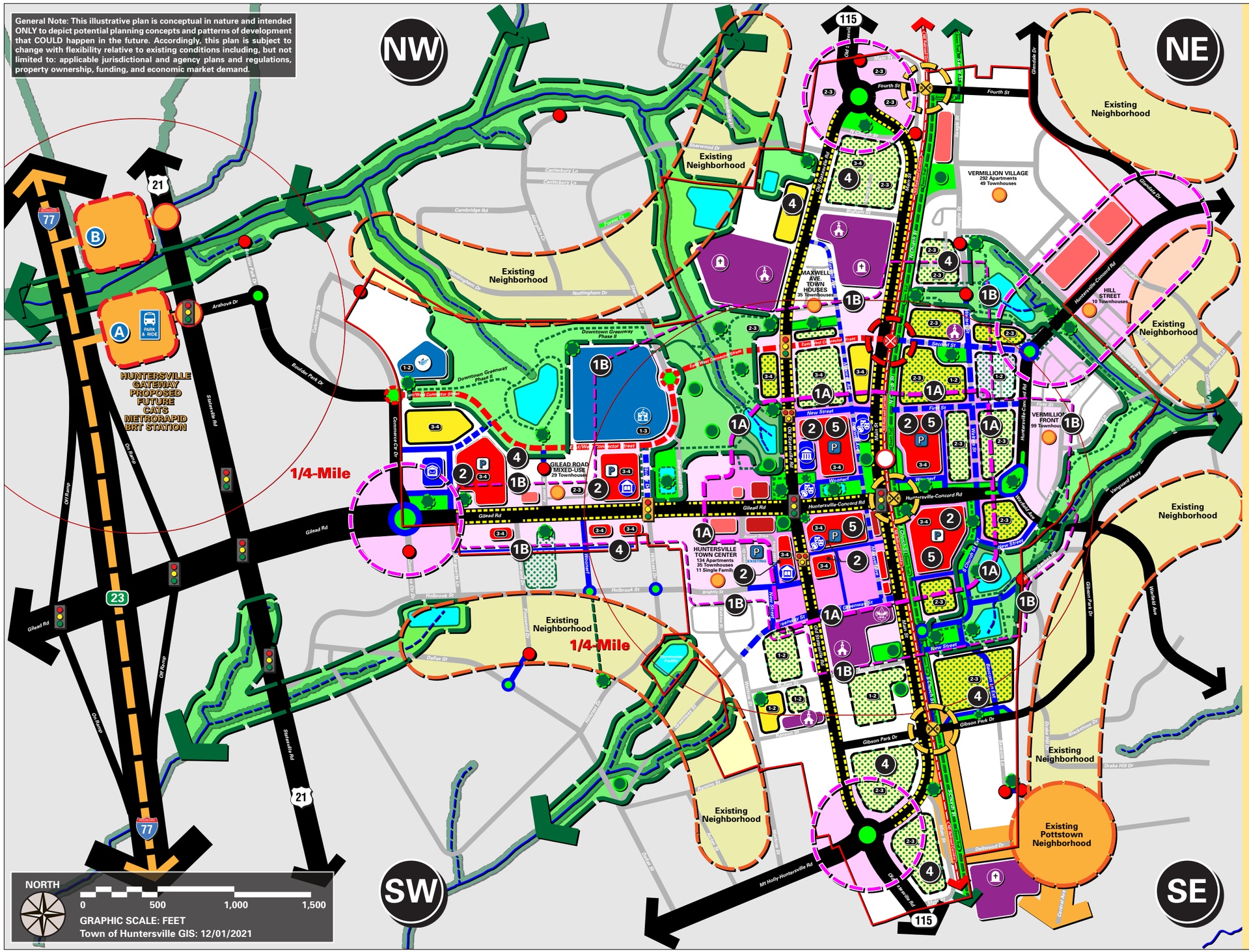
4. Huntersville Fire Station #1 is relocated to an alternate Downtown site - TBD.

5. Existing churches and the community programs they sponsor are embraced as civic anchors.
   Note: Current and future street planning must consider maintaining functional accommodations for funeral processions.

6. A new CMS Huntersville Elementary School is site and building is designed and constructed in accordance with current urban, neighborhood-friendly prototypes and functional criteria.

7. Angels and Sparrows Community Table & Resource Center is promoted and embraced with the currently planned relocation to Commerce Center Drive with frontage and access along the Downtown Greenway.

FIGURE 10: 2022 Downtown Master Plan - Organizing Principle: **Civic**.



Soul
Key Recomendations

1. Development in the Primary Gathering Area (A & B) is balanced with selective and context sensitive redevelopment while enhancing and celebrating existing neighborhoods, civic and historic Downtown buildings, open spaces, and activities.

2. New mixed-use blocks are created on both sides of Huntersville-Concord Rd, anchored by key Civic and Mixed-Use buildings and with frontage along Holbrook Park, Veterans Park and the new Town Square.

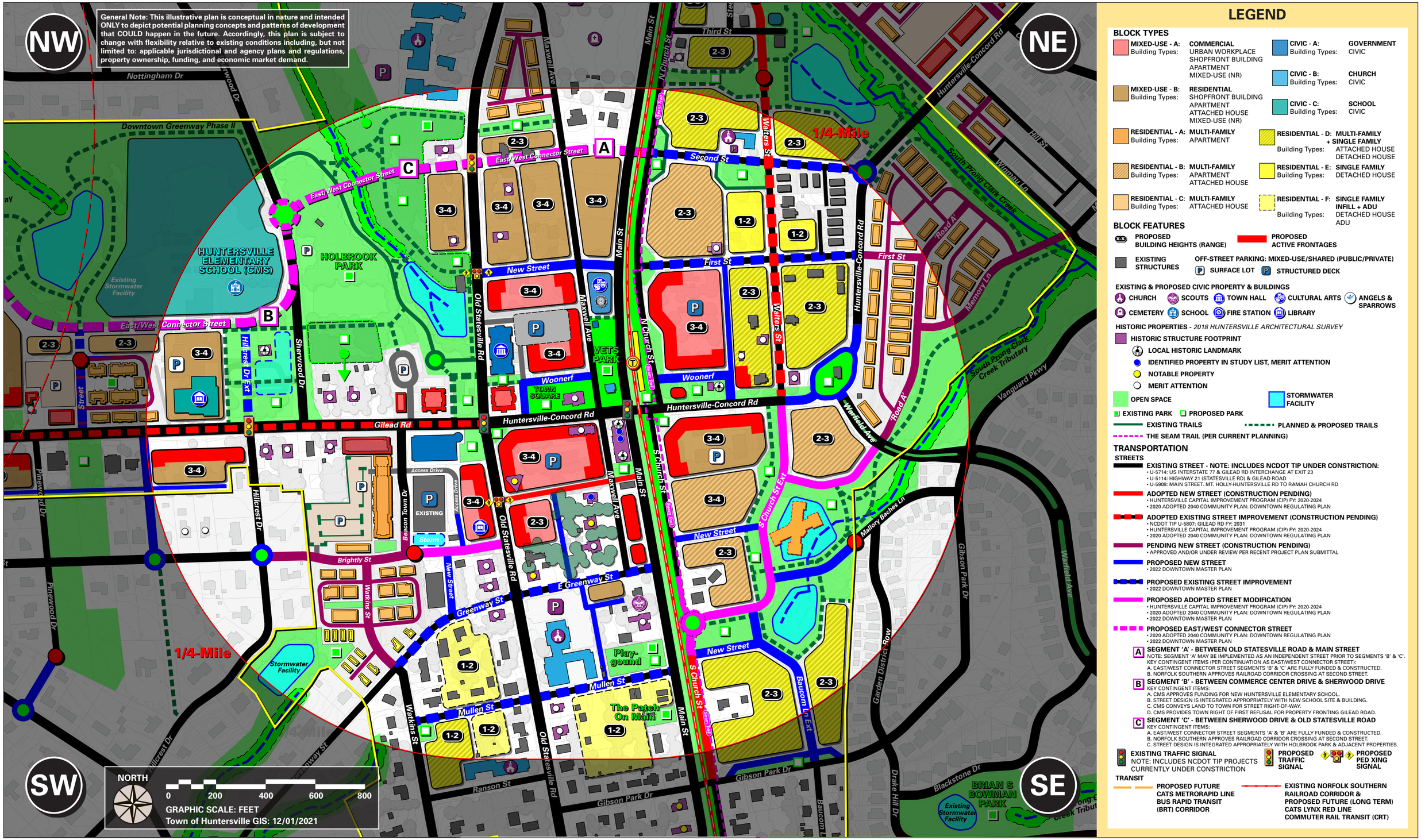
3. New development within the Downtown Core is controlled, market-driven, and follows a form-based approach to scale (3-4 Story buildings), and is supported by new street, block and ownership patterns.

4. New development outside of the Downtown Core transitions with a form-based scale with modulated building heights that respect existing neighborhoods.

5. Parking strategy includes a balance of shared parking structures and off-street surface lots to support mixed-use building types.

General Note: Art and artistic features along with wayfinding signage (vehicular and pedestrian) should be located thoughout the Downtown area.

FIGURE 11: 2022 Downtown Master Plan - Organizing Principle: **Soul**.



LEGEND

BLOCK TYPES

- **MIXED-USE - A:** Building Types: COMMERCIAL, URBAN WORKPLACE, SHOPFRONT BUILDING, APARTMENT, MIXED-USE (NR)
- **MIXED-USE - B:** Building Types: RESIDENTIAL, SHOPFRONT BUILDING, APARTMENT, ATTACHED HOUSE, MIXED-USE (NR)
- **RESIDENTIAL - A:** Building Types: MULTI-FAMILY, APARTMENT
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- **RESIDENTIAL - C:** Building Types: MULTI-FAMILY, ATTACHED HOUSE
- **CIVIC - A:** Building Types: GOVERNMENT, CIVIC
- **CIVIC - B:** Building Types: CHURCH, CIVIC
- **CIVIC - C:** Building Types: SCHOOL, CIVIC
- **RESIDENTIAL - D:** Building Types: MULTI-FAMILY + SINGLE FAMILY, ATTACHED HOUSE, DETACHED HOUSE
- **RESIDENTIAL - E:** Building Types: SINGLE FAMILY, DETACHED HOUSE
- **RESIDENTIAL - F:** Building Types: SINGLE FAMILY INFILL + ADU, DETACHED HOUSE, ADU

BLOCK FEATURES

- PROPOSED BUILDING HEIGHTS (RANGE)
- PROPOSED ACTIVE FRONTAGES
- EXISTING STRUCTURES
- OFF-STREET PARKING: MIXED-USE/SHARED (PUBLIC/PRIVATE)
- SURFACE LOT
- STRUCTURED DECK

EXISTING & PROPOSED CIVIC PROPERTY & BUILDINGS

CHURCH, SCOUTS, TOWN HALL, CULTURAL ARTS, ANGELS & SPARROWS, CEMETERY, SCHOOL, FIRE STATION, LIBRARY

HISTORIC PROPERTIES - *2018 HUNTERSVILLE ARCHITECTURAL SURVEY*

- HISTORIC STRUCTURE FOOTPRINT
- LOCAL HISTORIC LANDMARK
- IDENTIFIED PROPERTY IN STUDY LIST, MERIT ATTENTION
- NOTABLE PROPERTY
- MERIT ATTENTION
- OPEN SPACE
- STORMWATER FACILITY
- EXISTING PARK
- PROPOSED PARK
- EXISTING TRAILS
- PLANNED & PROPOSED TRAILS
- THE SEAM TRAIL (PER CURRENT PLANNING)

TRANSPORTATION

STREETS

EXISTING STREET - NOTE: INCLUDES NCDOT TIP UNDER CONSTRICTION:
- U-5714: US INTERSTATE 77 & GILEAD RD INTERCHANGE AT EXIT 23
- U-5114: HIGHWAY 21 (STATESVILLE RD) & GILEAD ROAD
- U-5908: MAIN STREET. MT. HOLLY-HUNTERSVILLE RD TO RAMAH CHURCH RD

ADOPTED NEW STREET (CONSTRUCTION PENDING)
- HUNTERSVILLE CAPITAL IMPROVEMENT PROGRAM (CIP) FY: 2020-2024
- 2020 ADOPTED 2040 COMMUNITY PLAN: DOWNTOWN REGULATING PLAN

ADOPTED EXISTING STREET IMPROVEMENT (CONSTRUCTION PENDING)
- NCDOT TIP U-5807: GILEAD RD FY: 2031
- HUNTERSVILLE CAPITAL IMPROVEMENT PROGRAM (CIP) FY: 2020-2024
- 2020 ADOPTED 2040 COMMUNITY PLAN: DOWNTOWN REGULATING PLAN

PENDING NEW STREET (CONSTRUCTION PENDING)
- APPROVED AND/OR UNDER REVIEW PER RECENT PROJECT PLAN SUBMITTAL

PROPOSED NEW STREET
- 2022 DOWNTOWN MASTER PLAN

PROPOSED EXISTING STREET IMPROVEMENT
- 2022 DOWNTOWN MASTER PLAN

PROPOSED ADOPTED STREET MODIFICATION
- HUNTERSVILLE CAPITAL IMPROVEMENT PROGRAM (CIP) FY: 2020-2024
- 2020 ADOPTED 2040 COMMUNITY PLAN: DOWNTOWN REGULATING PLAN
- 2022 DOWNTOWN MASTER PLAN

PROPOSED EAST/WEST CONNECTOR STREET
- 2020 ADOPTED 2040 COMMUNITY PLAN: DOWNTOWN REGULATING PLAN
- 2022 DOWNTOWN MASTER PLAN

A SEGMENT 'A' - BETWEEN OLD STATESVILLE ROAD & MAIN STREET
NOTE: SEGMENT 'A' MAY BE IMPLEMENTED AS AN INDEPENDENT STREET PRIOR TO SEGMENTS 'B' & 'C'.
KEY CONTINGENT ITEMS (PER CONTINUATION AS EAST/WEST CONNECTOR STREET):
A. EAST/WEST CONNECTOR STREET SEGMENTS 'B' & 'C' ARE FULLY FUNDED & CONSTRUCTED.
B. NORFOLK SOUTHERN APPROVES RAILROAD CORRIDOR CROSSING AT SECOND STREET.

B SEGMENT 'B' - BETWEEN COMMERCE CENTER DRIVE & SHERWOOD DRIVE
KEY CONTINGENT ITEMS:
A. CMS APPROVES FUNDING FOR NEW HUNTERSVILLE ELEMENTARY SCHOOL.
B. STREET DESIGN IS INTEGRATED APPROPRIATELY WITH NEW SCHOOL SITE & BUILDING.
C. CMS CONVEYS LAND TO TOWN FOR STREET RIGHT-OF-WAY.
D. CMS PROVIDES TOWN RIGHT OF FIRST REFUSAL FOR PROPERTY FRONTING GILEAD ROAD.

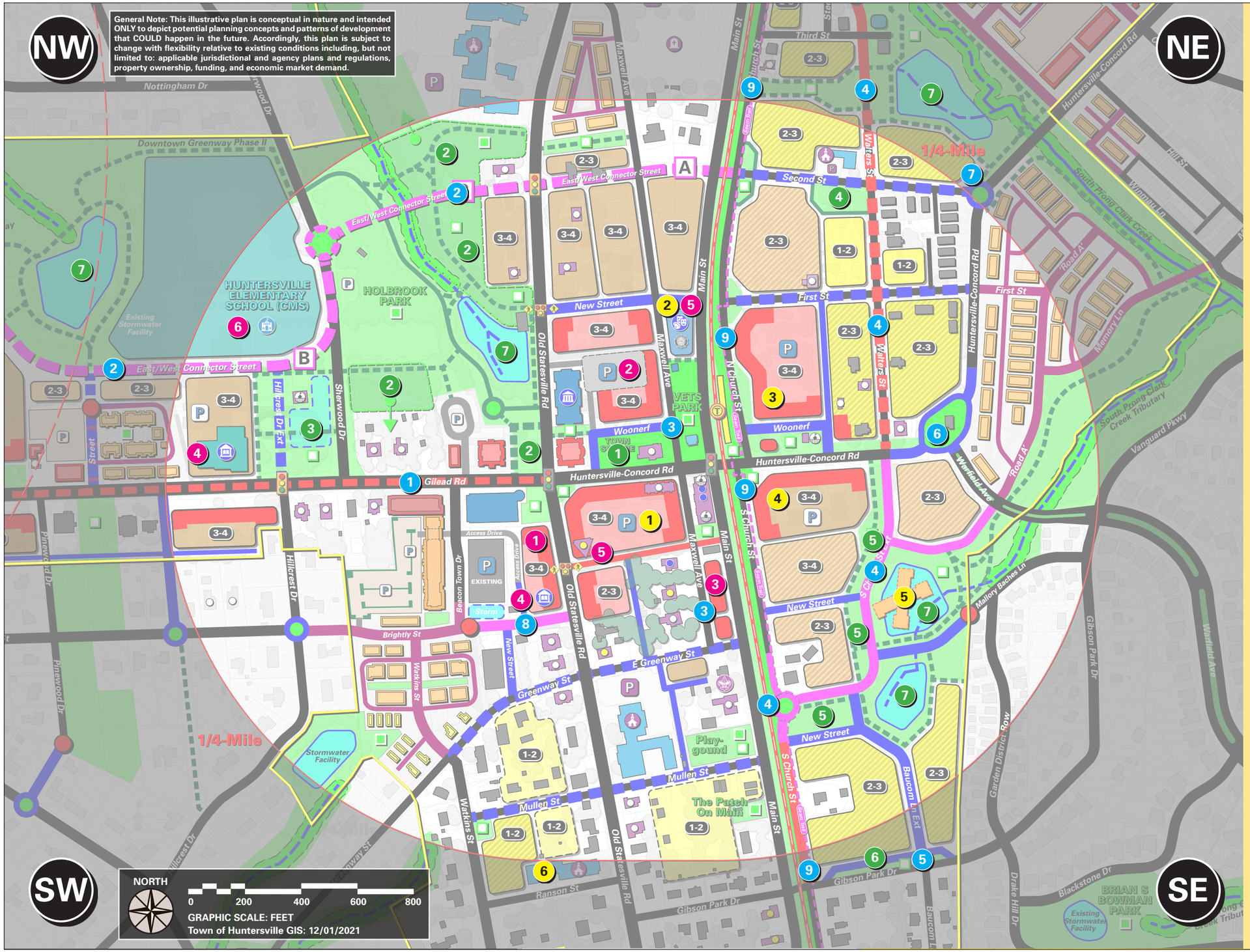
C SEGMENT 'C' - BETWEEN SHERWOOD DRIVE & OLD STATESVILLE ROAD
KEY CONTINGENT ITEMS:
A. EAST/WEST CONNECTOR STREET SEGMENTS 'A' & 'B' ARE FULLY FUNDED & CONSTRUCTED.
B. NORFOLK SOUTHERN APPROVES RAILROAD CORRIDOR CROSSING AT SECOND STREET.
C. STREET DESIGN IS INTEGRATED APPROPRIATELY WITH HOLBROOK PARK & ADJACENT PROPERTIES.

- EXISTING TRAFFIC SIGNAL
  NOTE: INCLUDES NCDOT TIP PROJECTS CURRENTLY UNDER CONSTRICTION
- PROPOSED TRAFFIC SIGNAL
- PROPOSED PED XING SIGNAL

TRANSIT

- PROPOSED FUTURE CATS METRORAPID LINE BUS RAPID TRANSIT (BRT) CORRIDOR
- EXISTING NORFOLK SOUTHERN RAILROAD CORRIDOR & PROPOSED FUTURE (LONG TERM) CATS LYNX RED LINE COMMUTER RAIL TRANSIT (CRT)

FIGURE 12: 2022 Downtown Master Plan: 1/4-Mile Core Study Area.



POTENTIAL KEY CATALYTIC PROJECTS

ECONOMIC DEVELOPMENT

Public

1. Town Center Parcel.
2. Town Hall & Civic Parking Structure.
3. Main Street Town Parcel.
4. Public Library.
5. Cultural / Performing Arts Center.
6. CMS Huntersville Elementary School.

Private

1. Main Street Mixed-Use Block.
2. Amercian Legion Site & Building.
3. Huntersville-Concord Rd & N Church St - Corner Mixed-Use Block.
4. White Hill Senior Apartments.
5. Hunter Village Assisted Living.
6. 100 Ranson Street Site & Building.

INFRASTRUCTURE

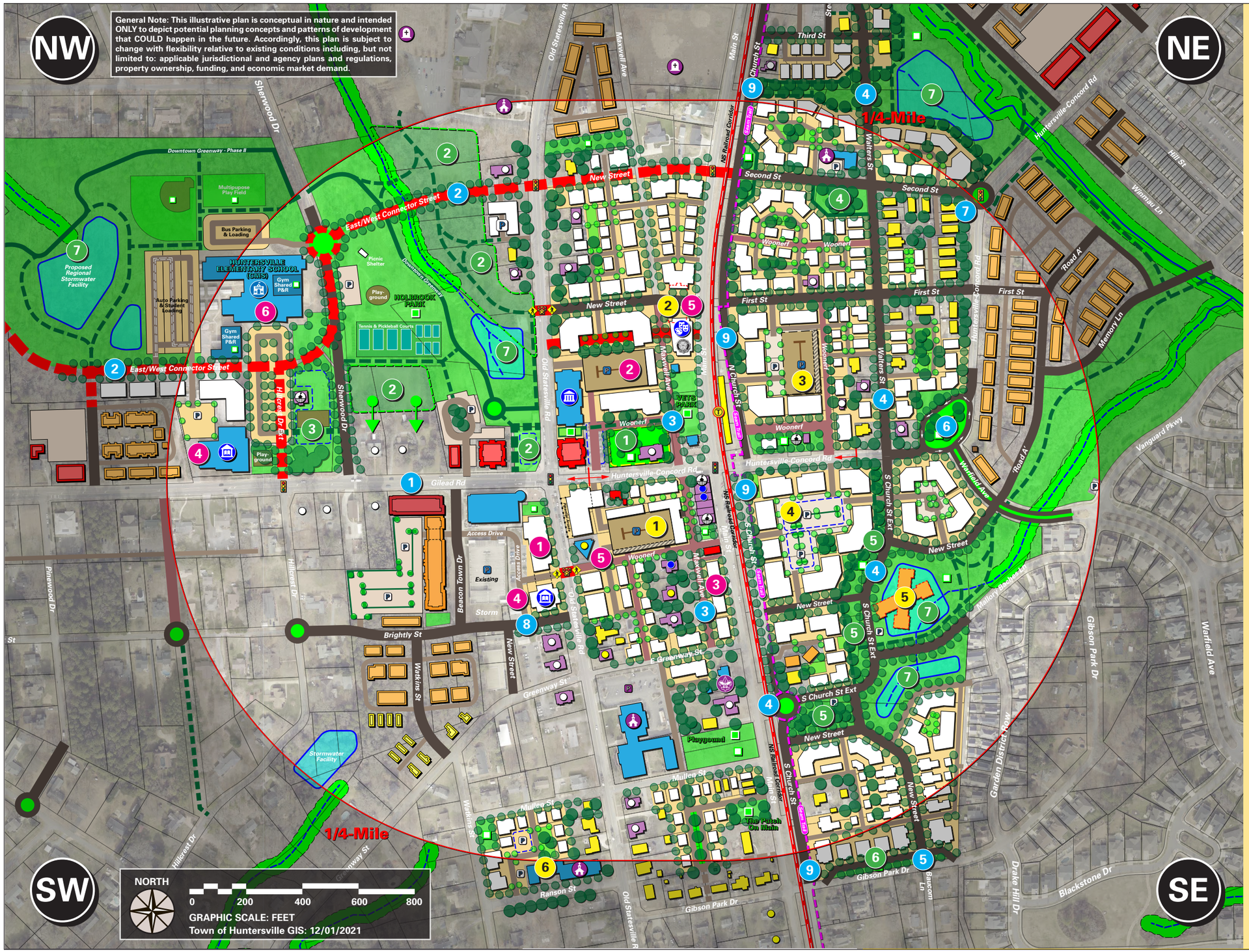
Transportation (All Modes)

1. NCDOT Gilead Road Project.
2. East/West Connector Street.
3. Maxwell Avenue Woonerf.
4. Walters Street & S Church Street - Improvement & Extension.
5. Gibson Park Drive - Improvement.
6. Huntersville-Concord Road - Street Curve Improvement.
7. Huntersville-Concord Road & Second Street - Intersection Improvement.
8. Holbrook Street Extension.
9. The Seam Trail.

Open Space

1. Town Square.
2. Holbrook Park Expansion.
3. Gilead Road Neighborhood Park.
4. Walters Street Neighborhood Park.
5. S Church Street Greenway.
6. Gibson Park.
7. Regional Stormwater Facilities.

FIGURE 13: 2022 Downtown Master Plan: Potential Key Catalytic Projects.



POTENTIAL KEY CATALYTIC PROJECTS

ECONOMIC DEVELOPMENT

Public

1. Town Center Parcel.
2. Town Hall & Civic Parking Structure.
3. Main Street Town Parcel.
4. Public Library.
5. Cultural / Performing Arts Center.
6. CMS Huntersville Elementary School.

Private

1. Main Street Mixed-Use Block.
2. Amercian Legion Site & Building.
3. Huntersville-Concord Rd & N Church St - Corner Mixed-Use Block.
4. White Hill Senior Apartments.
5. Hunter Village Assisted Living.
6. 100 Ranson Street Site & Building.

INFRASTRUCTURE

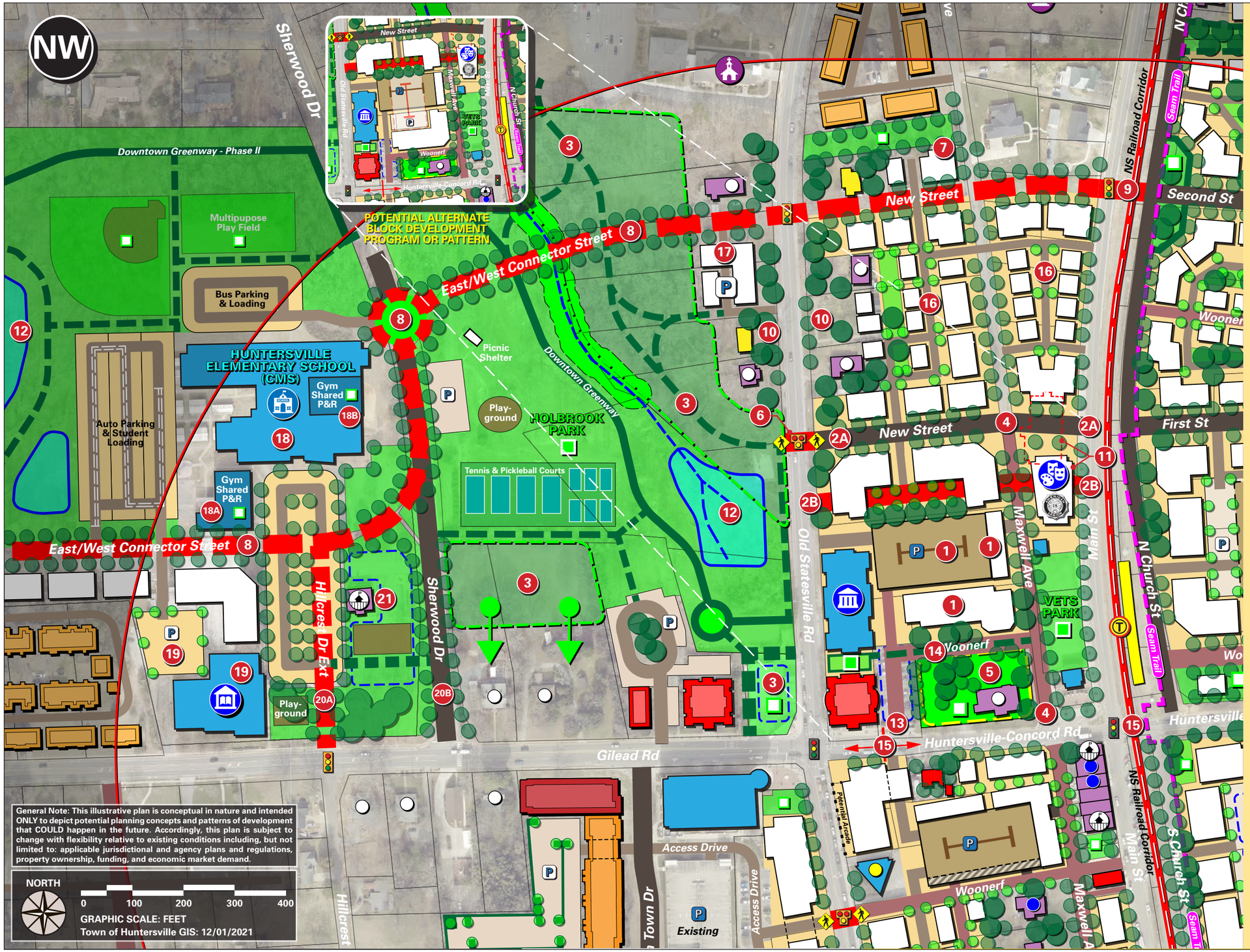
Transportation (All Modes)

1. NCDOT Gilead Road Project.
2. East/West Connector Street.
3. Maxwell Avenue Woonerf.
4. Walters Street & S Church Street - Improvement & Extension.
5. Gibson Park Drive - Improvement.
6. Huntersville-Concord Road - Street Curve Improvement.
7. Huntersville-Concord Road & Second Street - Intersection Improvement.
8. Holbrook Street Extension.
9. The Seam Trail.

Open Space

1. Town Square.
2. Holbrook Park Expansion.
3. Gilead Road Neighborhood Park.
4. Walters Street Neighborhood Park.
5. S Church Street Greenway.
6. Gibson Park.
7. Regional Stormwater Facilities.

FIGURE 14: Conceptual Vision Plan: Potential Key Catalytic Projects.



KEY NOTES & INITIAL CONSIDERATIONS

1. Town Hall/Civic Parking Structure - Explore Layout & Design to Support Potential P3 Project for Enhanced Shared Parking Facility to support Existing (Mama Mia Too) & New Adjacent Mixed-Use Development (Including Integrated Liner Buildings).
2. Key Street Connection Between Old Statesville Rd & Main St. Explore Street Alignment Options per collaboration with American Legion & Adjacent Property Owners.
   - 2A Alignment requires relocated American Legion building, however facilitates potential development frontage along Town Hall Site.
   - 2B Alignment preserves American Legion building, however does not facilitate potential development frontage along Town Hall Site.
3. Expansion of Holbrook Park with Pedestrian & Bicycle Trail - Explore Potential Acquisition and/or Conservation Easement Strategies with Adjacent Property Owners.
4. Maxwell Ave - Woonerf (Shared/Living Street). Opportunity for Temporary Closure of Street Segment for Pedestrians Only During Special Events in Veterans Park.
5. Town Square - Explore collaboration with Mama Mia Too for Potential P3 Project. Preserve tree canopy, repurpose paved surfaces, and implement landscape improvements and features.
6. 'HAWK' Pedestrian Crossing & Speed Table: High Intensity Activated Crosswalk Signal (HAWK).
7. Neighborhood Pocket Park.
8. East/West Connector Street - Conceptual Incremental Alignment Pending Future Traffic, Engineering & Environmental Analysis.
9. Proposed NS Railroad Crossing (Pending approval by NS) Explore At-Grade & Grade Separated Options.
10. Preserve Street Character & Existing Tree Canopy with Sensitive Building Frontage & Setbacks.
11. American Legion - Explore Potential P3 Project for New Facility per Expanded Program or Compatible Mixed-use (Cultural, Performance Center, Other?)
12. Regional Stormwater Facility - Designed & Amenitized as a Landscape Feature within the Existing Greenway.
13. Existing Surface Parking Area & Access Drive - Improve & Enhance with Street-Like Features.
14. Woonerf (Mixed-Use) - Connection Between Maxwell Ave & Town Hall Access Drive to Define Town Square.
15. NCDOT Main Street Improvement Project: Roadway Widening 3-Lanes - Limit of Construction (Transition to Gilead Rd Project) - Includes Intersection at Huntersville-Concord Rd, Main St, Church Street, and NS Railroad Corridor (At Grade).
16. Mixed-Use Residential Development Block - Incremental, Form-based design, defined by a flexible range of Apartment, Attached, and Detached building types with potential ground floor commercial uses - supported by existing and future ownership patterns.
17. Potential Future Mixed-Use Residential Redevelopment Block and/or Holbrook Park Public Parking Area.
18. New CMS Huntersville Elementary School - Site and Building Designed and Constructed in accordance with current Town Ordinance and neighborhood-friendly prototypes (and variations of) and associated functional criteria - including On-Site Bus and Auto Parking and Student Loading/Queuing. Potential Program includes Shared Gymnasium with Parks & Recreation Dept.: Preserve/Reuse of Existing Facility or Integration within New School Facility.
19. Potential CMS P3 Projects: Adaptive ReUse for a Public Library or Other Civic Program and Adjacent Development Block(s).
20. Hillcrest Dr & Sherwood Dr Intersection Options:
    - 20A Hillcrest Rd Extension & Signalized Intersection at Gilead Rd (Preferred per Composite Alternative Future: Assumes full movement at existing Street intersections along Gilead Rd).
    - 20B Sherwood Dr Continuation & Roundabout Intersection at Gilead Rd (Design per Current NCDOT Project).
21. Neighborhood Park - Potential Programming to include celebration of historic Agricultural School building and activities.

FIGURE 15: Conceptual Vision Plan: **Northwest Quadrant**.

General Note: This illustrative plan is conceptual in nature and intended ONLY to depict potential planning concepts and patterns of development that COULD happen in the future. Accordingly, this plan is subject to change with flexibility relative to existing conditions including, but not limited to: applicable jurisdictional and agency plans and regulations, property ownership, funding, and economic market demand.

KEY NOTES & INITIAL CONSIDERATIONS

1. Huntersville-Concord Road Street Curve Improvement: 'Expanded' Roundabout & Gateway Park (Tree Preservation) at Intersection of Warfield Avenue.
2. Walters Street Improvement - Implement Green Street Design Features with Integrated Tree Preservation.
3. First & Second Street Improvement - Implement Green Street Design Features with Integrated Tree Preservation.
4. Proposed NS Railroad Crossing (Pending approval by NS) Explore At-Grade & Grade Separated Options.
5. Huntersville-Concord Road & Second Street Intersection Improvement: Roundabout or Traffic Signal to facilitate safe pedestrian crossing and vehicle movement at street curve.
6. Potential Future Transit Station (Platform Location) per CATS Long Term Planning for the LYNX North Corridor Red Line.
7. Huntersville-Concord Rd & N Church St - Corner Mixed-Use Block. Explore Layout, Phasing, & Design to Support Potential P3 Project for Enhanced Shared Parking Facility to support New Adjacent Mixed-Use Development and Potential Long Term Transit Planning.
8. Building Setbacks and Articulation to maximize preservation of existing specimen trees along N Church Street.
9. Residential Development Block - Incremental, Form-based design, defined by a flexible range of Apartment, Attached, and Detached building types, situated to maximize preservation of existing specimen trees - supported by existing and potential future ownership patterns.
10. Evaluate potential to increase allowable Mixed-Use Commercial area per Shopfront building types along frontage of Huntersville-Concord Road and N Church Street.
11. Residential Development Block - Incremental, Form-based design, defined by a flexible range of Attached and Detached building types, situated to maximize preservation of existing specimen trees - supported by existing and potential future ownership patterns.
12. Public Square - Anchored by Historic Jailhouse and Potential Commercial Kiosk and/or Adaptive Structure.
13. Walters Street Neighborhood Park & Tree Preservation Area.
14. Woonerf (Mixed-Use) - Connections Between Huntersville-Concord Road and N Church Street to Define Public Square, and First Street to increase connectivity (reduce block size) and facilitate access to public parking and residential development.
15. Woonerf (Residential) - Connections Between N Church Street and Walters Street to increase connectivity (reduce block size) and facilitate access to residential development.
16. Church of God of the Bible.
17. The Seam Trail & N Church Street Improvement - Pedestrian and Bicycle pathway integrated with N Church Street and adjacent streetscape design.
18. Expanded Public Greenway & Trails with Link to The Seam Trail.
19. Regional Stormwater Facility - Designed & Amenitized as a Landscape Feature within the Existing Greenway.
20. NCDOT Main Street Improvement Project: Roadway 2-Lanes with Transition and Widening to 3-Lanes - Limit of Construction. Includes Intersection at Huntersville-Concord Rd, Main St, Church Street, and NS Railroad Corridor (At Grade).
21. Critical Pedestrian Crossing & Intersection Improvement Zone: Norfolk Southern Railroad Corridor, Huntersville-Concord Road, Maxwell Avenue, Main Street, Church Street, and the Seam Trail.

FIGURE 16: Conceptual Vision Plan: **Northeast Quadrant**.

KEY NOTES & INITIAL CONSIDERATIONS

1. Town Center Parcel: Potential P3 Project and Mixed-Use Building Program.
2. Potential Future P3 Project Pending Potential Future Huntersville Fire Station #1 Relocation - Public Library or Other Civic Use, and/or Extension of Town Center Mixed-Use Parcel/Building.
3. Main Street Mixed-Use Mixed-Use Block. Explore Layout, Phasing & Design options with Existing Property Owners to Support Potential P3 Project for Enhanced Shared Parking Facility to support Existing and Potential New Adjacent Mixed-Use Development (Including Integrated Liner Buildings).
4. Main Street Town Parcel: Potential P3 Project and Mixed-Use Building Program (Assume Relocation of Public Parking to Potential P3 Parking Structure Project or Other).
5. The Neighborhood Cafe Building - Preserve/enhance as key block character and contributing building and program.
6. Huntersville Arts & Cultural Center Building - Preserve/enhance as key block character and contributing building and program. Note: It is understood the site and building must remain a Civic Use or the property reverts to Mecklenburg County Library.
7. Potential Mixed-Use Building or Buildings Pending Redevelopment Phasing and/or Collaboration between Existing Property Owners.
8. Potential Half-Block Mixed-Use Development to Facilitate Continuation of Maxwell Avenue Pedestrian Circulation along Huntersville-Concord Road.
9. Woonerf (Mixed-Use) - Enhanced, Pedestrian-Oriented Connection Between Huntersville-Concord Road and E Greenway Street to increase connectivity (reduce block size), and encourage existing and new development while preserving and protecting existing historic structures.
10. Woonerf (Mixed-Use) - Between Old Statesville Road, Maxwell Avenue and Main Street to increase connectivity (reduce block size), and encourage existing and new development while preserving and protecting existing historic structures.
11. New Access Alley: Facilitate access to Potential New Residential Infill & Accessory Dwelling Unit (ADU) 'Missing Middle' Development.
12. Potential Flexible Pocket Park/Plaza for Pop-Up Events.
13. NCDOT Main Street Improvement Project: Roadway Widening 3-Lanes - Limit of Construction (Transition to Gilead Rd Project) - Includes Intersection at Huntersville-Concord Rd, Main St, Church Street, and NS Railroad Corridor (At Grade).
14. Critical Pedestrian Crossing & Intersection Improvement Zone: Norfolk Southern Railroad Corridor, Huntersville-Concord Road, Maxwell Avenue, Main Street, Church Street, and the Seam Trail.
15. Mid-Block 'HAWK' Pedestrian Crossing & Speed Table: High Intensity Activated Crosswalk Signal (HAWK).
16. Expand Existing Playground into Public Neighborhood Park & Tree Preservation Area.
17. Potential 100 Ranson Street - Church Building Adaptive ReUse and Site Redevelopment. Proposed Residential Building types should be limited to 2-stories to respect scale of surrounding neighborhood.
18. Residential Infill & Accessory Dwelling Unit (ADU) 'Missing Middle' Development Block - Incremental, Form-based design, defined by a flexible range of Attached and Detached building types, situated to maximize preservation of existing specimen trees - supported by existing and potential future ownership patterns.

FIGURE 17: Conceptual Vision Plan: **Southwest Quadrant**.

General Note: This illustrative plan is conceptual in nature and intended ONLY to depict potential planning concepts and patterns of development that COULD happen in the future. Accordingly, this plan is subject to change with flexibility relative to existing conditions including, but not limited to: applicable jurisdictional and agency plans and regulations, property ownership, funding, and economic market demand.

KEY NOTES & INITIAL CONSIDERATIONS

1. Huntersville-Concord Road Street Curve Improvement: 'Expanded' Roundabout & Gateway Park (Tree Preservation) at Intersection of Warfield Avenue.
2. S Church Street Extension per Huntersville CIP: Proposed Alternate Alignment following Existing Circle Drive to Facilitate Increased Tree Preservation and Bock Geometry Compatible for Potential Future Redevelopment Development - Implement Green Street Design Features with Integrated Tree Preservation.
3. S Church Street Extension Greenway Park & Tree Preservation Area.
4. Expansion of Greenway Park with Pedestrian & Bicycle Trail - Explore Potential Acquisition and/or Conservation Easement Strategies with Adjacent Property Owners.
5. New Street Alignment and Intersection at Gibson Park Drive and Baucom Lane to enhance access and connection between Downtown and Pottstown Neighborhood - Implement Green Street Design Features with Integrated Tree Preservation.
6. New Street as Extension of 'Road A' per approved Vermillion Front residential development.
7. Mallory Baches Lane and Alley Connection and Extension.
8. White Hill Senior Apartments Property: Huntersville-Concord Rd & S Church St - Potential Corner Mixed-Use Block. Explore Layout, Phasing & Design options with Existing Property Owners for an new facility and program in accord with new and emerging practices for Mixed-Use program, functions, and operations.
9. Evaluate potential to increase allowable Mixed-Use Commercial area per Shopfront building types along frontage of Huntersville-Concord Road and S Church Street.
10. Hunter Village Assisted Living Property: Circle Drive - Explore Layout, Phasing & Design options with Existing Property Owners for an new facility and program in accord with new and emerging practices for Mixed-Use program, functions, and operations.
11. Explore potential collaboration and co-location with a new White Hill Senior Apartment development, and/or P3 Project for relocation to another Downtown site to facilitate potential expansion of Public Greenway and implementation of Regional Stormwater Facility.
12. Building Setbacks and Articulation to maximize preservation of existing specimen trees along S Church Street.
13. Residential Development Block - Incremental, Form-based design, defined by a flexible range of Apartment, Attached, and Detached building types, situated to maximize preservation of existing specimen trees - supported by existing and potential future ownership patterns.
14. Residential Development Block - Incremental, Form-based design, defined by a flexible range of Attached and Detached building types, situated to maximize preservation of existing specimen trees - supported by existing and potential future ownership patterns.
15. Gibson Park Drive Street Improvement: Neighborhood Park & Tree Preservation Area.
16. Woonerf (Residential) - Connection Between S Church Street and S Church Street Extension to increase connectivity (reduce block size) and facilitate access to residential development.
17. S Church Street Woonerf (Mixed-Use) - Between Huntersville-Concord Road and S Church Street Extension.
18. The Seam Trail & S Church Street Improvement - Pedestrian and Bicycle pathway integrated with N Church Street and adjacent streetscape design.
19. Regional Stormwater Facility - Designed & Amenitized as a Landscape Feature within the Existing Greenway.
20. NCDOT Main Street Improvement Project: Roadway 2-Lanes with Transition and Widening to 3-Lanes - Limit of Construction. Includes Intersection at Huntersville-Concord Rd, Main St, Church Street, and NS Railroad Corridor (At Grade).
21. Critical Pedestrian Crossing & Intersection Improvement Zone: Norfolk Southern Railroad Corridor, Huntersville-Concord Road, Maxwell Avenue, Main Street, Church Street, and the Seam Trail.

FIGURE 18: Conceptual Vision Plan: **Southeast Quadrant**.

Town of Huntersville
NORTH CAROLINA

Town of Huntersville
Planning Department

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2022 DOWNTOWN PLAN

Shook Kelley CLT, PLLC

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For access to additional information and documents, please visit the 2022 Downtown Master Plan Project website: letsplanhuntersville.org

letsplanhuntersville.org

DRAFT

2022 Downtown Plan Steering Committee

Meeting #15: Meeting Minutes

Thursday, December 15, 2022
Huntersville Town Hall, 6:00 – 8:00 PM

Attendees:

Voting Members	Nate Bowman	Gatewood Campbell
	Doug Ferguson	John Foster
	Cindy Trevisan	Charles Guignard
	Lee Hallman	Janelle Harris
	Elaine Kerns	Bob Lemon
	Sarah McAulay	Jessika Tucker
	Sean Flynn	
Ex-Officio Members:	Kathy Jones	Stephen Swanick
	John O'Neill	Mike Russell
Town Staff:	Jack Simoneau	Brian Richards
	Tracy Barron	Jackie Huffman
	Bobby Williams	
Consultants:	Larry Zinser	Terry Shook

1. **Call to Order** – Chairperson McAulay called the meeting to order at 6:00 PM. A recorded video of the meeting is available at: https://www.youtube.com/watch?v=jadnzx55Ch4

2. **Roll Call** – Meeting attendance is noted above.

3. **Approval of Agenda** – Charles Guignard made the motion to approve the agenda; Bob Lemon seconded the motion. Motion carried unanimously.

4. **Approval of October 6, 2022 Meeting Minutes** – Charles Guignard made the motion to approve the meeting minutes; Gatewood Campbell seconded the motion. Motion carried unanimously.

5. **Chairman's Remarks** – Chairman McAuley thanked everyone for their attendance.

6. **General Public Comment** – No comments

7. **Presentation: Draft Downtown Plan** – Larry Zinser (Shook Kelley) presented that the comments submitted since the December 1, 2021 meeting have been included in the revision plan as noted in the agenda packet. Key revisions were presented. Staff has reached out to NCDOT but has not received a reply at this time. The Committee made a motion to accept the documents as noted in the addendum.

DRAFT

8. **Next Steps** – Jack Simoneau outlined the next step will be a joint meeting will be scheduled for Tuesday, January 17, 2023, at 5 p.m. as the official hand off of the documents. The Planning Board will hear the recommendation at their January 24, 2023, meeting. There will possibly be a joint public hearing on February 6, 2023, where the citizens can come and speak followed by a possible Planning Board vote in February and Town Board vote in March.

9. **Adjourn** - The meeting adjourned at 6:36 PM.

Addendum - Motion: Lee Hallman made a Motion to Accept the following documents as our final plan. The summary of organizing principles with each mobility, nature, gathering, living, civic, and soul as well as the conceptual vision plan summary for all four quadrants and also the text document titled, "Final Master Plan Outline December 15, 2022 with the revisions noted and highlighted." C. Guignard seconded the motion.

Lee Hallman added the views expressed disclaimer that the graphics on the plan are not agreed with 100% but that is an expression of a plan and it could be anything. The graphics are all the organizing principles and all of the concepts for each of the quadrants taken to their varying maximum interpretation. The focus is the text part of this and what is in the proposed motion is the foundation and the interpretation. The graphic part is not what the Committee is exactly approving it is an expression of what could be but not necessarily what has to be. Once these get turned into actual projects there will be another opportunity to express our views and accept or deny.

The motion passed unanimously (13-0).

DRAFT

Minutes of the Town of Huntersville Planning Board

The Town of Huntersville Planning Board met at 6:30 p.m. on Tuesday, February 28, 2023.

Call to Order/Roll Call
Chairman Sny called the meeting to order at 6:30 pm.
Present: J. Sny, F. Gammon, S. Swanick, C. Boyd, J. Wright, T. Loomis, G. Baber & J. Henson
Absent: S. Hensley

Approval of Minutes
Item 2A. Consider approval of the January 24, 2023, Regular Meeting Minutes
Motion: J. Wright made a Motion to Approve the January 24, 2023, minutes. T. Loomis seconded the motion.

Vote: The motion passed unanimously (8-0).

Item 2B. Consider approval of the February 1, 2023, Special Meeting Minutes
Motion: J. Wright made a Motion to Approve the January 24, 2023, minutes. T. Loomis seconded the motion.

Vote: The motion passed unanimously (8-0).

Public Comments
Pete Romaniello, 15821 Trenton Place
Errol Genois, 8537 Camberly Road
Suzanne Villar, 17130 Bridgeton Lane
Nick O'Shaughnessy, 8217 Parkton Gate Drive
Mary Ann Turetsky, 16977 Bridgeton Lane
Nadine Wynn, 8127 Strandhill Road
Gatewood Campbell, 104 Interlaken Place
Kim Zarsadias, 17303 Inglewood Lane
Brian Rice, 17232 Bridgetown Lane
Dawn Snow, 8132 Evanston Falls Road
David Schurr, 17142 Pennington Drive

Action Agenda

Agenda Change

Motion: J. Sny made a motion to hear item 4A as item 4E, item 4C as item 4F, item 4D as item 4C, item 4E as item 4D, and item 4F as item 4A. S. Swanick seconded the motion.

Vote: The motion passed unanimously (8-0).

Item 4A: Consider a recommendation for the 2022 Downtown Master Plan

J. Simoneau, Planning Director stated he had the information as previously presented for the Downtown Plan and would be available to answer any questions.

Motion: F. Gammon made a motion to recommend approval of the Downtown Master Plan and opens the floor for amendments for concerns that can be added.

S. Swanick requested that additional statement, "The Planning Board further recommends that the below sections as identified in the presentation as boxed in purple, be removed from the Plan. This update is made in response to a February 23, 2023 traffic analysis memorandum authored by Shook Kelly and prepared by Gannet Fleming Consultants where it was concluded that when preparing expected 2024 traffic to current connections, "It is evident that ADT (average daily traffic) compared to the 2020 volume is reduced, delay is reduced, and LOS (level of service) at intersections 1-3 along Huntersville-Concord Road between NC 115 and Main Street is improved proportionately with the addition of the East-West Connector street for approach 2 and 3. See attachments A and B." As currently written the Master Plan does not allow approach 2 and removal of these contingencies improves the likelihood that the East-West Connector can help relieve traffic and prevent the catastrophic widening of Gilead Road."

G. Baber seconded the motion.

S. Swanick confirmed his amendment is a further recommendation as an item of concern with the Town Board making final decision to do this action if they choose.

F. Gammon and G. Baber accepted the amendment.

Staff confirmed that the red-stricken items are from Lee Hallman, maker of the motion for Downtown Steering Committee and based off the discussion surrounding this item to provide clarity. Those red stricken items would be part of staff's recommendation.

F. Gammon commented that this is a plan, not an ordinance. It will guide future developers, staff, Planning Board and Town Board as they make determinations as how the Town will develop. It will change, it is a living document. It is a valid concern about Gilead Road. The East-West connector needs to be considered, he is not opposed to it, he is in support of the Downtown Plan Steering Committee recommendations. He highlighted the "note" regarding the East-West connector within the Downtown Master Plan, Executive Summary, Section 1.A.1.b: Downtown and Adjacent Neighborhood Streets.

G. Baber commented that the same "note" that is referenced includes a comment on segment A-C which are being clarified with the proposed revisions.

S. Swanick commented that he feels that the removal of those contingencies would make it more likely that the road is built and makes a difference in traffic so there is not a 6-lane Gilead Road.

J. Sny commented that the proposed East-West connector without segment A would improve the level of service by one letter and incrementally improve traffic counts. While he thinks the road should happen, he is glad it is not a condition for approval of the plan because he would not be able to support that. This would be highlighted for the Town Board to take notice of as an item of importance. He

thanked the Downtown Plan Steering Committee for their hard work and unanimous approval of the plan before them.

Vote: The motion passed unanimously (8-0).

Staff commented that the next step for the Downtown Plan will be to call the public hearing at the Town Board meeting.

Recusal: J. Henson requested to be recused for Item 4B as he is a consultant to the applicant.

Motion: J. Sny made a motion to recuse J. Henson from Item 4B. T. Loomis seconded the motion.

Vote: The motion passed unanimously (7-0).

Item 4B: Recommendation on Petition #R22-01, a request by DDRTC Birkdale Village, LLC to rezone +/- 8.82 acres located at the intersection of Townley Drive and Lindholm Drive (Parcels 00537157 and 00537197) from Highway Commercial Conditional District to Highway Commercial Conditional District for 150,000 sq. ft. office, and 25,000 sq. ft. commercial.

B. Richards, Assistant Planning Director entered his staff report into the record, a copy of which is attached hereto as Exhibit B and incorporated herein by reference. Staff reviewed the request from the Town Board for the rezoning request to return to the Planning Board due to there being a substantial change to the petition. This petition must be deferred for 30 days and will return to the Town Board on March 20, 2023.

The substantial change was the elimination of the hotel and multi-use building and one of the parking garages. The request today is for the 150,000 square feet of office space and 25,000 square feet of commercial space and associated parking deck. The previous Planning Board recommendation for this was a maximum of 115 feet tall building which the applicant has lowered to 110 feet. The previously heard text amendment and special use permit applications have been withdrawn. Staff thinks that this is a good project. Staff has switched to a position of not in support due to manner of process and a text amendment not being submitted.

F. Gammon asked what the maximum height of the buildings will be at Birkdale Place and why the request is for five years of vesting period. Staff confirmed their special use permit allows them to go to 92 feet with the most recent building permit submitted for 91 feet. Staff stated the request for extending the vesting period is made by the applicant and not uncommon. Under state law the minimum is two years, and an applicant is allowed to request up to five years.

S. Swanick asked staff if the applicant was advised of the importance of the special use permit (SUP). Staff confirmed the applicant was advised and through the process with the SUP being quasijudicial it limited the applicant's ability to interact with Town Board members and the applicant which became a point of contention for both parties. The applicant chose to withdraw the SUP and the text amendment. Staff did not feel that was the correct path as reflected by the change in our position with the comment that with a text amendment and SUP application staff would support the rezoning.

C. Boyd confirmed this proposal does not reduce commercial space. Staff confirmed it is very similar to the existing commercial space.

The applicants S. Irvin, 19726 Zion Avenue, M. Lant, 5142 Enniskillen Ct, Suwanee, GA, and K. Rose, 630 Davidson-Gateway, Davidson, NC presented.

J. Sny asked the applicant why they were requesting a five-year vesting period. The applicant responded that advertising cannot begin until there is approval to build the project, the financing is secured, plans are drawn and approved, then the space is marketed and must achieve 50% capacity prior to financing approval to break ground.

J. Sny asked the applicant what the order of construction would be for the items proposed. The applicant stated they would build the parking deck first so that comes online, and the office building second. The staging would be across the street. When building in a dense area such as this the items are delivered to be placed in the building and the storage would not be a large area.

C. Boyd asked if the building presented is what will be built. Staff responded that a speculative building for office is what is most commonly submitted at this point in the process and more flexibility is allowed since the tenants are not yet identified. The applicant responded that they have heard the concerns and understand that brick would be more the desired finish.

F. Gammon asked the applicant if they would commit to coming back to the residents to allow some input into the final design, options, ideas as they have demonstrated as neighbors they live there and maybe they would appreciate having some input. The applicant responded that as the design continues of the building upon approval they are happy to have a public meeting to show what they are proposing and to get feedback.

S. Swanick asked if a hotel is still in the long-term plans. The applicant stated that an alternate tenant is secured for the former Pier 1 location and that was the only viable space for a hotel so at this time there are no plans for a hotel. If someone came and really wanted to find a way to add a hotel the developer would be open to it as it is a good mix for the development.

Motion: F. Gammon made a Motion to recommend approval of R22-01 Birkdale Village. The Planning Board has considered and found the rezoning is consistent with Huntersville Zoning Ordinance article 11.4.7 d and 11.4.7 e. Further the petitioner is consistent with the Huntersville 2040 Community Plan and supported by policies LU 2.1, LU 6.1, LU 7.1, LU 8.1, LU 8.2, and EV 1.2. The Planning Board also recommends approval of the requested modification to the Zoning Ordinance to allow increased building heights for the proposed multi-use building to a maximum height of 110 feet and an accessory parking deck to a maximum height of 70 feet. This recommendation for approval is based upon the Huntersville 2040 Community Plan policy 8.1. This policy allows consideration for incentives to allow applicants to demonstrate excellence in design and exceptional public benefit for projects in key areas. Incentives that include modification of height limits. Birkdale Village is certainly a Huntersville key area. The Planning Board further recommends approval of the applicants request for Zoning Ordinance modification to increase the vesting period from 2 to 5 years. The recommendation for approval is contingent upon all outstanding staff redline comments being addressed. It is reasonable and in public interest to amend the zoning ordinance because the rezoning is consistent with the envisioned uses and development pattern set forth in the 2040 Community Plan. G. Baber seconded the motion.

F. Gammon commented that the original design has been reduced drastically down to the needed parking garage which the applicant stated would be built first and the office building. In thinking back to the recent Town Board retreat, day two when Ryan McDaniels, Lake Norman Regional Economic Development, one of the key items he mentioned is that there is a lack of class A office space in Lake Norman. Mr. McDaniels point was that while many are not going back into the office, where they are not wanting to go back to are downtown major urban centers. They want to be in places like Lake Norman. This location is within 2 miles of Highway 77 which is a high-density area. All those intersections along Highway 73 on either side of Highway 77 are high-density areas. Across the street, 90+ story building is being built. This area is fast becoming a major commercial center for the town of Huntersville. It will grow up a little bit as with this proposal. He stated that he believes the finished product will be beneficial to everybody in town including the Birkdale, Huntersville and Cornelius residents that are present this evening and he would like those residents to have some input into the final design.

S. Swanick commented that you can arrive with one expectation and through the course of the presentation have a 180 degree change. He commented that he takes staff's recommendations seriously and when they were opposed it caught his attention. He stated that he understood why staff could not support the project and how the quasijudicial structure imposed restrictions that led to the applicant having to make difficult choices. The proposed project is a reduction of what was previously approved is scope and height so he will support it and go against staff recommendation for these reasons.

T. Loomis commented that she opposed the project the first time and she remains opposed. The residents of Huntersville have stated over and over that they like 3-4 story buildings, and this height goes against what the residents are voicing they want. She likes the office concept but does not like the height which is not in the spirit of the ordinance.

C. Boyd commented that he is divided. He agrees that office space in this location looks ideal but he hates the height and thinks it will look out of place. He respects the developers rights and he loves going to Birkdale but he hates sitting on highway 73. He feels like building and development are put before infrastructure all the time and he doesn't know when someone is going to put a stop to that but it creates difficult choices.

J. Sny commented that he was asked at the most recent pre-development meeting how he could be for something and vote against it. Class A office space that is vacant are sterile and boring, top talent have expectations in this economy and this employment rate then they will go to someone who is providing a modern work environment. South End, for example, has some of these class A type buildings that are amazing, draws top talent, and gets staff in office versus just remote. He stated that he sees the need for it and does not have a problem with the location. When this project was proposed previously there was the text amendment and rezoning that were approved, and the special use permit was not approved based on the harmony factor and making the case of financial harm. He stated that his struggle with the proposed project now is that with the project reduced to one building, the harmony is further reduced. He loves the product and agrees with the need but how we are arriving at this proposal not in compliance with the process and he does not support that. For that reason he will not support this.

F. Gammon commented that he looks at how the entire area is being developed and there will be a building of similar height across the street so it is not a lone building being proposed. J. Sny agreed that is not lost on him but that building went through the correct process.

G. Baber stated he is in a similar position as J. Sny and wanted the confirmation that the proposed motion is legal. J. Glass confirmed that a conditional rezoning is acceptable as a mechanism to recommend adjusting the allowed height. G. Baber commented that the methodology then is different then previously proposed but acceptable to legal so that leaves him with only the issue of height. Personally, he was not present for the first proposal and he is wrestling with the height from 48 feet to 110 feet. J. Sny commented on his reasoning with the height during the first proposal and that a lot has changed in the request since that time.

F. Gammon commented that he believes the compromise proposed is reasonable and he is not looking for more compromise from the applicant.

Vote: The motion failed (2-5) with C. Boyd, T. Loomis, G. Baber, J. Sny & J. Wright opposed.

Reinstate Motion: J. Sny made a motion to reinstate J. Henson. G. Baber seconded the motion.

Vote: The motion passed unanimously (7-0).

Item 4C: Consider recommendation on Petition #R22-05, Oak Grove Hill - Addition, a request by Carver Bowman, LLC to rezone +/- 28.87-acres generally located north of Mt. Holly-Huntersville Road, east of Beatties-Ford Road and south of Pembroke Road from existing Neighborhood Residential - Conditional District (existing Oak Grove Hill CD-Rezoning) and Rural to Neighborhood Residential - Conditional District (REVISED Oak Grove HIll CD-Rezoning) for a 51-lot subdivision; (Parcel #s 01526443, 01526504, 0152606, 01526460, 015254432, 01526456, 01526432, 01526450, 01526455, 01526428, 01526429 & 015264431).

D. Peete, Principal Planner entered his staff report into the record, a copy of which is attached hereto as Exhibit C and incorporated herein by reference. Staff reviewed the existing approved rezoning, the request to add acreage, and how this relates to rezoning request R23-04 to remove some of the previously approved acreage. Staff shared that within the proposed urban open space a Charlotte treasure tree has been identified. Staff supports the proposed block length modification request due to the gas line and creek crossings and to enable the saving of the heritage tree.

F. Gammon asked what the phases of development would be for this addition. N. Bowman, 13815 Cinnabar Place commented that phase one they hope to complete this summer. Phase two of this addition will require 7-8 months for engineering review. At that time the second phase will be built all at once with the road connections installed as soon as possible.

Motion: G. Baber made an Amended Motion to recommend approval of R22-05 Oak Grove Hill – Addition as it is consistent with policies LU-2, LU-2.1, LU2.2, LU3.1, LU7.1, LU10.2, LU10.4, LU12.3, EOS1.1, EOS4.1, EOS 10 and T3.2 of the 2040 Community Plan. It is also consistent with the objectives of both the Beatties Ford Road and Mt. Holly Huntersville Road small area plan and the Beatties Ford Road corridor plan. The Planning Board also makes the following recommendations for the plans

completeness. 1. Approval of the block length modification for block 16, Carver Avenue for 958 linear feet and block 19, Cherry Bark Oak Lane for 994 linear feet. 2. A 10-foot wide multi-use path should be provided along Mt. Holly Huntersville Road as called for in the most recent Huntersville Bike Master Plan. 3. Add a note of willingness to annex the entire phase three into the town of Huntersville. 4. Rezoning notes from sheet SP-8 of the original plan must be added to plan set. 5. If this rezoning is approved, all notes and data will need to be coordinated with the petition R23-04 which would remove the 6.89 acres from the original rezoning to permit this addition. 6. Insure the maintenance and access easements for the BMPs do not encroach into the swim buffers. 7. All outstanding redline comments from staff. It is reasonable and in the public interest to approve the conditional district rezoning plan because it is consistent with the plans for the surrounding area and meets the applicable provisions of the zoning ordinance. F. Gammon seconded the amended motion.

Vote: The motion passed unanimously (8 -0).

Item 4D: Consider recommendation on Petition #R23-04, Oak Grove Hill - REVISION, a request by Carver Bowman, LLC to remove +/- 6.89-acres generally located north of Mt. Holly-Huntersville Road, east of Beatties-Ford Road and south of Pembroke Road from the existing Oak Grove Hill Neighborhood Residential - Conditional District. The removal of the 6.89-acres is contingent upon approval of R22-05, a proposed revision to Oak Grove HIll CD-Rezoning for an overall 110-lot subdivision (see R22-05); (Parcel #s 015254432 & 01526450).

D. Peete, Principal Planner entered his staff report into the record, a copy of which is attached hereto as Exhibit D and incorporated herein by reference. Staff reviewed the proposed request to revise the previously approved rezoning to remove the acreage as indicated contingent on the approval of R22-05.

Motion: F. Gammon made a Motion to recommend approval of R23-04 Oak Grove Hill Revision to remove 6.89 acres from Oak Grove Hill neighborhood residential conditional district zoning NR (CD). This recommendation for approval is conditional upon final approval of R22-05 Oak Grove Hill Addition. The approval of R22-05 would facilitate the removal of the 6.89 acres as it would not impact the original Oak Grove Hills consistency with adopted policies as outlined in R18-10a. It is reasonable and in the public interest to approve the conditional district rezoning plan revision because it is consistent with the plans referenced above and the applicable provisions of the zoning ordinance can be adequately addressed. J. Henson seconded the motion.

Vote: The amended motion passed (8-0).

Item 4E: Recommendation on Petition #TA22-17, a request by the Huntersville Planning Department to amend Section 7.5.3 of the Huntersville Zoning Ordinance increasing the buffer for major residential subdivisions from 20’ to 40’ when the proposed subdivision is two times greater than the existing residential subdivision.

J. Simoneau, Planning Director entered his staff report into the record, a copy of which is attached hereto as Exhibit E and incorporated herein by reference. Staff reviewed the proposed amendment and updated option 2 as recommended by staff where the buffer does not increase when adjacent to vacant land.

Motion: T. Loomis made a Motion to Approve TA22-17, Staff option 2 based on the amendment being consistent with policy LU-11 and DT-2 of the 2040 Huntersville Community Plan. It is reasonable and in the public interest to amend the zoning ordinance because it helps protect the unique character of the existing housing stock. C. Boyd seconded the motion.

Vote: The motion passed unanimously (8-0).

Item 4F: Recommendation on Petition #TA22-16 Multi-Family Use One Building One Lot, a request by the Huntersville Planning Department to amend Zoning Ordinance Articles 3.2 General Districts and 9 Conditions for Certain Uses to establish buffer standards for a multi-family home use in one building, on one lot.

J. Simoneau, Planning Director entered his staff report into the record, a copy of which is attached hereto as Exhibit F and incorporated herein by reference. Staff reviewed the proposed amendment.

J. Henson asked if acreage versus density should be considered. Staff confirmed that in their experience density does relate to acreage and this approach is the most simplified and applicable.

Motion: C. Boyd made a Motion to Approve TA22-16 based on consistency with policies LU7.2, LU9, and LU11.1 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the zoning ordinance because the amendment will help to protect the privacy of existing residential development from one building, one lot multi-family in-fill development. T. Loomis seconded the motion.

Vote: The motion passed unanimously (8-0).

Other Business
No other business.

Adjourn
Motion: F. Gammon made a Motion to Adjourn. J. Henson seconded the motion.
Vote: The motion passed unanimously (8-0).

Approved this ____ day of _____ 2023.

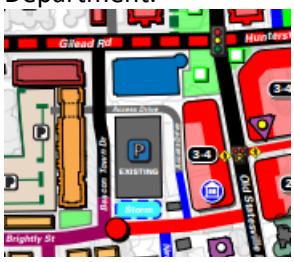
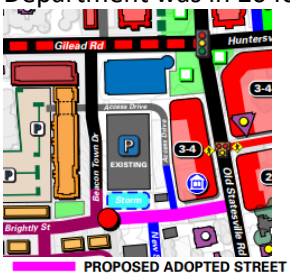
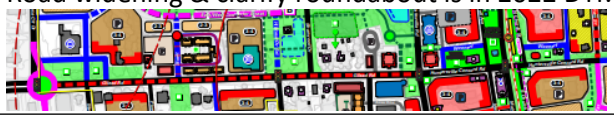
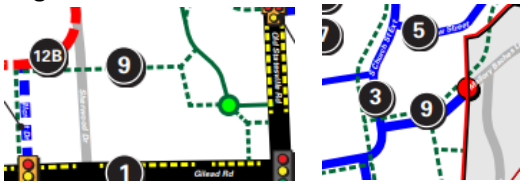
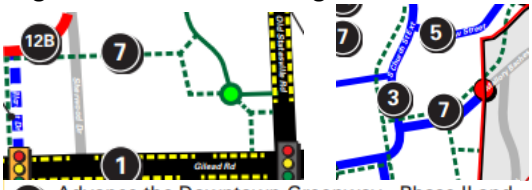
_____

Chairman or Vice Chairman

_____

Board Secretary

Downtown Master Plan Revisions (2023)

ORIGINAL DRAFT PLAN (1-17-23)	REVISIONS
Page 6 (3rd column) **B. Infrastructure Development.** 1. Transportation (All Modes): a. NCDOT Gilead Road Project. b. Maxwell Avenue Woonerf (Shared Street). c. Walters Street & S Church Street – Improvement & Extension. d. Holbrook Street Extension. e. Gibson Park Drive - 0 Improvement. f. Huntersville-Concord Road – Street Curve Improvement. g. Huntersville-Concord Road & Second Street - Intersection Improvement. h. The Seam Trail & Church Street – Co-Location & Improvement. i. East/West Connector Street.	Page 6 (3rd column) **B. Infrastructure Development.** 1. Transportation (All Modes): a. NCDOT Gilead Road Project. b. Maxwell Avenue Woonerf (Shared Street). c. Walters Street & S Church Street – Improvement & Extension. d. Holbrook Street Extension. e. Gibson Park Drive - Improvement. f. Huntersville-Concord Road – Street Curve Improvement. g. Huntersville-Concord Road & Second Street - Intersection Improvement. h. The Seam Trail & Church Street – Co-Location & Improvement. i. East/West Connector Street.
Page 10 change road color from red through Fire Department.  **ADOPTED NEW STREET (CONSTRUCTION PENDING)** • HUNTERSVILLE CAPITAL IMPROVEMENT PROGRAM (CIP) FY: 2020-2024 • 2020 ADOPTED 2040 COMMUNITY PLAN: DOWNTOWN REGULATING PLAN	Page 10 new color to clarify road through existing Fire Department was in 2040 Community Plan & 2022 DTMP.  **PROPOSED ADOPTED STREET MODIFICATION** • HUNTERSVILLE CAPITAL IMPROVEMENT PROGRAM (CIP) FY: 2020-2024 • 2020 ADOPTED 2040 COMMUNITY PLAN: DOWNTOWN REGULATING PLAN • 2022 DOWNTOWN MASTER PLAN
Page 10 change road color from red 	Page 10 change road color to show it was in the 2040 Community Plan and 2022 DTMP
Page 10 	Page 10 to reflect the correct length on NCDOT Gilead Road widening & clarify roundabout is in 2022 DTMP. 
Page 11 13 Transit Planning includes ALL CATS North Corridor Recommendations: 13A Near Term: Future Bus Rapid Transit (BRT). 13A Long Term: Future Commuter Rail Transit (CRT).	Page 11 13 Transit Planning includes ALL CATS North Corridor Recommendations: 13A Near Term: Future Bus Rapid Transit (BRT). 13B Long Term: Future Commuter Rail Transit (CRT).
Page 11 	Page 11 correct numbering error to #7 vs. #9.  7 Advance the Downtown Greenway - Phase II and The Seam Trail, and expand trail network within each quadrant.
Page 12 1 Greenways along streams are Maximally preserved and protected as the primary natural water cycle corridors flowing from Downtown into and within the surrounding watershed basin areas: A. Catawba River (Torrence Creek). B. Yadkin-Pee-Dee River (S Prong Clarke Creek).	Page 12 to remove "Greenways along". 1 Streams are Maximally preserved and protected as the primary natural water cycle corridors flowing from Downtown into and within the surrounding watershed basin areas: A. Catawba River (Torrence Creek). B. Yadkin-Pee-Dee River (S Prong Clarke Creek).

Town of Huntersville
Town Board
April 17, 2023

To: Town Board

From: David Peete, Principal Planner

Date: April 17, 2023

Subject: Charter Caldwell Station Subdivision Sketch Plan

EXPLAIN REQUEST:
QUASI-JUDICIAL. Conduct evidentiary hearing and consider decision on Charter Caldwell Station Subdivision Sketch Plan, a request by Charter Properties, Inc. to subdivide 5.51-acres located at 17223 Old Statesville Road, Parcel #s 005-44-317, 005-44-318, 005-44-319, & 005-44-331 for a 39-unit townhome development.

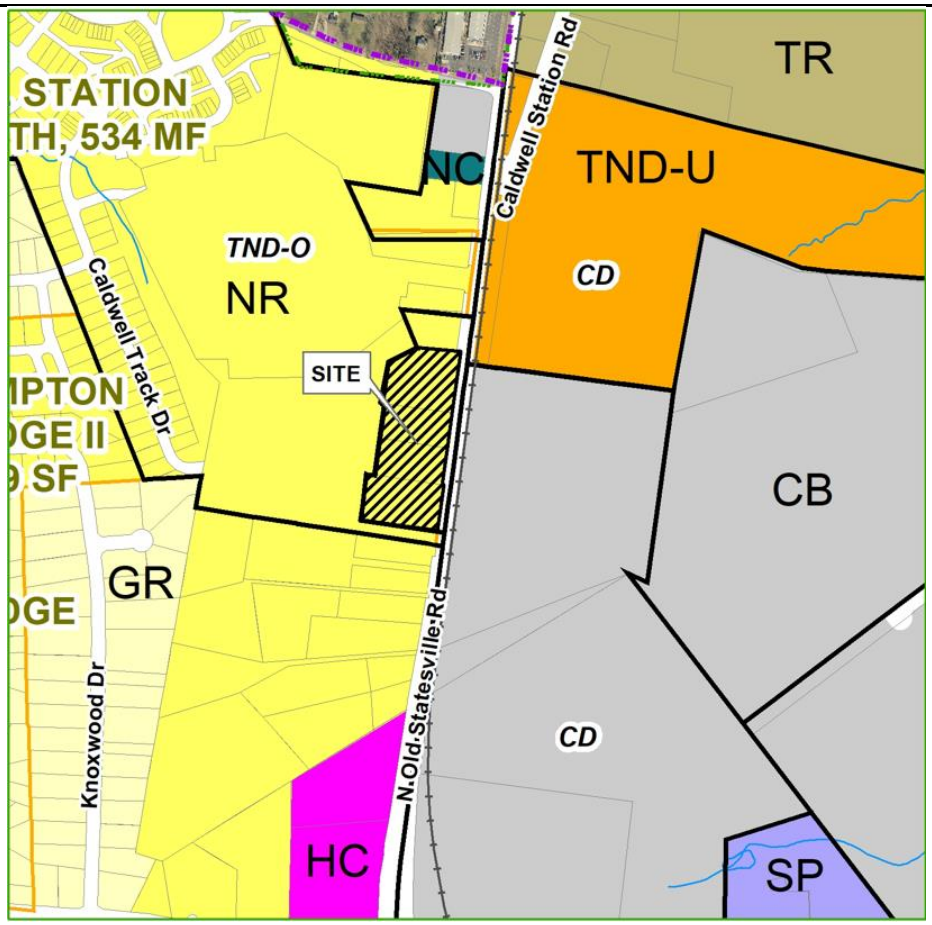
ACTION RECOMMENDED:
Conduct evidentiary hearing and consider decision on Charter Caldwell Station Subdivision Sketch Plan.

FINANCIAL IMPLICATIONS:
N/A

ATTACHMENTS:
1. Charter Caldwell Station Staff Report-TB Hearing (4-17-23)
2. Attachment A - Charter Caldwell Station Sketch Plan Application
3. Attachment B - Charter Caldwell Station Sketch Plan (4th Submittal - 03-10-23)
4. Attachment C - Community Meeting Report - Charter Caldwell Townhome (2-16-23)
5. Attachment D - Charter Caldwell Station - CMS report

Charter Caldwell Station Subdivision Sketch Plan

PART 1: PROJECT SUMMARY



Applicant: Charter Properties, Inc.

Property Owner: Connie Washam Heath, David A. Henkel, Eric Williams, Shirley Knox Brown & North Park Apartments, LLC.

Property Address: 17223 Old Statesville Road.

Project Size: (+/-) 5.51 acres.

Parcel Number(s): 00544317, 00544318, 00544319 & 00544331

Zoning: Neighborhood Residential (NR).

Land Use: Single-family & Vacant.

Proposed Land Use:
39 townhomes.
The proposed density is 7.08 units/acre.

NR – Neighborhood Residential
TND-U – Traditional Neighborhood Development
CB – Corporate Business
HC– Highway Commercial

PART 2: SITE PLAN DESCRIPTION AND ISSUES

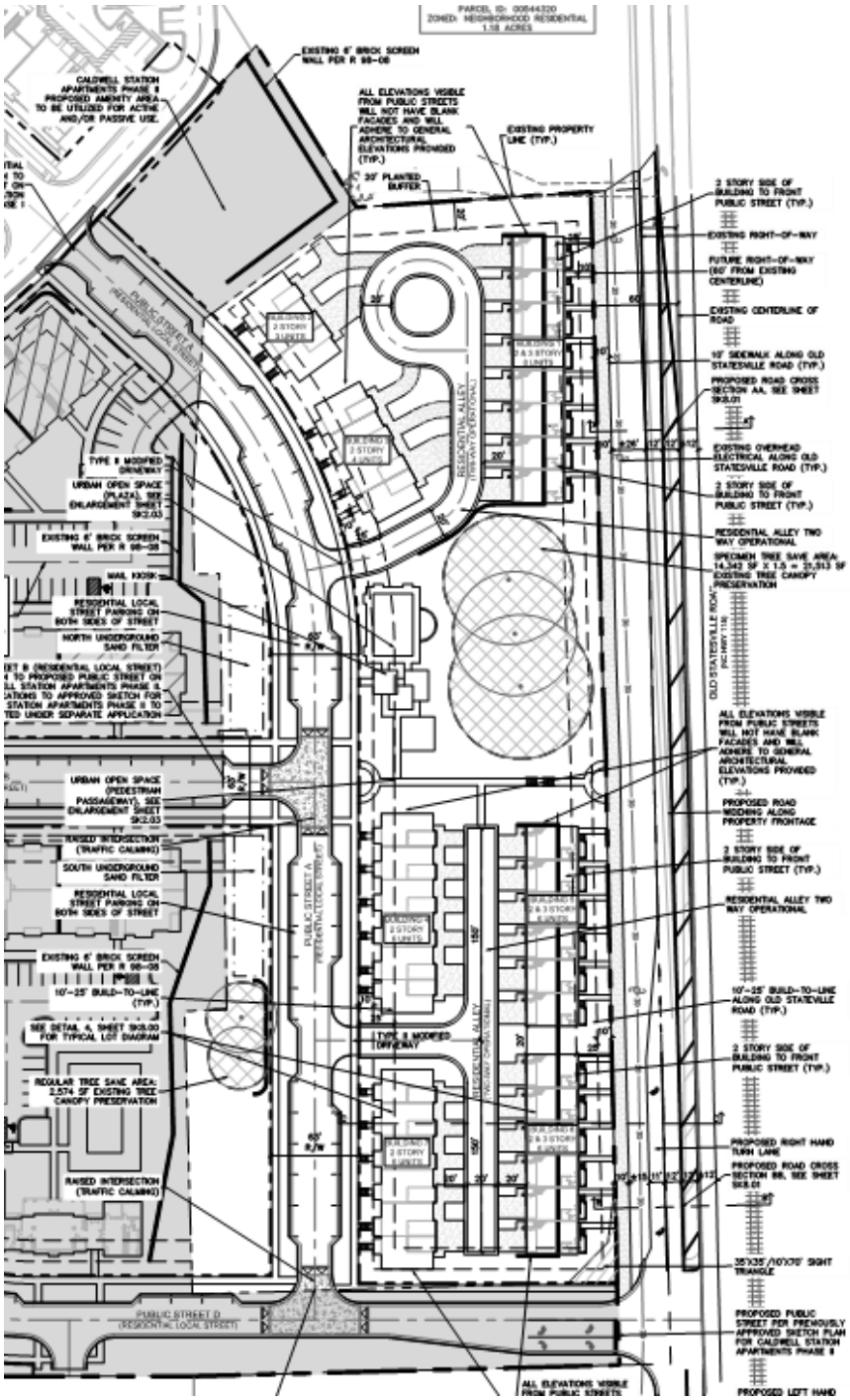
1. Purpose: To subdivide 5.51-acres of land located along the west side of Old Statesville Road, immediately south of Coach Lane (shown as "site" above) into 39 townhome lots.

NOTE – this subdivision application was accepted by the Town on May 27, 2022 – therefore, the Town's previous quasi-judicial subdivision review process is to be followed, which requires recommendation by the Planning Board, followed by a quasi-judicial hearing before the Town Board. This application also pre-dates the text amendment that eliminated 100 % attached units within ¼ mile of a designated future rail station.

2. Adjoining Zoning and Land Uses:
   North: Neighborhood Residential (NR) – Caldwell Station Apts.
   South: Neighborhood Residential (NR) – Single-family homes.
   East: Transit-Oriented Development (TOD-U) & Corporate Business – Norfolk-Southern Railroad right-of-way, vacant & an approved (but unbuilt) mixed-use development (Caldwell Crossing).
   West: Neighborhood Residential (NR) – Vacant (approved but unbuilt Caldwell Station Apts. Phase 2).
3. One (1) community meeting was held on February 16, 2023. The meeting summary is provided in Attachment C.
4. The proposed 39 rental townhomes are permitted in Neighborhood Residential (NR), as 100% attached units, as they are located within ¼ mile of a designated rail transit station planned to be located to the east, across NC 115.
5. The current site's tree canopy coverage is 10%, of which, 10% will be saved (10% tree-save required by Ord.). There are 22 specimen trees located on site and 3 (13.6%) will be saved. There are no known heritage trees on site.
6. A water-quality concept plan is required and has not yet been approved.

~~7.~~ A willingness to serve letter from Charlotte Water, dated ~~April 4, 2022~~ March 22, 2023, has been provided, ~~however, an updated letter is required, due to the age of the original letter.~~

8. Required Urban Open Space is to be provided by one (1) Plaza, located in the center of the development.
9. A buffer will be provided on the north side of the subdivision. No buffers are required along the east, south and west, as they abut the applicant's Caldwell Station Apts. – Phase 2 development or public streets.
10. One (1) Zoning Ordinance modification is requested to permit the block along NC 115 to exceed the 500 ft. limit, due to NCDOT not permitting another street connection. The modification request is for the block along NC 115 not to exceed 775 feet. In place of a street block-break, the applicant proposes an Urban Open Space – Pedestrian Passageway (see Sheet SK 2.02 in Attachment B). Staff finds this solution acceptable.



PART 3: TRANSPORTATION ISSUES/TRAFFIC IMPACT ANALYSIS (TIA)

A TIA was not required for this subdivision, as it did not meet the minimum Zoning Ordinance requirements. NCDOT also reviewed this subdivision and requires the following:

On Old Statesville Road (NC115):

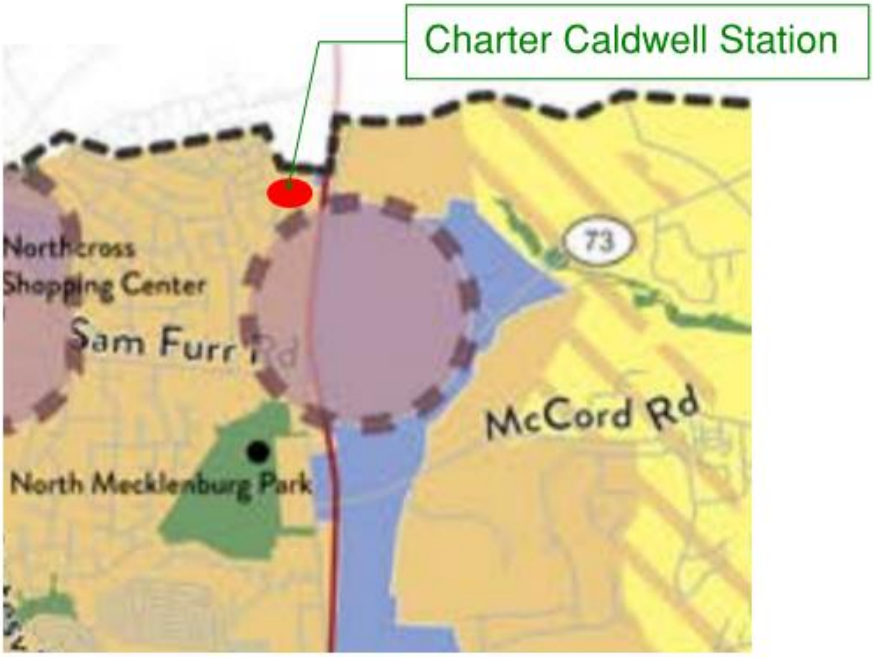
- Construct access to have an exclusive northbound left-turn lane on Old Statesville Road with 150 ft. of storage;
- Construct an exclusive southbound right-turn lane on Old Statesville Road with 150 ft. of storage;
- Extend 3-lane section on Old Statesville Road between access and Caldwell Station Apts. – Phase 1 left-hand turn lane.

In addition, the Town of Huntersville would condition approval of Charter Caldwell Station subdivision on the approval of modifications to Caldwell Station Apts. – Phase 2, currently under review, as well as addressing all outstanding transportation review comments prior to approval (if applicable).

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 Charter Caldwell Station Subdivision Sketch Plan.

1. **Consistency with adopted public plans and policies.**



Town Core

The Town Core designation includes a variety of neighborhoods containing a mix of residential housing types, including single-family homes, townhomes, and apartments. Their design focuses on traditional neighborhood planning principles, including short blocks, connected streets, streetscape standards, and other features that improve walkability. These areas are denser than the "Moderate Density" and "Residential Edge" character areas and may include non-residential development as specified in small area plans and at other sites that meet locational criteria.

The following sections of the 2040 Huntersville Community Plan support this subdivision:

- The proposed Charter Caldwell Station Subdivision lies completely within the "Town Core" Future Land Use Character Area of the 2040 Community Plan (see red dot above). The overall proposed density is 7.08-units per acre, which is appropriate in the Town Core area. This project will be managed along with the Caldwell Station Apts. – Phase 2, located immediately adjacent to the west.

- **EOS 8.3: Continue to require locational standards for open space in new developments. Urban Open Space should be located within walking distance of homes in new subdivisions that are not located in rural areas. Open space should be located in undivided preserves, where possible, and should be accessible to the largest number of lots with the development.** Comment: The development provides one (1) urban open space Plaza, which is located immediately adjacent to all 39 townhome units.

- **EOS 10: Improve bicycle and pedestrian facilities throughout Town.** Comment: The developer is providing a ten-foot multi-use side-path along Old Statesville Road, which will support pedestrians & bikers in the vicinity. No public greenway is planned through this property.

- **LU 2.1: Higher intensity residential uses will be focused generally within two miles of the I-77/ NC-115 corridor and future activity centers in the eastern and western areas of Huntersville's zoning jurisdiction.** Comment: The proposed development is located adjacent to Caldwell Station Apts. This location is entirely within the I-77/NC 115 corridor as it abuts NC 115 (Old Statesville Road).

- **LU 5.3: Support infill housing options near services, shopping, employment, and transit stations. Encourage infill development opportunities to increase housing options with proximity to nearby services, shopping, employment opportunities, and transit stations.** Comment: The proposed development is located immediately across NC 115 from a planned transit station and 0.35-miles north from commercial uses (CVS).

- **LU 7.1: Require all new development to adhere to the following design principles: All buildings shall front a public street or open space.** Comment: All residential units associated with the proposed subdivision are to front a public street.

- **LU 8.3: Encourage transit-supportive development. Maintain incentives for future TOD locations, including allowing 100% attached homes near transit stations**. Comment: This development would be located 0.25-miles from the designated transit station within on the north end of NC 115 within Huntersville's jurisdiction and is proposed to be 100% attached.

- **LU 9.1: In higher intensity areas including Mixed Use Centers, Activity Centers, the Town Core, and Moderate Density areas neighborhoods should adhere to the following design principles:**
  • All homes must front a public street or open space.
  • Front porches and recessed garages are encouraged.
  • On-street parking is required in new developments that have lot widths below 60'. Alley-loading is also encouraged in these cases. Comment: The proposed subdivision meets these design principles-as all residential units front on public streets. Garages will be located in the rear yard and there are 29 on-street parking spaces for general use.

- **LU 10.1: Align housing options with resident needs and promote attainable housing options. Accommodate a mix of housing by type, tenure, and location to serve a growing and increasingly diverse population. Housing offerings should align with workforce opportunities, including management, professional positions, and service positions.** Comment: This development would provide rental townhomes, which will provide another housing option for the Town.

- **T 5.1: Design street improvements with consideration for the surrounding context and various users.** Comment: Five (5) feet-wide sidewalks along the public streets are proposed, as well as a 10 feet-wide side path along NC 115.

2. Conformity.
The proposed development has an overall density of 7.08 dwelling units /acre (DUA). As an extension of the Caldwell Station Apartment development (primarily located to the west and north), the proposed density is appropriate. The density is also appropriate within the catchment area of a future transit station (to be located to the east). The parcels located to the south are large-lot, low density and would be separated from this subdivision by a new public street.

3. Access between Adjoining Properties.
The proposed townhome subdivision would be linked to Caldwell Station Apartments by three (3) public street connections. All public streets will have sidewalks on both sides, as well.

4. Relation to topography.
The overall site is generally flat; therefore, the units and alley layout respect the topography of the site.

5. Mature trees and natural vegetation.
The proposed project is required to save 10% of existing tree canopy and is saving 10%. In addition, the plan saves 13.6% specimen trees (10% required to be saved). There are no heritage trees located on site.

6. Access to parks, schools, etc.
There are no public schools in close proximity to this proposed subdivision, however, Mecklenburg County's new Northern Regional Recreation Center is located one (1) mile north of this site.

7. Discourage through traffic.
The subdivision is accessed via three (3) public street connections into the adjacent Caldwell Station Apts. – Phase 2, which is owned by the same developer. The site plan for the Caldwell Station Apts. – Phase 2 are concurrently being amended to accommodate this proposed subdivision. Traffic calming is proposed at the connection points for this subdivision, as well.

8. Relationship to railroad rights-of-way.
Norfolk-Southern Railroad right-of-way does not impact this subdivision directly, but is located to the east, across Old Statesville Road. This location to the east is planned to have a transit station for commuter rail.

9. Half streets.
Not Applicable.

10. Parallel streets along thoroughfares.
Not Applicable.

11. **Public School and Public Park Sites**
The parcel associated with Charter Caldwell Station Subdivision Sketch Plan has not been identified for a school or park.

12. Public Facilities
The parcels associated with Charter Caldwell Station Subdivision Sketch Plan has not been identified for a public facility.

13. Proposed street names
New public street names are required at Preliminary Plan review (if applicable).

14. Easements.
Easements have been identified and the plans have been sent to the respective Engineering and Utility Departments for review.

15. Proposed water and sewerage system.
A willingness to serve letter, dated April 4, 2022, has been provided by Charlotte Water for this development, however, due to its age, an updated letter is required.

16. Restrictions on the subdivision of land subject to flooding.
No part of the site is in a designated flood zone.

17. Open Space
Urban open space will be provided via one (1) Plaza located at the center of the development.

18. Impact of Development on Public Facilities
There is no indication the proposed subdivision will adversely impact public facilities. While this section of the Ordinance does not call for the specific consideration of impact to public schools (CMS), staff contacts Charlotte-Mecklenburg Schools (CMS) for an enrollment evaluation for all major subdivision requests. According to CMS, the development will generate 7 new students who will attend local schools. A section of CMS's report is provided below (see Attachment D - CMS Report.)

This development may add 7 students to the schools in this area.

The following data is as of 20th Day of the 2022-23 school year.

Schools Affected	*Total Classroom Teachers*	*Building Classrooms/ Teacher Stations*	*20th Day, Enrollment (non-gc)*	*Building Classroom/ Adjusted Capacity (Without Mobiles)*	*20th Day, Building Utilization (Without Mobiles)*	*Additional Students As a result of this development*	*Utilization As of result of this development (Without Mobiles)*
J V WASHAM ELEMENTARY	46.50	39	810	679	119%	4	**119%**
FRANCES BAILEY MIDDLE	66.5	57	1326	1137	117%	2	**117%**
WILLIAM AMOS HOUGH HIGH	120.3	100	2518	2093	120%	1	**120%**

The total estimated capital cost of providing the additional school capacity for this new development is $254,000; calculated as follows:

PART 5: STAFF RECOMMENDATION

COMPLETENESS OF APPLICATION:
Town Staff has reviewed the proposed Charter Caldwell Station Subdivision Sketch Plan and finds the application complete.

COMPLIANCE WITH APPLICABLE REQUIRMENTS:
Charter Caldwell Station Subdivision Sketch Plan complies with all applicable requirements and is supported by findings of fact outlined in Parts 2-4 of this report, with the following conditions:

- The administrative amendment to Caldwell Station Apts. – Phase 2 must be approved in order for this subdivision to be approved;
- Staff supports the requested block length modification for the NC 115 block, not to exceed 775 feet;
- Townhome elevations are too similar – greater variation between buildings to be provided for review;
- ~~Update Willingness to Serve letter from Charlotte Water~~. April 17, 2023 Update – Letter from Charlotte Water dated 3-22-23 has been provided. Item has been satisfied;
- Add note regarding storm system by-pass through Caldwell Station Apts. – Phase 2 required for Charter Caldwell Townhomes.
- Town Transportation comments must be addressed.
- Water-quality concept plan must be approved by Staff.
- All other plan comments are addressed.

APPROVAL:
Charter Caldwell Station Subdivision Sketch Plan could comply with all applicable requirements once the conditions listed above are addressed. Staff Recommends Approval of the proposed Subdivision Sketch Plan based on satisfaction of the above listed items.

PART 6: PLANNING BOARD RECOMMENDATION

On Tuesday, March 28, 2023, the Planning Board unanimously (9-0) voted to approve the Charter Caldwell Station Subdivision Sketch Plan. The Planning Board found: 1) the application is complete; 2) the Charter Caldwell Station Subdivision Sketch Plan is consistent with adopted public plans and polices and complies with all applicable requirements of the Zoning Ordinance, and the Huntersville 2040 Community Plan as stated within the finding of facts in Parts 2 - 4 of the staff report. The proposed Charter Caldwell Station Subdivision lies completely within the 2040 Community Plan Town Core Future Land Use Character Area, and is supported by Polices: EOS 8.3, EOS 10, LU 2.1, LU 5.3, LU 7.1, LU 8.3, LU 9.1, LU 10.1, and T 5.1.
he Planning Board recommends approval of the Charter Caldwell Station Subdivision Sketch Plan, and the requested block length modification for the NC 115 block, not to exceed 775 feet. The recommendations for approval are contingent upon the applicant working with Staff to resolve: 1) The administrative amendment to Caldwell Station Apartments Phase 2 must be approved in order for the subdivision to be approved; 3) Townhome elevations are too similar, provide greater variation between building elevations for review; 4) Add a note regarding storm system by-pass through Caldwell Station Apartments - Phase 2 required for Charter Caldwell Townhomes; 5) Town Transportation comments must be addressed; 6) Water quality concept plan must be approved by Staff; and 7) Address any remaining redline comments with staff.

PART 7: TOWN BOARD FINAL ACTION

The Town Board is scheduled to conduct a quasi-judicial hearing on this request on Monday, April 17, 2023.

PART 8: ATTACHMENTS AND ENCLOSURES

A – Subdivision Sketch Plan Application
B – Charter Caldwell Station Subdivision Sketch Plan
C – Neighborhood Meeting Report
D – CMS Report

PART 9: DECISION STATEMENTS

Please refer to Part 5 of this report for recommendation.

In considering whether to approve an application for a subdivision sketch plan, the Planning and Town Board must complete the following (a 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.

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 05/25/22

Name of Project CHARTER CALDWELL STATION Phase # (if subdivision) _____

Project Address 17301, 17303, 17223, 17209 OLD STATESVILLE ROAD

Parcel Identification Number(s) (PIN) 00544317, 00544318, 00544319, 00544331

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

Property Size (acres) 6.63 (EXISTING) Street Frontage (feet) 772

Current Land Use SINGLE FAMILY

Proposed Land Use(s) TOWNHOMES FOR RENT

Is the project within Huntersville's corporate limits?
Yes X 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.

TOWNHOME DEVELOPMENT WITH NEW PUBLIC STREETS TO BE DEVELOPED AS PART OF APPROVED SKETCH PLAN FOR ADJACENT CALDWELL STATION APARTMENTS

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.

Town of Huntersville NORTH CAROLINA

General Application
Owner/Applicant Signature Addendum

Application Information

Date of Application 03/30/22 Application Number _____

Name of Project CHARTER CALDWELL STATION Phase # (if subdivision) _____

Additional Owners/Applicants: (Signature indicates intent that this page be affixed to Application.)

* ^ Printed Name David A Henkel Phone Number 7043905918

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

☒ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant/owner (circle one) 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 for Special Use Permits and Subdivisions)

Signature DocuSigned by: 5E456D1643F74A6... Parcel ID(s): 00544331

Title _____ Email Henkeld5@gmail.com

Address of Property Owner/Applicant 17209 Old Statesville Rd

---

* ^ Printed Name Jessica C Henkel Phone Number 7043024253

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

☒ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant/owner (circle one) 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 for Special Use Permits and Subdivisions)

Signature DocuSigned by: Jessica C Henkel 6E16A616000F4B7... Parcel ID(s): 00544331

Title _____ Email jessa7481@gmail.com

Address of Property Owner/Applicant 10040 Devonshire Dr. Huntersville, NC 28078

---

* ^ Printed Name _____ Phone Number _____

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

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant/owner (circle one) 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 for Special Use Permits and Subdivisions)

Signature _____ Parcel ID(s): _____

Title _____ Email _____

Address of Property Owner/Applicant _____

---

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

Town of Huntersville
NORTH CAROLINA

General Application
Owner/Applicant Signature Addendum

Application Information

Date of Application 3/30/22 Application Number _____

Name of Project ~~Charter Oak~~ Caldwell Station Phase # (if subdivision) _____

Additional Owners/Applicants: (Signature indicates intent that this page be affixed to Application.)

* ^ Printed Name Connie W. Heath Phone Number 910-262-8088

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

☒ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant/owner (circle one) 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 for Special Use Permits and Subdivisions)

Signature Connie W. Heath Parcel ID(s): 00544317

Title _____ Email cwh080455@yahoo.com

Address of Property Owner/Applicant 3500 Tall Pine Ct., Wilmington, NC 28409

---

* ^ Printed Name _____ Phone Number _____

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

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant/owner (circle one) 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 for Special Use Permits and Subdivisions)

Signature _____ Parcel ID(s): _____

Title _____ Email _____

Address of Property Owner/Applicant _____

---

* ^ Printed Name _____ Phone Number _____

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

☐ By signature below, I hereby acknowledge, as/on behalf of (circle one) the applicant/owner (circle one) 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 for Special Use Permits and Subdivisions)

Signature _____ Parcel ID(s): _____

Title _____ Email _____

Address of Property Owner/Applicant _____

---

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

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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 CHARTER PROPERTIES, INC. Phone 704-377-4172

☐ 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 for Special Use Permits and Subdivisions)

Signature [signature] Printed Name: Eric M. Williams

Title Senior VP Email EMW@Charterproperties.com

Address of Applicant 1520 South Blvd. Suite 215 Charlotte NC 28203

7. Property Owner (if different than applicant)

*Printed Name Shirley K. Brown Phone 704-560-5608

☐ 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 for Special Use Permits and Subdivisions)

Signature June Overcash PoA Printed Name June Overcash

Title PoA - agent Email Jover137@roadrunner.com

Address of Property Owner 17301 and 17303 Old Statesville Rd. Huntersville NC 28078

* 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 application MUST be accompanied by a notarized Limited Power of Attorney signed by the property owner (s), 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.**

8. Development/Design Firm Contact Information

CHARTER PROPERTIES, INC.	JOHN PORTER	704-377-4172	JDP@CHARTERPROPERTIES.COM
Development Firm	Name of Contact	Phone	Email
DESIGN RESOURCE GROUP	BRIAN GRAHAM	704-343-0608	BRIAN@DRGRP.COM
Design Firm	Name of Contact	Phone	Email

Contact Information

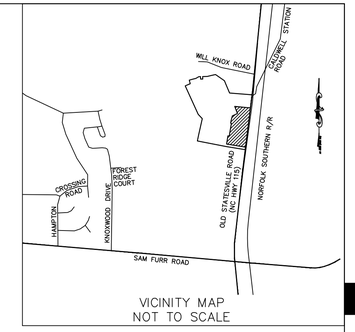
Town of Huntersville	Phone:	704-875-7000
Planning Department	Fax:	704-992-5528
PO Box 664	Physical Address:	105 Gilead Road, Third Floor
Huntersville, NC 28070	Website:	https://www.huntersville.org/228/Planning-Department

CHARTER CALDWELL STATION

HUNTERSVILLE, NORTH CAROLINA

CHARTER PROPERTIES, INC.
1520 SOUTH BOULEVARD, SUITE 215
P: 704.377.4172
EPM #: 435586

811 Know what's below. Call before you dig.



VICINITY MAP
NOT TO SCALE

DESIGN RESOURCE GROUP
LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING
O P W 2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208
704.343.0608
www.drgrp.com

SUBDIVISION SKETCH PLAN

SITE DATA

TAX MAP NO:	00544317, 00544318, 00544319, 00544331
STREET ADDRESS:	17301 OLD STATESVILLE ROAD
CURRENT ZONING:	NR
REZONING PETITION:	R 98-08
EXISTING SITE AREA:	5.51 ACRES (239,966 SF)
RIGHT-OF-WAY DEDICATION:	1.67 ACRES (72,769 SF)
NET SITE AREA:	3.84 ACRES (167,197 SF)
EXISTING USE:	SINGLE FAMILY
PRINCIPAL USE:	TOWNHOMES FOR RENT
PROPOSED UNITS:	39 (3 BEDROOM) TOWNHOMES (FOR RENT)
PROPOSED DENSITY:	7.08 DUA
NON-RESIDENTIAL AREA:	N/A
PROPOSED NUMBER OF LOTS:	3
MINIMUM PARKING REQUIRED:	57 SPACES (1.5 SPACES PER UNIT)
PARKING PROVIDED:	29 ON STREET SPACES 59 TANDEM DRIVEWAY SPACES 59 GARAGE SPACES 147 SPACES (3.77 SPACES PER UNIT)
BUILDING TYPE:	ATTACHED HOUSE (FOR RENT)
BUILDING HEIGHT:	2 & 3 STORY (2 STORY FRONTING PUBLIC STREETS)
BUILD-TO-RANGE/SETBACKS:	
OLD STATESVILLE ROAD:	10'-25'
INTERNAL PUBLIC STREETS:	10'-25'
MINIMUM BUILDING SEPARATION:	10'
CORNER:	10'
SIDE:	5'
REAR:	N/A
CANOPY TREE SAVE REQUIRED:	10% OF 5.51 ACRES (239,966 SF)=23,997 SF
CANOPY TREE SAVE PROVIDED:	
REGULAR CANOPY TREE AREA:	2,574 SF
SPECIMEN CANOPY TREE AREA:	14,342 SF
SPECIMEN TREE BONUS (50%):	7,171 SF
TOTAL CANOPY TREE AREA:	24,087 SF
REQUIRED SPECIMEN TREE SAVE:	10% OF 22 SPECIMEN TREES ON SITE = 3
SPECIMEN TREES TO BE REMOVED:	19
SPECIMEN TREES TO REMAIN:	3 (13.6%)
URBAN OPEN SPACE:	PLAZA AND PEDESTRIAN PASSAGEWAY
AMENITY:	TOWNHOME DEVELOPMENT TO HAVE USE/ACCESS TO PHASE II APARTMENT CLUBHOUSE AND AMENITIES. DOCUMENTATION TO BE PROVIDED AT PRELIMINARY PLAN, IF SKETCH PLAN IS APPROVED
TRASH AND RECYCLING:	INDIVIDUAL ROLLOUT CONTAINERS (PRIVATE COLLECTION SERVICE)
ESTIMATE COMPLETION TIMELINE:	2025

WATERSHED INFORMATION

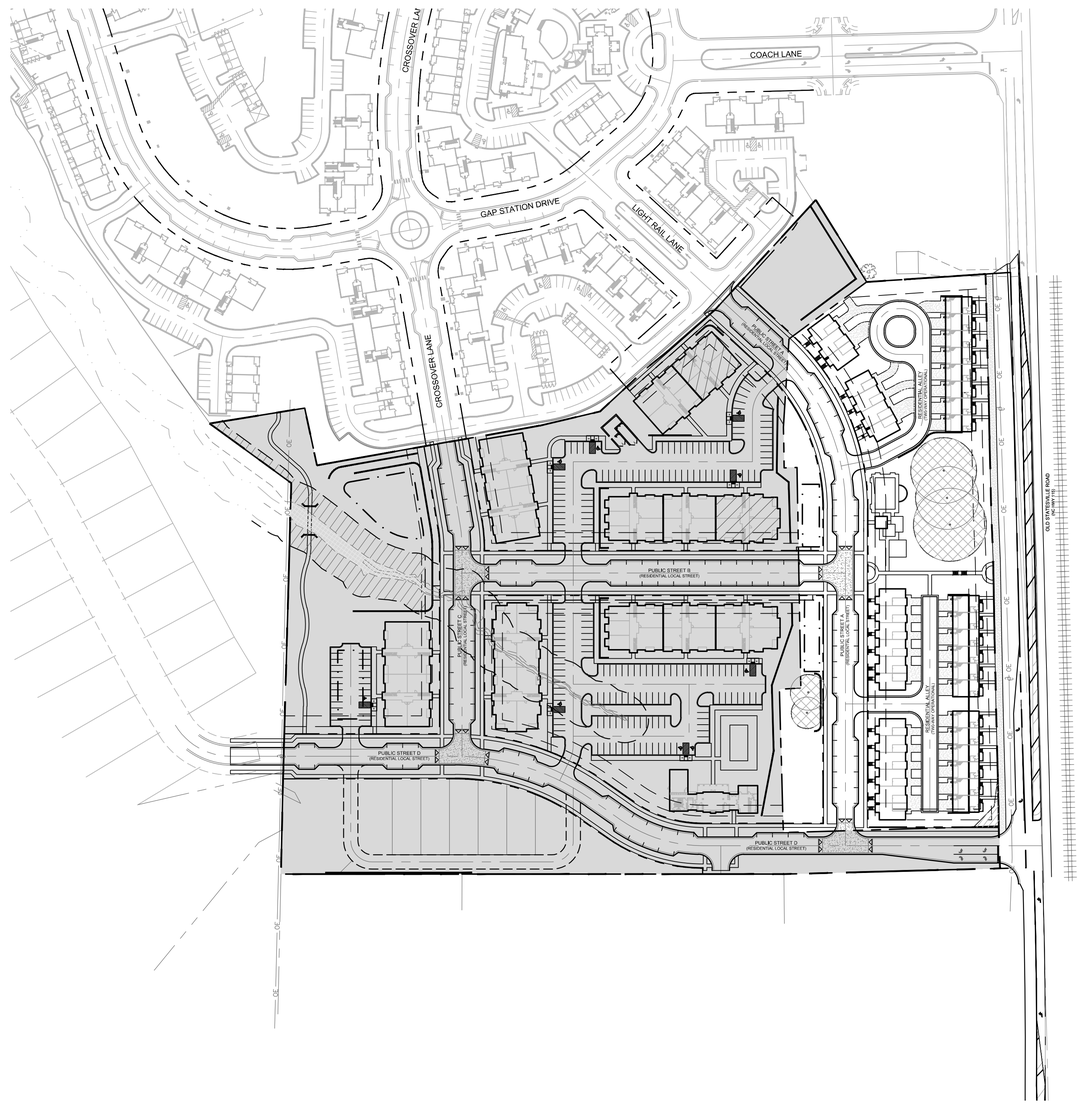
REGULATED DRINKING WATERSHED:	NO
WATERSHED DISTRICT:	MCDOWELL
DENSITY	HIGH DENSITY
IMPERVIOUS AREA:	2.73 ACRES (118,840 SF) 49.5%
PERCENTAGE OF ALLOWABLE IMPERVIOUS AREA PROVIDED:	70%
AMOUNT OF LOT AREA SET ASIDE FOR FUTURE IMPERVIOUS:	NONE

REQUESTED MODFICATIONS:

PROPOSED MODIFICATION TO EXCEED 500' MAXIMUM BLOCK LENGTH TO ALLOW FOR PROPOSED 775' BLOCK LENGTH DUE TO NCDOT NOT ALLOWING ADDITIONAL PUBLIC ROAD/DRIVEWAY CONNECTION TO OLD STATESVILLE ROAD. PROPOSED PEDESTRIAN CONNECTION TO BE PROVIDED IN LIEU OF STREET CONNECTION.

NOTE:

PROPOSED MODIFICATIONS TO APPROVED SKETCH PLAN FOR CALDWELL STATION APARTMENTS PHASE II (5/22/2012) TO BE SUBMITTED UNDER SEPARATE APPLICATION. THIS PROJECT (CHARTER CALDWELL STATION) CANNOT BE BUILT WITHOUT REVISIONS TO CALDWELL STATION APARTMENTS – PHASE II. THESE REVISIONS ARE CONCURRENTLY BEING REVIEWED BY TOWN OF HUNTERSVILLE.



SHEET LIST SCHEDULE

SHEET #	SHEET TITLE
SK0.00	COVER SHEET
1-1	SURVEY
SK1.00	EXISTING FEATURES PLAN
SK2.00	SITE CONTEXT PLAN
SK2.01	SKETCH PLAN
SK2.02	BLOCK LENGTH PLAN
SK2.03	URBAN OPEN SPACE PLAN
SK2.04	LOT PLAN
SK4.00	GRADING PLAN
SK4.10	STORMWATER MANAGEMENT PLAN
SK5.00	UTILITY PLAN
SK5.01	FIRE AND SAFETY PLAN
SK6.00	TREE SAVE PLAN
SK6.01	REQUIRED LANDSCAPING PLAN
SK7.00	INTERSECTION SIGHT DISTANCE AND FIRE TRUCK MANUEVERING
SK8.00	SITE DETAILS
SK8.01	SITE DETAILS
A4.1	TOWNHOUSE T3 – BUILDINGS 5 AND 6 PLANS
A4.2	TOWNHOUSE T3 – BUILDING 1 PLANS
A4.3	TOWNHOUSE T2 BUILDINGS 4 AND 6 PLANS
A4.4	TOWNHOUSE T2 – BUILDINGS 2 AND 3 PLANS
A5.1	TOWNHOUSE T3 – BUILDINGS 5 AND 6 ELEVATIONS
A5.2	TOWNHOUSE T3 – BUILDING 1 ELEVATIONS
A5.3	TOWNHOUSE T2 BUILDINGS 4 AND 6 ELEVATIONS
A5.4	TOWNHOUSE T2 BUILDINGS 2 AND 3 ELEVATIONS

NCDOT REQUIRED IMPROVEMENTS:

OLD STATESVILLE ROAD AT ACCESS A (UNSIGNALIZED)

- CONSTRUCT ACCESS TO HAVE AN EXCLUSIVE NORTHBOUND LEFT-TURN LANE ON OLD STATESVILLE ROAD WITH 150' OF STORAGE
- CONSTRUCT AN EXCLUSIVE SOUTHBOUND RIGHT-TURN LANE ON OLD STATESVILLE ROAD WITH 150 FEET OF STORAGE
- EXTEND 3-LANE SECTION ON OLD STATESVILLE ROAD BETWEEN ACCESS AND CALDWELL STATION PHASE 1 LEFT HAND TURN LANE

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 (DPIRC) 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.

CONSULTANTS:

DEVELOPER:	CHARTER PROPERTIES, INC. 1520 SOUTH BOULEVARD SUITE 215 CHARLOTTE, NC 28203 704.377.4172
ARCHITECT:	WATTS LEAF ARCHITECTS, PA 101 NORTH MCDOWELL STREET SUITE 112 CHARLOTTE, NC 28204 704.376.1200
LANDSCAPE ARCH.:	DESIGN RESOURCE GROUP, PA 2459 WILKINSON BOULEVARD SUITE 200 CHARLOTTE, NC 28208 704.343.0608
CIVIL ENGINEER:	DESIGN RESOURCE GROUP, PA 2459 WILKINSON BOULEVARD SUITE 200 CHARLOTTE, NC 28208 704.343.0608

NORTH CAROLINA CORPORATE SEAL C-95 C-2165 NCBELS DESIGN RESOURCE GROUP, P.A.

NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT No.1987 03/10/23 BRIAN W. GRAHAM

SKETCH PLAN

CHARTER CALDWELL STATION
HUNTERSVILLE, NORTH CAROLINA

CHARTER PROPERTIES, INC.
1520 SOUTH BOULEVARD, SUITE 215
CHARLOTTE, NC 28203
704.377.4172

COVER SHEET

SCALE: NTS

PROJECT #:	278-044
DRAWN BY:	MM
CHECKED BY:	BG

MARCH 10, 2023

REVISIONS:

SK0.00

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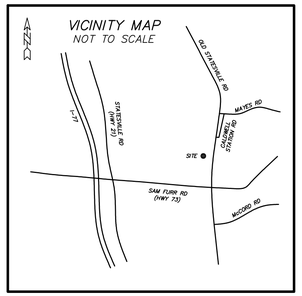
J:\2044PROJ\278-044 CHARTER CALDWELL STATION\DWG\DRG - PLOT SHEETS\PL-SK-TOWNHOMES.DWG\10/2022 4:44 PM



LEGEND:

EIP = EXISTING IRON PIN
OIP = OLD IRON PIPE
SIP = SET IRON PIN
R/W = RIGHT OF WAY
AC = AIR CONDITIONING UNIT
PWR = POWER PAD
PM = POWER METER
PP = POWER POLE
LP = LIGHT POLE
GM = GAS METER
TELE = TELEPHONE PEDESTAL
CATV = CABLE TELEVISION
FOB = FIBER OPTIC BOX
TSB = TRAFFIC SIGNAL BOX
WM = WATER METER
FES = FLARED END SECTION
RCP = REINFORCED CONCRETE PIPE
CMP = CORRUGATED METAL PIPE
CPP = CORRUGATED PLASTIC PIPE
PVC = POLYVINYL CHLORIDE PIPE
DU = DESTINATION UNKNOWN
SDE = STORM DRAINAGE EASEMENT
SDMH = STORM DRAIN MANHOLE
CB = CATCH BASIN
YI = YARD INLET
DI = DROP INLET
SSE = SANITARY SEWER EASEMENT
SSMH = SANITARY SEWER MANHOLE
CO = SEWER CLEAN OUT
BC = BACK OF CURB
(T) = TOTAL DISTANCE

SURVEYED LEGAL DESCRIPTIONS

PID 00544330

BEGINNING at an existing rebar on the westerly margin of the right-of-way of Old Statesville Rd (N.C. Hwy 115), being the common corner of the property of Timothy Joseph Roy and Brenda Hager (now or formerly) recorded in Deed Book 8674, Page 572; thence following the common line thereof with a bearing of N 82°28'35" W and a distance of 338.39' to an existing rebar; thence continuing with the common line of Roy and Hager with a bearing of N 80°57'34" W and a distance of 702.87' to a point, being the common corner of the property of Sayhxan Inthanonh & Phoummy Inthanonh (now or formerly) recorded in Deed Book 6080, Page 454 and being on the common line of the property of Daniel F Summerour & Tereasa W Summerour (now or formerly) recorded in Deed Book 5403, Page 988 and shown as Lot 7, Block B on Map Book 19, Page 419; thence following the common line of Summerour with a bearing of N 10°17'35" E and a distance of 143.34' (passing an existing rebar at 1.37') to an existing rebar, being the common corner of the property of Marek Vesely & Christen Smith-Vesely (now or formerly) recorded in Deed Book 31993, Page 799 and shown as Lot 8, Block B on Map Book 19, Page 419, and the property of Caldwell Station Homeowners Association Inc (now or formerly) recorded in Deed Book 26300, Page 782, and shown as UOS #4 on Map Book 48, Page 495; thence following the common line thereof with a bearing of N 10°38'46" E and a distance of 403.42' to a set rebar; thence continuing with the common line with a bearing of N 44°50'33" W and a distance of 141.22' to an existing rebar, being the common corner of the property of Caldwell Station NC LLC (now or formerly) recorded in Deed Book 30411, Page 400, and shown as Lot 1 on Map Book 49, Page 733; thence following the common line thereof nine (9) calls: (1) with a bearing of N 89°48'46" E and a distance of 134.53' to a point; (2) with a bearing of S 03°04'34" E and a distance of 81.79' to a point; (3) with a bearing of N 88°58'56" E and a distance of 226.24' to a point; (4) with a bearing of N 85°51'59" E and a distance of 89.92' to a point; (5) with a bearing of N 85°47'39" E and a distance of 86.49' to a point; (6) with a bearing of N 56°13'14" E and a distance of 92.09' to a point; (7) with a bearing of N 60°27'27" E and a distance of 35.07' to a point; (8) with a bearing of N 57°52'38" E and a distance of 86.73' to a point; (9) with a bearing of N 51°34'49" E and a distance of 209.14' to a point, being the common corner of the property of Caldwell Partners LLC (now or formerly) recorded in Deed Book 10173, Page 372; thence following the common line thereof with a bearing of S 22°45'52" E and a distance of 134.68' to an existing bent rebar, being the common corner of the property of Shirley Knox Brown (now or formerly) recorded in Deed Book 33098, Page 17; thence following the common line thereof five (5) calls: (1) with a bearing of N 52°47'53" W and a distance of 134.61' to a set rebar; (2) with a bearing of S 12°35'50" W and a distance of 123.68' to a set rebar; (3) with a bearing of S 08°41'01" W and a distance of 56.81' to an existing rebar; (4) with a bearing of S 82°40'06" E and a distance of 17.97' to an existing rebar; (5) with a bearing of S 08°03'01" W and a distance of 308.48' to an existing rebar, being the common corner of the property of David A Henkel & Jessica C Henkel (now or formerly) recorded in Deed Book 31778, Page 199; thence following the common line thereof three (3) calls: (1) with a bearing of N 83°48'20" W and a distance of 30.05' to a set rebar; (2) with a bearing of S 07°27'13" W and a distance of 200.48' to a set rebar; (3) with a bearing of S 82°40'02" E and a distance of 337.95' to an existing rebar on the westerly margin of the right-of-way of Old Statesville Rd (N.C. Hwy 115); thence following the right-of-way thereof with a bearing of S 07°45'40" W and a distance of 59.20' to an existing rebar; being the point of BEGINNING, having an area of 11.665 acres, more or less, as shown on a survey by Carolina Surveyors, Inc.

PID 00544331

BEGINNING at a point within the right-of-way of Old Statesville Rd (N.C. Hwy 115), said point being on the westerly margin of the railroad right-of-way; thence with a bearing of N 82°40'02" W and a distance of 348.48' to a set rebar, being the common corner of the property of Caldwell Station LLC (now or formerly) recorded in Deed Book 27488, Page 833 and shown as Lot 2 on Map Book 49, Page 733; thence following the common line thereof three (3) calls: (1) with a bearing of N 07°27'13" E and a distance of 200.48' to a set rebar; (2) with a bearing of S 83°48'20" E and a distance of 30.05' to an existing rebar; thence with a bearing of S 82°29'05" E and a distance of 320.10' (passing a set rebar at 307.13') to a point on the westerly margin of the railroad right-of-way; thence following the margin of said right-of-way with a bearing of S 07°38'43" W and a distance of 200.06' to a point; being the point of BEGINNING, having an area of 1.611 acres, more or less, as shown on a survey by Carolina Surveyors, Inc.

PID 00544317

BEGINNING at a point within the right-of-way of Old Statesville Rd (N.C. Hwy 115), said point being on the westerly margin of the railroad right-of-way; thence with a bearing of N 82°29'05" W and a distance of 320.10' to a on existing rebar, being the common corner of the property of David A Henkel & Jessica C Henkel (now or formerly) recorded in Deed Book 31778, Page 199 and the property of Caldwell Station LLC (now or formerly) recorded in Deed Book 27488, Page 833 and shown as Lot 2 on Map Book 49, Page 733; thence following the common line of Caldwell Station LLC with a bearing of N 08°03'01" E and a distance of 158.48' to a point, being the common corner of the property of Shirley Knox Brown (now or formerly) recorded in Deed Book 26635, Page 310; thence following the common line thereof with a bearing of S 82°43'13" E and a distance of 318.82' to a point on the westerly margin of the railroad right-of-way; thence following the margin thereof two (2) calls: (1) with a bearing of S 07°34'23" W and a distance of 135.18' to a point; (2) with a bearing of S 07°38'43" W and a distance of 24.60' to a point; being the point of BEGINNING, having an area of 1.167 acres, more or less, as shown on a survey by Carolina Surveyors, Inc.

PID 00544318

BEGINNING at a point within the right-of-way of Old Statesville Rd (N.C. Hwy 115), said point being on the westerly margin of the railroad right-of-way; thence with a bearing of N 82°43'13" W and a distance of 318.82' to a point, being the common corner of the property of Connie Washam Heath (now or formerly) recorded in Deed Book 1612, Page 227, and being on the common line of the property of Caldwell Station LLC (now or formerly) recorded in Deed Book 27488, Page 833 and shown as Lot 2 on Map Book 49, Page 733; thence following the common line of Caldwell Station LLC with a bearing of N 08°03'01" E and a distance of 150.00' to an existing rebar, being the common corner of the property of Shirley Knox Brown (now or formerly) recorded in Deed Book 33098, Page 17; thence following the common line thereof with a bearing of S 82°52'53" E and a distance of 317.58' to a point on the westerly margin of the railroad right-of-way; thence following the margin thereof with a bearing of S 07°34'23" W and a distance of 150.88' to a point; being the point of BEGINNING, having an area of 1.099 acres, more or less, as shown on a survey by Carolina Surveyors, Inc.

PID 00544319

BEGINNING at a point within the right-of-way of Old Statesville Rd (N.C. Hwy 115), said point being on the westerly margin of the railroad right-of-way; thence with a bearing of N 82°52'53" W and a distance of 317.58' to an existing rebar, being the common corner of the property of Shirley Knox Brown (now or formerly) recorded in Deed Book 26635, Page 310 and the property of Caldwell Station LLC (now or formerly) recorded in Deed Book 27488, Page 833 and shown as Lot 2 on Map Book 49, Page 733; thence following the common line of Caldwell Station LLC four (4) calls: (1) with a bearing of N 82°40'06" W and a distance of 17.97' to an existing rebar; (2) with a bearing of N 08°41'01" E and a distance of 56.81' to a point; (3) with a bearing of N 12°35'50" E and a distance of 123.68' to a set rebar; (4) with a bearing of N 62°47'47" E and a distance of 134.61' to an existing bent rebar, being the common corner of the property of Caldwell Partners LLC (now or formerly) recorded in Deed Book 10173, Page 372; thence following the common line thereof with a bearing of S 84°44'53" E and a distance of 213.82' to a point on the westerly margin of the railroad right-of-way; thence following the margin thereof with a bearing of S 07°34'23" W a distance of 262.84' to a point; being the point of BEGINNING, having an area of 1.855 acres, more or less, as shown on a survey by Carolina Surveyors, Inc.

NOTES:

1. IRON PINS SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
2. PROPERTY ZONED: NR(TND-O) (SETBACKS & ZONING MATTERS ARE SUBJECT TO INTERPRETATION BY LOCAL MUNICIPALITIES)
3. TAX PARCEL NUMBER 00544330 & 00544331.
4. DEED REFERENCES AS SHOWN.
5. BOUNDARY SURVEY ONLY THROUGH POINTS AS SHOWN.
6. THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP (FIRM) NO. 3710465200K, WITH A DATE OF IDENTIFICATION OF 11/16/2018.
7. AREA COMPUTED BY COORDINATE METHOD.
8. UTILITY LOCATIONS SHOWN ARE LOCATED BASED ON SITE CONDITIONS AND MARKINGS AT THE TIME OF SURVEY. CONTRACTORS ARE TO HAVE ALL UTILITIES ACCURATELY MARKED PRIOR TO CONSTRUCTION.
9. OFFSITE ADJOINER LINES AND RIGHT-OF-WAY LINES SHOWN AS DASHED ARE APPROXIMATE AND ARE FOR ILLUSTRATIVE PURPOSES ONLY.
10. LINES SHOWN REPRESENTING FENCES AND WALLS ARE MEASURED FROM THE APPROXIMATE CENTERLINE AND DO NOT ACCOUNT FOR THE THICKNESS, PLUMBNESS OR MEANDER OF THE FENCE UNLESS OTHERWISE STATED.
11. DISTANCES SHOWN ARE U.S. SURVEY FEET UNLESS OTHERWISE NOTED.

LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°48'46"E	134.53
L2	S03°04'34"E	81.79
L3	N88°58'56"E	226.24
L4	N88°51'59"E	89.92
L5	N85°47'39"E	86.49
L6	N56°13'14"E	92.09
L7	N60°27'27"E	35.07
L8	N57°50'38"E	86.73
L9	S22°45'22"E	134.68
L10	S62°47'47"W	134.61
L11	S12°35'50"W	123.68
L12	S08°04'01"W	56.81
L13	S82°44'06"E	17.97
L14	N83°48'20"W	30.05
L15	S07°45'40"W	59.20
L17	N07°38'43"E	24.60

LEGAL DESCRIPTIONS OF RECORD

PID 00544330

Being all of Lot 2 as shown on Plat entitled 'Caldwell Station Apartments' recorded in Map Book 49, Page 733 in the office of the register of deeds for Mecklenburg County North Carolina

PID 00544331

BEGINNING at an existing stone axle located in the line of Evelyn Knox Washam, now or formerly, said point BEGINNING further being located N 06-00-00 E 200.00 feet from an existing stone and #4 rebar, and running thence from said point of BEGINNING with the line of Evelyn Knox Washam, now or formerly, S 86-22-26 E 30.23 feet to an existing 1inch solid rod, common corner of Evelyn Knox Washam and Thomas C. Washam, nowor formerly; thence with the line of Thomas C. Washam, now or formerly S 83-53-16 E (passing through a #4 rebar located at 302.10 feet on the westerly edge of the right-of-way of N.C. Highway #115) a total distance of 370.02 feet to a point located in the center of the Southern Railroad; thence running with the center line of the Southern Railroad S 06-06-22 W 200.00 feet to a point; thence with the line of Bobby B. Knox, now or formerly, N84-00-00W (passing through an existing 1 inch solid rod located at 58.75 feet within the right-of-way of NC Highway#115) a total distance of 399.87 feet to an existing stone and #4 rebar iron; thence with another line of Bobby S. Knox, now or formerly, N 06-00-00 E 200.00 feet to the point and place of BEGINNING, containing approximately 1.540 acres more or less. This description is in accordance with survey and plat entitled "Beard & Knox Investments" dated October A, 1990, prepared by Don Roy Allen, N.C.R.L.S.

PID 00544317

Beginning at a stake in the southeast corner of the 51-1/4 acre tract of the parties, of the first part and the comer of the R. Brice Knox lands, said stake being located in the center of the A.T. & O* railroad and running thence with the R. Brice Knox line N. 84° W. 370 feet to a stake; thence N. 6° East, 160 feet to a stake, said line being parallel with the A.T. & O railroad; thence S. 84° E. 370 feet to a point in the center of the AT&O railroad, said line being parallel with the first line hereof; thence with the center of said AT&O railroad 160 feet to the point of beginning.

PID 00544318

BEGINNING at a point in the center of the A.T. & O. Railroad, said point being 160 feet north of the corner of the R. Brice Knox lands and the southeast corner of the 54 1/4 acre tract of land formerly owned by R.N. KNOX and MATTIE W. KNOX, said beginning point being also the northeast corner of the T.C. WASHAM lot and running thence with the T.C. WASHAM line north 84 degrees W. 370 feet to a point in the northwesterly corner of the T.C. WASHAM lot; thence north 6 degrees E. 150 feet to a stake, said line being parallel with the A.T. & O Railroad; thence south 84 degrees E. 370 feet to a point in the center of the A.T. & O. Railroad, said line being parallel with the first line hereof; thence with the center of said A.T. & O. railroad 150 feet to the point of beginning.

PID 00544319

BEGINNING at a point, the northeast corner of the J. H. and Hazeline Peoples tract described in Book 1677 at Page 309 in the Mecklenburg Public Registry and running thence with the northern line of said tract N. 84 W. 570 feet to a point; thence N. 6-04-20 E. 240.62 feet to a point; thence S. 86-52 East 570 feet to a point in the right of way of the Southern Railroad; thence S. 6 W. 264.2 feet to the point and place of Beginning and containing 3.36 acres as shown on a physical survey of the property of Neal Knox dated 28th of February 1971 by James C. Gamble, North Carolina Registered Land Surveyor.

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT NO: 22-01034CH
COMMITMENT DATE: JANUARY 18, 2022 AT 08:00 AM

4. ANY RIGHT, EASEMENT, SETBACK, INTEREST, CLAIM, ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATIONS OR OTHER ADVERSE CIRCUMSTANCE AFFECTING THE TITLE DISCLOSED BY PLAT(S) RECORDED IN MAP BOOK 49, PAGES 481 **(NO PLOTTABLE MATTERS)** AND 733 **(AS SHOWN)**.

5. COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, AND LIENS PROVIDED FOR IN DECLARATION OF EASEMENTS AND RESTRICTIONS FILED FOR RECORD IN BOOK 23355, PAGE 1 **(NO PLOTTABLE MATTERS)**; AND AS AMENDED BY FIRST AMENDMENT TO DECLARATION OF EASEMENTS AND RESTRICTIONS RECORDED IN BOOK 29005, PAGE 748 **(NO PLOTTABLE MATTERS)**, AND ANY RELATED MAPS, PLANS, BYLAWS AND OTHER DOCUMENT(S) AND AMENDMENT(S), BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW.

6. EASEMENT(S) TO DUKE POWER COMPANY RECORDED IN BOOK 1025, PAGE 10. **(BLANKET IN NATURE, NOT PLOTTABLE)**

7. AFFIDAVIT REGARDING EXISTING FARM ROAD RECORDED IN BOOK 3349, PAGE 433. **(NO EVIDENCE OF THIS ROAD WAS OBSERVED. ACCORDING TO THE DESCRIPTION, THIS ROAD WAS LOCATED SOMEWHERE ON THE SUBJECT PROPERTY)**

8. RIGHT OF WAY AGREEMENT TO THE DEPARTMENT OF TRANSPORTATION RECORDED IN BOOK 6658, PAGE 700. **(DEED IS ILLEGIBLE)**

9. EASEMENT AGREEMENT RECORDED IN BOOK 29529, PAGE 243. **(AS SHOWN)**

10. EASEMENT AGREEMENT RECORDED IN BOOK 30918, PAGE 444. **(AS SHOWN)**

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT NO: 22-0252542H
COMMITMENT DATE: FEBRUARY 10, 2022 AT 08:00 AM

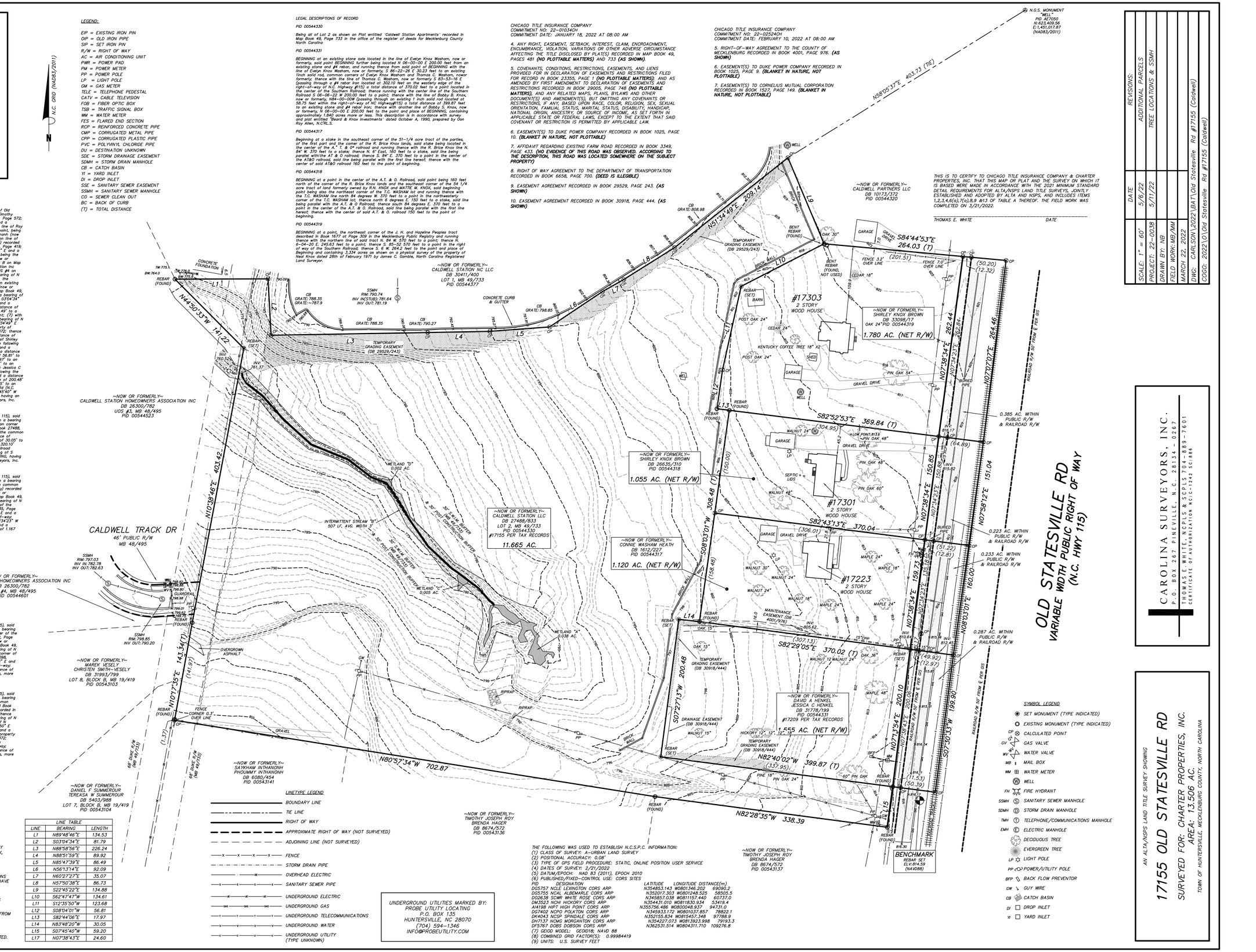
5. RIGHT-OF-WAY AGREEMENT TO THE COUNTY OF MECKLENBURG RECORDED IN BOOK 4001, PAGE 976. **(AS SHOWN)**

6. EASEMENT(S) TO DUKE POWER COMPANY RECORDED IN BOOK 1025, PAGE 9. **(BLANKET IN NATURE, NOT PLOTTABLE)**

7. EASEMENT(S) TO CORNELIUS MUTUAL CORPORATION RECORDED IN BOOK 1522, PAGE 149. **(BLANKET IN NATURE, NOT PLOTTABLE)**

THIS IS TO CERTIFY TO CHICAGO TITLE INSURANCE COMPANY & CHARTER PROPERTIES, INC. THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1,2,3,4,6(a),7(a),8,9 &13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 3/21/2022.

THOMAS E. WHITE DATE


N.G.S. MONUMENT "WELL" PID AE7056 N:623,409.56 E:1,451,017.87 (NAD83/2011)
N58°05'37"E 403.73 (TIE)
~NOW OR FORMERLY~ CALDWELL PARTNERS LLC DB 10173/372 PID 00544320
N51°34'49"E 209.14
S84°44'53"E 264.03 (T)
#17303 2 STORY WOOD HOUSE
~NOW OR FORMERLY~ SHIRLEY KNOX BROWN DB 33098/17 OAK 24"PID 00544319
1.780 AC. (NET R/W)
N07°38'34"E 262.44
N07°38'43"E 262.84
N07°27'07"E 264.46
S82°52'53"E 369.84 (T)
0.385 AC. WITHIN PUBLIC R/W & RAILROAD R/W
~NOW OR FORMERLY~ SHIRLEY KNOX BROWN DB 33098/17 PID 00544318
1.055 AC. (NET R/W)
#17301 2 STORY WOOD HOUSE
S82°43'13"E 370.04
0.223 AC. WITHIN PUBLIC R/W & RAILROAD R/W
0.233 AC. WITHIN PUBLIC R/W & RAILROAD R/W
~NOW OR FORMERLY~ CONNIE WASHAM HEATH DB 1612/227 PID 00544317
1.120 AC. (NET R/W)
#17223 2 STORY WOOD HOUSE
S82°29'05"E 370.02 (T)
0.287 AC. WITHIN PUBLIC R/W & RAILROAD R/W
~NOW OR FORMERLY~ DAVID A HENKEL JESSICA C HENKEL DB 31778/199 PID 00544331 #17209 PER TAX RECORDS
1.555 AC. (NET R/W)
S07°27'13"W 200.48
N07°38'34"E 150.85
N07°38'43"E 150.88
N07°58'12"E 151.04
N08°03'01"E 160.00
N07°38'34"E 159.73
N07°35'43"E 200.06
N07°13'54"E 200.10
S07°30'33"W 199.90
N82°40'02"W 399.87 (T)
N82°28'35"W 338.39
N80°57'34"W 702.87
N44°50'33"W 141.22
N10°38'46"E 403.42
N10°17'35"E 143.34 (T)
~NOW OR FORMERLY~ CALDWELL STATION HOMEOWNERS ASSOCIATION INC DB 26300/782 UOS #3, MB 48/495 PID 00544523
~NOW OR FORMERLY~ CALDWELL STATION LLC DB 27488/833 LOT 2, MB 49/733 PID 00544330 #17155 PER TAX RECORDS
11.665 AC.
~NOW OR FORMERLY~ CALDWELL STATION NC LLC DB 30411/400 LOT 1, MB 49/733 PID 00544377
~NOW OR FORMERLY~ TIMOTHY JOSEPH ROY BRENDA HAGER DB 8674/572 PID 00543136
~NOW OR FORMERLY~ TIMOTHY JOSEPH ROY BRENDA HAGER DB 8674/572 PID 00543137
~NOW OR FORMERLY~ DANIEL F SUMMEROUR TEREASA W SUMMEROUR DB 5403/988 LOT 7, BLOCK B, MB 19/419 PID 00543104
~NOW OR FORMERLY~ SAYKHAM INTHANONH PHOUMMY INTHANONH DB 6080/454 PID 00543141
~NOW OR FORMERLY~ MAREK VESELY CHRISTEN SMITH-VESELY DB 31993/799 LOT 8, BLOCK B, MB 19/419 PID 00543103
~NOW OR FORMERLY~ CALDWELL STATION HOMEOWNERS ASSOCIATION INC DB 26300/782 UOS #4, MB 48/495 PID 00544601
CALDWELL TRACK DR 46' PUBLIC R/W MB 48/495
OLD STATESVILLE RD VARIABLE WIDTH PUBLIC RIGHT OF WAY (N.C. HWY 115)
RAILROAD R/W 50' FROM ℄ PER DB
BENCHMARK REBAR SET ELV.814.59 (NAVD88)
WETLAND "A" 0.038 AC.
WETLAND "B" 0.002 AC.
WETLAND "C" 0.005 AC.
INTERMITTENT STREAM "B" 507 LF, AVG. WIDTH 3'
30' SUM BUFFER & 30' POND CONSTRUCTION BUFFER
TEMPORARY GRADING EASEMENT (DB 29529/243)
DRAINAGE EASEMENT (DB 30918/444)
MAINTENANCE EASEMENT (DB 4001/976)
CONCRETE CURB & GUTTER
BRICK WALL
OVERGROWN ASPHALT
RIPRAP
GRAVEL DRIVE
FENCE CORNER 0.3' OVER LINE
68' DUKE R/W (MB 49/733)
SEPTIC LIDS
WELL
GARAGE
SHED
BARN
BENT REBAR (FOUND, NOT USED)
REBAR (FOUND)
REBAR (SET)
CONCRETE FOUNDATION
SSMH RIM:790.74 INV IN(STUB):781.64 INV OUT:781.19
SSMH RIM:797.03 INV IN:782.78 INV OUT:782.63
SSMH RIM:798.85 INV OUT:790.20
CB GRATE:808.98
CB GRATE:788.35 GRATE:-787.9
CB GRATE:788.35
CB GRATE:790.27
CB GRATE:798.85
TIE 775.1
BW 764.0
INV. 781.52
INV. 781.37
INV. 815.62
INV. 816.17
INV. 810.64
INV. 812.45
INV. 815.45
INV. 816.30
INV. 816.11
INV. 816.24
INV. 816.34
INV. 816.53
INV. 816.61
INV. 816.71
INV. 816.81
INV. 816.91
INV. 817.01
INV. 817.12
INV. 817.22
INV. 817.32
INV. 817.42
INV. 817.52
INV. 817.62
INV. 817.72
INV. 817.82
INV. 817.92
INV. 818.02
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INV. 818.72
INV. 818.82
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INV. 819.02
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INV. 820.12
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INV. 820.62
INV. 820.72
INV. 820.82
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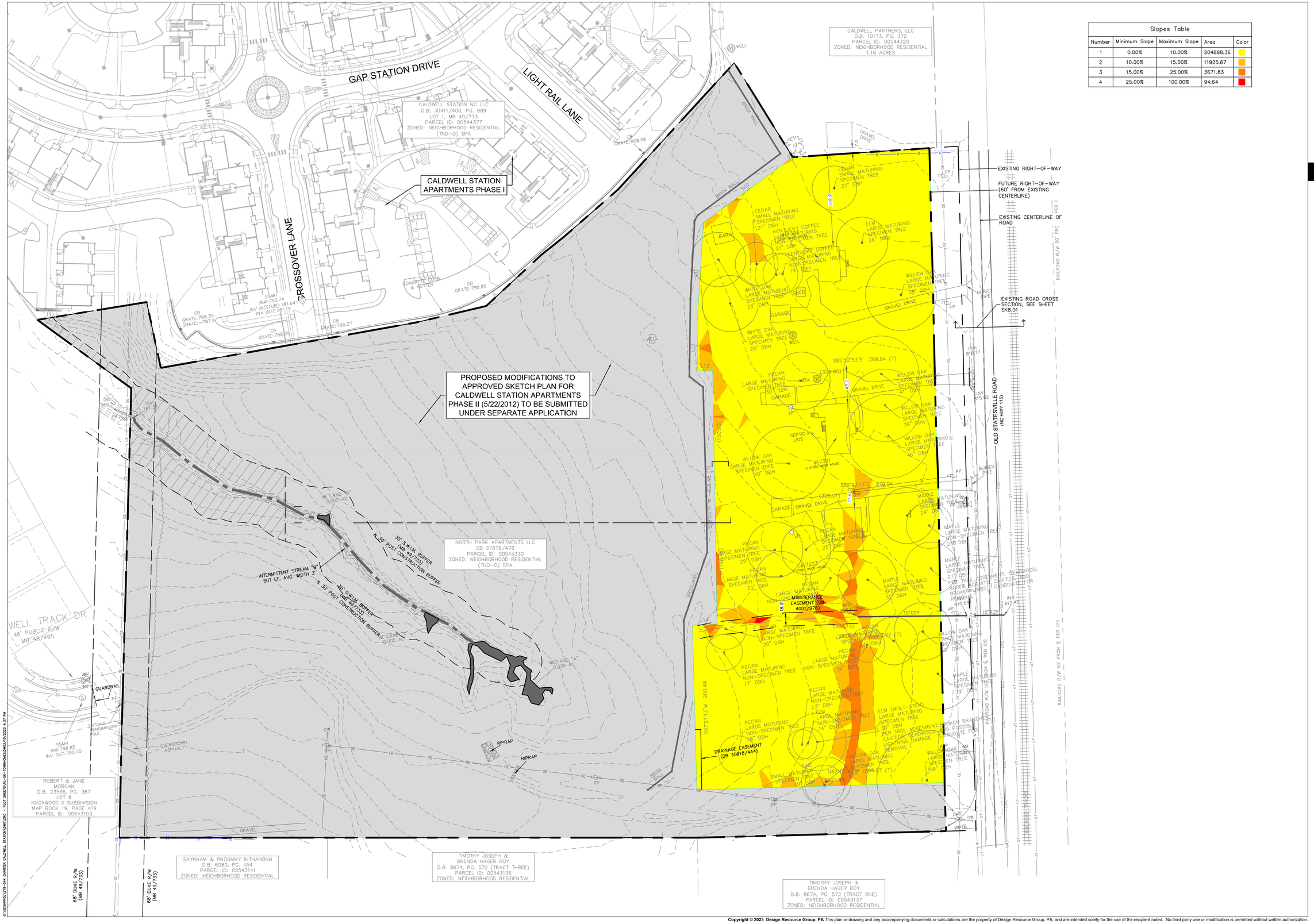

Slopes Table				
Number	Minimum Slope	Maximum Slope	Area	Color
1	0.00%	10.00%	204888.36	
2	10.00%	15.00%	11925.67	
3	15.00%	25.00%	3671.83	
4	25.00%	100.00%	94.64	

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NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT No.1987 03/10/23 BRIAN W. GRAHAM

SKETCH PLAN

CHARTER CALDWELL STATION

HUNTERSVILLE, NORTH CAROLINA

CHARTER PROPERTIES, INC.
1520 SOUTH BOULEVARD, SUITE 215
CHARLOTTE, NC 28203
704.377.4172

EXISTING FEATURES PLAN

25 0 25 50
SCALE: 1"=50'

PROJECT #: 278-044
DRAWN BY: MM
CHECKED BY: BG

MARCH 10, 2023

REVISIONS:

SK1.00

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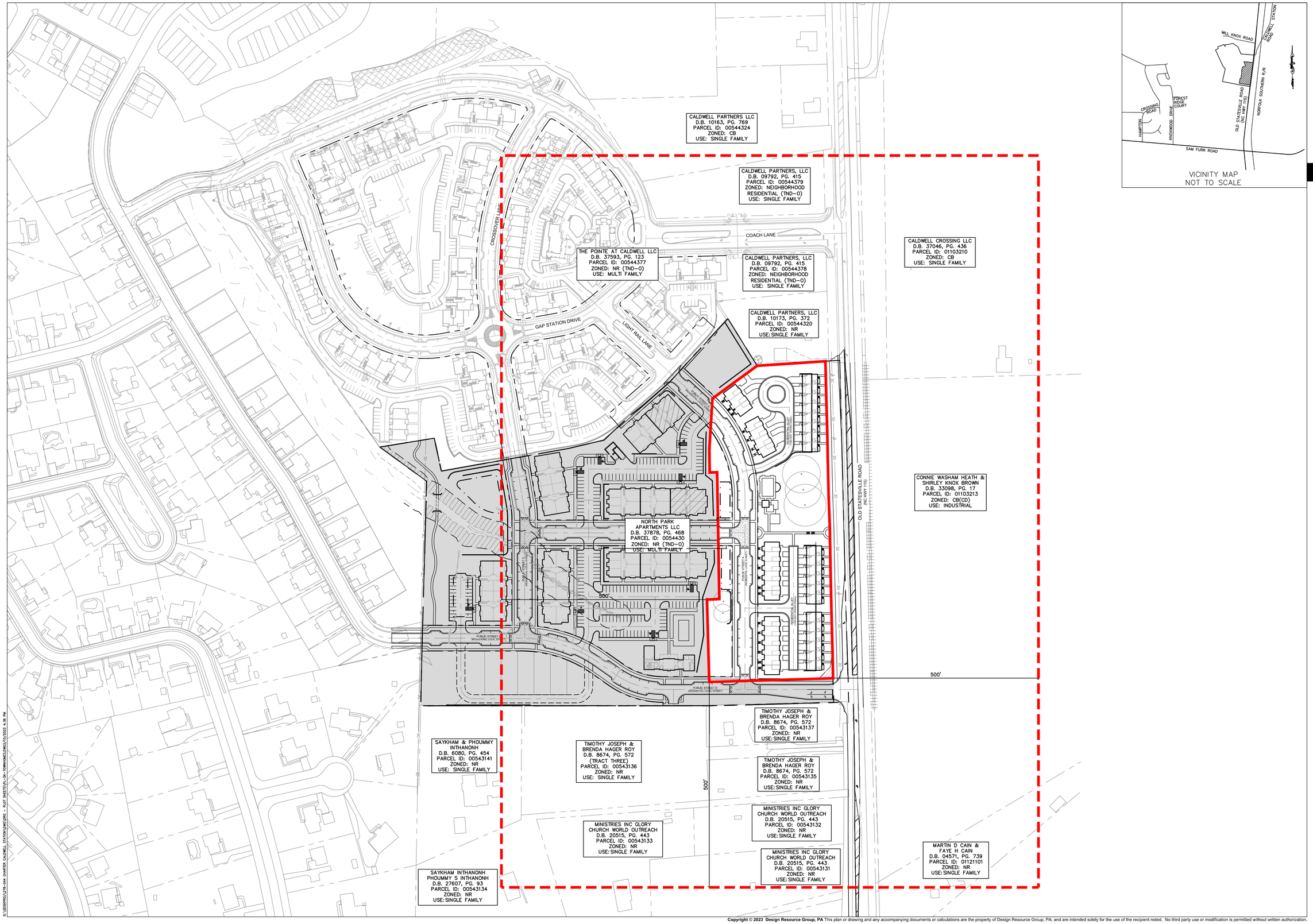

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NCBELS
DESIGN RESOURCE GROUP, P.A.

NORTH CAROLINA
REGISTERED
No.1987
03/10/23
LANDSCAPE ARCHITECT
BRIAN W. GRAHAM

SKETCH PLAN

CHARTER CALDWELL STATION

HUNTERSVILLE, NORTH CAROLINA

CHARTER PROPERTIES, INC.
1520 SOUTH BOULEVARD, SUITE 215
CHARLOTTE, NC 28203
704.377.4172

SITE CONTEXT PLAN

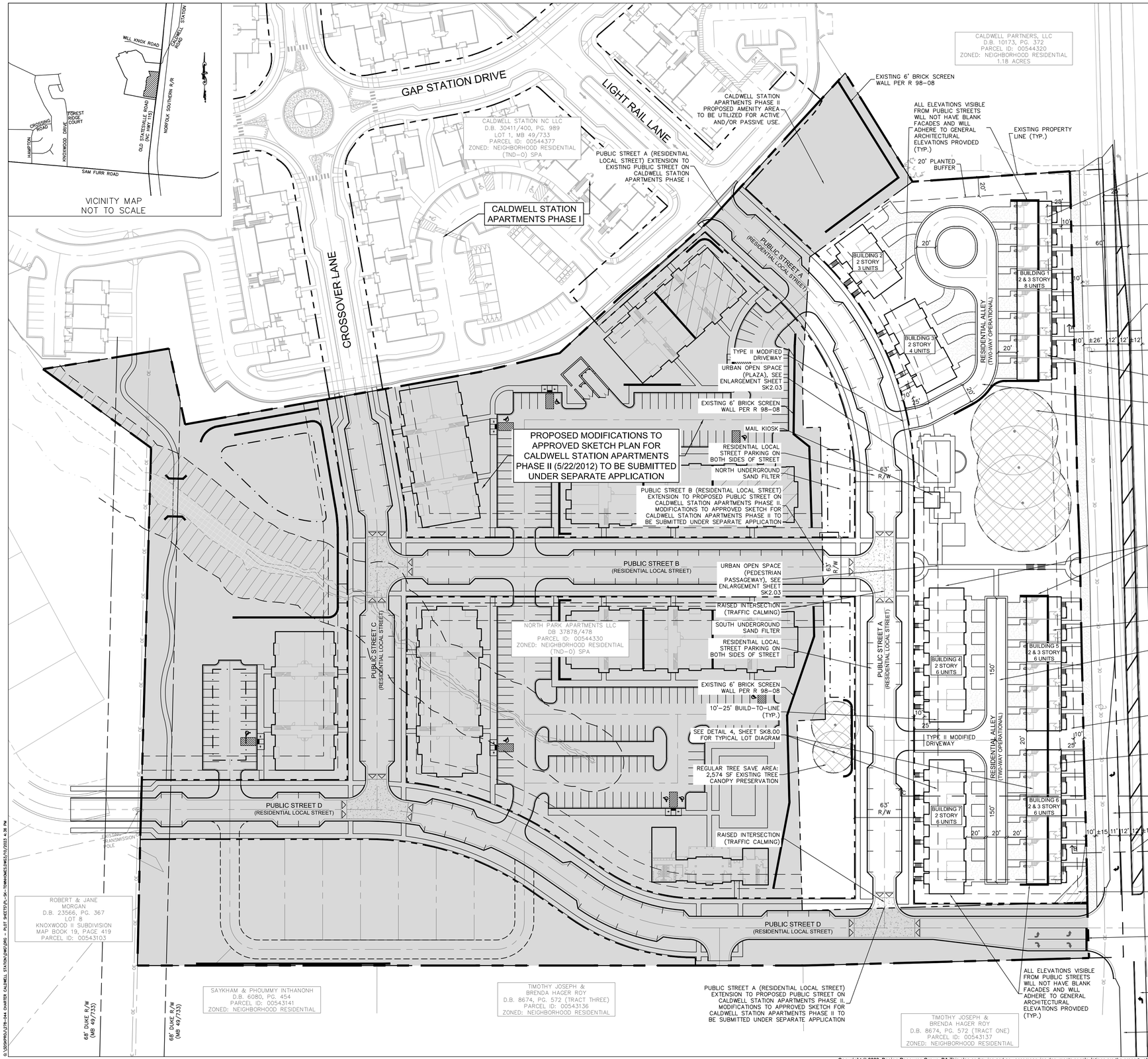
50 0 50 100
SCALE: 1"=100'

PROJECT #:	278-044
DRAWN BY:	MM
CHECKED BY:	BG

MARCH 10, 2023

REVISIONS:

SK2.00



SITE DATA

TAX MAP NO:	00544317, 00544318, 00544319, 00544331
STREET ADDRESS:	17301 OLD STATESVILLE ROAD
CURRENT ZONING:	NR
REZONING PETITION:	R 98-08
EXISTING SITE AREA:	5.51 ACRES (239,966 SF)
RIGHT-OF-WAY DEDICATION:	1.67 ACRES (72,769 SF)
NET SITE AREA:	3.84 ACRES (167,197 SF)
EXISTING USE:	SINGLE FAMILY
PRINCIPAL USE:	TOWNHOMES FOR RENT
PROPOSED UNITS:	39 (3 BEDROOM) TOWNHOMES (FOR RENT)
PROPOSED DENSITY:	7.08 DUA
NON-RESIDENTIAL AREA:	N/A
PROPOSED NUMBER OF LOTS:	3
MINIMUM PARKING REQUIRED:	57 SPACES (1.5 SPACES PER UNIT)
PARKING PROVIDED:	29 ON STREET SPACES 59 TANDEM DRIVEWAY SPACES 59 GARAGE SPACES 147 SPACES (3.77 SPACES PER UNIT)
BUILDING TYPE:	ATTACHED HOUSE (FOR RENT)
BUILDING HEIGHT:	2 & 3 STORY (2 STORY FRONTING PUBLIC STREETS)
BUILD-TO-RANGE/SETBACKS:	
OLD STATESVILLE ROAD:	10'-25'
INTERNAL PUBLIC STREETS:	10'-25'
MINIMUM BUILDING SEPARATION:	10'
CORNER:	10'
SIDE:	5'
REAR:	N/A
CANOPY TREE SAVE REQUIRED:	10% OF 5.51 ACRES (239,966 SF)=23,997 SF
CANOPY TREE SAVE PROVIDED:	
REGULAR CANOPY TREE AREA:	2,574 SF
SPECIMEN CANOPY TREE AREA:	14,342 SF
SPECIMEN TREE BONUS (50%):	7,171 SF
TOTAL CANOPY TREE AREA:	24,087 SF
REQUIRED SPECIMEN TREE SAVE:	10% OF 22 SPECIMEN TREES ON SITE = 3
SPECIMEN TREES TO BE REMOVED:	19
SPECIMEN TREES TO REMAIN:	3 (13.6%)
URBAN OPEN SPACE:	PLAZA AND PEDESTRIAN PASSAGEWAY
AMENITY:	TOWNHOME DEVELOPMENT TO HAVE USE/ACCESS TO PHASE II APARTMENT CLUBHOUSE AND AMENITIES. DOCUMENTATION TO BE PROVIDED AT PRELIMINARY PLAN, IF SKETCH PLAN IS APPROVED
TRASH AND RECYCLING:	INDIVIDUAL ROLLOUT CONTAINERS (PRIVATE COLLECTION SERVICE)
ESTIMATE COMPLETION TIMELINE:	2025

WATERSHED INFORMATION

REGULATED DRINKING WATERSHED:	NO
WATERSHED DISTRICT:	MCDOWELL
DENSITY	HIGH DENSITY
IMPERVIOUS AREA:	2.73 ACRES (118,840 SF) 49.5%
PERCENTAGE OF ALLOWABLE IMPERVIOUS AREA PROVIDED:	70%
AMOUNT OF LOT AREA SET ASIDE FOR FUTURE IMPERVIOUS:	NONE

REQUESTED MODFICATIONS:

PROPOSED MODIFICATION TO EXCEED 500' MAXIMUM BLOCK LENGTH TO ALLOW FOR PROPOSED 775' BLOCK LENGTH DUE TO NCDOT NOT ALLOWING ADDITIONAL PUBLIC ROAD/DRIVEWAY CONNECTION TO OLD STATESVILLE ROAD. PROPOSED PEDESTRIAN CONNECTION TO BE PROVIDED IN LIEU OF STREET CONNECTION.

NOTE:

PROPOSED MODIFICATIONS TO APPROVED SKETCH PLAN FOR CALDWELL STATION APARTMENTS PHASE II (5/22/2012) TO BE SUBMITTED UNDER SEPARATE APPLICATION. THIS PROJECT (CHARTER CALDWELL STATION) CANNOT BE BUILT WITHOUT REVISIONS TO CALDWELL STATION APARTMENTS – PHASE II. THESE REVISIONS ARE CONCURRENTLY BEING REVIEWED BY TOWN OF HUNTERSVILLE.

GENERAL NOTES:

1. ALL DEVELOPMENT AND CONSTRUCTION SHALL COMPLY WITH ALL ZONING AND SUBDIVISION STANDARDS OF THE TOWN OF HUNTERSVILLE, MECKLENBURG COUNTY, AND NCDOT, AS APPLICABLE.
2. THIS PROPERTY MAY BE SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAY OF RECORD.
3. ALL AREAS DESIGNATED AS COMMON AND/OR URBAN OPEN SPACE SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION AND DEDICATED FOR PERPETUITY.
4. ACCESS (INGRESS/EGRESS) LOCATION AND DESIGN SHOWN ON THIS SKETCH PLAN AREA SUBJECT TO ACHIEVING VERTICAL AND HORIZONTAL SIGHT DISTANCES, TURN LANE IMPROVEMENTS (INCLUDING) RIGHT-OF-WAY) AND INTERSECTION WITH ADJACENT AND OPPOSING ACCESS POINTS. MODIFICATIONS TO PLAN MY RESULT.
5. 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.
6. ARTICLE 8.16.1: EXCEPT AS SPECIFICALLY PROVIDED IN THE RURAL AND TRANSITIONAL DISTRICTS, DETACHED HOUSE TYPES AND TWO-UNIT ATTACHED HOUSE TYPES SHALL BE REQUIRED TO HAVE A LOT WIDTH GREATER THAN 50' FEET. DEVELOPERS SHALL HAVE THE OPTION TO PROVIDE LOTS WIDTHS 50' FEET WIDE OR LESS WHEN ALLEY ACCESS ALLOWING ON-SITE PARKING IS PROVIDED FOR DETACHED HOUSE TYPES AND TWO-UNIT ATTACHED HOUSE TYPES. FURTHER, DEVELOPERS SHALL ALSO HAVE THE OPTION TO APPLY FOR A CONDITIONAL DISTRICT REZONING TO CREATE LOT WIDTHS OF 50 FEET WIDE OR LESS WITHOUT AN ALLEY PROVIDED IT CAN DEMONSTRATED THE DEVELOPMENT CAN ACCOMMODATE ON-STREET PARKING, MEET ALL THE PROVISIONS OF THE ZONING ORDINANCE INCLUDING INSTALLATION OF STREET TREES, AND DEMONSTRATE PUBLIC SERVICES SUCH AS TRASH PICK-UP CAN BE PROVIDED.
7. ARTICLE 8.16.2: ALLEY ACCESS FOR ON-SITE PARKING IS STRONGLY ENCOURAGED FOR THREE-UNIT OR MORE ATTACHED HOUSE TYPES.
8. DIRECT ACCESS FROM LOTS TO A THOROUGHFARE IS PROHIBITED.
9. ALL ALLEYWAYS SHALL BE OPEN FROM GENERAL USAGE BY THE GENERAL PUBLIC BUT SHALL NOT BE ACCEPTED BY THE PUBLIC FOR MAINTENANCE. MAINTENANCE SHALL BE RESPONSIBILITY OF DEVELOPER/ASSOCIATIONS OF HOMEOWNERS.
10. BUILD-TO LINE (10-25' ALONG PUBLIC ROADS). A LINE EXTENDING THROUGH A LOT WHICH IS GENERALLY PARALLEL TO THE FRONT PROPERTY LINE AND MARKS THE LOCATION FROM WHICH THE PRINCIPLE VERTICAL PLANE OF THE FRONT BUILDING ELEVATION, EXCLUSIVE OF PORCHES, BAY WINDOWS AND SIMILAR APPURTENANCES, MUST BE ERECTED; INTENDED TO CREATE AN EVEN BUILDING FAÇADE LINE ON A STREET. THE BUILD-TO LINE IS ESTABLISHED ON THE RECORD PLAT (FINAL PLAT).
11. MAIL DELIVERY TO BE A COMMUNAL STRUCTURE FOR THE ENTIRE PROJECT. TRASH AND RECYCLING TO BE PROVIDED VIA PRIVATE COLLECTION.
12. ALL ROOF MOUNTED MECHANICAL EQUIPMENT WILL BE SCREENED FROM VIEW FROM PUBLIC RIGHT-OF-WAY.
13. RETAINING WALL PLANS ARE REQUIRED TO BE SUBMITTED WITH FIRST SUBMITTAL OF CONSTRUCTION DOCUMENTS REVIEW.
14. STREET TREE LOCATIONS ARE SUBJECT TO CHANGE DURING CONSTRUCTION PLAN PHASE TO SATISFY THE TOWN'S ENGINEERING STANDARDS AND PROCEDURE MANUAL
15. TIA DETERMINATION OF NEED WAS SUBMITTED AND NO TIA WAS REQUIRED.
16. THE SITE WILL BE SERVED THROUGH A MIXTURE OF PUBLIC AND PRIVATE UTILITIES. THROUGHOUT ON-SITE PUBLIC ROADS, CHARLOTTE WATER AND SEWER SERVICE WILL BE EXTENDED AND USED AS CONNECTION POINTS FOR PRIVATE WATER AND SEWER.

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SKETCH PLAN

CHARTER CALDWELL STATION

HUNTERSVILLE, NORTH CAROLINA

CHARTER PROPERTIES, INC.
1520 SOUTH BOULEVARD, SUITE 215
CHARLOTTE, NC 28203
704.377.4172

SKETCH PLAN

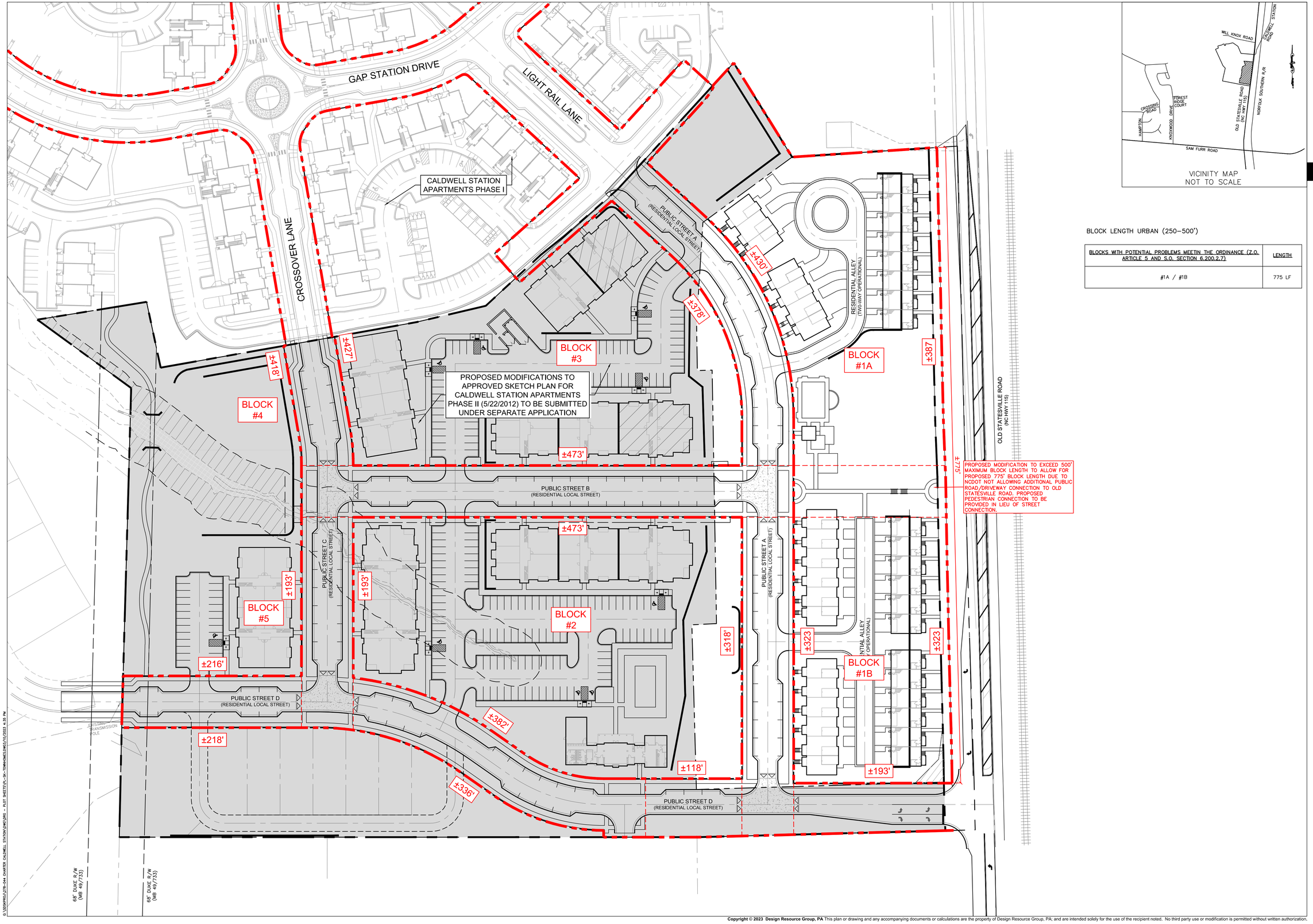
25 0 25 50
SCALE: 1"=50'
N

PROJECT #:	278-044
DRAWN BY:	MM
CHECKED BY:	BG

MARCH 10, 2023

REVISIONS:

SK2.01



VICINITY MAP
NOT TO SCALE

BLOCK LENGTH URBAN (250–500')

BLOCKS WITH POTENTIAL PROBLEMS MEETIN THE ORDINANCE (Z.O. ARTICLE 5 AND S.O. SECTION 6.200.2.7)	LENGTH
#1A / #1B	775 LF

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BLOCK LENGTH PLAN

25 0 25 50
SCALE: 1"=50'

PROJECT #:	278-044
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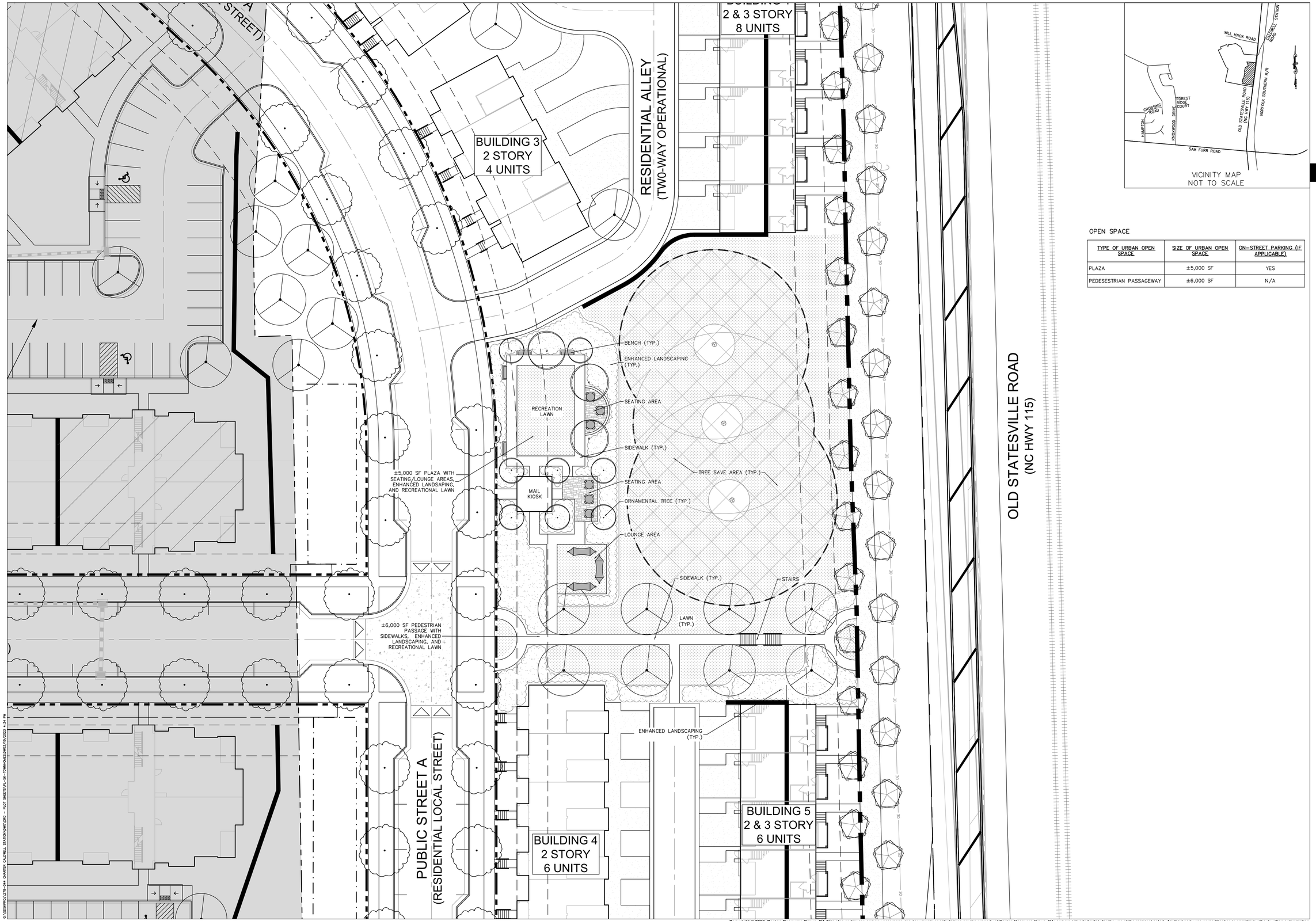

VICINITY MAP
NOT TO SCALE

OPEN SPACE

TYPE OF URBAN OPEN SPACE	SIZE OF URBAN OPEN SPACE	ON-STREET PARKING (IF APPLICABLE)
PLAZA	±5,000 SF	YES
PEDESESTRIAN PASSAGEWAY	±6,000 SF	N/A

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URBAN OPEN SPACE PLAN

SCALE: 1"=20'

PROJECT #: 278-044
DRAWN BY: MM
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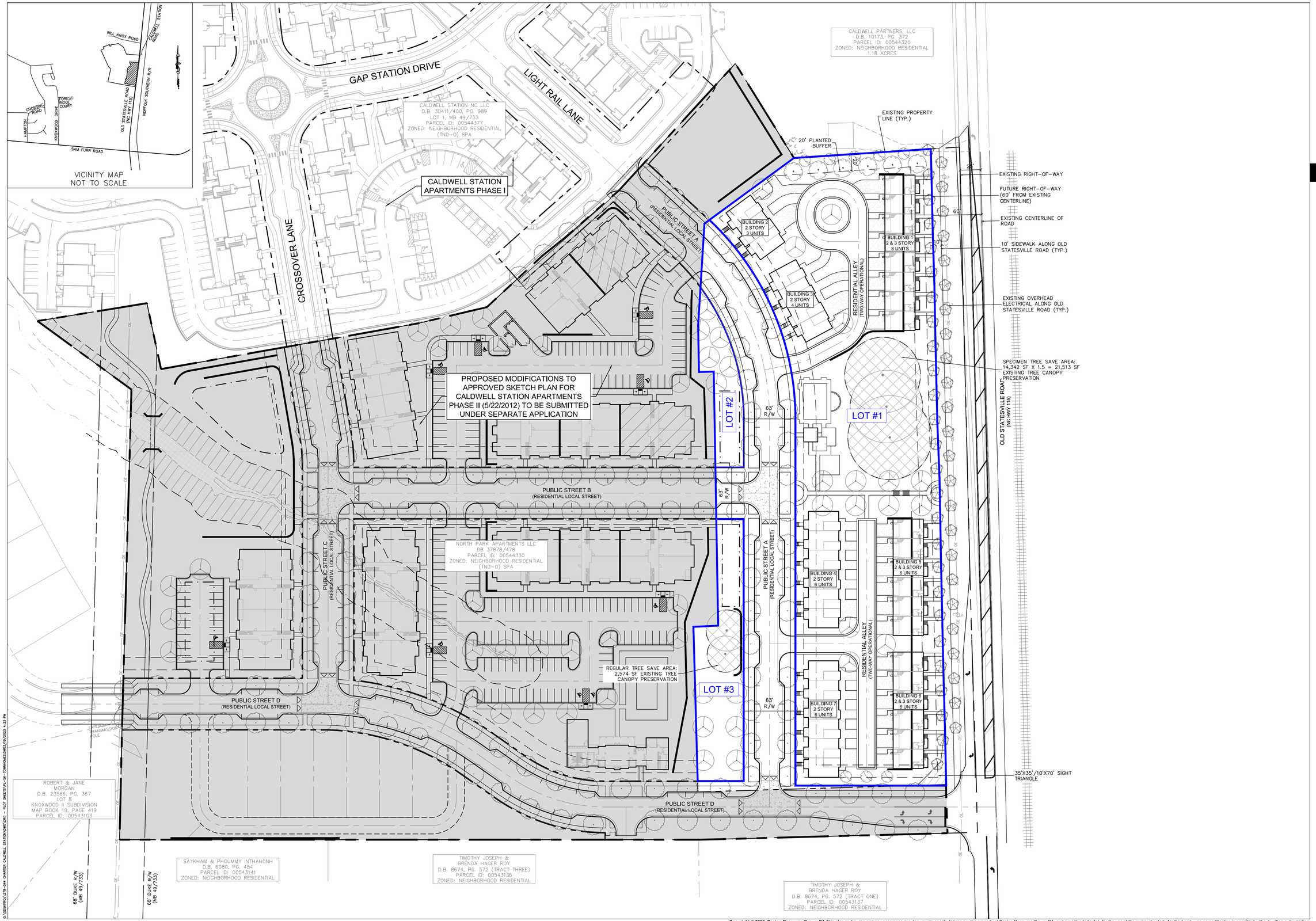

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LOT PLAN

25 0 25 50
SCALE: 1"=50'

PROJECT #:	278-044
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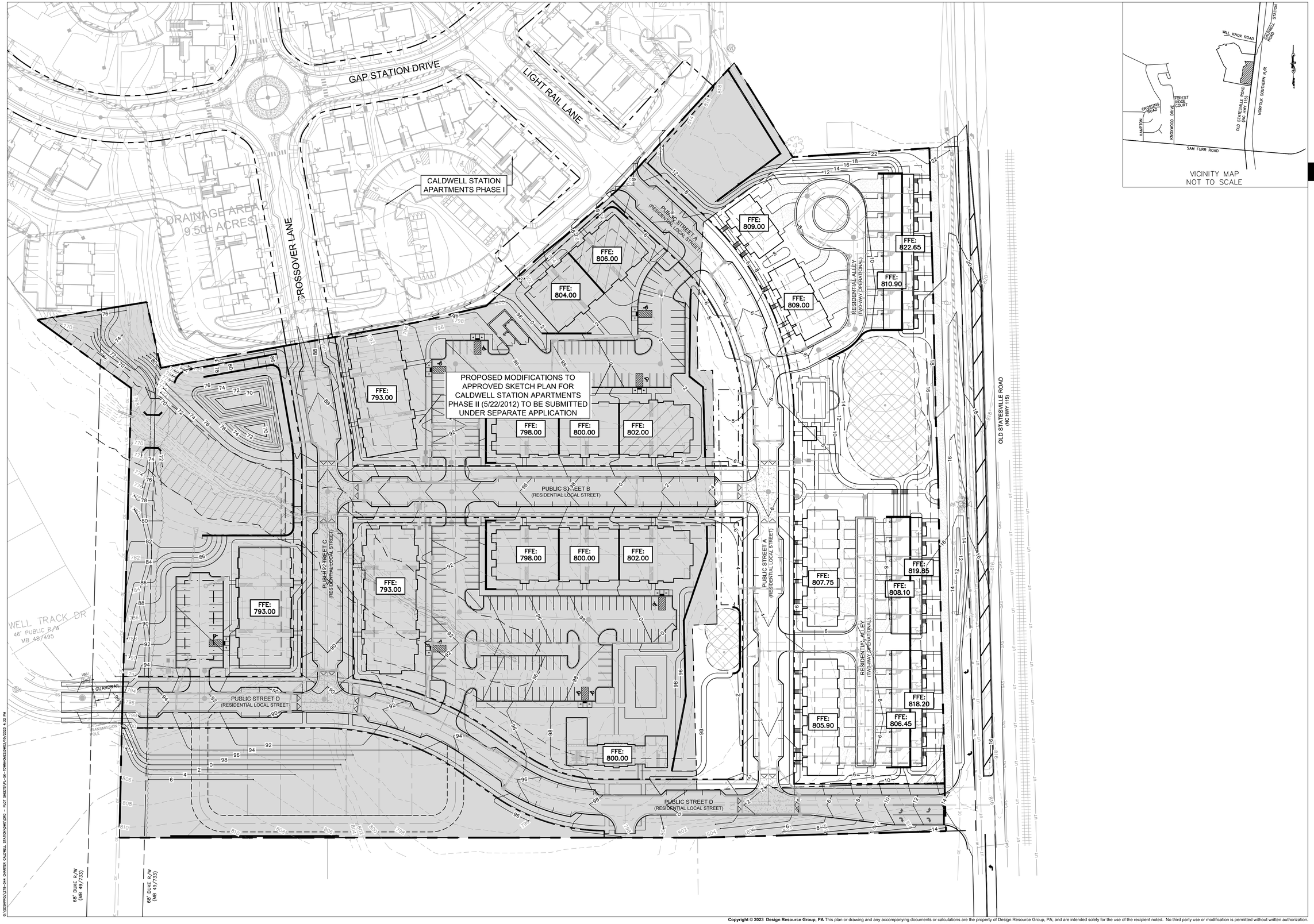

VICINITY MAP
NOT TO SCALE

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GRADING PLAN

25 0 25 50
SCALE: 1"=50'

PROJECT #:	278-044
DRAWN BY:	MM
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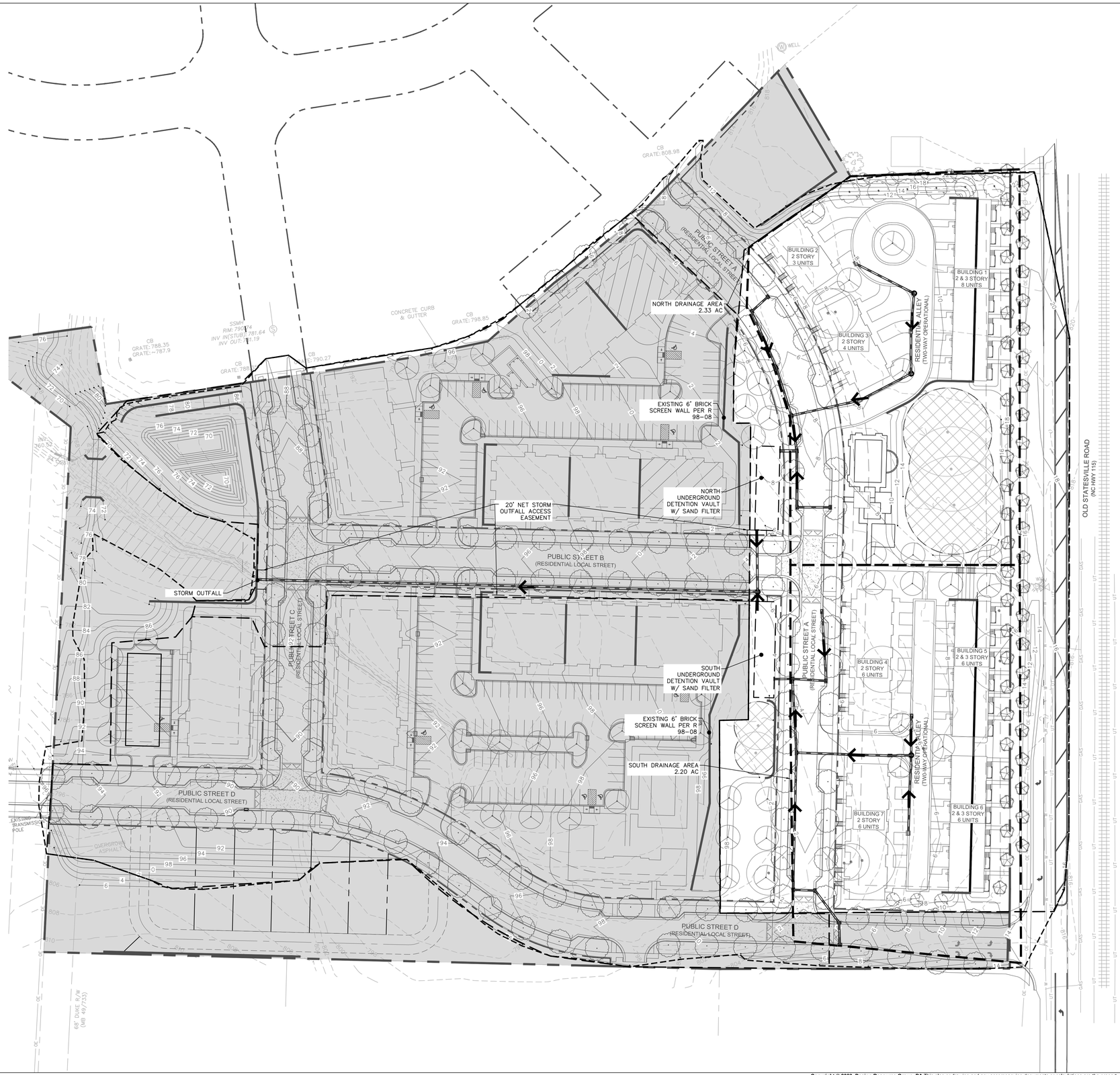

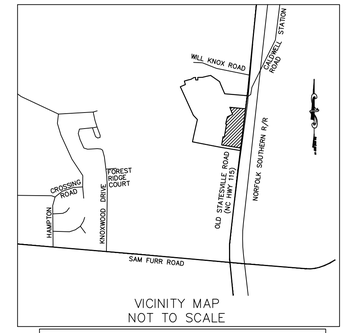

VICINITY MAP
NOT TO SCALE

STORM DRAINAGE LEGEND

- MANHOLE (NCDOT DET.840.52)
- CATCH BASIN (NCDOT DET.840.02)
- DROP INLET (NCDOT DET.840.14)
- ADS NYLOPLAST INLINE DRAIN. CONTACT MANUFACTURER FOR ADDITIONAL PARTS REQUIRED. (SEE DETAIL SHEETS)
- ADS NYLOPLAST INLINE CLEANOUT. CONTACT MANUFACTURER FOR ADDITIONAL PARTS REQUIRED. (SEE DETAIL SHEETS)
- RCP
- EXISTING STORM DRAINAGE PIPE
- HDPE

PRE AND POST DEVELOPMENT SUMMARY CHART

	NORTH AREA	SOUTH AREA
PRE-DEVELOPMENT		
DRAINAGE AREA (AC)	2.33	2.20
2-YR STORM EVENT BMP (CFS)	1.76	1.6
10-YR STORM EVENT BMP (CFS)	4.89	4.61
	SAND FILTER	**SAND FILTER**
POST-DEVELOPMENT		
DRAINAGE AREA (AC)	2.33	1.98
PERCENT IMPERVIOUS AREA	72%	70%
2-YR STORM EVENT BMP (CFS)	0.61	0.64
PRE VS POST DIFFERENCE (CFS)	-1.15	-0.96
10-YR STORM EVENT BMP (CFS)	4.33	4.33
PRE VS POST DIFFERENCE (CFS)	-0.56	-0.28
WQ VOLUME REQUIRED (CF)	5,881	5,445
WQ VOLUME PROVIDED (CF)	5,881	5,445
CP_v VOLUME REQUIRED (CF)	12,021	10,959
CP_v VOLUME PROVIDED (CF)	12,022	10,959

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STORMWATER MANAGEMENT PLAN

25 0 25 50
SCALE: 1" = 50'

PROJECT #: 278-044
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CHECKED BY: JBB

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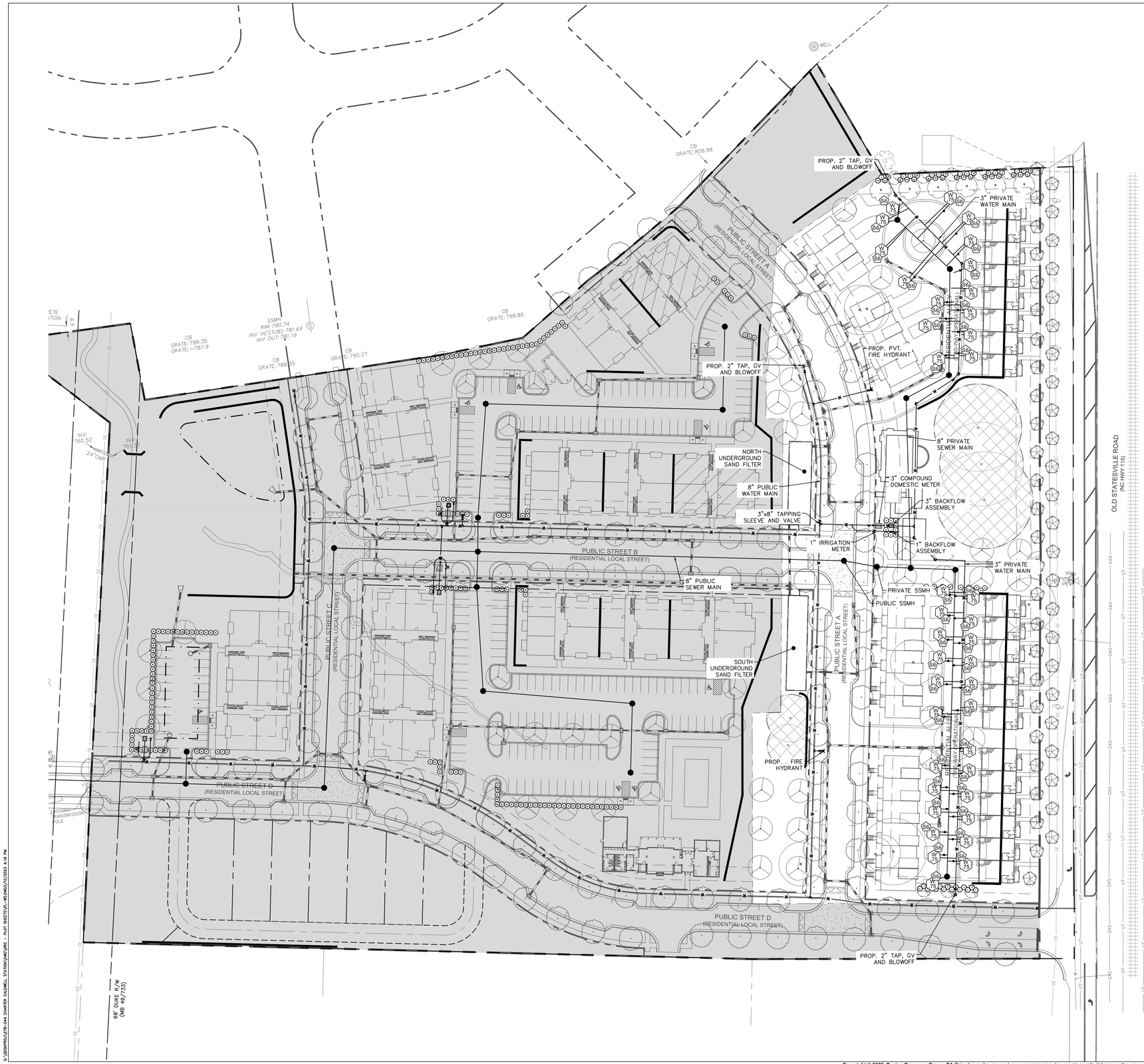

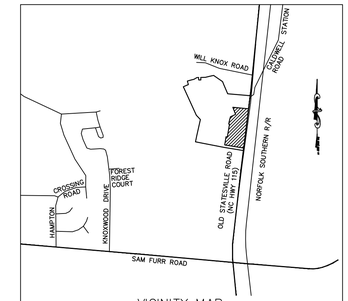

VICINITY MAP
NOT TO SCALE

LEGEND

	4' PRECAST MANHOLE
	SANITARY SEWER CLEANOUT
	8" PVC SANITARY SEWER (SDR 35)
	45° VERTICAL BEND
SV	X" CLEAN OUT, X" SAN. SWR LAT. 5' OFF BLDG.
WV	X" DOMESTIC WATER SVC., X" GV., X" PLUG, 5' OFF BLDG.
FV	X" FIRE SERVICE, X" GV., X" PLUG, 5' OFF BLDG.
	FIRE DEPARTMENT CONNECTION
	REMOTE FIRE DEPARTMENT CONNECTION
	YARD HYDRANT
	WATER REDUCER
	WATER GATE VALVE
	TEE WITH THRUST BLOCKING
	BLOW OFF WITH GV AND REDUCER
	PROPOSED FIRE HYDRANT
	WATER MAIN AND SERVICES
	TRENCH RESURFACING
	RIGHT-OF-WAY
	SETBACK
XX	XX° BEND W/ THRUST BLOCKING
BV	BACKWATER VALVE

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SKETCH PLAN

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UTILITY PLAN

25 0 25 50
SCALE: 1" = 50'

PROJECT #:	278-044
DRAWN BY:	AVK
CHECKED BY:	JBB

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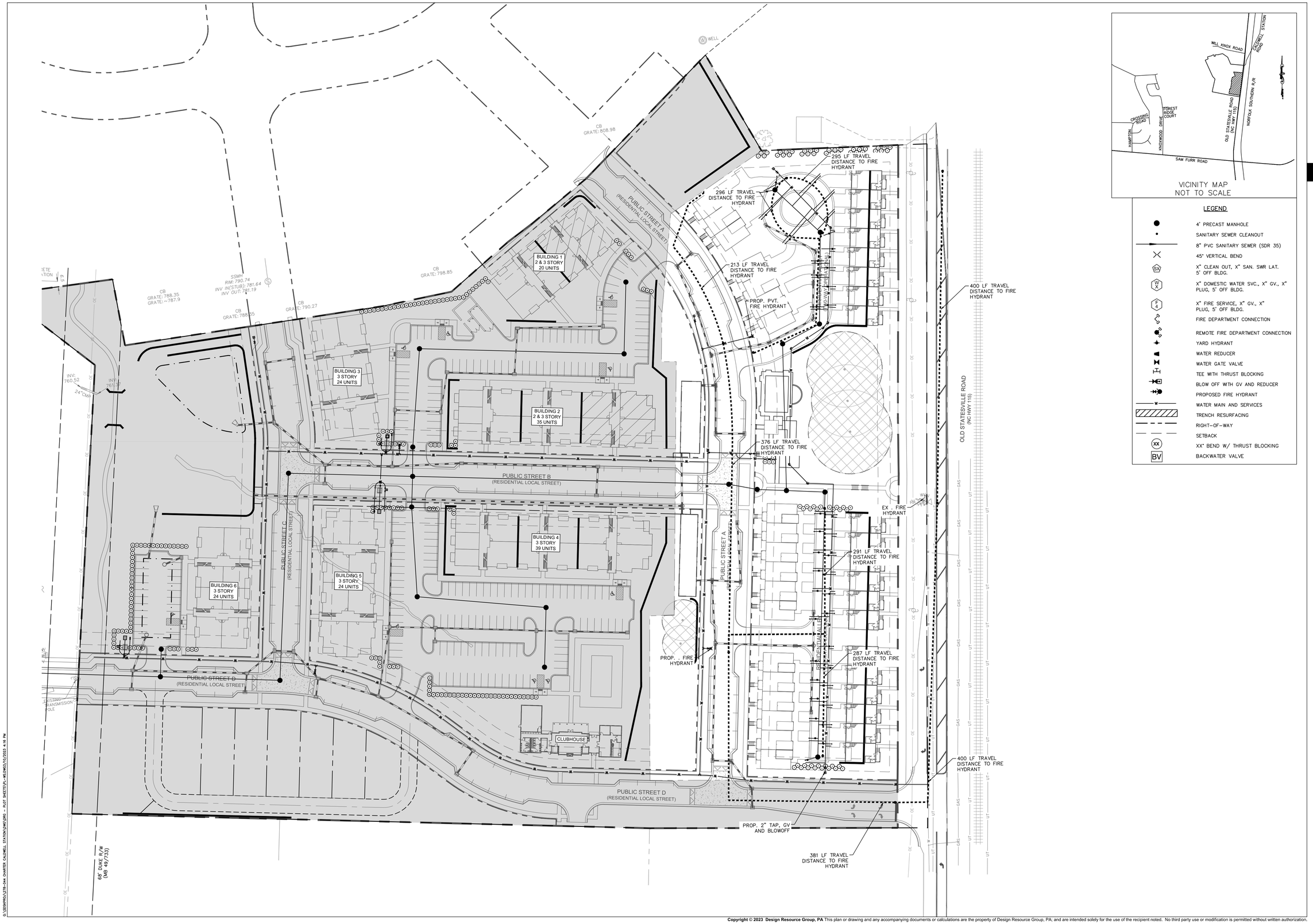

VICINITY MAP
NOT TO SCALE

LEGEND

- 4' PRECAST MANHOLE
- SANITARY SEWER CLEANOUT
- 8" PVC SANITARY SEWER (SDR 35)
- 45° VERTICAL BEND
- X" CLEAN OUT, X" SAN. SWR LAT. 5' OFF BLDG.
- X" DOMESTIC WATER SVC., X" GV., X" PLUG, 5' OFF BLDG.
- X" FIRE SERVICE, X" GV., X" PLUG, 5' OFF BLDG.
- FIRE DEPARTMENT CONNECTION
- REMOTE FIRE DEPARTMENT CONNECTION
- YARD HYDRANT
- WATER REDUCER
- WATER GATE VALVE
- TEE WITH THRUST BLOCKING
- BLOW OFF WITH GV AND REDUCER
- PROPOSED FIRE HYDRANT
- WATER MAIN AND SERVICES
- TRENCH RESURFACING
- RIGHT-OF-WAY
- SETBACK
- XX° BEND W/ THRUST BLOCKING
- BV BACKWATER VALVE

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FIRE AND SAFETY PLAN

25 0 25 50
SCALE: 1" = 50'

PROJECT #:	278-044
DRAWN BY:	AVK
CHECKED BY:	JBB

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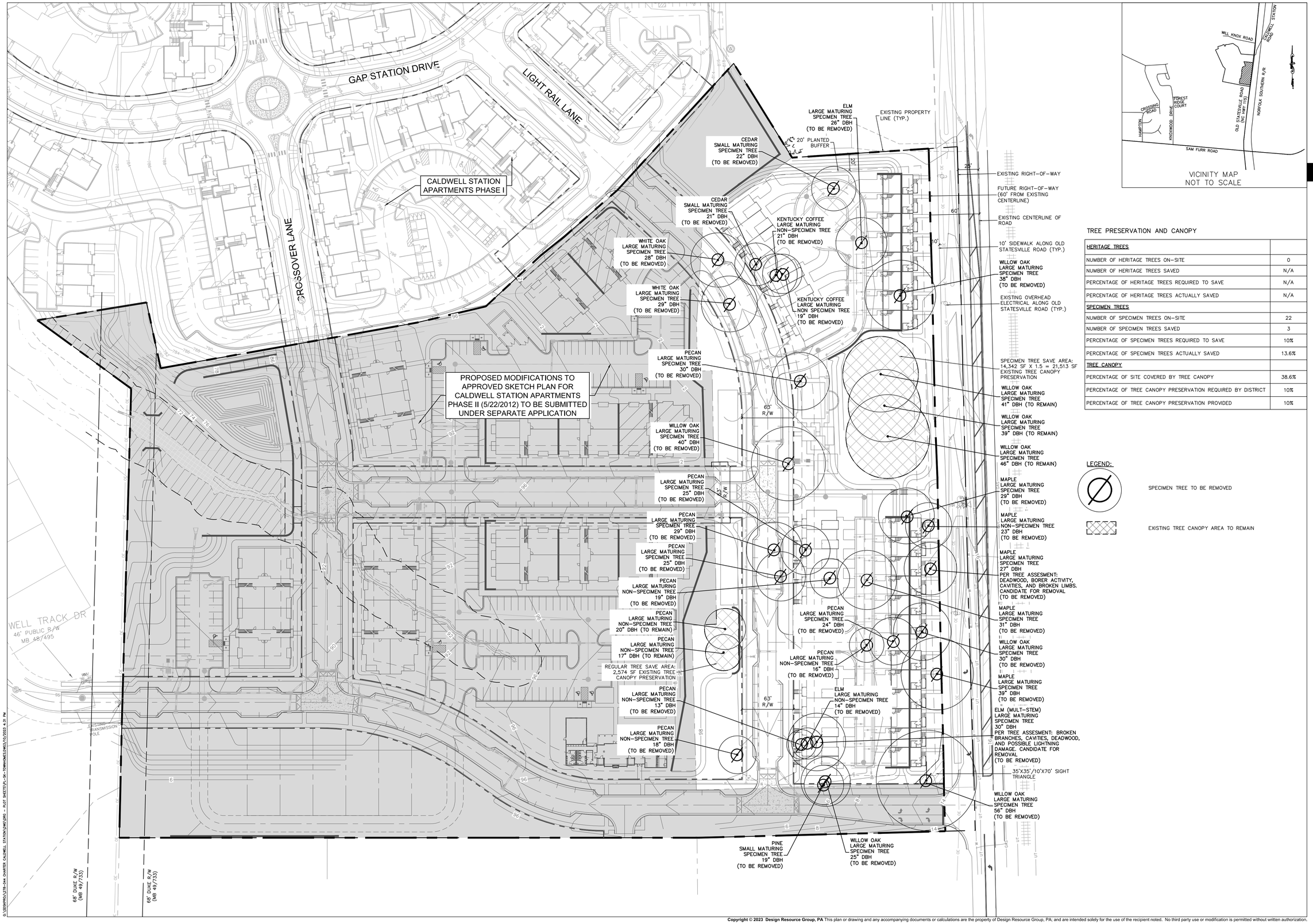

VICINITY MAP
NOT TO SCALE

TREE PRESERVATION AND CANOPY

HERITAGE TREES	
NUMBER OF HERITAGE TREES ON-SITE	0
NUMBER OF HERITAGE TREES SAVED	N/A
PERCENTAGE OF HERITAGE TREES REQUIRED TO SAVE	N/A
PERCENTAGE OF HERITAGE TREES ACTUALLY SAVED	N/A
SPECIMEN TREES	
NUMBER OF SPECIMEN TREES ON-SITE	22
NUMBER OF SPECIMEN TREES SAVED	3
PERCENTAGE OF SPECIMEN TREES REQUIRED TO SAVE	10%
PERCENTAGE OF SPECIMEN TREES ACTUALLY SAVED	13.6%
TREE CANOPY	
PERCENTAGE OF SITE COVERED BY TREE CANOPY	38.6%
PERCENTAGE OF TREE CANOPY PRESERVATION REQUIRED BY DISTRICT	10%
PERCENTAGE OF TREE CANOPY PRESERVATION PROVIDED	10%

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No.1987
03/10/23
BRIAN W. GRAHAM

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TREE INVENTORY PLAN

25 0 25 50
SCALE: 1"=50'

PROJECT #: 278-044
DRAWN BY: MM
CHECKED BY: BG

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TREE PLANTING NOTES

PLANTING MATERIAL

1. MINIMUM SHADE TREE SIZE AT PLANTING IS 2"–2.5" CALIPER AND 10'–12' TALL AT TIME OF PLANTING. ORNAMENTAL TREES SHALL MEASURE 1.5–2" CALIPER FOR SINGLE–STEM AND 1–1.5" CALIPER FOR ALL MULTI–STEM TREES AND BE A MINIMUM 8' IN HEIGHT AT TIME OF PLANTING.
2. LARGE SHRUBS, PLANTED FOR SCREENING PURPOSES SHALL MEASURE A MINIMUM OF 3–3.5' IN HEIGHT AT TIME OF PLANTING. SHRUBS PLANTED FOR SCREENING PURPOSES SHALL FORM A REQUIRED DENSITY TO BLOCK VISIBILITY WITHIN 3 YEARS FROM DATE OF INSTALLATION.
3. SMALL SHRUBS SHALL MEASURE A MINIMUM OF 36" IN SPREAD AND/OR HEIGHT AT TIME OF PLANTING.
4. ALL NEW TREES MUST HAVE STRAIGHT TRUNKS WITH STRONG CENTRAL LEADERS INTACT TO THE TOP OF THE CROWN UNLESS MULTI–STEM TREES ARE SPECIFIED. ALL REQUIRED TREES SHALL BE TYPICAL OF THEIR SPECIES AND VARIETY, HAVE NORMAL GROWTH HABITS, HAVE WELL–DEVELOPED BRANCHES, BE VIGOROUS AND HAVE FIBROUS ROOT SYSTEMS. TREES WITH MAJOR GIRDLING ROOTS WILL NOT BE ACCEPTED. TREES WITH CO–DOMINANT BRANCHING WILL NOT BE ACCEPTED. TREES THAT HAVE BEEN SHEARED, TOPPED OR CUT BACK TO MULTIPLY THE BRANCHING STRUCTURE WILL NOT BE ACCEPTED. TREE SHALL BE FREE OF ABRASIONS, DAMAGE, DISEASE, PESTS AND CRACKS. ALL PRUNING CUTS GREATER THAN ½ INCH DIAMETER SHALL HAVE CALLUS TISSUE FORMED PRIOR TO PLANTING. NO PRUNING CUT ON THE TRUCK SHALL BE MORE THAN ONE–HALF THE DIAMETER OF THE CENTRAL LEADER AT THE HEIGHT WHERE THE CUT IS MADE. ROOT FLARES SHALL BE LOCATED AT GRADE. TREES WITH MORE THAN 2" OF SOIL COVERING ROOT BALL/FLARE WILL NOT BE ACCEPTED.
5. SIZE OF REQUIRED PLANTS, SPREAD OF ROOTS AND SIZE OF BALLS SHALL BE IN ACCORDANCE WITH ANSI Z60.1 (LATEST EDITION) AS PUBLISHED BY THE AMERICAN NURSERY & LANDSCAPE ASSOCIATION, EXCEPT WHERE SPECIFIED/AUTHORIZED BY THE ADMINISTRATOR.
6. ALL REQUIRED TREES OF A PARTICULAR SPECIES AND VARIETY SHALL BE UNIFORM IN SIZE AND CONFIGURATION.
7. THE PRESENCE OF OVERHEAD POWER LINES REQUIRES STREET YARD TREES TO BE ORNAMENTAL TREES. LARGER SHADE TREE VARIETIES ARE ENCOURAGED WHERE OVERHEAD POWER LINES ARE NOT PRESENT.

PLANTING REQUIREMENTS

8. SEE DETAILS 1–3 SHEET C8.02 FOR TREE AND SHRUB PLANTING DETAILS.
9. PLASTIC HOSE PARTS WILL NOT BE ACCEPTED FOR TREE STAKING.
10. ALL STRAPPING, AND TOP ⅓ OF OF WIRE BASKET AND BURLAP MUST BE CUT AWAY AND REMOVED FROM ROOT BALL WHEN PLANTING.
11. FOR NEW PLANTING AREAS, REMOVE ALL PAVEMENT, GRAVEL SUB–BASE AND CONSTRUCTION DEBRIS; REMOVE COMPACTED SOIL AND ADD 18" NEW TOPSOIL, OR TILL AND AMEND THE TOP 18" OF EXISTING SOIL TO MEET TOPSOIL/PLANTING MIX STANDARDS FOR TREES.
12. TREES PLANTED IN NCDOT RIGHT–OF–WAY WILL NEED APPROVAL FROM NCDOT.

UTILITY ISSUES

13. IF ANY UTILITY IS BEING INSTALLED IN OR NEAR ANY REQUIRED TREE(S), CALL LANDSCAPE ARCHITECT TO RESOLVE PRIOR TO UTILITY INSTALLATION.
14. LARGE MATURING TREES MAY NOT BE PLANTED WITHIN 25' OF OVERHEAD POWER DISTRIBUTION OR TRANSMISSION LINES
15. IF TREES CONFLICT WITH ANY UTILITIES OR SIGNS, CALL LANDSCAPE ARCHITECT TO RESOLVE BEFORE PLANTING
16. ADJUST TREE PLANTING LOCATIONS TO AVOID EXISTING UNDERGROUND UTILITIES. PLANT 15' FROM ALL UNDERGROUND UTILITIES.

AMENDED SOIL (AS):

AMENDED SOIL (AS) MAY BE MET IN ONE OF THE FOLLOWING WAYS:

1. PREPARING THE EXISTING SOIL FOR PLANTING BY TILLING TO A DEPTH OF 18", AND ADDING SOME NEW PLANTING MIX AND/OR ORGANIC MATTER. THIS OPTION MAY ALSO REQUIRE THE REMOVAL OF SOME EXISTING SOIL ALONG WITH OTHER MITIGATION WORK AND SOIL AMENDMENTS TO IMPROVE SOIL STRUCTURE.

2. REMOVING ALL EXISTING SOIL FROM A TREE ORDINANCE PROTECTED/REQUIRED PLANTING AREA AND REPLACING IT WITH NEW PLANTING MIX AND OTHER SOIL AMENDMENTS.

PLANTING MIX USED FOR AMENDED SOIL SHALL HAVE UNIFORM COMPOSITION THROUGHOUT, WITH A MIXTURE OF SUBSOIL. IT SHALL BE FREE OF STONES, LUMPS, LIVE PLANTS AND THEIR ROOTS, STICKS, AND OTHER EXTRANEOUS MATTER. IT SHALL CONTAIN NO MAN–MADE MATERIALS UNLESS OTHERWISE SPECIFIED. PLANTING MIX SHALL NOT BE USED WHILE IN A FROZEN OR MUDDY CONDITION.

UNLESS OTHERWISE SPECIFIED IN THE CONTRACT DOCUMENTS, NEW/ADDED PLANTING MIX SHALL CONTAIN THE FOLLOWING SPECIFIED PERCENTAGES OF CONSTITUENTS:

CLAY	MIN. 10%/MAX. 40%	SAND	MIN. 20%/MAX. 50%
SILT	MIN. 20%/MAX. 50%	ORGANIC MATTER	MIN. 5%/MAX. 10%

ORGANIC MATTER IS DEFINED AS COMPOST/HUMUS SUCH AS SAWDUST OR LEAF MOLD THAT HAS COMPLETED THE DECOMPOSITION PROCESS. PERCENTAGE OF ORGANIC MATTER SHALL BE DETERMINED BY LOSS ON IGNITION OF MOISTURE FREE SAMPLES DRIED AT 65 DEGREES.

AMENDED SOIL SHALL HAVE AN ACIDITY RANGE OF pH 5.5 TO 7.0.

AMENDED SOIL SHALL HAVE A CATION EXCHANGE CAPACITY (CEC) FROM 5 TO 25 CMOL +/KG(MEQ/100G)

AMENDED SOIL SHALL HAVE NORMAL CONTENTS OF NITROGEN, PHOSPHOROUS, POTASSIUM, CALCIUM, MAGNESIUM, SULFUR, AND PROPER MICRONUTRIENT LEVELS. NUTRIENT LEVELS MUST SATISFY GROWING NEEDS (AS RECOMMENDED BY LAB REPORT) OF THE EXISTING OR PLANNED PLANT MATERIAL.

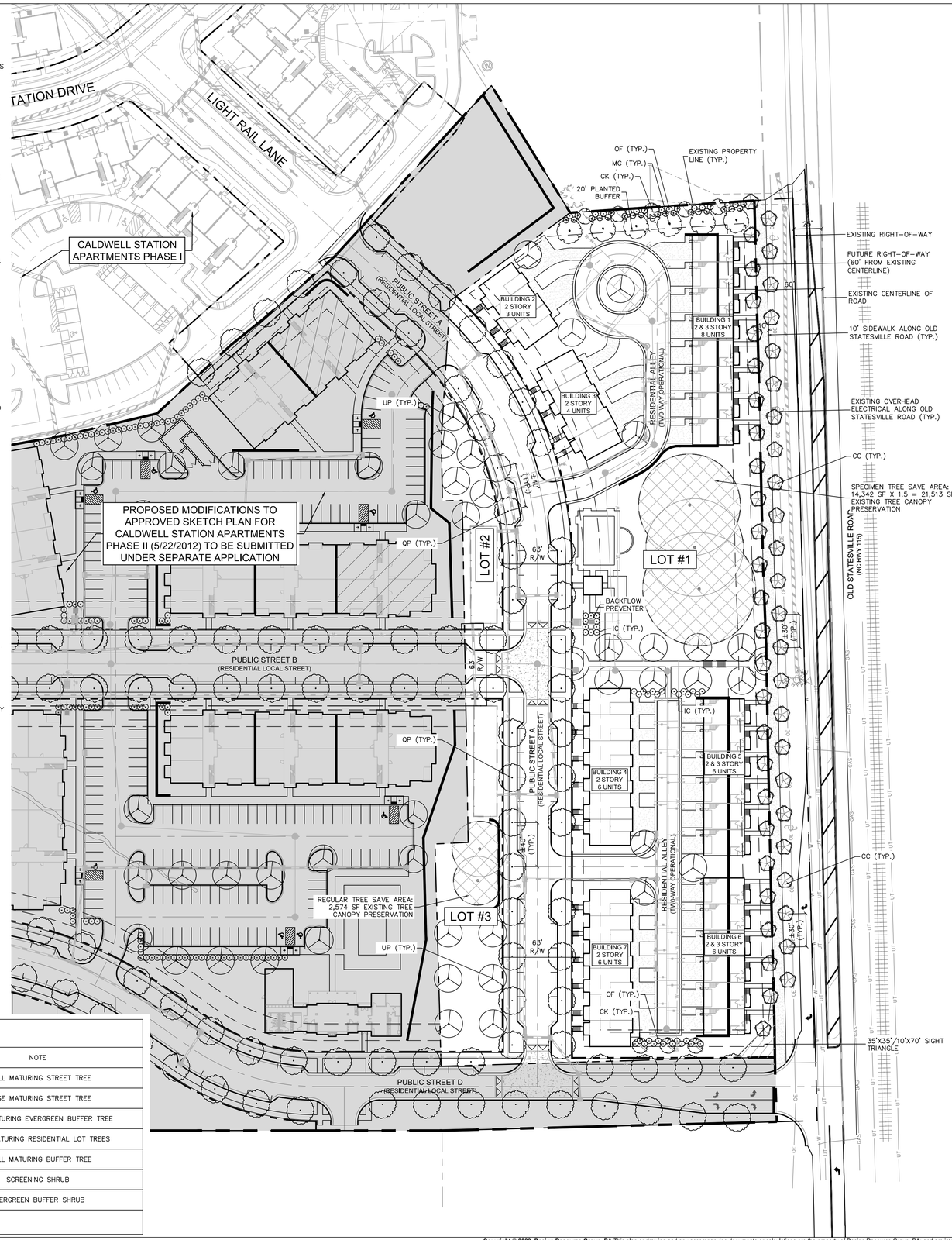
LAB TESTING MAY BE REQUIRED TO VERIFY THE QUALITY OF EXISTING SOILS, AS AND OTHER SOIL AMENDMENTS.

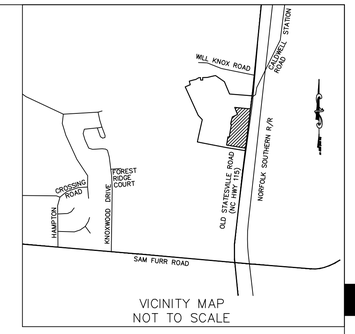
INSTALLATION GUARANTEE REQUIRED:

- A FINAL CERTIFICATE OF OCCUPANCY MAY BE ISSUED PRIOR TO THE INSTALLATION OF TREES AND SHRUBS, EXCLUDING YARD TREES, DURING THE NON–PLANTING SEASON IF A CASH BOND, SURETY BOND OR LETTER OF CREDIT IS ISSUED FOR 120% OF THE COST OF MATERIALS AND INSTALLATION. PLANTING SHALL BE COMPLETED DURING THE NEXT PLANTING SEASON.
- THE PLANTING SEASON SHALL RUN FROM OCTOBER 15 TO MARCH 15, EXCEPT FOR EXTREME WEATHER CONDITIONS AS DETERMINED BY STAFF. A FINAL CERTIFICATE OF OCCUPANCY SHALL NOT BE GIVEN DURING THE PLANTING SEASON UNLESS ALL OF THE LANDSCAPING IS COMPLETELY INSTALLED ACCORDING TO THIS ARTICLE.

MAINTENANCE SURETY REQUIRED:

- DEVELOPERS SHALL ENTER INTO A MAINTENANCE SURETY AGREEMENT WITH THE TOWN OF HUNTERSVILLE GUARANTEEING THE VIABILITY OF STREET TREES AND TREES AND SHRUBS PLANTED IN BUFFER YARDS FOR A PERIOD OF 1 YEAR FOLLOWING PLANTING. THE AMOUNT OF THE SURETY SHALL BE EQUAL TO 50% OF THE VALUE OF THE NEW TREES OR LANDSCAPE MATERIAL AND THEIR INSTALLATION. THE MAINTENANCE SURETY SHALL BE PROVIDED WHEN ALL OF THE REQUIRED TREES AND SHRUBS HAVE BEEN PLANTED.





VICINITY MAP
NOT TO SCALE

PERIMETER TREE REQUIREMENTS

SMALL MATURING CANOPY TREES SHALL BE PLANTED AT A SPACING NOT TO EXCEED 30' O.C. BETWEEN EXISTING STREET AND PROPOSED SIDEWALK. PROPERTIES LOCATED ON MAJOR/MINOR THOROUGHFARE SHALL ADD AN ADDITIONAL ROW OF STREET TREES BEHIND PROPOSED SIDEWALK. TREES SHALL BE STAGGERED FROM THE TREES IN THE R/W.

OLD STATESVILLE ROAD – 771 LF
REQUIRED: 771/30 = 26 (X2) = 52 TREES
PROVIDED: 50 TREES

LARGE MATURING CANOPY TREES SHALL BE PLANTED AT A SPACING NOT TO EXCEED 40' O.C.

PUBLIC STREET A (WEST SIDE) – 546 LF
REQUIRED: 546/40 = 14 TREES
PROVIDED: 14 TREES

PUBLIC STREET A (EAST SIDE) – 716 LF
REQUIRED: 716/40 = 18 TREES
PROVIDED: 15 TREES

PUBLIC STREET B (NORTH SIDE) – 34 LF
REQUIRED: 34/40 = 1 TREE
PROVIDED: 1 TREE

PUBLIC STREET B (SOUTH SIDE) – 33 LF
REQUIRED: 33/40 = 1 TREE
PROVIDED: 1 TREE

BUFFER YARD REQUIREMENTS

20' (3,321 SF) PLANTED BUFFER (NO EXISTING PLANT MATERIAL IN BUFFER)

REQUIRED: (PER 1,000 SF)
TREES: 3 TREES PER 1,000 SF OF BUFFER AREA, 25% LARGE MATURING, 25% SMALL MATURING, 25% EVERGREEN
SHRUBS: 10 SHRUBS PER 1,000 SF, 100% EVERGREEN

PROVIDED:
TREES: 5 LARGE MATURING EVERGREEN TREES, 5 SMALL MATURING TREES
SHRUBS: 34 EVERGREEN SHRUBS

RESIDENTIAL LOT TREES

REQUIRED: MORE THAN 20,000 SF. 3 FRONT YARD, 3 REAR YARD TREES

PROVIDED:
LOT 1: >3 FRONT YARD, >3 REAR YARD 2" CAL. TREES
LOT 2: 3 FRONT YARD, 3 REAR YARD 2" CAL. TREES
LOT 3: 3 FRONT YARD, 3 REAR YARD 2" CAL. TREES

REQUIRED PLANTING SCHEDULE

LEG.	KEY	QTY.	SCIENTIFICNAME	COMMONNAME	CAL.	HT.	NOTE
	CC	50	CERCIS CANADENSIS 'FOREST PANSY'	FOREST PANSY REDBUD	2" MIN.	8–10' MIN.	SMALL MATURING STREET TREE
	QP	31	QUERCUS PHELLOS	WILLOW OAK	2" MIN.	10–12' MIN.	LARGE MATURING STREET TREE
	MG	6	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	2" MIN.	10–12' MIN.	LARGE MATURING EVERGREEN BUFFER TREE
	UP	27	ULMUS PARVIFOLIA	CHINESE ELM	2" MIN.	10–12' MIN.	LARGE MATURING RESIDENTIAL LOT TREES
	CK	8	CORNUS KOUSA	KOUSA DOGWOOD	2" MIN.	8–10' MIN.	SMALL MATURING BUFFER TREE
	IC	24	ILEX CORNUTA 'BURFORDII NANA'	DWARF BURFORD HOLLY		36" MIN.	SCREENING SHRUB
	OF	49	OSMANTHUS FRAGRANS	FRAGRANT TEA OLIVE		36" MIN.	EVERGREEN BUFFER SHRUB

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REGISTERED LANDSCAPE ARCHITECT No.1987 03/10/12 BRYAN W. GRAHAM

SKETCH PLAN

CHARTER CALDWELL STATION

HUNTERSVILLE, NORTH CAROLINA

CHARTER PROPERTIES, INC.
1520 SOUTH BOULEVARD, SUITE 215
CHARLOTTE, NC 28203
704.377.4172

REQUIRED LANDSCAPING PLAN

25 0 25 50
SCALE: 1"=50'

PROJECT #:	278-044
DRAWN BY:	MM
CHECKED BY:	BG

MARCH 10, 2023

REVISIONS:

SK6.01

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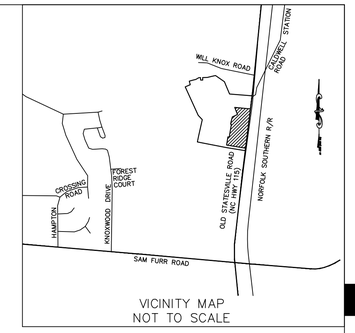

VICINITY MAP
NOT TO SCALE

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SKETCH PLAN

CHARTER CALDWELL STATION

HUNTERSVILLE, NORTH CAROLINA

CHARTER PROPERTIES, INC.
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CHARLOTTE, NC 28203
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INTERSECTION SIGHT DISTANCE AND FIRE TRUCK MANUEVERING

25 0 25 50
SCALE: 1" = 50'

PROJECT #:	278-044
DRAWN BY:	MM
CHECKED BY:	BG

MARCH 10, 2023

REVISIONS:

SK7.00

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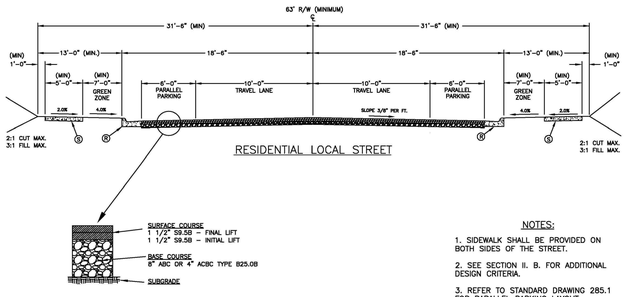


NOTES:

1. SIDEWALK SHALL BE PROVIDED ON BOTH SIDES OF THE STREET.
2. SEE SECTION II. B. FOR ADDITIONAL DESIGN CRITERIA.
3. REFER TO STANDARD DRAWING 285.1 FOR PARALLEL PARKING LAYOUT.

KEY

Ⓡ 2'-6" STD. CURB AND GUTTER
Ⓢ 4" CONCRETE SIDEWALK

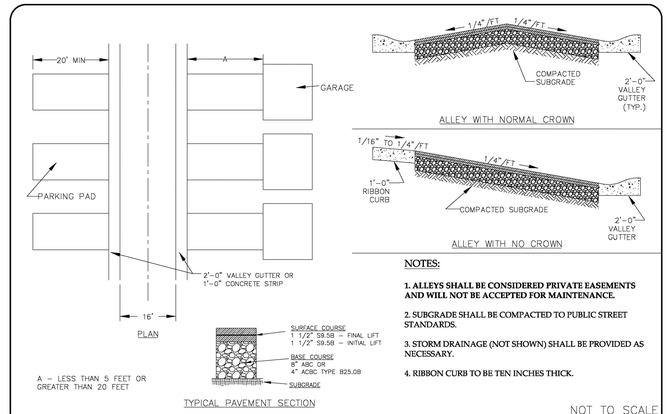
NOT TO SCALE

1

Town of Huntersville NORTH CAROLINA STANDARD DRAWING

RESIDENTIAL LOCAL STREET
PARKING ON BOTH SIDES OF STREET
TYPICAL SECTION

REV. DATE	STD. NO.
10/01/15	200.1



NOTES:

1. ALLEYS SHALL BE CONSIDERED PRIVATE EASEMENTS AND WILL NOT BE ACCEPTED FOR MAINTENANCE.

2. SUBGRADE SHALL BE COMPACTED TO PUBLIC STREET STANDARDS.

3. STORM DRAINAGE (NOT SHOWN) SHALL BE PROVIDED AS NECESSARY.

4. RIBBON CURB TO BE TEN INCHES THICK.

NOT TO SCALE

2

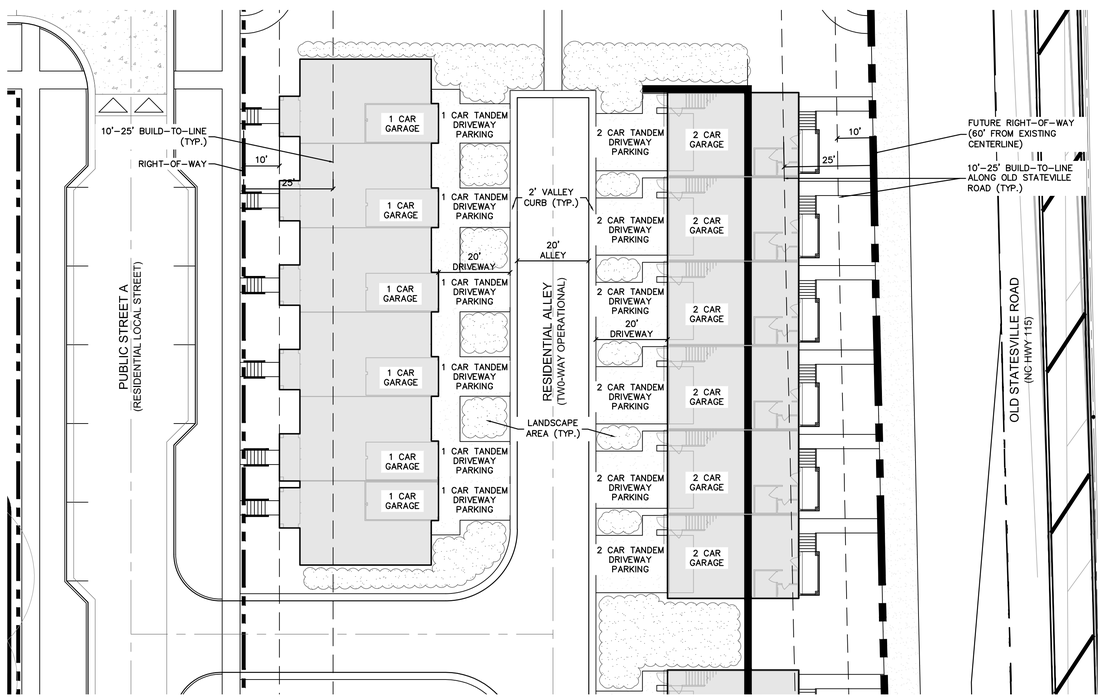
Town of Huntersville NORTH CAROLINA STANDARD DRAWING

RESIDENTIAL ALLEY
TWO-WAY OPERATION
TYPICAL SECTION

REV. DATE	STD. NO.
9/17/18	280.6

3

NOT USED



4

TYPICAL TOWNHOUSE UNIT DIAGRAM

5

NOT USED

6

NOT USED

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HUNTERSVILLE, NORTH CAROLINA

CHARTER PROPERTIES, INC.
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CHARLOTTE, NC 28203
704.377.4172

SITE DETAILS

10 0 10 20
SCALE: 1"=20'

PROJECT #:	278-044
DRAWN BY:	MM
CHECKED BY:	BG

MARCH 10, 2023

REVISIONS:

SK8.00

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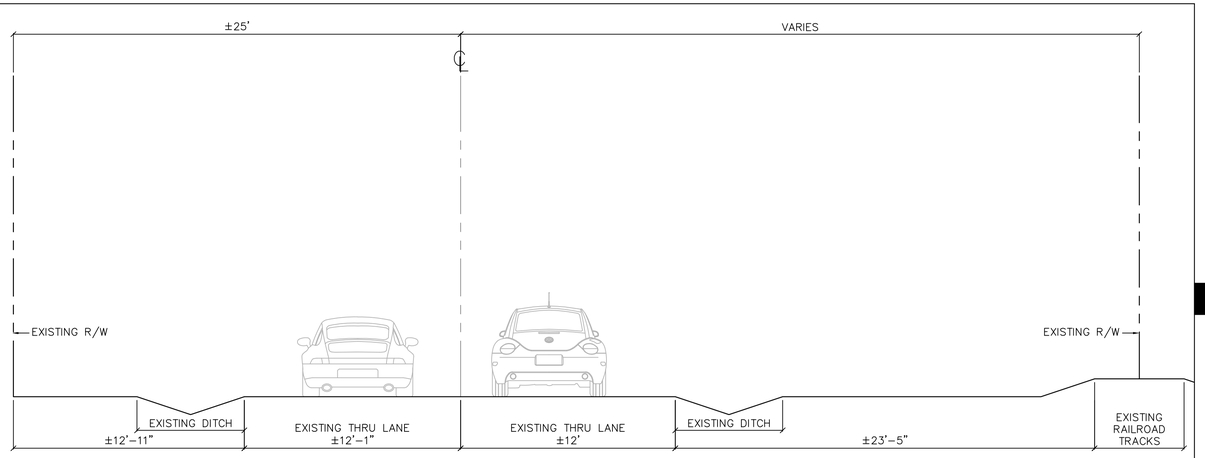
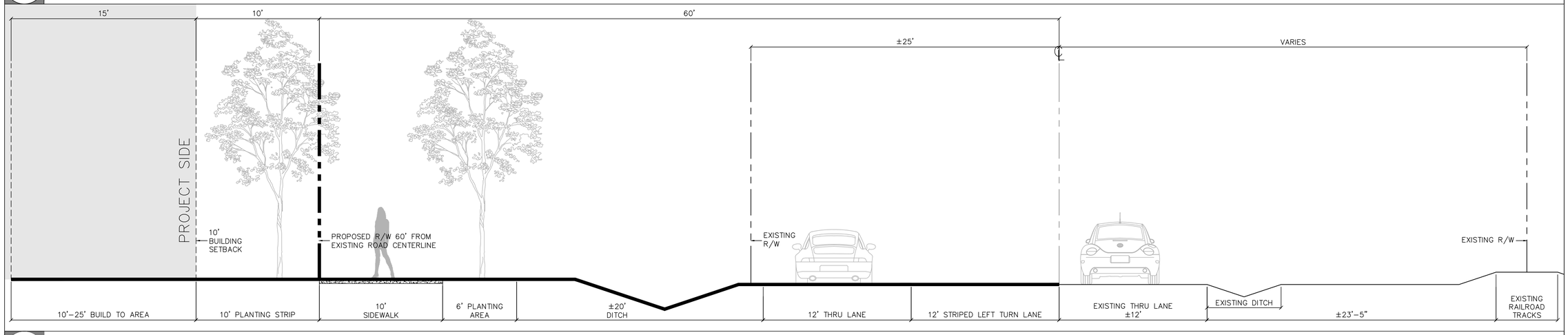
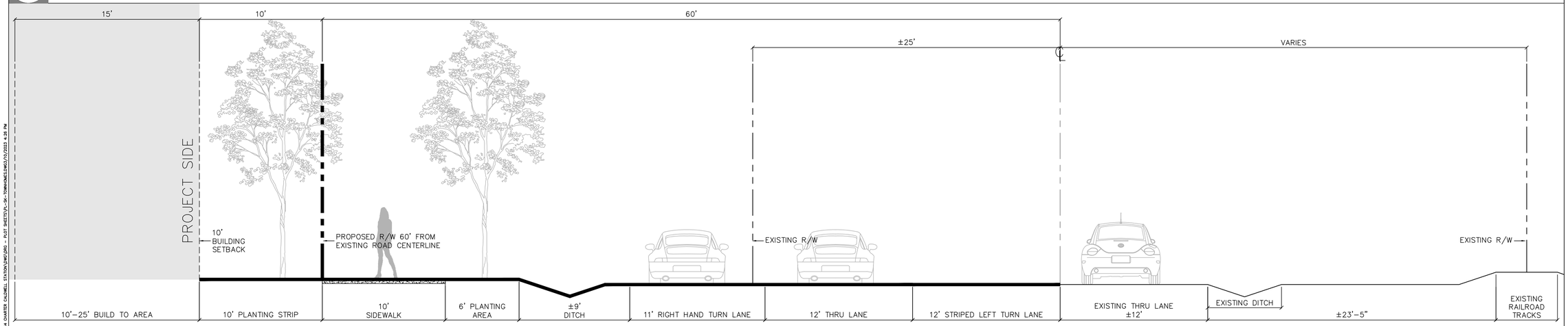


1 OLD STATESVILLE ROAD EXISTING CROSS SECTION



2 OLD STATESVILLE ROAD PROPOSED CROSS SECTION AA



3 OLD STATESVILLE ROAD PROPOSED CROSS SECTION BB

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SITE DETAILS

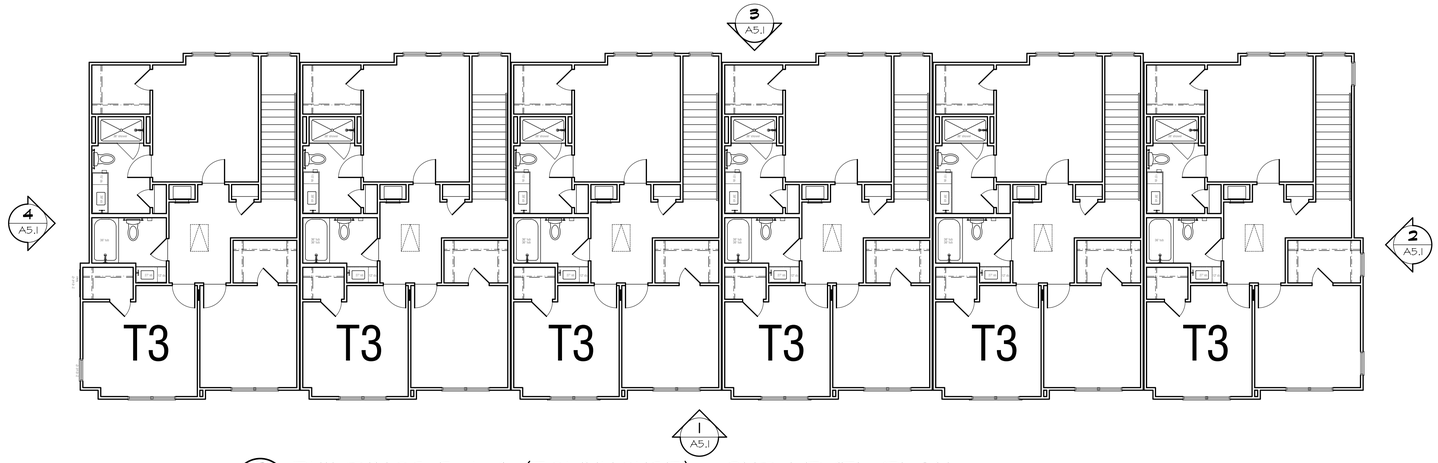
SCALE: NTS

PROJECT #: 278-044
DRAWN BY: MM
CHECKED BY: BG

MARCH 10, 2023

REVISIONS:

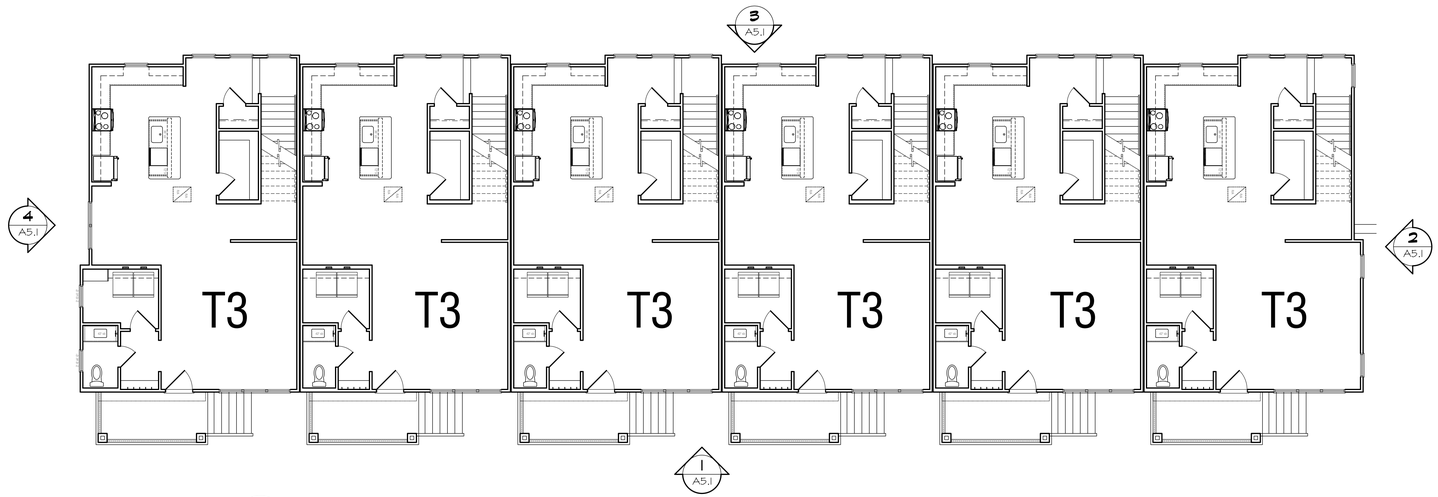
SK8.01



3 A4.1 BUILDINGS 5 & 6 (TOWNHOUSE) - 2ND LEVEL PLAN

6 - T3 UNITS

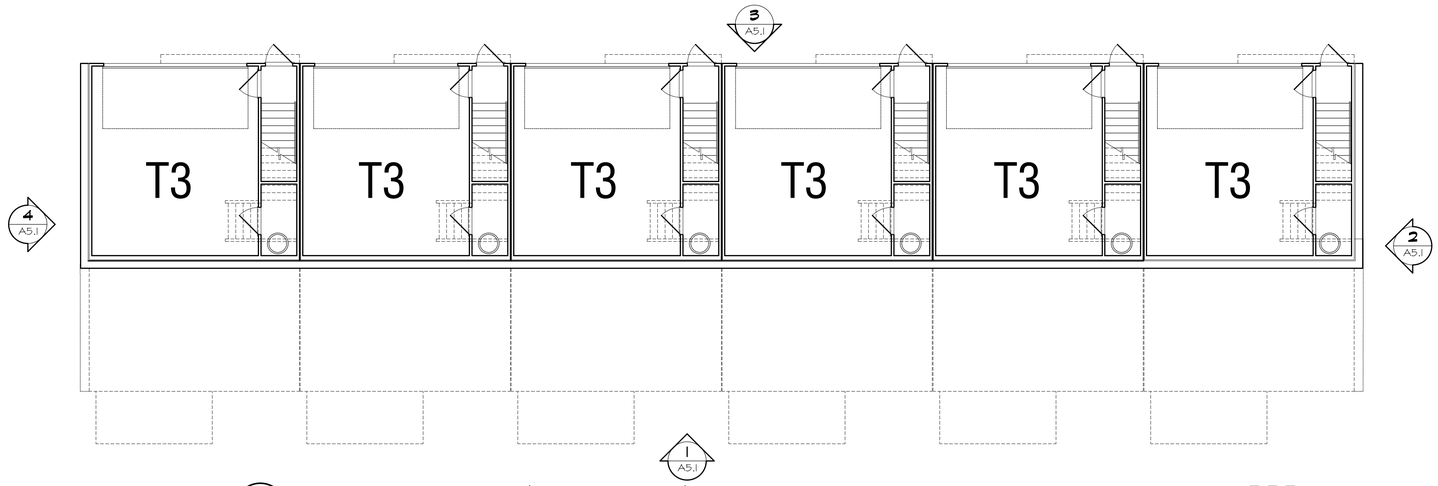
1/8"=1'-0"



2 A4.1 BUILDINGS 5 & 6 (TOWNHOUSE) - ENTRY LEVEL PLAN

6 - T3 UNITS

1/8"=1'-0"



1 A4.1 BUILDINGS 5 & 6 (TOWNHOUSE) - GARAGE LEVEL PLAN

6 - T3 UNITS

1/8"=1'-0"

10 5 0

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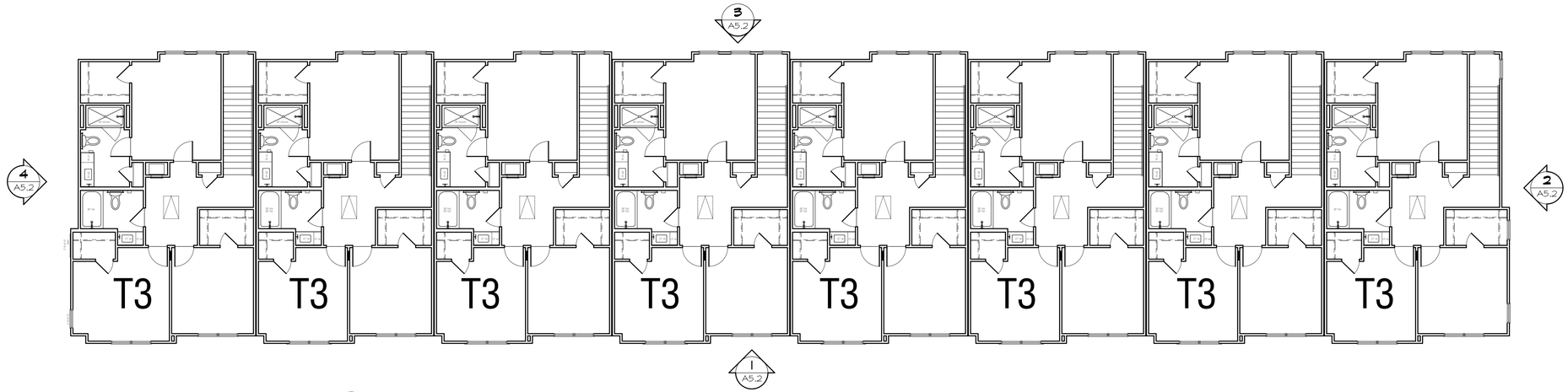
HUNTERSVILLE, NC

CHARTER PROPERTIES

PROJECT	2205
DATE	10MAR23
DRAWN BY	CEL
CHECKED BY	CEL

TOWNHOUSE T3
BUILDINGS 5 & 6
PLANS

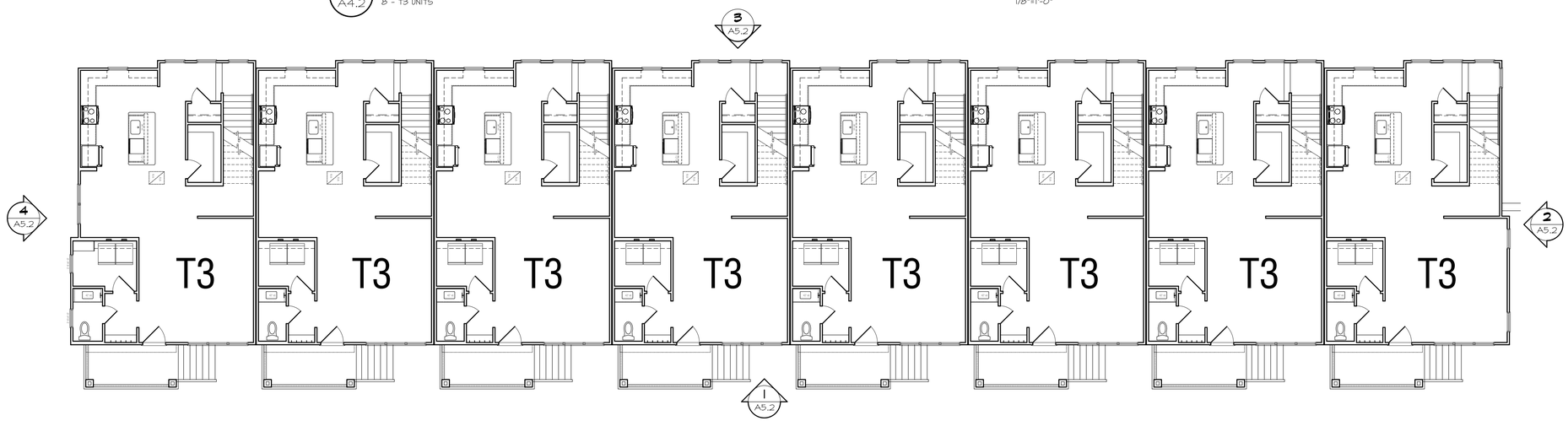
A4.1



3 A4.2 BUILDING 1 (TOWNHOUSE) - 2ND LEVEL PLAN

8 - T3 UNITS

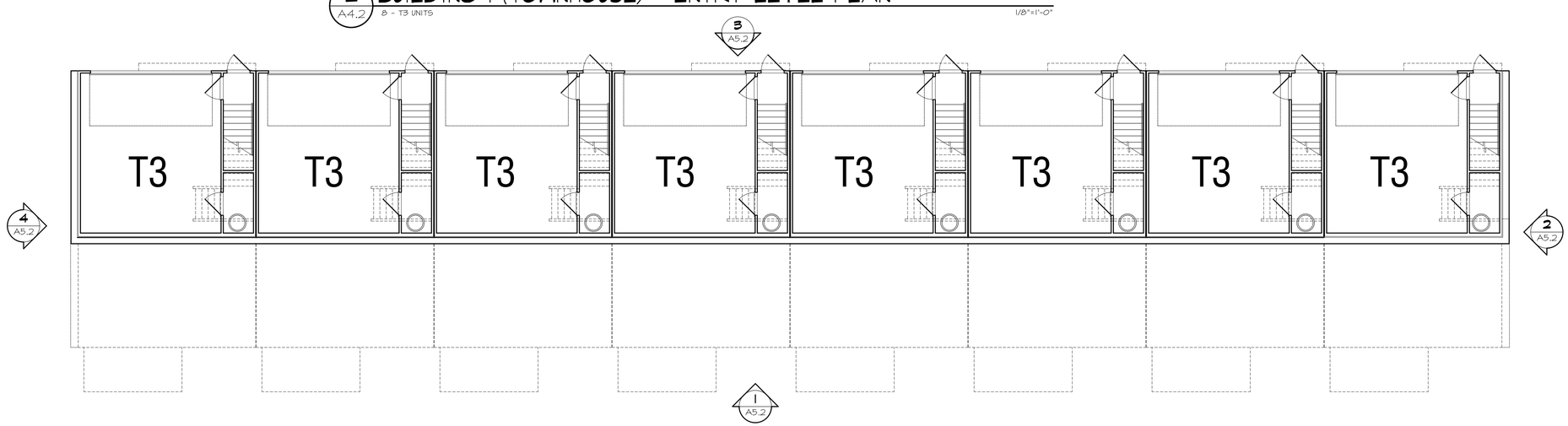
1/8"=1'-0"



2 A4.2 BUILDING 1 (TOWNHOUSE) - ENTRY LEVEL PLAN

8 - T3 UNITS

1/8"=1'-0"



1 A4.2 BUILDING 1 (TOWNHOUSE) - GARAGE LEVEL PLAN

8 - T3 UNITS

1/8"=1'-0"

10 5 0

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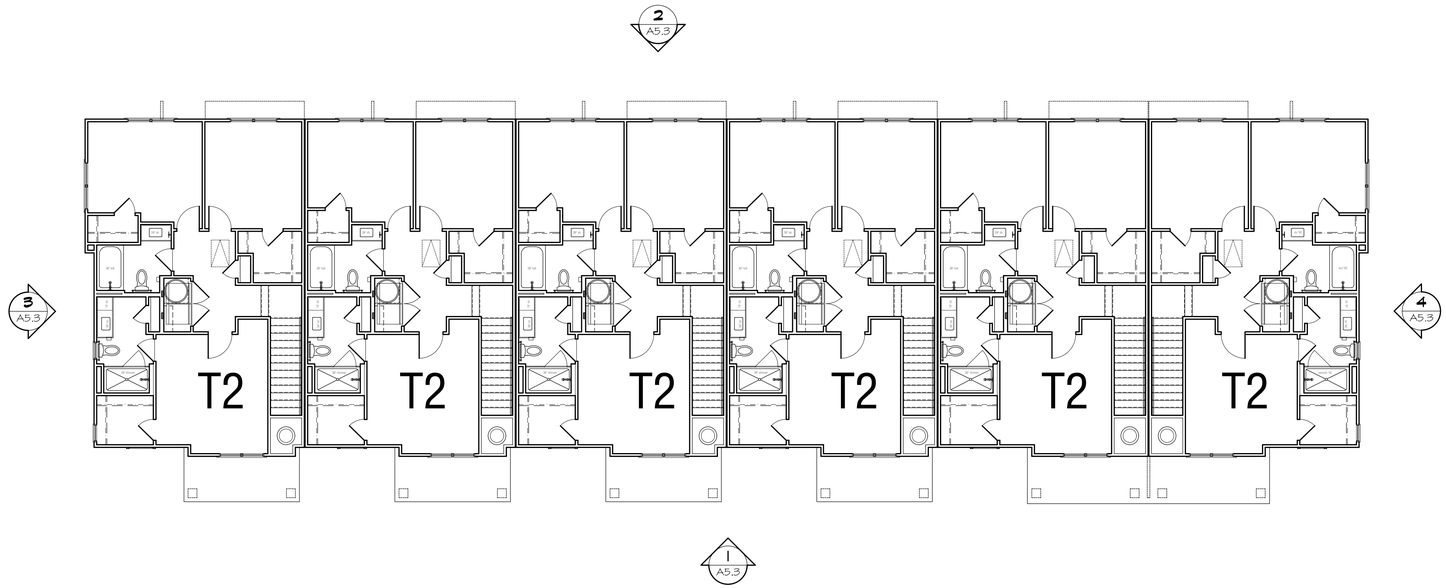
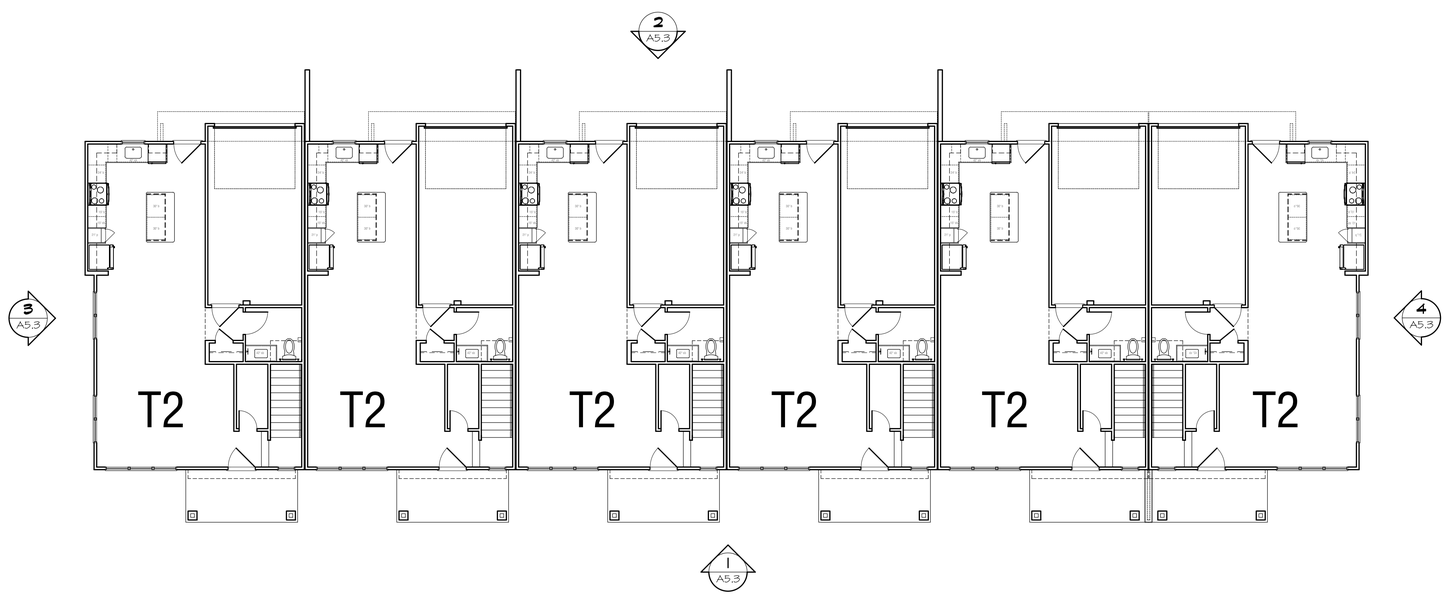
TOWNHOUSE T3
BUILDING 1
PLANS

A4.2



2 A4.3 BUILDINGS 4 & 6 (TOWNHOUSE) 2ND LEVEL BUILDING PLAN

1/8"=1'-0"



1 A4.3 BUILDINGS 4 & 6 (TOWNHOUSE) ENTRY LEVEL BUILDING PLAN

1/8"=1'-0"

10 5 0

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NORTH PARK APARTMENTS

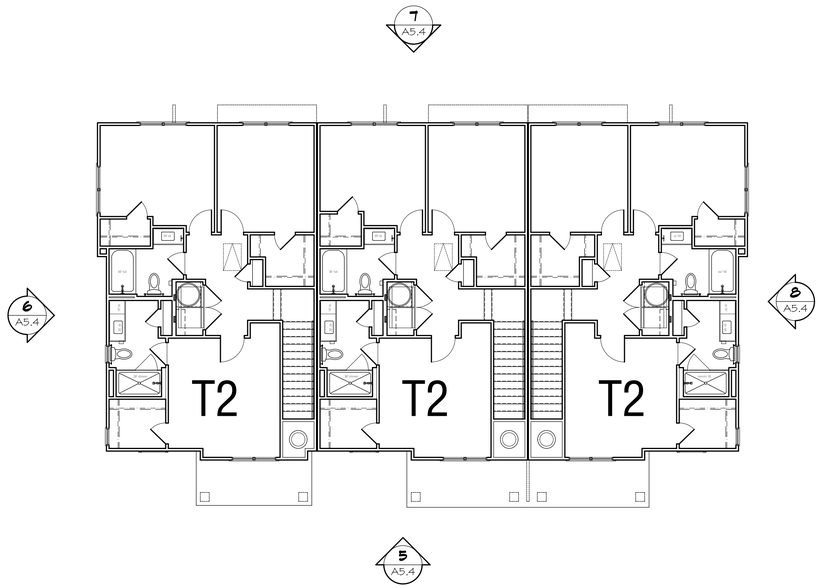
HUNTERSVILLE, NC

CHARTER PROPERTIES

PROJECT	2205
DATE	10MAR23
DRAWN BY	SAB
CHECKED BY	CEL

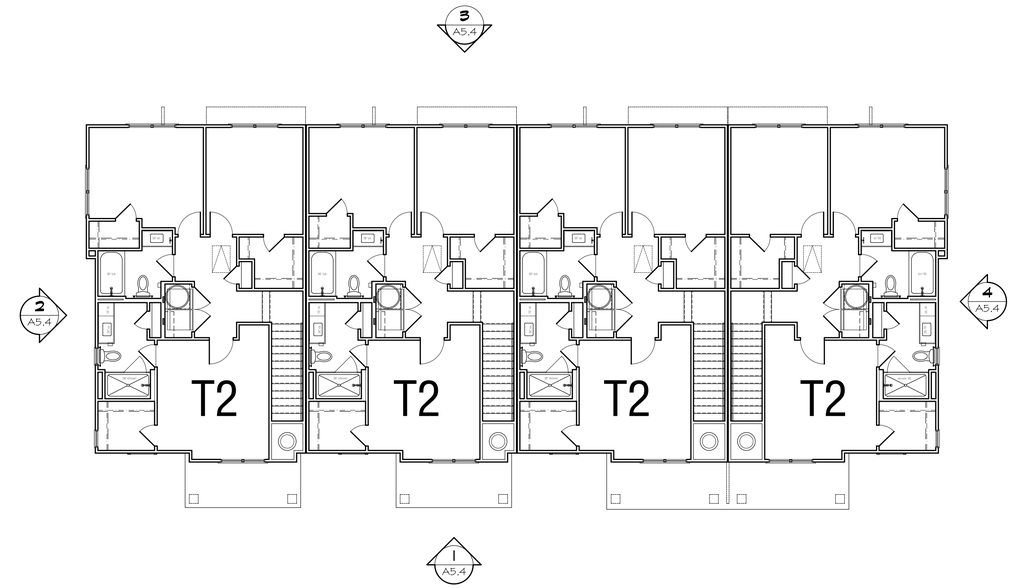
TOWNHOUSE T2
BUILDINGS 4 & 6
PLANS

A4.3



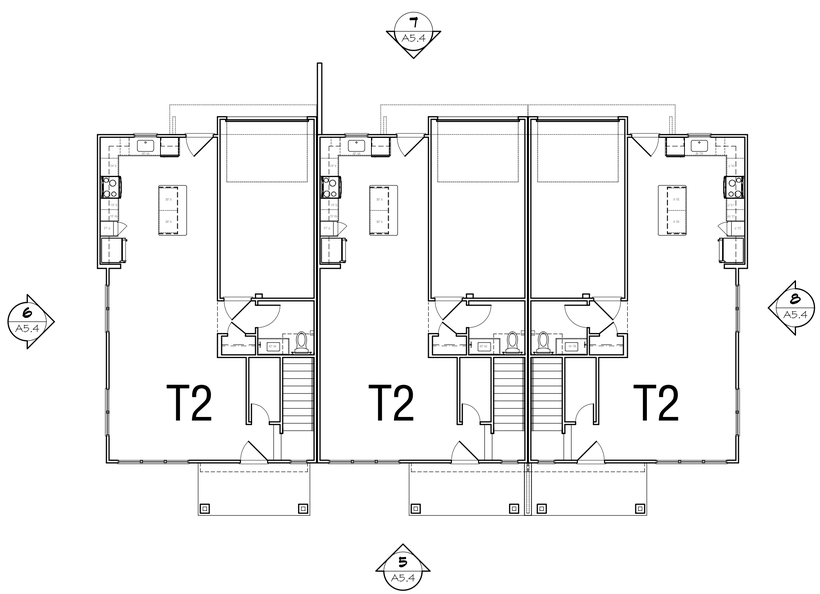
4 A4.4 BUILDING 2 - (TOWNHOUSE) 2ND LEVEL BUILDING PLAN

1/8"=1'-0"



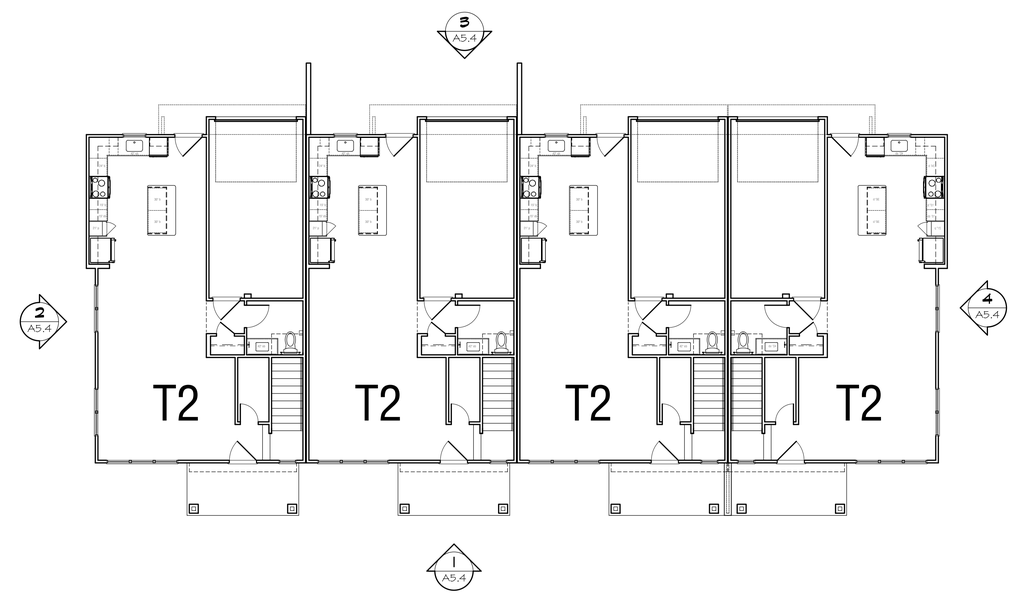
2 A4.4 BUILDING 3 - (TOWNHOUSE) 2ND LEVEL BUILDING PLAN

1/8"=1'-0"



3 A4.4 BUILDING 2 - (TOWNHOUSE) ENTRY LEVEL BUILDING PLAN

1/8"=1'-0"



1 A4.4 BUILDING 3 - (TOWNHOUSE) ENTRY LEVEL BUILDING PLAN

1/8"=1'-0"

10 5 0

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NORTH PARK APARTMENTS

HUNTERSVILLE, NC
CHARTER PROPERTIES

PROJECT	2205
DATE	10MAR23
DRAWN BY	SAB
CHECKED BY	CEL

TOWNHOUSE T2
BUILDINGS 2 & 3
ELEVATIONS

A4.4

THE ATTACHED BUILDING ELEVATIONS ARE ILLUSTRATIVE AND INTENDED TO REPRESENT THE GENERAL ARCHITECTURAL THEME AND OVERALL DESIGN OF THE PROPOSED BUILDINGS. PETITIONER RESERVES THE RIGHT TO ALTER THE VARIOUS BUILDING/DESIGN ELEMENTS, INCLUDING COLORS, SO LONG AS THE GENERAL OVERALL ARCHITECTURAL THEME IS PRESERVED.

1 A5.1 BUILDINGS 5 & 6 (TOWNHOUSE) - FRONT ELEVATION

1/8"=1'-0"

2 A5.1 BLDGS. 5 & 6 (TOWNHOUSE) - RIGHT SIDE ELEVATION

1/8"=1'-0"

3 A5.1 BUILDINGS 5 & 6 (TOWNHOUSE) - REAR ELEVATION

1/8"=1'-0"

10 5 0

4 A5.1 BLDGS. 5 & 6 (TOWNHOUSE) - LEFT SIDE ELEVATION

1/8"=1'-0"

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NORTH PARK APARTMENTS
HUNTERSVILLE, NC
CHARTER PROPERTIES

PROJECT	2205
DATE	10MAR23
DRAWN BY	CEL
CHECKED BY	CEL

TOWNHOUSE T3
BUILDINGS 5 & 6
ELEVATIONS

A5.1

THE ATTACHED BUILDING ELEVATIONS ARE ILLUSTRATIVE AND INTENDED TO REPRESENT THE GENERAL ARCHITECTURAL THEME AND OVERALL DESIGN OF THE PROPOSED BUILDINGS. PETITIONER RESERVES THE RIGHT TO ALTER THE VARIOUS BUILDING/DESIGN ELEMENTS, INCLUDING COLORS, SO LONG AS THE GENERAL OVERALL ARCHITECTURAL THEME IS PRESERVED.

1 A5.2 BUILDING 1 (TOWNHOUSE) - FRONT ELEVATION

1/8"=1'-0"

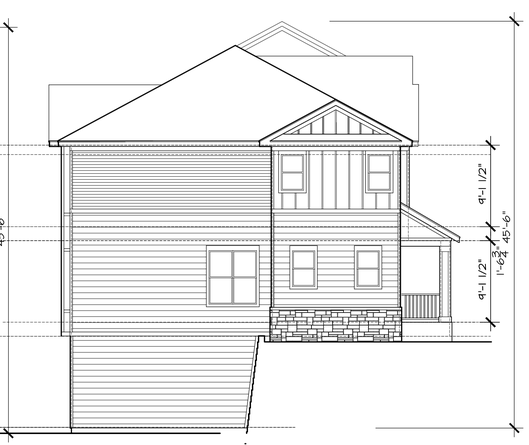
2 A5.2 BUILDING 1 (TOWNHOUSE) - RIGHT SIDE ELEVATION

1/8"=1'-0"

3 A5.2 BUILDING 1 (TOWNHOUSE) - REAR ELEVATION

1/8"=1'-0"

10 5 0



4 A5.2 BUILDING 1 (TOWNHOUSE) - LEFT SIDE ELEVATION

1/8"=1'-0"

WLA
WATTS LEAF ARCHITECTS, PA
101 North McDowell Street Suite 112
Charlotte, North Carolina 28204
PH 704 376 1200 FX 704 376 5111

NORTH PARK APARTMENTS

HUNTERSVILLE, NC

CHARTER PROPERTIES

PROJECT	2205
DATE	10MAR23
DRAWN BY	CEL
CHECKED BY	CEL

TOWNHOSUE T3
BUILDING 1
ELEVATIONS

A5.2

THE ATTACHED BUILDING ELEVATIONS ARE ILLUSTRATIVE AND INTENDED TO REPRESENT THE GENERAL ARCHITECTURAL THEME AND OVERALL DESIGN OF THE PROPOSED BUILDINGS. PETITIONER RESERVES THE RIGHT TO ALTER THE VARIOUS BUILDING/DESIGN ELEMENTS, INCLUDING COLORS, SO LONG AS THE GENERAL OVERALL ARCHITECTURAL THEME IS PRESERVED.

3 A5.3 BUILDINGS 4 & 6 (TOWNHOUSE) BUILDING - LEFT ELEVATION
1/8"=1'-0"

4 A5.3 BUILDINGS 4 & 6 (TOWNHOUSE) BUILDING - RIGHT ELEVATION
1/8"=1'-0"

2 A5.3 BUILDINGS 4 & 6 (TOWNHOUSE) BUILDING - REAR ELEVATION
1/8"=1'-0"

1 A5.3 BUILDINGS 4 & 6 (TOWNHOUSE) BUILDING - FRONT ELEVATION
1/8"=1'-0"

10 5 0

WLA
WATTS LEAF ARCHITECTS, PA
101 North McDowell Street Suite 112
Charlotte, North Carolina 28204
PH 704 376 1200 FX 704 376 5111

NORTH PARK APARTMENTS
HUNTERSVILLE, NC
CHARTER PROPERTIES

PROJECT	2205
DATE	10MAR23
DRAWN BY	SAB
CHECKED BY	CEL

TOWNHOUSE T2
BUILDINGS 4 & 6
ELEVATIONS

A5.3

THE ATTACHED BUILDING ELEVATIONS ARE ILLUSTRATIVE AND INTENDED TO REPRESENT THE GENERAL ARCHITECTURAL THEME AND OVERALL DESIGN OF THE PROPOSED BUILDINGS. PETITIONER RESERVES THE RIGHT TO ALTER THE VARIOUS BUILDING/DESIGN ELEMENTS, INCLUDING COLORS, SO LONG AS THE GENERAL OVERALL ARCHITECTURAL THEME IS PRESERVED.

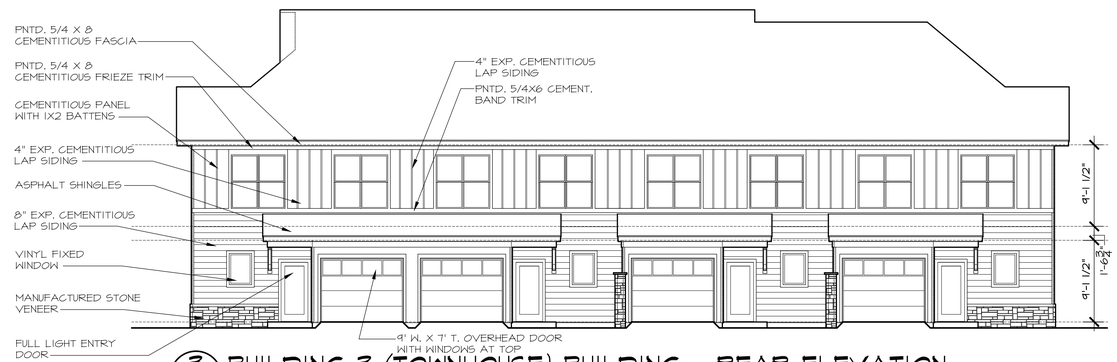
8 A5.4 BUILDING 2 (TOWNHOUSE) BUILDING - RIGHT ELEVATION
1/8"=1'-0"

7 A5.4 BUILDING 2 (TOWNHOUSE) BUILDING - REAR ELEVATION
1/8"=1'-0"

6 A5.4 BUILDING 2 (TOWNHOUSE) BUILDING - LEFT ELEVATION
1/8"=1'-0"

5 A5.4 BUILDING 2 (TOWNHOUSE) BUILDING - FRONT ELEVATION
1/8"=1'-0"

4 A5.4 BUILDING 3 (TOWNHOUSE) BUILDING - RIGHT ELEVATION
1/8"=1'-0"



3 A5.4 BUILDING 3 (TOWNHOUSE) BUILDING - REAR ELEVATION
1/8"=1'-0"

2 A5.4 BUILDING 3 (TOWNHOUSE) BUILDING - LEFT ELEVATION
1/8"=1'-0"

10 5 0

1 A5.4 BUILDING 3 (TOWNHOUSE) BUILDING - FRONT ELEVATION
1/8"=1'-0"

WLA
WATTS LEAF ARCHITECTS, PA
101 North McDowell Street Suite 112
Charlotte, North Carolina 28204
PH 704 376 1200 FX 704 376 5111

NORTH PARK APARTMENTS
HUNTERSVILLE, NC
CHARTER PROPERTIES

PROJECT	2205
DATE	10MAR23
DRAWN BY	SAB
CHECKED BY	CEL

TOWNHOUSE T2
BUILDINGS 2 & 3
ELEVATIONS

A5.4

CHARTER
PROPERTIES INC.

February 16, 2023

VIA USPS Letter and email pdf

Mr. David Peete
Town of Huntersville – Planning Dept.
P.O. Box 664
105 Gilead Road
Huntersville, NC 28078

Re: Neighborhood Meeting Report Form

Dear David:

It was a pleasure to meet you on Wednesday night. Thank you for your input.

Attached please find the follow up reporting form for the Neighborhood meeting.

If you have any questions, you may call me directly at 704.401.2843

Sincerely,

Eric M. Williams

Charter Properties, Inc.

SUITE 215 • 1520 SOUTH BOULEVARD, CHARLOTTE, NC 28203-4724
MAIL ADDRESS: P.O. BOX 37166, ZIP 28237-7166 (704) 377-4172 FAX: (704) 333-4532

CHARTER
PROPERTIES INC.

NEIGHBORHOOD MEETING REPORT FORM

CHARTER-CALDWELL TOWNHOME PROJECT

TOWN OF HUNTERSVILLE

Date and Time of Meeting: February 15, 2023, at 6 p.m.

Persons and Organizations Contacted: The Town of Huntersville provided an Excel list of 21 neighbors/interested parties to contact. Each name on the Town's list was sent a letter. The mailing list and invitation letters are attached.

Location of Meeting: Northern Regional Recreation Center, 18121 Old Statesville Rd.

Persons in Attendance: Four (4) adult neighbors attended the meeting. Those were:

Lou and Leslie Schwartz

Iheanyi and Ezichi Onwubiko

David Peete, Town of Huntersville Planning Dept., attending the meeting on behalf of the Town.

Eric Williams, Phil Vetter and Thomas Haapapuro, attending the meeting on behalf of the applicant, Charter Properties.

Summary of Issues Discussed: Mr. Williams introduced the project team and opened with a description of the subdivision application and the site as presented on two project display boards showing the site plan and townhome renderings. Photos of recently built townhome product constructed by Charter were also displayed electronically. There were general questions about the square footage size of units, expected rents, and location of the master bedrooms. Attendees also inquired whether the product would be available for sale. A general question regarding Highway 115 traffic and NC DOT future plans for the highway was also asked and briefly discussed. The attendees viewed the display boards and photos. After calling for additionally questions and none being raised, the meeting was adjourned.

Respectfully submitted,

E. M. Williams

Eric M. Williams

Charter Properties

SUITE 215 • 1520 SOUTH BOULEVARD, CHARLOTTE, NC 28203-4724
MAIL ADDRESS: P.O. BOX 37166, ZIP 28237-7166 (704) 377-4172 FAX: (704) 333-4532

CHARTER
PROPERTIES INC.

February 1, 2023

VIA USPS Letter

Andrew Chambers
Melisa Chambers
8019 Bythum Castle Dr.
Huntersville, NC 28078

Re: Neighborhood Meeting regarding site plan for subdivision

Dear Neighbor (Parcel #: 01106210):

We invite you to attend our official community meeting to receive a presentation on a by-right site plan for the development of 39 townhomes located at approximately 17209 Old Statesville Road (Hwy 115), Huntersville, NC 28078. For information on the subdivision site plan, please visit the Town website (www.huntersville.org) and search for "Charter Caldwell Station" in the search box to see the proposed site plan.

We would like to take this opportunity to share facts with you about the subdivision application. To learn more about the application, share your comments, and ask questions, please attend our meeting on Wednesday, February 15th from 6:00 to 7:00 p.m. at the Northern Regional Recreational Center at 18121 Old Statesville Rd., Cornelius, NC 28031.

If you have any questions, you may call me directly at (704) 401-2843.

Sincerely,

Eric M. Williams
Charter Properties, Inc.

SUITE 215 • 1520 SOUTH BOULEVARD, CHARLOTTE, NC 28203-4724
MAIL ADDRESS: P.O. BOX 37166, ZIP 28237-7166 (704) 377-4172 FAX: (704) 333-4532

CHARTER
PROPERTIES INC.

February 1, 2023

VIA USPS Letter

Shirley Knox Brown
14411 Stumptown Rd.
Huntersville, NC 28078

Re: Neighborhood Meeting regarding site plan for subdivision

Dear Neighbor (Parcel #: 00544318):

We invite you to attend our official community meeting to receive a presentation on a by-right site plan for the development of 39 townhomes located at approximately 17209 Old Statesville Road (Hwy 115), Huntersville, NC 28078. For information on the subdivision site plan, please visit the Town website (www.huntersville.org) and search for "Charter Caldwell Station" in the search box to see the proposed site plan.

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Sincerely,

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CHARTER
PROPERTIES INC.

February 1, 2023

VIA USPS Letter

David A. Henkel
Jessica C. Henkel
10040 Devonshire Dr.
Huntersville, NC 28078

Re: Neighborhood Meeting regarding site plan for subdivision

Dear Neighbor (Parcel #: 00929408):

We invite you to attend our official community meeting to receive a presentation on a by-right site plan for the development of 39 townhomes located at approximately 17209 Old Statesville Road (Hwy 115), Huntersville, NC 28078. For information on the subdivision site plan, please visit the Town website (www.huntersville.org) and search for "Charter Caldwell Station" in the search box to see the proposed site plan.

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If you have any questions, you may call me directly at (704) 401-2843.

Sincerely,

Eric M. Williams
Charter Properties, Inc.

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CHARTER
PROPERTIES INC.

February 1, 2023

VIA USPS Letter

Cambridge Grove Homeowners Association
PO Box 1437
Matthews, NC 28103

Re: Neighborhood Meeting regarding site plan for subdivision

Dear Neighbor

We invite you to attend our official community meeting to receive a presentation on a by-right site plan for the development of 39 townhomes located at approximately 17209 Old Statesville Road (Hwy 115), Huntersville, NC 28078. For information on the subdivision site plan, please visit the Town website (www.huntersville.org) and search for "Charter Caldwell Station" in the search box to see the proposed site plan.

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Sincerely,

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Charter Properties, Inc.

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CHARTER
PROPERTIES INC.

February 1, 2023

VIA USPS Letter

Hampton Ridge II Homeowners
5250 77 Center Dr., Ste 141
Charlotte, NC 28217

Re: Neighborhood Meeting regarding site plan for subdivision

Dear Neighbor (Parcel #: 00544375):

We invite you to attend our official community meeting to receive a presentation on a by-right site plan for the development of 39 townhomes located at approximately 17209 Old Statesville Road (Hwy 115), Huntersville, NC 28078. For information on the subdivision site plan, please visit the Town website (www.huntersville.org) and search for "Charter Caldwell Station" in the search box to see the proposed site plan.

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Sincerely,

Eric M. Williams
Charter Properties, Inc.

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CHARTER
PROPERTIES INC.

February 1, 2023

VIA USPS Letter

Caldwell Partners, LLC
c/o Phil Gandy, Jr.
PO Box 3573
Mooresville, NC 28117

Re: Neighborhood Meeting regarding site plan for subdivision

Dear Neighbor (Parcel #: 00544320):

We invite you to attend our official community meeting to receive a presentation on a by-right site plan for the development of 39 townhomes located at approximately 17209 Old Statesville Road (Hwy 115), Huntersville, NC 28078. For information on the subdivision site plan, please visit the Town website (www.huntersville.org) and search for "Charter Caldwell Station" in the search box to see the proposed site plan.

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If you have any questions, you may call me directly at (704) 401-2843.

Sincerely,

Eric M. Williams
Charter Properties, Inc.

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CHARTER
PROPERTIES INC.

February 1, 2023

VIA USPS Letter

Caldwell Crossing, LLC
2410 Dunavan St.
Charlotte, NC 28203

Re: Neighborhood Meeting regarding site plan for subdivision

Dear Neighbor (Parcel #: 01103210):

We invite you to attend our official community meeting to receive a presentation on a by-right site plan for the development of 39 townhomes located at approximately 17209 Old Statesville Road (Hwy 115), Huntersville, NC 28078. For information on the subdivision site plan, please visit the Town website (www.huntersville.org) and search for "Charter Caldwell Station" in the search box to see the proposed site plan.

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Sincerely,

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Charter Properties, Inc.

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MAIL ADDRESS: P.O. BOX 37166, ZIP 28237-7166 (704) 377-4172 FAX: (704) 333-4532

CHARTER
PROPERTIES INC.

February 1, 2023

VIA USPS Letter

Caldwell Partners, LLC
c/o Phil Gandy, Jr.
PO Box 2326
Cornelius, NC 28031

Re: Neighborhood Meeting regarding site plan for subdivision

Dear Neighbor (Parcel #: 00544320):

We invite you to attend our official community meeting to receive a presentation on a by-right site plan for the development of 39 townhomes located at approximately 17209 Old Statesville Road (Hwy 115), Huntersville, NC 28078. For information on the subdivision site plan, please visit the Town website (www.huntersville.org) and search for "Charter Caldwell Station" in the search box to see the proposed site plan.

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Sincerely,

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Charter Properties, Inc.

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CHARTER
PROPERTIES INC.

February 1, 2023

VIA USPS Letter

Timothy Joseph Roy
Brenda Hager
17149 Old Statesville Rd.
Huntersville, NC 28078

Re: Neighborhood Meeting regarding site plan for subdivision

Dear Neighbor (Parcel #: 00543135):

We invite you to attend our official community meeting to receive a presentation on a by-right site plan for the development of 39 townhomes located at approximately 17209 Old Statesville Road (Hwy 115), Huntersville, NC 28078. For information on the subdivision site plan, please visit the Town website (www.huntersville.org) and search for "Charter Caldwell Station" in the search box to see the proposed site plan.

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Charter Properties, Inc.

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CHARTER
PROPERTIES INC.

February 1, 2023

VIA USPS Letter

Hampton Ridge Homeowners Association
5250 77 Center Dr., Ste 250
Charlotte, NC 28217

Re: Neighborhood Meeting regarding site plan for subdivision

Dear Neighbor

We invite you to attend our official community meeting to receive a presentation on a by-right site plan for the development of 39 townhomes located at approximately 17209 Old Statesville Road (Hwy 115), Huntersville, NC 28078. For information on the subdivision site plan, please visit the Town website (www.huntersville.org) and search for "Charter Caldwell Station" in the search box to see the proposed site plan.

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CHARTER
PROPERTIES INC.

February 1, 2023

VIA USPS Letter

Connie Washam Heath
Shirley Knox Brown
14411 Stumptown Rd.
Huntersville, NC 28078

Re: Neighborhood Meeting regarding site plan for subdivision

Dear Neighbor (Parcel #: 01103213):

We invite you to attend our official community meeting to receive a presentation on a by-right site plan for the development of 39 townhomes located at approximately 17209 Old Statesville Road (Hwy 115), Huntersville, NC 28078. For information on the subdivision site plan, please visit the Town website (www.huntersville.org) and search for "Charter Caldwell Station" in the search box to see the proposed site plan.

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Charter Properties, Inc.

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CHARTER
PROPERTIES INC.

February 1, 2023

VIA USPS Letter

Caldwell Station Homeowners Association, Inc.
919 Norland Dr.
Charlotte, NC 28203

Re: Neighborhood Meeting regarding site plan for subdivision

Dear Neighbor (Parcel #: 00544523):

We invite you to attend our official community meeting to receive a presentation on a by-right site plan for the development of 39 townhomes located at approximately 17209 Old Statesville Road (Hwy 115), Huntersville, NC 28078. For information on the subdivision site plan, please visit the Town website (www.huntersville.org) and search for "Charter Caldwell Station" in the search box to see the proposed site plan.

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CHARTER
PROPERTIES INC.

February 1, 2023

VIA USPS Letter

Association of Charlotte Hampton Ridge Homeowners
5200 77 Center Dr., Ste 141
Charlotte, NC 28217

Re: Neighborhood Meeting regarding site plan for subdivision

Dear Neighbor (Parcel #: 00543494):

We invite you to attend our official community meeting to receive a presentation on a by-right site plan for the development of 39 townhomes located at approximately 17209 Old Statesville Road (Hwy 115), Huntersville, NC 28078. For information on the subdivision site plan, please visit the Town website (www.huntersville.org) and search for "Charter Caldwell Station" in the search box to see the proposed site plan.

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Sincerely,

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Charter Properties, Inc.

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CHARTER
PROPERTIES INC.

February 1, 2023

VIA USPS Letter

The Pointe at Caldwell, LLC
3200 Northline Ave., Ste 140
Greensboro, NC 27408

Re: Neighborhood Meeting regarding site plan for subdivision

Dear Neighbor (Parcel #: 00544377):

We invite you to attend our official community meeting to receive a presentation on a by-right site plan for the development of 39 townhomes located at approximately 17209 Old Statesville Road (Hwy 115), Huntersville, NC 28078. For information on the subdivision site plan, please visit the Town website (www.huntersville.org) and search for "Charter Caldwell Station" in the search box to see the proposed site plan.

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Sincerely,

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CHARTER
PROPERTIES INC.

February 2, 2023

VIA USPS Letter and email pdf

Mr. David Peete
Town of Huntersville – Planning Dept.
P.O. Box 664
105 Gilead Rd.
Huntersville, NC 28078

Re: Neighborhood Meeting regarding site plan for subdivision

Dear David:

We invite you to attend our official community meeting to receive a presentation on a by-right site plan for the development of 39 townhomes located at approximately 17209 Old Statesville Road (Hwy 115), Huntersville, NC 28078. For information on the subdivision site plan, please visit the Town website (www.huntersville.org) and search for "Charter Caldwell Station" in the search box to see the proposed site plan.

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Sincerely,

Eric M. Williams

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Planning Services
4421 Stuart Andrew Blvd.
Charlotte, NC 28217
Phone: 980-343-6246
Email: planning@cms.k12.nc.us

Town of Huntersville: Charter Caldwell Station (Parcel 00544317)
17223 Old Statesville Road, Huntersville, NC 28078

IMPACT OF THE PROPOSED DEVELOPMENT

Proposed Housing Units: 39 single family attached

CMS Planning Area: North

Average Student Yield per Unit: 0.1812 (single family attached)

This development may add 7 students to the schools in this area.

The following data is as of 20th Day of the 2022-23 school year.

Schools Affected	*Total Classroom Teachers*	*Building Classrooms/ Teacher Stations*	*20th Day, Enrollment (non-ec)*	*Building Classroom/ Adjusted Capacity (Without Mobiles)*	*20th Day, Building Utilization (Without Mobiles)*	*Additional Students As a result of this development*	*Utilization As of result of this development (Without Mobiles)*
J V WASHAM ELEMENTARY	46.50	39	810	679	119%	4	**119%**
FRANCES BAILEY MIDDLE	66.5	57	1326	1137	117%	2	**117%**
WILLIAM AMOS HOUGH HIGH	120.3	100	2518	2093	120%	1	**120%**

The total estimated capital cost of providing the additional school capacity for this new development is $254,000; calculated as follows:

Elementary School: 4x $34,000 = $136,000

Middle School: 2x $37,000 = $74,000

Middle School: 1x $44,000 = $44,000

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
April 17, 2023

To: Town Board

From: Dan Boone, Commissioner

Date: April 17, 2023

Subject: MEDIC Resolution

EXPLAIN REQUEST:
Consider adopting MEDIC Resolution.

ACTION RECOMMENDED:
Consider adopting MEDIC Resolution.

FINANCIAL IMPLICATIONS:

ATTACHMENTS:
1. R-2023-15 Medic Resolution Clean 4-11-23

RESOLUTION IN RESPONSE TO PROPOSED MEDIC RESPONSE RECONFIGURATION

WHEREAS, the Town of Huntersville ("Town") has a core value that says the Town must be a safe place to live, work, and play, so the Town will work in partnership with the community to protect lives, property, and the public realm; and

WHEREAS, the Town aspires to provide efficient and high-quality public services and facilities through thoughtful and proactive planning, reasonable stewardship of town resources, and a professional and committed workforce; and

WHEREAS, public safety is one of the core responsibilities of the Town and of critical importance to the Town of Huntersville Board of Commissioners ("Town Board"); and

WHEREAS, Huntersville Fire Department, Inc. ("HFD") provides critical fire protection and emergency medical services and is an asset to our community; and

WHEREAS, HFD is a first responder agency under contract with MEDIC to provide first responder/emergency medical services ("EMS") services within the Town and the Town's Extra Territorial Jurisdiction ("ETJ"); and

WHEREAS, MEDIC has proposed a response reconfiguration for the purpose of better managing their limited resources and assets of the system while providing better responses to higher acuity EMS calls and minimize more risky lights and sirens responses; and

WHEREAS, MEDIC can implement this change without the approval of the Town Board; and

WHEREAS, HFD and the Town Board have concerns about the proposed reconfiguration's impact on HFD's ability to provide services to the community and concerns that EMS calls in the Town will not all receive a response from HFD.

NOW THEREFORE, BE IT RESOLVED, that the Town Board does hereby request the following should the proposed reconfiguration go into effect:

1. That HFD be provided with all the call data for the calls originating in the Town simultaneously when MEDIC receives the data so that HFD has the same information that MEDIC does and to ensure that HFD personnel have the needed information to change the response priority, if warranted.
2. That HFD be dispatched to all EMS calls for service in the Town's jurisdiction as determined per the current protocol.
3. That MEDIC, HFD, and all other interested parties conduct frequent briefings to analyze the data and discuss the proposed new reconfiguration to determine if there are any impacts to HFD, the citizens of the Town, or any other communities in Mecklenburg County (the "County").

4. That, promptly upon the determination of any material deficiencies in services to the citizens of the Town, the Town Board expects MEDIC to immediately take action to rectify the situation; expected actions include, but are not limited to, adjustments to the new configuration, new changes to the configuration, or a return to the previous configuration.
5. That MEDIC provide response time data (for Priority 1, 2, and 3) to each municipality and extraterritorial jurisdiction within the County on a monthly basis to ensure that response goals are met within all areas of the County.
6. That MEDIC evaluate the large and multi-jurisdictional North Zone (which includes parts of Charlotte and all of Cornelius, Davidson, and Huntersville) to determine appropriate geographically defined zones that will capture response times that are more representative and reflective of the three north Mecklenburg towns, such as a 3-town zone including Cornelius, Davidson, and Huntersville.
7. That promptly upon determination of continual failed response goals in northern Mecklenburg County (from the Town's southernmost limits to the most northern point of the County) MEDIC take immediate action to study and determine the best possible ambulance coverage plan for this area.

Approved this 17th day of April 2023.

ATTEST:

_____ _____

Janet Pierson, Town Clerk Melinda Bales, Mayor

APPROVED AS TO FORM:

_____

Emily Sloop, Town Attorney

Town of Huntersville
Town Board
April 17, 2023

To: Town Board

From: Zach Brown, Executive Director

Date: April 17, 2023

Subject: HFFA HVAC Equipment and Installation of Services Purchase

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EXPLAIN REQUEST:
HFFA solicited proposals in December 2022 for the replacement of 5+ year old 50M pool HVAC equipment and received two proposals. Site visits were completed with regional aquatic facilities and discussions with industry HVAC experts were performed throughout 2022 to consider options in preparation for advertising the RFB for replacement of the current equipment. All bidders provided sealed bids that were opened publicly. After comparing the proposals related to equipment, warranties, responses to clarifying questions and responses to the bid specifications, MSS Solutions was determined to be the lowest responsive responsible bidder. Therefore, Town is proposing to award the purchase of equipment and installation of services to MSS Solutions with the attached contract.

Note: This item was deferred from April 3, 2023.

ACTION RECOMMENDED:

FINANCIAL IMPLICATIONS:

ATTACHMENTS:
1. Huntersville Family Fitness & Aquatics Proposal 4-6-23
2. MSS Revised Standard Terms and Conditions of Sale_Huntersville Rev 1 CLEAN
3. EXTERNAL CONTRACT ADDENDUM without federal terms

Proposal

HVAC | BUILDING AUTOMATION | SECURITY | FIRE ALARM | LOW VOLTAGE

DATE:	4/6/2023		
TO:	Huntersville Family Fitness & Aquatics	PROJECT:	Huntersville Family Fitness & Aquatics
ATTN:	Town of Huntersville	LOCATION:	11725 Verhoeff Drive Huntersville NC 28078
PROPOSAL #:	2312541	SITE VISITED:	Yes
LICENSE #:	North Carolina 18961 South Carolina: M111755	SCHEDULE:	During normal working hours
		DRAWING DATE:	N/A
		SPECIFICATION DATE:	N/A
		ADDENDA:	No

MSS Solutions, LLC proposes to provide labor, material, and equipment to perform the work described below for the net price of:

ONE MILLION NINE HUNDRED THIRTY-FOUR THOUSAND SEVEN HUNDRED SIXTY-FOUR DOLLARS----------$1,934,764.00 USD

For the above price, this proposal includes:

- Remove two (2) existing dehumidification units from site
- Furnish and install two (2) dehumidification units
- Transition new duct from dehumidification units to existing ductwork with corrosion resistant metals
- Reconnect heating hot water piping to dehumidification units
- Modify existing return on AHU-1 and AHU-2
- Replace existing ductwork with fabric duct
- One (1) year quarterly preventive maintenance
- Two (2) year parts and labor warranty for dehumidification units
- Additional 3-5 years labor warranty
- Mechanical HVAC
- Condensate drain piping
- Electrical power wiring and disconnects
- Daily clean up
- Ductwork per SMACNA standards
- Insulation
- Labels and identification of mechanical equipment and systems

- Lifting, hoisting, crane and rigging
- Operation and maintenance manuals, training, and one (1) year warranty (except as noted above)
- Pipe, valves and fittings per specified ASTM standards and globally sourced
- Permit fees
- Sales tax on material and equipment only
- Start up and check out
- Submittals
- Temperature controls
- Test and balance

This proposal does not include:

- Pool water heating piping
- Abatement and or testing of hazardous materials
- Allowances and or contingencies
- Chemical treatment
- Building automation system
- Seismic
- Heat trace
- Air distribution devices
- BIM and coordination
- Bid bond and or payment and performance bond
- Cleaning and or leak testing of existing ductwork or piping
- Commissioning agent
- Cutting, coring and patching including floors, walls and roofs
- Dedicated clean up and or safety crew
- Demolition and or relocation of existing HVAC equipment and or systems not noted
- Dumpsters and dumpster rental fees
- Fire caulking and or sound stopping for HVAC
- Interlock of HVAC systems to fire alarm systems and or connecting smoke detectors to fire alarm
- Line freezing or blocking for piping system tie-ins (Should existing shut-off valves do not hold)
- Liquidated damages
- Painting and or priming of mechanical systems
- Structural engineering and or structural steel supports
- Temporary HVAC and or utilities
- Warranty and or repair of existing HVAC equipment and or systems
- If not specifically included above the item has been excluded

Signatures

IMPORTANT:

- **SALES TAX WILL BE ADDED TO THE ABOVE AMOUNTS UNLESS A NCDOR E-589CI AFFIDAVIT OF CAPITAL IMPROVEMENT IS SIGNED & RECEIVED WITH PURCHASE ORDER OR CONTRACT.**
- **THE ABOVE PRICE, DELIVERY/PERFORMANCE DATE, AND/OR TIME TO COMPLETE THE SCOPE OF WORK ARE SUBJECT TO CHANGE DUE TO LABOR SHORTAGES, SUPPLY CHAIN ISSUES AND/OR COVID-19 RELATED PROTOCOLS.**

This proposal is subject to MSS Standard Terms and Conditions of Sale effective on the date of the proposal, which are incorporated in full by this reference. The MSS Standard Terms and Conditions of Sale are available upon request, attached hereto, and/or can be found on https://msssolutions.com/terms. Any conduct by Purchaser which recognizes the existence of a contract pertaining to this proposal shall be considered acceptance of this proposal and all of its terms and conditions. This proposal is hereby accepted and MSS is authorized to proceed with the work; subject, however to credit approval by MSS.

Purchaser:	_____	Seller:	MSS Solutions, LLC
Signature:	_____	Signature:	_____
Name:	_____	Name:	Alli Dennis
Title:	_____	Title:	Account Manager
Date:	_____	Date:	4/6/2023
PO:	_____	MSS Office:	11524 Wilmar Blvd., Charlotte, NC

HUNTERSVILLE TERMS AND CONDITIONS OF SALE

These Terms and Conditions of Sale ("Terms") shall govern all proposals, quotations, orders and contracts for the sale of goods and services of MSS to Purchaser. These Terms supersede any prior written or oral agreement, understanding, representation or promise, and any pre-printed or standard terms and conditions contained in Purchaser's request for proposal/quote, purchase order, invoice, order acknowledgement, contract or other similar document. These Terms may not be amended, supplemented, changed or modified except by concurrent or subsequent written agreement, signed by an authorized representative of MSS and Purchaser. MSS's acknowledgement of Purchaser's order shall not constitute acceptance of any terms and conditions contained therein, regardless of how such terms and conditions may be prefaced or described.

1. DEFINITIONS:
"MSS" means MSS Solutions, LLC or the affiliated MSS entity named in the proposal or order which is providing the goods and/or services. "Purchaser" means the company who accepted MSS's offer or is named in the order. The goods and/or services provided by MSS to Purchaser shall collectively be referred to as "Work".

2. PRICES & TAXES: Unless otherwise mutually agreed to in writing, prices do not include duties, sales, use, excise, or other similar taxes, unless required by federal, state or local law. Purchaser shall pay, in addition to the stated price, all taxes not legally required to be paid by MSS or, alternatively, shall provide MSS with acceptable tax exemption certificates. MSS shall provide Purchaser with any tax payment certificate upon request and after completion and acceptance of the Work. Stenographic, clerical and mathematical errors are subject to correction. Prices are exclusive of expenses related to special packaging or procedures to cover unique circumstances of shipment or storage unless specifically noted. Until acceptance of order on these Terms, quoted prices are subject to change.

3. DELIVERY & PERFORMANCE: Dates for the furnishing of services and/or delivery or shipment of goods are approximate only and are subject to change, and MSS shall use commercially reasonable efforts to meet such dates; provided, however, that MSS shall not be liable in damages or otherwise, nor shall Purchaser be relieved of its performance hereunder, because of MSS's failure to meet them. Additionally, MSS shall not be liable, directly or indirectly, for any delay in or failure to perform caused by carriers or suppliers; labor difficulties, shortages, strikes or stoppages of any sort; difficulty in obtaining materials; customer requested order changes; fires, floods, storms, accidents, or acts of God; civil war, riot, rebellion, revolution, military or usurped power, insurrection, civil commotion or disorder, mob violence, act of civil disobedience; act of terrorism, sabotage or piracy; plague, epidemic, pandemic, outbreaks of infectious disease or any other public health crisis, including quarantine or other employee and/or governmental restrictions; any statute, sanction, injunction or other governmental restraint or prohibition; or other causes beyond MSS's reasonable control. In the event of any such delay, the date of delivery/performance shall be extended for a length of time at least equal to the period of the delay. All Work for which MSS does not receive notice of rejection for within seven (7) days after receipt, will be deemed accepted. If Purchaser fails to perform any of its obligations under this agreement, MSS shall be entitled to suspend its performance under the agreement until such time as Purchaser performs such obligations, and any dates for the delivery of goods or performance of services shall be extended for an amount time determined in MSS's discretion.

4. SHORTAGE; DAMAGE: If the materials or equipment included in this order/proposal become temporarily or permanently unavailable for reasons beyond the control and without the fault of MSS, then in the case of such temporary unavailability, the time for performance of the Work shall be extended to the extent thereof, and in the case of permanent unavailability MSS shall (a) be excused from furnishing said materials or equipment, and (b) be reimbursed for the difference between the cost of the materials or equipment permanently unavailable and the cost of a reasonably available substitute therefor. Title passes to Purchaser upon Purchaser's payment in full for the Work. Risk of loss in all goods sold hereunder shall pass to Purchaser upon delivery to the carrier.

5. SCOPE OF WORK: Any MSS proposal is based upon the use of straight time labor only. Plastering, patching and painting are excluded. "In-Line" duct and piping devices, including, but not limited to, valves, dampers, humidifiers, wells, taps, flow meters, orifices, etc., if required hereunder to be furnished by MSS, shall be distributed and installed by others under MSS's supervision but at no additional cost to MSS. Purchaser agrees to provide MSS with required field utilities (electricity, toilets, drinking water, project hoist, elevator service, etc.) without charge. MSS agrees to keep the job site clean of debris arising out of its own operations. Purchaser shall not back charge MSS for any costs or expenses without MSS's written consent

6. PAYMENT: MSS may invoice Purchaser monthly for all materials delivered to the job site or to an off-site storage facility and for all work performed on-site and off-site. Unless otherwise agreed in writing by MSS, payment for Work shall be net thirty (30) days. Waivers of lien will be furnished upon request, as the work progresses, to the extent payments are received. MSS retains all remedies for Purchaser's insolvency including, but not limited to, the right to stop work and/or delivery, reclaim any goods delivered, or withhold delivery except for cash. Failure to pay invoices at maturity date, at MSS's election, makes all subsequent invoices immediately due and payable and MSS may stop work and/or withhold all subsequent deliveries until the full account is settled and MSS shall not, in such event, be liable for non-performance of contract in whole or in part. Purchaser agrees to pay, without formal notice, one and one-half percent (1.5%) per month of the amount not paid when due, or, if such rate is in excess of applicable governing law, Purchaser agrees to pay the maximum permitted rate. No deduction, whether by way of set-off, counterclaim or otherwise, shall be made by Purchaser. If prerequisites for any payment (such as delivery, completion or formal acceptance) cannot be satisfied due to Purchaser's breach, such payment shall nevertheless become due and payable at the time agreed to and MSS's further right to seek damages shall remain unaffected.

7. CANCELLATIONS & CHANGES: In the event of Purchaser's cancellation, Purchaser shall be liable for a cancellation charge equal to the greater of (i) twenty-five percent (25%) of the purchase price and (ii) any loss or cost incurred by MSS, including, but not limited to, cost of materials, labor, engineering, reconditioning and a reasonable profit margin. Purchaser is responsible for all reasonable storage, insurance, and all other expenses incurred by MSS as a result of Purchaser's cancellations and/or changes. No changes to the specification or the order are accepted without the prior written consent of both parties. In the event Purchaser requests a change, MSS will provide a quotation to Purchaser within ten (10) days detailing the corresponding change in delivery, price, materials, and similar. MSS shall not be obligated to implement the requested change until the quotation is agreed by the parties.

8. LIMITED WARRANTY: Unless otherwise mutually agreed to in writing, (a) MSS warrants that the equipment manufactured by it shall be free from defects in material and workmanship arising from normal usage for a period of one (1) year from delivery of said equipment, or if installed by MSS, for a period of one (1) year from installation, and (b) MSS services are warranted to Purchaser to have been performed in a workmanlike manner for a period of ninety (90) days from the date of performance. If the Work does not conform to the warranty stated above, if Purchaser provides written notice to MSS of any such defect within thirty (30) days after the appearance or discovery of such defect then as Purchaser's sole remedy, MSS shall, at MSS's option, either repair or replace the defective goods or re-perform defective services. Third party goods furnished and/or installed by MSS will be repaired or replaced as Purchaser's sole remedy, but only to the extent provided in and honored by the original manufacturer's warranty. Unless otherwise agreed to in writing, MSS shall not be liable for breach of warranty or otherwise in any

manner whatsoever for: (i) any goods or services which, following delivery or performance by MSS, has been subjected to accident, abuse, misapplication, improper repair, alteration, improper installation or maintenance, neglect, or excessive operating conditions; (ii) defects resulting from Purchaser's specifications or designs or those of Purchaser's contractors or subcontractors other than MSS; (iii) damage resulting from the combination, operation or use with equipment, products, hardware, software, firmware, systems or data not provided by MSS, if such damage or harm would have been avoided in the absence of such combination, operation or use; or, (iv) Purchaser's use of the Work in any manner inconsistent with MSS's written materials regarding the use of such Work. In addition, the foregoing warranty shall not include any labor, dismantling, re-installation, transportation or access costs, or other expense associated with the repair or replacement of the Work. THE WARRANTIES CONTAINED HEREIN ARE THE SOLE AND EXCLUSIVE WARRANTIES AVAILABLE TO PURCHASER AND MSS HEREBY DISCLAIMS ANY OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

9. COMPLIANCE WITH LAWS: MSS shall comply with all applicable federal, state and local laws and regulations and shall obtain all temporary licenses and permits required for the prosecution of the Work. Licenses and permits of a permanent nature shall be procured and paid for by the Purchaser.

10. LIMITATION OF LIABILITY: NOTWITHSTANDING ANYTHING TO THE CONTRARY SET FORTH HEREIN: (A) IN NO EVENT SHALL MSS BE LIABLE FOR ANY EXEMPLARY, PUNITIVE, INCIDENTAL, INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES WHATSOEVER, WHETHER FORESEEABLE OR NOT, INCLUDING WITHOUT LIMITATION, THIRD PARTY CHARGES AND COSTS, LOST PROFITS, PRODUCT, PRODUCTION, BUSINESS OR BUSINESS OPPORTUNITY, REGARDLESS OF THE CAUSE, INCLUDING WITHOUT LIMITATION, THE NEGLIGENT ACTS OR OMISSIONS, BREACH OF CONTRACT, WARRANTY (EXPRESS OR IMPLIED) OR DUTY (STATUTORY OR OTHERWISE) OR STRICT LIABILITY OF MSS OR ANY OTHER THEORY OF LEGAL LIABILITY; AND (B) MSS'S AGGREGATE LIABILITY ARISING FROM OR IN CONNECTION WITH ALL ORDERS AND CONTRACTS FOR GOODS AND SERVICES UNDER THESE TERMS SHALL NOT EXCEED THE CONTRACT PRICE FOR THE GOODS AND/OR SERVICES FOR WHICH LIABILITY IS CLAIMED.

11. HAZARDOUS MATERIALS: Unless specifically noted in the scope of work or services undertaken by MSS under this agreement, MSS's obligations under this agreement expressly exclude any work or service of any nature associated or connected with the identification, abatement, clean up, control, removal, or disposal of environment hazards or dangerous substances, to include but not be limited to asbestos or PCBs, discovered in or on the premises. Any language or provision of the agreement elsewhere contained which may authorize or empower the Purchaser to change, modify, or alter the scope of work or services to be performed by MSS shall not operate to compel MSS to perform any work relating to the aforementioned hazards without MSS's express written consent.

12. OCCUPATIONAL SAFETY AND HEALTH: The parties hereto agree to notify each other immediately upon becoming aware of an inspection under, or any alleged violation of, the Occupational Safety and Health Act relating in any way to the project or project site.

13. APPLICABLE LAW; VENUE; ARBITRATION: The rights and duties of the parties hereunder shall be governed by the laws as set forth in the Town of Huntersville External Contract Addendum. Nothing herein shall limit any rights under construction lien laws.

14. INDEMNITY: MSS shall indemnify Purchaser from and against third party claims only to the extent directly caused by the negligence or willful misconduct of MSS, its employees, contractors, or agents.

15. INSURANCE: MSS shall maintain insurance coverage consistent with its existing programs but shall not name Purchaser as an additional insured nor waive any rights of subrogation MSS or such insurers may have against Purchaser or its affiliates. MSS will provide Purchaser with written notice of cancellation of any applicable policy thirty (30) days prior to the effective cancellation date of such policy, and will provide Purchaser with its standard certificate of insurance upon request.

16. NO OTHER CONTRACT PROVISIONS; OTHER: There are no representations, agreements, obligations, or conditions, expressed or implied, statutory or otherwise, relating to the subject matter hereof, other than contained herein. These Terms, including the external contract addendum attached hereto and incorporated herein, constitute a completely integrated agreement and cannot be modified unless modifications are accompanied by signed writing approved by MSS. For the avoidance of doubt and not in limitation of the foregoing, MSS shall not be bound by the terms of any contract between Purchaser and any third party or other flow down provisions, regardless of whether Purchaser notifies MSS of such terms unless MSS expressly agrees to be bound by such terms in writing by an authorized representative of MSS. If any provision hereof is invalid or not enforceable under applicable law, the remaining provisions shall remain in full force and effect. MSS reserves the right to transfer or assign its obligations, rights and responsibilities hereunder, so long as such successor or assign agrees to these Terms. Any assignment of Purchaser's rights hereunder without MSS's consent (which shall not be unreasonably withheld) shall be void. MSS's failure to require Purchaser's performance of any of these Terms shall not serve as a waiver of or diminish MSS's rights to require strict performance of these Terms.

17. EO CONTRACT CLAUSE: MSS and Purchaser agree to abide by the requirements of 41 CFR §§ 60-1.4(a), 60-300.5(a) and 60-741.5(a). These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities, and prohibit discrimination against all individuals based on their race, color, religion, sex, or national origin. Moreover, these regulations require that covered prime contractors and subcontractors take affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, national origin, protected veteran status or disability.

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TOWN OF HUNTERSVILLE EXTERNAL CONTRACT ADDENDUM

1. **Applicable Laws and Courts**. This contract shall be governed in all respects by the laws of the State of North Carolina. All matters, whether sounding in contract or tort relating to the validity, construction, interpretation, and enforcement of the Contract, shall be governed in all respects by the laws of the State of North Carolina and venue shall be proper only in a court of competent jurisdiction located in Mecklenburg County, North Carolina. The Contractor represents and warrants that it shall comply with all applicable federal, state, and local laws, regulations, and orders, including, not limited to, licensure requirements.
2. **Jury Trial**. Nothing contained in this Contract shall constitute a waiver of the Town's right to a jury trial.
3. **Ethics in Public Contracting**. If applicable, by submitting their prices and acceptance of this Contract, all Contractors certify that their bids are made without collusion or fraud and that they have not offered or received any kickbacks or inducements from any other supplier, manufacturer, or subcontractor in connection with their offer, and that they have not conferred on any public employee having official responsibility for this procurement transaction any payment, loan, subscription, deposit of money, services or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value was exchanged.
4. **Indemnification.** To the greatest extent allowed by North Carolina law the Contractor shall indemnify and hold harmless the Town, its officers, agents, employees and assigns from and against all claims, losses, costs, damages, expenses, attorneys' fees ("Claims"). In the event that any portion of the Service performed under the Contract shall be defective in any respect whatsoever, the Firm shall indemnify and save harmless the Town, its officers, agents, employees, and assigns from all loss or the payment of all sums of money, but only to the extent allowed by law.
   Nothing contained in this Contract shall waive the Constitutional limitation on the Town indemnifying obligations of other parties.
5. **Exclusivity**. Nothing in this Contract shall require the Town to use the Contractor or prohibit the Town from soliciting third parties for the good or services provided in this Contract.
6. **Confidentiality**. The Contractor acknowledges the Town is subject public records law and no term shall be inconsistent with N.C.G.S. §132 et al.
7. **Default**. The Town may terminate the Contract, in whole or in part, immediately and without prior notice upon breach of the Contract by the Contractor. In addition to any other remedies available to the Town in law or equity, the Town may procure upon such terms as the Town shall deem appropriate, Services substantially similar to those so terminated, in which case the Contractor shall be liable to the Town for any excess costs for such similar supplies or services and any expenses incurred in connection therewith.

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8. **Termination for Convenience**. The Town shall have the right, without assigning any reason therefore, to terminate any work under the Contract, in whole or in part, at any time at its complete discretion by providing 10 days' notice in writing from the Town to Contractor. If the Contract is terminated by the Town in accordance with this paragraph, the Contractor will be paid in an amount which bears the same ratio to the total compensation as does the Services actually delivered or performed to the total originally contemplated in the Contract. The Town will not be liable to the Contractor for any costs for materials acquired or contracted for if such costs were incurred prior to the date of this Contract.
9. **Anti-Discrimination and Equal Employment**. During the performance of the Contract, Contractor shall comply with all federal and state requirements concerning fair and equal employment and shall not discriminate against or deny the Contract's benefits or services to any person on the basis of race, religion, color, creed, national origin, age, sex (including sexual orientation, gender identity, and pregnancy), disability or handicapping condition, or genetic information.
10. **Verification of Work Authorization.** Contractor shall comply with, and require all contractors and subcontractors to comply with, the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes, "Verification of Work Authorization," sometimes known as E-verify, for all contractors and subcontractors.
11. **Iran Divestment List.** With the execution hereof, Contractor, certifies that they are not on the Iran Final Divestment List created by the N.C. State Treasurer pursuant to N.C.G.S. § 147-86.58, and will not contract with anyone on such List in performance of the work hereunder.
12. **Availability of Funds**. Any and all payments to the Contractor are dependent upon and subject to the availability of funds to the Town for the purpose set forth in this agreement.
13. **Severability**. If any provision of this Contract is found to be invalid or unlawful, then remainder of this Contract shall not be affected thereby, and each remaining provision shall be valid and enforced to the fullest extent permitted by law.
14. **Companies that Boycott Israel**. With the execution hereof, Contractor, certifies that they are not on the Companies that Boycott Israel List created by the N.C. State Treasurer pursuant to N.C.G.S. § 147-86.80, and will not contract with anyone on such List in performance of the work hereunder.
15. **Governmental Immunity**. Nothing contained in this Contract shall constitute a waiver of the Town's governmental immunity or of any limitation on liability or damages created by law.
16. **Priority of Terms**. The terms of this addendum shall supersede and take priority over any conflicting terms in the contract documents.

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Firm

Name:
MSS Solutions, LLC

Name of Contractor (type or print)

By: DocuSigned by:
Jeff Tettambel
17E7E82CDA44498...
(Signature)

Title:
VP Sales

Attest: DocuSigned by:
John Seymour
540D512F9E6E44C...
(Secretary, if a corporation)

Town of Huntersville

_____
Town Manager

Attest: _____
Town Clerk

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act

_____
Finance Director

Town of Huntersville
Town Board
April 17, 2023

To: Town Board

From: Pattie McGinnis, Finance Director

Date: April 17, 2023

Subject: Budget Amendment - HFFA HVAC

EXPLAIN REQUEST:
The Town received $650,000 from the state as a State Directed Grant to offset the cost of the HFFA air filtration system.

Appropriate $650,000 to grant revenue (403440.9999.23011) and capital expense (406400.0500.23011). In addition, appropriate fund balance of $1,350,000 (103890.9999) and capital expense (104200.0500.23011).

Estimated cost of new filtration system is $2,000,000.

Note: This item was deferred from April 3, 2023.

ACTION RECOMMENDED:
Approve Budget Amendment

FINANCIAL IMPLICATIONS:
Decrease in fund balance of $1,350,000

ATTACHMENTS:
None

Town of Huntersville
Town Board
April 17, 2023

To: Town Board

From: Barry Graham, Police Major

Date: April 17, 2023

Subject: Budget Amendment - Department of Treasury - Homeland Security Revenue to Police Capital Expense Account

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EXPLAIN REQUEST:
Appropriate Department of Treasury - Homeland Security revenue (403421.9999.14007) of $284,000 to the Police Capital expense account (405100.0500.14007). These funds will be used on the following expenditures:

9MM Handguns	$ 160,000
Light Towers (2)	$ 29,000
Replace Motorcycle	$ 30,000
Transport Van	$ 50,000
Greenway Electric Vehicle Cart	$ 15,000
	$ 284,000

For a description of how these items will be used, please see the attached memo.

Note: This item was deferred from April 3, 2023.

ACTION RECOMMENDED:
Approve Budget Amendment

FINANCIAL IMPLICATIONS:
No net impact to General fund balance; offsetting revenue and expense.

ATTACHMENTS:
1. Asset Forfeiture 2023

HUNTERSVILLE POLICE DEPARTMENT

9630 Julian Clark Avenue Huntersville, N.C. 28070
(704) 464-5400 Fax (704) 947-9200

Bence Hoyle
Chief of Police

MEMORANDUM

Date: **March 23, 2023**

To: **Anthony Roberts, Huntersville Town Manager**

From: **Major Barry Graham**

Through: **Chief Bence Hoyle**

RE: **Purchase of Equipment with Asset Forfeiture Funds.**

The purpose of this memorandum is to request the use of asset forfeiture funds to purchase the below listed items. The Huntersville Police Department currently has a total of $746,469 between our asset forfeiture accounts. All the listed items fall within the guidelines set forth by state or federal rules to allow the Huntersville Police Department to purchase. We respectfully request to move forward with these purchases:

- Purchase of 9MM handguns. The switch to the 9mm handgun represents several important improvements: Higher ammo capacity, a factory-integrated weapon mounted optic system, ambidextrous controls, better grip profile, lighter weight, while having no significant difference in cost. The 9mm ammunition is cheaper than comparable .40 cal ammo, it has a flatter trajectory, increased shooter accuracy, and reduced recoil impulse allowing faster and more accurate follow-up shots, all while maintaining comparable terminal ballistics to larger calibers. A change to 9mm is emerging as a national and international industry standard supported by decades of research and widespread adoption by local, state, and federal LE agencies and military units. This would replace the existing weapons, sights, additional ammo, and duty gear $160,000.

- Purchase of new light towers. The current light towers are over 25 years old and have become inefficient and unreliable. In addition, both light towers need to be completely rewired as the existing wiring is becoming brittle and/or rusted. The light towers are a great asset to the Police Department and the Traffic Safety Section. Not only are they utilized for traffic enforcement operations, but they have also been utilized at schools where extra lighting is needed, by public works on construction sites, and other projects that require additional lighting for safety and security. This would replace both light towers for $29,000.

- Replace a motorcycle. We currently have two Harley Davidson Motorcycles and are looking to replace the 2015 model with a 2023 BMW police motorcycle. We replaced the first Harley Davidson with a BMW through budgetary funds and received a partial grant to replace the second unit. This would allow for all three motor units to be the upgraded BMWs. The BMW models have advanced

braking and maneuverability features that increases officer safety. Replacement of one Motor unit $30,000

- Purchase an equipment vehicle. Currently, the Huntersville Police Department has numerous large and bulky pieces of equipment stored in various locations inside the police department that are needed for incidents in town. A new transport van would make it easier to centrally locate this equipment and simplify the process to transport the equipment to scenes in an expedited manner. The equipment in question includes the department drones and their associated equipment, ICOR robot, ballistic equipment, breaching equipment, specialized less lethal equipment, negotiator throw phone and adjoining large spool of cable. Many of these items are very large and bulky, and do not fit into a single police vehicle.

  Currently, when there is a need for the deployment of any of this equipment, multiple (3-4 or more) officers must be directed to the police department to retrieve it before they can respond to the scene where they are needed. Purchase of 1 Transport Van $50,000

- Purchase of an electric vehicle. The purchase of an electric vehicle to patrol the greenways allows first responders to deter and help prevent crime. This will allow our personnel to interact with the public so that we can continue to build strong and sustainable relationships throughout our communities. We believe it's important for neighbors and families visiting greenways and parks to feel safe and secure.
  This will be a fully equipped first responder electric vehicle that allows the police department to respond to emergencies along the greenway and provide support to other departments. This vehicle will also be utilized during town events or large gathering as a support vehicle.

  The vehicle provides the officers excellent mobility and visibility while maintaining a safe and family-friendly trail system. Greenway Electric Vehicle Cart $15,000

  Current Greenways – 4.4 miles

  - Torrence Creek Greenway – 2.34 miles
  - Upper McDowell (Sam Furr to Westmoreland) – 1.5 miles
  - Downtown Greenway (NC 115 to Commerce Center Dr.) – 0.6 miles

  Future Greenways – 10.9 miles

  Torrence Tributary II (Rosewood Meadow Ln. to Compass St/Cats park-n'-ride) – approx. 1 mile

  McDowell (Gilead Rd – Birkdale) – 4 miles with neighborhood connections – construction should start soon on lower half, upper section should start construction FY24-25

  Lower McDowell (existing Torrence Creek greenway to Beatties Ford Rd) – 2.2 miles target construction date FY24-25

  South Prong Clarke Creek (Vermillion Greenway – Asbury Chapel) – 2.2 miles target construction date FY25-26

  The Park – Huntersville Greenway (McCoy Rd – Reese Blvd) – 1.5 miles target construction date FY26-27.