

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

April 3, 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 4:45 p.m. on April 3, 2023.

GOVERNING BODY MEMBERS PRESENT: Mayor Melinda Bales; Commissioners Amber Kovacs, Lance Munger, and Derek Partee. Commissioners Dan Boone, Rob Kidwell and Stacy Phillips were not present.

Mayor Bales called the Pre-meeting to order.

The Board heard requests for funding from external agencies.

Cindy Deutsch, Angels and Sparrows, requested \$50,000. *Detailed request attached hereto as Exhibit No. 1.*

Harold Rice, Ada Jenkins Center, requested \$55,000. *Detailed request attached hereto as Exhibit No. 2.*

Krista Terrell, Arts & Science Council, requested \$15,000. *Detailed request attached hereto as Exhibit No. 3.*

Ashley Nydish and Nicole Fiehler, Bags of Hope, requested \$26,000. *Detailed request attached hereto as Exhibit No. 4.*

Sarah Fortner, Caterpillar Ministries, requested \$30,000. *Detailed request attached hereto as Exhibit No. 5.*

Debbie O'Handley, Hope House, requested \$20,000. *Detailed request attached hereto as Exhibit No. 6.*

Jamie Laine, Seasons of Giving, requested \$3,000. *Detailed request attached hereto as Exhibit No. 7.*

Bill Russell and Abigail Jennings, requested \$20,000. *Detailed request attached hereto as Exhibit No. 8.*

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 April 3, 2023.

GOVERNING BODY MEMBERS PRESENT: Mayor Melinda Bales; Commissioners Amber Kovacs, Lance Munger, Derek Partee and Stacy Phillips. Commissioner Rob Kidwell entered the meeting at 6:26 p.m. during the MEDIC presentation. Commissioner Dan Boone was not present.

Mayor Bales called the meeting to order.

Mayor Bales called for a moment of silence.

Mayor Bales led the Pledge of Allegiance.

STAFF QUESTIONS

Commissioner Kovacs requested update on new town hall.

Bobby Williams, Assistant Town Manager, reported it is through schematic design and we are working through the consultant and the architect with design documents to get us to construction documents.

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

MEDIC Presentation. Mecklenburg EMS Executive Director John Peterson recognized Deputy Director Dr. Jonathan Studnek and Medical Director Dr. Doug Swanson who were present.

Mr. Peterson reviewed proposed changes to the Medic Response Configuration. Dr. Studnek reviewed 911 call protocols, current response configuration and proposed response configuration. Dr. Swanson reviewed 911 calls with a 60-minute response time target from October 21, 2021 – October 31, 2022.

Refer to PowerPoint attached hereto as Exhibit No. 9.

Commissioner Munger noted that the Current Response Configuration chart and the Proposed Response Configuration chart in the presentation need additional information explaining what the information means.

Commissioner Munger questioned why the Board is just finding out about this when it is supposed to take effect on April 17.

Mr. Peterson explained response configuration has been talked about for months. The presentation for the Huntersville Town Board was originally scheduled for early March, but Medic had to cancel and reschedule.

Commissioner Partee noted he is a retired police officer and investigator, and the model for Nassau County Police Department in Long Island was officers were EMT certified and whenever a 911 call went

into the call center, the call would immediately go out to the police driver to respond immediately to that call while another call went out to the ambulance. How many Medic units are in the Davidson, Cornelius and Huntersville area.

Mr. Peterson noted it varies by day and it varies by hour of the day. It's built by demand, so we look every day and we go back and look at a 20 week worth of demand and we create our schedule that way.

Dr. Studnek explained in Mecklenburg County, police departments are not automatically dispatched on every 911 call where it is a medical call. Dr. Studnek reviewed the MPDS protocol and Medic's staffing model.

Commissioner Partee requested information on how often system status level zero happens to Medic.

Dr. Studnek explained system status level zero is an event that occurs sporadically throughout the system in which all ambulances that are rostered and on service are all on a call and so there are no ambulances available to take the next call. The periods of these usually lasts minutes, not hours. We have mutual aid with the counties that surround us. If no ambulances are available, we may call for mutual aid or we might know that there are ambulances that will be clearing from the hospital.

Commissioner Partee asked if Medic can handle all the calls without the assistance of the fire departments in North Mecklenburg.

Mr. Studnek noted Medic uses a tiered approach where we use first responders who are in their community to respond. We believe that first responder fire departments are vital to managing how we respond to emergencies within our community and appreciate the partnerships that our fire departments have provided to us over the years by being a good medical first responder.

Commissioner Partee asked what is Medic's assumption to the impact that this will put on the Huntersville Fire Department in keeping the same level of service for fire.

Mr. Peterson explained we anticipate there being an increase of calls that the fire department does not respond to by about 5 to 10 percent. The reason for that is because we want to make sure that when we send our fire departments out to calls that they are responding to calls where they can truly make a difference and if it's a call that we don't think there's a potential life-saving intervention or that the fire department actually needs to be on, let's keep them available for another higher priority call or a fire or something else that comes in. Fire will be dispatched when Medic is dispatched. There is protocol in place that our Medical Director created that will allow the fire departments in certain situations to, after they have done a full assessment with the patient and determined that they are a low priority patient and that the fire department is not going to be able to provide any type of medical care or doesn't need to, that the firefighters can actually go available on scene and be able to respond to another emergency call should it come in.

Commissioner Partee suggested Medic consider injecting the police department into the formula.

Commissioner Kovacs asked if the fire department will respond with lights and sirens.

Mr. Peterson noted Medic does not have the authority to dictate to the fire department, but they strongly suggest that the fire departments reduce the use of lights and sirens. The fire departments will have access to the call notes and if they see something in those call notes that they feel is a clinically

appropriate reason to upgrade a response, they can upgrade their response from non-emergency to emergency.

Commissioner Kovacs asked what can a firefighter actually do medically.

Dr. Swanson noted that the scope of what an EMT can do is set by the North Carolina Medical Board, whether it's an EMT for Medic or for one of the fire departments. Dr. Swanson reviewed what an EMT and paramedic can do medically.

Commissioner Kovacs questioned if the change is due to a staffing issue as opposed to the amount of calls.

Mr. Peterson noted staffing plays a part, but this is not due to a staffing issue. This is an evolution of the EMS system that actually started about 10 years ago and has been slowly progressing and has been accelerated by the pandemic.

Commissioner Kovacs expressed concern about the burden this puts on our fire department and how that's going to affect staffing.

Commissioner Phillips noted it's our budget season and had we known this a little bit sooner we would know how to better prioritize for our fire department and their future asks. Commissioner Phillips requested Chief Dotoli update the Town Board in a couple of months on how this is going for them.

Mayor Bales asked how many ambulances does Medic run currently.

Mr. Peterson responded I believe that number is 72.

Mayor Bales asked what did that look like 20 years ago.

Mr. Peterson said it was probably half or less than that.

Mayor Bales asked do you take trucks out of service to transport i.e. these behavioral health calls.

Mr. Peterson explained that Medic has non-emergency trucks that their dedicated service for the day is to do those non-emergency calls.

Mayor Bales questioned if first responders are dispatched for OC calls.

Dr. Studnek explained OC is an acronym for crisis nurse or crisis line, so those are behavioral health emergencies that are low priority that we think a conversation with a crisis counselor on the phone will manage the issue. Medic does not dispatch first responders or an ambulance if the crisis provider is able to deescalate the situation.

Mayor Bales expressed concern with our fire department responding and then being left sitting with calls waiting for Medic to show.

Mr. Peterson noted that Medic will follow-up with the fire departments on a monthly basis to make sure it doesn't become burdensome for the departments.

Mayor Bales noted this Board is going to have to continue to look at the numbers in the budget. We may be looking at a significant amount of money in regards to making sure that the fire department has the things that they need to run these calls, especially if they are going to be sitting there.

Commissioner Munger asked do you know how your response time compares to other major metro areas currently and based on the proposed model.

Mr. Peterson said as far as our performance today I would put our performance on Priority 1 response times up against anyone. Our average in the county right now is 8 minutes 23 seconds. As far as our new response configuration, we are not going to be the first who is making changes like this, but we are one of the first, so it's hard for me to answer that question.

Mayor Bales expressed appreciation to Medic for their presentation.

Education and Sharing Day Proclamation. Mayor Bales proclaimed April 2, 2023, as Education and Sharing Day.

*Town of Huntersville
Proclamation*

WHEREAS, the basis for the continuity of any society is education; and in the great state of North Carolina the education of our youth is a priority; and

WHEREAS, in order to achieve its highest goals, education must not only impart knowledge but also teach the students how to live, forming and strengthening their moral character to make a better life for themselves as individuals and for society as a whole; imparting moral and ethical values that have been the bedrock of society since the dawn of civilization; and

WHEREAS, a global spiritual leader and leading advocate for the advancement of education, the Rebbe, Rabbi Menachem M. Schneerson, of righteous memory, stressed that a moral and ethical education empowers every individual to develop their full potential in making the world a better place; and

WHEREAS, such an education can nurture the unity of diverse peoples through encouraging increased acts of goodness and kindness, imbued with the awareness that even a single positive act of an individual can change the world and usher in an era of global peace, when there will "be peace within your walls, serenity within your mansions" (Psalms 122); and

WHEREAS, "Education & Sharing Day" is observed each year on the Rebbe's birthday in recognition of his outstanding and lasting contributions toward the improvement of education, morality, and acts of charity around the world; a day to pause and reflect on our responsibility to ensure our youth have the foundation necessary to lead lives rich in purpose and fulfillment through service and good works; and

WHEREAS, April 2, 2023, will mark 121 years since the Rebbe's birth, capping a year in which thousands of new institutions and initiatives were launched throughout the world in tribute to this celebration; and

WHEREAS, this year has an added significance as a year of "Hakel," a biblical event of unity, education and spiritual growth emphasizing how every person is crucial to perfecting the world;

NOW, THEREFORE, I, Melinda Bales, Mayor of the Town of Huntersville, do hereby proclaim Sunday, April 2, 2023, to be: **EDUCATION AND SHARING DAY** in the Town of Huntersville and call upon everyone to work together to create a better, brighter, and more promising future for all.

IN WITNESS WHEREOF, I do hereby set my hand and cause the Seal of the Town to be affixed, this the 3rd of April, 2023.

AGENDA CHANGES

Commissioner Kidwell made a motion to move Item 8.E. under the Consent Agenda (Adopt Resolution to accept Settlement Agreement for Parcel #01711305 for the construction of the Main St Improvements project) to Item 10.I under Other Business. Commissioner Kovacs seconded motion. Motion carried 3 to 2, with Commissioners Munger and Partee opposed.

Commissioner Kidwell made a motion to adopt the agenda as amended. Commissioner Kovacs seconded motion. Motion carried unanimously.

CONSENT AGENDA

Approval of Minutes – February 20, 2023. Commissioner Phillips made a motion to approve the minutes of the February 20, 2023, Regular Town Board Meeting. Commissioner Munger seconded motion. Motion carried unanimously.

Approval of Minutes – March 6, 2023. Commissioner Phillips made a motion to approve the minutes of the March 6, 2023, Regular Town Board Meeting. Commissioner Munger seconded motion. Motion carried unanimously.

Call for Public Hearing – Petition #R23-02 Babe Stillwell Storage. Commissioner Phillips made a motion to call a public hearing for Monday, May 1, 2023, at 6:00 p.m. at Huntersville Town Hall on Petition #R23-02 Babe Stillwell Storage, a request by Lieberman Properties LLC to rezone +/- 8.85 acres located at 7603 Babe Stillwell Farm Road from Neighborhood Residential to Special Purpose Conditional District for an outdoor storage development.

Commissioner Munger seconded motion.

Motion carried unanimously.

Call for Public Hearing – Petition #R23-03 Ultimate Athlete. Commissioner Phillips made a motion to call a public hearing for Monday, May 1, 2023, at 6:00 p.m. at Huntersville Town Hall on Petition #R23-03 Ultimate Athlete, a request by Jeremy Martin to rezone +/- 1.290 acres located at 15901 Cramur Drive from Neighborhood Center to Highway Commercial Conditional District for an indoor/outdoor recreation center.

Commissioner Munger seconded motion.

Motion carried unanimously.

PUBLIC HEARINGS

Petition #R22-07 Town 1 Mixed-use Center. Mayor Bales called to order public hearing on Petition #R22-07 Town 1 Mixed Use Center, a request by Treenail Development, Inc. to rezone +/- 69.41 acres located at the intersection of Mt. Holly-Huntersville Road and Hambright Road from Corporate Business and Corporate Business Conditional District to Transit Oriented Development Residential Conditional District, Highway Commercial Conditional District, and Special Purpose Conditional District.

The applicant has requested the public hearing be continued to Monday, May 1, 2023.

Commissioner Munger made a motion to continue the public hearing on Petition #R22-07 to Monday, May 1, 2023, at 6:00 p.m. at Huntersville Town Hall.

Commissioner Phillips seconded motion.

Motion carried unanimously.

Petition #TA23-02. Mayor Bales called to order public hearing on Petition #TA23-02, a request by the Town of Huntersville Planning Department, for a text amendment to the Zoning Ordinance to amend Article 14.2.3 of the Zoning Ordinance, TIA reference no longer applicable as a result of the current administrative review of Sketch Plans; Section 6.300 of the Subdivision Ordinance for a TIA reference no longer applicable; Articles 11.8 and 14.4.4 of the Zoning Ordinance regarding the withdrawal of amendment petitions; Section 6.320 of the Subdivision Ordinance, Sketch Plan Community Meeting notification requirements; Article 11.4.3 of the Zoning Ordinance regarding Conditional Zoning Community Meeting notification requirements.

Lauren Speight, Planner II, entered the Staff Report into the record and reviewed request. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 10.*

This is a text amendment of multiple parts of the Zoning and Subdivision Ordinances.

Sections 1 and 2 are regarding regulations for the Traffic Impact Analysis (TIA) requirements. Please note there are no changes to existing thresholds for improvements. Section 1 is regarding a TIA reference that is no longer applicable in the Zoning Ordinance. A few sentences down it reads "The draft TIA shall be submitted to Town staff 30 days prior to the Town Board Public Hearing (for rezoning cases) or as provided in the Subdivision Ordinance." That section is a holdover from when the sketch plan review was quasi-judicial. It is not administratively reviewed, so there is no reference in the Subdivision Ordinance. That requirement is now just in the Zoning Ordinance.

The next section for resubmittals of TIA's is only specific to rezoning cases because rezoning cases would be the only plan that would be coming to the Town Board now for new subdivisions specifically.

Section 2 is also regarding a TIA reference that is no longer applicable. This subsection is within the sketch plan requirements of the Subdivision Ordinance. This was specified by the Planning Director. Subsection 2 indicates that for developments of 20 or more residential units or equivalent traffic generation a physical analysis is required. The thresholds are already set in Article 14. This is not removing the requirement. A development of 20 units or more would still have to submit a TIA determination of need and if it hit any thresholds for improvements, they would still be required.

Section 3 is regarding the withdrawal of amendments such as text amendments and map amendments for rezonings. This proposed change is for Article 11.4.4 of the Zoning Ordinance. The ordinance currently allows for the withdrawal of petitions at any time up to the date of the public hearing on the petition. The revision indicates that the withdrawal can take place at any time prior to final action by the Town Board.

Section 4 is regarding the withdrawal of the petitions specifically for the reclassification of property, which are rezoning petitions, so it indicates that if for example a petition for the reclassification of property was withdrawn, the petitioner would have to wait a year before resubmitted unless they met one of the criterion in Subsection 2.

Sections 5 and 6 are both regarding mailing requirements for community meetings. Section 5 includes proposed changes to mailing requirements for community meetings for sketch plans for major subdivisions. Section 6 includes proposed changes to mailing requirements for the required community meeting held by petitioners for rezonings. Both Sections 5 and 6 change the mailing requirement that the community meetings must be sent via certified mail.

Commissioner Kidwell said with the TIA, what is the current threshold that is required and what was it previously.

Stephen Trott, Director of Engineering, said the current thresholds are 1,500 daily trips/150 peak hour trips. The prior threshold was 1,000 daily trips/100 peak hour trips. The current ordinance also gives the option that the Town can defer the TIA to NCDOT if NCDOT is requiring a TIA.

There being no further questions or comments, Mayor Bales closed the public hearing.

Petition #TA22-11. Mayor Bales called to order public hearing on Petition #TA22-11, a request by the Huntersville Planning Department for a text amendment to the Zoning Ordinance to amend Article 10 Signs to increase flexibility of sign regulations and codify current practices.

Lauren Speight, Planner II, entered the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 11.*

The purpose of this text amendment is to increase flexibility of sign regulations based on customer feedback and to clarify and codify current practices.

The most extensive changes are to Article 10.7.1 which has the standards for permanent on-premise signs and the most notable change in this section is regarding the sign on the parking lot facades of buildings.

Today if you have a building that fronts a public street you are allowed a percentage of the wall façade that fronts the public street for your primary sign. To have a sign on another wall of the building, it has to be facing a parking lot and have pedestrian entry. If you want to have a sign on that side, it can be up to 32 sq. ft., but it must be a transfer from the amount that you are allowed on the primary side. What we are proposing is that the calculation for the primary façade stay the same, but parking lot signs are allowed to just have 32 sq. ft. outright. This is from customer feedback that staff has been receiving for a number of years, wherein many businesses don't have enough sign area to transfer or there are multi-tenant buildings that have a small amount of wall area to start with and then they don't have a sign on the parking lot side which is where most people enter a lot of multi-tenant buildings.

Staff has received a lot of feedback as well regarding multi-tenant, multi-level buildings. In many cases staff is receiving feedback that a tenant will sign a contract to lease a unit or multiple units in a multi-tenant, multi-story building and as a part of their contract they are promised a sign on the primary façade of the building, but when they go to submit sign permits we see that the existing signs are using the maximum area for the allowable wall signs. Our proposed change is that when we have new multi-tenant, multi-level buildings or site plan revisions, that staff require a plan to be administratively reviewed to ensure that all tenants are able to get signage for identification purposes.

There are two options that developments have if they would like some additional flexibility beyond what the Zoning Ordinance already allows for signage and there are development area requirements, so there's a minimum acreage requirement that you have to meet to be allowed these options. One is a special sign district, which we have only a handful of and then another is the Planned Development Sign which we actually have quite a few of, that allows a larger monument sign and in the case of Special Sign Districts, it's up to the Town Board's discretion to grant whatever the development is proposing. The most notable changes here are that for the Planned Development option, which is administratively

approved by staff, we are proposing to allow a 40 sq. ft. sign on one non-street fronting wall for the development.

Lastly, staff has received numerous requests for drive-up signs. This kind of started with a proposal for an incredibly large canopy drive-up sign that was pretty much the dimensions of a gas station canopy in one of the developments, so we took to kind of evaluating how to appropriately allow these types of signs and the proposal within this text amendment is that signs like drive-up or curbside pick-up signs would be restricted to be similar to what is currently required for handicapped signs.

There's an additional category that's proposed for temporary sporting events. Staff has also received feedback that the various sporting events that are held in the Town would like to have temporary signs. Right now flashing banners and things like that are not allowed because of the distraction it could cause. However, we are proposing that a stationary sign be allowed for temporary sporting events that take place in town.

Commissioner Phillips said the one that kind of stood out to me was the last one you just spoke about with the sports. How come that wasn't considered just to say public events, because when we have Angels of 97, the Highland Games, things like that, those are temporary.

Ms. Speight said public interest events are already in there.

Commissioner Munger said on the sporting event or other event signs, is there a specific timeframe they can put them up/take them down.

Ms. Speight said they should be up no sooner than the day of the event and may be allowed through the duration of the event.

Commissioner Munger said if you go back to the Target looking thing. I'm just curious what was our overall objection to that.

Ms. Speight said this was hotly debated amongst staff. One thing that we wanted to consider is that most people are already familiar with the drive-up signs and where they are going to be located. If you're not, you know to look for them already. It's not something that's new that anyone is doing, especially since the pandemic most places have a curbside or a drive-up pick-up option and Target's is very familiar. The idea is that we didn't want these to be overwhelming. Another consideration is that when the signs get to a certain dimension, they may require a building permit and right now we do not have a category that would fit in other than it being a monument sign and there is no monument sign type that a drive-up sign would fit within, which was the situation we got into with the canopy that was previously proposed. We tried to find a way that someone could have a drive-up sign without having to get a building permit or a sign permit, so this would be a sign that would be allowed similarly to directional signs that are already required without having to have a permit.

Commissioner Munger said I wouldn't mind seeing some options around this when it comes to a vote, because that doesn't bother me.

Ms. Speight said it's currently a separate section, so you are welcome to exclude this.

Commissioner Kovacs said I was actually going to say the same thing. I like the differentiation but because as someone that does utilize handicapped parking sometimes, I have been known to start to pull in and go it's drive-up, so I actually like the differentiation. I would like to see some options as well.

There being no further questions or comments, Mayor Bales closed the public hearing.

2023 Downtown Master Plan. Mayor Bales called to order public hearing to receive public comments on the 2023 Downtown Master Plan.

Jack Simoneau, Planning Director, reviewed the Draft 2023 Downtown Master Plan. *Refer to PowerPoint attached hereto as Exhibit No. 12.*

Commissioner Kovacs pointed out the green dot symbols surrounded by blue and questioned if those were proposed roundabouts in Greenfield Park.

Mr. Simoneau said those would not be roundabouts. Those are just street intersections.

Gatewood Campbell, 104 Interlaken Place, said I'm here today to encourage you to vote yes to the final draft of the Downtown Master Plan. I was one of the 15 voting members on the Downtown Plan Steering Committee and although we started out light years away from each other, we came together and voted unanimously to approve this plan and send it to you for vote. This process was not an easy one, but the voting members and ex officio members were deeply committed to coming up with a solid plan to add new life and excitement to our downtown. Over the course of 13 months, we met 15 times. That's 30 hours of meetings and discussions and that doesn't include the research and homework done to prepare for the meetings. Additionally, we had three public forums throughout the process, for a total of 18 meetings. As you review the plans, please take into full consideration the details done prior to tonight's public hearing. I assure you we did our due diligence on this project and we are proud of the final product. I encourage you to trust the process and approve the final Draft Master Plan. I want to thank Chairperson Sarah McAulay and Vice Chair Lee Hallman for their leadership and guidance. I also want to acknowledge and thank the Planning staff and in particular Dave Hill and Jack Simoneau. A special thanks to Commissioners Phillips and Kidwell for taking the time and attention to get this train back on the right track this summer, not the commuter rail, that's not coming. Thank you to each of you for your commitment to the Town of Huntersville and your dedication to our town. I hope you will vote unanimously to approve this draft of the Master Plan for which I am very proud.

Charles Guignard, 201 Sherwood Drive, said I have been here for 44 years. Over 30 years ago I bought my first piece of property and second and third piece of property in what you all affectionately call Downtown Huntersville. I was coerced by the person that told me to keep my mouth shut tonight, to serve on this committee because I was intrigued, interested, etc. in the downtown. Gatewood has already summarized this well. I turned around to her when Commissioner Kovacs was talking about roundabouts and I said is she trying to get my heart to stop, are there more roundabouts. Praise God, not. I say all that to say I think there is one word that this Board that I used to sit on needs to remember. We were more than light years apart. We were eons apart. That's because I'm much older than Gatewood. We voted unanimously that night without any comments. Thank you to Commissioner McAulay and to Lee Hallman and their work to make that happen. I urge you to do this, not for my sake, not for the downtown's sake, but for the Town's sake. On a side note, after sitting here and listening to the 911 discussions over an hour, remember one thing that I don't think you were told and you may all be well aware, MEDIC is a profit center. They are not an agency of the county. They are making money

and like the rest of the world they are having a hard time staffing up to the needs of this region. Thank you for your allowing us to serve faithfully for the Downtown Committee. We did vote unanimously.

Sarah McAulay, Chair of the Downtown Plan Steering Committee, said I come to you and ask you to vote for this Downtown Plan as soon as possible, so we can start making additional things happen. There are already some happening and I will tell you, we are all concerned about the downtown traffic, it's not going to be solved on Gilead Road. It's going to be on the outreaches, which was beyond this study group. That needs to have your full attention in the future, but right now please proceed to vote for this plan, let us get started working on it. I thank the Board on behalf of all of us that served for the opportunity. I thank the Planning staff and the consultants for their leadership in working with all of us.

Ron Julian, 110 North Maxwell, said I don't think I've been up here and spoke since I left this dais, but today is a great day. I want to thank the committee for putting this plan together. As many of you guys know, me and Teresa built our retirement home in downtown Huntersville. It's probably the only new home right now in the downtown. We are looking forward to restaurants and breweries and all kinds of places that we can walk to and enjoy, so this is a start to it. We support it. You haven't heard much from us in the way of for it or against it. I've got a road going right by my house.....now I will tell you I understand it. We hope there will be tons of people downtown. Now, you do have to buy that land, I will tell you that. Don't worry about that, that's not yet.....whenever you are ready. We're excited for Huntersville because this is what we need. We hope there will be many festivals and people will be elbow to elbow, but we are looking forward to the growth here in Huntersville. We don't plan to go anywhere. We're going to be right there. Huntersville is home. Please approve this plan and keep Huntersville going and thank you for your service.

There being no further questions or comments, Mayor Bales closed the public hearing.

Petition #ANNEX23-01. Mayor Bales called to order public hearing on Petition #ANNEX23-01, a request by Camden Bowman, LLC to annex 33.535 acres into the Town of Huntersville.

Nathan Farber, Planner I, entered the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 13.*

This is an annexation of the Camden subdivision by the applicant Camden Bowman, into the Town of Huntersville.

There being no questions or comments, Mayor Bales closed the public hearing.

Petition #ANNEX23-02. Mayor Bales called to order public hearing 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 into the Town of Huntersville.

Nathan Farber, Planner I, entered the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 14.*

Bobby MacNaughton is representing KB Homes Charlotte LLC. This annexation is a non-contiguous annexation, so it's a satellite parcel. It is part of The Hills subdivision and it's 62.593 acres. The property is about 900' from the primary corporate limits of the Town. The property is a little over a mile from the nearest other primary corporate limits, which is Charlotte. If annexed, the percentage of satellite

property within the Huntersville corporate limits would be 7.7 percent, which remains under the required 10 percent.

There being no questions or comments, Mayor Bales closed the public hearing.

OTHER BUSINESS

Petition #ANNEX23-02. Petition #ANNEX23-02 is a request by Bobby MacNaughton, Richard Carpentieri, Emily Bice, Logan Ruffin, Abril Jimenez, and Chirag B. Patel to annex 62.593 acres into the Town of Huntersville.

Nathan Farber, Planner I, entered the Staff Report into the record. *Staff Report attached hereto as Exhibit No. 15.*

Commissioner Munger made a motion to adopt Annexation Ordinance 2023-02 and approve Petition #ANNEX23-03, a request by Bobby MacNaughton, Richard Carpentieri, Emily Bice, Logan Ruffin, Abril Jimenez, and Chirag Patel to annex 62.593 acres of Parcels 021-031-04, 021-031-32, 021-031-07, 021-031-38, 021-033-89 through 021-033-91, 021-033-01 through 021-033-18, 021-033-52 through 021-033-88, into the Town of Huntersville.

Commissioner Phillips seconded motion.

Mayor Bales called for the vote to adopt Annexation Ordinance 2023-02.

Motion carried unanimously.

Annexation Ordinance attached hereto as Exhibit No. 16.

Petition #ANNEX23-01. Petition #ANNEX23-01 is a request by Camden Bowman LLC to annex 33.535 acres into the Town of Huntersville.

Nathan Farber, Planner I, entered the Staff Report into the record. *Staff Report attached hereto as Exhibit No. 17.*

Commissioner Partee made a motion on Petition #ANNEX23-01 to annex 33.535 acres of Parcel 011-241-04 into the Town of Huntersville.

Commissioner Kovacs seconded motion.

Commissioner Partee amended his motion to include to approve Annexation Ordinance #23-01.

Commissioner Kovacs seconded amended motion.

Mayor Bales called for the vote to adopt Annexation Ordinance 2023-01.

Motion carried unanimously.

Annexation Ordinance attached hereto as Exhibit No. 18.

Resolution – Ratify Acceptance of State Grant Funds. In the 2022 State Appropriations Act, the State of North Carolina appropriated \$650,000 to the Town for an air filtration system for HFFA. The Town must ratify acceptance of State grant funds.

Commissioner Partee made a motion to approve R2023-10, a Resolution to ratify acceptance of State grant funds for HFFA air filtration system in the amount of \$650,000.

Commissioner Kidwell seconded motion.

Commissioner Munger said if Item C was passed and Item D was not passed, what does that do with Item C.

Bobby Williams, Assistant Town Manager, said it was for HVAC upgrades, so it may not necessarily be what is before you tonight. It may be some other version of HVAC upgrades to improve the pool environment in the 50-meter pool.

Commissioner Munger said those funds could be used in other ways other than are specifically mentioned in Item D, as long as they are used for the HVAC specific systems at HFFA.

Mr. Williams said it was generically worded in the State budget appropriation for HVAC. We did submit a preliminary scope of services to the State. They treat it like a grant. We have to tell them here's how we are going to spend the money, so I would want to go back and revise that before I gave you a 100 percent answer, but it was generically worded enough that suggest you could do some other HVAC, not necessarily one system, but maybe an array of other improvements.

Mayor Bales said I do want to take a second to thank Representative Bradford for securing these funds. He called last year when they were working through the budget and asked what needs we had and I shared with him this was a big need and had conversations with our HFFA Committee around this and we put in that ask, so I want to take a moment to say thank you to him for all that hard work he did to secure them.

Mayor Bales called for the vote to adopt Resolution.

Motion carried unanimously.

Resolution attached hereto as Exhibit No. 19.

Award HFFA HVAC Equipment and Installation Contract. Zach Brown, HFFA Director, gave a quick overview of the project. *Refer to PowerPoint attached hereto as Exhibit No. 20.*

Representatives from MSS Solutions are available for any questions: Allison Dennis, MSS Solutions, 4300 Waterbury Drive, Charlotte and Larry McWilliams, MSS Solutions, 3921 Sussex Avenue, Charlotte.

Commissioner Munger said I'm trying to understand some of the specifics about what you will be doing and what you won't be doing. Is one of the items that you are doing is building an automation system for the HVAC?

Mr. McWilliams said the pool units themselves will come with a web-based control system for the 50-meter pool, the units that control the climate for the 50-meter pool. We will not be providing a building automation system for the entire building.

Commissioner Munger said will you be modifying the existing diffusers air pattern towards the pool?

Mr. McWilliams said our bid included replacement of the existing metal ductwork in the space with fabric ductwork, which will have an anti-microbial coating which is much better suited for a corrosive environment like a pool space than metal ductwork. As part of that replacement, we will evaluate the air flow pattern of the new ductwork that we put in the space with the intent of focusing more air flow on the pool surface and other critical spaces like upwards towards the ceiling and try to clear as many of the chlorines and things like that off the pool surface.

Commissioner Munger said in relation to the ductwork itself, when you go through and replace it will you be responsible for the removal of that ductwork that is no longer used?

Mr. McWilliams said we will dispose of the old ductwork.

Commissioner Munger said will you be working on air distribution devices?

Mr. McWilliams said the fabric ductwork is a porous material that has holes that direct the air flow out of the fabric ductwork. It doesn't have the same type of drum louver type air distribution that you see existing in the space. One of our proposed alternates in our original proposal included changing the direction of the existing air distribution devices in the space, but with the replacement of the ductwork, that would no longer be necessary. All the direction of the airflow will be handled as part of the design by the fabric ductwork system.

Commissioner Munger said will you be doing any cleaning or leak testing of existing ductwork or piping?

Mr. McWilliams said I believe that was specifically excluded from our proposal.

Commissioner Munger said that basically just covers the existing ductwork because if you will be replacing it, you'll do leak testing of anything you are putting in.

Mr. McWilliams said any new piping, yes we will leak test. There will not be, I guess you are talking about a duct pressure test. It's not necessary for the fabric ductwork in the space, plus the supply ductwork is all exposed within the space so the air is generally all going to the same place. What I will say is we are replacing the ductwork that's inside the pool space. We are not replacing the ductwork on the roof except to the extent necessary to replace the existing units.

Commissioner Munger said you don't have any concerns about any of the ductwork on the roof?

Mr. McWilliams said my personal opinion is I believe it is an existing condition. We were not able to determine any issues with the existing, but if it's determined during the construction process, then we will bring that to the attention of Zach and his team and figure out a way to solve that problem.

Commissioner Munger said there's something interesting about what you just said and I'm just going to say maybe that was just the external ductwork because you said you determined there's not anything wrong with the existing ductwork, but we're here because the existing ductwork failed. Are we not?

Mr. Brown said no, it's not necessarily that the existing ductwork has failed, it's the units themselves that are not operational. Any of the external on the roof ductwork that they would be replacing would be whatever needs to be realigned in order to fit the new units, so any ductwork that would need to modify to fit within the specs of the new units would be getting replaced.

Commissioner Munger said we are only replacing the ductwork as it relates to its capabilities within the new system that is being implemented?

Mr. McWilliams said I would say that we are replacing the ductwork that has to do with the physical distribution of the air to the space. The ductwork on the roof simply carries the air from the unit into the space. It doesn't actually deliver it across the existing space and surface at the walls. The reason we proposed going to a fabric duct solution is because it gives a more even air distribution pattern and we are able to space the amount of air flow out across the entire length of the perimeter of the pool, whereas the current air distribution pattern, there's a diffuser every say 30', 40', 50' and then they are directionally aimed, so you're limited in the amount of coverage you have because you are limited by the number of diffusers, whereas with the fabric ductwork it's more of a continuous delivery of airflow.

Commissioner Munger said correct me if I'm wrong, but this HVAC system is specific to the pool, not the entire facility.

Mr. McWilliams said yes.

Commissioner Munger said should there be a need to cut a new hole or create anything to accommodate the new HVAC system, you are saying that's something you are not going to be responsible for?

Mr. McWilliams said we would not have excluded something that we felt was necessary for the project. We feel like it's not going to be a requirement of the project to cut a hole in the roof, ceiling or wall or else we would have included it.

Commissioner Munger said should that happen, then it's a separate negotiation, is that what we are saying?

Mr. McWilliams said I guess if it were to happen, then in my opinion it would require a change in the scope of the project.

Commissioner Munger said will there be any instance for a need of a temporary HVAC or utilities?

Mr. McWilliams said I believe it depends on the time period when the work is completed, so as we stated in our proposal our understanding was that the busy season for the pool begins September timeframe with the start of high school swimming sports and ends February timeframe as spring begins. The schedule of the project is somewhat limited by the procurement of the equipment. If you are not familiar with the HVAC equipment industry right now, lead times are extravagant on just about everything, so the proposed equipment that we've included for the project as of a few weeks ago was at about 34 weeks to have it delivered to us before we can install it on a roof. When we submitted our original bid, I'd say we anticipated a mid-February release on the project which would start our design process, releasing subcontractors through shop drawings and then our ability to release equipment for production. As it's kind of pushed out a few weeks from that point, 34 weeks puts us close to the end of

the year, so that kind of falls right in the middle of your busy season for the pool. What we've explained to Zach is that we have the ability to either start during the busy season and kind of work through what is going on, can we work through a down time, can we replace equipment over a weekend, all that scheduling stuff will be worked out as we begin the construction process with our project management team or we can hold the equipment in our warehouse in Charlotte until we get to say March and the pool is less busy and potentially avoid the need for rental equipment on the project all together. That's something that needs to be worked through, but a specific part of the bid did not request the inclusion of rental equipment, so we did not include it.

Commissioner Munger said if there were a need, it would be a separate negotiation?

Mr. McWilliams said right.

Commissioner Munger said the only other one I guess I just had a question about was the abatement and/or testing of hazardous materials. Is that not a standard thing?

Mr. McWilliams said given the construction of the building being 2001, it's highly unlikely that any asbestos was utilized in the construction of the building, so we excluded that from our scope.

Commissioner Munger said this is asbestos specific?

Mr. McWilliams said yes.

Commissioner Munger said everything I just read to you is on your proposal does not include. And one of the specifics we talked about modification of existing diffusers air pattern towards the pool. It did sound like that was something that would actually fall within scope.

Mr. McWilliams said yes.....we listed that out as two different things. One was going to be if we kept the existing metal ductwork and then the other was if we replaced the fabric ductwork. Both of those give us the ability to adjust the airflow pattern more towards the pool. We felt like the fabric ductwork option gives you a more continuous direction of that airflow at the pool surface. I believe you are correct that either one of those options would include modifying the air distribution.

Commissioner Munger said I would ask that any motion to be made remove that particular item. Additionally, I am not comfortable with the bottom one, if not specifically included above the item has been excluded. I know it's kind of a catchall.

Mayor Bales said what did you say exactly?

Commissioner Munger said it would be modification of existing diffusers air pattern towards the pool, based on what we are hearing here that would be something that should not be specifically excluded.

Mr. McWilliams said just to clarify, you are talking about the air distribution devices.

Commissioner Munger said if I look at the proposal and I go down eight bullet points, there's a line, and this is under This Proposal does not Include, modification of existing diffusers air pattern towards the pool. Based on what we've just heard, that is something that should actually be included in this proposal.

Mr. McWilliams said I think that one was added to the exclusions after the discussion. There were two alternates proposed, one was fabric ductwork and one was the modification to the existing air distribution devices. When we met with Zach, he told us the intent was to use the fabric ductwork. At that point we added the exclusion of modifying existing air distribution devices because that is not going to be part of our scope. We can strike it. It doesn't matter to me.

Anthony Roberts, Town Manager, said there were add-ons after the original proposal.

Mr. McWilliams said all the add-ons were included in the original proposal, they were just broken out for clarity of scope because the scope did not specifically ask for the modifications. The scope was basically a performance-based scope and we provided alternates to kind of level the field to say this is how we feel like you can get to the requested performance, but since it wasn't explicitly required we broke it out as a separate cost.

Commissioner Kidwell said just going on this, modification of existing diffusers air pattern towards the pool would be if the ductwork remained up there and you did not replace it, correct?

Mr. McWilliams said yes.

Commissioner Kidwell said you are putting up new fabric ductwork so existing diffuser air pattern won't be there?

Mr. McWilliams said correct.

Commissioner Kidwell said the Dectron unit on top of the building is the same as the existing dehumidification unit, correct?

Mr. Brown said correct.

Commissioner Kidwell said when we replace those, we are replacing the ductwork that they are attached to going into the building?

Mr. Brown said there will be sections that would not because it would be redundant to change out that, but any ductwork to change with the fitment of the new units would be getting changed.

Commissioner Kidwell said one of the things that we had discussed during the HFFA meetings, and maybe you can answer this from a typical standpoint, was the airflow coming from the dehumidification units was being stifled by the way the ductwork flowed into the pool area. Are we correcting that or are we not correcting that?

Mr. McWilliams said I believe we are correcting that. I can't 100 percent say that the existing ductwork is the reason that you are having the maintenance issues you are with the unit. It's one theory. I feel like it's more likely that you are having issues from compressor cycling due to the way the Dectron units are designed. But to answer your question, the fabric ductwork itself operates on a very low static pressure requirement, so once you build up that amount of static pressure, the ductwork kind of inflates equally and then the air kind of makes its way out of the ductwork. It's almost like blowing up a balloon and then the pressure kind of equalizes throughout the ductwork system, whereas when you are working with a metal type ductwork system and the existing type of air distribution devices, it's kind of an equal based friction system so if you go in the space, you'll notice that the ductwork reduces in size

as it goes down. Each one of those reductions in sizes, each one of the air distribution caps, is a pressure loss and each one of those pressure losses makes the fan work harder to deliver the airflow that's required, therefore the more that you have potentially the less airflow you are delivering. All that to say that I don't believe the existing ductwork system is creating so much resistance that it's causing unit failure, but it's making the unit work harder and therefore using more energy to deliver the airflow in the space.

Commissioner Kovacs said how long is the new unit intended to last?

Mr. McWilliams said like with any mechanical piece of equipment, there's no way to say for sure, however I will say a few things. As part of this proposal, we have provided a 2-year parts 5-year labor warranty which is above and beyond what you would see in industry standard. Also, the unit that we are proposing is all aluminum construction, which is corrosion resistant to the pool environment. All the coils have aluminum casings. All the coils have corrosion resistant coatings. In my opinion, the unit that we are providing is above and beyond what you would get from a standard pool dehumidification unit that is bought from one of the other major manufacturers and my estimated lifespan would probably be in the neighborhood of 22-25 years.

Commissioner Munger said how much is HFFA projected to lose this year?

Mr. Brown said we are seeing things turn more positive overall, so I don't want to say it's still too early to tell, but certainly we are making a cut into that deficit. I'd say approximately off the cuff about \$350,000.

Commissioner Munger said so we are coming back near net zero?

Mr. Brown said correct. We are certainly seeing an increase in membership, increase in events overall and so with that accompanied with some reduced expenses, we are seeing that come to a point where we were seeing back in 2018/2019.

Commissioner Munger said has HFFA had a negative net effect due to the opening of the North Meck Regional Recreation Center?

Mr. Brown said I will say possibly. Certainly, there will be individuals that would utilize North Meck more than HFFA just due to location. Unfortunately, it's a little difficult to be able to pinpoint and say that is the exact reason only because we are still rebuilding out of Covid. When we came out of the shut down of the facility and all memberships were terminated, we are in the process of regrowing that membership base. We are not capable of pinpointing specific to this facility opening so this is why we are seeing the metrics that we are seeing today. I will say, however, that even with that facility being open, there are certainly some things that we offer that are uniquely different than what they offer. It's brand new, pricing is different. They have a little bit of different options as I mentioned. However, we have seen from a membership growth standpoint, January, February were some of the strongest that we've ever not only experienced but also have seen from historical data, so we are rapidly approaching the amount of membership growth in the beginning of 2023 to what we gained overall all of 2022. I do think that there's been an impact, but I can't unfortunately answer very detailed answers to what that impact is.

Commissioner Munger said you did a breakdown of what \$50 million actually is. After you got down to the breakdown of everything that is actually allocated one way or another, I believe the number was somewhere between \$8 million and \$8.5 million of free to spend funds.

Jackie Huffman, Deputy Town Manager, said I would have said in the neighborhood of \$8 million.

Commissioner Munger said I just want to call this out specifically to the Board because we, not on this motion, but on the next motion, are about to allocate \$1.3 million of those \$8 million, to a single fix for HFFA.

Commissioner Phillips said if this gets turned down, then what happens?

Mr. Brown said at this juncture if it gets turned down and there is not a vote or approval to push out a new bid, we would continue as is, attempting to keep the units running as best as possible to serve the various user groups in the space. With the mitigation strategies we've done, we have seen some improvement in the space. I can't stand here and guarantee that any and all of those will be a long-term fix. They were all viewed truly as short-term. There's always potential that as things may deteriorate, they may not be able to be replaced. The biggest challenge we have right now with the current units and the provider of those units is with everything being so proprietary if there's something that goes down, it is weeks and months until it can be replaced, so we obviously have some contingencies for the short-term responses to those so we can try to provide the best space possible.

Commissioner Phillips said this has been going on for a while now. What would happen if we just waited to do this after the budget?

Mr. Brown said at the current time we have been made aware by not only MSS but certainly the manufacturers that if we prolong this project, costs are going to go up, so we are at a very thin margin right now that if we were to delay this project there would be adjustments in price.

Commissioner Phillips said what kind of percentage of adjustment, do you know?

Mr. Brown said approximately 5 percent.

Mr. McWilliams said in the HVAC industry, we see a 3 to 5 percent increase every three months from manufacturers. We've done our best negotiation to hold pricing as long as we possibly can, but at some point we lose that power to negotiate with them.

Commissioner Phillips said I just need to put it out there that Munger's done about convinced me out of this. I hate it when we have budget things that should be a budget item come to us outside of the budget scope because it all matters. And then sitting here and thinking about Jackie's fund balance getting chopped down and then what will happen is come budget time we forget that this discussion happened and it's not in the upcoming budget, but it's a spend that's affecting our books. I remember hearing about this last year and here we are just now addressing it. I know government moves slow, but at this point I'd almost rather chance a 15 percent increase, have it part of the budget discussions, and it get passed with our budget in June.

Commissioner Kidwell said how much have we spent right now trying to make the system work for the swim activities we have?

Ms. Huffman said we did a budget amendment toward the end of FY22 that was in excess of \$150,000.

Mr. Brown said what we've been experiencing is it's been increasing. The main budget amendment that occurred was the mitigation that needed to be done to get us through the summer of 2022. Leading up into 2022, the units were even below optimal, even suboptimal, that unfortunately going into those hot, humid months, we knew that the units were not going to be capable to really do much of anything in the space, so we were certainly utilizing everything that we had at our disposal, so there was a budget amendment that was done for a contract, I believe it was about \$185,000 just for that contract to get us through. The main reason why we had that issue was due to controllers and parts availability. The controllers from all other general vendors if we were looking just to replace that itself, Dectron was unresponsive. When they were responsive, they were unable to engineer or provide the appropriate equipment to replace. The solution that was chosen to get us through the summer was to do essentially a highbred to get those controllers back up and get us to a point that was the space was appropriately usable throughout the summer.

Mayor Bales said I would say that this has been an ongoing issue as you have heard for a long time. It's a lot of money and I don't disagree with each one of you that has spoken. I would say sometimes our HVAC fails and we have to fix it. I would like to remind you that there are kids and teenagers and adults swimming in that pool and in that space each and every day.

Mr. Roberts said I was just going to say to maybe add a little clarity to Commissioner Phillips' question, if we were to push this out we may would go back and look and see if we could use the \$650,000 to continue to band-aid the system longer and that's what basically we did with the \$185,000 was to go in and do some controller changes and like I said maybe modify the system and make it work and make it usable. That's what we would do until the Board pulled the trigger a different way.

Commissioner Phillips said I would prefer to exercise that option, because I'm sitting here – Major Graham and thinking of all the times I've sat up here and gotten mad at his department for making asks outside of our budget, so it's not fair for me to treat one group one way and then treat another group a different way and I think we need to be mindful of a million plus dollars coming out of the fund balance because that's really going to be shaking and rattling some stuff.

Ms. Huffman said I don't have a presentation related to 10.E, but if you don't mind I would walk through exactly what's going on here. Item 10.C was our acceptance of a grant with the State of North Carolina. It did absolutely nothing with budget. Should you choose to vote in favor of 10.D tonight, that's a contract just a little bit less than \$2 million. That's a contract to pay these folks to have them do changes to the current system. Item 10.E would recognize the revenue and expense associated with that \$650,000. The \$650,000 would not pay for a nearly \$2 million contract, there's not \$1,350,000 in the HFFA fund, so to meet the obligation should you choose to approve Item 10.D, you are going to have to do a budget amendment to have a funding source for that, so the other \$1,350,000 would come out of general fund balance. Is it possible to use some tourism funds for that? Sure, tourism is a segment of the general fund, and so that's just the chronological order of C, D and E. If you don't approve D, there's no reason for you to consider E except eventually to spend any of the \$650,000 from the state you are going to have to eventually do that portion of the budget amendment.

Commissioner Kidwell said the HFFA building itself was something that many years ago came to be part of the town. We signed a 99-year lease with the county. I don't think we have ever turned a profit. We still owe a ton of money. How much do we owe on that building?

Ms. Huffman said the building opened in 2001.

Commissioner Kidwell said so 22 years ago, but we still owe \$10 million or \$8 million. We haven't made a dent is my point. Unfortunately, it's not going away unless we shudder it right now, tell every person that is a member over there go find somewhere else to work-out, tell every swim program to find another pool within Charlotte to have their dive meets. You have to make a decision. If you want to go the \$650,000 route and keep piecemealing it, we'll burn through that \$650,000 quicker than you think because these units have been band-aided beyond belief. But this Board is going to vote as a whole. I'm just throwing it out there, unless you want to shudder the building, put concrete in the pools, fill it up and make it just a big rec center for Parks & Rec and kill the swim programs within Mecklenburg County and most of Charlotte, we need to do something.

Mayor Bales said I will just take a brief moment to remind this Board that because this is a contract, it takes four votes to pass this.

Commissioner Munger said I think everyone has made several good points and I apologize to you two, your kind of just trying to do your job, totally get it, appreciate the answers you've given. Because there's so many things at play and that we need four votes to pass a contract, I'm torn. I'm all over the place, because I want the kids to be able to enjoy the pool. I know it's one of the few places in Mecklenburg County, especially on the north side, where they can actually participate in the swim sports, the diving sports, and things like that. My thought process at this point is at a minimum to defer for two weeks with the possibility of looking at making this a part of the overall budget process because I think it's unfair at this moment in time because we are missing one of our commissioners to actually vote with the possibility that this would not pass.

Mayor Bales said if there's a motion to defer this, I know that there was conversation about putting this on the last agenda and then that didn't happen, is there a potential issue with the contract if it's deferred another two weeks?

Mr. Brown said based on discussions we've had, and I certainly do not say this to sway a response or votes for this evening, it is our understanding that if this were to defer that a price increase would need to be considered in any future vote.

Mayor Bales said that's what I wanted the Board to hear because he said that at the last HFFA meeting.

Commissioner Partee made a motion to award contract for HVAC equipment replacement and installation services to MSS Solutions with an amendment to the proposal to remove modification of existing diffuser air patterns towards the pool to Page 2 exclusions.

Commissioner Kidwell seconded motion.

Commissioner Phillips made a substitute motion to defer this vote until April 17, 2023, at Huntersville Town Hall at 6 p.m.

Commissioner Munger seconded motion.

Mayor Bales called for the vote to defer decision to April 17, 2023.

Motion carried 3 to 2, with Commissioners Kidwell and Partee opposed.

Budget Amendment – HFFA HVAC. Commissioner Munger made a motion to defer action on budget amendment for HFFA air filtration system to April 17, 2023, at Town Hall at 6:00 p.m.

Commissioner Phillips seconded motion.

Mayor Bales called for the vote to defer decision to April 17, 2023.

Motion carried unanimously.

Resolution – ROW and Easements for Beatties Ford at Hambright Project. Stephen Trott, Director of Engineering, explained that the Aspire School parcel was subdivided since the last resolution, so the only change from the previous resolution is it refers to two parcels for the Aspire School instead of one.

Mayor Bales noted that Commissioner Partee sits on the Aspire School Board of Directors and requested the Board recuse him.

Commissioner Kidwell made a motion to recuse Commissioner Partee from 10.F, revision of the previously approved resolution to acquire right-of-way.

Commissioner Munger seconded motion.

Motion carried unanimously.

Commissioner Munger made a motion to approve a revised Resolution to acquire right-of-way and easements necessary for the construction of the adopted and funded Beatties Ford at Hambright project to include two new parcels created by a recent subdivision Parcel 015-151-79 and 015-151-80.

Commissioner Phillips seconded motion.

Commissioner Kidwell asked if Item #2 in the Resolution was removed when it was originally passed.

Anthony Roberts, Town Manager, noted everything new since then has all had the same wording and eminent domain has to come back for Town Board approval.

Mayor Bales called for the vote to adopt Resolution.

Motion carried 3 to 1, with Commissioner Kidwell opposed.

Resolution attached hereto as Exhibit No. 21.

Commissioner Munger made a motion to bring Commissioner Partee back to the dais.

Commissioner Kidwell seconded motion.

Motion carried unanimously.

Resolution – Settlement Agreement Parcel #01711305. Stephen Trott, Director of Engineering, noted this is a Settlement Agreement for a condemnation case.

Anthony Roberts, Town Manager, explained it went through a four-hour mediation to get to the settlement amount.

Commissioner Kidwell made a motion to adopt Resolution to accept Settlement Agreement for Parcel 01711305 for the construction of the Main St Improvements Project.

Commissioner Munger seconded motion.

Motion carried unanimously.

Resolution attached hereto as Exhibit No. 22.

MAYOR AND COMMISSIONER REPORTS/CLOSING COMMENTS

Commissioner Phillips

- Provided update from Visit Lake Norman.

Commissioner Kovacs

- Provided update from the Lake Norman Chamber of Commerce.

Commissioner Kidwell

- The April meeting of the Charlotte Regional Transportation Planning Organization has been canceled.

Commissioner Partee

- Huntersville Fire Department is conducting annual fire hydrant inspections.
- Advocate for gun safety. Huntersville Police Department has free gun safety locks.

Commissioner Munger

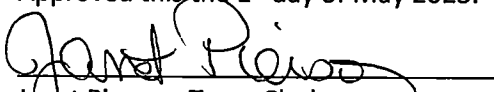
- Next Huntersville Ordinances Advisory Board meeting is Thursday.
- Next Public Arts Commission meeting is April 12.
- Consider supporting local non-profits.

Mayor Bales

- Provided update from Lake Norman Economic Development Corporation.
- Provided update from Metropolitan Transit Commission.
- Loch Norman Highland Games are April 15 and 16.
- Huntersville has won Mayor's Fitness Challenge two weeks in a row.

There being no further business, the meeting was adjourned.

Approved this the 1st day of May 2023.


Janet Pierson, Town Clerk



Nonprofit Funding Request **FY21-22**

Name of Organization: ANGELS AND SPARROWS SOUP KITCHEN INC.

Mission of Organization: We start with a nourishing meal, served with dignity, and foster community and a path to hope for those facing hunger in their daily lives through our programs, celebrations and experiences - transforming daily interactions into personal connections and a sense of belonging.

Primary Contact Information Regarding Funding Request:

Name: Cindy Deutsch
Email Address: cindy@angelsandsparrows.org
Address: P.O. Box 315, Huntersville 28070
Phone Number: 847-340-5102

Executive Director Contact Information:

Name: Jessika Tucker
Email Address: jessika@angelsandsparrows.org
Address: P.O. Box 315, Huntersville, 28070
Phone Number: 704-650-7232

Total Amount of Funding Requested: **\$5,000**

Will any of the requested funds be used to match other grants? **NO** If so, which grants?

Tax Exempt Status: (circle applicable status)

X 501(c)(3)	501(c)(7)
501(c)(4)	501(c)(8)
501(c)(5)	501(c)(9)
501(c)(6)	Other (Please explain) _____

The Town of Huntersville will contract with all nonprofits receiving funding to provide a service or program that the Town could also legally provide, but for which the Town is contracting with the nonprofit to provide instead. The information provided below will be used by the Town to evaluate the services or program that the nonprofit would use the requested funds to provide, and will also be used to complete

SEE ATTACHED NARRATIVE

Please identify the program or service for which funding is requested, and describe the problem or need your Organization will address with the requested funds:

If applicable, please described the target population that will be served with the requested funds:

How will the program or service for which funds are requested address the problem or identified need?

How many Town residents will be directly impacted by the funds requested?

Describe the impact on your organization, clients, service or program if the requested funding is not approved?

Describe the organization's relationship to Town Departments related to services or programs that your organization provides? How does your organization coordinate those services with Town provided services? Is there any duplication of service?

In the table provided, entitled "Performance Measurement," please list the factors that you will use to evaluate your organization's performance with respect to your organization's use of the requested funds if approved.

Each person signing this application on behalf of an entity acknowledges that they have read, and are familiar with, N.C.G.S. § 55A-16-24, and that they have been duly authorized by the requesting organization to make this application on its behalf.

Cindy Deutsch

Date: 16-Mar-21

Print Name: **Cindy Deutsch**

Print Title: **Director of Development**

PERFORMANCE MEASUREMENT

Organization Name:

ANGELS AND SPARROWS SOUP KITCHEN INC.

Service Outputs

Outputs	FY 2020		FY 2021		FY 2022
	Target	Actual	Target	Actual	Target
Example: Number of after school participants served	500	545	550	275	560

Outputs	FY 2020		FY 2021		FY 2022**
	Target	Actual	Target	Actual	Target
Number of meals provided	125,000	213,627	217,900	225,000	150,000
**Post pandemic forecast					

Service Outcomes

Please identify 3-4 measures to assess the effectiveness of your services or program for which funding is requested.

Outcomes	FY 2020		FY 2021		FY 2022
	Target	Actual	Target	Actual	Target
Example: Maintain passing test score for after school participants	705	68%	75%	76%	80%

Outcomes	FY 2020		FY 2021		FY 2022
	Target	Actual	Target	Actual	Target
We strive to address food insecurity needs of all who visit. There are no specific service outcomes which can be measured other than if we had to turn away a family in need due to lack of resources.					

BUDGET DETAILS

Organization Name:

ANGELS AND SPARROWS SOUP KITCHEN INC.

Service / Program Budget

*

Revenue	FY 2020	FY 2021	FY 2022*
County Funding	\$0	\$0	\$0
Town of Huntersville Funding	\$0	\$5,000	\$5,100
Other Municipality Funding	\$0	\$0	\$0
United Way Funding	\$42,500	\$0	\$0
Federal and State Funding - PPP LOAN	\$25,000	\$0	\$0
Local Contributions	\$478,354	\$297,601	\$303,553
Program/Service Fees/Other fees	\$27,250	\$10,000	\$10,200
Other (Please specify): IN KIND DONATIONS	\$793,548	\$475,000	\$484,500
Total Revenue	\$1,366,652	\$787,601	\$803,353

Expenses	FY 2020	FY 2021	FY 2022*
Salaries and Related Expenses	\$144,982	\$175,360	\$178,867
Operating Expenses	\$885,571	\$730,241	\$744,846
Capital Expenses:			
Freezer to Store Food Safely		\$17,500	
Replace Aging Equipment			\$6,000
Other: Please specify:			
Total Expenses	\$1,030,554	\$923,101	\$929,713

* FY 2022 FORECASTED WITH 2% INCREASE

**Town of Huntersville
Nonprofit Funding Request**

1) Please identify the program or service for which funding is requested and describe the problem or need your Organization will address with the requested funds.

We are seeking funding for our Hot Lunch Program. Angels & Sparrows was established in 2007. Since that time, we have provided more than 800,000 meals to food insecure families in our community. For those who walk through our door, we provide more than just a meal. What began as a simple soup kitchen has evolved into a center of hope and belonging. We do this by providing two key elements known to be part of the foundation needed to break the cycle of poverty, social capital and health and wellbeing.

Social capital has been cited as one of the top reasons people cannot escape generational poverty. Many of our guests have never seen a way of life other than existing in poverty and relying on social safety nets. Serving café style over the years has allowed us to form relationships among our guests, staff, and volunteers. Forming relationships with our staff and volunteers allows our guests to create a network of inspiration and guidance, thereby altering their hopes and potential for the future.

Our food is not ordinary, it is nutritious and well balanced. We provide fresh vegetables and dairy as a part of our meals and as a part of our daily groceries to guests. This allows them to take advantage of ingredients they may not be able to afford otherwise. Food Insecurity is directly tied to chronic disease, which can often lead to further entrenchment in food insecurity as families face rising medical bills. Our balanced meals and the groceries we make available allow guests to fill nutritional requirements, not just hunger needs.

Despite the affluence of communities like Huntersville, issues like food insecurity and homelessness are prevalent. According to Feeding America's *Map the Meal Gap* study, 24% of children in Mecklenburg County are food insecure. Based on the increase in services we have experienced in the past twelve months, we know that Huntersville and the surrounding suburbs are not immune to this phenomenon. We will directly address the issue of food insecurity by providing meals and groceries to those who are struggling with food insecurity.

2) If applicable, please describe the target population that will be served with the requested funds.

The guests we serve vary in ethnicity and age with 14% Caucasian, 49% Hispanic, and 37% Black. Senior citizens make up approximately 14% of the guests we serve. To the contrary of the general stereotype that only homeless individuals visit soup kitchens, the vast majority of our guests are actually the working poor. The families we serve typically work full time jobs, or multiple part time jobs. Unfortunately, because of educational barriers or tragedies in their family, they are unable to make ends meet. For many, something as simple as a car repair can make it impossible to pay rent, utilities, or for the repair itself, affecting their ability to maintain work. Our services ensure these near-homeless families do not have to choose between food and rent, gas in the car, utility payments, or medical care.

3) How will the program or service for which funds are requested address the problem or identified need?

Angels and Sparrows addresses the issue of food insecurity by providing meals through our kitchen and emergency food pantry. A hot meal is provided each weekday from 11 a.m. to 1 p.m. Guests who visit for lunch may receive groceries, mainly perishable items like vegetables, milk, or eggs with their meal. Additionally, we provide boxes of non-perishable groceries to families who reach out to us for assistance. We also deliver meals to homebound senior citizens. In 2020, we provided 213,627 meals to food insecure individuals and families in our community. This was a 73% increase from 2019.

4) How many Town residents will be directly impacted by the funds requested?

Approximately 1,200. Not all guests who visit us provide their contact information.

5) In the table provided, entitled "Performance Measurement," please list the factors that you will use to evaluate your organization's performance with respect to your organization's use of the requested funds if approved. See Table.

6) Describe the impact on your organization, clients, or service or program if the requested funding is not approved?

As a nonprofit organization, our programming is directly tied to funding received. Secured funding allows us to budget more efficiently with certainty of the length and breadth of the programming we are able to offer to families in need. Simply put, if there isn't sufficient funding for a program, it does not run.

7) Describe the organization's relationship to Town Departments related to services or programs that your organization provides? How does your organization coordinate those services with Town provided services? Is there any duplication of service?

Angels & Sparrows maintains communication with the Town of Huntersville Senior Center. Our goal is to coordinate any special opportunities we have for seniors (such as the COVID-19 vaccine clinic) to ensure there is no duplication of effort. In this way, we ensure all qualifying seniors are reached, even if they do not visit Angels & Sparrows. When new seniors visit, we encourage them to visit the Senior Center and make use of the resources that are offered. Under normal circumstances, the Senior Center does offer lunch. However, our population of senior citizens is small and we do not feel there is a duplication of effort.



Nonprofit Funding Request
FY21-22

Name of Organization:

Ada Jenkins Families and Careers Development Center

Mission of Organization:

Ada Jenkins Center exists to help people in our communities create lasting solutions for economic stability.

Primary Contact Information Regarding Funding Request:

Name: Karen Martin
Email: karen.martin@adajenkins.org
Address: PO Box 1842, Davidson, NC 28036
Phone: 704-896-0471

Executive Director Contact Information:

Name: Harold E. Rice, Jr
Email: harold.rice@adajenkins.org
Address: PO Box 1842, Davidson, NC 28036
Phone: 702-896-0471

**Total Amount
of Funding**

Requested: \$20,000

Will any of the requested funds be used to match other grants? If so, which grants?

Not applicable

Tax Exempt

(circle applicable status)

501(c)(3)

The Town of Huntersville will contract with all nonprofits receiving funding to provide a service or program that the Town could also legally provide, but for which the Town is contracting with the nonprofit to provide instead. The information provided below will be used by the Town to evaluate the services or program that the nonprofit would use the requested funds to provide, and will also be used to complete the required Nonprofit Agency Funding Agreement.

Exhibit No. 2

Please identify the program or service for which funding is requested, and describe the problem or need your Organization will address with the requested funds:

Town of Huntersville funds provide support for our Huntersville clients seeking Ada Jenkins Center Economic Mobility or Economic Supports Services.

If applicable, please described the target population that will be served with the requested funds:

Ada Jenkins Center is able to serve residents who live at or below 300% of the federal poverty level. However, more than 90% of those we served last year live at or below 100% of the federal poverty level (less than \$26,000 in annual earnings for a family of 4). Last year, 35% of our client-partners were Huntersville residents. Overall, 56% of those we served were female and 44% male; 24% African American, 21% Caucasian and 51% Hispanic/Latino.

How will the program or service for which funds are requested address the problem or identified need?

We respectfully request \$20,000 in continued support from the Town of Huntersville to continue supporting Huntersville residents. The wrap-around support services provided to each of our clients strengthens the likelihood that they will become financially independent within a couple of years and thereby decreases their need to depend upon government resources in order to live. Ada Jenkins Center is efficient and uniquely positioned to provide these services with minimal costs, tackling many family obstacles efficiently and effectively. Our range of services includes Education/Employment Coaching, Housing Coaching, Financial Coaching, economic supports, food pantry, and case management. Where possible, we connect clients with additional area agencies, decreasing the need for Huntersville residents to travel great lengths to Charlotte for similar resources.

How many Town residents will be directly impacted by the funds requested?

Approximately 33% of our FY20 clients were Huntersville residents; last year this accounted for 297 individuals. During FY21 we have added Huntersville programming, including a Volunteer Income Tax Assistance (VITA) program at the Dellwood Center - where appointments have been 'sold out' every Saturday - and a Reading Checkup Family Tutor program serving 20 families from Huntersville Elementary School. Looking ahead, we are in discussions with the David B. Waymer Center and Caterpillar Ministries toward expanding our LEARN Works program for Huntersville families during the 2022-2023 academic year.

Describe the impact on your organization, clients, service or program if the requested funding is not approved?

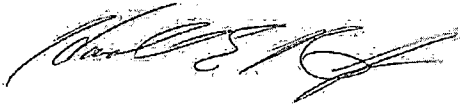
Ada Jenkins Center will continue to serve area residents in need; owever, there is a direct correlation between the number of hours our case managers and Specialty Coaches can provide, and the revenue needed to fund these staff members. Decreased funding at any point will be reflected in decreased hours available to serve our clients, even as requests for need continue to increase due to the COVID-related economy, which continues to disproportionately affect our client population.

Describe the organization's relationship to Town Departments related to services or programs that your organization provides? How does your organization coordinate those services with Town provided services? Is there any duplication of service?

While other nonprofits provide individual services to residents in north Mecklenburg County, Ada Jenkins Center is the only human service organization providing **comprehensive** (wrap-around) services: food pantry + education/employment coaching + afterschool academics + housing coaching + financial coaching + social work case managers. To our knowledge, there is no duplication of Town services.

In the table provided, entitled "Performance Measurement," please list the factors that you will use to evaluate your organization's performance with respect to your organization's use of the requested funds if approved.

Each person signing this application on behalf of an entity acknowledges that they have read, and are familiar with, N.C.G.S. § 55A-16-24, and that they have been duly authorized by the requesting



Date: March 17, 2021

Print Name: Harold E. Rice, Jr.

Print Title: Chief Executive Officer

Ada Jenkins Center - Service Outputs

Outputs	FY 2020		FY 2021		FY 2022
	Target	Actual	Target	Actual	Target
Example: Number of after school participants served	500	545	550	275	560

Outputs	FY 2020*		FY 2021		FY 2022
	Target	Actual	Target	Actual	Target
Number of unduplicated clients from Huntersville (includes children)	330	277	236	(ends 6/30/21)	236
Number of Huntersville clients receiving Economic Mobility services: Education/Employment Coaching, Housing Coaching, Financial Coaching (including VITA tax preparation for people who live/work in Huntersville)	150	107	110		180
Number of unduplicated Huntersville clients receiving Economic Support services (including Food Pantry)	120	122	120		120

Service Outcomes

Please identify 3-4 measures to assess the effectiveness of your services or program for which funding is requested.

Outcomes	FY 2020		FY 2021		FY 2022
	Target	Actual	Target	Actual	Target
Example: Maintain passing test score for after school participants	705	68%	75%	76%	80%

Outcomes (Huntersville clients)	FY 2020*		FY 2021		FY 2022
	Target	Actual	Target	Actual	Target
Clients who complete an Employment pre/post-test will demonstrate improvement in the indicated area	79%	93%	85%	(ends 6/30/21)	70%
Clients who complete a Financial Literacy pre/post-test will demonstrate improvement in the indicated area	65%	60%	80%		70%
Clients who complete a Life Domain Rating Scale pre/post-test will demonstrate improvement in the indicated area.	70%	51%	80%		70%

BUDGET DETAILS

Organization Name:

Ada Jenkins Center

Service / Program Budget

Revenue	FY 2020	FY 2021 (projected)	FY 2022 (to be finalized late spring 2021)
County Funding For Capital projects	\$ -	\$ -	\$ -
Town of Huntersville Funding	\$ 15,000.00	\$ 15,000.00	\$ 20,000.00
Other Municipality Funding (Meck. Co. CSG)	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
United Way Funding	\$ 108,375.00	\$ 95,200.00	\$ 53,312.00
Federal and State Funding	\$ -	\$ -	\$ -
Local Contributions	\$ 305,022.50	\$ 292,004.50	\$ 404,860.52
Program/Service Fees/Other fees	\$ -	\$ -	\$ -
Other: Reinvestment Partners (for VITA)	\$ -	\$ 4,000.00	\$ -
Other: Siemer Institute for Family Stability	\$ 61,562.50	\$ 61,562.50	\$ -
Total Revenue	\$ 514,960.00	\$ 492,767.00	\$ 503,172.52

Expenses	FY 2020	FY 2021 (projected)	FY 2022 (to be finalized late spring 2021)
Salaries and Related Expenses - Economic Mobility	\$ 293,947.00	\$ 314,741.00	\$ 321,036.00
Operating Expenses - Economic Mobility	\$ 221,013.00	\$ 168,026.00	\$ 171,386.52
Capital Expenses	\$ -	\$ -	\$ -
Other (Please Specify):			
VITA program salaries	\$ -	\$ 9,000.00	\$ 9,500.00
VITA program operating expenses	\$ -	\$ 1,000.00	\$ 1,250.00
Total Expenses	\$ 514,960.00	\$ 492,767.00	\$ 503,172.52



Nonprofit Funding Request

FY21-22

Name of Organization Arts & Science Council Charlotte-Mecklenburg, Inc.

Mission of Organization Ensuring access to an excellent, relevant and sustainable cultural community for the Charlotte- Mecklenburg Region

Primary Contact Information Regarding Funding Request:

Name: Robert Touchstone
Email Address: robert.touchstone@artsandscience.org
Address: 222 South Church St., Ste. 300, C
Phone Number: 704.335.3051

Executive Director Contact Information:

Name: Krista Terrell
Email Address: krista.terrell@artsandscience.org
Address: 222 South Church St., Ste. 300, Charlotte, NC 28202
Phone Number: 704.335.3035

Total Amount of Funding Requested:

\$25,000 Will any of the requested funds be used to match other grants? If so, which grants?

Tax Exempt Status: (circle applicable status)

☒ 501(c)(3)
☐ 501(c)(4)
☐ 501(c)(5)
☐ 501(c)(6)
☐ 501(c)(7)
☐ 501(c)(8)
☐ 501(c)(9)
☐ Other (Please explain) _____

Town funding is leveraged in combination with funding from Mecklenburg County, City of Charlotte, North Carolina Arts Council, and the private sector to provide programming in the Town of Huntersville.

The Town of Huntersville will contract with all nonprofits receiving funding to provide a service or program that the Town could also legally provide, but for which the Town is contracting with the nonprofit to provide instead. The information provided below will be used by the Town to evaluate the services or program that the nonprofit would use the requested funds to provide, and

Please identify the program or service for which funding is requested, and describe the problem or need your Organization will address with the requested funds:

Funding from the Town of Huntersville supports ASC's investment in the town through Cultural Vision Grants, support for individual creatives, Culture Blocks programming, and Operating Support Grants. Through these grant programs, cultural organizations and creative individuals in Huntersville receive ASC funding to deliver programming, complete projects, and create work that enriches the cultural life of all Huntersville residents. Examples of needs met with ASC grants in just the past four fiscal years include: support for Town of Huntersville Parks & Recreation (\$18,000 in Cultural Vision Grants for Hello Huntersville Music & Arts Festival and community interests), support for the North Mecklenburg Community Chorus (\$25,000 in Cultural Vision Grants '18-'21, engaging communities throughout the Lake Norman area and supporting production of digital choral workshops in FY21), \$4,350 for MusicalMinds NC to promote social change in underserved youth through classical music, and the needs of three individual Huntersville-based creatives who received Artists Support Grants (ranging from \$1000-\$2000 each). Culture Blocks programming, designed to bring responsive cultural programming closer to where residents live and are planned with resident involvement, and is curated specifically for each block based on the expressed interests of residents. In FY20, ASC invested \$33,997.66 in the North County Culture Block, delivering programming such as the Unplugged+Live Concerts at Huntersville Arts & Culture Center and Veteran's Park Amphitheatre along with live music for community gatherings and introductory art classes. Additionally, artists residing in Huntersville received \$40,790.47 to deliver programming in other Blocks across the County. Lastly, between 2018 and 2021, ASC has invested \$388,731 in the Carolina Raptor Center through the Operating Support Grant program, along with \$18,000 in capacity building grants to enhance CRC's operations and support professional development for their staff.

How will the program or service for which funds are requested address the problem or identified need?

ASC identifies and addresses the needs of Huntersville residents through a number of avenues. For project grants, including Cultural Vision Grants (which build community or increase relevance or innovation) and Artist Support Grants, ASC assembles panels of community members that intentionally model geographic, race, gender, and discipline diversity. Throughout these processes, ASC staff members build relationships with community groups to raise awareness of funding opportunities, work closely with applicants to provide coaching and counsel, build grant writing capacity, and maximize community outcomes. ASC's Cultural Vision Grants program alone represents approximately a \$300,000 investment that in turn leverages \$1,667,815 in community resources. For Culture Blocks, Community Meals are a fixture of the program; ASC staff uses these meals as an opportunity to connect with residents in the Blocks and learn more about the types of cultural activity they hope to see in their community. In 2019 ASC expanded the Culture Blocks program to Cornelius, Davidson, and Huntersville with a community meal at the Ada Jenkins Center, informing the experiences then curated for the Block. In identifying the need for Operating Support grants, two panels – one composed of national peer organizations from across the U.S. and one composed of local financial professionals with nonprofit expertise – convene to assess financial health, programmatic vitality, leadership strength, and sustainability for eligible organizations. Additionally, in FY21 ASC launched a partnership with SMU DataArts, a national resource that connects organizations with funders, collects data for standardized reporting, and provides analytics and capacity building resources to cultural organizations across the U.S. This will assist ASC in streamlining financial reporting for Operating Support grantees, including the Carolina Raptor Center, allow for comparative analytics with other U.S. cities and a national network of peer organizations, and bring further transparency, accountability, and equity to our grantmaking practices. To further ensure that resident input plays an important role in ASC operations, our Board of Directors has established six representative Advisory Councils (Cultural Sector: Institutions, Cultural Sector: Individuals, Private Sector, North/West, Central, and South/East) that are responsible and accountable for input, feedback, and recommendations that align with the needs of local communities. Representing the Town of Huntersville, we are grateful to have Nancy Neely and Scott Mumma helping ASC and the Town keep lines of communication open throughout the year in their role as North/West Advisory Council members. Lastly, in the spring of 2020, ASC formally sought resident input by conducting a Community Priorities Survey and Stakeholder Sessions in partnership with UNC Charlotte's Urban Institute. The report shared input collected through user-friendly tools and multiple platforms of engagement, including open houses at community-based venues, from over 1,900 residents reflecting a wide range of community voices (racial, ethnic, age, socioeconomic, geography, etc.). This process modeled how both new and existing supporters can come together to chart a course for the road ahead, and provided important feedback to support local cultural providers in more effectively responding to community needs and desires through their own programs and services.

How many Town residents will be directly impacted by the funds requested?

ASC serves diverse populations as we believe all residents of and visitors to Huntersville should have access to arts, science and history experiences. Driven by our commitment to cultural equity, we work to ensure arts, science and history program offerings are accessible, relevant and purposefully designed. To that end, we do not have a headcount of the number of residents that will be directly impacted. Rather, our aim is to serve all 58,000+ Huntersville residents, providing free, high quality cultural programming that is relevant, resident-informed, and available to all. In addition to community members impacted through Culture Blocks, several groups of residents will directly benefit from investment in ASC's work within the Town, including members and patrons of North Mecklenburg Community Chorus, Inc., members and patrons of the Carolina Raptor Center, Hello Huntersville attendees, and individual Huntersville artists and cultural organizations that receive professional development, capacity building and grant funding through Artist Support Grants, Cultural Vision Grants, and/or the process of becoming Culture Blocks providers. Additionally, residents are served through ASC's Public Art program that relies on community engagement, as seen through the David B. Waymer Recreation Center project completed in 2019. Artist Michele Tejuola Turner held community meetings and one-on-one interviews with Pottstown residents to create "Community," a public artwork that pays tribute to the school and the generations of students it impacted by incorporating significant community members, symbols and structures, including cotton leaves, flowing water, antique desks and chairs, farmhouses and the school's Trojan mascot.

Describe the impact on your organization, clients, service or program if the requested funding is not approved?

ASC works actively to understand the needs and wants of Huntersville residents in respect to arts, science, history, and heritage programming. Of the six Mecklenburg towns over the past four years, ASC has invested more dollars in Huntersville than in any other town (\$92,884.47, not including \$406,731 to the Carolina Raptor Center), yet, in the same four years, Huntersville's investment in ASC has dropped from \$10,000 in FY18 to \$5,000 in FY19 and zero dollars in funding for FY20 and FY21. We are eager to work *with* the Town to best serve Huntersville residents, including continuing to grow and invest in the relationship between ASC and Huntersville Parks & Recreation. Facing an increasing demand for grants, programming, and investment in Huntersville, ASC needs the support of the Town, Mayor, and Board of Commissioners to make effectively responding to that demand possible.

Describe the organization's relationship to Town Departments related to services or programs that your organization provides? How does your organization coordinate those services with Town provided services? Is there any duplication of service?

The Town of Huntersville Parks & Recreation Department has applied and been granted funding through Arts & Science Council in each of the last four fiscal years, supporting Hello Huntersville Music & Arts Festival and "to support and bring awareness to the Town of Huntersville community's interest in arts, science, history and heritage programming that strengthens communities and demonstrates innovative, relevant and transformative cultures." Additionally, ASC utilizes field expertise and resources, alongside sector, City, and County appointees, to evaluate and drive creation of Public Art. With Huntersville's clear shared interest in Public Art and development of the Public Art Commission Advisory Board, ASC sees an opportunity for collaboration, coordination, and sharing of resources.

In the table provided, entitled "Performance Measurement," please list the factors that you will use to evaluate your organization's performance with respect to your organization's use of the requested funds if approved.

Each person signing this application on behalf of an entity acknowledges that they have read, and are familiar with, N.C.G.S. § 55A-16-24, and that they have been duly authorized by the requesting organization to make this application on its behalf.

Krista Terrell

Date: Mar 17, 2021

Print Name Krista Terrell, APR

Print Title Acting President of Arts & Science Council

ASC Application to Huntersville

Final Audit Report

2021-03-17

Created:	2021-03-17
By:	Elizabeth Miller (elizabeth.miller@artsandscience.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAPyIZF3GoC4K1VqjMRTDd7aHEMtQA3ITU

"ASC Application to Huntersville" History

-  Document created by Elizabeth Miller (elizabeth.miller@artsandscience.org)
2021-03-17 - 6:57:32 PM GMT - IP address: 172.72.21.144
-  Document emailed to Krista Terrell (krista.terrell@artsandscience.org) for signature
2021-03-17 - 6:58:11 PM GMT
-  Email viewed by Krista Terrell (krista.terrell@artsandscience.org)
2021-03-17 - 6:59:57 PM GMT - IP address: 71.75.17.175
-  Document e-signed by Krista Terrell (krista.terrell@artsandscience.org)
Signature Date: 2021-03-17 - 7:00:23 PM GMT - Time Source: server - IP address: 71.75.17.175
-  Agreement completed.
2021-03-17 - 7:00:23 PM GMT



Adobe Sign

BUDGET DETAILS

Organization Name:

Arts & Science Council Charlotte-Mecklenburg, Inc.

Service / Program Budget

Revenue	FY 2020	FY 2021	FY 2022
County Funding	\$ 2,414,605	\$ 4,888,008	Request \$3,000,000*
Town of Huntersville Funding	\$0	\$0	Request \$25,000
Other Municipality Funding	\$ 63,000	\$ 50,000	Request \$105,000
United Way Funding	-	-	-
Federal and State Funding	\$ 278,355	\$ 335,236	Estimate \$300,000**
Local Contributions (City of Charlotte)	\$ 3,190,823	\$ 3,190,823	Request \$4,000,000*
Program/Service Fees/Other fees	\$ 37,000	-	-
Other (Donor Contributions, Foundation Grants & Funding, Other	\$ 5,984,000	\$ 4,227,214	Projected \$4,200,000
Total Revenue	\$ 11,967,783	\$ 12,691,281	TBD

Expenses	FY 2020	FY 2021	FY 2022
Salaries and Related Expenses	\$ 3,237,849	\$ 2,159,607	\$ 2,000,000
Operating Expenses (incl Grants & Programs)	\$ 12,768,128	\$ 11,104,343	\$ 9,500,000
Capital Expenses	\$ 689,385	\$ 5,000	\$ 55,000
Other (Please Specify):			
Other: Please specify:			
Total Expenses	\$ 16,695,362	\$ 13,268,950	\$ 14,084,120

*These requests do not include public art funds; those allocations will be determined by City/County at a later date and are

--	--	--	--	--	--

* - no targets and/or actuals because ASC did not receive grant funding for these years

**represents only 3 quarters of onsite programming due to COVID closures/restrictions

***pending pace of COVID reopenings/recovery

PERFORMANCE MEASUREMENT

Organization Name:

Arts & Science Council Charlotte-Mecklenburg, Inc.

Service Outputs

Outputs	FY 2020		FY 2021		FY 2022
	Target	Actual	Target	Actual	Target
Example: Number of after school participants served	500	545	550	275	560

Outputs	FY 2020		FY 2021		FY 2022
	Target	Actual	Target	Actual	Target
Number of Huntersville residents on ASC Board/Advisory Councils	2	3	2	3	5
Number of Culture Blocks grantees providing programming for residents	n/a*	50	n/a*	42 YTD	50
Number of days of ASC-funded cultural activities delivered in Huntersville	n/a*	441**	n/a*	n/a - shift	600***
Culture Blocks dollars invested in Block 10	n/a*	\$33,998	n/a*	\$42,000 YTD	\$50,000
Culture Blocks dollars invested in creatives residing in Huntersville to deliver funding across the county	n/a*	\$40,790.47	n/a*	Still in process	\$45,000

Service Outcomes

Please identify 3-4 measures to assess the effectiveness of your services or program for which funding is requested.

Outcomes	FY 2020		FY 2021		FY 2022
	Target	Actual	Target	Actual	Target
Example: Maintain passing test score for after school participants	705	68%	75%	76%	80%

Outcomes	FY 2020		FY 2021		FY 2022
	Target	Actual	Target	Actual	Target
Expand ASC-funded cultural activities offered for Huntersville residents	n/a*	n/a*	n/a*	n/a*	Increase activities by 5%
Increase Huntersville-based cultural providers' awareness of ASC funding opportunities	n/a*	n/a*	n/a*	n/a*	Increase funding applications by 5%
Increase Huntersville residents' satisfaction of availability of cultural experiences near their home	n/a*	n/a*	n/a*	n/a*	Increase by 5%

**ARTS & SCIENCE COUNCIL
CHARLOTTE/MECKLENBURG, INC.**

FINANCIAL STATEMENTS

As of and for the Years Ended June 30, 2019 and 2018

And Report of Independent Auditor

ARTS & SCIENCE COUNCIL CHARLOTTE/MECKLENBURG, INC.
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Report of Independent Auditor

To the Board of Directors
Arts & Science Council Charlotte/Mecklenburg, Inc.
Charlotte, North Carolina

We have audited the accompanying financial statements of Arts & Science Council Charlotte/Mecklenburg, Inc. ("ASC"), which comprise the statements of financial position as of June 30, 2019 and 2018, and the related statements of activities, functional expenses, and cash flows for the years then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Arts & Science Council Charlotte/Mecklenburg, Inc. as of June 30, 2019 and 2018, and the changes in its net assets and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Emphasis of Matter

We draw attention to the fact that as a result of net losses without donor restrictions for several years, ASC has a deficit in net assets without donor restrictions of \$2,875,150 and \$1,186,223 as of June 30, 2019 and 2018, respectively. As discussed more fully in Note 2, ASC has taken action designed to reduce the deficit in net assets with donor restrictions and to improve its cash flow and liquidity. Our opinion is not modified with respect to that matter.

As discussed in Note 10 to the financial statements, as a result of the spread of COVID-19 in early 2020, economic uncertainties have arisen which are likely to negatively impact the operating results of ASC. Given the uncertainty of the situation, the duration of any business disruption and related financial impact cannot be reasonably estimated at this time. Our opinion is not modified with respect to this matter.

Changes in Financial Statement Presentation

As discussed in Note 1, ASC adopted Accounting Standards Update ("ASU") 2016-14, *Not-for-Profit Entities (Topic 958) – Presentation of Financial Statements of Not-for-Profit Entities*. The ASU has been applied retrospectively to all periods presented with the exception of the disclosure of liquidity and availability of resources, which has been implemented prospectively as allowed under the provisions of ASU 2016-14. Our opinion is not modified with respect to this matter.

A handwritten signature in black ink that reads "Cherry Bekaert LLP". The signature is written in a cursive, flowing style.

Charlotte, North Carolina
June 25, 2020

ARTS & SCIENCE COUNCIL CHARLOTTE/MECKLENBURG, INC.
STATEMENTS OF FINANCIAL POSITION

JUNE 30, 2019 AND 2018

	<u>2019</u>	<u>2018</u>
ASSETS		
Cash and Cash Equivalents:		
Operating cash	\$ 556,810	\$ 1,375,614
Held for Public Art	458,874	458,908
Annual campaign contributions receivable, net	2,021,571	2,163,789
Grants and other receivables	811,398	405,451
Prepaid expenses and other assets	21,777	73,311
Other contributions receivable	4,500,000	5,000,000
Investments	-	2,822
Operating reserves fund	622,704	1,612,378
Beneficial Interests in Trust:		
Endowment investments	30,630,570	32,466,657
Endowment receivable	-	153,149
Property and equipment, net	294,437	373,911
Total Assets	<u><u>\$ 39,918,141</u></u>	<u><u>\$ 44,085,990</u></u>
LIABILITIES AND NET ASSETS		
Liabilities:		
Accounts payable and accrued expenses	\$ 209,447	\$ 594,367
Payable to designated beneficiaries	4,846,199	5,201,435
Deferred support	3,986,795	3,598,965
Total Liabilities	<u>9,042,441</u>	<u>9,394,767</u>
Net Assets:		
Without Donor Restrictions:		
Undesignated	<u>(3,058,880)</u>	<u>(1,186,223)</u>
With Donor Restrictions:		
Annual fund drive available for subsequent years' operations	3,304,010	3,410,789
Restricted endowments	30,630,570	32,466,657
Total With Donor Restrictions	<u>33,934,580</u>	<u>35,877,446</u>
Total Net Assets	<u>30,875,700</u>	<u>34,691,223</u>
Total Liabilities and Net Assets	<u><u>\$ 39,918,141</u></u>	<u><u>\$ 44,085,990</u></u>

ARTS & SCIENCE COUNCIL CHARLOTTE/MECKLENBURG, INC.
STATEMENTS OF ACTIVITIES

YEARS ENDED JUNE 30, 2019 AND 2018

	2019			2018		
	Without Donor Restrictions	With Donor Restrictions	Total	Without Donor Restrictions	With Donor Restrictions	Total
Operating Revenue:						
Public Support:						
Fund drive and general contributions	\$ 348,410	\$ 3,304,010	\$ 3,652,420	\$ 356,296	\$ 3,410,789	\$ 3,767,085
Government Grants:						
City of Charlotte	3,310,341	-	3,310,341	3,190,823	-	3,190,823
Mecklenburg County	2,008,151	-	2,008,151	1,725,718	-	1,725,718
Charlotte Mecklenburg Schools	24,000	-	24,000	76,500	-	76,500
NC Arts Council	268,962	-	268,962	241,144	-	241,144
Other municipalities	89,150	-	89,150	85,800	-	85,800
Public Art Funds	2,997,808	-	2,997,808	5,206,018	-	5,206,018
Total Public Support	9,046,822	3,304,010	12,350,832	10,882,299	3,410,789	14,293,088
Investment loss	-	-	-	(962)	-	(962)
Allocation of allowable endowment before spending	1,450,356	-	1,450,356	1,623,675	-	1,623,675
Net assets released from restriction	3,410,789	(3,410,789)	-	4,720,475	(4,720,475)	-
Total Operating Revenue	13,907,967	(106,779)	13,801,188	17,225,487	(1,309,686)	15,915,801

The accompanying notes to the financial statements are an integral part of these statements.

ARTS & SCIENCE COUNCIL CHARLOTTE/MECKLENBURG, INC.
STATEMENTS OF ACTIVITIES (CONTINUED)

YEARS ENDED JUNE 30, 2019 AND 2018

	2019			2018		
	Without Donor Restrictions	With Donor Restrictions	Total	Without Donor Restrictions	With Donor Restrictions	Total
Operating Expenses:						
Program Services:						
Grants and allocations	\$ 8,435,730	\$ -	\$ 8,435,730	\$ 8,384,817	\$ -	\$ 8,384,817
Public Art	2,550,417	-	2,550,417	5,267,400	-	5,267,400
Grant support and other services	1,722,996	-	1,722,996	1,796,528	-	1,796,528
Total Program Services	12,709,143	-	12,709,143	15,448,745	-	15,448,745
Supporting Services:						
General and administrative	1,339,175	-	1,339,175	1,115,104	-	1,115,104
Fundraising	1,742,632	-	1,742,632	1,520,847	-	1,520,847
Total Supporting Services	3,081,807	-	3,081,807	2,635,951	-	2,635,951
Total Operating Expenses	15,790,950	-	15,790,950	18,084,696	-	18,084,696
Change in net assets from operations	(1,882,983)	(106,779)	(1,989,762)	(859,209)	(1,309,686)	(2,168,895)
Other Changes:						
Investment return from operating reserves fund	10,326	-	10,326	12,378	-	12,378
Transfer from beneficial interest in trust to operating reserves fund	-	-	-	1,000,000	(1,000,000)	-
Change in beneficial interest	-	(385,731)	(385,731)	-	3,066,543	3,066,543
Allocation of allowable endowment balance for spending	-	(1,450,356)	(1,450,356)	-	(1,623,675)	(1,623,675)
Change in net assets	(1,872,657)	(1,942,866)	(3,815,523)	153,169	(866,818)	(713,649)
Net assets, beginning of year	(1,186,223)	35,877,446	34,691,223	(1,339,392)	36,744,264	35,404,872
Net assets, end of year	\$ (3,058,880)	\$ 33,934,580	\$ 30,875,700	\$ (1,186,223)	\$ 35,877,446	\$ 34,691,223

The accompanying notes to the financial statements are an integral part of these statements.

ARTS & SCIENCE COUNCIL CHARLOTTE/MECKLENBURG, INC.
STATEMENT OF FUNCTIONAL EXPENSES

YEAR ENDED JUNE 30, 2019

	Program Services				Supporting Services			
	Grants and Allocations	Public Art	Grant Support and Other Services	Total Program Services	General and Administrative	Fundraising	Total Supporting Services	Total
Grants, allocations, and direct expenses	\$ 7,878,897	\$ -	\$ -	\$ 7,878,897	\$ -	\$ -	\$ -	\$ 7,878,897
Arts and science education	250,493	-	-	250,493	-	-	-	250,493
Payments to organizations	1,995	-	-	1,995	-	-	-	1,995
Indirect and other grant expenses	304,345	-	-	304,345	-	-	-	304,345
Artist contracts	-	1,958,046	-	1,958,046	-	-	-	1,958,046
Salaries	-	264,217	1,047,456	1,311,673	723,123	770,795	1,493,918	2,805,591
Payroll taxes and benefits	-	57,295	201,245	258,540	133,239	144,279	277,518	536,058
Promotions and public relations	-	200	13,713	13,913	7,120	48,135	55,255	69,168
Professional fees and contracted services	-	133,385	70,664	204,049	127,294	158,277	285,571	489,620
Professional development	-	1,938	1,852	3,790	11,271	4,364	15,635	19,425
Office rent	-	22,964	111,641	134,605	49,755	82,287	132,042	266,647
Depreciation	-	12,592	33,750	46,342	29,381	50,367	79,748	126,090
Technology	-	16,180	43,210	59,390	37,754	184,366	222,120	281,510
Office and meetings	-	15,323	34,124	49,447	68,602	85,059	153,661	203,108
Dues and subscriptions	-	19,083	9,788	28,871	22,009	17,082	39,091	67,962
Telephone	-	952	12,556	13,508	2,221	3,807	6,028	19,536
Processing fees	-	3,841	22,700	26,541	9,665	97,429	107,094	133,635
Discretionary	-	1,044	38,853	39,897	7,500	5,227	12,727	52,624
Other	-	43,357	81,444	124,801	110,241	91,158	201,399	326,200
Total Expenses	<u>\$ 8,435,730</u>	<u>\$ 2,550,417</u>	<u>\$ 1,722,996</u>	<u>\$ 12,709,143</u>	<u>\$ 1,339,175</u>	<u>\$ 1,742,632</u>	<u>\$ 3,081,807</u>	<u>\$ 15,790,950</u>

The accompanying notes to the financial statements are an integral part of these statements.

ARTS & SCIENCE COUNCIL CHARLOTTE/MECKLENBURG, INC.
STATEMENT OF FUNCTIONAL EXPENSES (CONTINUED)

YEAR ENDED JUNE 30, 2018

	Program Services				Supporting Services			Total
	Grants and Allocations	Public Art	Grant Support and Other Services	Total Program Services	General and Administrative	Fundraising	Total Supporting Services	
Grants, allocations, and direct expenses	\$ 7,967,892	\$ -	\$ -	\$ 7,967,892	\$ -	\$ -	\$ -	\$ 7,967,892
Arts and science education	231,496	-	-	231,496	-	-	-	231,496
Payments to organizations	8,875	-	-	8,875	-	-	-	8,875
Indirect and other grant expenses	176,554	-	-	176,554	-	-	-	176,554
Artist contracts	-	4,778,498	-	4,778,498	-	-	-	4,778,498
Salaries	-	264,403	834,886	1,099,289	689,057	684,498	1,373,555	2,472,844
Payroll taxes and benefits	-	70,506	204,304	274,810	154,752	143,991	298,743	573,553
Promotions and public relations	-	1,250	48,335	49,585	10,550	206,321	216,871	266,456
Professional fees and contracted services	-	40,854	216,326	257,180	41,164	91,910	133,074	390,254
Professional development	-	2,565	29,820	32,385	6,733	834	7,567	39,952
Office rent	-	22,577	140,232	162,809	54,562	54,562	109,124	271,933
Depreciation	-	9,488	26,090	35,578	15,417	27,277	42,694	78,272
Technology	-	18,707	52,017	70,724	30,400	142,026	172,426	243,150
Office and meetings	-	8,212	38,521	46,733	38,796	50,015	88,811	135,544
Dues and subscriptions	-	10,579	7,232	17,811	4,069	13,832	17,901	35,712
Telephone	-	1,182	7,427	8,609	1,921	3,398	5,319	13,928
Processing fees	-	10,091	24,765	34,856	17,206	29,011	46,217	81,073
Discretionary	-	8,000	84,981	92,981	-	15,689	15,689	108,670
Other	-	20,488	81,592	102,080	50,477	57,483	107,960	210,040
Total Expenses	\$ 8,384,817	\$ 5,267,400	\$ 1,796,528	\$ 15,448,745	\$ 1,115,104	\$ 1,520,847	\$ 2,635,951	\$ 18,084,696

The accompanying notes to the financial statements are an integral part of these statements.

ARTS & SCIENCE COUNCIL CHARLOTTE/MECKLENBURG, INC.
STATEMENTS OF CASH FLOWS

YEARS ENDED JUNE 30, 2019 AND 2018

	2019	2018
Cash flows from operating activities:		
Change in net assets	\$ (3,815,523)	\$ (713,649)
Adjustments to reconcile change in net assets to net cash flows from operating activities:		
Depreciation expense	126,090	78,272
Change in allowance for uncollectible contributions receivable	-	(69,217)
Realized and unrealized losses on investments, net	-	1,061
Change in operating reserves fund	989,674	(1,012,378)
Change in beneficial interest	385,731	(3,066,543)
Allocation of allowable endowment balance for spending	1,450,356	2,623,675
Changes in operating assets and liabilities:		
Annual campaign pledges receivable	142,218	675,914
Grant and other receivables	(405,947)	2,685,154
Prepaid expenses	51,534	17,983
Other pledges receivable	500,000	1,371,771
Endowment receivable	153,149	(133,399)
Accounts payable and accrued expenses	(384,920)	(158,031)
Deferred lease incentives	-	(6,978)
Payable to designated beneficiaries	(355,236)	(1,170,336)
Deferred support	387,830	(1,529,548)
Net cash flows from operating activities	<u>(775,044)</u>	<u>(406,249)</u>
Cash flows from investing activities:		
Proceeds from sales of investments	2,822	13,524
Purchases of property and equipment	<u>(46,616)</u>	<u>(7,761)</u>
Net cash flows from investing activities	<u>(43,794)</u>	<u>5,763</u>
Net change in cash and cash equivalents	(818,838)	(400,486)
Cash and cash equivalents, beginning of year	<u>1,834,522</u>	<u>2,235,008</u>
Cash and cash equivalents, end of year	<u>\$ 1,015,684</u>	<u>\$ 1,834,522</u>

ARTS & SCIENCE COUNCIL CHARLOTTE/MECKLENBURG, INC.

NOTES TO THE FINANCIAL STATEMENTS

JUNE 30, 2019 AND 2018

Note 1—Organization and summary of significant accounting policies

Organization and Nature of Activities – Arts & Science Council Charlotte/Mecklenburg, Inc. (“ASC”) is a nonprofit umbrella grants, services, and fundraising organization incorporated under the laws of North Carolina for the purpose of building appreciation, participation, and support for the arts, sciences, history, and heritage throughout the City of Charlotte and Mecklenburg County. ASC receives its support through contributions from the general public and government grants. Primary support for Public Art, a separate department within ASC’s operations, comes from the City of Charlotte, Mecklenburg County, and the private sector. The majority of these funds are then distributed to organizations and artists for support of their programs.

Basis of Presentation – The accompanying financial statements have been prepared on the accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America (“U.S. GAAP”). Net assets and revenues, expenses, gains, and losses are classified based on the existence or absence of donor-imposed restrictions. Accordingly, net assets and changes therein are classified and reported as follows:

Net Assets Without Donor Restrictions – Net assets that are not subject to donor-imposed restrictions and are currently available for use in the day-to-day operations of ASC and those resources invested in property and equipment. From time to time, the Board of Directors may designate certain amounts to be utilized or invested to meet specific objectives of ASC. There were no board designated net assets as of June 30, 2019 and 2018.

Net Assets With Donor Restrictions – Net assets subject to stipulations imposed by donors and grantors. Some donor restrictions are temporary in nature; those restrictions will be met by actions of ASC or by the passage of time. Other donor restrictions are perpetual in nature, whereby the donor has stipulated the funds be maintained in perpetuity. As of June 30, 2019 and 2018, ASC’s net assets with donor restrictions include contributions to the annual fund drive that are available for subsequent years’ operations and the endowment corpus and unspent endowment investment earnings.

Revenue is reported as increases in net assets without donor restrictions unless use of the related assets is limited by donor-imposed restrictions. Expenses are reported as decreases in net assets without donor restrictions. Gains and losses on investments and other assets or liabilities are reported as increases or decreases in net assets with donor restrictions based on explicit donor stipulation or by law, or if no such restrictions exists, as net assets without donor restrictions. Expirations of temporary restrictions on net assets (i.e., the donor-stipulated purpose has been fulfilled and/or the stipulated time period has elapsed) are reported as released from net assets with donor restrictions to net assets without donor restrictions.

Public Support and Revenue – Annual campaign contributions are generally available for unrestricted use in the related campaign year unless specifically restricted by the donor. Unconditional promises to give are recorded when the promise is made. Unconditional promises to give due in the next year are recorded at their net realizable value. Unconditional promises to give due in subsequent years are recorded at the present value of their net realizable value, using risk-adjusted interest rates applicable to the years in which the contributions are received. Amortization of the resulting discount is taken into revenue as a contribution in subsequent years.

The majority of the promises to give are received from a broad base of contributors from the City of Charlotte and Mecklenburg County as a result of the campaigns. An allowance for uncollectible contributions receivable is provided based on management’s evaluation of potential uncollectible contributions receivable at year-end.

ARTS & SCIENCE COUNCIL CHARLOTTE/MECKLENBURG, INC.

NOTES TO THE FINANCIAL STATEMENTS

JUNE 30, 2019 AND 2018

Note 1—Organization and summary of significant accounting policies (continued)

Contributions of donated assets are recorded at their fair values in the period received. Contributions of donated services that create or enhance non-financial assets or that require specialized skills, are provided by individuals possessing those skills, and would typically need to be purchased if not provided by donation, are recorded at their fair values in the period received. During the years ended June 30, 2019 and 2018, ASC received approximately \$1,000 and \$53,000, respectively, of donated assets and services that met the requirements above. Contributions of donated assets and services are included in general contributions without donor restrictions on the statements of activities.

Grants and Other Receivables – Grants and other receivables consists primarily of receivables related to Public Art and other projects managed by ASC. Management has determined that no allowance for doubtful accounts is considered necessary for these receivables.

Other Contributions Receivable and Payable to Designated Beneficiaries – During the year ended June 30, 2011, ASC received \$15,000,000 in promises to give that were designated for other cultural organizations. Accordingly, as of June 30, 2019 and 2018, the remaining contributions receivable and amount payable to the other cultural organizations of \$4,500,000 and \$5,000,000, respectively, are shown in the accompanying statements of financial position as both a contributions receivable and payable to designated beneficiaries. These transactions have no effect on changes in net assets in the accompanying statements of activities for the years ended June 30, 2019 and 2018 and, therefore, are not recorded at the present value of the future cash flows.

Income Taxes – ASC is exempt from federal income tax under the provisions of Section 501(c)(3) of the Internal Revenue Code ("IRC"). In accordance with IRC regulations, ASC is taxed on unrelated business income, which consists of earnings from activities not related to the exempt purpose of ASC. ASC accounts for tax uncertainties based on a more likely than not recognition threshold whereby tax benefits are only recognized when ASC believes that they have a greater than 50% likelihood of being sustained upon examination by taxing authorities.

Cash and Cash Equivalents – Highly liquid investments with a maturity of three months or less when purchased are considered to be cash equivalents except those cash equivalents maintained as part of the investment and endowment portfolio.

Investments – Investments in marketable securities with readily determinable fair values and all investments in debt securities are valued in the accompanying statements of financial position at their fair value. Fair value is determined by reference to exchange or dealer-quoted market prices. If a quoted market price is not available, fair value is estimated using quoted market prices for similar investment securities. Changes in the fair value of securities are reflected as investment income in the accompanying statements of activities.

Beneficial Interest in Trust – ASC recognizes contribution revenue from assets held by a recipient organization for the sole benefit of ASC (see Note 4).

Property and Equipment, Net – Property and equipment primarily includes office furniture, technology equipment, and software, which are stated at cost for purchased items and at estimated fair value at the date received for donated items. ASC capitalizes expenditures in excess of \$500 with useful lives of one year or more. Depreciation expense is based on a straight-line method over the estimated life of the respective asset, ranging from 2 to 5 years. Property and equipment is presented net of accumulated depreciation amounting to \$1,550,203 and \$1,424,288 at June 30, 2019 and 2018, respectively.

ARTS & SCIENCE COUNCIL CHARLOTTE/MECKLENBURG, INC.

NOTES TO THE FINANCIAL STATEMENTS

JUNE 30, 2019 AND 2018

Note 1—Organization and summary of significant accounting policies (continued)

Deferred Support and Restricted Cash – Certain grants and Public Art payments received or billed are not considered earned until expended for their stated purposes and, accordingly, are recorded as deferred income until such time. Consequently, cash and cash equivalents and certain receivables are considered restricted for use in satisfying the conditions of the grants. At June 30, 2019 and 2018, ASC is holding \$458,874 and \$458,908 in a separate cash account for Public Art; however, the additional amount of restricted cash for Public Art, representing amounts in deferred revenue that have funds received but not spent, amounts to approximately \$2.5 million and \$2.8 million at June 30, 2019 and 2018, respectively.

Functional Allocation of Expenses – The costs of providing the various programs and activities have been summarized on a functional basis in the accompanying statements of activities. Accordingly, certain costs have been allocated among program services and supporting services benefited. Expenses are allocated based on time and effort with the exception of grants, allocations, and directed expenses, arts and science education, payments to organizations, and artist contracts, which are allocated directly, and rent, which is allocated based on square footage.

Use of Estimates – The preparation of financial statements in conformity with U.S. GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

New Accounting Pronouncements – In August 2016, the Financial Accounting Standards Board ("FASB") issued Accounting Standards Update ("ASU") 2016-14, *Not-for-Profit Entities (Topic 958): Presentation of Financial Statements of Not-for-Profit Entities*. The update addresses the complexity and understandability of net asset classification, deficiencies in information about liquidity and availability of resources, and the lack of consistency in the type of information provided about expenses and investment return. ASC has adjusted the presentation of these financial statements accordingly. The ASU has been applied retrospectively to all period presented with the exception of the disclosure of liquidity and availability of resources, which has been implemented prospectively as allowed under the provisions of ASU 2016-14.

Future Pronouncements – In February 2016, FASB issued ASU 2016-02, *Leases (Topic 842)*. The guidance in this ASU supersedes the leasing guidance in Topic 840, *Leases*. Under the new guidance, lessees are required to recognize lease assets and lease liabilities on the statement of financial position for all leases with terms longer than 12 months. Leases will be classified as either finance or operating, with classifications affecting the pattern of expense recognition in the statement of activities. The new standard is effective for fiscal years beginning after December 15, 2021. This update will be effective for ASC's fiscal year 2023. A modified retrospective transition approach is required for lessees for capital and operating leases existing at, or entered into after, the beginning of the earliest comparative.

In May 2014, FASB issued ASU 2014-09. The amendments in this update create (Topic 606): *Revenue from Contracts with Customers*, and supersede the revenue recognition requirements in (Topic 605): *Revenue Recognition*, including most industry-specific revenue recognition guidance throughout the Industry Topics of the Codification. In addition, the amendments supersede the cost guidance in (Subtopic 605-35): *Revenue Recognition – Construction-Type and Production-Type Contracts*, and create new (Subtopic 340-40): *Other Assets and Deferred Costs – Contracts with Customers*. The core principle of Topic 606 is that an entity recognizes revenue to depict the transfer of promised goods or services to customers in an amount that reflects the consideration to which the entity expects to be entitled in exchange for those goods or services. In August 2015, FASB issued ASU 2015-14, which defers the effective date of the ASU 2014-09 one year, making it effective for annual reporting periods beginning after December 15, 2019. The amendments in this update will be effective for ASC's fiscal year 2021 with early adoption permitted in certain circumstances.

ARTS & SCIENCE COUNCIL CHARLOTTE/MECKLENBURG, INC.

NOTES TO THE FINANCIAL STATEMENTS

JUNE 30, 2019 AND 2018

Note 1—Organization and summary of significant accounting policies (continued)

In June 2018, FASB issued ASU 2018-08, *Not-for-Profit Entities (Topic 958), Clarifying the Scope and the Accounting Guidance for Contributions Received and Contributions Made*. The amendments in this ASU should assist entities in (1) evaluating whether transactions should be accounted for as contributions (nonreciprocal transactions) within the scope of Topic 958, or as exchange (reciprocal) transactions subject to other guidance and (2) determining whether a contribution is conditional. The amendments should be applied on a modified prospective basis. Under a modified prospective basis, in the first set of financial statements following the effective date, the amendments should be applied to agreements that are either not completed as of the effective date or entered into after the effective date. Retrospective application is permitted. This ASU is effective for the year ending June 30, 2020.

Management is currently evaluating the impact of these standards on ASC's financial statements.

Note 2—Liquidity and availability of resources

The table below represents financial assets available for general expenditures within one year at June 30:

Financial assets at year-end:

Operating cash	\$ 556,810
Annual campaign contributions receivable, net	2,021,571
Grants and other receivables	811,398
Investments	-
Operating reserve fund held at Foundation For The Carolinas	<u>622,705</u>
Financial assets available to meet cash needs for general expenditures within one year	4,012,484

Less amounts not available to be used for general expenditures within one year

Restricted for public art	<u>3,870,425</u>
Financial assets available to meet general expenditures within one year	<u>\$ 142,059</u>

As part of ASC's liquidity management, it has a policy to structure its financial assets to be available as its general expenditures, including the subsequent year's operating grants, liabilities, and other obligations become due. The operating reserve fund referred to in the above table consists of short-term investments and money market funds held at Foundation for the Carolinas ("FFTC").

Due to operating losses in several prior years, ASC experienced decreases in its net assets without donor restrictions. Consequently, ASC has a deficit in net assets without donor restrictions of \$2,875,033 and \$1,186,223 at June 30, 2019 and 2018, respectively. As discussed in Note 6, endowment funds are subject to appropriation using a board approved annual spending rate of up to a maximum of 4% of the average fair value over the prior 12 quarters through the calendar year preceding the fiscal year in which the appropriation is planned. To help offset the liquidity impact of the operating losses and deficit in net assets without restrictions referred to above, subsequent to June 30, 2019, the board of ASC approved an additional spend of \$1.5 million from the endowment reserves and accumulated gains that will be reflected as operating revenue for the year ending June 30, 2020. In addition, the board of ASC approved a loan from the endowment in an amount not to exceed \$3.5 million that is to be repaid with interest at 4.5% over a seven-year period beginning December 31, 2020. As of the date of this report, ASC has borrowed \$2.5 million from the endowment.

ARTS & SCIENCE COUNCIL CHARLOTTE/MECKLENBURG, INC.
NOTES TO THE FINANCIAL STATEMENTS

JUNE 30, 2019 AND 2018

Note 3—Annual campaign contributions receivable, net

ASC has also requested additional funding from the City of Charlotte and Mecklenburg County and has been notified that the county is considering an increase funding of \$900,000 for the fiscal year ending 2021 to support artists, cultural vision grants and operating support for small-to-mid-size organizations. ASC has also reduced operating expenses and, beginning in fiscal year ending 2021, will align grant expense in accordance with funding already received or committed in order to operate with a balanced budget going forward.

Annual campaign contributions receivable are summarized as follows as of June 30:

	<u>2019</u>	<u>2018</u>
Total annual campaign contributions receivable	\$ 2,453,278	\$ 2,595,496
Less allowance for uncollectible contributions receivable	<u>(431,707)</u>	<u>(431,707)</u>
Net annual campaign contributions receivable	<u>\$ 2,021,571</u>	<u>\$ 2,163,789</u>

All annual campaign contributions receivable are current; consequently, such receivables are not discounted to present value. Revenues from the annual campaign promises to give of approximately \$3,300,000 and \$3,400,000 for the years ended June 30, 2019 and 2018, respectively, are recorded as with donor restrictions within fund drive and general contributions on the accompanying statements of activities in the year the campaign is conducted since the revenues are restricted for the next fiscal year's operations.

Note 4—Beneficial interest in trust

The Greater Charlotte Cultural Trust (the "Trust") is a supporting organization of ASC and FFTC under Section 509(a)(3) of the IRC. The Trust is a separate legal entity with its own Board of Directors which oversees endowment administration, evaluates planned giving opportunities, and makes investment decisions. FFTC, a nonprofit organization that serves donors, communities, and a broad range of charitable purposes in North and South Carolina, provides investment and administrative services for the Trust. ASC and other cultural partners with beneficial interests in the endowment held at the Trust receive distributions from the Trust in accordance with the spending policies described in Note 6.

ASC has coordinated endowment campaigns to support the local arts community. Under agreement with ASC, endowment contributors could restrict pledges directly to ASC or cultural partners. As a result, the Trust maintains and manages endowment assets, including pledges receivable and investments, for the benefit of ASC and its cultural partners. Beneficial interest assets as of June 30, 2019 and 2018, representing ASC's interests in the Trust, are reflected in the accompanying statements of financial position as endowment investments.

The Trust is administered by FFTC, which maintains the Trust's investments with various broker-dealers. The Trust invests in a variety of investments, which are subject to fluctuations in values and expose the Trust to a certain degree of interest and credit risk. The underlying pooled investments held by the Trust are summarized in Notes 4 and 5.

The pooled funds include investments in fund managers that invest in private investment funds and alternative investments as part of the asset allocation, as an alternative investment strategy with the purpose of increasing the diversity of the holdings and being consistent with the overall investment objectives. These investments are not traded on an exchange, and accordingly, may not be as liquid as investments in marketable equity or debt securities. These investment funds may invest in other private investment funds, equity or debt securities, which may or may not have readily available fair values, and foreign exchange or commodity forward contracts.

ARTS & SCIENCE COUNCIL CHARLOTTE/MECKLENBURG, INC.
NOTES TO THE FINANCIAL STATEMENTS

JUNE 30, 2019 AND 2018

Note 4—Beneficial interest in trust (continued)

Management of the Trust receives the estimate of fair value of these investments from managers and relies on various factors, processes, and procedures to determine if the estimate of value is reasonable. However, information used by the Trust and by management is subject to change in the near term, and, accordingly, investment values and performance can be affected. The effect of these changes could be material to the accompanying financial statements.

The following schedule summarizes the change in beneficial interest and its classification in the accompanying statements of activities for the years ended June 30:

	<u>2019</u>	<u>2018</u>
Change in beneficial interest	\$ (385,731)	\$ 3,066,543
Allocation of allowable endowment balance for spending	<u>(1,450,356)</u>	<u>(2,623,675)</u>
Net change in beneficial interest	<u>\$ (1,836,087)</u>	<u>\$ 442,868</u>

Note 5—Fair value measurements of assets and liabilities

In accordance with guidance on fair value measurements for financial instruments measured at fair value, fair value is defined as the price that ASC would receive to sell an investment or pay to transfer a liability in a timely transaction with an independent buyer in the principal market, or in the absence of a principal market, the most advantageous market for the investment or liability. The fair value guidance establishes hierarchy that categorizes and prioritizes the sources used to measure and disclose fair value into three levels based on inputs that market participants would use to value an asset or liability. The inputs are summarized in the three levels listed below:

Level 1 – Quoted prices in active markets that are accessible at the measurement date for identical securities.

Level 2 – Financial instruments valued using inputs that include quoted prices for similar assets and liabilities in active markets, inputs that are derived from investment manager reporting or corroborated by an independent investment advisor, and inputs obtained from comparison with benchmarks for similar assets for substantially the full term of the financial instrument.

Level 3 – Prices or valuations that require using significant unobservable inputs in determining fair value. The inputs into the determination of fair value require significant judgment or estimation by the investment manager. The investment manager uses either the market approach, which generally consists of using comparable market transactions, or the income approach which generally consists of the net present value of estimated future cash flows, adjusted as appropriate for liquidity, credit, market, and/or other risk factors.

ARTS & SCIENCE COUNCIL CHARLOTTE/MECKLENBURG, INC.
NOTES TO THE FINANCIAL STATEMENTS

JUNE 30, 2019 AND 2018

Note 5—Fair value measurements of assets and liabilities (continued)

The following tables summarize the valuation of ASC's investments measured at fair value on a recurring basis as of June 30, 2019 and 2018, based on the level of input utilized to measure fair value.

June 30, 2019	Level 1	Level 2	Level 3	Total
Common stocks	\$ 2,822	\$ -	\$ -	\$ 2,822
Operating reserves fund	-	-	622,704	622,704
Beneficial interest in trust	-	-	30,630,570	30,630,570
	<u>\$ 2,822</u>	<u>\$ -</u>	<u>\$ 31,253,274</u>	<u>\$ 31,256,096</u>

June 30, 2018	Level 1	Level 2	Level 3	Total
Common stocks	\$ 2,822	\$ -	\$ -	\$ 2,822
Operating reserves fund	-	-	1,612,378	1,612,378
Beneficial interest in trust	-	-	32,466,657	32,466,657
	<u>\$ 2,822</u>	<u>\$ -</u>	<u>\$ 34,079,035</u>	<u>\$ 34,081,857</u>

ASC's endowment investment held at FFTC is considered by ASC to be a Level 3 asset because it represents a receivable to be paid from various pooled investments managed by FFTC. ASC has no ownership interest in those underlying investments. However, the fair value of those investments is used by management of FFTC to determine the fair value of the payable to the ASC. The following is an approximated allocation of the underlying investments that comprise the interest in pooled investments held at FFTC as of June 30, 2019 and 2018:

Level 1	81%
Level 2	8%
Level 3	11%
	<u>100%</u>

For the asset measured at fair value on a recurring basis using Level 3 valuations during the period, the following table provides a reconciliation of beginning and ending balances for the years ended June 30:

	2019	2018
Balance, beginning of year	\$ 34,079,035	\$ 32,623,789
Change in beneficial interest	(385,731)	3,066,543
Change in operating reserves fund	(989,674)	1,012,378
Allocation of allowable endowment balance for spending	(1,450,356)	(2,623,675)
Balance, end of year	<u>\$ 31,253,274</u>	<u>\$ 34,079,035</u>

ARTS & SCIENCE COUNCIL CHARLOTTE/MECKLENBURG, INC.
NOTES TO THE FINANCIAL STATEMENTS

JUNE 30, 2019 AND 2018

Note 6—Endowment funds

ASC's endowment consists of 19 individual funds established for a variety of purposes that are invested at the Trust. The endowment consists only of donor-restricted endowment funds. As required by U.S. GAAP, net assets associated with endowment funds are classified and reported based on the existence or absence of donor-imposed restrictions.

Interpretation of Relevant Law – The Board of Directors of ASC has interpreted current law, Uniform Prudent Management of Institutional Funds Act of 2006 ("UPMIFA") as requiring the preservation of the fair value of the original gift as of the gift date of the donor-restricted endowment funds absent explicit donor stipulation to the contrary. As a result of the interpretation, ASC classifies as donor-restricted net assets (a) the original value of gifts donated to the endowment, (b) the original value of subsequent gifts to the endowment, and (c) accumulations to the endowment made in accordance with the direction of the applicable donor gift instrument at the time the accumulation is added to the fund. Donor-restricted amounts not retained in perpetuity are subject to appropriation for expenditure by ASC in a manner consistent with the standard of prudence prescribed by UPMIFA.

In accordance with UPMIFA, ASC considers the following factors in making a determination to appropriate or accumulate donor-restricted endowment funds:

1. The duration and preservation of the fund
2. The purposes of ASC and the donor-restricted endowment fund
3. General economic conditions
4. The possible effect of inflation and deflation
5. The expected total return from income and the appreciation of investments
6. Other resources of ASC
7. The investment policies of ASC

Endowment net asset composition by type of fund for the endowment investments as of June 30, 2019 and 2018 is listed below.

	June 30, 2019		
	Without Donor Restrictions	With Donor Restrictions	Total
Donor-restricted endowment funds:			
Original donor-restricted gift amount and amounts required to be maintained in perpetuity by donor	\$ -	\$ 27,908,365	\$ 27,908,365
Accumulated investment gains	-	2,722,205	2,722,205
Endowment net assets, June 30, 2019	<u>\$ -</u>	<u>\$ 30,630,570</u>	<u>\$ 30,630,570</u>
	June 30, 2018		
	Without Donor Restrictions	With Donor Restrictions	Total
Donor-restricted endowment funds:			
Original donor-restricted gift amount and amounts required to be maintained in perpetuity by donor	\$ -	\$ 27,908,365	\$ 27,908,365
Accumulated investment gains	-	4,558,292	4,558,292
Endowment net assets, June 30, 2018	<u>\$ -</u>	<u>\$ 32,466,657</u>	<u>\$ 32,466,657</u>

ARTS & SCIENCE COUNCIL CHARLOTTE/MECKLENBURG, INC.

NOTES TO THE FINANCIAL STATEMENTS

JUNE 30, 2019 AND 2018

Note 6—Endowment funds (continued)

Funds with Deficiencies – From time to time, the fair value of assets associated with individual donor-restricted endowment funds may fall below the amount recorded by ASC as permanently restricted net assets (corpus). Subsequent gains that restore the fair value of the assets of the endowment fund to the required level will be classified as an increase in net assets with donor restrictions. There were no individual funds below corpus as of June 30, 2019 and 2018.

Return Objectives and Risk Parameters – FFTC administers the endowed funds of the Trust. The Board of Directors of the Trust and ultimately ASC have adopted investment and spending policies for endowment assets that attempt to provide for a predictable stream of funding to programs supported by its endowment while seeking to maintain the purchasing power of the endowment assets. Under this policy, the endowment assets are invested in a manner that is intended to produce results that provide an average annual real rate of return, net of fees, equal to or greater than spending, administrative fees, and inflation (Consumer Price Index). Actual returns in any given year may vary from this amount.

Strategies Employed for Achieving Objectives – To satisfy its long-term rate-of-return objectives, the Trust relies on a total return strategy in which investment returns are achieved through both capital appreciation (realized and unrealized) and current yield (interest and dividends). Accordingly, the Trust has adopted the following investment allocation guidelines:

Equities:	
Large cap	32.5%
Small cap	5.0%
International	20.0%
Fixed income	17.5%
Real assets	5.0%
Private investment funds	20.0%

ARTS & SCIENCE COUNCIL CHARLOTTE/MECKLENBURG, INC.
NOTES TO THE FINANCIAL STATEMENTS

JUNE 30, 2019 AND 2018

Note 6—Endowment funds (continued)

Spending Policy and How the Investment Objectives Relate to Spending Policy – The Trust has a policy of appropriating for distribution each year up to a maximum of 4% of the average fair value over the prior 12 quarters through the calendar year preceding the fiscal year in which the distribution is planned. The policy will be evaluated on an annual basis for prudence. In establishing the spending policy, the expected return on the endowment was taken into consideration. Accordingly, the spending policy is expected to allow the endowment to maintain its purchasing power by growing at a rate equal to planned payouts. Additional real growth will be provided through new gifts and any excess investment return. As discussed in Note 2, amounts above the spending policy were withdrawn subsequent to June 30, 2019.

Changes in the investment portion of the endowment net assets for the year ended are as follows as of June 30, 2019 and 2018:

	Without Donor Restrictions	With Donor Restrictions	Total
Endowment net assets as of June 30, 2017	\$ -	\$ 32,023,789	\$ 32,023,789
Investment return	-	3,066,543	3,066,543
Allocation of allowable endowment balance for spending	-	(2,623,675)	(2,623,675)
Endowment net assets as of June 30, 2018	-	32,466,657	32,466,657
Investment return	-	(385,731)	(385,731)
Allocation of allowable endowment balance for spending	-	(1,450,356)	(1,450,356)
Endowment net assets as of June 30, 2019	<u>\$ -</u>	<u>\$ 30,630,570</u>	<u>\$ 30,630,570</u>

Note 7—Lease commitments

ASC leased its office facilities under an operating lease with an expiration date of September 30, 2019. The lease provided for monthly lease payments, increasing over the life of the lease, ranging from approximately \$17,500 to \$18,500. Office rent expense is net of amortization of the incentives referred to in Note 1. Office rent expense amounted to \$204,760 and \$195,670 for the years ended June 30, 2019 and 2018, respectively.

On October 1, 2019, ASC entered into a new office facility operating lease with an expiration date of September 30, 2029. The lease provides for monthly lease payments, increasing over the life of the lease, ranging from approximately \$28,600 to \$35,800.

ASC leases certain equipment under operating lease agreements providing for monthly payments between \$129 through \$2,461 expiring at various times through October 2021. Total rent expense for these leases were approximately \$10,000 and \$26,000 for the years ended June 30, 2019 and 2018, respectively.

ARTS & SCIENCE COUNCIL CHARLOTTE/MECKLENBURG, INC.
NOTES TO THE FINANCIAL STATEMENTS

JUNE 30, 2019 AND 2018

Note 7—Lease commitments (continued)

Approximate future minimum lease payments, including the lease entered into subsequent to June 30, 2019 are as follows:

<u>Years Ending June 30,</u>	<u>Office Rent</u>	<u>Equipment</u>
2020	\$ 442,277	\$ 8,686
2021	350,374	8,686
2022	359,148	2,895
2023	368,188	-
2024	377,424	-
Thereafter	2,140,498	-
	<u>\$ 4,037,909</u>	<u>\$ 20,267</u>

Note 8—Retirement savings plan

ASC has established a 401(k) plan account as part of a multi-employer plan through ADP Total Source. A safe harbor contribution of 3% of eligible participants' compensation is made along with an employer match of \$.50 for every \$1 contributed by the employee up to 3% of employee compensation. ASC's contributions to the 401(k) plan were approximately \$59,000 and \$53,000 for the years ended June 30, 2019 and 2018, respectively.

Note 9—Concentrations of credit risk

ASC places its cash and cash equivalents on deposit with financial institutions in the United States of America. The Federal Deposit Insurance Corporation provides insurance up to \$250,000 on substantially all depository accounts. ASC from time to time may have had amounts on deposit in excess of the insured limits.

Donor contributions allow ASC to fulfill its mission to build appreciation, participation, and support for the arts, sciences, history, and heritage throughout Charlotte/Mecklenburg. ASC has recognized unconditional promises to give from donors in future years. Ultimately, realization of these amounts is influenced by economic conditions of the areas in which these residents reside.

A substantial portion of the annual campaign revenue (approximately 28% and 39% for the 2019 and 2018 campaigns, respectively) is derived from three large Charlotte area employers and their employees.

Note 10—Subsequent events

As a result of the spread of COVID-19 in early 2020, economic uncertainties have arisen, which are likely to negatively impact operating results of ASC. Other financial impacts could occur though such potential impact is unknown at this time.

In accordance with Section 1102 of the Coronavirus Aid, Relief, and Economic Security Act (the "CARES Act"), ASC received a \$610,310 Paycheck Protection Program loan in April 2020. The terms of the loan provide forgiveness of principal and any interest to the extent ASC incurs certain qualifying expenses and maintains a certain level of average full-time equivalent employees during the measurement period following closing of the loan, all as defined in the CARES Act.

ASC has evaluated subsequent events through June 25, 2020, in connection with the preparation of these financial statements, which is the date the financial statements were available to be issued. See Note 2 for a discussion of endowment fund withdrawals that occurred subsequent to June 30, 2019.



Nonprofit Funding Request **FY23-24**

Name of Organization Bags of Hope

Mission of Organization: Bags of Hope seeks to bring hope to the Lake Norman and the greater Charlotte area by supplying weekend food provisions to elementary, middle, and high school students who experience food insecurity.

Have you been awarded any ARPA funding? If so, list year, amount and source.

No.

Year	Amount	Source

Primary Contact Information Regarding Funding Request:

Name: Nicole Fiehler
Email Address: nicole@BagsofHope1KN.com
Address: 10308 Bailey Rd., Suite 413, Cornelius
Phone Number: 704-488-3433

Executive Director Contact Information:

Name: Ashley Nydish (Board President)
Email Address: ashley@BagsofHope1KN.com
Address: 10308 Bailey Rd., Suite 413, Cornelius
Phone Number: 704-577-2470

Total Amount of Funding Requested:

\$26,000 Will any of the requested funds be used to match other grants? If so, which grants? No.

Tax Exempt Status: (circle applicable status)

☒ 501(c)(3) ☐ 501(c)(7)
☐ 501(c)(4) ☐ 501(c)(8)
☐ 501(c)(5) ☐ 501(c)(9)

Exhibit No. 4

501(c)(6)

Other (Please explain) _____

The Town of Huntersville will contract with all nonprofits receiving funding to provide a service or program that the Town could also legally provide, but for which the Town is contracting with the nonprofit to provide instead. The information provided below will be used by the Town to evaluate the services or program that the nonprofit would use the requested funds to provide, and will also be

Please identify the program or service for which funding is requested, and describe the problem or need your Organization will address with the requested funds:

Bags of Hope seeks to bring hope to the Lake Norman and greater Charlotte area by supplying weekend food provisions to students who experience food insecurity. North Carolina has the 8th highest rate of food insecurity in the nation – 1 in 5 children struggle with hunger. In Mecklenburg County, 17.8% of children live in food insecure homes. While students receive free/reduced school lunch, they may fail to find adequate nutrition at home. Our weekend bags provide a reliable source of food, helping children remain well-fed, well-rested, and ready to put their best effort into learning.

Bags of Hope currently serves 590 students in 29 schools, each weekend of the school year. Since early 2020, before the effects of Covid-19, the number of schools has increased 81% and the number of individual students served increased 60%, reflecting increased food insecurity during and since the pandemic. Annual support from individuals and grants from corporations and foundations, including the Town of Huntersville in 2022, since the Covid crisis has been critical to Bags of Hope, allowing us to sustain our backpack program and never having to turn away a student in need.

This year, a \$26,000 grant from the Town of Huntersville would help provide food for 40 students, for the entire school year; the same amount of students supported through the town's funding last year. The nominal cost of a 1-year child sponsorship in our program is \$650 (up from \$500 in 2022 due to a dramatic increase in the cost of food). We would designate the entire amount of \$26,000 to sponsor these 40 students for the school year (23% of total students served in Huntersville schools), providing 10,920 meals and 15,600 snack, fruit and vegetable items. These bags represent 12,480 pounds of food. Support from the Town of Huntersville alone would directly help eliminate weekend food insecurity for 40 students in Huntersville communities for the second year in a row.

If applicable, please described the target population that will be served with the requested funds:

Our target population are students in the low-moderate income category. As a baseline, most, if not all of the students we serve are recipients of free or reduced price lunch, eligibility determined by the Charlotte-Mecklenburg Schools system. Within this population, we rely on school counselors and social workers to evaluate students' home environments and identify children most impacted by food insecurity. We serve students in elementary, middle and high schools, with 50% of 590 students being in elementary school. We currently serve 29 schools in 3 counties, Mecklenburg, Iredell and Cabarrus.

26 schools in Mecklenburg County, 2 schools in Iredell County and 1 school in Cabarrus County. *See attached document for full list of schools and physical addresses:*

How will the program or service for which funds are requested address the problem or identified need?

Funds received from The Town of Huntersville will go directly to our weekend backpack program, allowing us to continue serving nearly 600 students every weekend of the school year. In addition to the weekend provisions, Bags of Hope also provides a larger bag of food over the extended breaks from school - Thanksgiving, Winter Break and Spring Break. These bags contain 21 meals, snacks and a \$20 grocery gift card. Providing food for students experiencing food insecurity, is helping ensure children remain well-fed, well-rested, and ready to put their best effort into learning.

How many Town residents will be directly impacted by the funds requested?

Of the 29 schools we are serving, 11 are located in Huntersville. We also serve students at William A. Hough High School, where several Huntersville schools feed into. We are serving students at all CMS schools in Huntersville - elementary, middle and high schools - as well as a local Huntersville charter school, Bonnie Cone Classical Academy.

The total number of students currently being served at these 11 schools is 177. Each of these students receives a food bag from us each weekend of the school year, with additional larger bags and grocery gift cards to cover three extended breaks; Thanksgiving, Winter Break and Spring Break. A \$26,000 grant from The Town of Huntersville would cover 40 of these students receiving food during one full school year.

Describe the impact on your organization, clients, service or program if the requested funding is not approved?

Without the support from the local community, through grants or other individual and corporate donations, Bags of Hope may not be able to continue providing weekend food provisions to the students enrolled in our 2022-2023 program and may have to turn away new requests from students in need. A grant from the Town of Huntersville will not only allow us to continue our successful program and meet the increasing demand for our services, it will also be a meaningful partnership for Bags of Hope, since 31% of the students served attend schools in Huntersville.

Although our direct interaction with children and families is limited since we rely on school contacts to identify need and maintain contact with the parent/guardian, we do receive annual feedback through a survey conducted with clients and school contacts, affirming the difference our weekend food provisions are making for students and their families. Some sample data is below (50% of families participate in survey):

- 69% of families responded that they find it always or sometimes difficult to feed everyone in their household.
- 47% said the backpack food was the main source of weekend meals for their child.
- 88% said the amount of food received was just right for their child's needs.
- 90% said the backpack program helped them worry less about feeding their child.
- 67% said they had noticed improvement in their child's school performance since receiving the backpack.

Below is also a sampling of direct quotes shared from families:

- "I am the custodial grandmother. Both of the children listed have been w/me for 6yrs. We became homeless back in 2021 and have been

living in a hotel for almost a year. I'm already working 3 jobs, plus my other financial responsibilities. I do NOT qualify for food stamps so the food items you provide have blessed us tremendously." (Grandmother)

- "The program has really been a blessing to our family. I have 6 children so it gets really tight at times. Your snacks and meals have helped us for lunch, dinner and snacks in between. We really appreciate the gift card as well. Thank you so much for helping us meet the needs of our children with good meals." (Parent)
- "My husband and I both lost our jobs during COVID and have struggled to find new jobs. We are both working again but at a much lower income, and with the rising cost of food and less income, Bags of Hope are helping make sure that we have enough basics so we can use our paychecks for bills." (Parent)
- "The existence of this organization is vital for the population I serve. I pray purposefully for it and the abundance of resources. "
(School Social Worker)

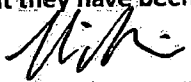
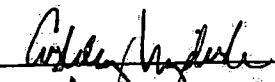
Describe the organization's relationship to Town Departments related to services or programs that your organization provides? How does your organization coordinate those services with Town provided services? Is there any duplication of service?

Bags of Hope does not have any relationship to Town Departments related to the service we are providing for students with food insecurity.

There is no duplication of service.

In the table provided, entitled "Performance Measurement," please list the factors that you will use to evaluate your organization's

Each person signing this application on behalf of an entity acknowledges that they have read, and are familiar with, N.C.G.S. § 55A-16-24, and that they have been duly authorized by the requesting organization to make this application on its behalf.

  Date: 3/2/23
Print Name: Nicole Fiehler Ashley Rydick
Print Title: Program Coordinator Board President

PERFORMANCE MEASUREMENT

Organization Name: Bags of Hope

Service Outputs

Outputs	FY 2022		FY 2023		FY 2024
	Target	Actual	Target	Actual	Target
Example: Number of after school participants served	500	545	550	275	560

Outputs	FY 2022		FY 2023		FY 2024
	Target	Actual	Target	Actual	Target
Number of students receiving a weekend food bag	650	614	700	590	
Total number of food bags distributed	24300	16458	26300	4429	
Amount of giftcards distributed to students over the extended breaks from school - Thanksgiving, Winter Break and Spring Break	\$40,500	\$34,100	\$42,000		
Food donations (in-kind)	\$160,900	\$165,903	\$173,150		

Service Outcomes

Please identify 3-4 measures to assess the effectiveness of your services or program for which funding is requested.

Outcomes	FY 2022		FY 2023		FY 2024
	Target	Actual	Target	Actual	Target
Example: Maintain passing test score for after school participants	705	68%	75%	76%	80%

Outcomes	FY 2022		FY 2023		FY 2024
	Target	Actual	Target	Actual	Target
Successfully providing for current students enrolled in our program, every weekend of the school year (numbers represent individual students).	700	614	700	590	
Providing an extended break bag and grocery gift card to every student over the extended breaks from school - Thanksgiving, Winter Break and Spring Break (numbers represent total bag count).	2000	1705	2100		
50% participation in survey administered to parents of students enrolled in our program to receive feedback on how families are benefitting from our weekend food bags.	50%	50%	50%		

BUDGET DETAILS

Organization Name: Bags of Hope

Service / Program Budget

Revenue	FY 2022	FY 2023	FY 2024
County Funding	\$0.00	\$10,000.00	
Town of Huntersville Funding	\$20,000.00	\$20,000.00	
Other Municipality Funding	\$0.00	\$12,000.00	
United Way Funding	\$0.00	\$0.00	
Federal and State Funding	\$0.00	\$0.00	
Local Contributions (Individual, Corporate donations, foundation/charity grants)	\$310,339.23	\$313,000.00	
Program/Service Fees/Other fees	\$0.00	\$0.00	
Other (Please specify): In-kind donations	\$165,902.50	\$173,150.00	
Other (Please specify): Donated services	\$500.00	\$500.00	
Other (Please specify): Merchandise sales	\$139.00	\$0.00	
Total Revenue	\$496,880.73	\$528,650.00	

Expenses	FY 2022	FY 2023	FY 2024
Salaries and Related Expenses	\$37,466.18	\$43,397.00	
Operating Expenses	\$45,621.07	\$45,054.37	
Capital Expenses	\$0.00	\$0.00	
Other (Please Specify): Occupancy	\$67,179.67	\$46,600.00	
Other: Please specify: Food & Gift Card distribution	\$286,941.93	\$443,800.00	
Total Expenses	\$437,208.85	\$578,851.37	



Supporting documentation related to low/moderate income of clients served:

Twenty-six of the schools we currently serve are located in Mecklenburg County, North Carolina. Three additional schools are located in Iredell County, NC and Cabarrus County, NC. (See Figure 1.)

Qualified Opportunity Zones are defined by the Tax Cuts and Jobs Act of 2017 as census tracts comprised predominantly of low-income households. Five Qualified Opportunity Zones in Charlotte, NC are included in the zoning boundaries of the public schools we serve (census tracts 37119004100, 37119004500, 37119004600, 37119004700, and 37119004800). Charter school students are not geographically restricted and may live in other opportunity zones in Charlotte. For example, KIPP School which serves primarily low-income students, is located adjacent to Zone 37119005306 and within 3 miles of Zones 37119005100, 37119005200, 37119005301, 37119005305, 37119001606, 37119001702, and 37119001607.

Furthermore, the Charlotte-Mecklenburg School System (CMS) has categorized census block groups in Mecklenburg county as being populated on average with individuals of low, medium, or high socioeconomic status (delegating a third of the population into each category). Of the 76 census block groups included in our schools' catchment areas, 23 are designated as low socioeconomic status, and 21 are designated as medium socioeconomic status. (See Figure 2.) Nine of our schools have disproportionate representation by families of low to medium socioeconomic status; three are comprised of more than 99% low to medium socioeconomic status students (2021 data). (See Figure 3; Niner University is a 4th school in this category but data is not available since it is a lab school).

However, even in school districts (or charter schools) with the most favorable socioeconomic demographics, some students fall into the lowest category and suffer from food insecurity. At each of our schools, we seek to identify these children most in need. We do so through the recommendations of school counselors (and social workers, if available). All the children we serve qualify for free and reduced-cost lunch programs, and further determinations are made based on individual factors. Some of our clients experience the additional hardship of homelessness and receive assistance under the McKinney-Vento Homeless Assistance Act, including nearly 10 students served at Niner University, a lab school supported by UNCC that we started serving in the fall of 2021.

While our food receiving, storage, packing, and central distribution activities take place at our warehouse, final distribution of individual bags to students occurs at each school. Site listings are included below. (See Figure 4.)



Figure 1.

Bags of Hope locations. The yellow dot linked to Bags of Hope logo indicates the site of operations (warehouse). The orange dots indicate the schools to which we deliver food (3 newest schools not shown on the map – First Ward Creative Arts Academy- Charlotte, 28202, Queen City STEM- Charlotte, 28262 and Reid Park Elementary- Charlotte, 28208).

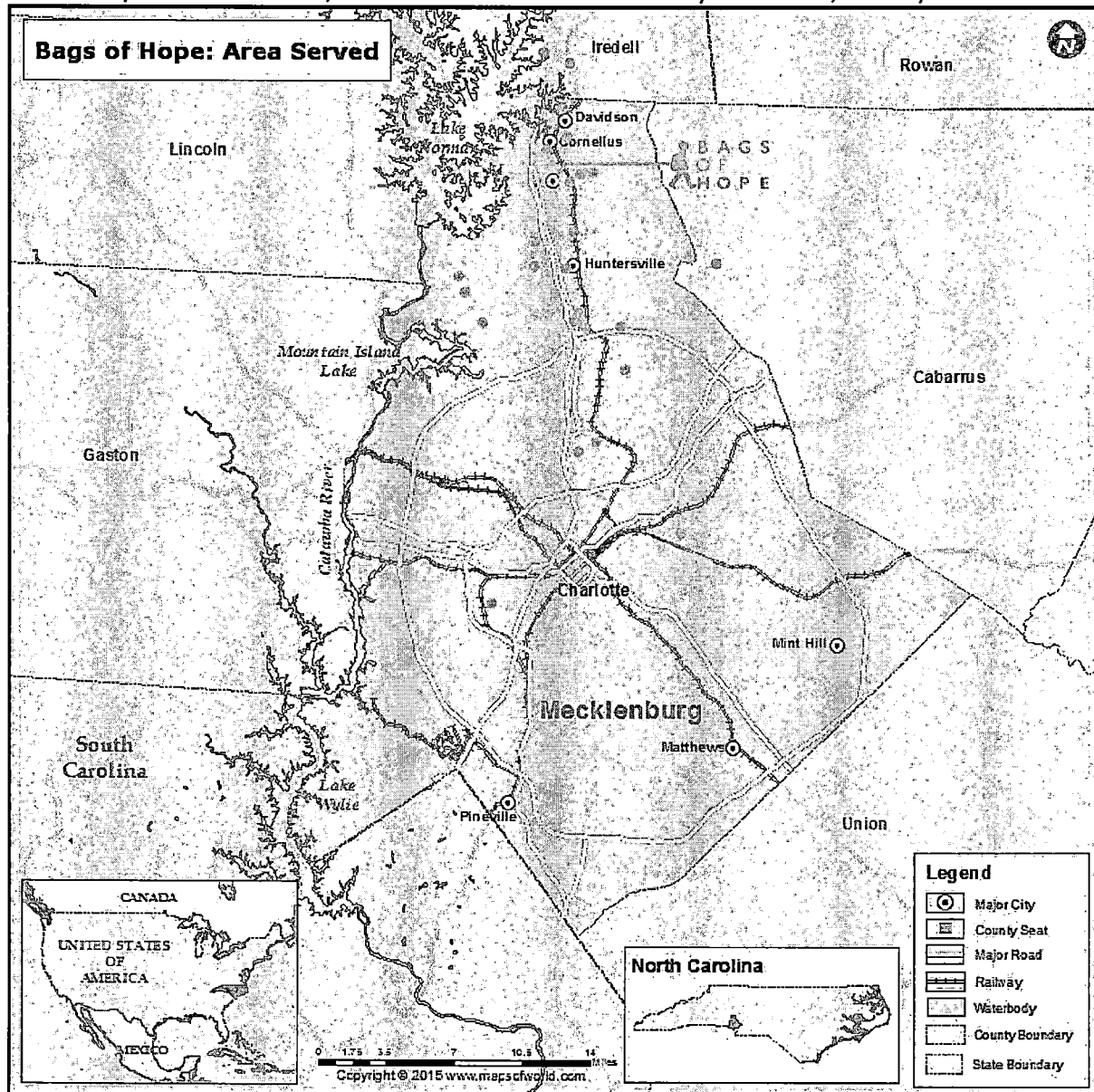




Figure 2.

Bags of Hope area served overlaid on CMS Socioeconomic Status (SES) census block group map. The area bounded in orange and shaded represents the outer boundaries of the CMS school zones of the schools we serve. Yellow and light green coloration indicates zones of low and medium socioeconomic status, respectively. The Bags of Hope warehouse location is indicated by the logo.

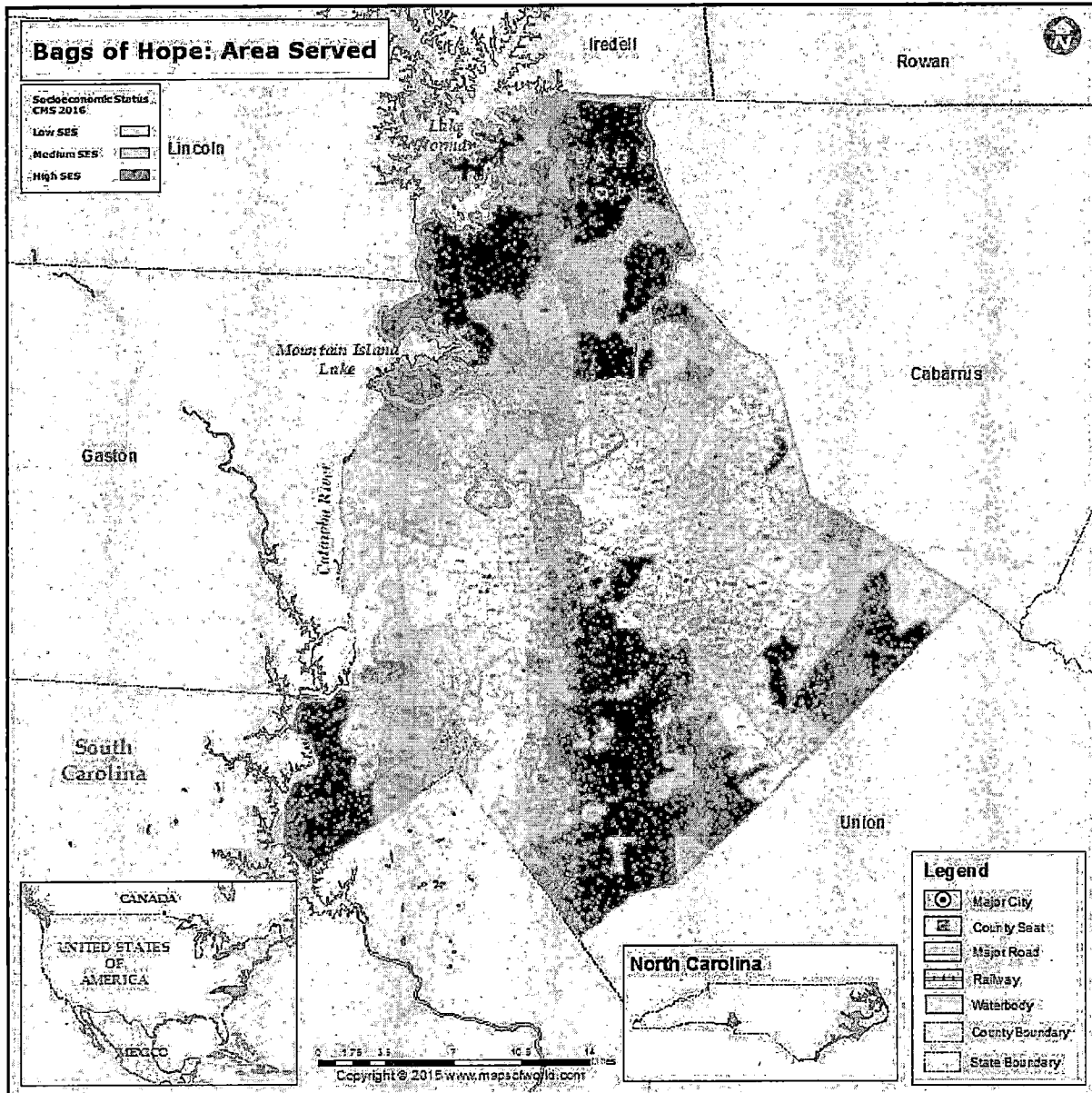




Figure 3.

Socioeconomic demographics of Charlotte-Mecklenburg system schools currently served by Bags of Hope (2022 data). Numbers represent students within a given school who live in a census block group designated by the indicated socioeconomic status (SES). Charter schools are not included, as these schools are not limited to geographic zones.

School	Low SES		Medium SES		High SES	
Alexander MS	256	27.00%	477	50.32%	212	22.36%
Bailey MS	135	9.33%	411	28.40%	900	62.20%
Barnette ES	34	4.76%	152	21.26%	526	73.57%
Blythe ES	184	21.10%	533	61.12%	152	17.43%
Bradley MS	119	10.67%	451	40.45%	541	48.52%
Cornelius ES	106	18.24%	150	25.82%	322	55.42%
Croft ES	35	7.90%	114	25.73%	292	65.91%
Davidson K-8 ES/MS	1	0.11%	154	17.19%	728	81.25%
First Ward Creative Arts Academy	262	52.61%	182	36.55%	50	10.04%
Grand Oak ES	4	0.84%	25	5.24%	445	93.29%
Hopewell HS	217	12.13%	914	51.09%	655	36.61%
Huntersville ES	162	22.19%	152	20.82%	416	56.99%
North Meck HS	763	34.78%	995	45.35%	430	19.60%
Ranson MS	667	67.65%	317	32.15%	1	0.10%
Reid Park ES	276	87.62%	39	12.38%	0	0%
Torrence Creek ES	216	29.39%	113	15.37%	402	54.69%
WA Hough HS	174	6.98%	587	23.56%	1725	69.22%
Winding Springs ES	497	69.03%	217	30.14%	2	0.28%



Figure 4.
List of Bags of Hope sites with addresses, including warehouse and 29 schools we are serving.

Bags of Hope Warehouse	10308 Bailey Road, Suite 413, Cornelius, NC 28031
Bailey Road Middle School	11900 Bailey Rd, Cornelius, NC 28031
Barnette Elementary School	12202 Hambright Road, Huntersville, NC 28078
Blythe Elementary School	12202 Hambright Rd, Huntersville, NC 28078
Bonnie Cone Classical Academy	10700 Asbury Chapel Rd, Huntersville, NC 28078
Bradley Middle School	13345 Beatties Ford Rd, Huntersville, NC 28078
Carolina International School	9545 Poplar Tent Rd., Concord, NC 28027
Community School of Davidson	404 Armour St, Davidson, NC 28036
Cornelius Elementary School	21126 Catawba Ave, Cornelius, NC 28031
Croft Elementary School	4911 Hucks Rd., Charlotte, NC 28269
Davidson K-8 School	635 South St, Davidson, NC 28036
First Ward Creative Arts Academy	715 N Caldwell St, Charlotte, NC 28202
Grand Oak Elementary School	15410 Stumptown Rd, Huntersville, NC 28078
Hopewell High School	11530 Beatties Ford Rd, Huntersville, NC 28078
Huntersville Elementary School	200 Gilead Rd, Huntersville, NC 28078
J.M. Alexander Middle School	12010 Hambright Rd, Huntersville, NC 28078
KIPP Academy	5431 Hickory Grove Road, Charlotte, NC 28215
Lakeside Charter School	17609 Old Statesville Rd, Cornelius, NC 28031
Langtree Charter School	154 Foundation Ct, Mooresville, NC 28117
Niner University	2414 Lester St., Charlotte, NC 28208
North Academy of World Languages	12201 Hambright Rd., Huntersville, NC 28078
North Mecklenburg High School	11201 Old Statesville Rd, Huntersville, NC 28078
Phoenix Montessori	17609 Old Statesville Rd., Charlotte, NC 28031
Pine Lake Preparatory	104 Yellow Wood Cir, Mooresville, NC 28115
Queen City STEM	8701 Mallard Creek Rd, Charlotte, NC 28262
Ranson Middle School	5850 Statesville Rd, Charlotte, NC 28269
Reid Park Elementary School	4108 W Tyvola Rd, Charlotte, NC 28208
Torrence Creek Elementary School	14550 Ranson Rd, Huntersville, NC 28078
WA Hough High School	12420 Bailey Rd, Cornelius, NC 28031
Winding Springs Elementary School	6601 Horace Mann Rd, Charlotte, NC 28269



Nonprofit Funding Request FY23-24

Name of Organization Caterpillar Ministries

Mission of Organization:

To share the love of Jesus and help the families of Huntington Green become all that God created them to be.

Primary Contact Information Regarding Funding Request:

Executive Director Contact Information:

Name: Sarah Fortner

Email Address: sarah@caterpillarministries.org

Address PO Box 2155, Huntersville

Phone Number 704-517-7764

Name:

Sarah Fortner

Email Address:

sarah@caterpillarministries.org

Address

PO Box 2155, Huntersville

Phone Number

704-517-7764

Total Amount of Funding Requested:

\$30,000.00 Will any of the requested funds be used to match other grants? If so, which grants? **No**

Tax Exempt Status: (circle applicable status)

501(c)(3)

501(c)(7)

501(c)(4)

501(c)(8)

501(c)(5)

501(c)(9)

501(c)(6)

Other (Please explain) _____

Exhibit No. 5

The Town of Huntersville will contract with all nonprofits receiving funding to provide a service or program that the Town could also legally provide, but for which the Town is contracting with the nonprofit to provide instead. The information provided below will be used by the Town to evaluate the services or program that the nonprofit would use the requested funds to

Please identify the program or service for which funding is requested, and describe the problem or need your Organization will address with the requested funds:

See attached Word Document

If applicable, please describe the target population that will be served with the requested funds:

See attached Word Document

How will the program or service for which funds are requested address the problem or identified need?

See attached Word Document

How many Town residents will be directly impacted by the funds requested?

See attached Word Document

Describe the impact on your organization, clients, service or program if the requested funding is not approved?

See attached Word Document

Describe the organization's relationship to Town Departments related to services or programs that your organization provides?

How does your organization coordinate those services with Town provided services? Is there any duplication of service?

See attached Word Document

In the table provided, entitled "Performance Measurement," please list the factors that you will use to evaluate your organization's performance with respect to your organization's use of the requested funds if approved.

Each person signing this application on behalf of an entity acknowledges that they have read, and are familiar with, N.C.G.S. § 55A-16-24, and that they have been duly authorized by the requesting organization to make this application on its behalf.



Date: 3/2/2023

Print Name:

Sarah Fortner

Print Title

Executive Director



Please identify the program or service for which funding is requested, and describe the problem or need your organization will address with the requested fund:

Huntington Green (HG) is comprised of roughly 2,200 people in 350 mobile homes in Huntersville, NC. The HG Community is approximately 85% Hispanic, 10% White, and 5% Black. Immigrant families represent 95% of the Hispanic population, with the majority non English speaking. In all demographics there is a profound lack of education with many unable to read or write. Many in the Hispanic population only received up to a 6th grade education in their native countries and also face the challenge of the language barrier. The inability to read, lack of education and the language barrier leave most adults in HG with little ability to dream or set life goals for themselves or for others in their families. Adults who can't read or write find it impossible to help their children with language, reading and writing skills acquisition, contributing to generational poverty.

Funding from the Town of Huntersville will allow Caterpillar to remove the language and educational barriers by providing a robust Academic program for adults in the HG community. In addition to ESL programs, Caterpillar will offer high quality adult focused reading programs, job application and skills training, and computer literacy classes.

If applicable, please describe the target population that will be served with the requested funds:

Adults, over the age of 18, in the HG community who are limited in their ability to read and write, those who do not have a high school diploma or GED or who don't speak English. In addition, Caterpillar will offer training classes for those who are underemployed or looking to find or further their career path.

How long will the program or service for which funds are requested address the problem or identified need?

The funds requested will support programming for the 2023 year.

How many town residents will be directly impacted by the funds requested?

Funding for Caterpillar Ministries Language and Literacy Program Initiative will directly impact two hundred and sixty families in the Huntington Green Community. Beyond the adults who will gain greater language and literacy acquisition and their children who will be better supported by parents who can support their academic, college and career planning, countless town residents in Huntersville will be impacted as the adults served will have the tools and resources to contribute socially, economically and civically.

Describe the impact on your organization, clients, service or program if the requested funding is not approved?

If these much needed programs are not provided we will see adults who continue to lack the education which is, in part, contributing to increased homelessness, the need for free or reduced

cost services and underemployed individuals. In addition, the children in homes where parents lack the ability to read and write proficiently, can't speak English or don't have career or computer skills will, in turn, not be able to receive the academic, social, emotional or career planning support needed to end the pattern of poverty.

Describe the organization's relationship to Town Departments related to services or programs that your organization provides? How does your organization coordinate those services with Town provided services? Is there any duplication of services?

Caterpillar Ministries has an ongoing relationship with the Police Department, Waste Connections, and Park and Rec. We have partnered with these organizations for several outreach events in Huntington Green. We communicate upcoming Town of Huntersville events to our families, whether both in and outside of the neighborhood. Waste Connections has helped distribute bikes to our preschoolers. We also have worked with the Fire Department when there have been emergencies in Huntington Green, assisting with communication/translation for the non-English speaking families. Partnering with the Town of Huntersville is mutually beneficial in many ways, and we do not want to duplicate efforts. When the Parks and Rec hosted the Turkey Day event in November we supported the event with arts, crafts, food bags and more. Finally, the children we serve enjoy the interaction with police officers; this relationship did not exist years ago. We always want to foster respect for the Police Department (as upholders of health and safety) within the neighborhood. Caterpillar strives to support and promote (through word of mouth, print material and social media) programs the Town is offering to all its residents.

CATERPILLAR MINISTRIES
BALANCE SHEET
DECEMBER 31, 2022

<u>ASSETS</u>	<u>12-31-2022</u>	<u>12-31-2021</u>	<u>CHANGE</u>
Cash - Checking	44,397	147,045	-102,648
Cash - Savings	54,608	133,404	-78,796
Total Cash	99,005	280,449	-181,444
Vehicles	59,155	59,155	0
Accumulated Depreciation	-78,839	-52,886	-25,953
Land	20,734	20,734	0
Buildings	195,736	26,193	169,543
Total Fixed Assets	196,786	53,196	143,590
TOTAL ASSETS	295,791	333,645	-37,854
<u>LIABILITIES</u>			
Medicare Taxes	0	0	0
Social Security Taxes	0	0	0
Federal Withholding	0	0	0
State Withholding	0	0	0
Accounts Payable	0	0	0
TOTAL LIABILITIES	0	0	0
<u>EQUITY</u>			
Retained Earnings	333,645	241,343	92,302
Net Income	-37,854	92,302	-130,156
TOTAL EQUITY	295,791	333,645	-37,854
TOTAL LIABILITIES & EQUITY	295,791	333,645	-37,854

CATERPILLAR MINISTRIES
INCOME STATEMENT
DECEMBER 31, 2022

<u>CURRENT</u> <u>MONTH</u> <u>ACTUAL</u>	<u>CURRENT</u> <u>MONTH</u> <u>BUDGET</u>	<u>VARIANCE</u>	<u>CATEGORY</u>	<u>Y.T.D.</u> <u>ACTUAL</u>	<u>Y.T.D.</u> <u>BUDGET</u>	<u>VARIANCE</u>	<u>ANNUAL</u> <u>BUDGET</u>	<u>REMAINING</u> <u>BUDGET</u>
INCOME:								
8,228	10,765	-2,537	CHURCH DONATIONS	84,608	70,000	14,608	70,000	14,608
0	2,500	-2,500	COVID EMERGENCY FUND	2,100	30,000	-27,900	30,000	-27,900
30,000	2,500	27,500	GRANTS	33,260	30,000	3,260	30,000	3,260
790	815	-25	HOUSING MINISTRY	10,414	10,000	414	10,000	414
28,302	27,650	652	INDIVIDUAL DONATIONS	157,411	180,000	-22,589	180,000	-22,589
168	5	163	INTEREST INCOME	1,205	100	1,105	100	1,105
24,132	2,500	21,632	OTHER BUSINESS	81,590	30,000	51,590	30,000	51,590
0	0	0	SUMMER CAMPERSHIPS	7,086	10,200	-3,114	10,200	-3,114
91,620	46,735	44,885	TOTAL INCOME	377,674	360,300	17,374	360,300	17,374
ADMINISTRATIVE:								
454	240	-214	BANK FEES	2,206	2,000	-206	2,000	-206
0	0	0	COVID SUPPLIES	345	0	-345	0	-345
25,953	25,953	0	DEPRECIATION	25,953	25,953	0	25,953	0
359	400	41	HEALTH INSURANCE	3,949	5,000	1,051	5,000	1,051
300	100	-200	HONORARIUMS	300	1,000	700	1,000	700
4,000	0	-4,000	LEGAL & AUDIT	4,375	0	-4,375	0	-4,375
0	824	824	LIABILITY INSURANCE	3,664	3,296	-368	3,296	-368
0	0	0	MEMBERSHIPS	120	0	-120	0	-120
0	100	100	OFFICE EQUIPMENT	356	1,000	644	1,000	644
183	250	67	OFFICE SUPPLIES	300	3,000	2,700	3,000	2,700
85	80	-5	QUICK BOOKS	1,105	960	-145	960	-145
0	192	192	WORKERS COMPENSATION	609	768	159	768	159
31,334	28,139	-3,195	SUB-TOTAL	43,282	42,977	-305	42,977	-305
ADULT MINISTRY:								
3,844	174	-3,670	SUPPLIES/FIELD TRIPS	17,080	2,000	-15,080	2,000	-15,080
BENEVOLENCE:								
322	380	58		8,479	5,000	-3,479	5,000	-3,479
0	174	174	COLLEGE SCHOLARSHIPS	1,571	2,000	429	2,000	429

CURRENT MONTH ACTUAL	CURRENT MONTH BUDGET	VARIANCE	CATEGORY	Y.T.D. ACTUAL	Y.T.D. BUDGET	VARIANCE	ANNUAL BUDGET	REMAINING BUDGET
3,005	500	-2,505	COUNSELING FEES	12,402	6,000	-6,402	6,000	-6,402
			ELEMENTARY MINISTRY:					
0	500	500	KID'S CLUB	3,004	6,000	2,996	6,000	2,996
0	250	250	SCHOOL SUPPLIES	80	3,000	2,920	3,000	2,920
0	750	750	SUB-TOTAL	3,084	9,000	5,916	9,000	5,916
			FACILITIES					
90	100	10	CLEANING	1,060	1,000	-60	1,000	-60
202	200	-2	ELECTRICITY	1,924	2,200	276	2,200	276
149	250	101	MAINTENANCE	7,977	3,000	-4,977	3,000	-4,977
450	1,000	550	RENT	10,110	12,000	1,890	12,000	1,890
219	50	-169	SECURITY	863	700	-163	700	-163
53	50	-3	WATER	541	500	-41	500	-41
1,163	1,650	487	SUB-TOTAL	22,475	19,400	-3,075	19,400	-3,075
			FUNDRAISING/MARKETING					
1,224	750	-474	CONSULTING	11,301	9,000	-2,301	9,000	-2,301
180	50	-130	POSTAGE	978	700	-278	700	-278
3,786	125	-3,661	PRINTING/PUBLICATIONS	16,015	1,500	-14,515	1,500	-14,515
5,190	925	-4,265	SUB-TOTAL	28,294	11,200	-17,094	11,200	-17,094
			HOUSING MINISTRY					
1,980	2,500	520	COVID EXPENSE	37,688	30,000	-7,688	30,000	-7,688
0	185	185	MAINTENANCE	1,496	2,000	504	2,000	504
0	0	0	PROPERTY TAXES	1,192	850	-342	850	-342
1,863	1,500	-363	RENT	17,117	18,000	883	18,000	883
33	0	-33	UTILITIES	513	0	-513	0	-513
3,876	4,185	309	SUB-TOTAL	58,006	50,850	-7,156	50,850	-7,156
20,574	16,535	-4,039	PAYROLL EXPENSES	147,136	198,420	51,284	198,420	51,284
			PRESCHOOL					
104	100	-4	SUPPLIES/FIELD TRIPS	664	100	-564	100	-564

CURRENT MONTH <u>ACTUAL</u>	CURRENT MONTH <u>BUDGET</u>	<u>VARIANCE</u>	<u>CATEGORY</u>	Y.T.D. <u>ACTUAL</u>	Y.T.D. <u>BUDGET</u>	<u>VARIANCE</u>	ANNUAL <u>BUDGET</u>	REMAINING <u>BUDGET</u>
515	280	-235	LAESCUELITA SCHOLARSHIPS	3,215	2,400	-815	2,400	-815
0	145	145	TRANSPORTATION	762	1,200	438	1,200	438
619	525	-94	SUB-TOTAL	4,641	3,700	-941	3,700	-941
87	150	63	SPECIAL EVENTS	3,348	1,800	-1,548	1,800	-1,548
174	600	426	STAFF. DEVELOP. & APPRECIATION	4,107	5,000	893	5,000	893
			SUMMER CAMPS					
0	0	0	FIELD TRIPS/ CAMP FEES	10,550	1,900	-8,650	1,900	-8,650
0	0	0	SUPPLIES	4,482	3,500	-982	3,500	-982
200	0	-200	SUMMER INTERNS	12,466	6,000	-6,466	6,000	-6,466
200	0	-200	SUB-TOTAL	27,498	11,400	-16,098	11,400	-16,098
703	500	-203	TECHNOLOGY	16,777	6,000	-10,777	6,000	-10,777
			TRANSPORTATION					
79	120	41	GAS	1,246	1,000	-246	1,000	-246
14	120	106	MAINTENANCE	776	1,000	224	1,000	224
0	10	10	REGISTRATION FEES	223	200	-23	200	-23
0	950	950	VAN INSURANCE	4,120	3,800	-320	3,800	-320
93	1,200	1,107	SUB-TOTAL	6,365	6,000	-365	6,000	-365
207	300	93	TUTORING	6,666	8,000	1,334	8,000	1,334
			VOLUNTEER EXPENSES					
440	50	-390	BACKGROUND CHECKS	2,192	700	-1,492	700	-1,492
0	60	60	VOLUNTEER APPRECIATION	620	500	-120	500	-120
440	110	-330	SUB-TOTAL	2,812	1,200	-1,612	1,200	-1,612
181	190	9	YOUTH MINISTRY	1,505	2,500	995	2,500	995
72,012	56,987	-15,025	TOTAL EXPENSE	415,528	392,447	-23,081	392,447	-23,081
19,608	-10,252	29,860	NET INCOME	-37,854	-32,147	-5,707		

CATERPILLAR MINISTRIES
BALANCE SHEET
FEBRUARY 28, 2023

<u>ASSETS</u>	<u>02-28-2023</u>	<u>12-31-2022</u>	<u>CHANGE</u>
Cash - Checking	15,782	44,397	-28,615
Cash - Savings	54,968	54,608	360
Total Cash	70,750	99,005	-28,255
Vehicles	59,155	59,155	0
Accumulated Depreciation	-78,839	-78,839	0
Land	20,734	20,734	0
Buildings	195,736	195,736	0
Total Fixed Assets	196,786	196,786	0
TOTAL ASSETS	267,536	295,791	-28,255
<u>LIABILITIES</u>			
Medicare Taxes	0	0	0
Social Security Taxes	0	0	0
Federal Withholding	0	0	0
State Withholding	180	0	180
Accounts Payable	0	0	0
TOTAL LIABILITIES	180	0	180
<u>EQUITY</u>			
Retained Earnings	295,791	333,645	-37,854
Net Income	-28,435	-37,854	9,419
TOTAL EQUITY	267,356	295,791	-28,435
TOTAL LIABILITIES & EQUITY	267,536	295,791	-28,255

CATERPILLAR MINISTRIES
INCOME STATEMENT
FEBRUARY 28, 2023

CURRENT MONTH ACTUAL	CURRENT MONTH BUDGET	VARIANCE	CATEGORY	Y.T.D. ACTUAL	Y.T.D. BUDGET	VARIANCE	ANNUAL BUDGET	PRIOR Y.T.D. ACTUAL
			INCOME:					
4,279	7,000	-2,721	CHURCH DONATIONS	10,609	14,000	-3,391	85,000	8,756
6,250	6,250	0	GRANTS	12,500	12,500	0	75,000	10
850	550	300	HOUSING MINISTRY	1,400	1,100	300	6,600	1,626
5,777	13,000	-7,223	INDIVIDUAL DONATIONS	14,180	26,000	-11,820	180,000	38,984
176	150	26	INTEREST INCOME	359	300	59	1,800	2
215	5,000	-4,785	OTHER BUSINESS	6,945	10,000	-3,055	60,000	14,536
0	0	0	SUMMER CAMPSHIPS	0	0	0	7,600	0
17,547	31,950	-14,403	TOTAL INCOME	45,993	63,900	-17,907	416,000	63,914
			ADMINISTRATIVE:					
108	165	57	BANK FEES	324	330	6	2,000	227
359	360	1	HEALTH INSURANCE	793	720	-73	4,300	359
0	0	0	LEGAL & AUDIT	0	0	0	4,500	0
0	0	0	LIABILITY INSURANCE	927	0	-927	3,340	845
0	25	25	MEMBERSHIPS	250	50	-200	300	0
-101	40	141	OFFICE SUPPLIES	679	80	-599	500	356
85	80	-5	QUICK BOOKS	170	160	-10	960	280
0	0	0	WORKERS COMPENSATION	188	0	-188	738	195
451	670	219	SUB-TOTAL	3,331	1,340	-1,991	16,638	2,262
			ADULT MINISTRY:					
1,683	1,800	117	ADULTS/ESTELLA	3,051	3,600	549	21,588	85
0	85	85	CLASSES	0	170	170	1,000	0
0	935	935	ESL	600	1,870	1,270	11,250	0
0	80	80	EVENTS	40	160	120	1,000	0
1,683	2,900	1,217	SUB-TOTAL	3,691	5,800	2,109	34,838	85
1,320	1,250	-70	COUNSELING FEES	3,310	2,500	-810	15,000	150
			CRISIS CARE					
4,501	1,250	-3,251	RENT ASSISTANCE	7,027	2,500	-4,527	15,000	13,626

CURRENT MONTH ACTUAL	CURRENT MONTH BUDGET	VARIANCE	CATEGORY	Y.T.D. ACTUAL	Y.T.D. BUDGET	VARIANCE	ANNUAL BUDGET	PRIOR Y.T.D. ACTUAL
0	125	125	MAINTENANCE	0	250	250	1,500	26
-32	0	32	PROPERTY TAXES	-32	0	32	1,700	0
1,605	1,500	-105	RENT	3,541	3,000	-541	18,000	1,540
0	40	40	TRANSPORTATION	0	80	80	500	0
-47	420	467	UTILITIES	108	840	732	5,000	231
6,027	3,335	-2,692	SUB-TOTAL	10,644	6,670	-3,974	41,700	15,423

ELEMENTARY MINISTRY:

0	165	165	ACADEMIC ENRICHMENT	0	330	330	2,000	336
0	120	120	FAITH FORMATION	0	240	240	1,440	0
0	40	40	EVENTS/FIELD TRIPS	0	80	80	500	0
307	800	493	TUTORING	1,643	1,600	-43	9,600	304
307	1,125	818	SUB-TOTAL	1,643	2,250	607	13,540	640

FACILITIES

40	345	305	CLEANING	240	690	450	4,160	0
321	165	-156	ELECTRICITY	732	330	-402	2,000	378
2,128	165	-1,963	MAINTENANCE	2,318	330	-1,988	2,000	2,529
0	0	0	PROPERTY TAXES	166	0	-166	500	0
450	275	-175	RENT	900	550	-350	3,300	1,600
100	59	-41	SECURITY	172	118	-54	705	117
42	40	-2	WATER	99	80	-19	500	59
3,081	1,049	-2,032	SUB-TOTAL	4,627	2,098	-2,529	13,165	4,683

FUNDRAISING/MARKETING

2,748	1,750	-998	CONSULTING	5,208	3,500	-1,708	21,000	1,062
63	80	17	POSTAGE	243	160	-83	1,000	116
117	430	313	PRINTING/PUBLICATIONS	430	860	430	5,200	955
2,928	2,260	-668	SUB-TOTAL	5,881	4,520	-1,361	27,200	2,133

PRESCHOOL

33	40	7	SUPPLIES	33	80	47	500	0
475	1,200	725	LAESCUELITA SCHOLORSHIPS	1,000	2,400	1,400	10,800	350
0	40		EVENTS/FIELD TRIPS	0	80	80	500	109
0	40	40	TRANSPORTATION	0	80	80	500	252

CURRENT MONTH <u>ACTUAL</u>	CURRENT MONTH <u>BUDGET</u>	<u>VARIANCE</u>	<u>CATEGORY</u>	Y.T.D. <u>ACTUAL</u>	Y.T.D. <u>BUDGET</u>	<u>VARIANCE</u>	ANNUAL <u>BUDGET</u>	PRIOR Y.T.D. <u>ACTUAL</u>
508	1,320	772	SUB-TOTAL	1,033	2,640	1,607	12,300	711
15,531	15,540	9	SALARIES	29,064	31,080	2,016	186,500	15,662
230	380	150	STAFF. DEVELOP. & APPRECIATION	278	760	482	4,600	745
			SUMMER CAMPS					
0	0	0	FIELD TRIPS	0	0	0	3,000	0
0	0	0	SCHOLARSHIPS	0	0	0	2,000	0
0	0	0	EVENTS/RETREAT	0	0	0	3,000	0
0	0	0	SUPPLIES	0	0	0	2,000	0
0	0	0	SUMMER INTERNS	0	0	0	6,750	0
0	0	0	SUB-TOTAL	0	0	0	16,750	0
5,180	1,085	-4,095	TECHNOLOGY	5,587	2,170	-3,417	13,000	591
			TRANSPORTATION					
111	100	-11	GAS	260	200	-60	1,200	87
0	0	0	INSURANCE	1,016	0	-1,016	3,800	920
2,658	80	-2,578	MAINTENANCE	2,657	160	-2,497	1,000	2
0	20	20	REGISTRATION FEE	0	40	40	200	0
2,769	200	-2,569	SUB-TOTAL	3,933	400	-3,533	6,200	1,009
			VOLUNTEER EXPENSES					
322	200	-122	BACKGROUND CHECKS	539	400	-139	2,500	303
110	80	-30	VOLUNTEER APPRECIATION	223	160	-63	1,000	169
432	280	-152	SUB-TOTAL	762	560	-202	3,500	472
			YOUTH MINISTRY					
37	80	43	ADADEMIC ENRICHMENT	94	160	66	1,000	23
550	135	-415	FAITH FORMATION	550	270	-280	1,600	0
0	420	420	MY PATH	0	840	840	5,000	260
0	170	170	SPECIAL EVENTS	0	340	340	2,000	0
587	805	218	SUB-TOTAL	644	1,610	966	9,600	283

CURRENT MONTH ACTUAL	CURRENT MONTH BUDGET	VARIANCE	CATEGORY	Y.T.D. ACTUAL	Y.T.D. BUDGET	VARIANCE	ANNUAL BUDGET	PRIOR Y.T.D. ACTUAL
41,034	32,199	-8,875	TOTAL EXPENSE	74,428	64,398	-10,030	414,531	44,849
-23,487	-249	-23,238	NET INCOME	-28,435	-498	-27,937	1,469	19,065



**HOPE HOUSE FOUNDATION
Town of Huntersville Request for Funding**

2024

Primary Contact Information Regarding Funding	Executive Director Contact Information:
Request: Name: Janice Hinton Email Address: jhinton@hopehousefoundation.org	Name: Debbie O'Handley Email Address: dohandley@hopehousefoundation.org
Address 15604 Northcross Dr. 28078 Phone Number 704-604-0232	Address 15604 Northcross Dr. 28078 Phone Number 203-240-9632

Total Amount of Funding Requested: \$20,000

Tax Exempt Status: (circle applicable status)

☒ 501(c)(3)	☐ 501(c)(7)
☐ 501(c)(4)	☐ 501(c)(8)
☐ 501(c)(5)	☐ 501(c)(9)
☐ 501(c)(6)	Other (Please explain) _____

MISSION

The mission of the Hope House Foundation is to provide transitional housing and supportive services to women and children who are experiencing homelessness in the Lake Norman area in order for them to procure long-term housing and self-sufficiency.

Please identify the program or service for which funding is requested, and describe the problem or need your Organization will address with the requested funds:

The Hope House Foundation (HHF) is an innovative and proven solution to some of the communities' toughest problems, successfully helping homeless women and children achieve housing stability and procure economic security and self-sufficiency. HHF was created to meet the vision to serve as a catalyst for social change to end homelessness by providing and expanding transitional housing and supportive services. HHF provides a stable living environment and wrap-around services which are essential in addressing the root cause of homelessness. Utilizing a 2-Gen and teaching model, services incorporate the whole family, focusing on housing, mental and physical health, education, employment, financial literacy and social capital.

Exhibit No. 6

Pre-Covid, affordable housing and homelessness was on the forefront of conversations. According to the Charlotte Mecklenburg Opportunity Task Force Report in 2019, housing prices were rising while wages remained low, causing families to move often and, at times, to unsafe environments. Meck. Co. had a deficit of around 34,000 affordable housing units for people earning 60% or more below of the Area Median Income (AMI.) Covid-19 impacted everyone, however hardest hit has been those who were already economically insecure. The number of people experiencing homeless increased by 55% between 6.2020 and 6.2021. Throughout 2022, Covid-19 remained the largest problem for our economy and continues to unmask problems that already existed. As of 9.30.22, there were 3,128 homeless individuals in Meck. Co. According to data from the National Low Income Housing Coalition, Charlotte is facing a shortage of 45,130 units for extremely low-income renters. As you can see, affordable housing was a previous concern, the pandemic just exposed additional housing difficulties that now need to be addressed by the community.

HHF incorporates a teaching model strength-based approach of steps designed for clients to take on additional expectations and responsibility, decision making opportunities and prepares clients for success. Through our wrap around services, clients enhance their life, financial and employment skills. Initially, clients seek housing to address their immediate crisis. For them to achieve long term housing, self-sufficiency, and economic stability, the issues that caused the initial crisis must be addressed through a well-organized integration of services. HHF 4 program models are located in different areas of Meck. Co. Homes owned by the HHF include our Transitional, community living house, Progressive, individual teaching family cottages located on HHF premises and Stability, individual family homes located in scattered sites throughout the community. In 2023, we will be serving At-Risks families (those at-risk of becoming homeless) that rent homes throughout Meck. Co. owned by landlords.

If applicable, please described the target population that will be served with the requested funds:

HHF serves unaccompanied women or women with children who are experiencing housing instability. Services are provided to those residing in Mecklenburg County. Our clients live at or below 300% of the federal poverty level. Historically, the general profile of the population at Hope House is a single woman in her late 20's with two children under the age of ten. Historically, 85 percent of the population we serve are black/brown, 10 percent Hispanic and 5 percent white. Homelessness is accompanied with challenges & barriers. For women these disadvantages supersede those of men. They are predominantly vulnerable to victimization, sexual assault & physical violence. Barriers to employment including securing childcare, lack of work experience, gender bias make finding & keeping a job close to impossible, therefore making escaping homelessness even more impossible. Homeless women also face a number of physical & mental health challenges. 75% struggle with mental disorders such as anxiety, depression & schizophrenia. Prior to admission into the HHF program, our clients where experiencing some fashion of homelessness. Some were living on the streets, in their cars, hotels or couch surfing. Upon arrival, clients are eligible for government benefits such as free/reduced lunch, Medicaid, food stamps, childcare vouchers, and such.

How will the program or service for which funds are requested address the problem or identified need?

Funding from the Town of Huntersville would cover costs needed to have adequate staff, facilitate programming and provide opportunities to generate steps to achieve goals on the strategic plan, specifically related to strengthening existing programs, expanding services and focusing on financial growth and use of resources. Our strategic plan is designed to ensure the agencies success in achieving our mission and to serve as a catalyst for social change to end homelessness. The increase need for supportive services for those at-risk of being homeless or currently homeless and recognizing that each individual's living arrangements are different, we are actively working to expand services. Expansion of services include 3 cottages, each housing up to 5 individuals, case management for individuals at-risk of being evicted from their current homes and services to support recent program graduates as they move into safe housing of their own.

STRENGTHEN AND SUSTAIN EXISTING PROGRAMS

- Seek diversity of Board memberships including all demographics, profession, skills and life experience.
- Create opportunity for persons experiencing or who have experienced homelessness to sit on the Board and encouraged to incorporate their voice in decisions.
- Create an Advisory Board of Directors to increase engagement amongst members and support the advancement of the program.

EXTEND AND ENHANCE VISION, MISSION AND PROGRAM GOALS

- Create learning opportunities for staff, volunteers, Board Members and other members of the community to learn about the underlying causes of homelessness and the social changes needed to effectively end homelessness.
- Engage with other organization to support change in our communities.
- Engage with respected and effective organizations with similar missions to avoid duplication and eliminate barriers to accessing services.

DUE DILIGENCE WITH FOCUS ON FINANCIAL STABILITY, COMMUNITY SUPPORT AND EFFECTIVE USE OF RESOURCES.

- Host a signature fundraiser event annually that significantly impacts annual funding, expands donor base and raises awareness.
- Implement technology improvements to increase efficiency of staff and board.
- Cultivate 2-4 new foundation and corporate relationships annually and build relationships with at least 2 faith and civic organizations.

Each additional home we build, means one less homeless family living on the street, in their car or having to couch surf, just to have their basic needs met. Overtime, one home will impact multiple families, aiding in procuring long term housing and independence. The entire community benefits because families leave as financially stable citizens, whose children are likely to be in an even stronger position as adults. Having homes in scattered sites throughout communities, allows neighbors to engage with families who were previously homeless. These developed friendships remove stigmas about homeless people and strengthens our community. HHF offers 4 models of housing that include specific steps outlined to empower clients to become economically stable, an innovative and collaborative proven solution to some of the communities' toughest problems. We believe if we provide a pathway to a more stabilized life, clients will be able to think about improving their economic status by acquiring knowledge and building skills for success. The support from the Town of Huntersville will be a part of this community making HOPE visible by removing barriers and providing that pathway to a more stabilized life.

How many Town residents will be directly impacted by the funds requested?

HHF serves approximately 45. Three more homes anticipated to be built in Spring of 2023 will allow for 15 additional clients to be served, for a total of 60. In 2023, we will also be serving At-Risks families (those at-risk of becoming homeless) that rent homes throughout Meck. Co. owned by landlords. Hope House also provides volunteer opportunities for its community and community members. These opportunities allow clients opportunity to build social capital, as well as for community members to engage with clients.

Describe the impact on your organization, clients, service or program if the requested funding is not approved?

HHF continues to seek opportunities to create a partnership with the Town of Huntersville because we believe that a strong community who is organized to promote and support social, educational, and civic progress in the community are the foundation of the vision for the program. We depend on our community to create long last solutions of stability for our families. Solutions that are rooted in partnerships of a community who will give hope and transform lives. HHF understands the need continues to grow and the demand for funding goes beyond the need of the HHF so we continually identify and cultivate donors connected to our mission. The increase in homelessness and HHF advocating for the homeless population, educating our community and our

due diligence in providing opportunities to assist our community in ending homelessness harvests community support through a combination of individuals, foundations, corporations, municipalities, faith-based organizations and more. Our fundraising events were put on hold due to the pandemic, but successfully hosted our first one in three years, this past February. These efforts and the actual expenditure of monies are always under the scrutiny of the ED and the BOD. Even though lack of funding and support from the Town of Huntersville would initially place burden on moving forward uninterrupted, with time and effort, the HHF would find ways of sustaining and expanding programming. Specifically if funding is not granted by the TOH, the 3 fully funded cottages slated for 2023, may require the homes to remain empty until monies are identified from other sources to cover costs of implementing services. The future of the HHF will always involve the commitment of the community with partnerships that incorporate multi-sector collaborations made up of non-profit, private, public, civic, corporate and faith-based organizations from within the community whose partnerships support the vision.

Describe the organization's relationship to Town Departments related to services or programs that your organization provides? How does your organization coordinate those services with Town provided services? Is there any duplication of service?

The Hope House Foundation relies on the generosity of its community to provide volunteer opportunities to serve families experiencing housing instability and housing insecurity in Huntersville. Local schools and administration have volunteered and engaged with the families who reside at the Hope House. The fire department and police department have served the program in many ways from meals, household items, birthday blessings and mentoring and holiday gifts. We have several trainings on safety and have held workshops on how to recycle. HHF staff engage in civic, service, and advocacy organizations that focus time and resources on social welfare issues, providing community awareness related to housing and economic stability. Program components include partnerships that offer specialty services designed to assist clients reach goals and allows us to stay mission focused. Health and mental wellness opportunities are gained through partnerships with the YMCA and Lake Norman Health Clinic; home ownership skills and credit repair through Habitat for Humanity and Davidson Housing Coalition, and employment and coaching opportunities offered by Charlotte Area Fund, MECKSuccess, and other community members. In addition, strategies have been implemented to aid our clients in obtaining Medicaid, Food Stamps, Childcare Vouchers and financial assistance through Crisis Assistance Ministries. We continue to partner with the Homeless Management Information System (HMIS). The HHF recognizes true partnering and healing happens in relationships. Core values encompass clients and the staff and BOD engage and listen to their voices, understanding that it is them that collectively fuel economic and social change. There are no other homeless shelters within our N. Mecklenburg community who address the work that the Hope House Foundation provides. Other services serving similar clients include the Davidson Housing Coalition which preserves and creates affordable housing options and prepares families for financial stability and home ownership. Caterpillar Ministries has recently inquired about how to run a transitional housing program. They work strictly with families living in a specific neighborhood. Together we can give hope and provide inspiration for families to in need of our help.

In the table provided, entitled "Performance Measurement," please list the factors that you will use to evaluate your organization's performance with respect to your organization's use of the requested funds if approved.

➤ Please see attachment.

Each person signing this application on behalf of an entity acknowledges that they have read, and are familiar with, N.C.G.S. § 55A-16-24, and that they have been duly authorized by the requesting organization to make this application on its behalf.



Nonprofit Funding Request FY23-24

Name of Organization Seasons of Giving

Mission of Organization:

To provide care, comfort, and companionship to seniors in need. We do this through meals, basic necessities, activities, compassion, and support.

Have you been awarded any ARPA funding? If so, list year, amount and source. NO

Year	Amount	Source

Primary Contact Information Regarding Funding Request:

Name: Denise Cusick
 Email Address: denisecusick@yahoo.com
 Address: 18200 pompano place, Cornelius N
 Phone Number: 707-9959167

Executive Director Contact Information:

Name: Jaime Lane
 Email Address: seasonsofgiving1@yahoo.com
 Address: 12617 Framfield ct Huntersville NC 28078
 Phone Number: 704-224-7830

Total Amount of Funding Requested \$3,000

Tax Exempt Status: (circle applicable status)

501(c)(3) 501(c)(7)
 501(c)(4) 501(c)(8)
 501(c)(5) 501(c)(9)
 501(c)(6) Other (Please explain)_____

Will any of the requested funds be used to match other grants? If so, which grants?
 no

Exhibit No. 7

The Town of Huntersville will contract with all nonprofits receiving funding to provide a service or program that the Town could also legally provide, but for which the Town is contracting with the nonprofit to provide instead. The information provided below will be used by the Town to evaluate the services or program that the nonprofit would use the requested funds to provide, and will also be used to complete the

Please identify the program or service for which funding is requested, and describe the problem or need your Organization will address with the requested funds:

Funds: Will be used for the seniors in need in Huntersville, providing 2-3 activities/ social gatherings a month as well as laundry assistance.

If applicable, please describe the target population that will be served with the requested funds:

Seniors in White Hill Apartments. As well as other independent seniors that need assistance in Huntersville.

How will the program or service for which funds are requested address the problem or identified need?

Residents do not leave their apartments, drive, or have outside communication. Aligning our goals with the senior community input,

How many Town residents will be directly impacted by the funds requested? **they desire onsite activities and help with laundry.**

40+ Residents at the Whitehill Community, as well as other seniors in the general area on a consistent basis, goal is 100.

Describe the impact on your organization, clients, service or program if the requested funding is not approved?

We would not be able to fund activities, supplies, or provide laundry help to those that need help and interaction the most. We were established in 2022.

Describe the organization's relationship to Town Departments related to services or programs that your organization provides? How does your organization coordinate those services with Town provided services? Is there any duplication of service?

These seniors are isolated. Some are able to attend Angels and Sparrows or The Senior Center, most do not drive or want to leave their apartment.

In the table provided, entitled "Performance Measurement," please list the factors that you will use to evaluate your organization's performance with respect to your organization's use of the requested funds if approved.

Each person signing this application on behalf of an entity acknowledges that they have read, and are familiar with, N.C.G.S. § 55A-16-24, and that they have been duly authorized by the requesting organization to make this application on its behalf.

Print Name:

Jaime Lane

Print Title

President and Executive Director

Date:

10-Feb-23

PERFORMANCE MEASUREMENT

Organization Name:

Seasons of Giving

Service Outputs

Outputs	FY 2022		FY 2023		
	Target	Actual	Target	Actual	
feeding seniors a christmas meal	350	750	800	0	
Serving Weekly Wednesday Dinners	0	0	40	34	

Service Outcomes

Please identify 3-4 measures to assess the effectiveness of your services or program for which funding is requested.

Outcomes	FY 2022		FY 2023	
	Target	Actual	Target	Actual to Date
attendance and participation at Whitehill community Room	0	0	25%	20%
Participation in Weekly Free meals every Wednesday (40 units) contin	0	0	100%	80%
Residents becoming less isolated and comfortable with interaction	20%	50%	90%	40%
Residents believing someone will help them anytime needed	30%	60%	90%	50%

BUDGET DETAILS

Organization Name:

Service / Program Budget

Revenue	FY 2022	FY 2023	
County Funding			
Town of Huntersville Funding			
Other Municipality Funding			
United Way Funding			
Federal and State Funding			
Local Contributions, sponsor, fundraiser at Christmas	9000	12000	
Program/Service Fees/Other fees			
Other (Please specify):			
Total Revenue	9000		

Expenses	FY 2022	FY 2023
Salaries and Related Expenses	0	0
Operating Expenses, filing fees for Non-Profit, office exspenses	500	1200
Capital Expenses		
Other (Please Specify):		
Insurance		1300
Cost of Food for Christmas	4000	5000
Cost of Fundraiser event	2000	3500
Other: activities throughout the year for seniors, meals, other		\$ 3,000.00
Total Expenses	7500	12,000

Hugh Torance House and Store, Inc.
PO Box 2674
Huntersville, NC 28070

March 3, 2023

Mr. Anthony Roberts
Town Manager
Town of Huntersville
PO Box 664
Huntersville, NC 28070

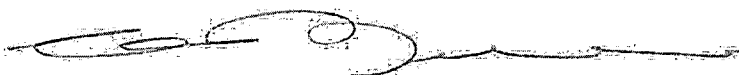
Dear Anthony:

Please find enclosed the funding request for the Hugh Torance House and Store for the fiscal year 2023-24 in the non-profit category in the amount of \$20,000. This is an increase over our request last year due to much-needed repairs to the building roof and shutters.

As the oldest standing store in North Carolina and one of the few surviving 18th-century structures in Mecklenburg County, we are very grateful for the Town's past support. We are very pleased to present our annual report and requested documents demonstrating our dramatic increase in services to the community through our shift in programming utilizing HEARTS (history, ecology, arts, reunion, trails, store). The outreach and new community connections being forged through our programming have had a positive effect on our financials, but more importantly has had a positive effect on our community.

With the Town's support, we can continue to grow our programs as well continue the ongoing upkeep necessary for this extremely important historic landmark site and regional treasure. Thank you for your consideration of this year's request.

Sincerely,



W.E. "Bill" Russell
President

Exhibit No. 8

The Town of Huntersville will contract with all nonprofits receiving funding to provide a service or program that the Town could also legally provide, but for which the Town is contracting with the nonprofit to provide instead. The information provided below will be used by the Town to evaluate the services or program that the nonprofit would use the requested funds to provide, and will also be used to complete the required Nonprofit Agency Funding Agreement.

Please identify the program or service for which funding is requested, and describe the problem or need your Organization will address with the requested funds:

If applicable, please describe the target population that will be served with the requested funds:

Town of Huntersville citizens, citizens of the surrounding towns, and visitors to our area from outside the area.

How will the program or service for which funds are requested address the problem or identified need?

Funds from the Town directly impact the programming and upkeep needed for the Hugh Torance House and Store, the oldest standing store in NC, located in the Town of Huntersville.

How many Town residents will be directly impacted by the funds requested?

Direct and in-person Huntersville Citizen impact: 1500-2000, online impact 10000+

Describe the impact on your organization, clients, service or program if the requested funding is not approved?

Would inhibit momentum and growth of operations and new programs, and delay needed repairs.

Describe the organization's relationship to Town Departments related to services or programs that your organization provides? How does your organization coordinate those services with Town provided services? Is there any duplication of service?

No duplication of services.

In the table provided, entitled "Performance Measurement," please list the factors that you will use to evaluate your organization's performance with respect to your organization's use of the requested funds if approved.

Performance measures are to promote local history and ecology through unique and diverse programming, utilizing arts integration. In addition, performance measures also include increased public hours for the Hugh Torance House and Store, as well as, increased engagement with descendants of this region.

Each person signing this application on behalf of an entity acknowledges that they have read, and are familiar with, N.C.G.S. § 55A-16-24, and that they have been duly authorized by the requesting organization to make this application on its behalf.

WILLIAM RUSSELL President

Date: 3/3/23

Print Name:

Print Title

PERFORMANCE MEASUREMENT

Organization Name: Hugh Torance House and Store

Service Outputs

Outputs	FY 2022		FY 2023		FY 2024
	Target	Actual	Target	Actual	Target
Example: Number of after school participants served	500	545	550	275	560

Outputs	FY 2022		FY 2023		FY 2024	
	Target	Actual	Target	Actual	Target	
A) Sunday Tours	350	451	500		600	
B) Students High School, Home School	50	30	75		150	
C) Civic Groups and Scouts	50	63	100		100	
D) Ghost Hunts	0	150	150		175	
E) HEARTS Events	0	834	1000		1200	
F) Other	90	20	30		50	
TOTAL	540	1548	1855		2275	

Service Outcomes

Please identify 3-4 measures to assess the effectiveness of your services or program for which funding is requested.

Outcomes	FY 2022		FY 2023		FY 2024
	Target	Actual	Target	Actual	Target
Example: Maintain passing test score for after school participants	705	68%	75%	76%	80%

Outcomes	FY 2022				FY 2023	
	Target	Actual*	Final	%	Target	Actual**
Promote local history	540	439	1548	353%	1800	
Promote local ecology	0	75	1548	2064%	1800	
Provide arts integration for events	0	75	834	1112%	1000	
Open store as a store	0	75	1548	2064%	1800	
Connect with descendants of region	0	88	100	114%	150	

*Actual from 7/1/21-3/9/22

**Operations are based on a calendar year

BUDGET DETAILS

Organization Name: Hugh Torance House and Store

Service / Program Budget

Revenue	FY 2022	FY 2023	FY 2024
County Funding	\$ -	\$ -	\$ -
Town of Huntersville Funding	\$ 12,000.00	\$ 15,000.00	\$ 20,000.00
Other Municipality Funding	\$ -	\$ -	\$ -
United Way Funding	\$ -	\$ -	\$ -
Federal and State Funding	\$ -	\$ -	\$ -
Local Contributions	\$ 500.00	\$ 3,000.00	\$ 5,000.00
Event Sponsors	\$ 1,500.00	\$ 10,000.00	\$ 15,000.00
Memberships	\$ 500.00	\$ 5,000.00	\$ 8,000.00
Store proceeds	\$ 500.00	\$ 5,000.00	\$ 6,000.00
Total Revenue	\$ 15,000.00	\$ 38,000.00	\$ 54,000.00

Expenses	FY 2022	FY 2023	FY 2024
Salaries and Related Expenses	\$ -	\$ -	\$ -
Operating Expenses	\$ 9,450.00	\$ 15,000.00	\$ 12,000.00
Capital Expenses	\$ 13,334.41	\$ 15,000.00	\$ 30,000.00
Programs		\$ 8,000.00	\$ 12,000.00
Total Expenses	\$ 22,784.41	\$ 38,000.00	\$ 54,000.00

Hugh Torance House and Store Statement of Financial Position

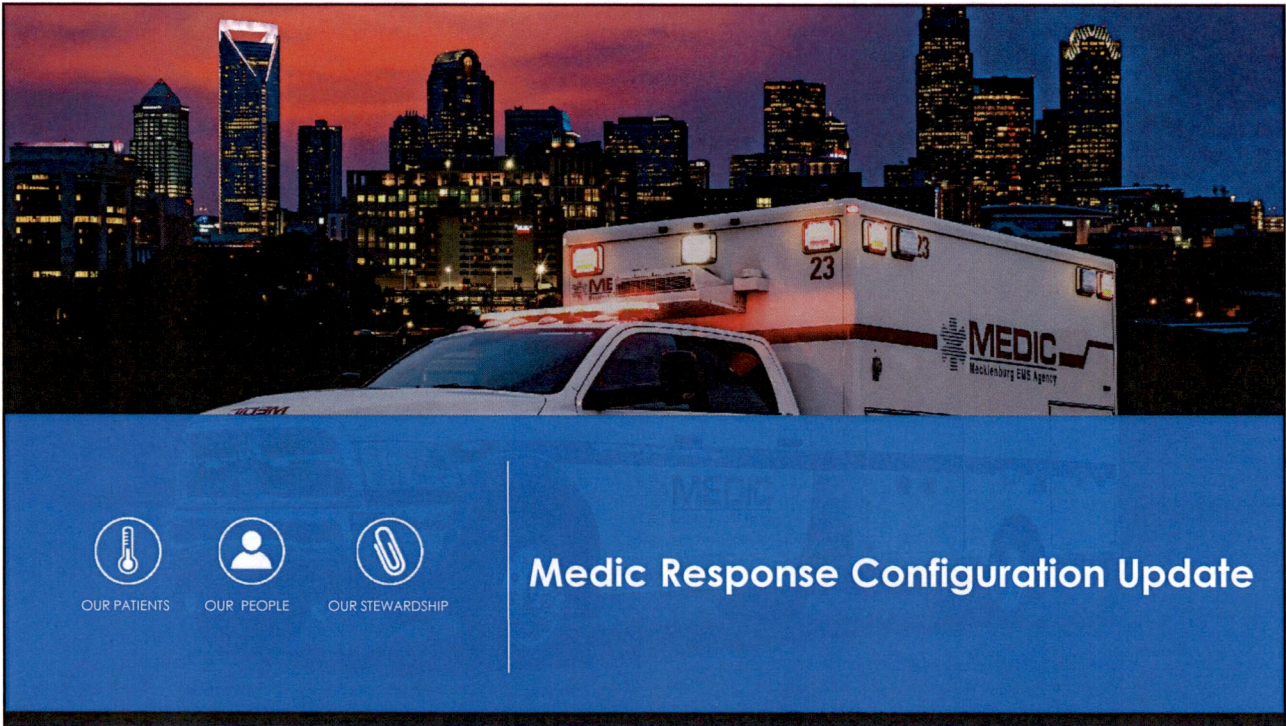
As of December 31, 2022 - Draft

	<u>Total</u>
ASSETS	
Current Assets	
Bank Accounts	
5/3 BUSINESS PREMIUM CHECKING (2301) - 1	41,247.73
Total Bank Accounts	\$ 41,247.73
Total Current Assets	\$ 41,247.73
TOTAL ASSETS	\$ 41,247.73
LIABILITIES AND EQUITY	
Liabilities	
Total Liabilities	
Equity	
Opening balance equity	24,880.08
Retained Earnings	
Net Revenue	13,468.44
Total Equity	\$ 38,348.52
TOTAL LIABILITIES AND EQUITY	\$ 38,348.52

Hugh Torance House and Store Statement of Activity

January - December 2022 - Draft

	<u>Total</u>
Revenue	
Contributed income	
Corporate & Foundation Grants	7,000.00
Donations directed by individuals	1,357.94
Memberships	5,707.05
Ghost Hunts	3,039.52
Store sales	5,124.29
Government grants & contracts	15,000.00
Total Revenue	\$ 37,228.80
Gross Profit	\$ 37,228.80
Expenditures	
Advertising & marketing	2,017.95
Contract & professional fees	444.65
Events	7,844.97
Insurance	2,019.30
Occupancy	2,702.57
Office expenses	379.91
Property Taxes	1,092.24
Repairs & maintenance	4,717.09
Store Supplies	2,541.68
Total Expenditures	\$ 23,760.36
Net Operating Revenue	\$ 13,468.44
Net Revenue	\$ 13,468.44



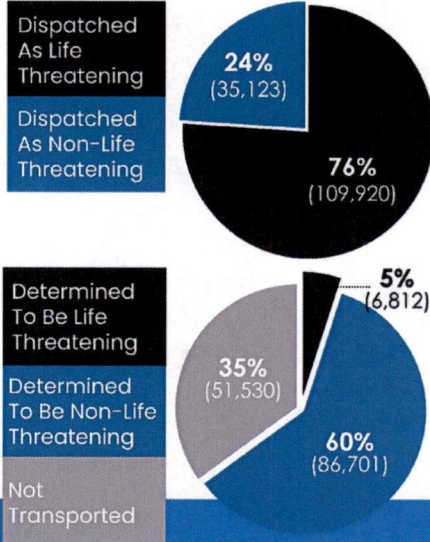
Proposed Changes

- * Why: Appropriate resource allocation & patient prioritization
- * What: Resource type, mode, and time targets
- * Who: Collaborative project under guidance of Medical Direction
 - Medic Agency Board of Commissioners/Medical Control Board
 - Charlotte Fire Department
 - Mecklenburg County Fire Departments/ETJs
 - Charlotte-Mecklenburg Police Departments
 - County law enforcement agencies

Why change response configuration?

- * Response & outcome are misaligned
- * Protect response to the sickest patients

911 RESPONSES

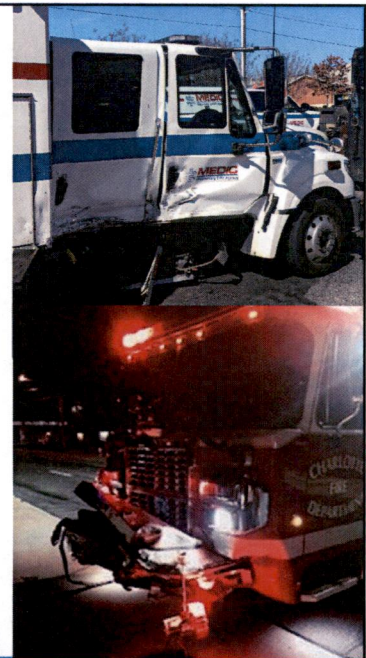


Based on FY '22 data



Why reduce lights & sirens?

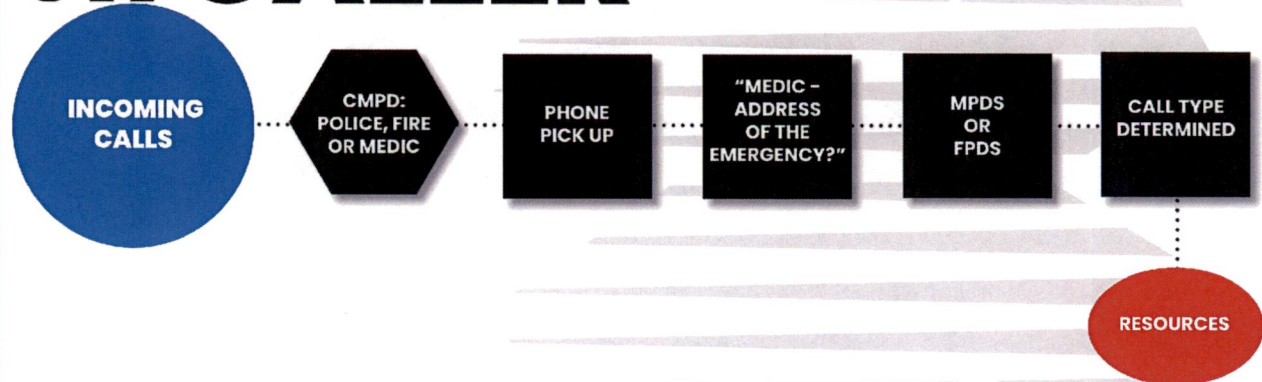
- * Best practices have been evolving since 1990s
- * Increases chance of crashes by 50%
- * Avg time saved ranges from 42 seconds – 3.8 minutes
- * 6.9% of medical calls w/ lights & sirens result in life-saving interventions



Source: Lights and Siren Use by EMS: Above All Do No Harm; U.S. Department of Transportation National Highway Traffic Safety Administration Office of EMS May 2017



911 CALLER



MPDS = Medical Priority Dispatch System, FPDS = Fire Priority Dispatch System



Current Response Configuration

Response Time Target	Response Time Reliability	First Response Resource	% of Call Volume
10:59*	90%	Y-Fire	20%
12:59*	85%	Y-Fire	49%
60	80%	N	22%
ON/OP/OC	N/A	N	9%

*Red lights & sirens for Fire & Medic
 ON=Omega Nurse Line, OP = Poison Control, OC = Behavioral Health Crisis Line
 Based on 5 years of data



Proposed Response Configuration

Response Time Target	Response Time Reliability	First Responder Resource	% of Call Volume
10:59*	90%	Y - FIRE	19%
15	90%	Y/N - FIRE	18%
30	80%	Y/N - FIRE	25%
60	75%	N	10%
90	75%	N	0.1%
ON/OP/OC	N/A	N	9%
First Responder Only	N/A	Y - FIRE	19%

*Red lights & sirens for Fire & Medic

ON=Omega Nurse Line, OP = Poison Control, OC = Behavioral Health Crisis Line, FR Only=First Responder Only



Is it safe?

12,901

911 calls with a 60-minute response time target
from October 21, 2021 - October 31, 2022



65%

Transported to a local
Emergency Department

< 1%

Transported as a high
priority patient

17%

Cancelled before Medic
arrived

17%

Not transported

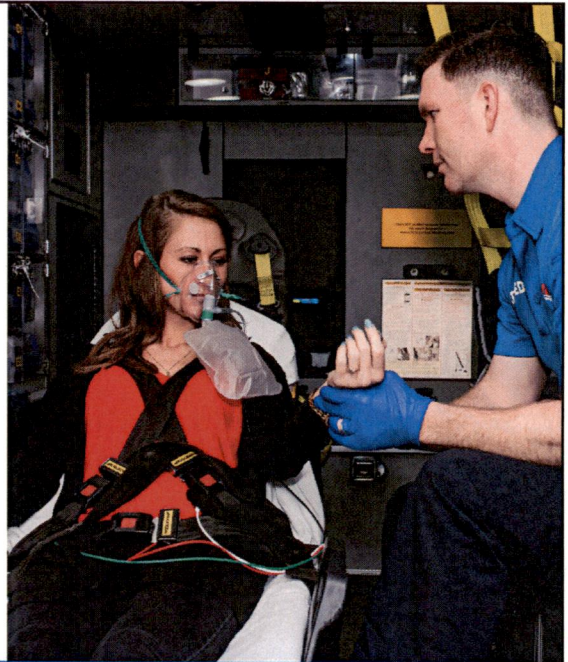
0%

Negative impact
to patient
outcomes



What this means for your community...

- * Rapid response to high priority emergencies will not change
- * Increases safety
 - Ability for Medic to respond to our sickest patients
 - Safer roadways due to decrease use in lights & sirens
- * Will receive a response that aligns to the severity of the condition presented, similar to Emergency Department triage
 - May experience longer response times to non-life threatening emergencies
- * Greater emphasis on community awareness & proper use of 911



MEDIC
Mecklenburg EMS Agency

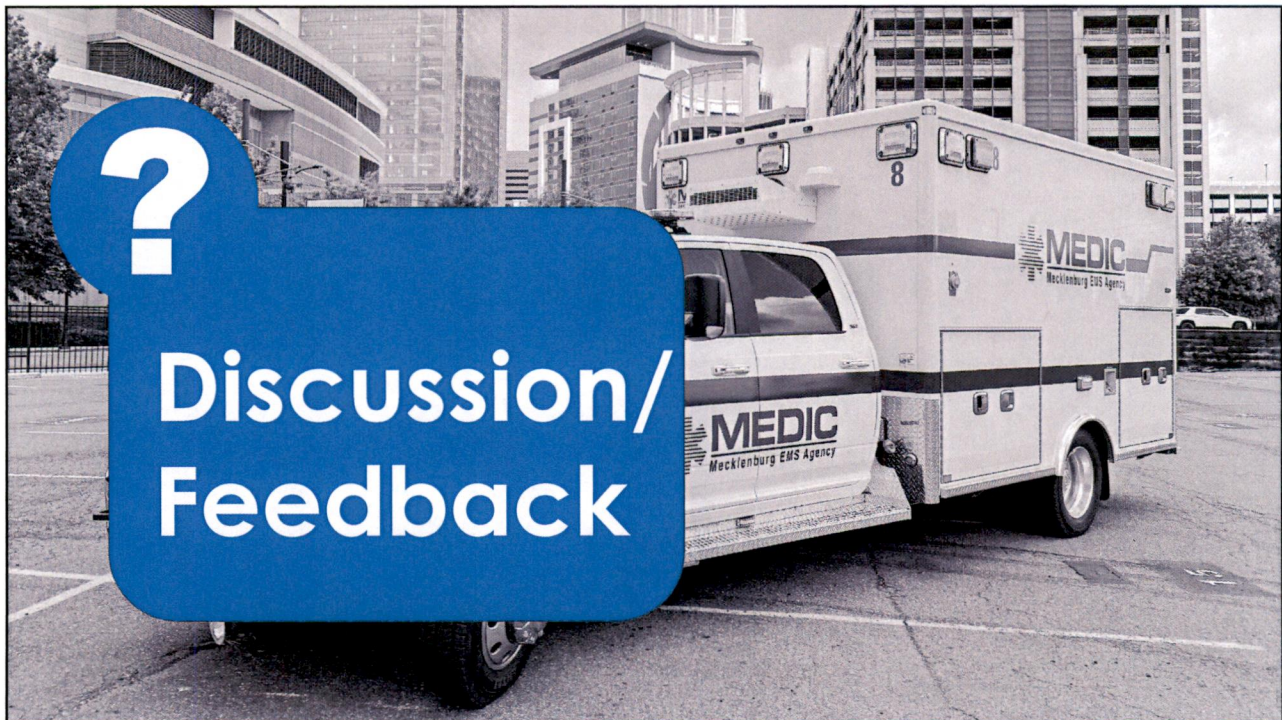
Council Presentations and Media Engagement

- * Community education process continues
 - Ongoing – Media engagement
 - Launched community info page on Medic911.com
 - County FRs, Town/County Manager Meeting
 - Charlotte City Council
 - Davidson Town Council
 - Matthews Town Council
 - Cornelius Town Council
 - Pineville Town Council
 - Huntersville Town Council
 - Mint Hill Town Council

MEDIC
Mecklenburg EMS Agency

Community Presentations

- * Community presentations in all six districts
 - District 1 - North Regional Rec Center
 - District 2 - Bette Rae Thomas Rec Center
 - District 3 - Eastway Regional Rec Center
 - District 4 - Hickory Grove Rec Center
 - District 5 - Naomi Drenan Rec Center
 - District 6 - Matthews Sportsplex
- * Additional sites being identified for the non-English speaking community



TA23-02– TIA Reference Removal, Withdrawal of Amendment Petitions, and Community Meeting Notifications

PART 1: DESCRIPTION

TA23-02 is a request by the Huntersville Planning Department for a text amendment to the Zoning Ordinance to amend Article 14.2.3 of the Zoning Ordinance, TIA reference no longer applicable as a result of the current administrative review of Sketch Plans; Section 6.300 of the Subdivision Ordinance for a TIA reference no longer applicable; Articles 11.8 and 14.4.4 of the Zoning Ordinance regarding the withdrawal of amendment petitions; Section 6.320 of the Subdivision Ordinance, Sketch Plan Community Meeting notification requirements; Article 11.4.3 of the Zoning Ordinance regarding Conditional Zoning Community Meeting notification requirements.

PART 2: BACKGROUND

Removal of TIA References, Sections 1 and 2

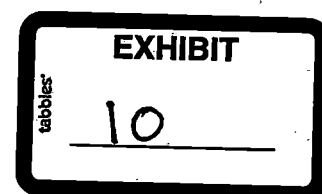
Prior to the adoption of TA22-05, the Town Board of Commissioners issued approvals of major subdivisions and certain other types of subdivisions. A reference remains in the Zoning Ordinance regarding a timeline for the submission of the draft TIA in advance of the public hearing. Since Sketch Plans for Major Subdivisions no longer require public hearings, this reference is no longer required. This reference only applies to cases where an applicant petitions for a map amendment (rezoning) of land for a major subdivision.

Additionally, a reference remains in the Subdivision Ordinance indicating the threshold for which a Traffic Impact Assessment is required. However, thresholds for a Traffic Impact Assessment is set by Article 14.2.1 of the Zoning Ordinance.

Withdrawal of Amendment Petitions, Sections 3 and 4

Section 3 of TA23-02 focuses on the resubmission of petitions for the reclassification of property (map amendments/rezonings). Currently, only petitions for the reclassification of property that have been denied in whole or in part, or approved to a classification other than the one originally requested are prohibited from resubmission “within one year of the date of the Town Board's action on the original petition, unless a petitioner applies for a district which is "lower" in the Hierarchy of Zoning Districts in Section 3.1.1.” TA23-02 proposes to require withdrawn petitions for the reclassification of property have the same waiting period before resubmission as denied petitions. Also, the text amendment proposes to clarify the regulations of Article 11.8.2 apply to petitions for the reclassification of property. The content of the regulations are already specific to the reclassification of property.

Section 4 of TA23-02 focuses on the withdrawal of petitions for zoning text and map amendments. Currently, petitions zoning map or text amendments may be withdrawn at any time up to the date of the public hearing. If, after the public hearing, the applicant no longer seeks to request the map or text amendment, it may not be withdrawn. The proposed text amendment seeks to allow petitioners to withdraw application at any time prior to final action by the Town Board.



The proposed text amendment also seeks to provide the Town Board with the authority to defer action for 30 days on any petition for a text or map amendment “to allow interested parties the opportunity to comment on the amendment to the petition.”

If amendments are proposed to submitted text amendments resulting in an intensification, TA23-02 specifies the new public hearing shall be called before final action.

The text amendment also proposes that regardless of the option to defer action as a result of amendments to a petition or intensifications of petitions, the Town Board may deny the petition.

Community Meeting Notifications, Sections 5 and 6

Staff have received feedback over the years regarding community meeting notifications. While some individuals prefer wider boundaries for mailed notifications, individuals that qualify for mailed notification per the Zoning and/or Subdivision Ordinance sometimes report not receiving the mailed notification. Currently, Community Meeting notifications are sent via first-class mail. Staff often received returned and undeliverable mail that is recorded with the case data. The Zoning and Subdivision Ordinances do not currently specify the method for mailed notifications. If a property owner that qualifies to receive notification per the regulations of the Zoning and/or Subdivision Ordinances claims to not have received the required notification and Staff do not have returned mail, there is no way to otherwise confirm the status of the mailed notification. Sections 5 and 6 of TA23-02 proposed to require Community Meeting notifications for Sketch Plans for Major Subdivisions and Zoning Map Amendments (Rezoning) be sent via certified mail. Sending notification via certified mail provides a record for residents and Staff of required meeting notifications.

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN

Sections 1 and 2 of TA23-02 is consistent with Land Use Policies T 6.6 of the 2040 Community Plan. Sections 3 - 6 of TA23-02 is consistent with Land Use Policy LU 1.1 of the 2040 Community Plan.

Policy T 6.6: Re-evaluate the Traffic Impact Analysis (TIA) Ordinance

Staff Comment: Amendment will update Zoning Ordinance to remove references that are no longer applicable.

Policy LU 1.1: Utilize the Future Land Use Map during development approval process to ensure compatibility with long-range plans.

Staff Comment: Amendments to: proposes to require withdrawn petitions for the reclassification of property have the same waiting period before resubmission as denied petitions; allow petitioners to withdraw application at any time prior to final action by the Town Board; provide the Town Board with the authority to defer action for 30 days on any petition for a text or map amendment “to allow interested parties the opportunity to comment on the amendment to the petition”; require new public hearings called if changes to amendments result in intensification before final action; and, require notifications for Community Meetings for Sketch Plans and the reclassification of property sent by certified mail.

PART 4: STAFF RECOMMENDATION

Staff recommends approval of the proposed text amendment.

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD

The Huntersville Ordinances Advisory Board (HOAB) recommended approval (9-0) of the proposed text amendment on February 2, 2023.

PART 6: PUBLIC HEARING

April 3, 2023

PART 7: PLANNING BOARD RECOMMENDATION

April 25, 2023

PART 8: TOWN BOARD RECOMMENDATION

May 15, 2023

PART 9: ATTACHMENTS

1. Text Amendment Application
2. Ordinance for Adoption
3. February 2, 2023 HOAB Minutes

PART 10: STATEMENT OF CONSISTENCY – TA23-02		
Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA23-02, Planning Staff recommends approval based on consistency with policies LU 1.1 and T 6.6 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because the amendment will remove references no longer applicable, provide community members more opportunities for input in public processes, and allow petitions for amendments to be withdrawn at any time before final action.	APPROVAL: In considering the proposed amendment TA23-02, the Planning Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)	APPROVAL: In considering the proposed amendment TA23-02, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...(Explain)
DENIAL: N/A	DENIAL: In considering the proposed amendment TA23-02, the Planning Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>. It is not reasonable and in the public interest to amend the Zoning Ordinance because.... (Explain)	DENIAL: In considering the proposed amendment TA23-02, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u>. It is not reasonable and in the public interest to amend the Zoning Ordinance because.... (Explain)



Text Amendment Application

Date of Application 01/30/2023

Fee

See Current Town of Huntersville Fee Schedule for Text Amendment to the Zoning/Subdivision Ordinance

Type of Change

☒ New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other

☒ Revision/Modification to text of Zoning Ordinance / Subdivision Ordinance / Other

Description of Change

Proposed text amendment will affect the following:

Ordinance(s): See Attached Article(s): See Attached Section(s): See Attached

See Attached

Current Ordinance

See Attached

Proposed Text

Miscellaneous clarifications and revisions

**Reason for Proposed
Change**

Attach additional pages if needed.

NOTE: If the proposed text amendment effects property located along Hwy 73; is 2000 feet from an adjoining municipality, and/or the Mountain Island and Lake Norman Watersheds, additional peer review is required.

Applicant

Printed Name Town of Huntersville Planning Department

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

Signature Lauren Speight Date 01/30/2023

Title Lauren Speight, Sr. Planner Email LSPEIGHT@HUNTERSVILLE.ORG

Address of Applicant 105 Gilead Road, 3rd Floor

Property Owner (if different than applicant)

* Printed Name _____

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

Signature _____ Date _____

Title _____ Email _____

Address of Property Owner _____

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

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

Contact Information

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

Phone: 704-875-7000
Fax: 704-875-6546
Physical Address: 105 Gilead Road, Third Floor, Huntersville, NC 28078
Website: <https://www.huntersville.org/228/Planning-Department>

Date Received By Planning Department: _____

Staff Initials: _____

AN ORDINANCE TO AMEND ARTICLE 14.2.3 OF THE ZONING ORDINANCE, TIA REFERENCE NO LONGER APPLICABLE PER ADMINISTRATIVE REVIEW OF SKETCH PLANS; SECTION 6.300 OF THE SUBDIVISION ORDINANCE FOR A TIA REFERENCE NO LONGER APPLICABLE; ARTICLES 11.8 AND 14.4.4 OF THE ZONING ORDINANCE, WITHDRAWAL OF AMENDMENT PETITIONS; SECTION 6.320 OF THE SUBDIVISION ORDINANCE, SKETCH PLAN COMMUNITY MEETING NOTIFICATION REQUIREMENTS; ARTICLE 11.4.3 OF THE ZONING ORDINANCE, CONDITIONAL ZONING COMMUNITY MEETING NOTIFICATION REQUIREMENTS

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 14.2.3 of the Zoning Ordinance is hereby amended by modifying the requirements for a draft TIA as follows:

14.2.3 TIA Submission And Completion Requirement

Once the Town has made a Determination of Need for a TIA, the applicant may proceed with the TIA scoping. Once the TIA scoping is complete, the applicant may proceed with the TIA, in accordance with the terms of the most recent version of the Town of Huntersville TIA Process and Procedures Manual, as approved by the Town Engineer and all applicable Zoning Ordinance and Subdivision Ordinance requirements. The draft TIA shall be submitted to Town staff 30 days prior to the Town Board Public Hearing ~~(for rezoning cases) or as provided in the Subdivision Ordinance.~~ Resubmittals of TIAs for rezoning cases shall be submitted a minimum of 20 business days prior to the scheduled Town Board final action. **In all other cases, the draft TIA and any resubmittals shall be submitted as provided in the most recent version of the Town of Huntersville TIA Process and Procedures Manual.** The final sealed TIA shall be completed and accepted by Town staff prior to final action by the Town Board or permit issuing authority.

Section 2. Be it ordained by the Board of Commissioners of the Town of Huntersville that Section 6.300.1 of the Subdivision Ordinance is hereby amended by modifying a TIA reference that is no longer applicable:

6.300 SKETCH PLAN REQUIRED FOR MAJOR SUBDIVISIONS

Prior to the filing of an application for approval of a major subdivision Preliminary Plan, a Sketch Plan shall be submitted to the Planning Director and any Designated Administrative Agent for review. When submitted, this **Sketch Plan shall be on a topographical map showing original contours at intervals of not less than four feet highlighting slopes over 25% and existing tree lines.** It shall show in sketch form the proposed layout of streets, lots, and other features in relation to existing conditions. It shall include the following information:

1. The boundary lines of the property being subdivided;
2. Water courses on the land to be subdivided;

3. The location, names, and rights-of-way of any existing streets on or within 300 feet of the land to be subdivided;
4. The location of all property lines which intersect the boundaries of the property being subdivided; the zoning district of each adjacent property;
5. Rough finished grades, the location of proposed streets, lots, parks or other open spaces, reservations, building lines, street cross-sections, number and type of buildings, and the location of any building restriction flood lines required by Section 7.280;
6. Zoning information for the proposed project site;
7. Proposed front, rear, and side yard dimensions for each building type along each street type;
8. For projects within a regulated watershed protection area, the location of required buffers and high density option detention, if applicable;
9. The location of general buffers or screens required for the project area, as a whole;
10. The scale of the plan, which shall not be smaller than 100 feet to the inch; north point; date;
11. A small scale vicinity map.
12. Information necessary to evaluate the proposed development site for compliance with the water quality standards of Section 8.17 of the Huntersville Zoning Ordinance and the Performance Criteria as detailed in Section 9 of the Huntersville Water Quality Design Manual. Further, the Site Evaluation Tool (SET) output shall be submitted for each proposed development site. Section 9 of the Huntersville Water Quality Design Manual contains detailed information concerning the submission requirements for SET.
13. **Traffic Impact Assessments; Physical Analysis.**
 1. a Traffic Impact Assessment for certain subdivisions, as required by Article 14 of the Town Zoning Ordinance, which is hereby incorporated by this reference.
 2. ~~for developments of twenty (20) or more residential units or equivalent traffic generation a physical analysis (type of units expected, including number of bedrooms, projected values, size and timing of phases, etc.).~~
14. An "Existing Features (Site Analysis) Plan" shall be submitted as part of the sketch plan application and for Farmhouse Cluster developments in order to determine significant features to be preserved. It is recommended a pre-application meeting with the administrator be held to review the Existing Features Plan prior to submission of the sketch plan. The Existing Features (Site Analysis) Plan analyzes each site's special features, as they form the basis of the design process for open space lands, building locations, street alignments, and lot lines. Detailed requirements for Existing Features Plans at the minimum must include:
 1. The location and area calculations of constraining features including wetlands, slopes over 25%, watercourses, intermittent streams and floodways, S.W.I.M. buffers (outside of floodways), watershed buffers, and all rights-of-way and easements (current and future);

2. The location of significant features such as woodlands, tree lines, specimen and heritage trees, open fields or meadows, scenic views into or out of the property, watershed divides and drainage ways; existing structures, cemeteries, roads, tracks and trails; significant wildlife habitat; prime agricultural farmland; historic, archeological and cultural features listed (or eligible to be listed) on national, state or county registers or inventories; and aquifers and their recharge areas;
3. The location of existing or planned utility easements (above and below ground) to include, but not limited to power/transmission, water, sewer, gas, phone, and cable;
4. A topographical map showing original contours at intervals of not less than four feet and existing tree lines;

Section 3. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 11.8 of the Zoning Ordinance is hereby amended by modifying the requirements for a withdrawal of zoning amendments:

11.8 Effect of Denial of Petition

1. Any petition for the reclassification of property that has been **withdrawn**, denied in whole or in part, or approved to a classification other than the one originally requested, shall not be re-submitted within one year of the date of the Town Board's action on the original petition, unless a petitioner applies for a district which is "lower" in the Hierarchy of Zoning Districts in Section 3.1.1.
2. The Town Board may allow re-submission of a petition **for the reclassification of property** within the one-year restricted period if it determines that, since the date of action on the prior petition, one of the following criteria has been met:
 1. There has been a similar change in the zoning district classification of an adjacent property; or
 2. The Town Board has adopted a new or amended plan for the area that changes public policy regarding how the property affected by the amendment should be developed; or
 3. Construction or expansion of a road, water line, sewer line, or other infrastructure has occurred or is to occur in such a time frame as to serve the property and comfortably accommodate the intensity of development allowed under the proposed classification; or
 4. There has been a substantial change in conditions or circumstances, outside the control of the petitioner, which justifies waiver of the one-year restriction on a new petition; this shall not include a change in the ownership of the subject property nor, in the case of a petition for reclassification to a conditional or parallel conditional zoning district, or MH Overlay district, a change in the scale or features of the development proposed in the prior petition.

3. Any petition allowed by the Town Board under subsection (2) above must be reviewed and approved in accordance with the procedures and standards of Section 11.4, Amendment Process, of these regulations.

Section 4. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 11.4.4 of the Zoning Ordinance is hereby amended by modifying the requirements for a withdrawal of zoning amendments:

11.4.4 Withdrawal or Amendment of Petition.

- a. A petition filed according to this section may be withdrawn by the petitioner at any time ~~up to the date of the public hearing on the petition~~ **prior to final action by the Town Board.**
- b. Once the petition has been filed, the petitioner shall not be allowed to amend it except by request to the Planning Director no later than three weeks prior to the scheduled public hearing date. No changes to the petition shall be accepted in the intervening weeks prior to the public hearing. No changes to the petition shall be made at the hearing, although potential changes proposed by the petitioner, Planning Board, Town Board, and other interested parties may be presented at the hearing and considered by the Planning Board and Town Board during their deliberations.
- c. If the Town Board deems any ~~requested~~ amendment **requested pursuant to Section 11.4.4 (b)** to be a substantial change to the petition ~~prior to a final decision~~, which does not result in an intensification of the petition, it shall defer action on the petition for 30 days to allow interested parties the opportunity to comment on the amendment to the petition. **Notwithstanding the foregoing, the Town Board may deny the petition.**
- d. If the Town Board deems any ~~requested~~ amendment **requested pursuant to Section 11.4.4 (b)** to be an intensification of the petition, it shall call a new public hearing **prior to final action** ~~as required by North Carolina General Statutes.~~ **Notwithstanding the foregoing, the Town Board may deny the petition.**
- e. Once a development approval is issued, modifications to the development approval must be reviewed and approved in the same manner in which it the approval was originally made, including any necessary notice and public hearing. However, minor modifications to development approvals as defined by Article 12 of this ordinance may be approved by staff.

Section 5. Be it ordained by the Board of Commissioners of the Town of Huntersville that Section 6.320 of the Subdivision Ordinance is hereby amended by modifying the requirements for mailing requirements for major subdivision sketch plan community meetings:

6.320 REVIEW OF MAJOR SUBDIVISION SKETCH PLAN

1. Upon submission, the Planning Director and any Designated Administrative Agent shall have fifteen (15) working days to review and comment on the Sketch Plan. Upon

completion of review, Planning Staff shall provide comments to the subdivider on any portions of the Sketch Plan that are not in compliance with the Town's Sketch Plan submission requirements or the Town's Zoning and Subdivision Ordinances.

2. The subdivider shall address all Town Staff comments prior to refining a revised Sketch Plan with the Planning Department. If subsequent corrections or changes to a sketch plan are necessary, the reviewer shall have fifteen (15) working days to review any revised sketch plan.
3. A written report of at least one community meeting held by the subdivided must be submitted within forty-five (45) days of the initial filing of the sketch plan for review by the Planning Department. The community meeting shall not be held on regularly scheduled Town Board and Planning Board meeting nights. Notice of such a meeting shall be ~~given~~ provided to all of the following via certified mail using the parcel ownership information listed in the current Mecklenburg County tax records:
 - a. Owner of each property petitioned for subdivision
 - b. Owner of each abutting property
 - c. Owner of each property within 250 feet of the petitioned property
 - d. Owner of each property directly across a street, easement, or right-of-way, public or private, from the petitioned property
 - e. Owner of each property across a street, easement, or right-of-way, and within 250 feet of the right-of-way boundary opposite the petitioned property
 - f. Contact person for each neighborhood association, property owner association, and homeowner association registered with the Town Planning Department that has jurisdiction over property within 2000 feet of any portion of the subdivision site (distance scaled on a Town of Huntersville or Mecklenburg County official map).

The report shall include, among other things, a listing of those persons and organizations contacted about the meeting and the manner and date of contact, the date, time, and location of the meeting, a roster of the persons in attendance at the meeting, a copy of any materials presented at the meeting, a summary of issues discussed at the meeting, including changes suggested by the participants and a description of any changes to the subdivision petition made by the petitioner as a result of the meeting. In the event the subdivider has not held at least one meeting pursuant to this paragraph, the subdivider shall file a report documenting efforts that were made to arrange such a meeting and stating the reasons such a meeting was not held. The adequacy of a meeting held or report filed pursuant to this paragraph shall be considered but shall not be subject to judicial review.

4. Within 30 days of receiving the final Sketch Plan, the Planning Director or Designated Administrative Assistant shall prepare a written decision setting forth findings concerning the application's compliance with applicable regulations. If the staff decision proposes a finding or conclusion that the application fails to comply with applicable regulations, it shall identify the

requirement in question and specifically state supporting reasons for the proposed findings or conclusions. Notice of the decision to approve or deny a sketch plan shall be provided in accordance with N.C.G.S. § 160D-403. Administrative decisions to deny approval of a sketch plan may be appealed in accordance with Section 4.000.

Section 6. Be it ordained by the Board of Commissioners of the Town of Huntersville that Article 11.4.3 (d) of the Zoning Ordinance is hereby amended by modifying the requirements for a withdrawal of zoning amendments:

11.4.3 Amendment Process, Initiation

d. Before a public hearing may be held on a petition for a conditional zoning, the petitioner must file in the Office of the Planning Department a written report of at least one community meeting held by the petitioner. Notice of such a meeting shall be ~~given~~ **provided** to all of the following **via certified mail** using the parcel ownership information listed in the current Mecklenburg County tax records:

1. Owner of each property petitioned for rezoning
2. Owner of each abutting property
3. Owner of each property within 250 feet of the petitioned property
4. Owner of each property directly across a street, easement, or right-of-way, public or private, from the petitioned property
5. Owner of each property across a street, easement, or right-of-way, and within 250 feet of the right-of-way boundary opposite the petitioned property
6. Contact person for each neighborhood association, property owner association, and homeowner association registered with the Town Planning Department that has jurisdiction over property within 2,000 feet of any portion of the rezoning site (distance scaled on a Town of Huntersville or Mecklenburg County official map). If fewer than two registered associations are identified within 2,000 feet of the rezoning site, it is the responsibility of the petitioner to identify and include unregistered associations or associations beyond 2,000 feet of the site, such that no fewer than two neighborhood, property owner, or homeowner associations are notified of the community meeting.
7. The report shall include, among other things, a listing of those persons and organizations contacted about the meeting and the manner and date of contact, the date, time, and location of the meeting, a roster of the persons in attendance at the meeting, a copy of any materials presented at the meeting, a summary of issues discussed at the meeting, including changes suggested by the participants and a description of any changes to the rezoning petition made by the petitioner as a result of the meeting. In the event the petitioner has not held at least one meeting pursuant to this paragraph, the petitioner shall file a report documenting efforts that were made to arrange such a meeting and stating the reasons such a meeting was not held. The

TA 23-02: SKETCH TIA REFERENCE, WITHDRAWAL OF AMENDMENT PETITIONS, CERTIFIED MAIL

adequacy of a meeting held or report filed pursuant to this paragraph shall be considered by the Town Board but shall not be subject to judicial review.

Section 7. This ordinance shall become effective upon adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: 2/2/23, Recommended for Approval 9-0

PUBLIC HEARING DATE: 4/3/23

PLANNING BOARD MEETING: 4/25/23

TOWN BOARD DECISION: 5/15/23

Minutes of the Town of Huntersville Ordinance Advisory Board

The Town of Huntersville Ordinance Advisory Board met in person at 3:30 p.m. on Thursday, February 2, 2023.

Call to Order/Roll Call

Chairman Jones called the meeting to order at 3:30 pm.

Voting Members Present: M. Jones, J. Kluttz, K. Jones, F. Gammon, B. Skelly (arrived at 3:52 p.m.), H. Whittaker, T. Taylor, A. Hallman & T. Finlay

Non-Voting Members Present: Commissioner Munger, J. Simoneau, T. Barron, E. Sloop, and J. Glass

Non-Voting Members Absent: None

Approval of Minutes

Item 2A. Consider approval of the January 5, 2023, Regular Meeting Minutes

Motion: K. Jones made a Motion to Approve the amended January 5, 2023, minutes. A. Hallman seconded the motion.

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

Public Comments

No public comments.

Action Agenda

T. Finlay stated that he had a conflict of interest with Item 4A and requested to be recused.

Motion: F. Gammon made a Motion to recuse T. Finlay for Item 4A. A. Hallman seconded the motion.

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

**Item 4A: Consider recommendation on petition #TA22-11, a request by the Huntersville Planning Department for a text amendment to the Zoning Ordinance to amend Article 10 Signs to increase flexibility of sign regulations and codify current practices.
(Kayleigh Mielenz)**

K. Mielenz, Planner I reviewed the proposed amendment as included in the attached exhibits.

The Board had discussion related to clarifying terms, placement, safety concerns, and code enforcement.

Motion: K. Jones made a Motion to Approve TA22-11 to amend Article 10, Signs to increase flexibility of sign regulations and codify current practices. A. Hallman seconded the motion.

Vote: The motion passed (7-0-1) with H. Whittaker abstaining.

Motion: A. Hallman made a Motion to Reinstate T. Finlay. H. Whittaker seconded the motion.

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

Item 4B: Consider recommendation on petition #TA22-15, a request by the Huntersville Planning Department for a text amendment to Article 7 Landscaping and Open Space to update penalties for removal/damage of required vegetation. (Kayleigh Mielenz)

K. Mielenz, Planner I presented the proposed amendment as included in the attached exhibit. Staff stated that they will be redrafting the amendment to simplify the penalty calculation. Staff indicated that the revision will be so extensive that they would recommend the Board limit discussion on this item until the new version is presented.

Item 4C: Consider a recommendation on petition #TA23-01, a request by the Huntersville Planning Department for a text amendment to Article 7, Part A: Landscaping altering the spacing and location of required street trees and providing greater flexibility for the types of supplemental residential lot trees. (Lauren Speight)

L. Speight, Senior Planner presented the proposed amendment as included in the attached exhibits.

H. Whittaker asked if the tree was placed on the homeowner's property who would be responsible for maintenance, replacement, and possible damages caused by the tree. Staff responded that currently the ordinance indicates the homeowner or homeowner's associated would be responsible as determined by that homeowner's association.

H. Whittaker asked about developer requirements for yard trees and types of trees. Staff relayed the history behind the ordinances related to yard trees, varying sizes of side paths, how tree types were considered, and how placement of trees is now being considered to reduce damages.

H. Whittaker stated he is not opposed to this. He commented on the importance of clear communication and expectations so that homeowners would fully understand their financial responsibilities.

K. Jones asked how a homeowner may be affected if an existing neighborhood is retrofitted with curb and gutter. Staff responded that a yard tree requirement would not apply and retrofit streets are typically too tight to allow for street trees.

Commissioner Munger added that this is a layered issue which includes sidewalks being adjacent to roads leading people to park on sidewalks, sidewalks being further in leads to homeowners parking in their driveway and partially blocking the sidewalk. This leads to the focus being on the correct tree installed correctly for the size of the planting strip. He added that in Vermillion, the homeowner is responsible for replacing the street tree if it dies and must get approval from the homeowner's association for which type of tree he may plant in that location.

F. Gammon commented that he does not want to add more regulation and burden on the homeowners regarding trees and there should be greater education related to the current regulations and resident requirements.

H. Whittaker commented that moving the tree up into the homeowner's property and the line fills up with roots it would become the responsibility of the homeowner which could create a serious cost.

M. Jones asked staff about how the tree is planted. Staff confirmed that the note is on the plan requiring a specific method for tree planting however this is not inspected, and trees are often found planted incorrectly.

S. Trott, Director of Engineering for Town of Huntersville commented that in addition to sewer, water, power, gas, and telecommunication lines are also typically in the planting strip. Stormwater is publicly maintained and typically also within the planting strip. Additionally street signs, regulatory signs, streetlights are also in this area that can conflict with trees. Trees located can also create a sight distance issue so the number, size, spacing are a few of many factors that go into selecting the trees.

Item 4D: Consider a recommendation on petition #TA23-02, a request by the Huntersville Planning Department for a text amendment to Article 14.2.3, Traffic Impact Analysis, Applicability to remove a reference to the Subdivision Ordinance that no longer applies to sketch plans reviews per the approved amendment TA22-05 making the major subdivision review process administrative.

L. Speight, Senior Planner presented each section of the proposed amendment.

Staff confirmed ZO Article 14.2.3 would be amended as presented with the additional strike out of "for rezoning cases."

The Board had discussion related to when an applicant would be allowed to withdraw their plans, when they can resubmit, and how this would affect the timeline.

Motion: T. Taylor made a Motion to recommend approval of TA23-02 as presented by staff. T. Finlay seconded the motion.

Vote: The motion passed unanimously (9-0).

Item 5A: Acknowledge terms of service for Tim Taylor, Thomas Finlay & Brandy Skelley
Chairman Jones thanked all exiting Board members for their service.

Item 5B: Election of Chair and Vice-Chair

Nomination: F. Gammon nominated A. Hallman as Chair. H. Whittaker seconded the nomination. There were no other nominations.

Vote: The motion passed unanimously (9-0).

Nomination: A. Hallman nominated K. Jones as Vice-Chair. H. Whittaker seconded the motion. There were no other nominations.

Vote: The motion passed (8-1) with T. Finlay opposed.

Other Business

No other business.

Adjourn

Motion: J. Kluttz made a Motion to Adjourn. H. Whittaker seconded the motion.

Vote: The motion passed unanimously (9-0).

Approved this ____ day of _____ 2023.

Chairman or Vice Chairman

Board Secretary

TA 23-02 Sketch TIA Reference, Withdrawal
of Amendment Petitions, Certified Mail
Notifications for Sketch Plans

Applicant: Town of Huntersville Planning Department

- Section 1 – TIA Reference for Sketch Plans
 - No proposed change to TIA requirements
- Sections 2 and 3 – Withdrawal of Applications for Amendments
- Section 4 – Mailing Requirements for Sketch Plan

Section 1 - Article 14.2.3 of ZO

14.2.3 TIA Submission And Completion Requirement

Once the Town has made a Determination of Need for a TIA, the applicant may proceed with the TIA scoping. Once the TIA scoping is complete, the applicant may proceed with the TIA, in accordance with the terms of the most recent version of the Town of Huntersville TIA Process and Procedures Manual, as approved by the Town Engineer and all applicable Zoning Ordinance and Subdivision Ordinance requirements. The draft TIA shall be submitted to Town staff 30 days prior to the Town Board Public Hearing ~~(for rezoning cases) or as provided in the Subdivision Ordinance~~. Resubmittals of TIAs **for rezoning cases** shall be submitted a minimum of 20 business days prior to the scheduled Town Board final action. **In all other cases, the draft TIA and any resubmittals shall be submitted as provided in the most recent version of the Town of Huntersville TIA Process and Procedures Manual.** The final sealed TIA shall be completed and accepted by Town staff prior to final action by the Town Board or permit issuing authority.

Rationale

- QJ to Administrative review
- Reference does not exist
- Provide clarity for all non-rezoning reviews that
- Threshold set by standards require TIA review

Section 2 – Section 6.300 of SO

13. Traffic Impact Assessments; Physical Analysis.

1. a Traffic Impact Assessment for certain subdivisions, as required by Article 14 of the Town Zoning Ordinance, which is hereby incorporated by this reference.
- ~~2. for developments of twenty (20) or more residential units or equivalent traffic generation a physical analysis (type of units expected, including number of bedrooms, projected values, size and timing of phases, etc.).~~

Rationale

- Threshold set by standards require TIA review

Sections 3 – Article 11.4.4 of ZO

11.4.4 Withdrawal or Amendment of Petition

- a. A petition filed according to this section may be withdrawn by the petitioner at any time ~~up to the date of the public hearing on the petition~~ prior to final action by the Town Board.
- b. Once the petition has been filed, the petitioner shall not be allowed to amend it except by request to the Planning Director no later than three weeks prior to the scheduled public hearing date. No changes to the petition shall be accepted in the intervening weeks prior to the public hearing. No changes to the petition shall be made at the hearing, although potential changes proposed by the petitioner, Planning Board, Town Board, and other interested parties may be presented at the hearing and considered by the Planning Board and Town Board during their deliberations.
- c. If the Town Board deems any ~~requested~~ amendment requested pursuant to Section 11.4.4 (b) to be a substantial change to the petition ~~prior to a final decision~~, which does not result in an intensification of the petition, it shall defer action on the petition for 30 days to allow interested parties the opportunity to comment on the amendment to the petition. Notwithstanding the foregoing, the Town Board may deny the petition.
- d. If the Town Board deems any ~~requested~~ amendment requested pursuant to Section 11.4.4 (b) to be an intensification of the petition, it shall call a new public hearing prior to final action ~~as required by North Carolina General Statutes~~. Notwithstanding the foregoing, the Town Board may deny the petition.

Rationale

- Flexibility for withdrawal at any point before final action

Sections 4 – Articles 11.8 of ZO

11.8 Effect of Denial of Petition

1. Any petition for the reclassification of property that has been withdrawn, denied in whole or in part, or approved to a classification other than the one originally requested, shall not be re-submitted within one year of the date of the Town Board's action on the original petition, unless a petitioner applies for a district which is "lower" in the Hierarchy of Zoning Districts in Section 3.1.1.
2. The Town Board may allow re-submission of a petition for the reclassification of property within the one-year restricted period if it determines that, since the date of action on the prior petition, one of the following criteria has been met:
 1. There has been a similar change in the zoning district classification of an adjacent property; or
 2. The Town Board has adopted a new or amended plan for the area that changes public policy regarding how the property affected by the amendment should be developed; or
 3. Construction or expansion of a road, water line, sewer line, or other infrastructure has occurred or is to occur in such a time frame as to serve the property and comfortably accommodate the intensity of development allowed under the proposed classification; or
 4. There has been a substantial change in conditions or circumstances, outside the control of the petitioner, which justifies waiver of the one-year restriction on a new petition; this shall not include a change in the ownership of the subject property nor, in the case of a petition for reclassification to a conditional or parallel conditional zoning district, or MH Overlay district, a change in the scale or features of the development proposed in the prior petition.
3. Any petition allowed by the Town Board under subsection (2) above must be reviewed and approved in accordance with the procedures and standards of Section 11.4, Amendment Process, of these regulations.

Rationale

- Restrict the timeframe for resubmittal of withdrawn petitions for the reclassification of property
- Clarify that subsection 2 is for the resubmission of petitions for the reclassification of property

Section 5 – Section 6.320 of SO

6.320 REVIEW OF MAJOR SUBDIVISION SKETCH PLAN

1. Upon submission, the Planning Director and any Designated Administrative Agent shall have fifteen (15) working days to review and comment on the Sketch Plan. Upon completion of review, Planning Staff shall provide comments to the subdivider on any portions of the Sketch Plan that are not in compliance with the Town's Sketch Plan submission requirements or the Town's Zoning and Subdivision Ordinances.
2. The subdivider shall address all Town Staff comments prior to refining a revised Sketch Plan with the Planning Department. If subsequent corrections or changes to a sketch plan are necessary, the reviewer shall have fifteen (15) working days to review any revised sketch plan.
3. A written report of at least one community meeting held by the subdivided must be submitted within forty-five (45) days of the initial filing of the sketch plan for review by the Planning Department. The community meeting shall not be held on regularly scheduled Town Board and Planning Board meeting nights. Notice of such a meeting shall be ~~given~~ provided to all of the following via certified mail using the parcel ownership information listed in the current Mecklenburg County tax records:
 - a. Owner of each property petitioned for subdivision
 - b. Owner of each abutting property
 - c. Owner of each property within 250 feet of the petitioned property
 - d. Owner of each property directly across a street, easement, or right-of-way, public or private, from the petitioned property
 - e. Owner of each property across a street, easement, or right-of-way, and within 250 feet of the right-of-way boundary opposite the petitioned property
 - f. Contact person for each neighborhood association, property owner association, and homeowner association registered with the Town Planning Department that has jurisdiction over property within 2000 feet of any portion of the subdivision site (distance scaled on a Town of Huntersville or Mecklenburg County official map).

The report shall include, among other things, a listing of those persons and organizations contacted about the meeting and the manner and date of contact, the date, time, and location of the meeting, a roster of the persons in attendance at the meeting, a copy of any materials presented at the meeting, a summary of issues discussed at the meeting, including changes suggested by the participants and a description of any changes to the subdivision petition made by the petitioner as a result of the meeting. In the event the subdivider has not held at least one meeting pursuant to this paragraph, the subdivider shall file a report documenting efforts that were made to arrange such a meeting and stating the reasons such a meeting was not held. The adequacy of a meeting held or report filed pursuant to this paragraph shall be considered but shall not be subject to judicial review.

4. Within 30 days of receiving the final Sketch Plan, the Planning Director or Designated Administrative Assistant shall prepare a written decision setting forth findings concerning the application's compliance with applicable regulations. If the staff decision proposes a finding or conclusion that the application fails to comply with applicable regulations, it shall identify the requirement in question and specifically state supporting reasons for the proposed findings or conclusions. Notice of the decision to approve or deny a sketch plan shall be provided in accordance with N.C.G.S. § 160D-403. Administrative decisions to deny approval of a sketch plan may be appealed in accordance with Section 4.000.

Rationale

- Confirmation process to validate required recipients for neighborhood meetings receive mailed notices

Section 6 – Article 11.4.3 of ZO

11.4.3 Amendment Process, Initiation

d. Before a public hearing may be held on a petition for a conditional zoning, the petitioner must file in the Office of the Planning Department a written report of at least one community meeting held by the petitioner. Notice of such a meeting shall be ~~given~~ provided to all of the following via certified mail using the parcel ownership information listed in the current Mecklenburg County tax records:

1. Owner of each property petitioned for rezoning
2. Owner of each abutting property
3. Owner of each property within 250 feet of the petitioned property
4. Owner of each property directly across a street, easement, or right-of-way, public or private, from the petitioned property
5. Owner of each property across a street, easement, or right-of-way, and within 250 feet of the right-of-way boundary opposite the petitioned property
6. Contact person for each neighborhood association, property owner association, and homeowner association registered with the Town Planning Department that has jurisdiction over property within 2,000 feet of any portion of the rezoning site (distance scaled on a Town of Huntersville or Mecklenburg County official map). If fewer than two registered associations are identified within 2,000 feet of the rezoning site, it is the responsibility of the petitioner to identify and include unregistered associations or associations beyond 2,000 feet of the site, such that no fewer than two neighborhood, property owner, or homeowner associations are notified of the community meeting.

7. The report shall include, among other things, a listing of those persons and organizations contacted about the meeting and the manner and date of contact, the date, time, and location of the meeting, a roster of the persons in attendance at the meeting, a copy of any materials presented at the meeting, a summary of issues discussed at the meeting, including changes suggested by the participants and a description of any changes to the rezoning petition made by the petitioner as a result of the meeting. In the event the petitioner has not held at least one meeting pursuant to this paragraph, the petitioner shall file a report documenting efforts that were made to arrange such a meeting and stating the reasons such a meeting was not held. The adequacy of a meeting held or report filed pursuant to this paragraph shall be considered by the Town Board but shall not be subject to judicial review.

Rationale

- Confirmation process to validate required recipients for neighborhood meetings receive mailed notices

TA22-11 Article 10 Signs

PART 1: DESCRIPTION

TA22-11 is a request by the Huntersville Planning Department for a text amendment to the Zoning Ordinance to amend Article 10 Signs to increase flexibility of sign regulations, codify current practices, and clarify existing language.

PART 2: BACKGROUND

Article 10 of the Zoning Ordinance contains regulations for exterior signs. There are standards around sign size, height, placement, lighting, etc.

The purpose of the sign regulations are:

1. To maintain public safety and traffic safety by ensuring that signs are properly designed, constructed, installed, and maintained;
2. To minimize the distractions and obstruction of view that contribute to traffic hazards and endanger public safety;
3. To protect existing development and promote high standards of quality in new development by encouraging appropriately designed, placed, and sized signage;
4. To provide an effective guide for identification through signage while preventing signs from dominating the visual appearance of the areas in which they are located.

A large portion of the amendment is to codify current practices and clarify existing language. The most substantial change proposed is to Article 10.7 Permanent Signs Requiring a Permit.

Sign contractors and business owners have made recommendations on how the Town may increase the flexibility of the sign regulations under 10.7 and make the section easier to understand. The proposed text amendment aims to address the feedback received by Staff.

The most frequent comments Staff receive are about how restrictive the parking lot sign standards are, specifically the 25% sign area limit and requirement to transfer square footage from the primary sign to the parking lot sign. The proposed text amendment will allow any qualifying structure to have 32 square feet in sign area on a wall that fronts a parking area and contains pedestrian entry.

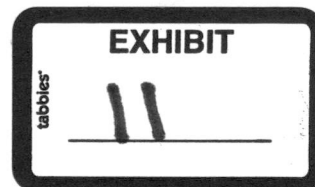
10.7.2 was added to regulate signage for multi-story, multi-tenant buildings. Staff receives many inquiries from new tenants in multi-story, multi-tenant buildings about the restrictions for sign area. In some cases, the primary wall of the building is using the maximum sign area allowed on the primary wall. This prevents new tenants from being able to place a sign on the primary wall. Tenants often express frustration that the conditions of their lease promise space for a wall sign on the primary wall. The intent of the added language is to make property owners/managers be pro-active so that this situation will not happen.

For a detailed explanation of all the proposed changes, please see the summary document attached.

PART 3: RELEVANT SECTIONS OF THE HUNTERSVILLE 2040 COMMUNITY PLAN

TA22-11 is consistent with Land Use Policy LU-8 of the Huntersville 2040 Community Plan.

Policy LU-8: Emphasize form and flexibility in Mixed-Use Centers, Employment Centers, the Town Core, and Activity Centers.



- Staff Comment: The amendment will increase the flexibility of the sign regulations by slightly increasing the allowed size of wall signs and monument signs in certain zoning districts. The added flexibility mainly affects commercial signs which are found in all of the above centers/core.

PART 4: STAFF RECOMMENDATION

Staff recommends approval of the proposed text amendment.

PART 5: HUNTERSVILLE ORDINANCE ADVISORY BOARD

The Huntersville Ordinances Advisory Board, with one board member abstaining, recommended approval (7-0-1) of the proposed text amendment on February 2, 2023.

PART 6: PUBLIC HEARING

April 3, 2023

PART 7: PLANNING BOARD RECOMMENDATION

April 25, 2023

PART 8: TOWN BOARD RECOMMENDATION

May 15, 2023

PART 9: ATTACHMENTS

1. Text Amendment Application
2. Ordinance for Adoption
3. Summary of Changes
4. Example of Maximum Wall Sign Area
5. February 2nd HOAB Minutes

PART 10: STATEMENT OF CONSISTENCY – TA22-11

Planning Department	Planning Board	Board of Commissioners
APPROVAL: In considering the proposed amendment TA22-11, Planning Staff recommends approval based on consistency with policy LU-8 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to amend the Zoning Ordinance because it will clarify the current language and increase flexibility of the sign regulations while still meeting the intent of signs being for identification purposes and not for advertising.	APPROVAL: In considering the proposed amendment TA22-11, the Planning Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...<i>(Explain)</i>	APPROVAL: In considering the proposed amendment TA22-11, the Town Board recommends approval based on the amendment being consistent with <u>(insert applicable plan reference)</u> It is reasonable and in the public interest to amend the Zoning Ordinance because...<i>(Explain)</i>

DENIAL: N/A	DENIAL: In considering the proposed amendment TA22-11, the Planning Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u> . It is not reasonable and in the public interest to amend the Zoning Ordinance because.... <i>(Explain)</i>	DENIAL: In considering the proposed amendment TA22-11, the Town Board recommends denial based on the amendment being <u>(consistent OR inconsistent)</u> with <u>(insert applicable plan reference)</u> . It is not reasonable and in the public interest to amend the Zoning Ordinance because.... <i>(Explain)</i>
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Text Amendment Application

TA22-11

Date of Application 01/03/23

Fee

See Current Town of Huntersville Fee Schedule for Text Amendment to the Zoning/Subdivision Ordinance

Type of Change

☐ New Addition to text of Zoning Ordinance / Subdivision Ordinance / Other

☒ Revision/Modification to text of Zoning Ordinance / Subdivision Ordinance / Other

Description of Change

Proposed text amendment will affect the following:

Ordinance(s): _____ Article(s): 10, 12.2.2 Section(s): _____

see attached

Current Ordinance

see attached

Proposed Text

Reason for Proposed
Change

To update sign regulations to increase flexibility
of standards based on customer feedback & to
clean up some of the language.

Attach additional pages if needed.

NOTE: If the proposed text amendment effects property located along Hwy 73; is 2000 feet from an adjoining municipality, and/or the Mountain Island and Lake Norman Watersheds, additional peer review is required.

Applicant

Printed Name Town of Huntersville Planning Department

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership

☒ Other: Municipality

Signature Kayla J. Kniel

Date 01/03/23

Title Planner I

Email Kniel@huntersville.org

Address of Applicant 105 Gilead Rd, 3rd Floor

Property Owner (if different than applicant)

* Printed Name _____

☐ Corporation ☐ Limited Liability Company ☐ Trust ☐ Partnership

☐ Other: _____

Signature _____

Date _____

Title _____

Email _____

Address of Property Owner _____

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

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

Contact Information

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

Phone:

704-875-7000

Fax:

704-875-6546

Physical Address:

105 Gilead Road, Third Floor, Huntersville, NC 28078

Website:

<https://www.huntersville.org/228/Planning-Department>

Date Received By Planning Department: 01/03/23

Staff Initials: LM

**AN ORDINANCE TO AMEND THE TOWN OF HUNTERSVILLE ZONING
ORDINANCE ARTICLE 10 SIGNS TO UPDATE AND CLEAN UP STANDARDS**

Section 1. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Zoning Ordinance Section 10.2 Applicability, is hereby amended as follows:

10.2 Applicability

Except as otherwise provided in this ordinance, it shall be unlawful to construct, enlarge, move or replace any sign or cause the same to be done, without first obtaining a sign permit for such sign from the ~~Mecklenburg County Building Standards Department~~ or designated permitting agency. In addition, a certificate of occupancy for the change in the use of property shall require compliance with Article 10, Signs.

Section 2. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Zoning Ordinance Section 10.3 General Provisions, is hereby amended as follows:

10.3 General Provisions

The following provisions shall apply to all signs.

- .1 Construction Standards. All signs shall be constructed and installed in accordance with the applicable provisions of the North Carolina State Building Code.
- .2 Electrical Standards. All illuminated signs shall be installed in accordance with the applicable provisions of the North Carolina State Electrical Code and all detached signs shall be powered by an underground electrical source.
 - a) Sign lighting must comply with Article 8.26.3 (e-g).
- .3 Maintenance of Signs. All signs shall be maintained in good structural and aesthetic condition. Deficiencies such as chipped paint, broken plastic, missing letters and exposed light bulbs shall be evidence of a lack of maintenance.
- .4 Content. Content of message, commercial or non-commercial, is not regulated by this ordinance.
- .5 No sign shall be placed so as to obstruct the clear sight triangle at a street intersection (Section 8.9).
- .6 **No sign shall be placed in a utility or storm drainage easement without permission from easement holder.**

TA22-11 SIGNS

Section 3. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Zoning Ordinance Section 10.4 District Classification, is hereby amended as follows:

10.4 District Classification

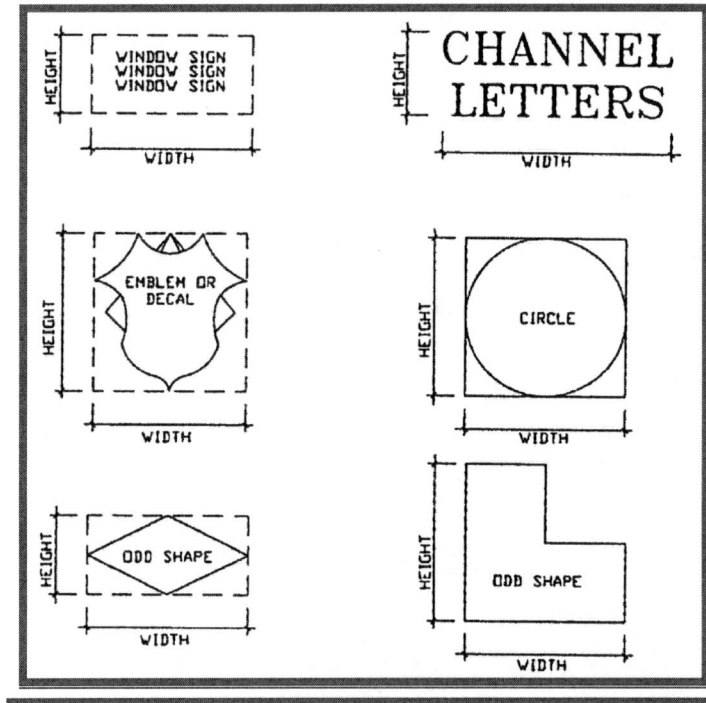
For purposes of this Article, zoning districts are classified as follows:

Rural District (R)	Residential
Transitional Residential (TR)	Residential
General Residential (GR)	Residential
Neighborhood Residential (NR)	Residential
Manufactured Home Overlay (MH-O)	Residential
Rural Traditional Neighborhood Development District (TND-R)	Mixed Use
Urban Traditional Neighborhood Development District (TND-U)	Mixed Use
Neighborhood Center (NC)	Mixed Use
Town Center (TC)	Mixed Use
Campus Institutional (CI)	Mixed Use
<u>Transit Oriented Development District- Employment (TOD-E)</u>	<u>Mixed Use</u>
<u>Transit Oriented Development District- Residential (TOD-R)</u>	<u>Commercial</u>
Highway Commercial (HC)	Commercial
Vehicle Sales (VS)	Commercial
Corporate Business (CB)	Commercial
Special Purpose (SP)	Commercial

Section 4. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Zoning Ordinance Section 10.6 Sign Measurement, is hereby amended as follows:

10.6 Sign Measurement

- .1 Sign Face Area: The area within a single, continuous perimeter enclosing the characters, lettering, logos, illustrations, and ornamentation, together with any material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed.



Section 5. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Zoning Ordinance Section 10.7 Permanent Signs Requiring a Permit, is hereby amended as follows:

10.7 Permanent Signs Requiring a Permit

10.7.1 On-Premise Signs are allowed, as indicated in the chart below

TA22-11 SIGNS

CIVIC BUILDINGS, <u>PARKS, AND GREENWAYS</u> IN ANY DISTRICT Wall Mounted Sign Primary Sign Max Area: 10% of <u>the area of</u> any wall face area-fronting a street or approved alternate frontage, up to a maximum of 128 square feet. Parking Lot Sign Max Area: <u>One wall face that does not front a public street or approved alternative frontage, but which fronts a parking area and contains pedestrian entry, may have up to 32 square feet of parking lot wall signage.</u> Ground Mounted Sign Maximum Number: 1 per street front Maximum Area: 32 square feet Maximum Height: 8 feet Not permitted for zero setback buildings Changeable copy¹ shall not exceed 50% of the allowable sign face area for either wall or ground mounted signs	ANY BUILDING TYPE IN A MIXED-USE DISTRICT EXCEPT A DETACHED HOUSE (NC, TC, CI, TND-U, TND-R, <u>TOD-R</u>) Wall Mounted Sign Primary Sign Max Area: 10% of <u>the area of</u> any wall face area-fronting a street or approved alternate frontage, up to a maximum of 128 square feet. Parking Lot Sign Max Area: <u>One wall face that does not front a public street or approved alternative frontage, but which fronts a parking area and contains pedestrian entry, may have up to 32 square feet of parking lot wall signage.</u> Ground Mounted Sign Maximum Number: 1 per street front Maximum Area: 32 square feet Maximum Height: 8 feet Not permitted for zero setback buildings Changeable copy¹ shall not exceed 25% of the allowable sign face area for either wall or ground mounted signs
ANY BUILDING TYPE IN A COMMERCIAL DISTRICT EXCEPT DETACHED HOUSE (HC², CB², SP, VS, <u>TOD-E</u>) Wall Mounted Sign Primary Sign Max Area: 10% of <u>the area of</u> any wall face area-fronting a street or approved alternate frontage, up to a maximum of 128 square feet. However, in the CB and SP zone, any building over 100,000 sq-uare <u>feet: of floor area</u> may have wall sign(s) not to exceed 384 square feet. In addition, one Secondary Business Identification Sign (defined in Article 12) is permitted for each secondary business, up to a maximum combined area of 64 square feet for all secondary business identification signs. Parking Lot Sign Max Area: <u>One wall face that does not front a public street or approved alternative frontage, but which fronts a parking area and contains pedestrian entry, may have up to 32 square feet of parking lot wall signage.</u> Notwithstanding the above, the total area of all wall-mounted signs shall not exceed 10% of the applicable wall face area. Ground Mounted Sign Maximum Number: 1 per street front Maximum Area: 32 square feet Maximum Height: 8 feet Not permitted for zero setback buildings Changeable copy¹ shall not exceed 25% of the allowable sign face area for either wall or ground mounted signs	<u>COMMERCIAL USE OR MIXED USE IN CERTAIN MIXED-USE BUILDINGS WHERE PERMITTED IN RESIDENTIAL DISTRICTS (NR, TR, R.)</u> Wall Mounted Sign 1 sign per business bay², up to a maximum of 12 square feet per bay; the sign area for any mixed-use structure shall not exceed 5% of any wall face area-fronting a street or approved alternate frontage. <u>Primary Sign Max Area: 5% of the area of any wall face fronting a street or approved alternate frontage, up to a maximum of 12 square feet.</u> Ground Mounted Sign Maximum Number: 1 per building-street front Maximum Area: 4216 square feet Maximum Height: 6 feet Type permitted: pole and beam or framed only, as identified in 10.5.2 b). Illumination permitted: Down lighting or indirect lighting (no internal illumination) Changeable copy¹ shall not exceed 25% of the allowable sign face area for either wall or ground mounted signs
DIRECTORY SIGN Maximum Number: 1 per street front; maximum 3 signs; 1000-foot separation. Maximum Area: 96 square feet per sign Maximum Height of ground mounted signs: 12' (includes shopping centers, office complexes, schools, large-scale religious institutions, institutional or business	PLANNED DEVELOPMENT ENTRANCE SIGN <u>FOR DEVELOPMENTS OF 5 ACRES OR MORE</u> Maximum Number: 1 per street front; 2 sign faces may be used with a wall, fence, or other architectural entrance feature Total Maximum Area: 2432 square feet Maximum Height: 8 feet <u>Ground Mounted Sign limited to name and/or logo</u>

TA22-11 SIGNS

campuses, and similar large complexes which have a variety of tenants or uses)

No individual tenant ground mounted signs are permitted.

(permitted for all residential, mixed use, and non-residential projects of 10 acres or more)

Limited to name and/or logo

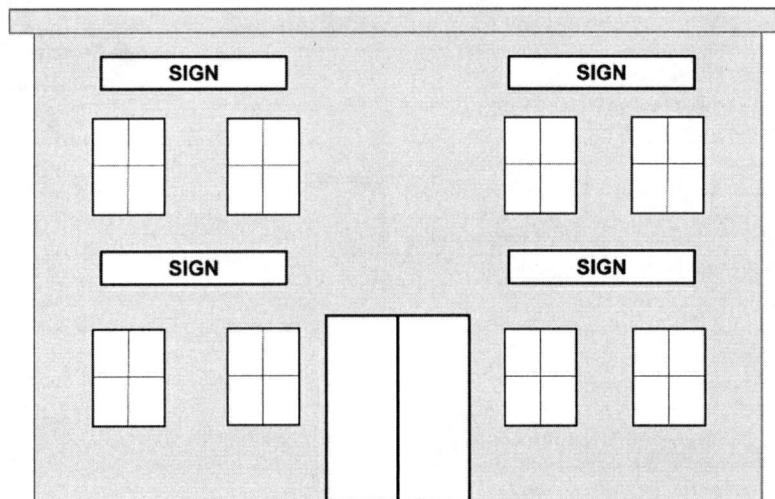
For buildings in all residential, mixed use and non-residential projects, 25% of the allowable wall mounted signage of one street fronting or approved alternate frontage wall face per individually constructed tenant space (up to 32 sq. ft.) may be transferred to one wall face that does not front a public street, but which fronts a parking area and contains pedestrian entry.

¹ Changeable copy that is internally illuminated or self-luminous shall meet the following standards:

- (a) Maximum brightness shall be 5,000 nits during daylight hours (dawn to dusk) and 150 nits during nighttime hours. The applicant or sign manufacturer must provide either written certification from the manufacturer that the light intensity has been factory-programmed not to exceed above listed light levels or provide an isolux lighting plan certified by an electrical engineer.
- (b) Message may change a maximum of twenty-four (24) times per 24-hour period. Change of message shall not occur within any thirty (30) minutes timespan from the last change of message.

² A business bay in a mixed-use building is the width of the first floor which is used for any single business, extended from the front of the building to the back of the building.

² Notwithstanding the above, in the Highway Commercial or Corporate Business zoning district, when a commercial site plan is submitted for a new or redeveloped multi-story, multi-tenant building(s) that is a Highway Commercial, Urban Workplace or Shopfront building type, a sign plan shall be submitted for administrative review that includes, but is not limited to, locations of wall signs for each tenant and the square footage of wall sign area devoted to each tenant. Sign plan shall be revised if the number of tenant spaces changes after the approval of the sign plan. The maximum area permitted for wall signs is 10% of the area of any wall face fronting a street or approved alternate frontage, up to a maximum of 128 square feet. One wall face that does not front a public street or approved alternative frontage, but which fronts a parking area, may have up to 16 square feet of parking lot wall signage for each building tenant.



Section 6. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Zoning Ordinance Section 10.10 Signs Permitted without a Permit, is hereby amended as follows:

10.10 Signs Permitted without a Sign Permit

The following types of signs are exempt from permit requirements and allowed in all zones, but shall be in conformance with all other requirements of this ordinance.

- .4 On premise directional and instructional signs not exceeding 6 square feet in area, unless such sign is a monument sign, in which case it may not exceed 9 square feet. Maximum height: 45 feet.

.20 Temporary Sporting Event Sign

- a) Signs shall be displayed only on the property on which the event is held.**
- b) No more than one sign per street front shall be permitted per event.**
- c) Signs shall not exceed 32 square feet in area or 6 feet in height.**
- d) Signs shall be erected no sooner than the day of the event and may only be erected through the duration of the event.**

.21 Government signs.

Section 7. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Zoning Ordinance Section 10.11 Master Signage Programs, is hereby amended as follows:

10.11 Master Signage Programs

Master signage programs establish two alternatives in providing latitude to develop appropriate signage designs for new or existing areas with special unifying features. The alternatives are the Special Sign District Option and the Planned Development Sign Flexibility Option. ~~Special Sign Districts require approval by the Board of Commissioners following review and recommendation by the Huntersville Planning Board.~~

10.11.1 Special Sign District Option

Special Sign Districts require approval by the Board of Commissioners following review and recommendation by the Huntersville Planning Board. ~~For~~ **The purpose of a Special Sign District is to** establishing, enhancing, preserving, and developing the character, quality, and property values of areas of unique character and special development potential, districts in which signs are regulated by special provisions may be established subject to the following conditions:

- .1 As a prerequisite to the establishment of such a special sign district, it must be determined that the modified rules established for said district shall:
 - a) Preserve and enhance the special character of the particular area; and
 - b) Not contravene the intent of this ordinance; and
 - c) Cause no disturbance to neighboring property lying outside the proposed district.
 - d) Without changing the basic structure of this ordinance, the modified rules for a special sign district may impose sign regulations which provide greater latitude or more stringent limitations than those provided elsewhere in this ordinance.
- .2 The special sign district constitutes an overlay district and shall conform to the procedures of Article 11 for purposes of adoption and administration. Districts for which special sign regulations may be

TA22-11 SIGNS

imposed include, but shall not be limited to, the Town Center District, the Neighborhood Center District, the TND-U and TND-R districts.

- .3 **A Master Sign Plan shall be submitted that includes, but is not limited to, the following information in a digital format:**
 - a) **Detailed designs of all proposed signs including the size, height, changeable copy, and materials of such signs.**
 - b) **A graphic showing proposed number and location of signs.**
 - c) **Sign illumination plans.**
 - d) **Plans for landscaping and architectural features to be used in conjunction with such plans.**
- .4 **Once the Special Sign District has been approved, modifications to the Master Sign Plan must be reviewed and approved in the same manner in which the approval was originally made, including any necessary notice and public hearing. However, minor modifications, as defined by Article 12 of this ordinance, may be approved by the Zoning Administrator.**

10.11.2 Planned Development Sign Flexibility Option

For the purpose of providing flexibility and incentives for coordinated, well-designed sign systems for large-scale development, special provisions varying the standards of this ordinance may be approved by the Zoning Administrator, subject to the following:

- .1 The development is: a planned residential, nonresidential, or mixed-use development, 10 acres or greater in size; a hospital or other large-scale institutional complex; a large-scale cultural, civic or recreational facility; or a similar large-scale development.
- .2 **A Master Sign Plan shall be submitted that includes, but is not limited to, the following information in a digital format:**
 - a) Detailed designs of all proposed signs including the size, height, **changeable** copy, **and** materials, ~~and colors~~ of such signs.
 - b) **A graphic showing** ~~P~~proposed number and location of signs shall be submitted.
 - c) Sign Illumination Plans.
 - d) Plans for landscaping ~~or~~ **and** architectural features to be used in conjunction with such plans.
- .3 The proposed signs meet the following criteria: **To utilize any of the below special provisions, it shall be noted in the approved Master Sign Plan.**
 - a) All signs are coordinated in terms of design features.
 - b) ~~The maximum amount of allowable wall mounted signage per individually constructed tenant space of one non-street fronting wall shall not exceed 25% of the area of the street fronting sign, up to a maximum of 32 square feet. This 25% increase may only be used on one non-street fronting wall. The maximum size of wall mounted signage on a non-street fronting wall that contains pedestrian entry and fronts a parking area shall not exceed 40 square feet. This increase may only be used on one non-street fronting wall that contains pedestrian entry and fronts a parking area.~~
 - c) Marquee and Hanging/Blade Signs may be increased by 25%, however they may project no more than 4 feet from the building wall, and no more than 3 feet over a sidewalk in a town-maintained right-of-way.
 - d) The maximum size of detached signs is not increased by more than 25%.
 - e) The number of detached signs along a street frontage does not exceed 3.
 - f) The maximum height of a detached sign does not exceed 12 feet.
 - g) Multi-information directional signs are no greater than 16 square feet and are located in the interior of a development.

Section 8. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Zoning Ordinance Section 10.13 Application and Issuance of Sign Permits, is hereby amended as follows:

10.13 Application and Issuance of Sign Permits

10.13.1 Application.

Applications for permits shall contain or have attached the following information:

- .4 A site or plat plan of the property involved, showing accurate placement of the proposed sign including distance from right-of-way and any sight triangles, ~~intended use(s) of the property and zoning district designation.~~
- .5 ~~Two (2) blueprints or inked, sealed drawings~~ Drawings of the sign plans and specifications of the sign to be erected or affixed as deemed necessary by the Zoning Administrator. Such plans may include but shall not be limited to details of dimensions, materials, copy, and size of the proposed sign. For wall signs, dimensions of the building wall on which the sign is to be affixed and the location and size of existing wall signs shall also be included.

Section 9. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 12.2.2 Sign Definitions, is hereby added to the Zoning Ordinance as follows:

Sign Types. The following are types of signs included in this ordinance.

Directional or Instructional Sign. An on-premises sign designed to guide vehicular and/or pedestrian traffic by using such words as "Entrance", "Exit", "Parking", "One-Way", "Customer Pick Up", "Drive-Up", "Curbside Pick Up", or similar direction or instruction, but not including any advertising message. The name or logo of the business or use to which the sign is giving direction may also be included on the sign.

Section 10. This ordinance shall become effective upon the date of adoption.

HUNTERSVILLE ORDINANCE ADVISORY BOARD: February 2, 2023 (Recommended Approval)

PUBLIC HEARING DATE: April 3, 2023

PLANNING BOARD MEETING: April 25, 2023

TOWN BOARD DECISION: May 15, 2023

TA22-11 Changes to Zoning Ordinance Article 10

1) Section 1

a) Article 10.2

- i) Removed outdated reference to who issues sign permits

2) Section 2

a) Article 10.3.6

- i) Codify that signs are not allowed in utility/storm easements without permission from easement holder (this is already practice)

3) Section 3

a) Article 10.4

- i) Amended to specify what type of zoning district TOD-E and TOD-R are classified as for the purposes of sign regulations

4) Section 4

a) Article 10.6.1

- i) Add visual aid for measuring sign area to help when explaining to customers

5) Section 5

a) Article 10.7

- i) Under Civic Buildings in any district, codify that signs for parks and greenways are subject to those standards as well
- ii) Under Any Building Type in A Mixed-Use District Except A Detached House, added sign regulations for TOD-R.
- iii) Under Any Building Type in A Commercial District Except Detached House, added sign regulations for TOD-E.
- iv) Under Mixed Use Buildings where Permitted in Residential Districts, add sign regulations for commercial use and mixed use in R & TR. There are limited commercial uses allowed in R & TR and we currently do not have specific standards for signs in these districts. An example of a business in R that requested a sign is the ivory barn event venue.
 - (1) Increase allowed square footage of ground-mounted signage from 12 SF to 16 SF to give flexibility while still keeping the size smaller than ground-mounted signs allowed in other zoning districts so the sign will blend better with surroundings.
- v) **Parking Lot Signage.** Currently, a building wall that does not front a street or urban open space is only allowed a wall sign if it contains a pedestrian entrance and fronts a parking area. When allowed, the maximum area of the non-street fronting (parking lot) sign is 25% of the allowed square footage for the street-fronting (primary) sign,

TA22-11 Changes to Zoning Ordinance Article 10

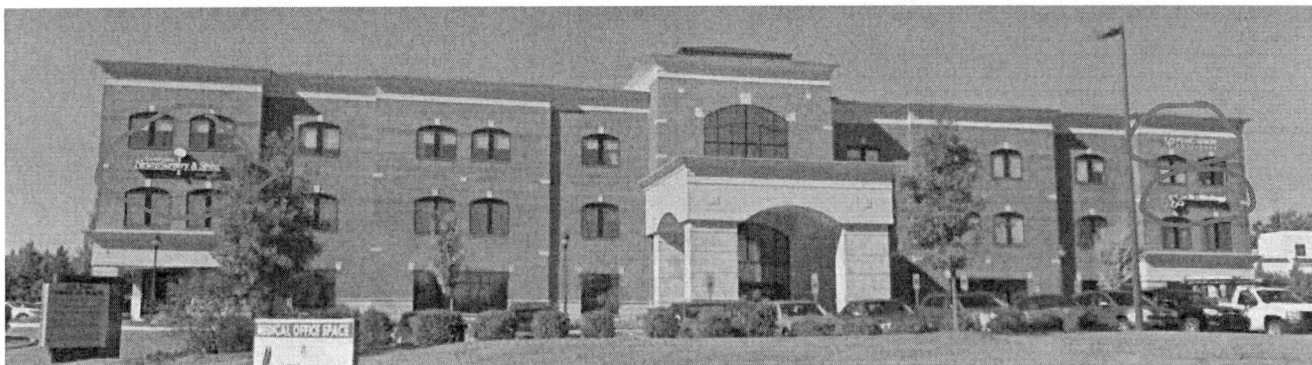
up to 32 SF. It also requires a square footage transfer (deduction of square footage) from the primary sign to the parking lot sign.

(1) Current Language

For buildings in all-residential, mixed use and non-residential projects, 25% of the allowable wall mounted signage of one street fronting or approved alternate frontage wall face per individually constructed tenant space (up to 32 sq. ft.) may be transferred to one wall face that does not front a public street, but which fronts a parking area and contains pedestrian entry.

- (a) Example. If the primary sign is allowed 100 SF in sign area, the parking lot sign would be allowed 25 SF in sign area (100 x 25%). The 25 SF would then be transferred (deducted) from the primary sign to the parking lot sign, leaving the primary sign with only 75 SF of usable sign area.
- (2) Staff is proposing to allow a 32 SF wall sign on a non-street fronting wall that fronts a parking lot and contains pedestrian entry.
 - (a) This removes away the 25% of the area of the primary sign limit and the requirement to transfer the square footage from the primary sign.
 - (b) Staff has gotten many comments on how restrictive the 25% size limit and the transfer requirement is over the years. Staff feels comfortable allowing 32 SF outright for a wall sign on a non-street fronting wall that fronts a parking lot and has a pedestrian entrance as it is still in keeping with the spirit of the ordinance.
- vi) Changed size of Planned Development Entrance from 24 to 32 SF to align with the size allowed for other monument signs.
- vii) 10.7.2 was added to regulate multi-story, multi-tenant buildings. Staff has received many inquiries from new tenants in multi-story, multi-tenant buildings about what size sign they can put up. In some cases, the primary wall of the building has already used up the allowed sign area on that primary wall. Tenants often express their frustration that the lease they signed promised space for a wall sign on the primary wall. 10.7.2 was added to make property owners/managers be pro-active so that this situation will not happen. If the number of tenant spaces were to change, the sign plan would need to be updated. This would be triggered by an application for a new sign permit for the building because staff would check to see if the number of tenant spaces for the building had changed.
 - (1) Staff has specified each tenant may have a 16 SF parking lot sign as previously the entire wall face for parking lot signage would be limited to 32 SF. Which, if there are multiple tenants, will not be enough for each tenant to have an identifiable sign.
 - (2) Example of multi-story/tenant building in Huntersville that has used all sign area

TA22-11 Changes to Zoning Ordinance Article 10



6) Section 6

a) Article 10.10.4

- i) Updating maximum height of instructional/directional signs to match the minimum height of 5' for a handicap parking lot sign. Since staff is specifying in Section 9 of the proposed ordinance that drive up/pick up signs are directional/instructional, staff increased the height limit from 4' to 5' to match the minimum height of handicap parking lot sign. The intention is to keep the drive up/pick up signs a comparable size/height to the handicap parking lot signs to prevent the drive up/pick up signs from overwhelming the parking lot landscape.

b) Article 10.10.20

- i) The ordinance does not permit sporting event flags. Staff has received feedback multiple times from local sports team about the desire to have these flags. Staff is not comfortable with permitting sporting flags because flags flutter and signs that flutter are prohibited by our ordinance, so as a compromise, staff is proposing to allow temporary sporting event signs instead of flags.

c) Article 10.10.21

- i) Government signs are defined by our ordinance but are not mentioned in Article 10 (other than under 10.7.1 there are regulations for signs specific to Civic Buildings). Government signs do not require a sign permit so Staff codified that under the Signs Permitted without a Permit section.

7) Section 7

a) Article 10.11.1 & 10.11.2

- i) Name of Master Sign Programs changed to include word 'sign' and 'option' in each for clarity
- ii) Added language under the Special Sign District to codify the requirement of approval by the Town Board and the amendment for such approval
- iii) Updated content requirements for the Master Sign Plans to align with what we currently request
 - (1) Codified requirements already being used for the Special Sign District Master Sign Plan.

TA22-11 Changes to Zoning Ordinance Article 10

- iv) Updated the sign criteria under the Planned Development Flex Option to allow a 40 SF sign on one non-street fronting wall. This aligns with the flexibility from general sign regulations allowed by the Planned Development Flex Option.

8) Section 8

a) Article 10.13.1.4 & 10.13.1.5

- i) Updated sign application requirements to reflect information we currently require.

9) Section 9

a) Article 12.2.2 Sign Definitions

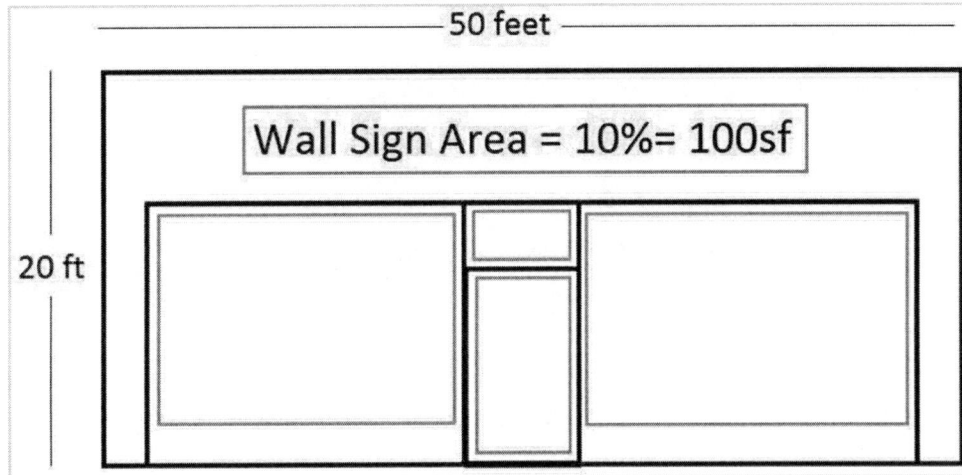
- i) Signs for customer pick up (curbside/drive up signs) are considered directional/instructional signs by our ordinance. These are permitted without a permit but still have size standards. We specified in the definition of directional/instructional signs that signs for customer pick up are considered such.
 - (1) Staff has had a few requests for drive up/curbside signs that are very large in height and size and look more like an advertising sign for curbside/drive up rather than directional/instructional sign. The addition of the language is to make pick up signs subject to the size and height limit of directional/instructional signs to prevent the signs for overwhelming the parking lot landscape.
 - (2) Example of large pick-up structure with large sign



Sign Area Example

How to calculate maximum wall sign area for street-fronting (primary) signs

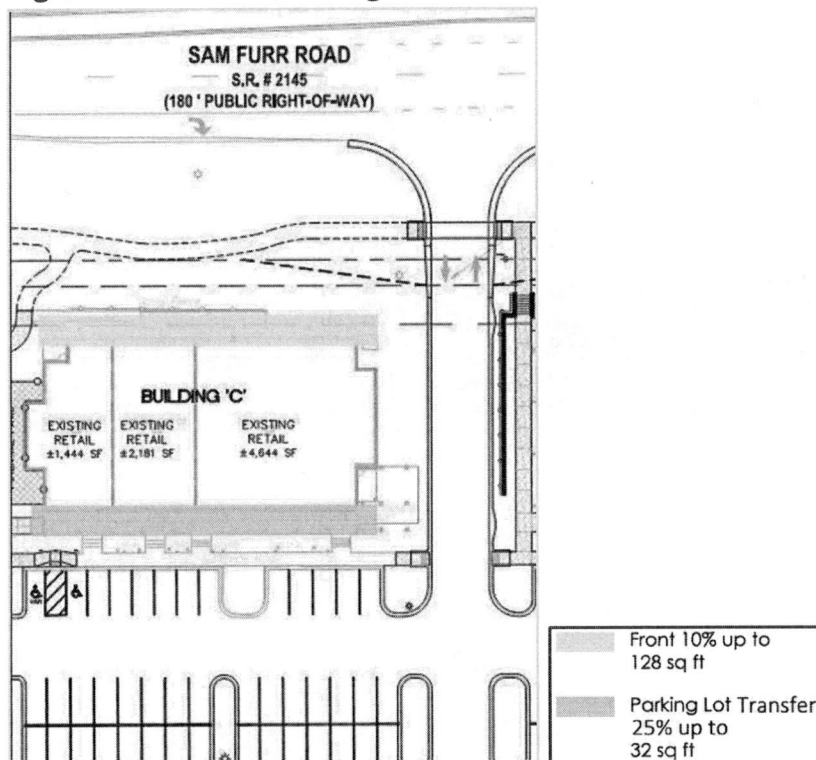
- Using the graphic below as an example, find the area of the street-fronting wall.
 - $50' \times 20' = 1,000 \text{ SF}$
- Multiply the area of the street-fronting wall by 10%. The resulting number is the maximum sign area for street-fronting signage.
 - $1,000 \text{ SF} \times 10\% = 100 \text{ SF}$



How to (currently) calculate maximum wall sign area for non-street fronting (parking lot) signs

- Multiply the maximum sign area of the street-fronting signage by 25%. The resulting number is the maximum sign area for non-street fronting signage.
 - $100 \text{ SF} \times 25\% = 25 \text{ SF}$
- Deduct the SF used for the non-street fronting sign from the maximum sign area of the street-fronting sign. The resulting number is the remaining maximum sign area for the street-fronting sign. If a non-street fronting sign is NOT erected, the maximum street-fronting wall sign area would remain at 100 SF.
 - $100 \text{ SF} - 25 \text{ SF} = 75 \text{ SF}$

Example of street-fronting and non-street fronting walls for a multi-tenant building in Birkdale Landing



Minutes of the Town of Huntersville Ordinance Advisory Board

The Town of Huntersville Ordinance Advisory Board met in person at 3:30 p.m. on Thursday, February 2, 2023.

Call to Order/Roll Call

Chairman Jones called the meeting to order at 3:30 pm.

Voting Members Present: M. Jones, J. Kluttz, K. Jones, F. Gammon, B. Skelly (arrived at 3:52 p.m.), H. Whittaker, T. Taylor, A. Hallman & T. Finlay

Non-Voting Members Present: Commissioner Munger, J. Simoneau, T. Barron, E. Sloop, and J. Glass

Non-Voting Members Absent: None

Approval of Minutes

Item 2A. Consider approval of the January 5, 2023, Regular Meeting Minutes

Motion: K. Jones made a Motion to Approve the amended January 5, 2023, minutes. A. Hallman seconded the motion.

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

Public Comments

No public comments.

Action Agenda

T. Finlay stated that he had a conflict of interest with Item 4A and requested to be recused.

Motion: F. Gammon made a Motion to recuse T. Finlay for Item 4A. A. Hallman seconded the motion.

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

Item 4A: Consider recommendation on petition #TA22-11, a request by the Huntersville Planning Department for a text amendment to the Zoning Ordinance to amend Article 10 Signs to increase flexibility of sign regulations and codify current practices. (Kayleigh Mielenz)

K. Mielenz, Planner I reviewed the proposed amendment as included in the attached exhibits.

The Board had discussion related to clarifying terms, placement, safety concerns, and code enforcement.

Motion: K. Jones made a Motion to Approve TA22-11 to amend Article 10, Signs to increase flexibility of sign regulations and codify current practices. A. Hallman seconded the motion.

Vote: The motion passed (7-0-1) with H. Whittaker abstaining.

Motion: A. Hallman made a Motion to Reinstate T. Finlay. H. Whittaker seconded the motion.
Vote: The motion passed unanimously (8-0).

Item 4B: Consider recommendation on petition #TA22-15, a request by the Huntersville Planning Department for a text amendment to Article 7 Landscaping and Open Space to update penalties for removal/damage of required vegetation. (Kayleigh Mielenz)

K. Mielenz, Planner I presented the proposed amendment as included in the attached exhibit. Staff stated that they will be redrafting the amendment to simplify the penalty calculation. Staff indicated that the revision will be so extensive that they would recommend the Board limit discussion on this item until the new version is presented.

Item 4C: Consider a recommendation on petition #TA23-01, a request by the Huntersville Planning Department for a text amendment to Article 7, Part A: Landscaping altering the spacing and location of required street trees and providing greater flexibility for the types of supplemental residential lot trees. (Lauren Speight)

L. Speight, Senior Planner presented the proposed amendment as included in the attached exhibits.

H. Whittaker asked if the tree was placed on the homeowner's property who would be responsible for maintenance, replacement, and possible damages caused by the tree. Staff responded that currently the ordinance indicates the homeowner or homeowner's associated would be responsible as determined by that homeowner's association.

H. Whittaker asked about developer requirements for yard trees and types of trees. Staff relayed the history behind the ordinances related to yard trees, varying sizes of side paths, how tree types were considered, and how placement of trees is now being considered to reduce damages.

H. Whittaker stated he is not opposed to this. He commented on the importance of clear communication and expectations so that homeowners would fully understand their financial responsibilities.

K. Jones asked how a homeowner may be affected if an existing neighborhood is retrofitted with curb and gutter. Staff responded that a yard tree requirement would not apply and retrofit streets are typically too tight to allow for street trees.

Commissioner Munger added that this is a layered issue which includes sidewalks being adjacent to roads leading people to park on sidewalks, sidewalks being further in leads to homeowners parking in their driveway and partially blocking the sidewalk. This leads to the focus being on the correct tree installed correctly for the size of the planting strip. He added that in Vermillion, the homeowner is responsible for replacing the street tree if it dies and must get approval from the homeowner's association for which type of tree he may plant in that location.

F. Gammon commented that he does not want to add more regulation and burden on the homeowners regarding trees and there should be greater education related to the current regulations and resident requirements.

H. Whittaker commented that moving the tree up into the homeowner's property and the line fills up with roots it would become the responsibility of the homeowner which could create a serious cost.

M. Jones asked staff about how the tree is planted. Staff confirmed that the note is on the plan requiring a specific method for tree planting however this is not inspected, and trees are often found planted incorrectly.

S. Trott, Director of Engineering for Town of Huntersville commented that in addition to sewer, water, power, gas, and telecommunication lines are also typically in the planting strip. Stormwater is publicly maintained and typically also within the planting strip. Additionally street signs, regulatory signs, streetlights are also in this area that can conflict with trees. Trees located can also create a sight distance issue so the number, size, spacing are a few of many factors that go into selecting the trees.

Item 4D: Consider a recommendation on petition #TA23-02, a request by the Huntersville Planning Department for a text amendment to Article 14.2.3, Traffic Impact Analysis, Applicability to remove a reference to the Subdivision Ordinance that no longer applies to sketch plans reviews per the approved amendment TA22-05 making the major subdivision review process administrative.

L. Speight, Senior Planner presented each section of the proposed amendment.

Staff confirmed ZO Article 14.2.3 would be amended as presented with the additional strike out of "for rezoning cases."

The Board had discussion related to when an applicant would be allowed to withdraw their plans, when they can resubmit, and how this would affect the timeline.

Motion: T. Taylor made a Motion to recommend approval of TA23-02 as presented by staff. T. Finlay seconded the motion.

Vote: The motion passed unanimously (9-0).

Item 5A: Acknowledge terms of service for Tim Taylor, Thomas Finlay & Brandy Skelley
Chairman Jones thanked all exiting Board members for their service.

Item 5B: Election of Chair and Vice-Chair

Nomination: F. Gammon nominated A. Hallman as Chair. H. Whittaker seconded the nomination. There were no other nominations.

Vote: The motion passed unanimously (9-0).

Nomination: A. Hallman nominated K. Jones as Vice-Chair. H. Whittaker seconded the motion. There were no other nominations.

Vote: The motion passed (8-1) with T. Finlay opposed.

Other Business

No other business.

Adjourn

Motion: J. Kluttz made a Motion to Adjourn. H. Whittaker seconded the motion.

Vote: The motion passed unanimously (9-0).

Approved this ____ day of _____ 2023.

Chairman or Vice Chairman

Board Secretary

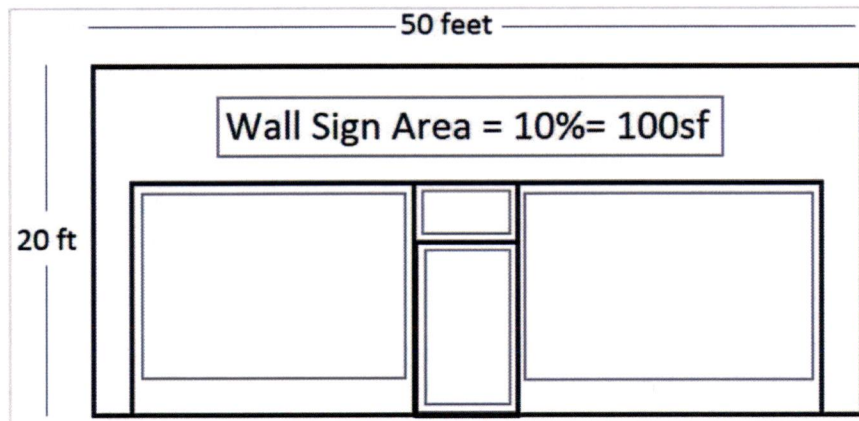
TA 22-11 Signs

Applicant: Town of Huntersville Planning Department

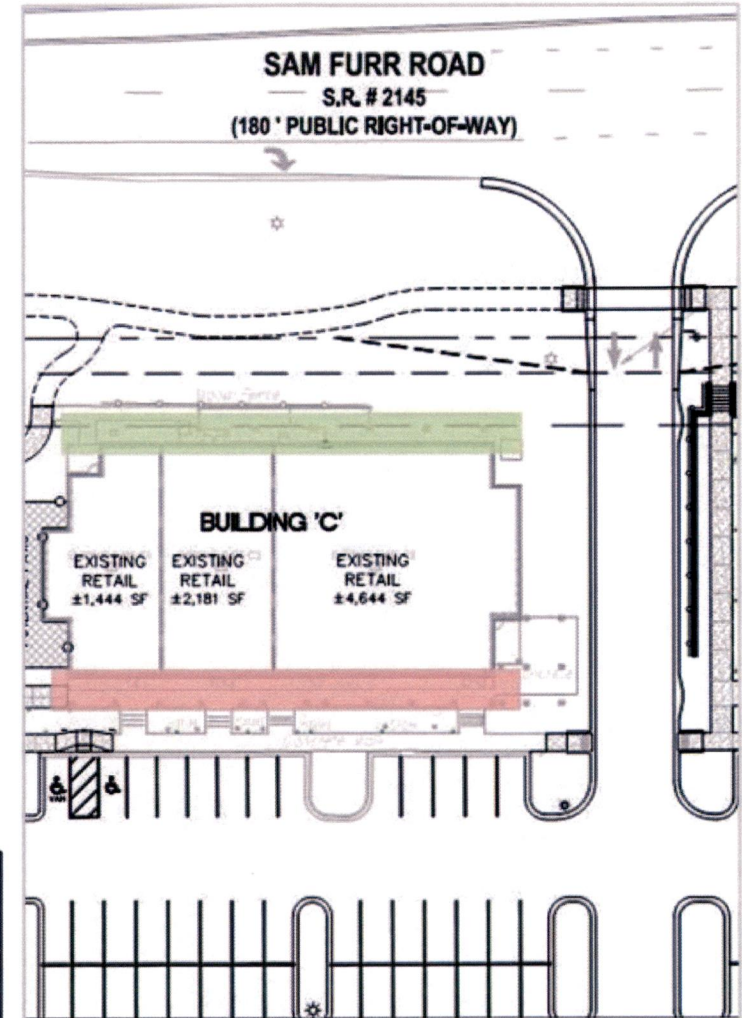
Article 10.7.1 Current – Parking Lot Signs

How to (currently) calculate maximum wall sign area for non-street fronting (parking lot) signs

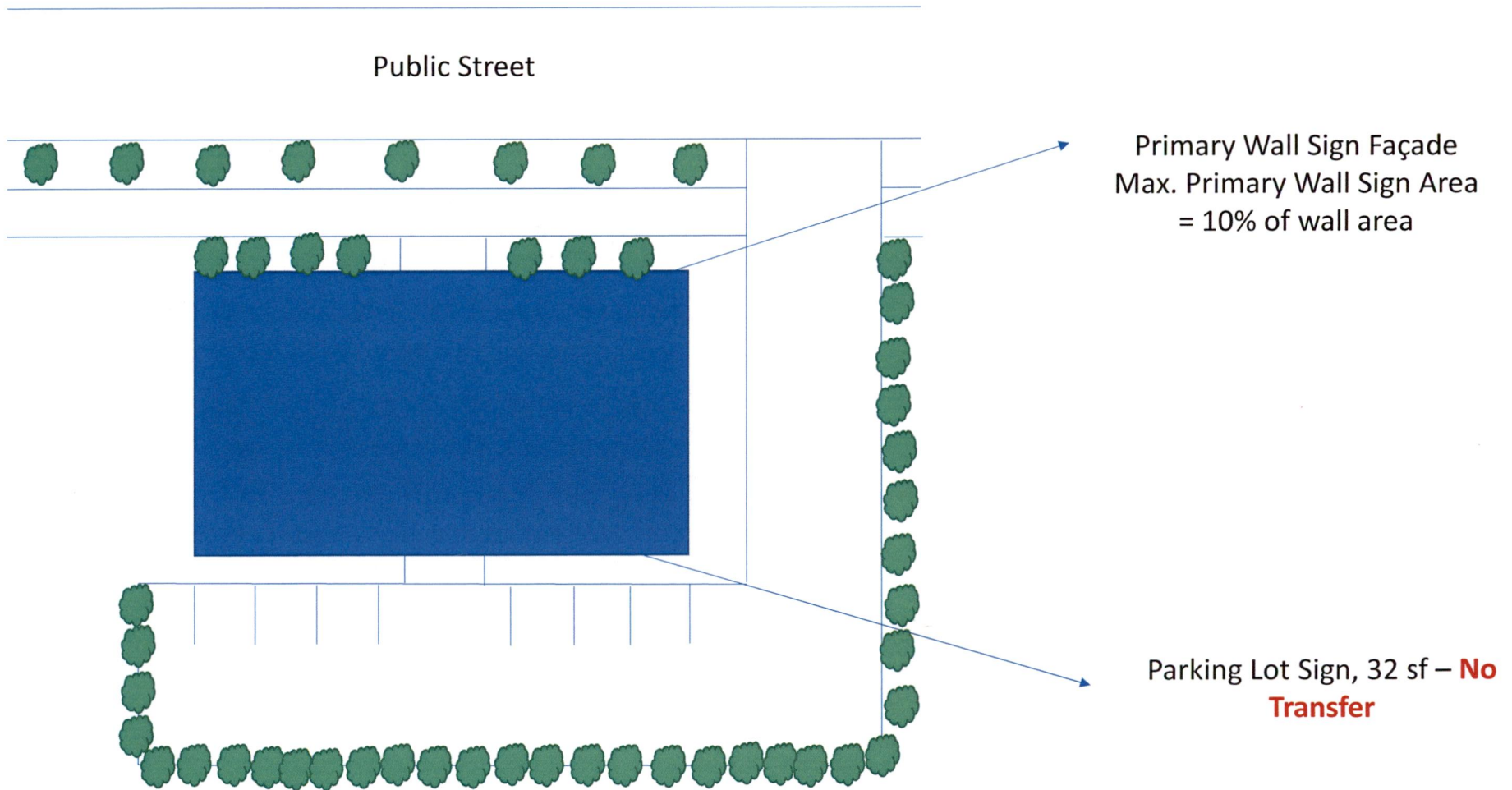
1. Multiply the maximum sign area of the street-fronting signage by 25%. The resulting number is the maximum sign area for non-street fronting signage.
 - a. $100 \text{ SF} \times 25\% = 25 \text{ SF}$
2. Deduct the SF used for the non-street fronting sign from the maximum sign area of the street-fronting sign. The resulting number is the remaining maximum sign area for the street-fronting sign. If a non-street fronting sign is NOT erected, the maximum street-fronting wall sign area would remain at 100 SF.
 - a. $100 \text{ SF} - 25 \text{ SF} = 75 \text{ SF}$



	Front 10% up to 128 sq ft
	Parking Lot Transfer 25% up to 32 sq ft



Article 10.7.1 **Proposed** – Parking Lot Signs



Purpose of Text Amendment:

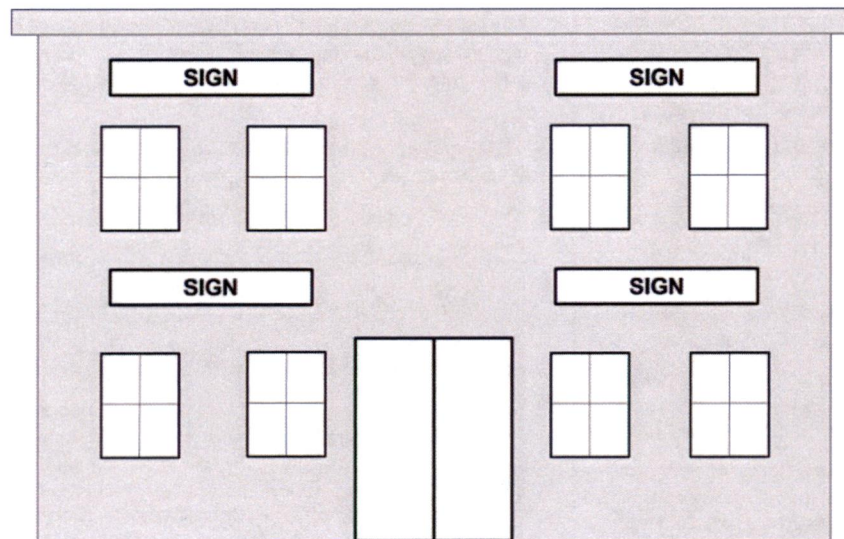
- To increase flexibility of sign regulations based on customer feedback
- To clarify existing regulations and codify current practices

Articles Proposed to be Amended:

- 10.2 Applicability
- 10.3 General Provisions
- 10.4 District Classification
- 10.6 Sign Measurement
- 10.7 Permanent Signs Requiring a Permit
- 10.10 Signs Permitted without a Permit
- 10.11 Master Signage Programs
- 10.13 Application and Issuance of Sign Permits
- 12.2.2 Sign Definitions

² A business bay in a mixed-use building is the width of the first floor which is used for any single business, extended from the front of the building to the back of the building.

² Notwithstanding the above, in the Highway Commercial or Corporate Business zoning district, when a commercial site plan is submitted for a new or redeveloped multi-story, multi-tenant building(s) that is a Highway Commercial, Urban Workplace or Shopfront building type, a sign plan shall be submitted for administrative review that includes, but is not limited to, locations of wall signs for each tenant and the square footage of wall sign area devoted to each tenant. Sign plan shall be revised if the number of tenant spaces changes after the approval of the sign plan. The maximum area permitted for wall signs is 10% of the area of any wall face fronting a street or approved alternate frontage, up to a maximum of 128 square feet. One wall face that does not front a public street or approved alternative frontage, but which fronts a parking area, may have up to 16 square feet of parking lot wall signage for each building tenant.



10.11 Master Signage Programs

Master signage programs establish two alternatives in providing latitude to develop appropriate signage designs for new or existing areas with special unifying features. The alternatives are the Special Sign District Option and the Planned Development Sign Flexibility Option. ~~Special Sign Districts require approval by the Board of Commissioners following review and recommendation by the Huntersville Planning Board.~~

10.11.1 Special Sign District Option

Special Sign Districts require approval by the Board of Commissioners following review and recommendation by the Huntersville Planning Board. ~~For the purpose of a Special Sign District is to establishing, enhancing, preserveing, and developing the character, quality, and property values of areas of unique character and special development potential, districts in which signs are regulated by special provisions may be established subject to the following conditions:~~

- .1 As a prerequisite to the establishment of such a special sign district, it must be determined that the modified rules established for said district shall:
 - a) Preserve and enhance the special character of the particular area; and
 - b) Not contravene the intent of this ordinance; and
 - c) Cause no disturbance to neighboring property lying outside the proposed district.
 - d) Without changing the basic structure of this ordinance, the modified rules for a special sign district may impose sign regulations which provide greater latitude or more stringent limitations than those provided elsewhere in this ordinance.
- .2 The special sign district constitutes an overlay district and shall conform to the procedures of Article 11 for purposes of adoption and administration. Districts for which special sign regulations may be imposed include, but shall not be limited to, the Town Center District, the Neighborhood Center District, the TND-U and TND-R districts.
- .3 A Master Sign Plan shall be submitted that includes, but is not limited to, the following information in a digital format:
 - a) Detailed designs of all proposed signs including the size, height, changeable copy, and materials of such signs.
 - b) A graphic showing proposed number and location of signs.
 - c) Sign Illumination Plans.
 - d) Plans for landscaping and architectural features to be used in conjunction with such plans.
- .4 Once the Special Sign District has been approved, modifications to the Master Sign Plan must be reviewed and approved in the same manner in which the approval was originally made, including any necessary notice and public hearing. However, minor modifications, as defined by Article 12 of this ordinance, may be approved by the Zoning Administrator.

10.11.2 Planned Development Sign Flexibility Option

For the purpose of providing flexibility and incentives for coordinated, well-designed sign systems for large-scale development, special provisions varying the standards of this ordinance may be approved by the Zoning Administrator, subject to the following:

- .1 The development is: a planned residential, nonresidential, or mixed-use development, 10 acres or greater in size; a hospital or other large-scale institutional complex; a large-scale cultural, civic or recreational facility; or a similar large-scale development.
- .2 A Master Sign ~~Plan~~ Program shall be submitted that includes, but is not limited to, the following information in a digital booklet format ~~is submitted~~:
 - a) Detailed designs of all proposed signs including the size, height, changeable copy, and materials, ~~and eelors~~ of such signs.
 - b) A graphic showing P~~proposed~~ number and location of signs shall be submitted.
 - c) Sign Illumination Plans.
 - d) Plans for landscaping or and architectural features to be used in conjunction with such plans.
- .3 The proposed signs meet the following criteria: To utilize any of the below special provisions, it shall be noted in the approved Master Sign Plan.
 - a) All signs are coordinated in terms of design features.
 - b) ~~The maximum amount of allowable wall mounted signage per individually constructed tenant space of one non-street fronting wall shall not exceed 25% of the area of the street fronting sign, up to a maximum of 32 square feet. This 25% increase may only be used on one non-street fronting wall. The maximum size of wall mounted signage on a non-street fronting wall that contains pedestrian entry and fronts a parking area shall not exceed 40 square feet. This increase may only be used on one non-street fronting wall that contains pedestrian entry and fronts a parking area.~~
 - c) Marquee and Hanging/Blade Signs may be increased by 25%, however they may project no more than 4 feet from the building wall, and no more than 3 feet over a sidewalk in a town-maintained right-of-way.
 - d) The maximum size of detached signs is not increased by more than 25%.
 - e) The number of detached signs along a street frontage does not exceed 3.
 - f) The maximum height of a detached sign does not exceed 12 feet.
 - g) Multi-information directional signs are no greater than 16 square feet and are located in the interior of a development.



Source: USA Today

X



✓

Section 9. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Section 12.2.2 Sign Definitions, is hereby added to the Zoning Ordinance as follows:

Sign Types. The following are types of signs included in this ordinance.

Directional or Instructional Sign. An on-premises sign designed to guide vehicular and/or pedestrian traffic by using such words as "Entrance", "Exit", "Parking", "One-Way", "Customer Pick Up", "Drive-Up", "Curbside Pick Up", or similar direction or instruction, but not including any advertising message. The name or logo of the business or use to which the sign is giving direction may also be included on the sign.

Section 6. BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina, that Zoning Ordinance Section 10.10 Signs Permitted without a Permit, is hereby amended as follows:

10.10 Signs Permitted without a Permit

The following types of signs are exempt from permit requirements and allowed in all zones, but shall be in conformance with all other requirements of this ordinance.

- .4 On premise directional and instructional signs not exceeding 6 square feet in area, unless such sign is a monument sign, in which case it may not exceed 9 square feet. Maximum height: ~~4~~5 feet.

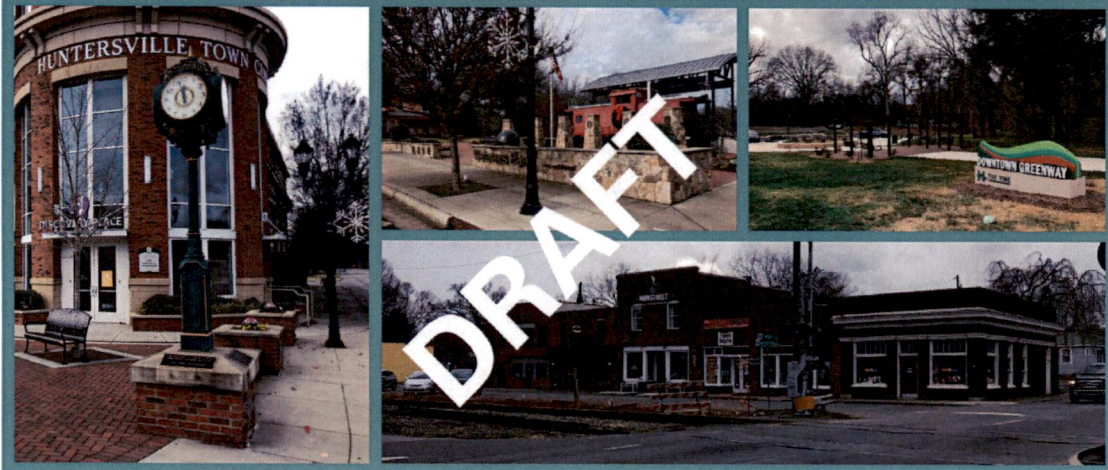
.20 Temporary Sporting Event Sign

a) Signs shall be displayed only on the property on which the event is held.

b) No more than one sign per street front shall be permitted per event.

c) Signs shall not exceed 32 square feet in area or 6 feet in height.

d) Signs shall be erected no sooner than the day of the event and may only be erected through the duration of the event.



ADOPTED
TBD 2023 - Pending

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

Executive Summary

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Planning Board Recommended Approval February 28, 2023

Acknowledgments

Downtown Plan Steering Committee (DPSC)

Voting Members

Sarah McAulay, *Chair*
Lee Hallman, *Vice Chair*
Robert "Nate" Bowman
Gatewood Campbell
Doug Ferguson
Sean Flynn
John Foster
Barbara Gerhardt
Charles Guignard
Janelle Harris
Elaine Kerns
Bob Lemon
Elizabeth Rodriguez
Cindy Trevisan
Jessica Tucker

Ex-Officio, Non-Voting Members

Stephen Swanick
Kathy Jones
Diane McLaine
John O'Neill
April Dunn
John McClelland
Mike Russell

Committee Interest

Adjacent Neighborhoods
Adjacent Neighborhoods
Business / Development
Community At-Large
Community At-Large
Business / Development
Business / Development

Business / Development
Adjacent Neighborhoods
Adjacent Neighborhoods
Community At-Large
Adjacent Neighborhoods
Business / Development
Community At-Large

Representing

Planning Board
Ordinances Advisory Board
Greenway, Trail & Bikeway Commission
Parks and Recreation Commission
Public Art Committee
Huntersville Chamber of Commerce
Lake Norman Chamber of Commerce

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Master Planning & Urban Design (Project Lead)

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Partner & Principal

Infrastructure Planning & Traffic Analysis

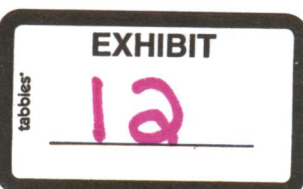
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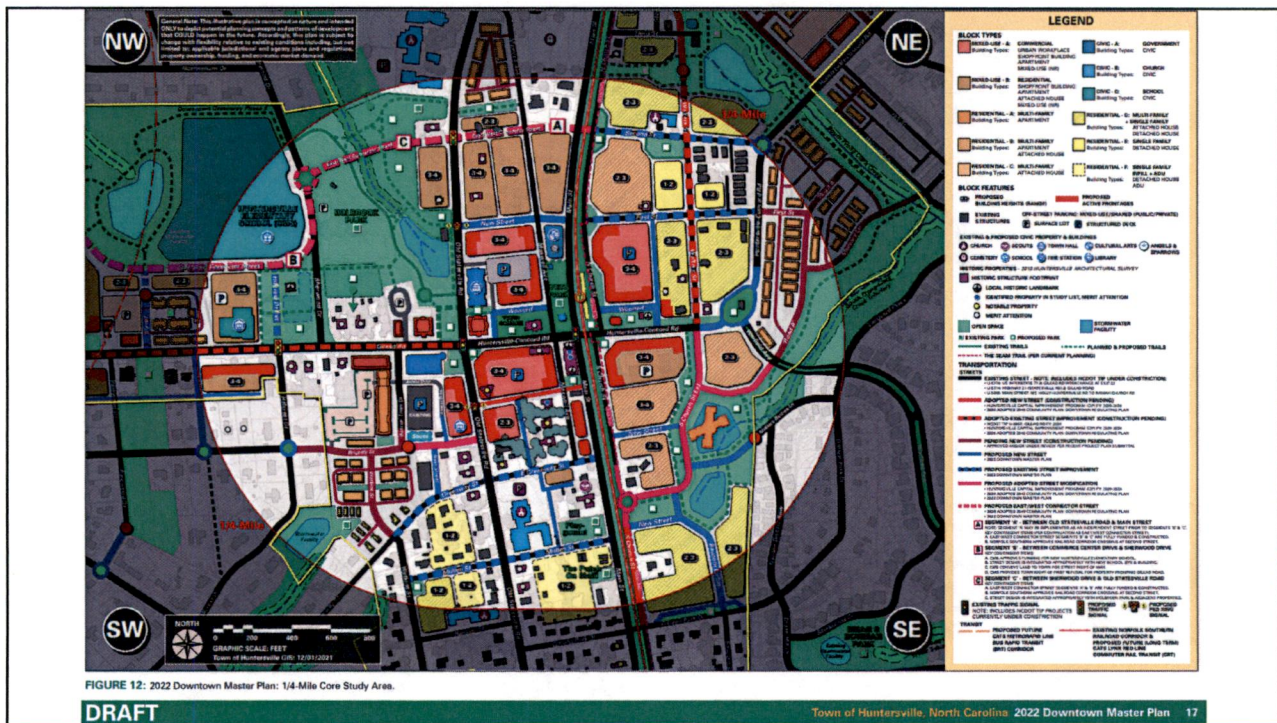
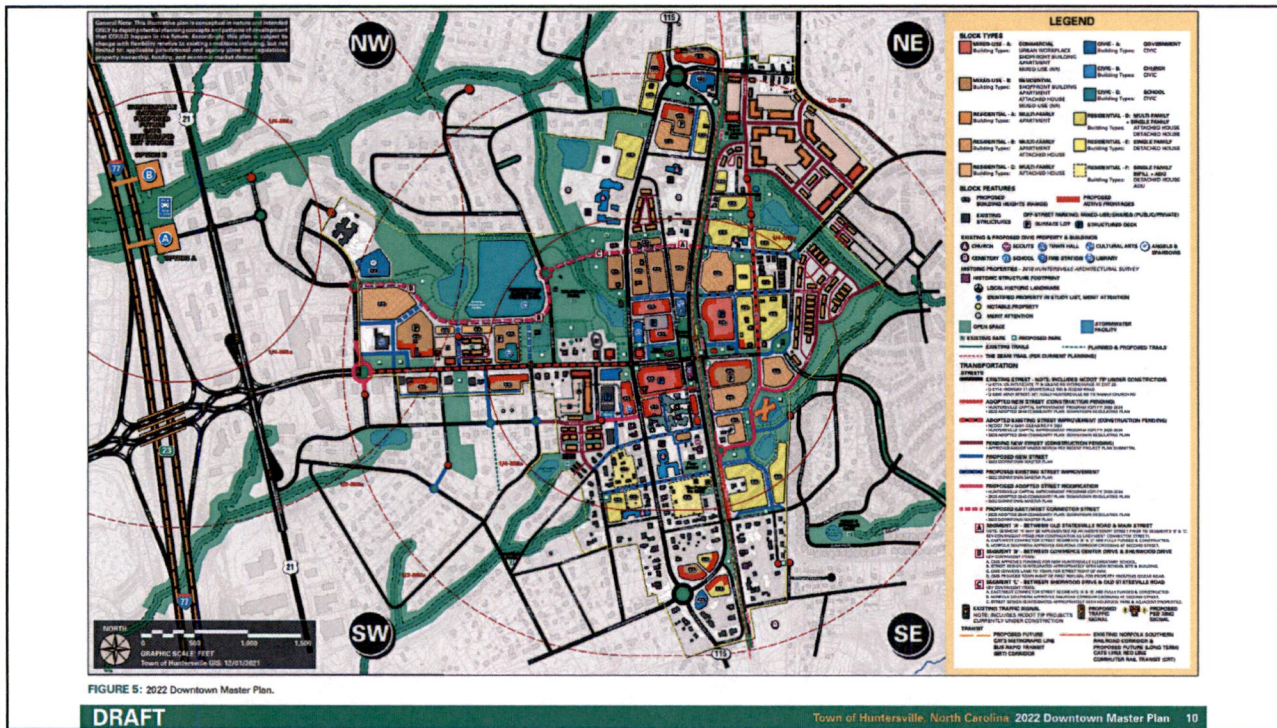
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Vice President, Area Roadway Design Manager - NC
Senior Traffic Engineer

Retail Market Analysis

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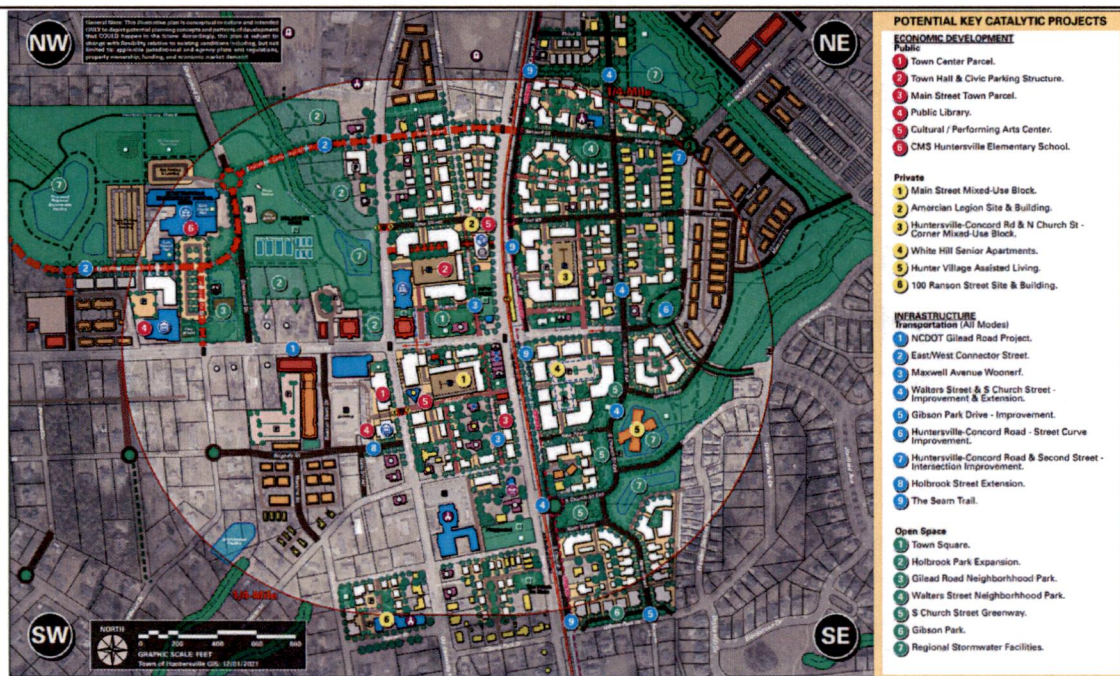


FIGURE 14: Conceptual Vision Plan: Potential Key Catalytic Projects.

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Executive Summary

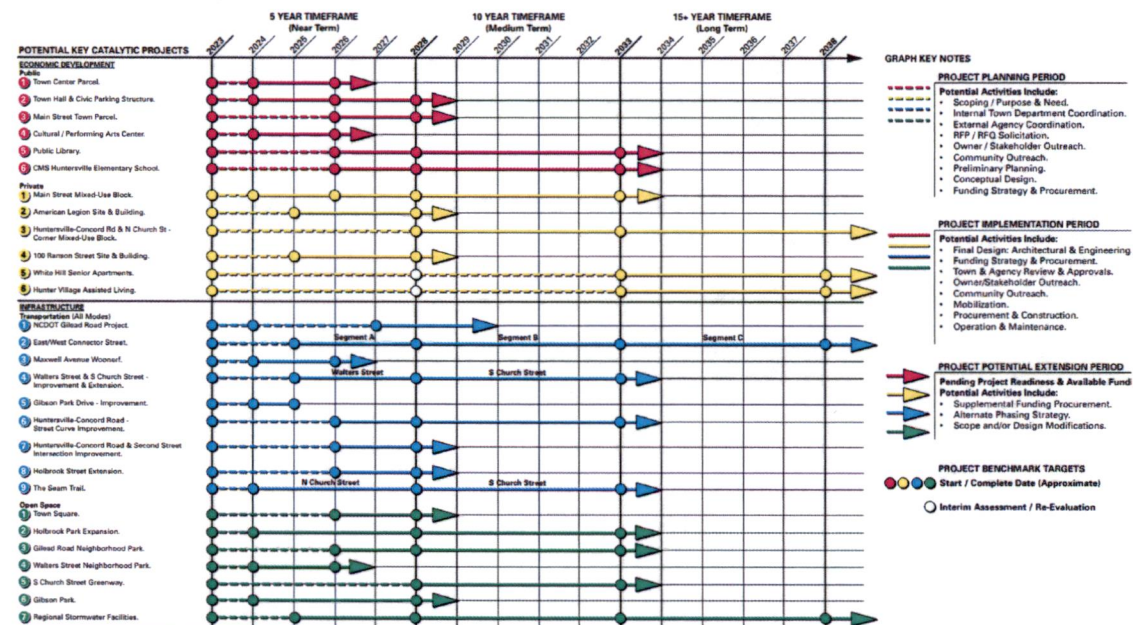


FIGURE 2: Potential Key Catalytic Projects: Preliminary Implementation and Phasing Timeline.

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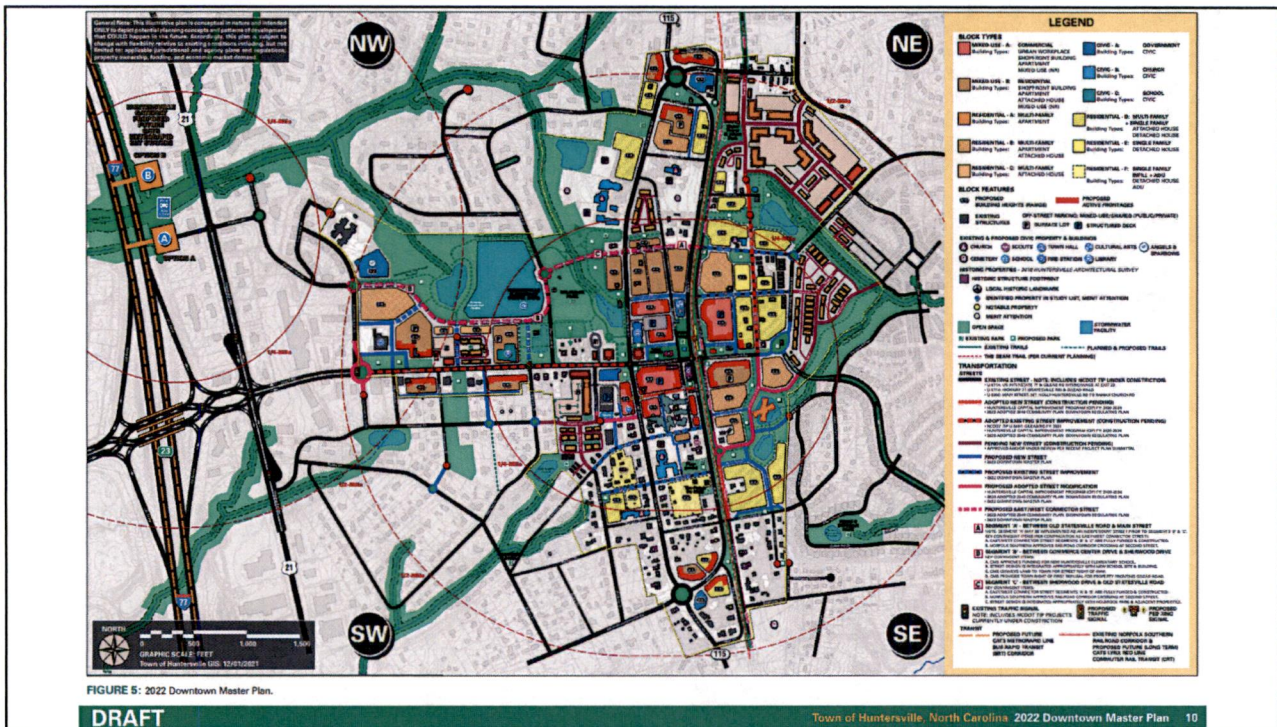


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Town of Huntersville, North Carolina 2022 Downtown Master Plan ii

For access to additional information and documents, please visit the 2022 Downtown Master Plan Project website: 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 1950 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 Extrajurisdictional Jurisdiction (EJJ)). 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 2008 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 2008 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 2008 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 Vermilion Village mixed-use projects. Downtown Huntersville is also significantly impacted by ongoing and future planned NCOD-led roadway improvement projects, both in the downtown and nearby, including Main Street, Gilead Road, Stateville 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 Stateville 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 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 1/4-mile radius (or 5-minute walkable area) of the approximate center of the downtown core, located at the intersection of Gilead Road and Old Stateville Road (NC 116) (See Figure 1).

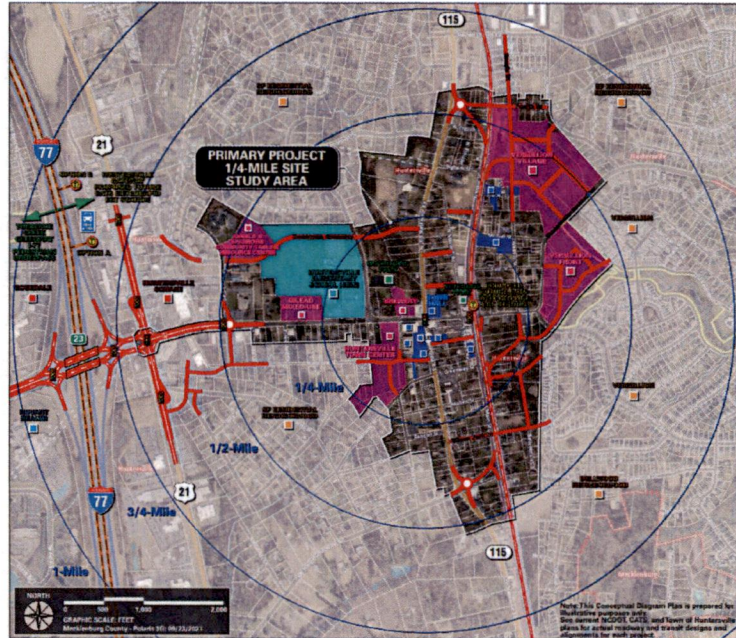


FIGURE 1: Downtown Huntersville Context and Study Area.

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Town of Huntersville, North Carolina 2022 Downtown Master Plan 1

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 volunteer 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-Liner 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 Reconnaissance 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 'hexarack' diagrammatic analysis along with annotated graphic exhibits and supporting case studies (see Appendix A).

Preliminary Assessment.

- Infrastructure.
 - Transportation.
 - Arterial Streets & Intersections (Gilead Rd & NC 116).
 - 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, Ordinances & 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 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 embedded 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.

Economic Vitality.

Economic State and Trend.

Local Business Support.

10/10/10 Goals and Initiatives.

Town Role and Contributions.

II. 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 Bicycle Access.

V. Infrastructure and Public Services.

Private and Public Property Maintenance.

Public Safety.

Public Art.

Traffic and Walkability.

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

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Town of Huntersville, North Carolina 2022 Downtown Master Plan 2

Executive Summary

(See Appendix F2-F6):

- I. DPCSC 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, public involvement and feedback was encouraged through upcoming Public Forum 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 refers 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 to 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 address 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 led 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 F7). The results for best approach to a Composite Plan:

- Alternate #2 'Medium Intensity': 46%
- Alternate #1 'Low Intensity': 29%
- Alternate #3 'High Intensity': 25%

Composite Alternative Futures.

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 Intensity' 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 Forum #3 with the general public. Planning was focused within the 1/4-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 Organizing Principles and includes key recommendations for each quadrant (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 to 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 scenarios (building footprints/form and silhouette sections) and streetscapes for various locations and conditions within each quadrant (See Appendix Q).

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 led 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 F8).

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 HFM 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 submitted 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 LeClerc, 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 rezoning, and the 2022 Downtown Master Plan. The Town and CMS are currently 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 48th 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 updates.

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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 to advance the Project. It is understood this Project is 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 design 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 streetcape amenities, and on-street parking relative to the U-5908 Main Street project (currently under construction) segments 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 Sub-regional 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 update 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 (chose toward east), design (signalized or roundabout), and extension (location) of Commerce Center Dr. to the Town's Hobbrook St. Extension Project - recently completed).

- Reaffirm the Town's Capital Improvement Program (CIP) roadway projects and funding allocation, if possible, to support and enhance level of service per potential design alternatives 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 (i.e., 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, design criteria (design speed, cross-sections) 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 'desirable 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 (see continuation on 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.

- 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 Hobbrook Park and adjacent properties.

6. 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 evaluate 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

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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 Centraline 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 revise the recommendations outlined within the Town of Huntersville 2008 Downtown Parking Study⁴ 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 corridor.

***Note:** The 2008 Downtown Parking Study was prepared with projected need for parking according to the 2005/2008 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 CIR.

- Recognize the Water and Sewer Authority of Cabarrus County (WSAC) 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 **Arboreal 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/Back** 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(ies), consider potential **Stormwater Banking and Infiltration Program** for existing and future development in the Downtown area.

B. Land Use / Urban Design Recommendations.

1. Adopted Town Documents, Ordinances & 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 4' to three, which 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 with smaller lots located within the Downtown Area, consideration should be given to breakdown the Apartment Building and Lot Type into smaller

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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 1/4-mile context.

- Consider additional community engagement process(es) 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 evaluate 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 patterns and hierarchy of development and open space in the Downtown (Tier 1 and Tier 2) with intentional building footprints and complementary building forms 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 off and engage owners 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 intentions 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 evaluate 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 Center.
 - 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 Ramon Street Site & Building.

- a. White Hill Senior Apartments.
- f. Hunter Village Assisted Living.

B. Infrastructure Development.

- 1. Transportation (All Modes):
 - a. NCDOT Gilead Road Project.
 - b. Maxwell Avenue Viaduct (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 Team Trail & Church Street - Co-Location & Improvement.
 - i. EastWest Connector Street.

- 2. Open Space:
 - a. Huntersville Town Square.
 - b. Holbrook Park Extension.
 - c. Gilead Road Neighborhood Park.
 - d. Magia 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 5-year timeframes (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 business and neighborhoods.

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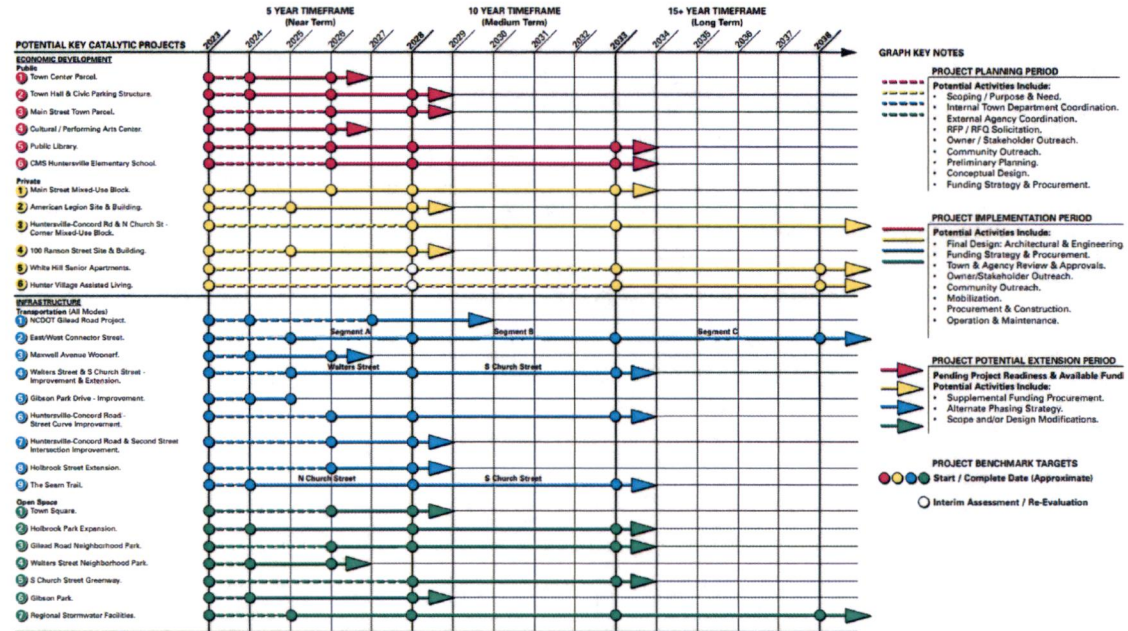


FIGURE 2: Potential Key Catalytic Projects: Preliminary Implementation and Phasing Timeline.

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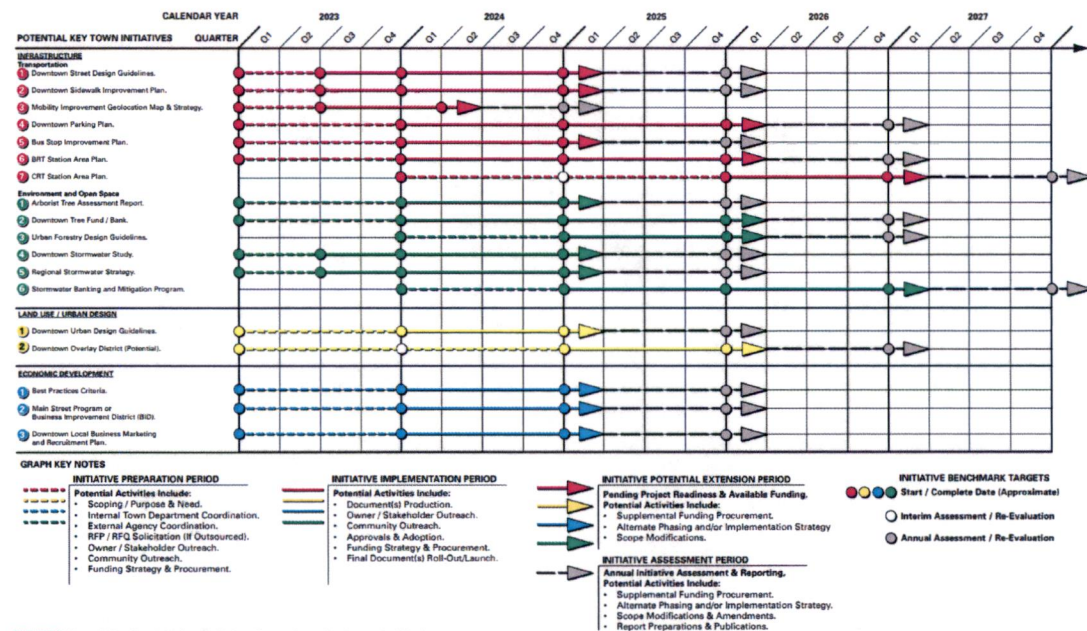


FIGURE 3: Potential Key Town Initiatives: Preliminary Preparation and Implementation Timeline.

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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, free-line 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:

TRANSIT-ORIENTED DEVELOPMENT
STREET NETWORK
PEDESTRIAN-FRIENDLY
BICYCLE-FRIENDLY
CITY CENTER
URBAN FORM
URBAN DESIGN
URBAN MOBILITY
URBAN TRANSPORTATION
URBAN INFRASTRUCTURE
URBAN PLANNING
URBAN POLICY
URBAN DESIGN
URBAN MOBILITY
URBAN TRANSPORTATION
URBAN INFRASTRUCTURE
URBAN PLANNING
URBAN POLICY

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:

NATURAL PARKS
PUBLIC GREENS
STREET TREES
PEDESTRIAN WALKABILITY
CALM TRAFFIC
TREE CANOPY
NEW DEVELOPMENT
WOODED AREAS
WATERSHED BASINS
CREATIVE WATER SOLUTIONS
ENVIRONMENTALLY BASED
URBAN LIFE

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 in a 1,000 people.

KEY WORDS:

WALKING ENVIRONMENT
FOOD AND BEVERAGE VENUES
STORES
LIVE/WORK/PLAY
DOWNTOWN
RITUALS
1 PERSON IN A 1,000 PEOPLE

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:

HOUSING OPTIONS
SOCIO-ECONOMIC STATUS
FAMILY TYPE
OWNERSHIP STRUCTURE
EXISTING NEIGHBORHOODS
SCALE AND INTENSITY
PROPORTION TO OTHER USES

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.
- Drive toward being the example for the change the community wants to see.

KEY WORDS:

INSTITUTIONS OF GOVERNMENT
FAITH
NON-PROFIT SECTOR
GOOD NEIGHBOR
LIFE OF THE STREET
CHANGE THE COMMUNITY WANTS TO SEE

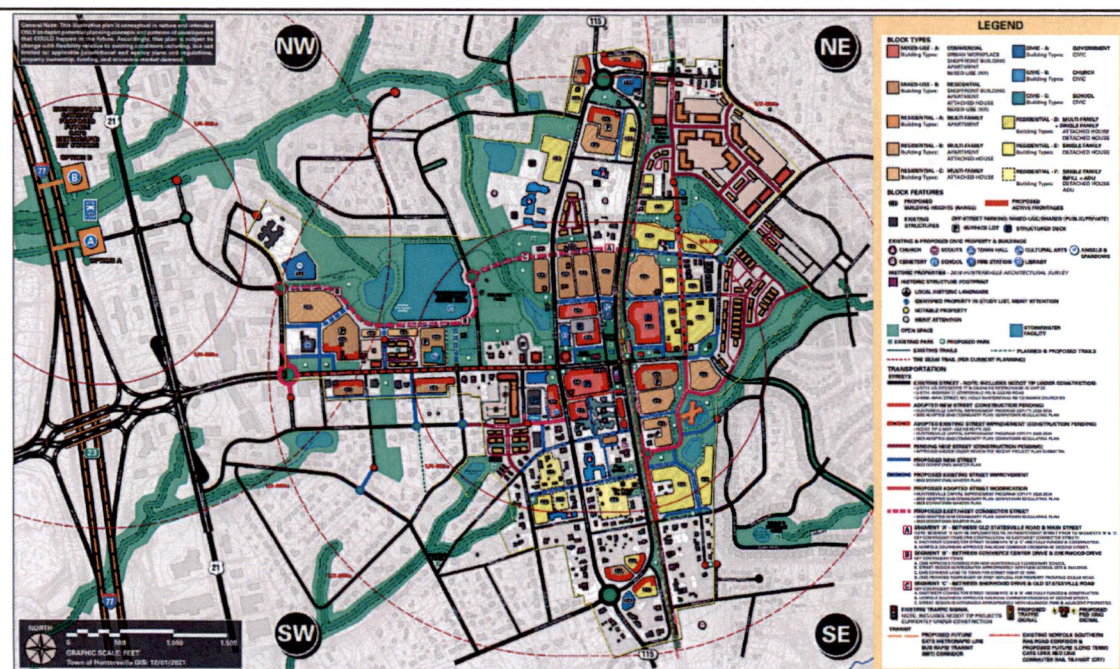
SOUL

- 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.
- Blend the mix of change more toward supporting small town locality 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.
- Share for the "X" Factor: An experience level that becomes your identity.

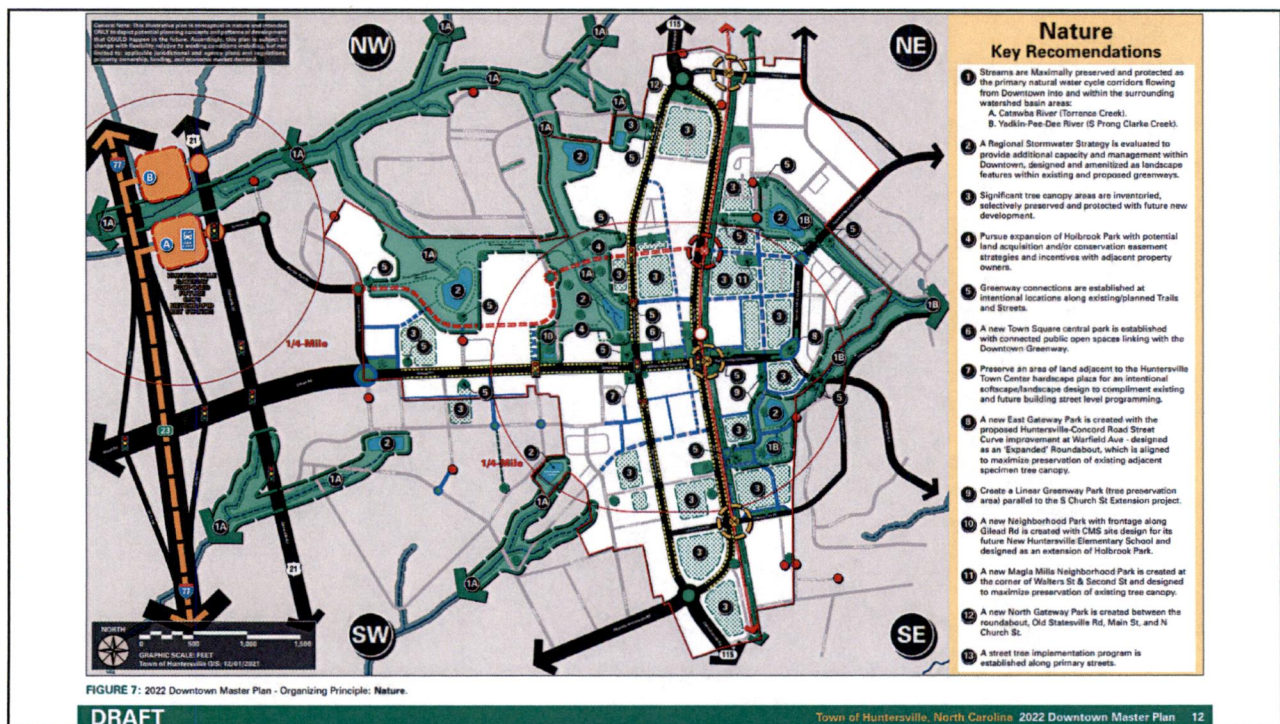
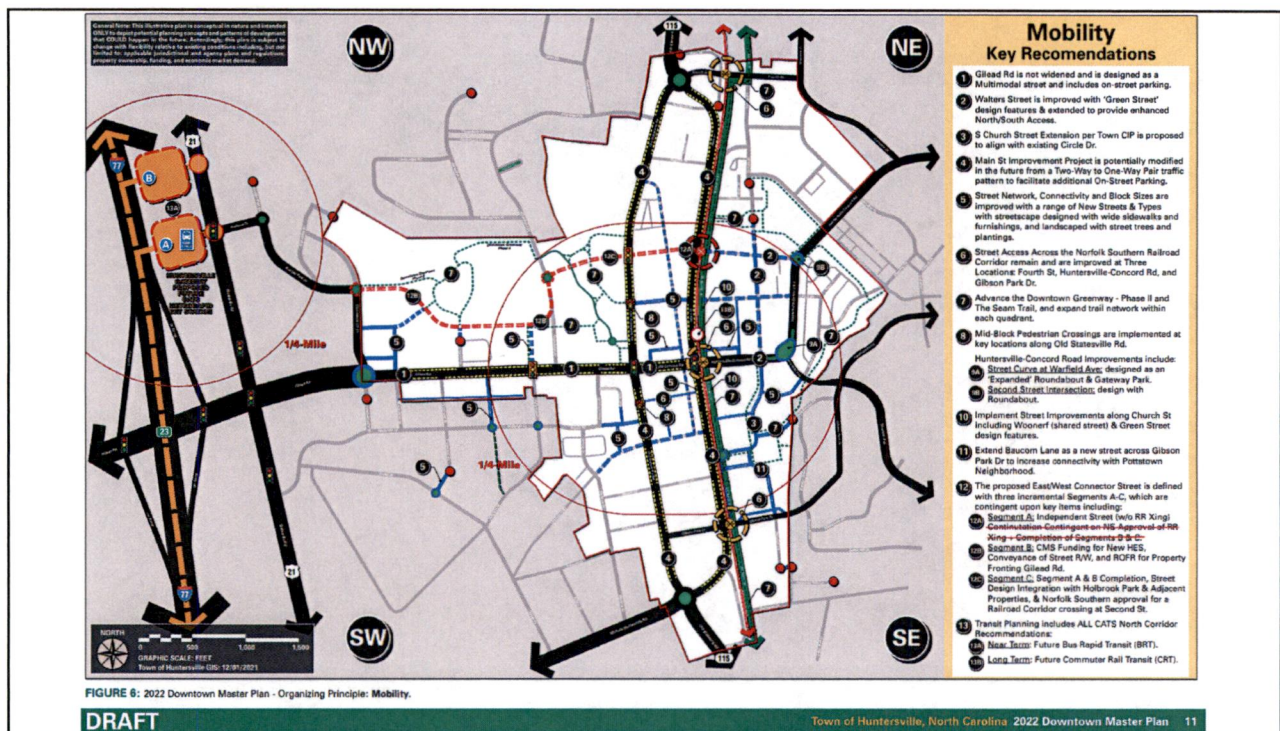
KEY WORDS:

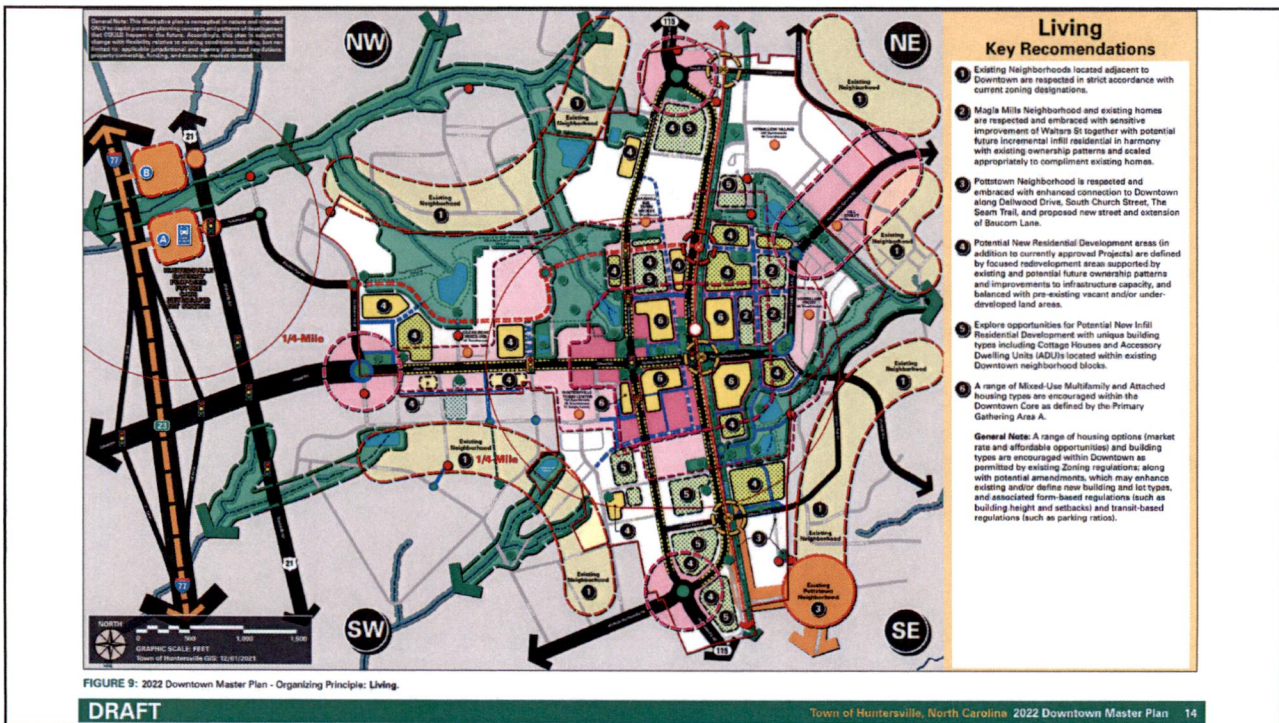
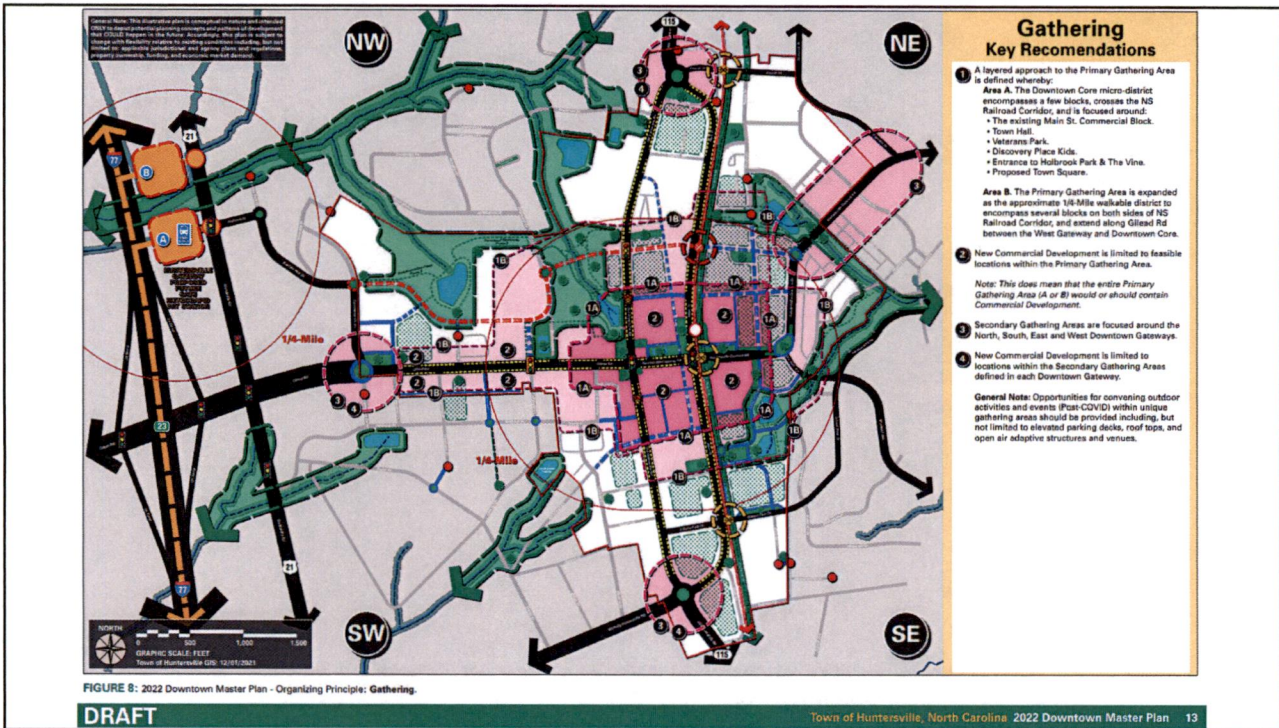
NATURAL AND MODERATED EVOLUTION
INTEGRATION OF A SMALL RURAL TOWN
21ST CENTURY METROPOLITAN REGION
SCALE
RHYTHM
PATTERNS
HISTORICAL PRECEDENT
CHANGE MORE TOWARD SUPPORTING SMALL TOWN LOCALITY
LESS TOWARD SIMPLY ACCOMMODATING TYPICAL MARKET-BASED DEVELOPMENT PRODUCTS
BALANCE IN ALL THINGS
HALLMARK OF GREAT SMALL TOWNS
MORE THAN THE SUM OF THEIR PARTS
"X" FACTOR
EXPERIENCE LEVEL
BECOMES YOUR IDENTITY

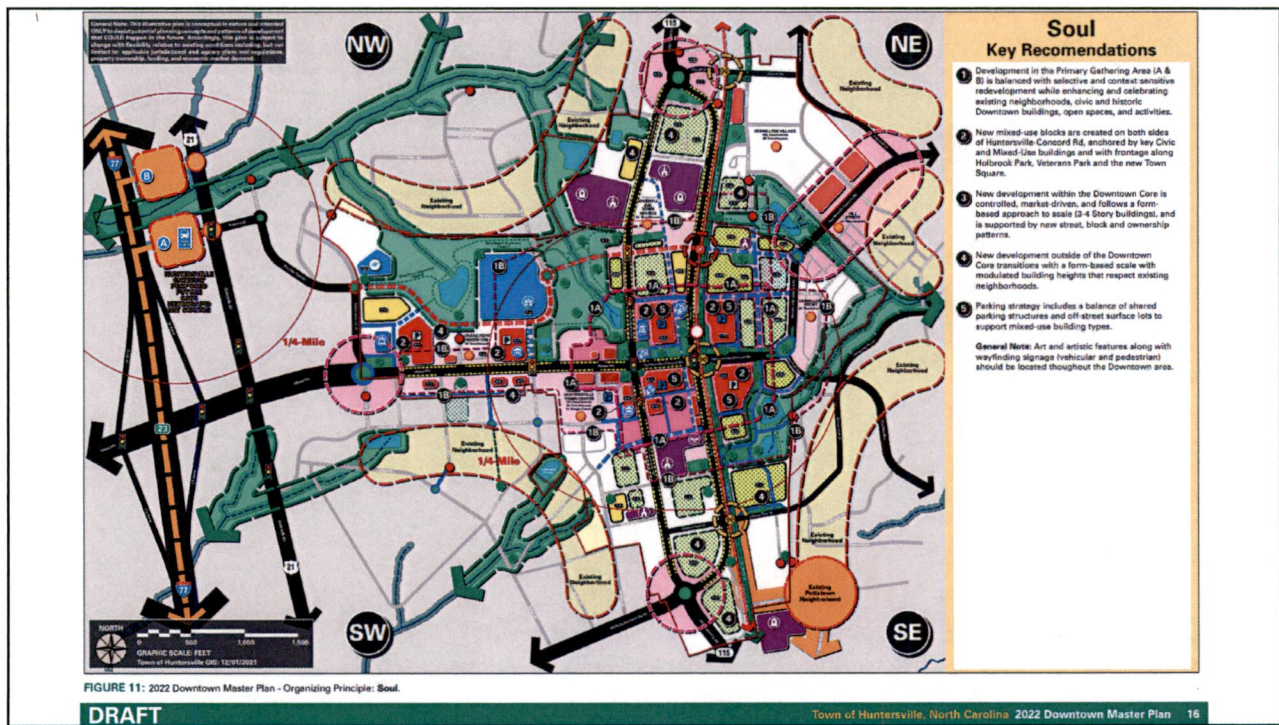
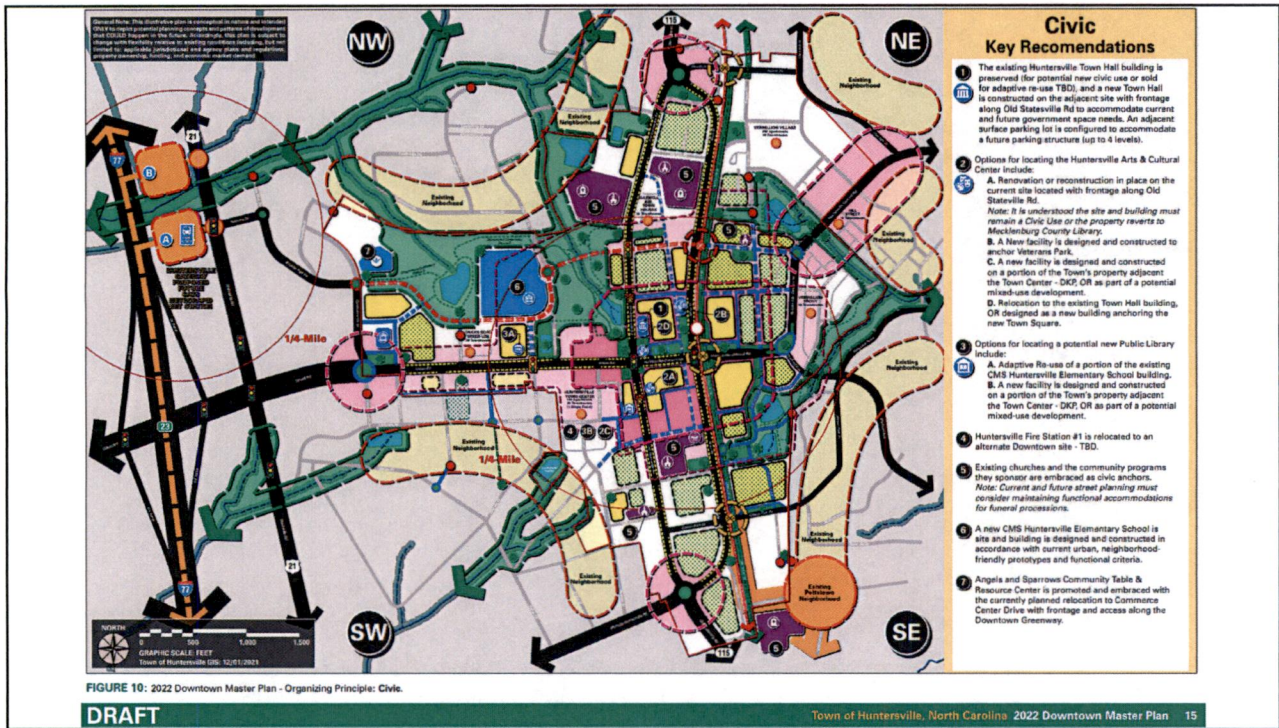
DRAFT Town of Huntersville, North Carolina 2022 Downtown Master Plan 9



DRAFT Town of Huntersville, North Carolina 2022 Downtown Master Plan 10







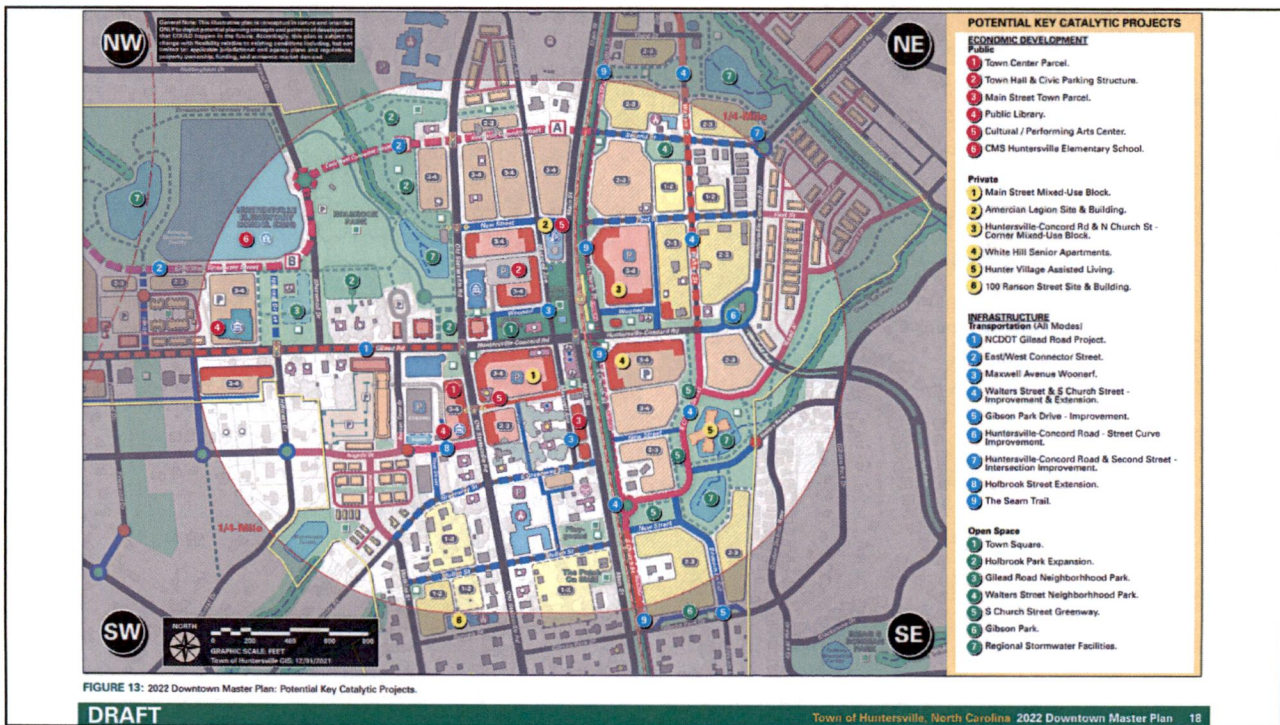
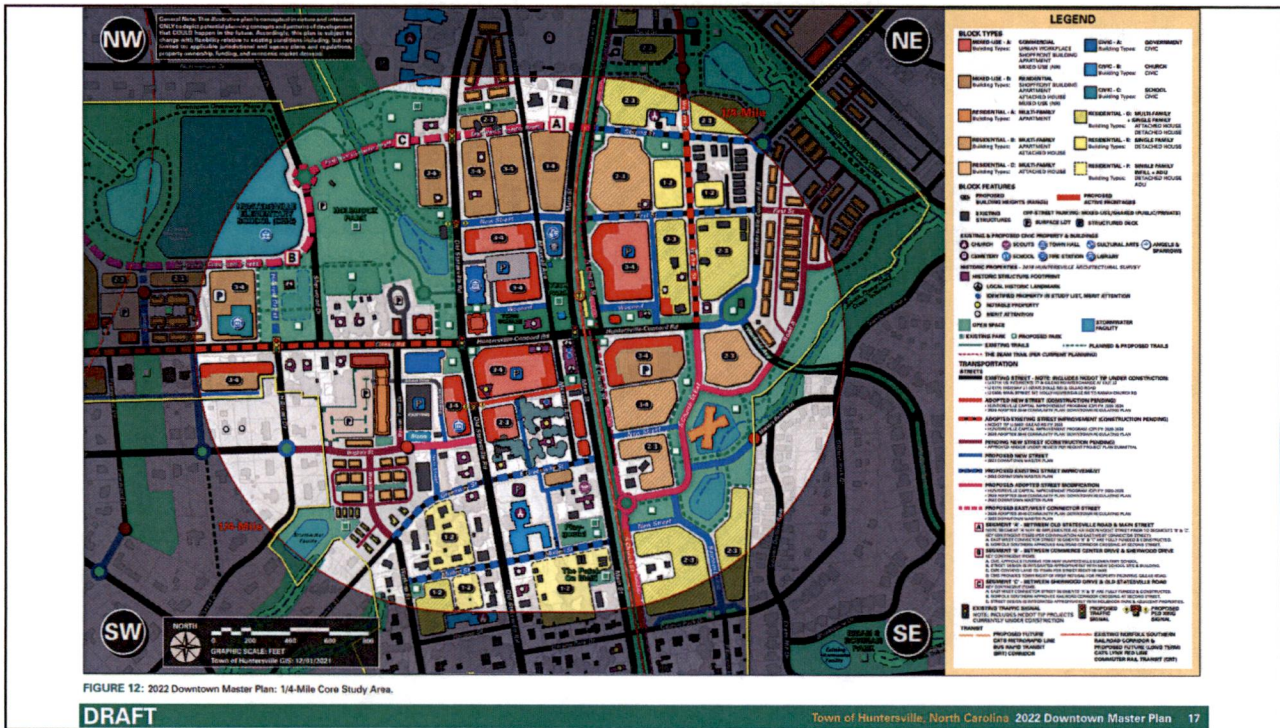


FIGURE 15: Conceptual Vision Plan: Northwest Quadrant.

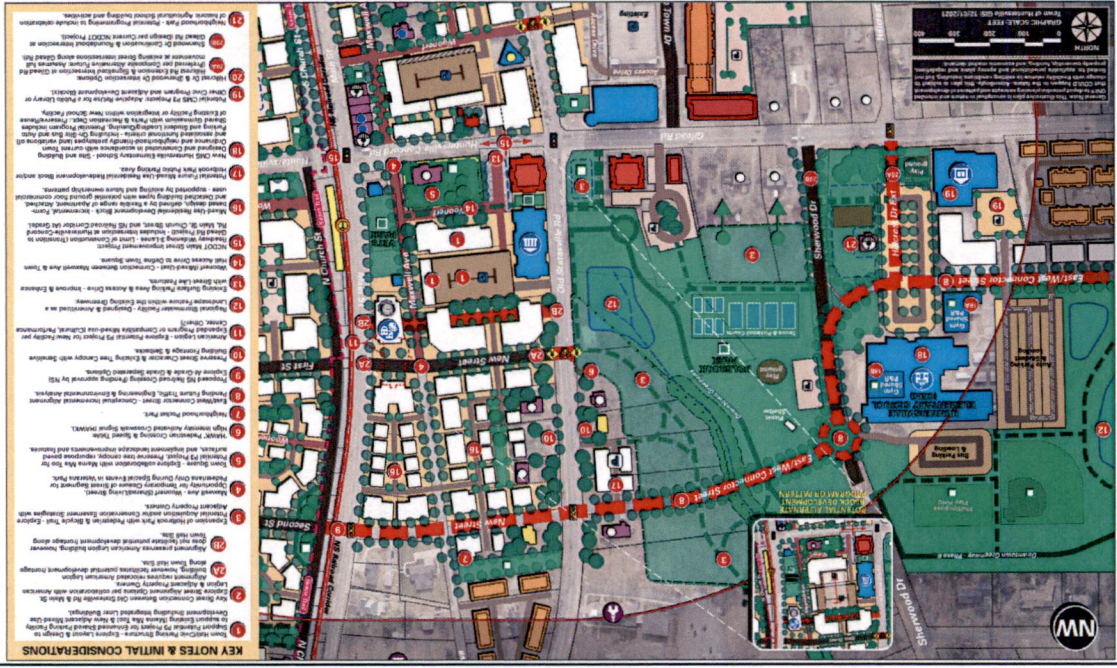
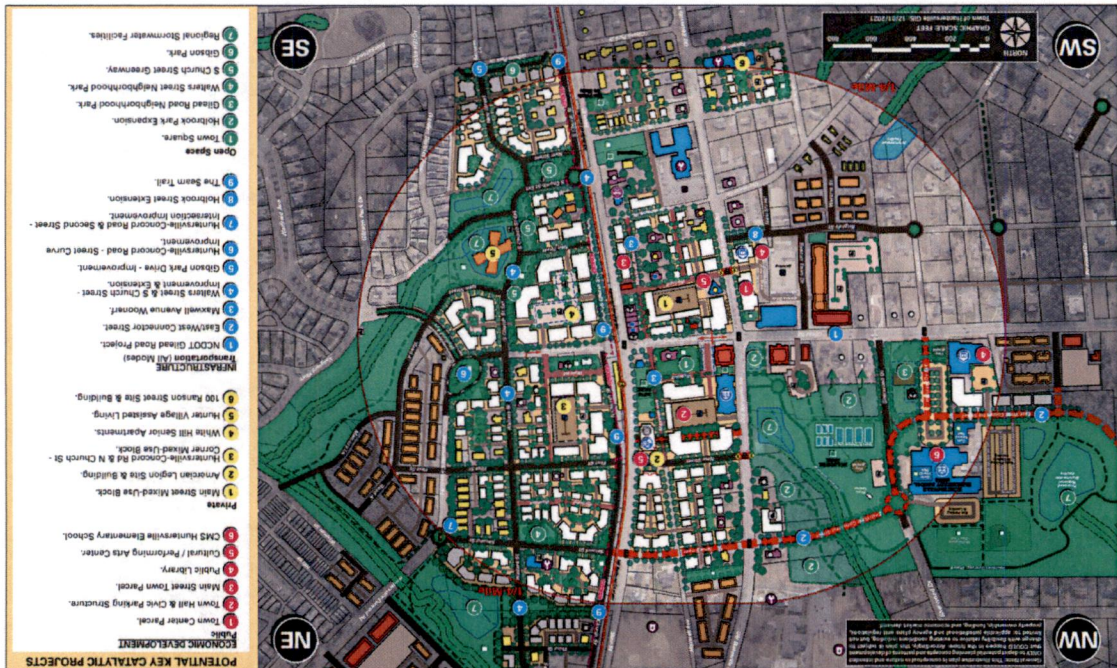
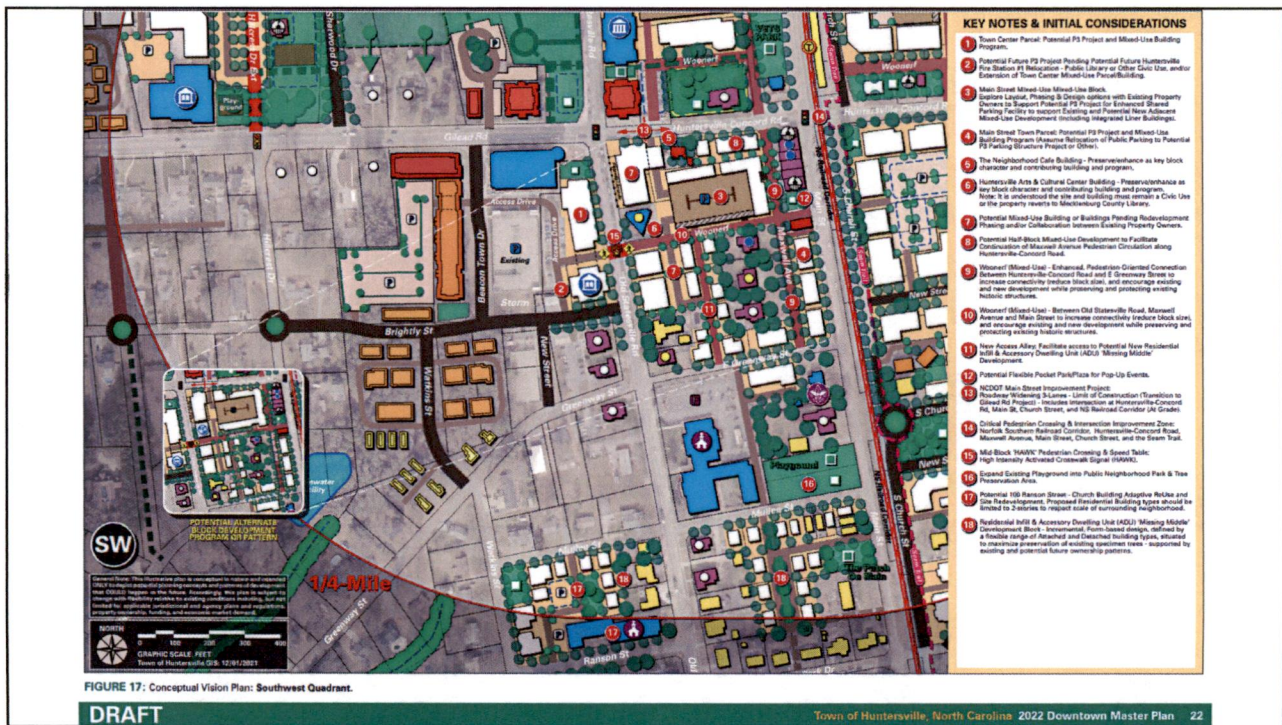
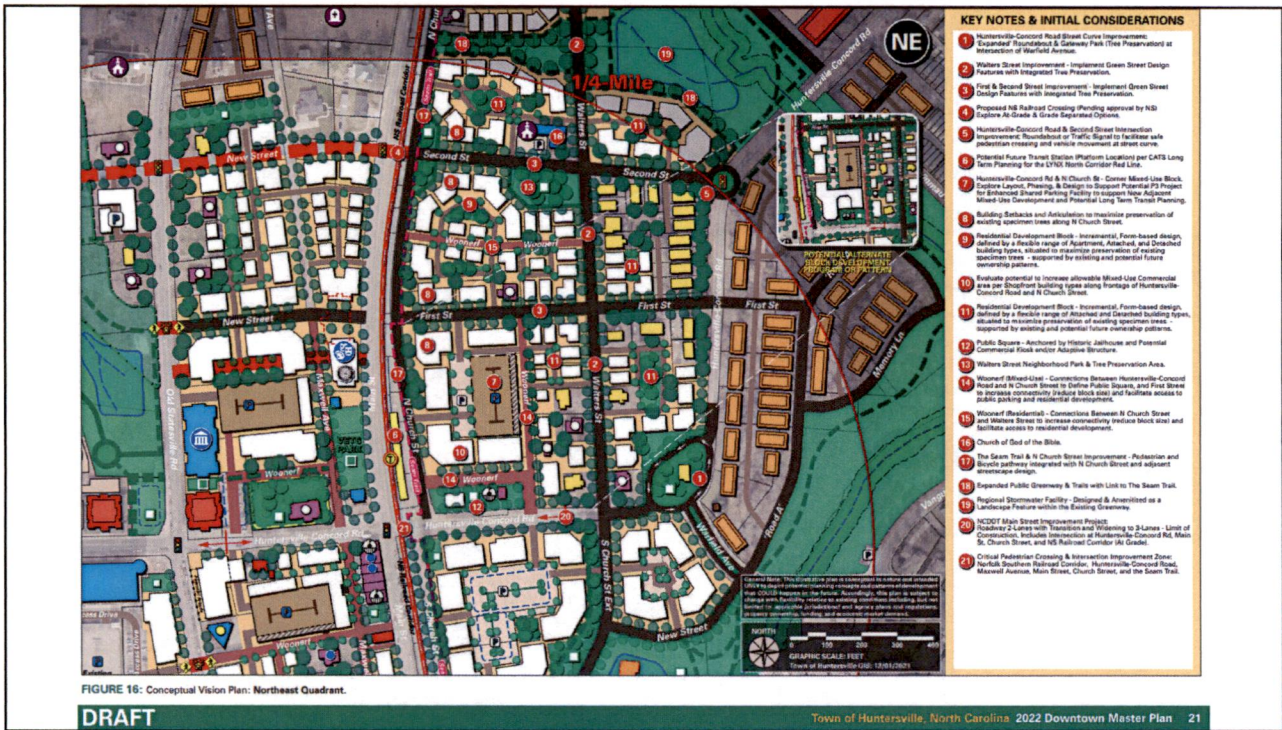


FIGURE 14: Conceptual Vision Plan: Potential Key Catalytic Projects.







Town of Huntersville NORTH CAROLINA

Town of Huntersville Planning Department

Physical Address:
105 Gilled Road
3rd Floor
Huntersville, NC 28078

Mailing Address:
PO Box 664
Huntersville, NC 28070

(704) 875-7000 Phone
(704) 875-5528 Fax (Attn: Planning)
www.huntersville.org



Shook Kelley CLT, PLLC

1545 West Trade Street
Charlotte NC 28216
(704) 377-0661 Phone
www.shookkelley.com

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



DRAFT

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 - D 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 

ORIGINAL DRAFT PLAN (1-17-23)	REVISIONS
 Page 11 13 Transit Planning includes ALL CATS North Corridor Recommendations: 13A <u>Near Term</u>: Future Bus Rapid Transit (BRT). 13B <u>Long Term</u>: Future Commuter Rail Transit (CRT).	Road widening & clarify roundabout is in 2022 DTMP.  Page 11 13 Transit Planning includes ALL CATS North Corridor Recommendations: 13A <u>Near Term</u>: Future Bus Rapid Transit (BRT). 13B <u>Long Term</u>: 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).

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 & adjacent properties.

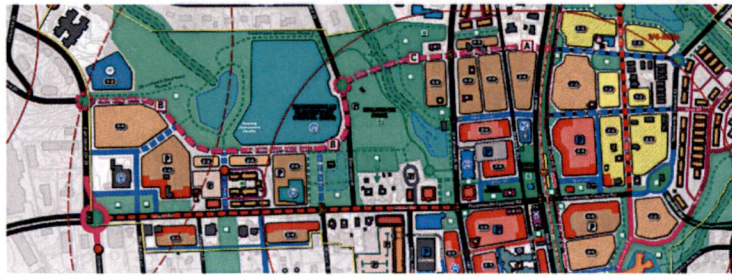
12 The proposed East/West Connector Street is defined with three incremental Segments A-C, which are contingent upon key items including:

12A Segment A: Independent Street (w/o RR Xing)

~~Continuation 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.



shook kelley

MEMORANDUM

Project: 21046 / Huntersville 2022 Downtown Master Plan
 Re: Traffic Analysis Report: Supplemental Clarification
 Date: 23 February 2023
 From: Larry R. Zinner II / Shook Kelley

DISTRIBUTION

TOWN

Town of Huntersville (TOH):

Project Director: jaimoneu@huntersville.org

Project Coordinator: bricherda@huntersville.org

Project Assistant: tbarron@huntersville.org

Project Engineers: strom@huntersville.org

Project Transportation: tunakony@huntersville.org

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 Planning Director
 Brian Richards,
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 Director of Engineering
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 Sr. Transportation Planner

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larryzinner@shookkelley.com

Terry Shook

Larry Zinner

Transportation & Infrastructure:

Gannett-Fleming (GF)

mhoiden@GFNET.com

rtipton@GFNET.com

lharland@gfnet.com

Mike Holder

Rick Tipton

Lance Harland

DISCUSSION ITEMS

The following Traffic Analysis Report: Supplemental Clarification is provided in order to highlight and further describe projected benefits to the downtown traffic system per potential addition of the East/West Connector Street.

OVERVIEW:

The Traffic Analysis Report (TAR) was prepared by Gannett-Fleming on June 20, 2022 to provide traffic forecast and capacity analysis as part of the Downtown Master Plan process. Six (6) potential future roadway scenarios were evaluated to determine the viability of several network conditions.

Essentially, these six scenarios were evaluated according to three (3) approaches for the street network in the Downtown area:

We Convene:

1545 West Trade Street
 Charlotte NC 28210

704 / 377 0663
shookkelley.com

CHARLOTTE / LOS ANGELES



In conclusion:

It is evident that ADT (compared to the 2022 volume) is **reduced**, Delay is **reduced**, and LOS at Intersections 1-3 along Huntersville-Concord Road (between NC 115 and Main Street) is **improved** proportionately with the addition and extension of the East/West Connector Street per Approach 2 and 3 (see Attachments A and B).

Furthermore:

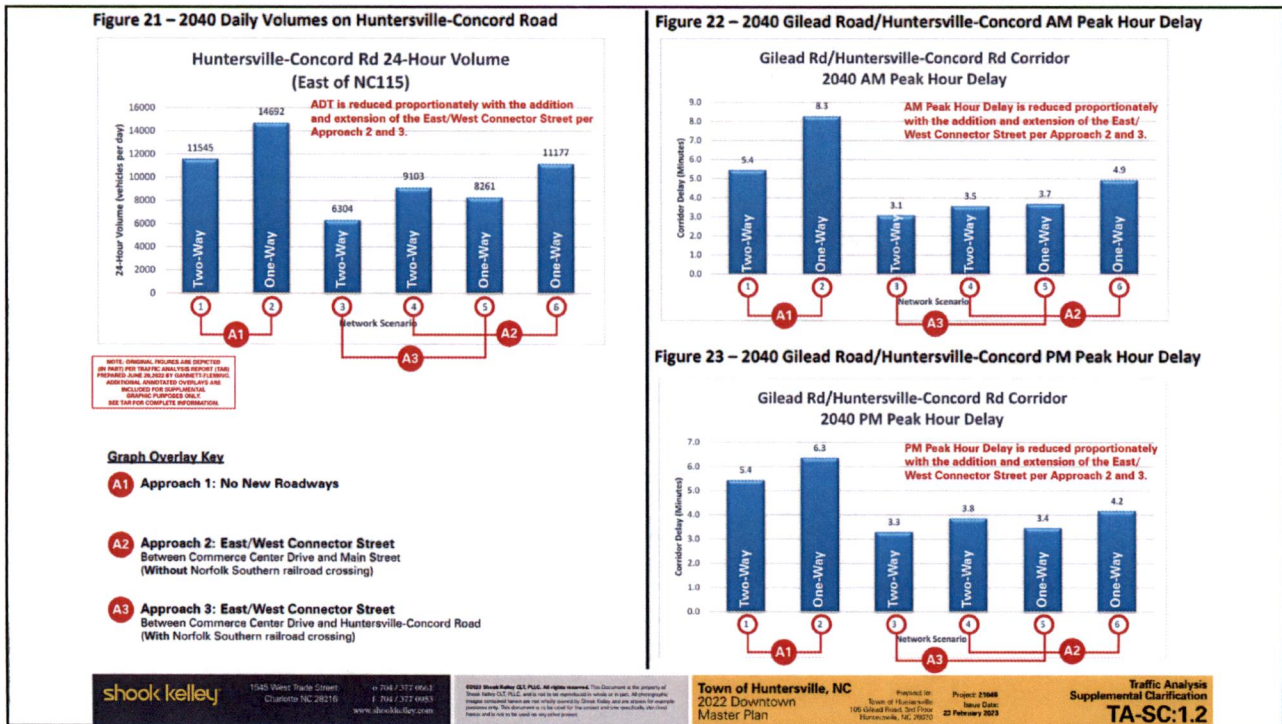
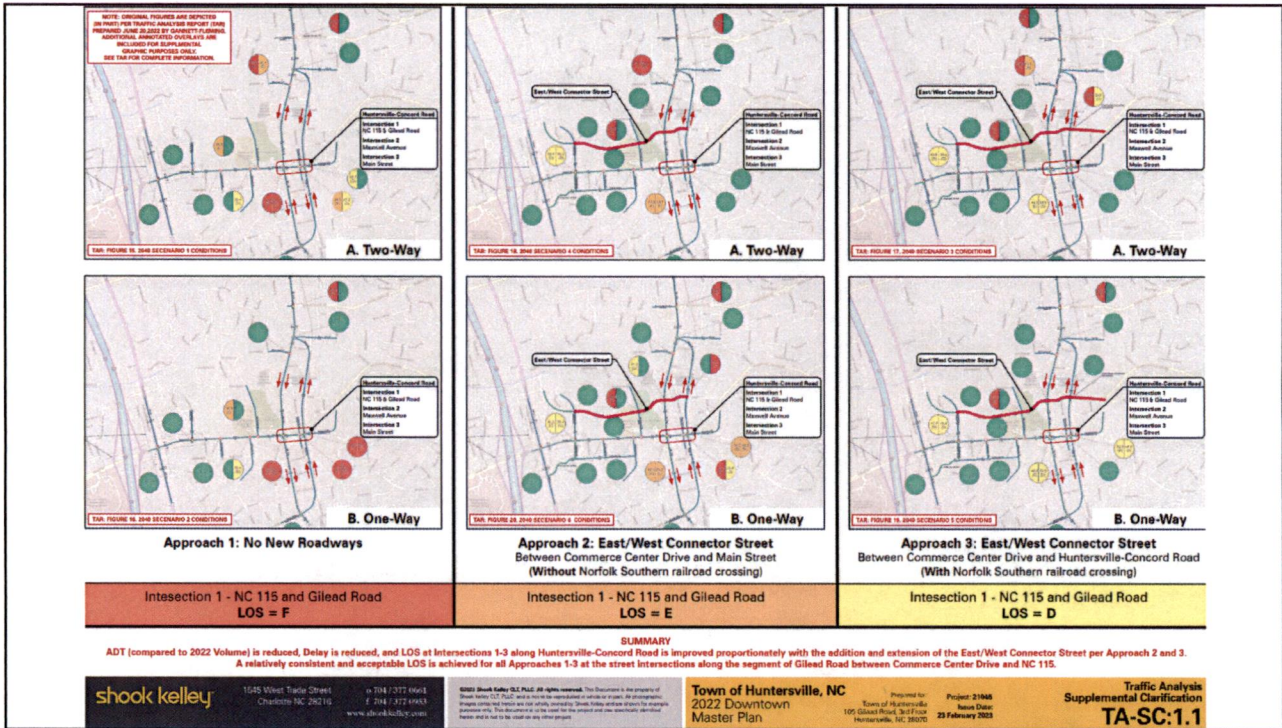
A relatively consistent and acceptable LOS is achieved for all Approaches 1-3 at the street intersections along the segment of Gilead Road between Commerce Center Drive and NC 115.

See the complete Traffic Analysis Report for associated maps and information along with impacts to other street segments and intersections.

Gilead Road:

Subsequent to the Traffic Analysis Report, in consideration of potential Options for Gilead Road per North Carolina Department of Transportation (NCDOT)'s Transportation Improvement Program (TIP) #: U-5807 and its current Preliminary Engineering design (see Attachment C), the Downtown Plan Steering Committee (DPSC) suggested that more time is needed to understand the actual impacts (positive or negative) per completion of NCDOT's current roadway improvement projects (i.e. Main Street, NC 21, and I-77 Interchange) along with a comprehensive approach to evaluating east/west connectivity in the greater Huntersville area. Notwithstanding, the general consensus by the DPSC and citizen survey responses is that Gilead Road should not be widened.

Meanwhile, the Town has engaged its metropolitan planning organization (MPO) to conduct updated traffic modeling, which includes a comprehensive approach together with the "East/West Connector Street" to determine its potential to help reduce congestion in the Downtown. The MPO expects to complete modeling within the first quarter of 2023, at which time the Town can evaluate and share results with NCDOT, and decide if and how they may



DOWNTOWN TRANSPORTATION MOBILITY MEETING.

On September 13, 2022, a Downtown Transportation and Mobility Meeting between Brett Carpio, PE - Division Engineer with Highway Division 10, North Carolina Department of Transportation (NCDOT) and the Project Team was conducted in Huntersville as an open discussion to share the Town's vision and policies as supported by the community, along with initial planning concepts and the Traffic Analysis for NCDOT's consideration relative to development of the 2022 Downtown Master Plan. And, how best to collaborate on establishing street design criteria for future implementation along Gilead Road per NCDOT's Transportation Improvement Project (TIP) #: U-5807.

During the meeting, it was learned that NCDOT has restored funding for the Gilead Road Project and that design is to resume with construction scheduled to commence in 2027. The current Gilead Road Project is scoped and scored as a "capacity" project in the NCDOT State Transportation Improvement Program (STIP), whereby achieving at least a minimum Level of Service D is paramount. (Note: A Level of Service E is acceptable by the Town in the Downtown Area during peak hours.) In addition, NCDOT shared a Draft Preliminary Engineering design for the Gilead Road Project depicting roundabout intersections at Commerce Center Drive and Sherwood Drive with a continuous, unbroken median in between. Furthermore, the intersection of Gilead Road and NC 115 is expanded by several lanes - 6 lanes on Gilead Road, 5 lanes on NC 115 (north), and 4/8 lanes on Huntersville-Concord Road (See Figure 48).

However, it is understood this current Draft plan does not provide an adequate Level of Service for this segment of Gilead Road and therefore design must be advanced suitably. Furthermore, it is unclear and perhaps unlikely that an updated Gilead Road roadway design by NCDOT will comport with the Town's vision for pedestrian and bicycle mobility in the Downtown Core Area. Brett Carpio explained the Town does have the option to take over maintenance and ownership of Gilead Road. However, if the Town pursues this option, specific assurances (yet to be determined) must be implemented relative to maintaining adequate operation of NCDOT's I-77 Interchange and NC 21 roadway projects.

As follow-up to the Downtown Transportation and Mobility Meeting, Gannett-Fleming prepared the following outline of Options describing potential pathways for Gilead Road per NCDOT's TIP #: U-5807 and its current Preliminary Engineering design shared during the meeting.

Option 1:

- Do not remove the Gilead Road widening project from the STIP
- Do not move forward with the proposed 'East/West Connector Street' as a Town street.
- Work closely with NCDOT as they advance the Gilead Road project to incorporate a more bike/ped friendly design incorporating elements of NCDOT's Complete Streets policy and standards.

Option 2:

- Do not remove the Gilead Road widening project from the STIP
- Adopt the 'East/West Connector Street' into the Town's Transportation Plan.
- Identify funding for the 'East/West Connector Street' as a Town street.
- Work with the Metropolitan Planning Organization (MPO) to get the 'East/West Connector Street' included in the regional model in a timely manner in order to not cause delays to the Gilead Road project.
- Work closely with NCDOT as they move forward with a narrower typical section concept that is based on new traffic forecasts from the MPO model that includes the proposed 'East/West Connector Street'.

Option 3:

- Recommend the removal of the Gilead Road widening project from the STIP
- Adopt the 'East/West Connector Street' into the Town's Transportation Plan.
- Proceed forward with the 'East/West Connector Street' funding and construction as a Town street.

Option 4:

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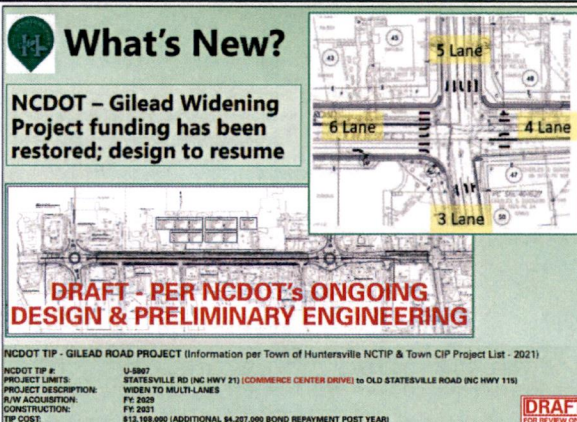


FIGURE 48: NCDOT Gilead Road Project.

- Recommend the removal of the Gilead Road widening project from the STIP
- Town will take over maintenance and ownership of Gilead Road.
- Upgrade the Gilead Road corridor based on the Town's Standards and Vision.
- Adopt the 'East/West Connector Street' into the Town's Transportation Plan.
- Proceed forward with the 'East/West Connector Street' funding and construction as a Town street.

Option 5:

- Recommend the removal of the Gilead Road widening project from the STIP
- Do not move forward with the 'East/West Connector Street' as a Town street.
- Town will take over maintenance of Gilead Road.
- Upgrade the Gilead Road corridor based on the Town's Standards and Vision.

Option 6:

- Recommend the removal of the Gilead Road widening project from the STIP
- Do not move forward with the 'East/West Connector Street' as a Town street.

Option 7 (Potential):

- Request delay and/or lower position of the Gilead Road widening project within the current NCDOT STIP

In consideration of these options, the DPSC suggested that more time is needed to understand the actual impacts (positive or negative) per completion of NCDOT's current roadway improvement projects (i.e. Main Street, NC 21, and I-77 interchange) along with a comprehensive approach to evaluating east/west connectivity in the greater Huntersville area. Notwithstanding, the general consensus by the DPSC and citizen survey responses is that Gilead Road should not be widened.

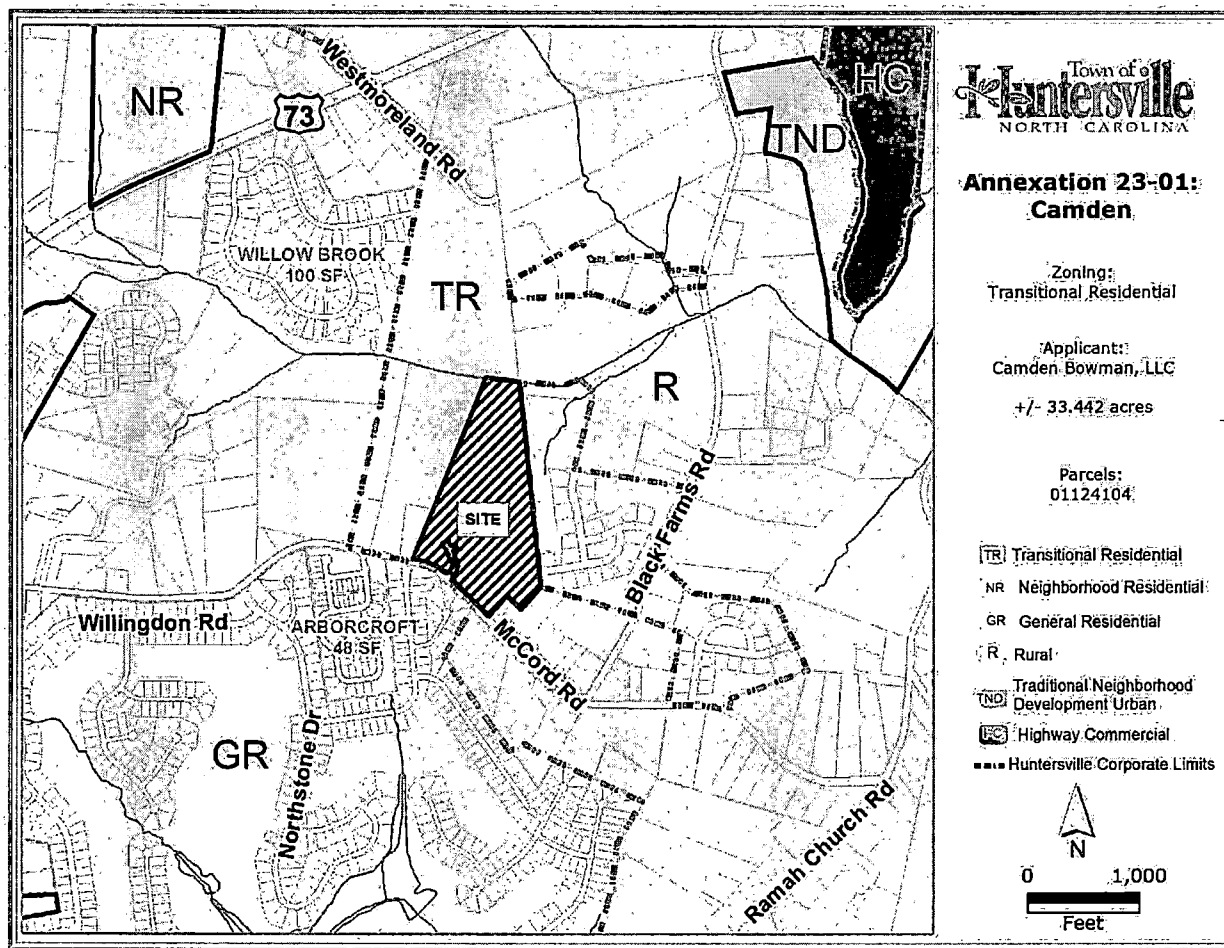
Meanwhile, the Town has engaged its metropolitan planning organization (MPO) to conduct updated traffic modeling, which includes a comprehensive approach together with the 'East/West Connector Street' to determine its potential to help reduce congestion in the Downtown. The MPO expects to complete modeling within the first quarter of 2023, at which time the Town can evaluate and share results with NCDOT, and decide if and how they may influence the design of Gilead Road in a manner that embraces the Town's vision. The Town can then determine the appropriate Option to pursue for the future of Gilead Road.

Annexation Petition # 23-01 (Contiguous) Camden Subdivision

EXPLANATION OF THE REQUEST

Petition Annex #23-01 is a request for contiguous annexation into the Town of Huntersville of 33.535 acres consisting of one (1) parcel (PIN# 011-24-104).

LOCATION



BACKGROUND

The property owners, Camden Bowman, LLC, have filed a petition to consider voluntary contiguous annexation (see Exhibit A) pursuant to North Carolina General Statutes Section 160A-31; the proposed area to annex is 33.535 acres.



All statutory requirements for annexation have been met:

- A petition requesting annexation was received on October 26, 2023 (see Exhibit A).
- The Town Clerk certified the sufficiency of the petition on March 20, 2023 (see Exhibit C).
- On March 20, 2023, the Board of Commissioners set the date for the public hearing to be held on April 3, 2023.
- Notice of the public hearing was placed in a newspaper of general circulation. The notice appeared in the Charlotte Observer on March 20, 2023 (see Exhibit E).

STAFF RECOMMENDATION

Since all statutory requirements have been met in full, staff recommends that the Board of Commissioners approve the petition with Mayor's signature on the associated ordinance. If the final action of this annexation takes place on April 3, 2023, the voluntary contiguous annexation would also become effective on April 3, 2023.

ATTACHMENTS

Attachment A – Contiguous Annexation Petition
Attachment B – Annexation Plat
Attachment C – Certificate of Sufficiency
Attachment D – Resolution of Intent to Annex
Attachment E - Public Hearing Ad
Attachment F – Metes & Bounds Description



PETITION REQUESTING ANNEXATION

To the Board of Commissioners of the Town of Huntersville:

1. We, the undersigned owners of all or a part of the real property described on the metes and bounds description attached hereto, request that the described area be annexed to the Town of Huntersville.
2. The area to be annexed is (contiguous) non-contiguous [circle one] to the primary corporate limits of the Town of Huntersville. The petitioner attaches hereto and submits as part of the petition:

(a) a metes and bounds description of the parcel(s) identified in paragraph 1, and

(b) a plat, suitable for recordation in the office of the Mecklenburg County Register of Deeds, showing the area proposed for annexation with relation to the primary corporate limits of the Town of Huntersville.

3. The petitioner (does) does not [circle one] claim vested rights in the property pursuant to N.C.G.S. 153A-344.1 or 160A-385.1. The basis of this claim of vested rights is as follows:

SKETCH PLAN APPROVAL (EPM # 387751-APPROVED 10/03/2018), AND

PRELIMINARY PLAN APPROVAL (EPM# 419250-APPROVED 10/07/2021)

4. This petition may be one of multiple petitions of all owners within the described area and, if so, shall be considered as a single petition. If petitioner is the owner of a portion of described area, a brief description of that portion (for example, lot number on a recorded plat or tax parcel number), as of the date of this petition, is as follows:

PID 01124104B

Annexation Petition (2013 version)

CAMDEN BOWMAN, LLC
Property Owner(s)

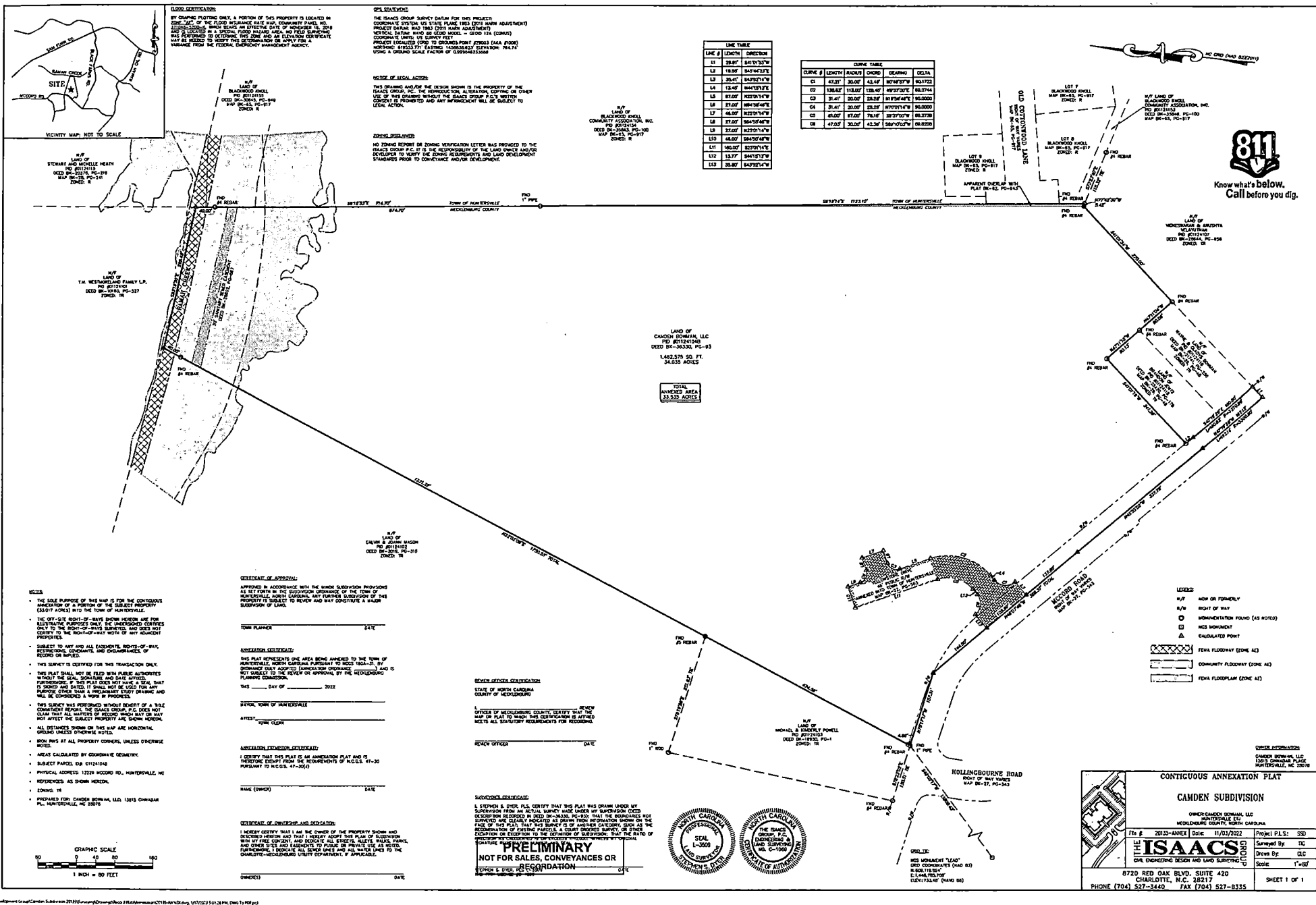
13815 CINNABAR PLACE, HUNTERSVILLE, NC 28078
Address of Property Owner(s)

704-875-9704
Telephone Number

NATEBOWMAN15@GMAIL.COM
E-mail address


Signature of Property Owner

9/7/22
Date



CERTIFICATE OF SUFFICIENCY

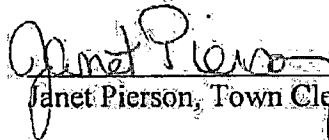
To the Board of Commissioners of the Town of Huntersville, North Carolina:

I, Janet Pierson, Town Clerk, do hereby certify that I have investigated the attached petition and hereby make the following findings:

- a. The petition contains an adequate property description of the area proposed for annexation.
- b. The area described in the petition is contiguous to the Town of Huntersville primary corporate limits, as defined by G.S. 160A-31.
- c. The petition is signed by and includes addresses of all owners of real property lying in the area described therein.

The undersigned therefore certifies that the petition is sufficient for the voluntary annexation of a contiguous area pursuant to NCGS §160A-31.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the seal of the Town of Huntersville this 22nd day of March, 2023.


Janet Pierson, Town Clerk





PETITION REQUESTING ANNEXATION

To the Board of Commissioners of the Town of Huntersville:

1. We, the undersigned owners of all or a part of the real property described on the metes and bounds description attached hereto, request that the described area be annexed to the Town of Huntersville.
2. The area to be annexed is (contiguous) (non-contiguous) [circle one] to the primary corporate limits of the Town of Huntersville. The petitioner attaches hereto and submits as part of the petition:

(a) a metes and bounds description of the parcel(s) identified in paragraph 1, and

(b) a plat, suitable for recordation in the office of the Mecklenburg County Register of Deeds, showing the area proposed for annexation with relation to the primary corporate limits of the Town of Huntersville.

3. The petitioner (does) does not [circle one] claim vested rights in the property pursuant to N.C.G.S. 153A-344.1 or 160A-385.1. The basis of this claim of vested rights is as follows:

SKETCH PLAN APPROVAL (EPM # 387751-APPROVED 10/03/2018), AND

PRELIMINARY PLAN APPROVAL (EPM# 419250-APPROVED 10/07/2021)

4. This petition may be one of multiple petitions of all owners within the described area and, if so, shall be considered as a single petition. If petitioner is the owner of a portion of described area, a brief description of that portion (for example, lot number on a recorded plat or tax parcel number), as of the date of this petition, is as follows:

PID 01124104B

CAMDEN BOWMAN, LLC
Property Owner(s)

13815 CINNABAR PLACE, HUNTERSVILLE, NC 28078
Address of Property Owner(s)

704-875-9704
Telephone Number

NATEBOWMAN15@GMAIL.COM
E-mail address


Signature of Property Owner

9/7/22
Date

RESOLUTION FIXING DATE OF PUBLIC HEARING
ON QUESTION OF ANNEXATION PURSUANT TO N.C.G.S. 160A-31

(Camden Property)

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Board of Commissioners have directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Huntersville, North Carolina that:

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held at the Town Hall at 6:00 p.m. on the 3rd day of April 2023.

Section 2. The area proposed for annexation is described as follows:

(Metes and bounds description attached hereto as Exhibit A.)

Section 3. Notice of said public hearing shall be published in the Charlotte Observer, a newspaper having a general circulation in the Town of Huntersville, at least ten (10) days prior to the date of said public hearing.

Mayor

Town of Huntersville, North Carolina

ATTEST:

Town Clerk

Exhibit A: Camden Property Metes & Bounds.

ALL that certain piece, parcel or tract of land lying and being in the Town of Huntersville, Huntersville Township, Mecklenburg County, North Carolina, and being more particularly described as follows:

Land of
Camden Bowman, LLC
Mecklenburg County Parcel #01124104B
Annexation Description

Beginning at an existing 1" pipe on the norther margin of McCord Road, a common corner with the land now or formerly of Michael & Kimberly Powell (Deed Bk-16950, Pg-1), said point being located N48°02'17"E 15,809.43' of NGS Monument "Lead", having grid coordinates N:609,119.894' and E:1,446,785.708'; thence turning and running with said "Powell" property N22°02'08"E 479.24' to an existing #4 rebar (passing an existing #4 rebar at 4.66'), said point being a common corner with land now or formerly of Calvin and Joann Mason;

Thence, turning and running with said "Mason" property on the same course of N22°02'08"E 1,271.32' (passing an existing #4 rebar at 1,231.32') to a computed point near the center of Ramah Creek, said point being the southerly line of land now or formerly of T.M. Westmoreland Family L.P. (Deed Bk-10160, Pg-527);

Thence, turning and running with said "Westmoreland" property S83°18'56"E 299.48' to a computed point near the center of Ramah Creek;

Thence, leaving said Ramah Creek, turning and running S06°18'53"E 714.70' (passing an existing #4 rebar at 40.00') to an existing 1" pipe, a common corner of land now or formerly of Blackwood Knoll community Association, Inc. (Deed Bk-35843, Pg-100);

Thence, turning with said "Blackwood Knoll" property S06°19'14"E 1,123.10' to an existing #4 rebar, a common corner of land now or formerly of Vigneswaran and Anushya Velayuthan (Deed Bk-28644, Pg-956), said point being located N73°23'40"W 115.32' of an existing #4 rebar;

Thence, turning and running with said "Velayuthan" property the following two (2) courses and distances:

1. N77°42'39"W 5.42' to an existing #4 rebar;
2. S41°01'34"W 270.00' to an existing #4 rebar, a common corner of land now or formerly of Wayne and Gladys Bowman (Deed Bk-21741, Pg-286);

Thence, turning and running with said "Bowman" property N47°11'04"W 90.06' to an existing #4 rebar, common corner of land now or formerly of Brandon Jentz (Deed Bk-28420, Pg-178);

Thence, turning and running with said "Jentz" property the following two (2) courses and distances:

1. N47°11'15"W 90.13' to an existing #4 rebar;
2. S41°01'19"W 241.26' to an existing #4 rebar on the northerly margin of McCord Road;

Thence, turning and running with the northerly margin of McCord Road the following two (2) courses and distances:

1. S45°44'23"E 19.55' to computed point;
2. With the arc of a curve to the left, having a radius of 3,270.99', an arc length of 160.62' with a chord bearing S47°19'29"E 160.60' to a computed point;

Thence, turning and running with a line within the right of way of McCord Road the following four (4) courses and distances:

1. S41°01'55"W 29.91' to computed point;
2. With the arc of a curve to the right, having a radius of 3,300.90', an arc length of 162.14' with a chord bearing N47°19'28"W 162.12' to a computed point;

3. N45°55'02"W 337.79' to a computed point;
4. N46°07'46"W 137.88' a computed point on the limits of an area previously annexed into the Town of Huntersville in Map Bk-52, Pg-563;

Thence, turning and running through the subject parcel with said previously annexed portion the following seventeen (17) courses and distances:

1. N43°52'14"E 35.41' to a computed point;
2. With the arc of a curve to the right, having a radius of 30.00', an arc length of 47.21' with a chord bearing N00°49'57"W 42.49' to a computed point;
3. N44°15'13"E 13.45' to a computed point;
4. With the arc of a to the left, having a radius of 113.00', an arc length of 136.62' with a chord bearing N09°37'00"E 128.45' to a computed point;
5. N25°01'14"W 67.00' to a computed point;
6. With the arc of a curve to the right, having a radius of 20.00', an arc length of 31.41' with a chord bearing N19°58'46"E 28.28' to a computed point;
7. N64°58'46"E 27.00' to a computed point;
8. N25°01'14"W 46.00' to a computed point;
9. S64°58'46"W 27.00' to a computed point;
10. With the arc of a curve to the right, having a radius of 20.00', an arc length of 31.41' with a chord bearing N70°01'14"W 28.28' to a computed point;
11. N25°01'14"W 27.00' to a computed point;
12. S64°58'46"W 46.00' to a computed point;
13. S25°01'14"E 180.00' to a computed point;
14. With the arc of a curve to the right, having a radius of 67.00', an arc length of 81.00' with a chord bearing S09°37'00"W 76.16' to a computed point;
15. S44°15'13"W 13.77' to a computed point;
16. With the arc of a tangent curve to the right, having a radius of 30.00', an arc length of 47.03' with a chord bearing S89°10'03"W 42.36' to a computed point;
17. S43°52'14"W 35.80' to a computed point within the margin of McCord Road;

Thence, turning and running within McCord Road the following two (2) courses and distances:

1. N46°07'46"W 144.50' to a computed point;
2. N78°17'17"W 157.31' to the Point and Place of Beginning;

Contains 1,406,791 sq. ft. or 33.535 acres more or less.



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

El Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
119697	397597	Print Legal Ad-IPL01145850 - IPL0114585		\$165.75	3	64 L

Attention: TRACY BARRON

TOWN OF HUNTERSVILLE-PLANNING
PO Box 664

105 Gilead Rd, 3rd Floor

NOTICE OF PUBLIC HEARING ON REQUEST FOR ANNEXATION (Camden Properties Subdivision)

Take notice that the Board of Commissioners of the Town of Huntersville has called a Public Hearing at 6:00 p.m. on April 3, 2023 on the question of annexing the following described territory, requested by petition filed pursuant to NCGS 160A-31, to annex to the Town of Huntersville certain contiguous property. The Hearing will be held in person at the Huntersville Town Hall at 101 Huntersville-Concord Rd, Huntersville, NC 28078. You may also watch the Hearing via <https://www.facebook.com/HuntersvilleNCTownGovernment>. The property subject to the Petition consists of +/- 33.535-acres, (Meck Co. PIN are 01124104) and described as follows documents are on file in the Huntersville Planning Dept.

LEGAL DESCRIPTION (ANNEX 23-01)

ALL that certain piece, parcel or tract of land lying and being in the Town of Huntersville, Huntersville Township, Mecklenburg County, North Carolina, and being more particularly described as follows:

Land of Camden Bowman, LLC Mecklenburg County Parcel #01124104B Annexation Description
Beginning at an existing 1" pipe on the northerly margin of McCord Road, a common corner with the land now or formerly of Michael & Kimberly Powell (Deed Bk-16950, Pg-1), said point being located N48°02'17"E 15,809.43' of NGS Monument "Lead", having grid coordinates N:609,119.894' and E:1,446,785.708'; thence turning and running with said "Powell" property N22°02'08"E 479.24' to an existing #4 rebar (passing an existing #4 rebar at 4.66'), said point being a common corner with land now or formerly of Calvin and Joann Mason;
Thence, turning and running with said "Mason" property on the same course of N22°02'08"E 1,271.32' (passing an existing #4 rebar at 1,231.32') to a computed point near the center of Ramah Creek, said point being the southerly line of land now or formerly of T.M. Westmoreland Family LP, (Deed Bk-10160, Pg-527);
Thence, turning and running with said "Westmoreland" property S83°18'56"E 299.48' to a computed point near the center of Ramah Creek;
Thence, leaving said Ramah Creek, turning and running S06°18'53"E 714.70' (passing an existing #4 rebar at 40.00') to an existing 1" pipe, a common corner of land now or formerly of Blackwood Knoll community Association, Inc. (Deed Bk-35843, Pg-100);
Thence, turning with said "Blackwood Knoll" property S06°19'14"E 1,123.10' to an existing #4 rebar, a common corner of land now or formerly of Vigneswaran and Anushya Velayuthan (Deed Bk-28644, Pg-956), said point being located N73°23'40"W 115.32' of an existing #4 rebar;
Thence, turning and running with said "Velayuthan" property the following two (2) courses and distances: 1. N77°42'39"W 5.42' to an existing #4 rebar; 2. S41°01'34"W 270.00' to an existing #4 rebar, a common corner of land now or formerly of Wayne and Gladys Bowman (Deed Bk-21741, Pg-286);
Thence, turning and running with said "Bowman" property N47°11'04"W 90.06' to an existing #4 rebar, common corner of land now or formerly of Brandon Jentz (Deed Bk-28420, Pg-178);
Thence, turning and running with said "Jentz" property the following two (2) courses and distances: 1. N47°11'15"W 90.13' to an existing #4 rebar; 2. S41°01'19"W 241.26' to an existing #4 rebar on the northerly margin of McCord Road;
Thence, turning and running with the northerly margin of McCord Road the following two (2) courses and distances: 1. S45°44'23"E 19.55' to a computed point; 2. With the arc of a curve to the left, having a radius of 3,270.99', an arc length of 160.62' with a chord bearing S47°19'29"E 160.60' to a computed point;
Thence, turning and running with a line within the right of way of McCord Road the following four (4) courses and distances: 1. S41°01'55"W 29.91' to a computed point; 2. With the arc of a curve to the right, having a radius of 3,300.90', an arc length of 162.14' with a chord bearing N47°19'28"W 162.12' to a computed point; 3. N45°55'02"W 337.79' to a computed point; 4. N46°07'46"W 137.88' to a computed point on the limits of an area previously annexed into the Town of Huntersville in Map Bk-52, Pg-563;
Thence, turning and running through the subject parcel with said previously annexed portion the following seventeen (17) courses and distances: 1. N43°52'14"E 35.41' to a computed point; 2. With the arc of a curve to the right, having a radius of 30.00', an arc length of 47.21' with a chord bearing N00°49'57"W 42.49' to a computed point; 3. N44°15'13"E 13.45' to a computed point; 4. With the arc of a curve to the left, having a radius of 113.00', an arc length of 136.62' with a chord bearing N09°37'00"E 128.45' to a computed point; 5. N25°01'14"W 67.00' to a computed point; 6. With the arc of a curve to the right, having a radius of 20.00', an arc length of 31.41' with a chord bearing N19°58'46"E 28.28' to a computed point; 7. N64°58'46"E 27.00' to a computed point; 8. N25°01'14"W 46.00' to a computed point; 9. S64°58'46"W 27.00' to a computed point; 10. With the arc of a curve to the right, having a radius of 20.00', an arc length of 31.41' with a chord bearing N70°01'14"W 28.28' to a computed point; 11. N25°01'14"W 27.00' to a computed point; 12. S64°58'46"W 46.00' to a computed point; 13. S25°01'14"E 180.00' to a computed point; 14. With the arc of a curve to the right, having a radius of 67.00', an arc length of 81.00' with a chord bearing S09°37'00"W 76.16' to a computed point; 15. S44°15'13"W 13.77' to a computed point; 16. With the arc of a tangent curve to the right, having a radius of 30.00', an arc length of 47.03' with a chord bearing S89°10'03"W 42.36' to a computed point; 17. S43°52'14"W 35.80' to a computed point within the margin of McCord Road;
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Contains 1,406,791 sq. ft. or 33.535 acres more or less.

IPL0114585
Mar 20 2023

North Carolina } ss
Mecklenburg County }

Before the undersigned, a Notary Public of said County and State, duly authorized to administer oaths affirmations, etc., personally appeared, being duly sworn or affirmed according to law, doth depose and say that he/she is a representative of The Charlotte Observer Publishing Company, a corporation organized and doing business under the laws of the State of Delaware, and publishing a newspaper known as The Charlotte Observer in the city of Charlotte, County of Mecklenburg, and State of North Carolina and that as such he/she is familiar with the books, records, files, and business of said Corporation and by reference to the files of said publication, the attached advertisement was inserted. The following is correctly copied from the books and files of the aforesaid Corporation and Publication.

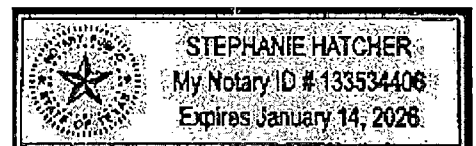
1 insertion(s) published on:
03/20/23

Tara Pennington

In Testimony Whereof I have hereunto set my hand and affixed my seal on the 20th day of March, 2023

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

Land of
Camden Bowman, LLC
Mecklenburg County Parcel #01124104B
Annexation Description

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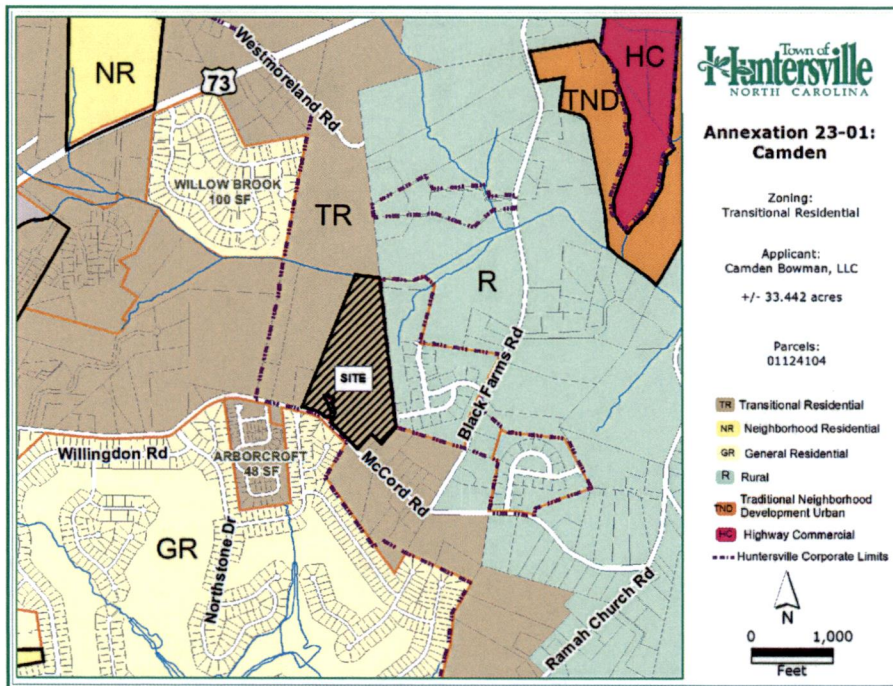
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Contains 1,406,791 sq. ft. or 33.535 acres more or less.

Petition for (Contiguous) Voluntary Annexation

ANNEX 23-01 – Camden

Applicant: Camden Bowman, LLC



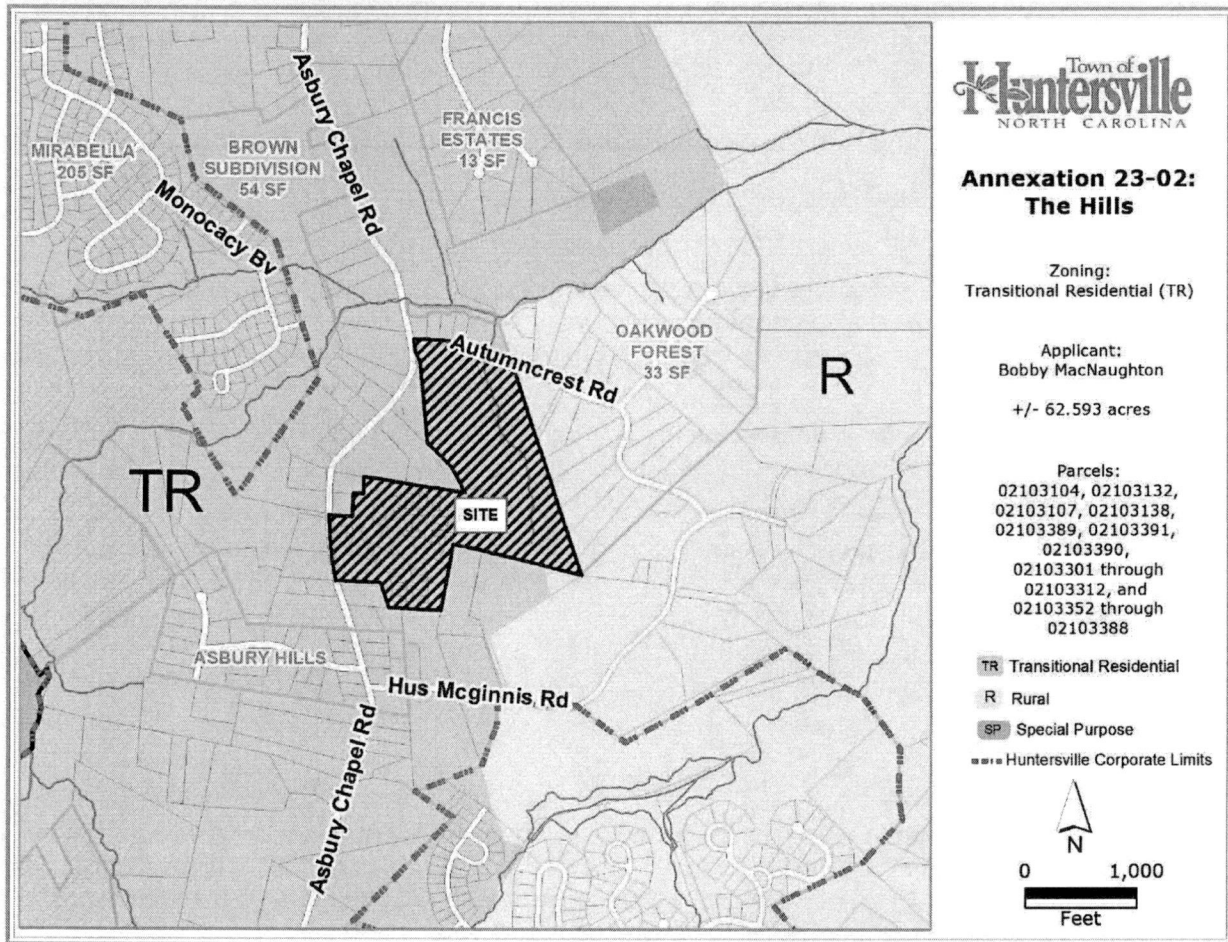


Annexation Petition # 23-02 (Non-Contiguous) The Hills Subdivision

EXPLANATION OF THE REQUEST

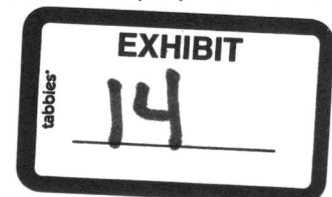
Petition Annex #23-02 is a request for non-contiguous annexation into the Town of Huntersville of 62.593 acres consisting of one (61) parcel (PIN#021-031-04, 021-031-32, 021-031-07, 021-031-38, 021-033-89 thru 021-033-91, 021-033-01 thru 021-033-18, 021-033-52 thru 021-033-88).

LOCATION



BACKGROUND

The property owners, KB Home Charlotte LLC, Emily Bice, Richard Carpentieri, Abril Jimenez, Chirag Patel, and Logan Ruffin have filed a petition to consider voluntary non-contiguous annexation (see Exhibit A) pursuant to North Carolina General Statutes Section 160A-58.1; the proposed area to annex is 62.593 acres.



All statutory requirements for annexation have been met:

- A petition requesting annexation was received on February 14, 2023 (see Exhibit A).
- The Town Clerk certified the sufficiency of the petition on March 20, 2023 (see Exhibit C).
- On March 20, 2023, the Board of Commissioners set the date for the public hearing to be held on April 3, 2023.
- Notice of the public hearing was placed in a newspaper of general circulation. The notice appeared in the Charlotte Observer on March 20, 2023 (see Exhibit E).

All statutory requirements for annexation have been met. Per General Statute 160A-58.1(b) – A noncontiguous area proposed for annexation must meet all of the following standards:

- (1) The nearest point on the proposed satellite corporate limits must be not more than three miles from the corporate limits of the annexing city. STAFF COMMENT – the property petitioning for annexation is 0.169 (893') miles from the primary corporate limits of the Town of Huntersville (see Attachment B).
- (2) No point on the proposed satellite corporate limits may be closer to the primary corporate limits of another city than to the primary corporate limits of the annexing city, except as set forth in subsection (b2) of this section. STAFF COMMENT – The Annexation is about 1.10 miles from the nearest other primary corporate limits, in this case being Charlotte.
- (3) The area must be so situated that the annexing city will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits. STAFF COMMENT – All Town services can be provided to the property in question if annexed into Town.
- (4) If the area proposed for annexation, or any part thereof, is a subdivision as defined in G.S. 160A-376, all of the subdivision must be included. STAFF COMMENT – The entirety of the Hills subdivision is being annexed.
- (5) The area within the proposed satellite corporate limits, when added to the area within all other satellite limits, may not exceed ten percent (10%) of the area within the primary corporate limits of the annexing city. STAFF COMMENT – If this property is added to the Town of Huntersville corporate limits, the percentage of satellite property will be 7.7%, which remains under 10% and complies with this section of the General Statute (see Attachment G).

STAFF RECOMMENDATION

Since all statutory requirements have been met in full, staff recommends that the Board of Commissioners approve the petition with Mayor's signature on the associated ordinance. If the final action of this annexation takes place on April 3, 2023, the voluntary contiguous annexation would also become effective on April 3, 2023.

ATTACHMENTS

Attachment A – Non-Contiguous Annexation Petition
Attachment B – Annexation Plat
Attachment C – Certificate of Sufficiency
Attachment D – Resolution of Intent to Annex
Attachment E - Public Hearing Ad
Attachment F – Metes & Bounds Description
Attachment G—Satellite Percentage Calculations



Annexation Petition

Petition Requesting Annexation

To the Board of Commissioners of the Town of Huntersville:

1. We, the undersigned owners of all or a part of the real property described on the metes and bounds description attached hereto, request that the described area be annexed to the Town of Huntersville.
2. This is a single petition that may be one of multiple petitions by all other owners of land within the tract petitioned for annexation. If this is the case, please include a brief description of the portion of land, as of the date of this petition, owned by the undersigned petitioner (ex. lot number from a recorded plat or tax parcel number).

TAX PARCEL #'S 021-031-04 / 021-031-32 / 021-031-07 / 021-031-38 /
021-033-89 / 021-033-91 / 021-033-90 / 021-033-01 thru 021-033-12 /
021-033-52 thru 021-033-88

3. The area to be annexed is (contiguous) (non-contiguous) [circle one] to the primary corporate limits of the Town of Huntersville. The petitioner attaches hereto and submits as part of the petition:
 - ✓(a) Metes and bounds description of the parcel(s) identified in paragraph 1, and
 - ✓(b) A plat, suitable for recordation in the office of the Mecklenburg County Register of Deeds, showing the area proposed for annexation with relation to the primary corporate limits of the Town of Huntersville.
4. The petitioner (does) does not [circle one] claim vested rights in the property pursuant to N.C.G.S. 153A-344.1 or 160A-385.1. The basis of this claim of vested rights is as follows

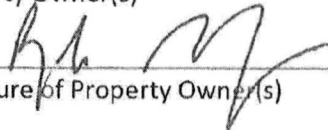
previously approved subdivision plan for THE HILLS

Petitioner & Owner Information

Bobby MacNaughton
Petitioner


Signature of Petitioner

KB Home Charlotte LLC
Property Owner(s)


Signature of Property Owner(s)

2/14/23
Date



Annexation Petition

Petition Requesting Annexation

To the Board of Commissioners of the Town of Huntersville:

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2. This is a single petition that may be one of multiple petitions by all other owners of land within the tract petitioned for annexation. If this is the case, please include a brief description of the portion of land, as of the date of this petition, owned by the undersigned petitioner (ex. lot number from a recorded plat or tax parcel number).

TAX PARCEL # 021-033-05

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Previously Approved Subdivisions PLAN for THE HILLS

Petitioner & Owner Information

Richard F Compagno
Petitioner

Emily K Bice

[Signature]
Signature of Petitioner

Emily K Bice

Richard F Compagno
Property Owner(s)

Emily K Bice

[Signature]
Signature of Property Owner(s)

Emily K Bice

02/10/2023
Date

02/10/2023

NOTICE OF ANNEXATION TO TOWN OF HUNTERSVILLE

PROPERTY ADDRESS: 12328 Rowan Hill Drive, Huntersville, NC 28078

The undersigned, Emily K. Bice and Richard F. Carpentieri (Collectively, "Buyer") do hereby acknowledge that the real property know as 12328 Rowan Hill Drive, Huntersville, NC 28078, as further shown on Exhibit "A" (the "Property") was intended to be annexed into the Town of Huntersville (the "Town") prior to Buyer's purchase of the Property. Buyer desires the property to be annexed into the Town. KB Home Charlotte Inc., ("KB") has agreed to annex the Property and incur the costs associated with the annexation.

Buyer agrees to fully cooperate with KB during the annexation process and provide any documentation, signatures, meeting attendance or any other request from KB to assist in the annexation of the property. Buyer understands that Buyers signature will be required on the Annexation request and plat to be recorded and will sign both promptly when requested. Failure to timely respond to KB may result in a delay in the annexation or failure of the property to be annexed.

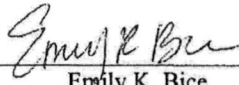
Buyer agrees to close on the purchase of the Property while the property is being annexed into the Town. Buyer further understands that Town will not be providing garbage services until the annexation is complete. KB has provided the Buyer with the contact information for a garbage service provider that Buyer may elect to use while waiting for the Town services to become available. All costs and fees associated with the above referenced service provider is the responsibility of Buyer.

Buyer understands their escrow account for payment of taxes is based off the current taxing authorities and will be subject to change once the property is annexed. This may result in shortage of Buyers escrow account for tax payment and Buyer agrees it is their responsibility to remit an additional payment that may be required to cure the shortage in the escrow account.

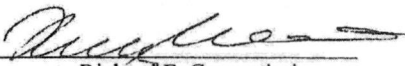
Buyer further waives any breach of contract by KB due to the lack of annexation to the Town under the KB Purchase Agreement dated January 16, 2023, by and between Buyer and KB (the "Contract"), so long as KB continues to make reasonable efforts to annex the property to the Town. Buyer further fully waives any breach of contract by KB if the property is not annexed to the Town due to the Buyers failure to cooperate with KB.

(Signature Page to Follow)

Buyer has the executed this Notice of Annexation to Town of Huntersville this the 10th day of February 2023.



Emily K. Bice



Richard F. Carpentieri

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, a Notary Public for the State and County above listed, do hereby certify that Emily K. Bice and Richard F. Carpentieri personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 10th of February 2023.

Notary Public

My Commission Expires:

(SEAL)



Annexation Petition

Petition Requesting Annexation

To the Board of Commissioners of the Town of Huntersville:

1. We, the undersigned owners of all or a part of the real property described on the metes and bounds description attached hereto, request that the described area be annexed to the Town of Huntersville.
2. This is a single petition that may be one of multiple petitions by all other owners of land within the tract petitioned for annexation. If this is the case, please include a brief description of the portion of land, as of the date of this petition, owned by the undersigned petitioner (ex. lot number from a recorded plat or tax parcel number).

TAX PARCEL # 021-033-06

3. The area to be annexed is (contiguous) (non-contiguous) [circle one] to the primary corporate limits of the Town of Huntersville. The petitioner attaches hereto and submits as part of the petition:
 - ☒ (a) Metes and bounds description of the parcel(s) identified in paragraph 1, and
 - ☒ (b) A plat, suitable for recordation in the office of the Mecklenburg County Register of Deeds, showing the area proposed for annexation with relation to the primary corporate limits of the Town of Huntersville.
4. The petitioner (does) (does not) [circle one] claim vested rights in the property pursuant to N.C.G.S. 153A-344.1 or 160A-385.1. The basis of this claim of vested rights is as follows

Previously APPROVED SUBDIVISION PLAN FOR THE HILLS

Petitioner & Owner Information

Abril Jimenez

Chirag B. Patel

Petitioner

DocuSigned by:

Abril Jimenez

DocuSigned by:

Chirag B. Patel

Signature of Petitioner

Abril Jimenez

Chirag B. Patel

Property Owner(s)

DocuSigned by:

Abril Jimenez

DocuSigned by:

Chirag B. Patel

Signature of Property Owner(s)

2/23/2023

2/23/2023

Date

Certificate Of Completion

Envelope Id: 6D8CC7EB459F4715BED59FF49D6D99AB
Subject: Complete with DocuSign: Annexation Petition (Application 2023).pdf
Source Envelope:
Document Pages: 2
Certificate Pages: 6
AutoNav: Enabled
EnvelopeId Stamping: Enabled
Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Status: Completed

Envelope Originator:
Audrey Riddick
9102 Southpark Ctr LP Suite 100
Orlando, FL 32819
amriddick@kbhome.com
IP Address: 104.129.205.122

Record Tracking

Status: Original
2/23/2023 9:43:12 AM

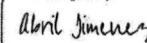
Holder: Audrey Riddick
amriddick@kbhome.com

Location: DocuSign

Signer Events

Abril Jimenez
abril.jcolonna@gmail.com
Security Level: Email, Account Authentication
(None)

Signature

DocuSigned by:

90F2C3ED6AD5432...

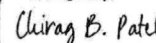
Signature Adoption: Pre-selected Style
Using IP Address: 172.58.155.156
Signed using mobile

Timestamp

Sent: 2/23/2023 9:51:52 AM
Viewed: 2/23/2023 9:52:39 AM
Signed: 2/23/2023 9:53:06 AM

Electronic Record and Signature Disclosure:
Accepted: 1/17/2023 11:08:31 AM
ID: 617ca83f-8e52-423e-b086-524ade0f314a
Company Name: KB Home

Chirag B. Patel
patel71985@gmail.com
Security Level: Email, Account Authentication
(None)

DocuSigned by:

FBE82EA53EDA442...

Signature Adoption: Pre-selected Style
Using IP Address: 166.196.89.85
Signed using mobile

Sent: 2/23/2023 9:51:53 AM
Viewed: 2/23/2023 9:52:41 AM
Signed: 2/23/2023 9:52:59 AM

Electronic Record and Signature Disclosure:
Accepted: 2/23/2023 9:52:41 AM
ID: e70269f1-5995-4244-a100-726e87797b1d
Company Name: KB Home

In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp****Carbon Copy Events****Status****Timestamp**

Bobby MacNaughton
rmacnaughton@kbhome.com
Security Level: Email, Account Authentication
(None)

COPIED

Sent: 2/23/2023 9:51:53 AM
Viewed: 2/23/2023 9:52:22 AM

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Carbon Copy Events

Paula Saunders Stroupe
pastroupe@kbhome.com
Sales Representative
KB Home

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Status**COPIED****Timestamp**

Sent: 2/23/2023 9:51:53 AM

Witness Events**Signature****Timestamp****Notary Events****Signature****Timestamp****Envelope Summary Events****Status****Timestamps**

Envelope Sent	Hashed/Encrypted	2/23/2023 9:51:53 AM
Certified Delivered	Security Checked	2/23/2023 9:52:41 AM
Signing Complete	Security Checked	2/23/2023 9:52:59 AM
Completed	Security Checked	2/23/2023 9:53:06 AM

Payment Events**Status****Timestamps****Electronic Record and Signature Disclosure**

CONSENT AND AGREEMENT TO RECEIVE, SIGN AND INITIAL ELECTRONIC PURCHASE AGREEMENT DOCUMENTS, NOTICES AND DISCLOSURES BY BUYER(S) ("E-transaction Agreement") CONSUMER DISCLOSURE

This E-transaction Agreement contains important information that you are entitled to receive before you consent and agree to electronically receive, sign and initial your purchase agreement documents, notices and disclosures related to your home purchase (collectively, "documents, notices and disclosures" from the Seller ("we," "us" or "Company"), and/or its parent company KB Home, its affiliates and subsidiaries.

By checking the "I Agree" box, I consent, agree and confirm that:

- 1. I am solely responsible for reading all of the electronic purchase agreement documents, notices and disclosures, including, without limitation, all of the information that appears between prompts for electronic initials and signatures; and**
- 2. I have the opportunity to scroll up and down in all of the electronic documents by using the scrolling navigation bar along the right side of the documents; and**
- 3. By clicking "next" to forward to the next electronic initial or signature, the prompt may skip over pages to the next electronic initial or signature, but that I can scroll up or down at any time to review all pages; and**
- 4. I will not claim that I did not know or understand what I was initialing or signing if pages are skipped by clicking "next" to forward to the next electronic initial or signature; and**
- 5. I am not required to use electronic initials and signatures; and**
- 6. If, at any time prior to completion of the electronic signature process, I do not want to utilize electronic initials and signatures, I may cancel the electronic signature process and request that I sign and initial all documents by hand in person; and**
- 7. I am voluntarily choosing to use electronic initials and signatures which will create a binding purchase agreement with Seller.**

Buyer(s) acknowledge, understand and accept that Buyer's electronic signatures and initials create a binding purchase agreement with Seller. If you do not want to conduct your purchase transaction by electronic signatures, then exit this program without clicking the 'I Agree' box. If you voluntarily elect to proceed to conduct your purchase transaction by electronic signatures with Seller, please read this E-transaction Agreement carefully, follow the instructions to click the 'I Agree' box, and download, save and/or print a copy of the E-transactions Agreement for your files.

Buyer(s) understand and accept that Buyer(s) are voluntarily agreeing to participate in this E-transaction Agreement during Seller's purchase agreement process. During this process, it is possible that circumstances may arise causing Seller to require Buyer(s) to provide wet signatures on some or all documents, notices and disclosures before closing. If this occurs, Seller will not have any liability to Buyer(s) and will not pay any compensation or consideration to Buyer(s) for any such duplication of signatures or other inconvenience to Buyer(s). From time to time, Seller may provide Buyer(s) ("you") with purchase agreement documents, notices, and disclosures related to your home purchase and we may provide you with certain written documents, notices or disclosures. State laws, the Uniform Electronic Transaction Act (UETA), and federal law, the Electronic Signatures in Global and National Commerce Act (ESIGN), state that a document or signature cannot be denied legal effect or enforceability solely because it is in electronic form. Both laws allow electronic signatures to be used in real estate transactions. Described below are the terms and conditions for providing you with such documents, notices

and disclosures electronically through the DocuSign, Inc. ("DocuSign") electronic signing system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' box.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after signing session and, if you elect to create a DocuSign signer account, you may access them for a limited period of time (usually 30 days) after such documents are first sent to you.

Withdrawing your consent

If you decide to electronically sign and receive documents, notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required documents, notices and disclosures only in paper format. How you must inform us of your decision to receive future documents, notices and disclosures in paper format and withdraw your consent to receive documents, notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required documents, notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required documents, notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper documents, notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of a DocuSign envelope instead of signing it. This will indicate to us that you have withdrawn your consent to receive required documents, notices and disclosures electronically from us and you will no longer be able to use the DocuSign system to receive required documents, notices and consents electronically from us or to sign electronically documents from us.

Documents, notices and disclosures sent to you electronically may sometimes also require wet signatures

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system required documents, notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any documents, notice or disclosure, we prefer to provide, to the extent possible, the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive the documents, disclosures and notices electronically or in paper format through the paper mail delivery system. However, your consent and agreement does not mean that we are obligated to provide all documents, notices and disclosures to you electronically. We may, in our sole and exclusive discretion, deliver any documents, notices and disclosures to you in paper form should we choose to do so. We may also require that certain communications with you, and certain documents, notices and disclosures be delivered to us in paper form at a specified address. It is also possible that certain third parties involved in the purchase transaction, including but not limited to certain lenders and FHA, VA and USDA loans, may not accept electronic signatures and may require wet signatures

on certain documents, notices and disclosures before closing. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the documents, notices and disclosures electronically from us.

Seller disclaimer of representations, warranties and liability

Seller does not represent or warranty that the DocuSign electronic signature system are or will be error- free. Seller makes no representations or warranties of any kind, whether express, implied in fact or by operation of law, or statutory as to the DocuSign electronic signature system. Seller disclaims all implied warranties of merchantability and fitness for a particular purpose for the DocuSign electronic signature system. Seller expressly disclaims any and all liability arising out of or related to any failures of the DocuSign electronic signature system. If the DocuSign electronic signature system fails in part or in whole, or if Seller discontinues usage of the DocuSign electronic signature system, Buyer(s) understand and accept that Seller may require Buyer(s) to re-execute and provide wet signatures on duplicate purchase agreement documents, notices and disclosures without any compensation or consideration to Buyers.

How to contact KB Home:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive documents, notices and disclosures electronically as follows: To contact us by email send messages to: kbhomes@kbhome.com.

To advise KB Home of your new e-mail address

To let us know of a change in your e-mail address and where we should send documents, notices and disclosures electronically, you must send an email message to us at kbhomes@kbhome.com and in the body of such request you must state: your previous e-mail address and your new e-mail address. We do not require any other information from you to change your email address.

To request paper copies from KB Home

To request delivery from us of paper copies of the documents, notices and disclosures previously provided by us to you electronically, you must send an e-mail to kbhomes@kbhome.com and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with KB Home

To inform us that you no longer want to receive future documents, notices and disclosures in electronic format you may: i. decline to sign a document from within your DocuSign session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an e-mail to kbhomes@kbhome.com and in the body of such request you must state your e-mail, full name, US Postal Address, and telephone number. We do not need any other information from you to withdraw consent. The consequences of withdrawing consent for online documents will be that transactions may take a longer time to process.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic documents, notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving documents, notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I Agree' box.

By checking the 'I Agree' box, I consent, agree and confirm that:

- I can access and read this CONSENT AND AGREEMENT TO RECEIVE, SIGN AND INITIAL ELECTRONIC PURCHASE AGREEMENT DOCUMENTS, NOTICES AND DISCLOSURES; and
- I can print on paper the disclosure or save or send this E-transaction Agreement to a place where I can download, save and/or print it, for future reference and access; and
- Until or unless I notify Seller as described above, I consent and agree to receive from Seller through electronic means all purchase agreement documents, notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Seller during the course of my relationship with Seller.

I confirm that I have: (a) established an exclusive email address used to authenticate access to, (b) created a password or passcode with, and (c) had my identity validated by authentication through the DocuSign e-signature system on which I am electronically signing this E-transaction Agreement.

My electronic signatures and initials create a binding purchase agreement with Seller when signed pursuant to this E-transaction Agreement.



Annexation Petition

Petition Requesting Annexation

To the Board of Commissioners of the Town of Huntersville:

1. We, the undersigned owners of all or a part of the real property described on the metes and bounds description attached hereto, request that the described area be annexed to the Town of Huntersville.
2. This is a single petition that may be one of multiple petitions by all other owners of land within the tract petitioned for annexation. If this is the case, please include a brief description of the portion of land, as of the date of this petition, owned by the undersigned petitioner (ex. lot number from a recorded plat or tax parcel number).

TAX PARCEL # 021-033.07

3. The area to be annexed is (contiguous) (non-contiguous) [circle one] to the primary corporate limits of the Town of Huntersville. The petitioner attaches hereto and submits as part of the petition:
 - ☒ (a) Metes and bounds description of the parcel(s) identified in paragraph 1, and
 - ☒ (b) A plat, suitable for recordation in the office of the Mecklenburg County Register of Deeds, showing the area proposed for annexation with relation to the primary corporate limits of the Town of Huntersville.
4. The petitioner ~~(does)~~ (does not) [circle one] claim vested rights in the property pursuant to N.C.G.S. 153A-344.1 or 160A-385.1. The basis of this claim of vested rights is as follows

Previously Approved Subdivision Plan For THE HILLS

Petitioner & Owner Information

Logan Ruffin

Petitioner

DocuSigned by:

Logan Ruffin

BA5583C4984C4DE

Signature of Petitioner

Logan Ruffin

Property Owner(s)

DocuSigned by:

Logan Ruffin

BA5583C4984C4DE

Signature of Property Owner(s)

2/23/2023

Date



OWNER'S NAME _____ DATE _____

2025 RELEASE UNDER E.O. 14176

TOWN OF INTERVALLE

ATTEST: _____

REVIEW OFFICER OF
MIDDLEBURG COUNTY, CERTIFY THAT THE MAP OR PLAN TO
WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY
REQUIREMENTS FOR RECORDING.

REVIEW OFFICER	DATE
----------------	------

LEGEND:

- MR - MAIN ROOM
- PD - PAGE
- EXP - EDGE OF PAVEMENT
- EXP - EDGE OF DRAINAGE
- INAGE - BUMP MAINTENANCE & ACCESS/ EASEMENT
- CT - CATCH BASIN
- SAN - SANITARY
- FES - FLARED END SECTION
- CP - CIPR PIPE
- CS - SEWER CLEAN OUT
- MR - MAIN HOLE
- CWP - CORRUPTED METAL PIPE
- RCF - REINFORCED CONCRETE PIPE
- NR - HEAD WALL
- NR - RIGHT OF WAY
- MECH - MECHANICAL
- PRD - PRECAST CONCRETE PEDESTAL
- CWP PD - CABLE PEDESTAL
- EXP - UNDERGROUND
- CWP - COMMUNICATIONS CABLE
- CLED - CABLE
- PD - PIERCE POINT
- WLT - WALL
- EXP - EXISTING
- PROP - PROPOSED
- CWP - OVERHEAD ELECTRIC
- CONC - CONCRETE

D.O.T. - DEPARTMENT OF TRANSPORTATION

SITE - 353535 RIGHT TRIANGLE EASEMENT

NOTE - RIGHT TRIANGLE EASEMENT

AREA CALCULATED BY COORDINATE METHOD
NO RIDGE TRAILING STATION WITHIN 500'
THIS PROPERTY MAY BE SUBJECT TO EXISTING EASEMENTS
FROM PIER OR ALL OTHERS CARRYING OVERHUNG PIER
THIS PROPERTY IS NOT BEING OFFERED FOR SALE, RENT
AND EASEMENTS OF RECORD NOT WITHIN 500' OF THIS PROPERTY
WHICH MAY BE REVEALED BY A PIER AND REGULARLY VISUAL SEARCH
THIS PROPERTY DOES NOT USE A WELL OR A SPECIAL PLACED
WATERING AREA OR PUMP FOR PIER, SPRINKLER, SHARED 11/16/2016

THE SOLE PURPOSE OF THIS MAP IS TO PROVIDE RELATED ADVICE
TO THE TOWN OF SUPERIOR.

CHRONOLOGY	DAILY
------------	-------

DATE (Y)	DATE
----------	------

LINE	WAVELENGTH	WAVELENGTH	WAVELENGTH
1.1	12.175	12.175	12.175
1.2	12.175	12.175	12.175
1.3	12.175	12.175	12.175
1.4	12.175	12.175	12.175
1.5	12.175	12.175	12.175
1.6	12.175	12.175	12.175
1.7	12.175	12.175	12.175
1.8	12.175	12.175	12.175
1.9	12.175	12.175	12.175
2.0	12.175	12.175	12.175
2.1	12.175	12.175	12.175
2.2	12.175	12.175	12.175
2.3	12.175	12.175	12.175
2.4	12.175	12.175	12.175
2.5	12.175	12.175	12.175
2.6	12.175	12.175	12.175
2.7	12.175	12.175	12.175
2.8	12.175	12.175	12.175
2.9	12.175	12.175	12.175
3.0	12.175	12.175	12.175
3.1	12.175	12.175	12.175
3.2	12.175	12.175	12.175
3.3	12.175	12.175	12.175
3.4	12.175	12.175	12.175
3.5	12.175	12.175	12.175
3.6	12.175	12.175	12.175
3.7	12.175	12.175	12.175
3.8	12.175	12.175	12.175
3.9	12.175	12.175	12.175
4.0	12.175	12.175	12.175
4.1	12.175	12.175	12.175
4.2	12.175	12.175	12.175
4.3	12.175	12.175	12.175
4.4	12.175	12.175	12.175
4.5	12.175	12.175	12.175
4.6	12.175	12.175	12.175
4.7	12.175	12.175	12.175
4.8	12.175	12.175	12.175
4.9	12.175	12.175	12.175
5.0	12.175	12.175	12.175
5.1	12.175	12.175	12.175
5.2	12.175	12.175	12.175
5.3	12.175	12.175	12.175
5.4	12.175	12.175	12.175
5.5	12.175	12.175	12.175
5.6	12.175	12.175	12.175
5.7	12.175	12.175	12.175
5.8	12.175	12.175	12.175
5.9	12.175	12.175	12.175
6.0	12.175	12.175	12.175
6.1	12.175	12.175	12.175
6.2	12.175	12.175	12.175
6.3	12.175	12.175	12.175
6.4	12.175	12.175	12.175
6.5	12.175	12.175	12.175
6.6	12.175	12.175	12.175
6.7	12.175	12.175	12.175
6.8	12.175	12.175	12.175
6.9	12.175	12.175	12.175
7.0	12.175	12.175	12.175
7.1	12.175	12.175	12.175
7.2	12.175	12.175	12.175
7.3	12.175	12.175	12.175
7.4	12.175	12.175	12.175
7.5	12.175	12.175	12.175
7.6	12.175	12.175	12.175
7.7	12.175	12.175	12.175
7.8	12.175	12.175	12.175
7.9	12.175	12.175	12.175
8.0	12.175	12.175	12.175
8.1	12.175	12.175	12.175
8.2	12.175	12.175	12.175
8.3	12.175	12.175	12.175
8.4	12.175	12.175	12.175
8.5	12.175	12.175	12.175
8.6	12.175	12.175	12.175
8.7	12.175	12.175	12.175
8.8	12.175		

COURSE TABLE					
COURSE	LENGTH	NAGLES	CHORDS	SCALARS	DELTA
C27	49.10	36.00	<3.80	0.3030442%	82.967%
C30	103.08	810.38	103.03	0.8032786%	87.951%
C39	88.70	109.08	88.68	0.1782803%	93.254%
C50	24.62	187.98	24.58	0.7703717%	103.240%
C38	30.11	187.38	<4.88	0.5807721%	101.920%
C26	106.23	170.43	106.58	0.6730744%	94.670%
C36	83.36	894.38	83.35	0.8432177%	93.244%

[illegible]

GRAPHIC SCALE

1 inch = 120 ft.

SHEET 7/E	PAGE 06
NON-CONTIGUOUS ANNEXTION PLAT (62.593 ACRES)	SCALE = 1"= 120'
PROJECT THE HILLS PHASE 1 & 2	DATE 02/15/23
HILLTOPPING MIDDLEBURG COMMUNITY, NC FOR: KB HOME CHARLOTTE LLC, DEED:35855-186.	TOWN
OWNERS : SEE ABOVE	COUNTY
	DRAWING NO.
	YARBROUGH-WILLIAMS & HOULS, INC.
	Planning • Surveying • Engineering
Registered Professional Engineers Charlotte, North Carolina, 28203	REGISTERED PROFESSIONAL SURVEYORS Charlotte, North Carolina, 28204

CERTIFICATE OF SUFFICIENCY

To the Board of Commissioners of the Town of Huntersville, North Carolina:

I, Janet Pierson, Town Clerk, do hereby certify that I have investigated the attached petition by Bobby MacNaughton, Emily Bice, Richard Carpentieri, Abril Jimenez, Chirag Patel, and Logan Ruffin for the non-contiguous annexation of certain property known as the Hills Property, and hereby make the following findings:

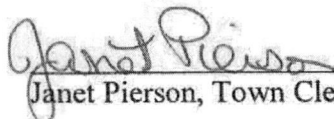
- a) The petition is signed by all the owners of real property lying in the area described therein in accordance with North Carolina General Statutes 160A-58.1.

I further find that the area meets the standards for a noncontiguous area as specified in G.S. 160A-58.1(b), in that:

- b) The nearest point on the proposed satellite corporate limits is no more than three miles from the primary corporate limits of the Town of Huntersville;
- c) No point on the proposed satellite corporate limits is closer to the primary corporate limits of another city than to the primary corporate limits of the Town of Huntersville;
- d) The area is situated so that the Town of Huntersville will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits;
- e) To the extent that the proposed satellite area contains any portion of a subdivision, the entire subdivision is included;
- f) The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits of the Town of Huntersville, does not exceed ten percent (10%) of the area within the primary corporate limits of the Town of Huntersville.

The undersigned therefore certifies that the petition is sufficient for the voluntary annexation of a non-contiguous area pursuant to NCGS §160A-58.1.

IN WITNESS WHEREOF, I have hereto set my hand and affixed the seal of the Town of Huntersville this 22nd day of March, 2023.


Janet Pierson, Town Clerk





Annexation Petition

Petition Requesting Annexation

To the Board of Commissioners of the Town of Huntersville:

1. We, the undersigned owners of all or a part of the real property described on the metes and bounds description attached hereto, request that the described area be annexed to the Town of Huntersville.
2. This is a single petition that may be one of multiple petitions by all other owners of land within the tract petitioned for annexation. If this is the case, please include a brief description of the portion of land, as of the date of this petition, owned by the undersigned petitioner (ex. lot number from a recorded plat or tax parcel number).

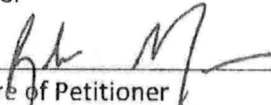
TAX PARCEL #'S 021-031-04 / 021-031-32 / 021-031-07 / 021-031-38 /
021-033-89 / 021-033-91 / 021-033-90 / 021-033-01 thru 021-033-12 /
021-033-52 thru 021-033-88

3. The area to be annexed is (contiguous) (non-contiguous) [circle one] to the primary corporate limits of the Town of Huntersville. The petitioner attaches hereto and submits as part of the petition:
 - ✓(a) Metes and bounds description of the parcel(s) identified in paragraph 1, and
 - ✓(b) A plat, suitable for recordation in the office of the Mecklenburg County Register of Deeds, showing the area proposed for annexation with relation to the primary corporate limits of the Town of Huntersville.
4. The petitioner (does) does not [circle one] claim vested rights in the property pursuant to N.C.G.S. 153A-344.1 or 160A-385.1. The basis of this claim of vested rights is as follows

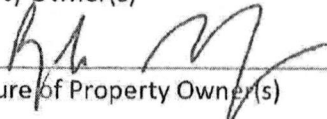
Previously approved subdivisions plan for THE HILLS

Petitioner & Owner Information

Bobby MacNaughton
Petitioner


Signature of Petitioner

KB Home Charlotte LLC
Property Owner(s)


Signature of Property Owner(s)

2/14/23
Date



Annexation Petition

Petition Requesting Annexation

To the Board of Commissioners of the Town of Huntersville:

1. We, the undersigned owners of all or a part of the real property described on the metes and bounds description attached hereto, request that the described area be annexed to the Town of Huntersville.
2. This is a single petition that may be one of multiple petitions by all other owners of land within the tract petitioned for annexation. If this is the case, please include a brief description of the portion of land, as of the date of this petition, owned by the undersigned petitioner (ex. lot number from a recorded plat or tax parcel number).

TAX PARCEL # 021-033-05

3. The area to be annexed is (contiguous) (non-contiguous) [circle one] to the primary corporate limits of the Town of Huntersville. The petitioner attaches hereto and submits as part of the petition:
 - ✓(a) Metes and bounds description of the parcel(s) identified in paragraph 1, and
 - ✓(b) A plat, suitable for recordation in the office of the Mecklenburg County Register of Deeds, showing the area proposed for annexation with relation to the primary corporate limits of the Town of Huntersville.

4. The petitioner (does) (does not) [circle one] claim vested rights in the property pursuant to N.C.G.S. 153A-344.1 or 160A-385.1. The basis of this claim of vested rights is as follows

Previously Approved Subdivides Plan for THE HILL

Petitioner & Owner Information

Richard F. Carpenter
Petitioner

Emily K Bice

[Signature]
Signature of Petitioner

Emily K Bice

Richard F. Carpenter
Property Owner(s)

Emily K Bice

[Signature]
Signature of Property Owner(s)

Emily K Bice

02/10/2023
Date

02/10/2023

NOTICE OF ANNEXATION TO TOWN OF HUNTERSVILLE

PROPERTY ADDRESS: 12328 Rowan Hill Drive, Huntersville, NC 28078

The undersigned, Emily K. Bice and Richard F. Carpentieri (Collectively, "Buyer") do hereby acknowledge that the real property know as 12328 Rowan Hill Drive, Huntersville, NC 28078, as further shown on Exhibit "A" (the "Property") was intended to be annexed into the Town of Huntersville (the "Town") prior to Buyer's purchase of the Property. Buyer desires the property to be annexed into the Town. KB Home Charlotte Inc., ("KB") has agreed to annex the Property and incur the costs associated with the annexation.

Buyer agrees to fully cooperate with KB during the annexation process and provide any documentation, signatures, meeting attendance or any other request from KB to assist in the annexation of the property. Buyer understands that Buyers signature will be required on the Annexation request and plat to be recorded and will sign both promptly when requested. Failure to timely respond to KB may result in a delay in the annexation or failure of the property to be annexed.

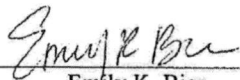
Buyer agrees to close on the purchase of the Property while the property is being annexed into the Town. Buyer further understands that Town will not be providing garbage services until the annexation is complete. KB has provided the Buyer with the contact information for a garbage service provider that Buyer may elect to use while waiting for the Town services to become available. All costs and fees associated with the above referenced service provider is the responsibility of Buyer.

Buyer understands their escrow account for payment of taxes is based off the current taxing authorities and will be subject to change once the property is annexed. This may result in shortage of Buyers escrow account for tax payment and Buyer agrees it is their responsibility to remit an additional payment that may be required to cure the shortage in the escrow account.

Buyer further waives any breach of contract by KB due to the lack of annexation to the Town under the KB Purchase Agreement dated January 16, 2023, by and between Buyer and KB (the "Contract"), so long as KB continues to make reasonable efforts to annex the property to the Town. Buyer further fully waives any breach of contract by KB if the property is not annexed to the Town due to the Buyers failure to cooperate with KB.

(Signature Page to Follow)

Buyer has the executed this Notice of Annexation to Town of Huntersville this the 10th day of February 2023.


Emily K. Bice


Richard F. Carpentieri

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, a Notary Public for the State and County above listed, do hereby certify that Emily K. Bice and Richard F. Carpentieri personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 10th of February 2023.

Notary Public

My Commission Expires:

(SEAL)



Annexation Petition

Petition Requesting Annexation

To the Board of Commissioners of the Town of Huntersville:

1. We, the undersigned owners of all or a part of the real property described on the metes and bounds description attached hereto, request that the described area be annexed to the Town of Huntersville.
2. This is a single petition that may be one of multiple petitions by all other owners of land within the tract petitioned for annexation. If this is the case, please include a brief description of the portion of land, as of the date of this petition, owned by the undersigned petitioner (ex. lot number from a recorded plat or tax parcel number).

TAX PARCEL # 021-033-06

3. The area to be annexed is (contiguous) (non-contiguous) [circle one] to the primary corporate limits of the Town of Huntersville. The petitioner attaches hereto and submits as part of the petition:
 - ☒ (a) Metes and bounds description of the parcel(s) identified in paragraph 1, and
 - ☒ (b) A plat, suitable for recordation in the office of the Mecklenburg County Register of Deeds, showing the area proposed for annexation with relation to the primary corporate limits of the Town of Huntersville.
4. The petitioner (does) (does not) [circle one] claim vested rights in the property pursuant to N.C.G.S. 153A-344.1 or 160A-385.1. The basis of this claim of vested rights is as follows

Previously APPROVED SUBDIVISION PLAN FOR THE HILLS

Petitioner & Owner Information

Abril Jimenez

Chirag B. Patel

Petitioner

DocuSigned by:

Abril Jimenez

DocuSigned by:

Chirag B. Patel

Signature of Petitioner

Abril Jimenez

Chirag B. Patel

Property Owner(s)

DocuSigned by:

Abril Jimenez

DocuSigned by:

Chirag B. Patel

Signature of Property Owner(s)

2/23/2023

2/23/2023

Date

Certificate Of Completion

Envelope Id: 8D8CC7EB459F4715BED59FF49D6D99AB
Subject: Complete with DocuSign: Annexation Petition (Application 2023).pdf
Source Envelope:
Document Pages: 2
Certificate Pages: 6
AutoNav: Enabled
Envelope Stamping: Enabled
Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Status: Completed

Envelope Originator:
Audrey Riddick
9102 Southpark Ctr LP Suite 100
Orlando, FL 32819
amriddick@kbhome.com
IP Address: 104.129.205.122

Record Tracking

Status: Original
2/23/2023 9:43:12 AM

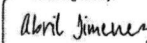
Holder: Audrey Riddick
amriddick@kbhome.com

Location: DocuSign

Signer Events

Abril Jimenez
abril.jcolonna@gmail.com
Security Level: Email, Account Authentication
(None)

Signature

DocuSigned by:

90F2C3ED6AD5432...

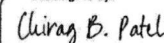
Signature Adoption: Pre-selected Style
Using IP Address: 172.58.155.156
Signed using mobile

Timestamp

Sent: 2/23/2023 9:51:52 AM
Viewed: 2/23/2023 9:52:39 AM
Signed: 2/23/2023 9:53:06 AM

Electronic Record and Signature Disclosure:
Accepted: 1/17/2023 11:08:31 AM
ID: 617ca83f-8e52-423e-b086-524ade0f314a
Company Name: KB Home

Chirag B. Patel
patel71985@gmail.com
Security Level: Email, Account Authentication
(None)

DocuSigned by:

FBE82EA53EDA4A2...

Signature Adoption: Pre-selected Style
Using IP Address: 166.196.89.85
Signed using mobile

Sent: 2/23/2023 9:51:53 AM
Viewed: 2/23/2023 9:52:41 AM
Signed: 2/23/2023 9:52:59 AM

Electronic Record and Signature Disclosure:
Accepted: 2/23/2023 9:52:41 AM
ID: e70269f1-5995-4244-a100-726e87797b1d
Company Name: KB Home

In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp****Carbon Copy Events****Status****Timestamp**

Bobby MacNaughton
rmacnaughton@kbhome.com
Security Level: Email, Account Authentication
(None)

COPIED

Sent: 2/23/2023 9:51:53 AM
Viewed: 2/23/2023 9:52:22 AM

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Carbon Copy Events

Paula Saunders Stroupe
pastroupe@kbhome.com
Sales Representative
KB Home

Status**COPIED****Timestamp**

Sent: 2/23/2023 9:51:53 AM

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Witness Events**Signature****Timestamp****Notary Events****Signature****Timestamp****Envelope Summary Events****Status****Timestamps**

Envelope Sent

Hashed/Encrypted

2/23/2023 9:51:53 AM

Certified Delivered

Security Checked

2/23/2023 9:52:41 AM

Signing Complete

Security Checked

2/23/2023 9:52:59 AM

Completed

Security Checked

2/23/2023 9:53:06 AM

Payment Events**Status****Timestamps****Electronic Record and Signature Disclosure**

CONSENT AND AGREEMENT TO RECEIVE, SIGN AND INITIAL ELECTRONIC PURCHASE AGREEMENT DOCUMENTS, NOTICES AND DISCLOSURES BY BUYER(S) ("E-transaction Agreement") CONSUMER DISCLOSURE

This E-transaction Agreement contains important information that you are entitled to receive before you consent and agree to electronically receive, sign and initial your purchase agreement documents, notices and disclosures related to your home purchase (collectively, "documents, notices and disclosures" from the Seller ("we," "us" or "Company"), and/or its parent company KB Home, its affiliates and subsidiaries.

By checking the "I Agree" box, I consent, agree and confirm that:

- 1. I am solely responsible for reading all of the electronic purchase agreement documents, notices and disclosures, including, without limitation, all of the information that appears between prompts for electronic initials and signatures; and**
- 2. I have the opportunity to scroll up and down in all of the electronic documents by using the scrolling navigation bar along the right side of the documents; and**
- 3. By clicking "next" to forward to the next electronic initial or signature, the prompt may skip over pages to the next electronic initial or signature, but that I can scroll up or down at any time to review all pages; and**
- 4. I will not claim that I did not know or understand what I was initialing or signing if pages are skipped by clicking "next" to forward to the next electronic initial or signature; and**
- 5. I am not required to use electronic initials and signatures; and**
- 6. If, at any time prior to completion of the electronic signature process, I do not want to utilize electronic initials and signatures, I may cancel the electronic signature process and request that I sign and initial all documents by hand in person; and**
- 7. I am voluntarily choosing to use electronic initials and signatures which will create a binding purchase agreement with Seller.**

Buyer(s) acknowledge, understand and accept that Buyer's electronic signatures and initials create a binding purchase agreement with Seller. If you do not want to conduct your purchase transaction by electronic signatures, then exit this program without clicking the 'I Agree' box. If you voluntarily elect to proceed to conduct your purchase transaction by electronic signatures with Seller, please read this E-transaction Agreement carefully, follow the instructions to click the 'I Agree' box, and download, save and/or print a copy of the E-transactions Agreement for your files.

Buyer(s) understand and accept that Buyer(s) are voluntarily agreeing to participate in this E-transaction Agreement during Seller's purchase agreement process. During this process, it is possible that circumstances may arise causing Seller to require Buyer(s) to provide wet signatures on some or all documents, notices and disclosures before closing. If this occurs, Seller will not have any liability to Buyer(s) and will not pay any compensation or consideration to Buyer(s) for any such duplication of signatures or other inconvenience to Buyer(s). From time to time, Seller may provide Buyer(s) ("you") with purchase agreement documents, notices, and disclosures related to your home purchase and we may provide you with certain written documents, notices or disclosures. State laws, the Uniform Electronic Transaction Act (UETA), and federal law, the Electronic Signatures in Global and National Commerce Act (ESIGN), state that a document or signature cannot be denied legal effect or enforceability solely because it is in electronic form. Both laws allow electronic signatures to be used in real estate transactions. Described below are the terms and conditions for providing you with such documents, notices

and disclosures electronically through the DocuSign, Inc. ("DocuSign") electronic signing system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' box.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after signing session and, if you elect to create a DocuSign signer account, you may access them for a limited period of time (usually 30 days) after such documents are first sent to you.

Withdrawing your consent

If you decide to electronically sign and receive documents, notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required documents, notices and disclosures only in paper format. How you must inform us of your decision to receive future documents, notices and disclosures in paper format and withdraw your consent to receive documents, notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required documents, notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required documents, notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper documents, notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of a DocuSign envelope instead of signing it. This will indicate to us that you have withdrawn your consent to receive required documents, notices and disclosures electronically from us and you will no longer be able to use the DocuSign system to receive required documents, notices and consents electronically from us or to sign electronically documents from us.

Documents, notices and disclosures sent to you electronically may sometimes also require wet signatures

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system required documents, notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any documents, notice or disclosure, we prefer to provide, to the extent possible, the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive the documents, disclosures and notices electronically or in paper format through the paper mail delivery system. However, your consent and agreement does not mean that we are obligated to provide all documents, notices and disclosures to you electronically. We may, in our sole and exclusive discretion, deliver any documents, notices and disclosures to you in paper form should we choose to do so. We may also require that certain communications with you, and certain documents, notices and disclosures be delivered to us in paper form at a specified address. It is also possible that certain third parties involved in the purchase transaction, including but not limited to certain lenders and FHA, VA and USDA loans, may not accept electronic signatures and may require wet signatures

on certain documents, notices and disclosures before closing. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the documents, notices and disclosures electronically from us.

Seller disclaimer of representations, warranties and liability

Seller does not represent or warranty that the DocuSign electronic signature system are or will be error-free. Seller makes no representations or warranties of any kind, whether express, implied in fact or by operation of law, or statutory as to the DocuSign electronic signature system. Seller disclaims all implied warranties of merchantability and fitness for a particular purpose for the DocuSign electronic signature system. Seller expressly disclaims any and all liability arising out of or related to any failures of the DocuSign electronic signature system. If the DocuSign electronic signature system fails in part or in whole, or if Seller discontinues usage of the DocuSign electronic signature system, Buyer(s) understand and accept that Seller may require Buyer(s) to re-execute and provide wet signatures on duplicate purchase agreement documents, notices and disclosures without any compensation or consideration to Buyers.

How to contact KB Home:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive documents, notices and disclosures electronically as follows: To contact us by email send messages to: kbhomes@kbhome.com.

To advise KB Home of your new e-mail address

To let us know of a change in your e-mail address and where we should send documents, notices and disclosures electronically, you must send an email message to us at kbhomes@kbhome.com and in the body of such request you must state: your previous e-mail address and your new e-mail address. We do not require any other information from you to change your email address.

To request paper copies from KB Home

To request delivery from us of paper copies of the documents, notices and disclosures previously provided by us to you electronically, you must send an e-mail to kbhomes@kbhome.com and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with KB Home

To inform us that you no longer want to receive future documents, notices and disclosures in electronic format you may: i. decline to sign a document from within your DocuSign session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an e-mail to kbhomes@kbhome.com and in the body of such request you must state your e-mail, full name, US Postal Address, and telephone number. We do not need any other information from you to withdraw consent. The consequences of withdrawing consent for online documents will be that transactions may take a longer time to process.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic documents, notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving documents, notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I Agree' box.

By checking the 'I Agree' box, I consent, agree and confirm that:

- I can access and read this CONSENT AND AGREEMENT TO RECEIVE, SIGN AND INITIAL ELECTRONIC PURCHASE AGREEMENT DOCUMENTS, NOTICES AND DISCLOSURES; and
- I can print on paper the disclosure or save or send this E-transaction Agreement to a place where I can download, save and/or print it, for future reference and access; and
- Until or unless I notify Seller as described above, I consent and agree to receive from Seller through electronic means all purchase agreement documents, notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by Seller during the course of my relationship with Seller.

I confirm that I have: (a) established an exclusive email address used to authenticate access to, (b) created a password or passcode with, and (c) had my identity validated by authentication through the DocuSign e-signature system on which I am electronically signing this E-transaction Agreement.

My electronic signatures and initials create a binding purchase agreement with Seller when signed pursuant to this E-transaction Agreement.



Annexation Petition

Petition Requesting Annexation

To the Board of Commissioners of the Town of Huntersville:

1. We, the undersigned owners of all or a part of the real property described on the metes and bounds description attached hereto, request that the described area be annexed to the Town of Huntersville.
2. This is a single petition that may be one of multiple petitions by all other owners of land within the tract petitioned for annexation. If this is the case, please include a brief description of the portion of land, as of the date of this petition, owned by the undersigned petitioner (ex. lot number from a recorded plat or tax parcel number).

TAX PARCEL # 021-033.07

3. The area to be annexed is (contiguous) (non-contiguous) [circle one] to the primary corporate limits of the Town of Huntersville. The petitioner attaches hereto and submits as part of the petition:
 - ☒ (a) Metes and bounds description of the parcel(s) identified in paragraph 1, and
 - ☒ (b) A plat, suitable for recordation in the office of the Mecklenburg County Register of Deeds, showing the area proposed for annexation with relation to the primary corporate limits of the Town of Huntersville.
4. The petitioner (does) (does not) [circle one] claim vested rights in the property pursuant to N.C.G.S. 153A-344.1 or 160A-385.1. The basis of this claim of vested rights is as follows

Previously Approved Subdivided Plats For The Hills

Petitioner & Owner Information

Logan Ruffin

Petitioner

DocuSigned by:

Logan Ruffin

Signature of Petitioner

Logan Ruffin

Property Owner(s)

DocuSigned by:

Logan Ruffin

Signature of Property Owner(s)

2/23/2023

Date

RESOLUTION FIXING DATE OF PUBLIC HEARING
ON QUESTION OF ANNEXATION PURSUANT TO N.C.G.S. 160A-58.2

(The Hills Property)

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Board of Commissioners have directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Huntersville, North Carolina that:

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held at the Town Hall at 6:00 p.m. on the ___th day of _____ 2023.

Section 2. The area proposed for annexation is described as follows:

(Metes and bounds description attached hereto as Exhibit A.)

Section 3. Notice of said public hearing shall be published in the Charlotte Observer, a newspaper having a general circulation in the Town of Huntersville, at least ten (10) days prior to the date of said public hearing.

Mayor

Town of Huntersville, North Carolina

ATTEST:

Town Clerk

Exhibit A: The Hills Property Metes & Bounds.

ALL that certain piece, parcel or tract of land lying and being in the Town of Huntersville, Huntersville Township, Mecklenburg County, North Carolina, and being more particularly described as follows:

County Tax Parcel #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

Non- Contiguous Annexation Area – 62.593 Acres

All that certain parcel of land, situated, lying, and being in Mecklenburg County, State of North Carolina, and being more particularly described as follows:

Beginning at an Axle Found, the southeast corner of the Thomas and Boyd Dimmock property as shown in Deed 24182-930 and recorded in the Mecklenburg County Register of Deeds Office. Said point also being a corner of the KB Home Charlotte LLC property as shown in Deed 35855-188 and recorded in the Mecklenburg County Register of Deeds Office.

Thence from said Axle Found 2 calls with the Thomas and Boyd Dimmock property; 1)N27-47-20W 257.06' to a point; 2) N45-38-49W 303.00' to a point, the southeast corner of the Brian O. Nappier property as shown in Deed 9006-556 and recorded in the Mecklenburg County register of Deeds Office; Thence with the eastern line of the Brian O. Nappier property N06-09-38W 707.64' to a point, the southeast corner of the Robert W. Gurley property as shown in Deed: 9006-556; Thence with the Gurley property N17-51-53W 230.09' to a point, the southwest corner of the KB Home Charlotte, LLC property as shown in Deed:35855-188 and recorded in the Mecklenburg County register of Deeds Office, said point being in Autumncrest Road; Thence running in Autumncrest Road 13 calls; 1) S88-36-58E 233.87' to a point; 2) with the arc of a curve to the right having a radius of 915.08' an arc length of 103.28' (subtended by chord S85-22-58E 103.23') to a point; 3) S82-08-58E 100.00' to a point; 4) with the arc of a curve to the right having a radius of 1014.08 and an arc length of 96.10' (subtended by chord S79-26-06E 96.06') to a point; 5) S18-28-20E 52.41' to a point; 6)S18-28-20E 18.63' to a point; 7) S76-21-09E 108.38' to a point; 8) with the arc of a curve to the right having a radius of 187.58' and an arc length of 34.63' (subtended by chord S71-03-51E 34.58') to a point; 9) with the arc of a curve to the right having a radius of 187.58' and an arc length of 50.11' (subtended by chord S58-07-21E 49.96') to a point; 10) S50-28-09E 69.37' to a point; 11)S50-28-09E 14.18' to a point; 12) with the arc of a curve to the left having a radius of 178.45' and an arc length of 108.23' (subtended by chord S67-50-44E 106.58') to a point; 13) S85-27-09E 25.47' to a point, the northwestern corner of the Eric C. and Stacia M. Hamilton property as shown in Deed:30494-583 and recorded in the Mecklenburg County Register of Deeds Office, said point also being the northeast corner of the KB Home Charlotte LLC property; Thence 5 calls with the eastern line of the KB Home Charlotte LLC property; 1) S18-30-02E 765.13' to a point; 2) S18-15-50E 255.30' to a point; 3) S18-26-06E 254.82' to a point; 4) S19-32-29E 462.39' to a point; 5) S20-44-24E 140.12' to a point, the southeast corner of the KB Home Charlotte LLC property and the northeast corner of the George Sprague Jr. and Bethany Sprague property as shown in Deed:32163-286 and recorded in the Mecklenburg County Register of Deeds Office; Thence N79-29-34W 766.90' to a point; Thence N77-15-29W 152.63' to a point, the northeast corner of the George Sprague Jr. and Bethany Sprague property as shown in Deed:34765-755 and recorded in the Mecklenburg County Register of Deeds Office; Thence N77-28-43W 250.55' to a point, Thence S10-28-06W 159.34' to a point; Thence S10-18-04W 447.60' to a point, the northeast corner of the George Sprague Jr. and Bethany Sprague property as shown in Deed:32163-286 and recorded in the Mecklenburg County Register of Deeds Office; Thence N86-50-56W 472.00' to a point, the southeast corner of the Jason Allen Williams property as shown in Deed:18848-683 and recorded in the Mecklenburg County Register of Deeds Office; Thence 2 calls with the Jason Allen Williams property; 1)N17-38-56W 235.50' to a point; 2) N86-50-56W 400.00' to a point in Asbury Chapel Road; Thence 5 calls in Asbury Chapel Road; 1) N10-05-18W 231.23' to a point; 2) N05-37-23E 18.67' to a point; 3) N04-15-16W 261.50' to a point; 4) N04-15-16W 41.15' to a point; 5) N07-22-36W 29.61' to a point; Thence leaving Ashley Chapel Road S86-50-56E 210.03' to a point, the southeastern corner of the Daniel Pressley property as shown in Deed:18520-309 and recorded in the Mecklenburg County Register of Deeds Office; Thence with the eastern line of the Daniel Pressley property

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Said Non-Contiguous Annexation Area containing 62.593 acres



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
119697	397600	Print Legal Ad-IPL01145890 - IPL0114589		\$150.45	3	58 L

Attention: TRACY BARRON

TOWN OF HUNTERSVILLE-PLANNING
PO Box 664

105 Gilead Rd, 3rd Floor

NOTICE OF PUBLIC HEARING ON REQUEST FOR ANNEXATION (The Hills Properties Subdivision)

Take notice that the Board of Commissioners of the Town of Huntersville has called a Public Hearing at 6:00 p.m. on April 3, 2023 on the question of annexing the following described territory, requested by petition filed pursuant to NCGS 160A-58.2, to annex to the Town of Huntersville certain contiguous property. The Hearing will be held in person at the Huntersville Town Hall at 101 Huntersville-Concord Rd, Huntersville, NC 28078. You may also watch the Hearing via <https://www.facebook.com/HuntersvilleNCTownGovernment>. The property subject to the Petition consists of +/- 62.593-acres, (Meck Co. PIN are #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) and described as follows documents are on file in the Huntersville Planning Dept.:

LEGAL DESCRIPTION (ANNEX 23-02)

All that certain parcel of land, situated, lying, and being in Mecklenburg County, State of North Carolina, and being more particularly described as follows:

Beginning at an Axle Found, the southeast corner of the Thomas and Boyd Dimmock property as shown in Deed 24182-930 and recorded in the Mecklenburg County Register of Deeds Office. Said point also being a corner of the KB Home Charlotte LLC property as shown in Deed 35855-188 and recorded in the Mecklenburg County Register of Deeds Office. Thence from said Axle Found 2 calls with the Thomas and Boyd Dimmock property; 1) N27-47-20W 257.06' to a point; 2) N45-38-49W 303.00' to a point, the southeast corner of the Brian O. Nappier property as shown in Deed 9006-556 and recorded in the Mecklenburg County register of Deeds Office; Thence with the eastern line of the Brian O. Nappier property N06-09-38W 707.64' to a point, the southeast corner of the Robert W. Gurley property as shown in Deed: 9006-556; Thence with the Gurley property N17-51-53W 230.09' to a point, the southwest corner of the KB Home Charlotte, LLC property as shown in Deed:35855-188 and recorded in the Mecklenburg County register of Deeds Office, said point being in Autumncrest Road; Thence running in Autumncrest Road 13 calls; 1) S88-36-58E 233.87' to a point; 2) with the arc of a curve to the right having a radius of 915.08' an arc length of 103.28' (subtended by chord S85-22-58E 103.23') to a point; 3) S82-08-58E 100.00' to a point; 4) with the arc of a curve to the right having a radius of 1014.08 and an arc length of 96.10' (subtended by chord S79-26-06E 96.06') to a point; 5) S18-28-20E 52.41' to a point; 6) S18-28-20E 18.63' to a point; 7) S76-21-09E 108.38' to a point; 8) with the arc of a curve to the right having a radius of 187.58' and an arc length of 34.63' (subtended by chord S71-03-51E 34.58') to a point; 9) with the arc of a curve to the right having a radius of 187.58' and an arc length of 50.11' (subtended by chord S58-07-21E 49.96') to a point; 10) S50-28-09E 69.37' to a point; 11) S50-28-09E 14.18' to a point; 12) with the arc of a curve to the left having a radius of 178.45' and an arc length of 108.23' (subtended by chord S67-50-44E 106.58') to a point; 13) S85-27-09E 25.47' to a point, the northwestern corner of the Eric C. and Stacia M. Hamilton property as shown in Deed:30494-583 and recorded in the Mecklenburg County Register of Deeds Office, said point also being the northeast corner of the KB Home Charlotte LLC property; Thence 5 calls with the eastern line of the KB Home Charlotte LLC property; 1) S18-30-02E 765.13' to a point; 2) S18-15-50E 255.30' to a point; 3) S18-26-06E 254.82' to a point; 4) S19-32-29E 462.39' to a point; 5) S20-44-24E 140.12' to a point, the southeast corner of the KB Home Charlotte LLC property and the northeast corner of the George Sprague Jr. and Bethany Sprague property as shown in Deed:32163-286 and recorded in the Mecklenburg County Register of Deeds Office; Thence N79-29-34W 766.90' to a point; Thence N77-15-29W 152.63' to a point, the northeast corner of the George Sprague Jr. and Bethany Sprague property as shown in Deed:34765-755 and recorded in the Mecklenburg County Register of Deeds Office; Thence N77-28-43W 250.55' to a point, Thence S10-28-06W 159.34' to a point; Thence S10-18-04W 447.60' to a point, the northeast corner of the George Sprague Jr. and Bethany Sprague property as shown in Deed:32163-286 and recorded in the Mecklenburg County Register of Deeds Office; Thence N86-50-56W 472.00' to a point, the southeast corner of the Jason Allen Williams property as shown in Deed:18848-683 and recorded in the Mecklenburg County Register of Deeds Office; Thence 2 calls with the Jason Allen Williams property; 1) N17-38-56W 235.50' to a point; 2) N86-50-56W 400.00' to a point in Asbury Chapel Road; Thence 5 calls in Asbury Chapel Road; 1) N10-05-18W 231.23' to a point; 2) N05-37-23E 18.67' to a point; 3) N04-15-16W 261.50' to a point; 4) N04-15-16W 41.15' to a point; 5) N07-22-36W 29.61' to a point; Thence leaving Ashley Chapel Road S86-50-56E 210.03' to a point, the southeastern corner of the Daniel Pressley property as shown in Deed:18520-309 and recorded in the Mecklenburg County Register of Deeds Office; Thence with the eastern line of the Daniel Pressley property N01-50-31E 208.96' to a point in the southern line of the Donna P. McCormick property as shown in Deed:18520-309 and recorded in the Mecklenburg County Register of Deeds Office; Thence 2 calls with the Donna P. McCormick property 1) S86-49-26E 91.05' to a point; 2) N01-49-00E 152.23' to a point, the northeastern corner of the Donna P. McCormick property; Thence S81-16-12E 915.62' to the Point of Beginning.

Said Non-Contiguous Annexation Area containing 62.593 acres
IPL0114589
Mar 20 2023

North Carolina } ss
Mecklenburg County }

Before the undersigned, a Notary Public of said County and State, duly authorized to administer oaths affirmations, etc., personally appeared, being duly sworn or affirmed according to law, doth depose and say that he/she is a representative of The Charlotte Observer Publishing Company, a corporation organized and doing business under the laws of the State of Delaware, and publishing a newspaper known as The Charlotte Observer in the city of Charlotte, County of Mecklenburg, and State of North Carolina and that as such he/she is familiar with the books, records, files, and business of said Corporation and by reference to the files of said publication, the attached advertisement was inserted. The following is correctly copied from the books and files of the aforesaid Corporation and Publication.

1 insertion(s) published on:

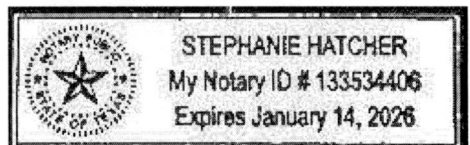
03/20/23

Tara Pennington

In Testimony Whereof I have hereunto set my hand and affixed my seal on the 20th day of March, 2023

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

Non- Contiguous Annexation Area – 62.593 Acres

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Said Non-Contiguous Annexation Area containing 62.593 acres

RE: Annexation 23-02

Frances Tucker <ftucker@huntersville.org>

Tue 3/7/2023 12:45 PM

To: Nathan Farber <nfarber@huntersville.org>

Hi Nathan,

It appears this annexation once added to the other satellite annexations, will NOT exceed 10% of the contiguous area of our Corporate Limits. Below is my math if you need it for reference:

Current Contiguous Limits: 42.49 sq mi

Current Satellite Limits: ~3.1750 sq mi

A23-02: 62.593 acres (per the annexation plat) = 0.09780 sq mi

$3.1750 \text{ sq mi (satellite)} + 0.09780 \text{ sq mi (A23-02)} = 3.2728 \text{ sq mi}$

$3.2728 \text{ sq mi} / 42.49 \text{ sq mi} = 0.07702 = \underline{7.7\%}$

I'll get started on making a zoning map for you for this project, but as far as I remember we don't do APO lists or mailings or signs for Annexations so you shouldn't need those. But, if there's anything else you do need, just let me know!

Frances Tucker, MA

GIS Coordinator | Town of Huntersville

105 Gilead Road | Third Floor

P.O. Box 664 | Huntersville, North Carolina 28070

PH: 704-766-2210 | FX: 704-992-5528

Email: ftucker@huntersville.org

Web: www.huntersville.org



Pursuant to North Carolina General Statutes, Chapter 132, email correspondence to and from this address may be considered public record under the North Carolina Public Records Law and may be disclosed to third parties.

From: Nathan Farber <nfarber@huntersville.org>

Sent: Wednesday, February 22, 2023 4:18 PM

To: Frances Tucker <ftucker@huntersville.org>

Subject: Annexation 23-02

Frances,

I have added a folder for a new Annexation. This one is a non-contiguous annexation and will need verification showing that the area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits of the Town of Huntersville, does not exceed ten percent (10%) of the area within the primary corporate limits of the Town of Huntersville.

M:\PLANNING\Annexations\2023\ANNEX 23-02 The Hills

Let me know if you have any questions!

Thanks!

Nathan Farber

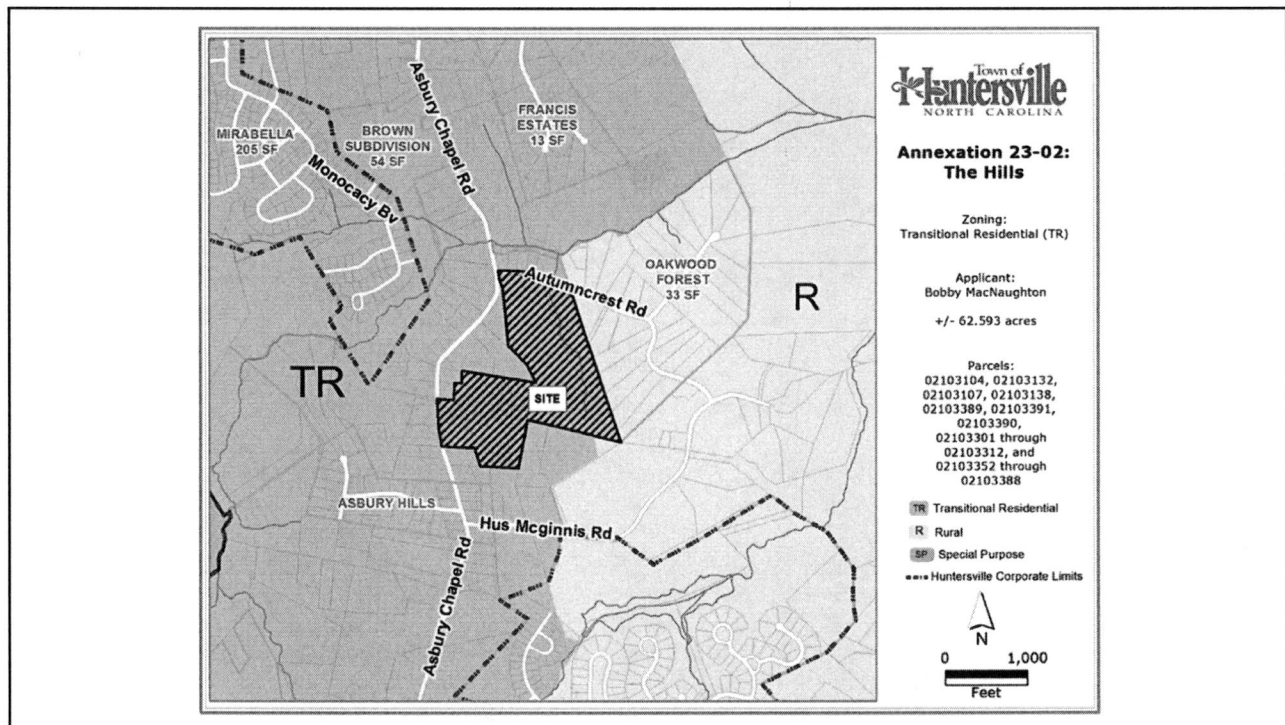
Planner I | Town of Huntersville

105 Gilead Road | Third Floor

P.O. Box 664 | Huntersville, North Carolina 28070

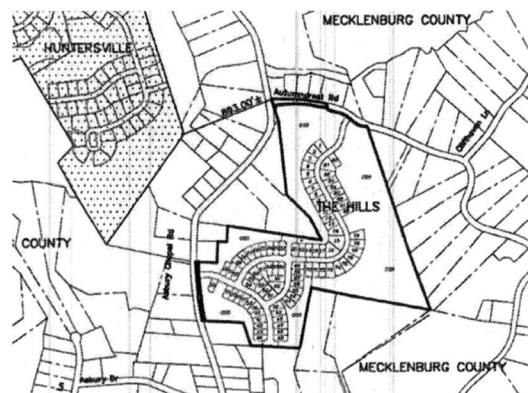
(704) 766-2237

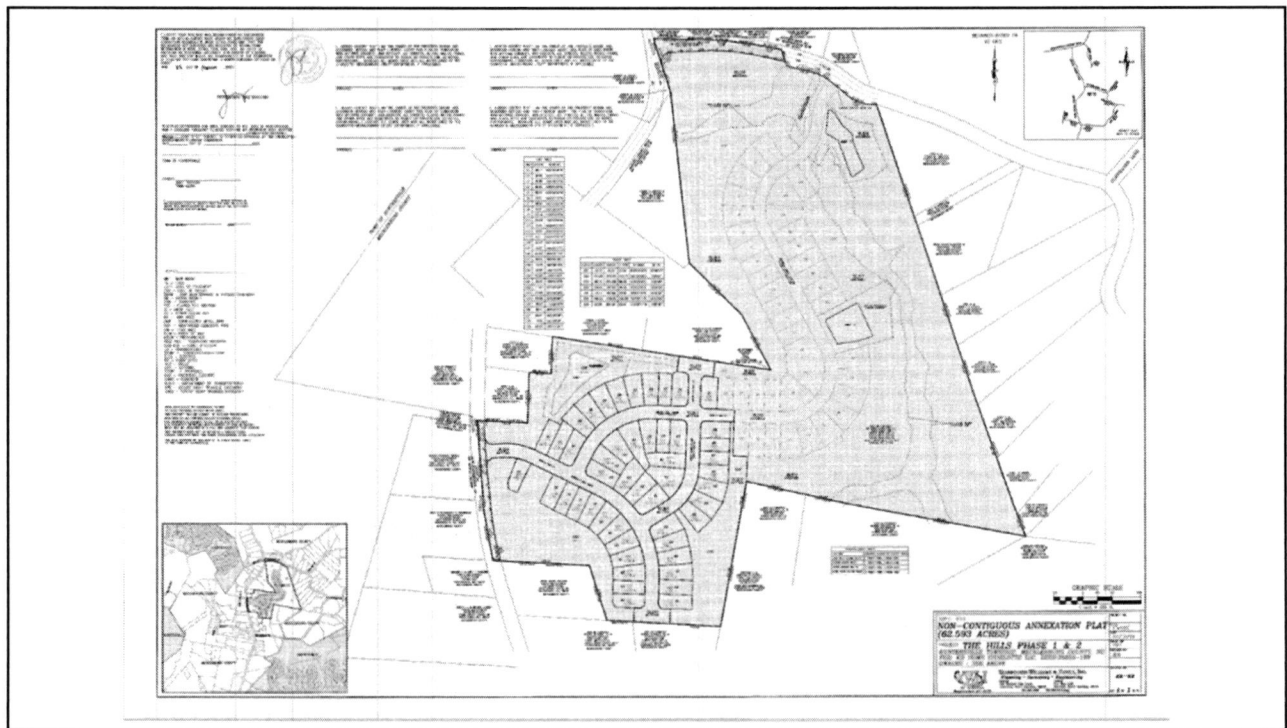
www.huntersville.org



Non- Contiguous Annexation

- Property is 0.169 (893') from the primary corporate limits of the Town.
- Property is 1.10 miles from the nearest other primary corporate limits.
- If Annexed the percentage of satellite property within the Huntersville corporate limits will be 7.7%, which remains under 10%.



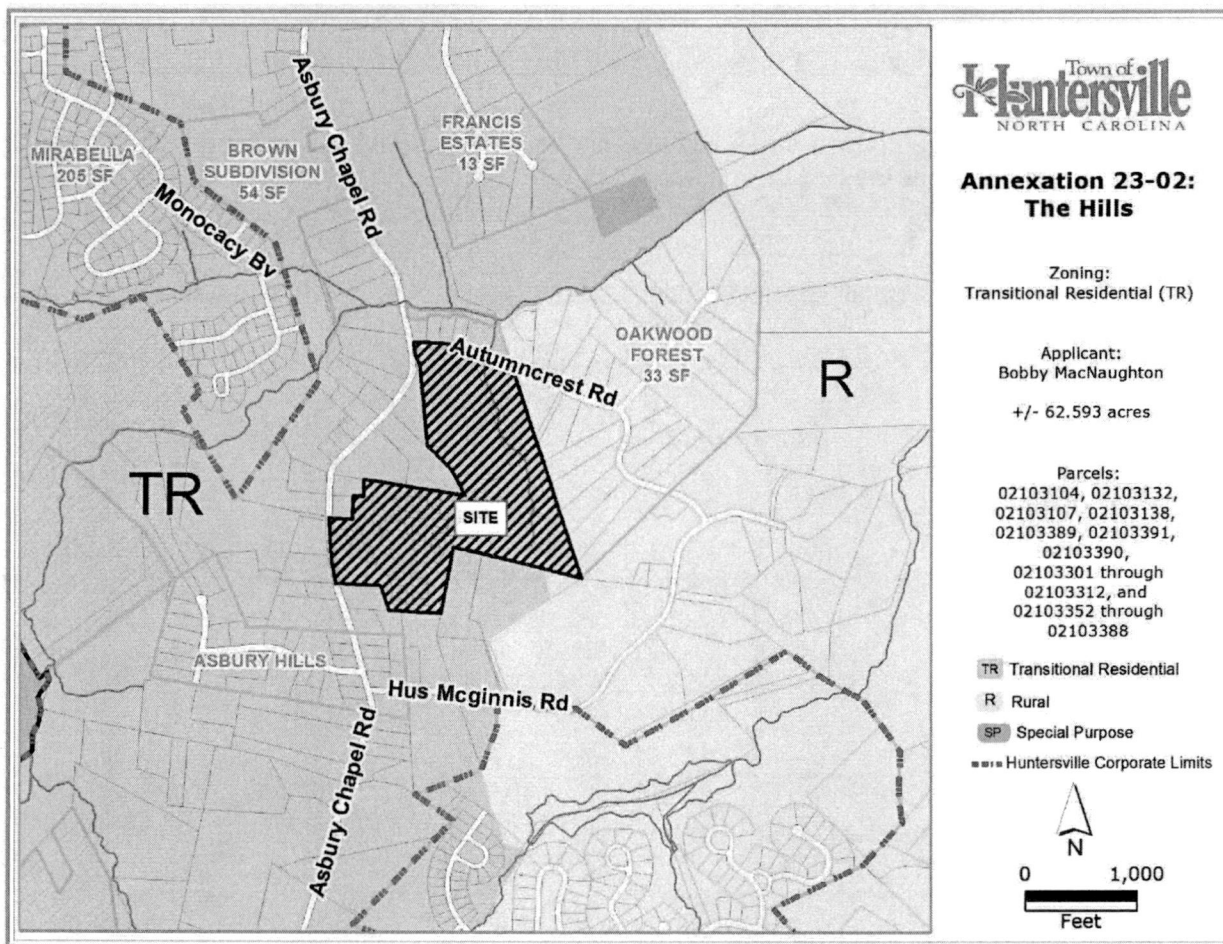


Annexation Petition # 23-02 (Non-Contiguous) The Hills Subdivision

EXPLANATION OF THE REQUEST

Petition Annex #23-02 is a request for non-contiguous annexation into the Town of Huntersville of 62.593 acres consisting of one (61) parcel (PIN#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).

LOCATION



BACKGROUND

The property owners, KB Home Charlotte LLC, Emily Bice, Richard Carpentieri, Abril Jimenez, Chirag Patel, and Logan Ruffin have filed a petition to consider voluntary non-contiguous annexation (see Exhibit A) pursuant to North Carolina General Statutes Section 160A-58.1; the proposed area to annex is 62.593 acres.



All statutory requirements for annexation have been met:

- A petition requesting annexation was received on February 14, 2023 (see Exhibit A).
- The Town Clerk certified the sufficiency of the petition on March 20, 2023 (see Exhibit C).
- On March 20, 2023, the Board of Commissioners set the date for the public hearing to be held on April 3, 2023.
- Notice of the public hearing was placed in a newspaper of general circulation. The notice appeared in the Charlotte Observer on March 20, 2023 (see Exhibit E).

All statutory requirements for annexation have been met. Per General Statue 160A-58.1(b) – A noncontiguous area proposed for annexation must meet all of the following standards:

- (1) The nearest point on the proposed satellite corporate limits must be not more than three miles from the corporate limits of the annexing city. STAFF COMMENT – the property petitioning for annexation is 0.169 (893') miles from the primary corporate limits of the Town of Huntersville (see Attachment B).
- (2) No point on the proposed satellite corporate limits may be closer to the primary corporate limits of another city than to the primary corporate limits of the annexing city, except as set forth in subsection (b2) of this section. STAFF COMMENT – The Annexation is about 1.10 miles from the nearest other primary corporate limits, in this case being Charlotte.
- (3) The area must be so situated that the annexing city will be able to provide the same services within the proposed satellite corporate limits that it provides within its primary corporate limits. STAFF COMMENT – All Town services can be provided to the property in question if annexed into Town.
- (4) If the area proposed for annexation, or any part thereof, is a subdivision as defined in G.S. 160A-376, all of the subdivision must be included. STAFF COMMENT – The entirety of the Hills subdivision is being annexed.
- (5) The area within the proposed satellite corporate limits, when added to the area within all other satellite limits, may not exceed ten percent (10%) of the area within the primary corporate limits of the annexing city. STAFF COMMENT –If this property is added to the Town of Huntersville corporate limits, the percentage of satellite property will be 7.7%, which remains under 10% and complies with this section of the General Statue (see Attachment G).

STAFF RECOMMENDATION

Since all statutory requirements have been met in full, staff recommends that the Board of Commissioners approve the petition with Mayor's signature on the associated ordinance. If the final action of this annexation takes place on April 3, 2023, the voluntary contiguous annexation would also become effective on April 3, 2023.

ATTACHMENTS

Attachment A – Non-Contiguous Annexation Petition
Attachment B – Annexation Plat
Attachment C – Certificate of Sufficiency
Attachment D – Resolution of Intent to Annex
Attachment E - Public Hearing Ad
Attachment F – Metes & Bounds Description
Attachment G—Satellite Percentage Calculations

**AN ORDINANCE TO ANNEX NON-CONTIGUOUS AREA INTO THE CORPORATE
LIMITS OF THE TOWN OF HUNTERSVILLE, NORTH CAROLINA**

Annexation Ordinance 2023-02
(The Hills Property)

WHEREAS, the Board of Commissioners has been petitioned under G.S. 160A-58.1 to annex the area described herein; and

WHEREAS, the Board of Commissioners has directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at Huntersville Town Hall at 6:00 p.m. on the 3rd day of April, 2023, after due notice by publication in The Charlotte Observer on March 20, 2023; and

WHEREAS, the Board of Commissioners hereby finds that the area described therein meets the standards of G.S. 160a-58.1(b); and

WHEREAS, the Board of Commissioners further finds that said petition, (i) has been signed by all of the owners of real property within the area proposed for annexation; (ii) is otherwise valid; (iii) the public health, safety, and welfare of the inhabitants of the Town of Huntersville and of the area proposed for annexation will be best served by the annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina;

Section 1. By virtue of the authority granted by G.S. 160A-58.1, the following described territory is hereby annexed and made part of the Town of Huntersville as of the 3rd day of April 2023:

See Exhibit A attached hereto for a metes and bounds description of the subject tract

Section 2. Upon the effective date, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Huntersville and shall be entitled to the same privileges and benefits as other parts of the Town of Huntersville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Huntersville shall cause to be recorded in the office of the Register of Deeds of Mecklenburg County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Adopted this 3rd day of April 2023.

Mayor: _____

ATTEST:

APPROVED AS TO FORM: _____

Town Clerk

Town Attorney



Exhibit A: The Hills Property - Property Description

ALL that certain piece, parcel or tract of land lying and being in the Town of Huntersville, Huntersville Township, Mecklenburg County, North Carolina, and being more particularly described as follows:

County Tax Parcel #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

Non- Contiguous Annexation Area – 62.593 Acres

All that certain parcel of land, situated, lying, and being in Mecklenburg County, State of North Carolina, and being more particularly described as follows:

Beginning at an Axle Found, the southeast corner of the Thomas and Boyd Dimmock property as shown in Deed 24182-930 and recorded in the Mecklenburg County Register of Deeds Office. Said point also being a corner of the KB Home Charlotte LLC property as shown in Deed 35855-188 and recorded in the Mecklenburg County Register of Deeds Office.

Thence from said Axle Found 2 calls with the Thomas and Boyd Dimmock property; 1)N27-47-20W 257.06' to a point; 2) N45-38-49W 303.00' to a point, the southeast corner of the Brian O. Nappier property as shown in Deed 9006-556 and recorded in the Mecklenburg County register of Deeds Office; Thence with the eastern line of the Brian O. Nappier property N06-09-38W 707.64' to a point, the southeast corner of the Robert W. Gurley property as shown in Deed: 9006-556; Thence with the Gurley property N17-51-53W 230.09' to a point, the southwest corner of the KB Home Charlotte, LLC property as shown in Deed:35855-188 and recorded in the Mecklenburg County register of Deeds Office, said point being in Autumncrest Road; Thence running in Autumncrest Road 13 calls; 1) S88-36-58E 233.87' to a point; 2) with the arc of a curve to the right having a radius of 915.08' an arc length of 103.28' (subtended by chord S85-22-58E 103.23') to a point; 3) S82-08-58E 100.00' to a point; 4) with the arc of a curve to the right having a radius of 1014.08 and an arc length of 96.10' (subtended by chord S79-26-06E 96.06') to a point; 5) S18-28-20E 52.41' to a point; 6)S18-28-20E 18.63' to a point; 7) S76-21-09E 108.38' to a point; 8) with the arc of a curve to the right having a radius of 187.58' and an arc length of 34.63' (subtended by chord S71-03-51E 34.58') to a point; 9) with the arc of a curve to the right having a radius of 187.58' and an arc length of 50.11' (subtended by chord S58-07-21E 49.96') to a point; 10) S50-28-09E 69.37' to a point; 11)S50-28-09E 14.18' to a point; 12) with the arc of a curve to the left having a radius of 178.45' and an arc length of 108.23' (subtended by chord S67-50-44E 106.58') to a point; 13) S85-27-09E 25.47' to a point, the northwestern corner of the Eric C. and Stacia M. Hamilton property as shown in Deed:30494-583 and recorded in the Mecklenburg County Register of Deeds Office, said point also being the northeast corner of the KB Home Charlotte LLC property; Thence 5 calls with the eastern line of the KB Home Charlotte LLC property; 1) S18-30-02E 765.13' to a point; 2) S18-15-50E 255.30' to a point; 3) S18-26-06E 254.82' to a point; 4) S19-32-29E 462.39' to a point; 5) S20-44-24E 140.12' to a point, the southeast corner of the KB Home Charlotte LLC property and the northeast corner of the George Sprague Jr. and Bethany Sprague property as shown in Deed:32163-286 and recorded in the Mecklenburg County Register of Deeds Office; Thence N79-29-34W 766.90' to a point; Thence N77-15-29W 152.63' to a point, the northeast corner of the George Sprague Jr. and Bethany Sprague property as shown in Deed:34765-755 and recorded in the Mecklenburg County Register of

Deeds Office; Thence N77-28-43W 250.55' to a point, Thence S10-28-06W 159.34' to a point; Thence S10-18-04W 447.60' to a point, the northeast corner of the George Sprague Jr. and Bethany Sprague property as shown in Deed:32163-286 and recorded in the Mecklenburg County Register of Deeds Office; Thence N86-50-56W 472.00' to a point, the southeast corner of the Jason Allen Williams property as shown in Deed:18848-683 and recorded in the Mecklenburg County Register of Deeds Office; Thence 2 calls with the Jason Allen Williams property; 1) N17-38-56W 235.50' to a point; 2) N86-50-56W 400.00' to a point in Asbury Chapel Road; Thence 5 calls in Asbury Chapel Road; 1) N10-05-18W 231.23' to a point; 2) N05-37-23E 18.67' to a point; 3) N04-15-16W 261.50' to a point; 4) N04-15-16W 41.15' to a point; 5) N07-22-36W 29.61' to a point; Thence leaving Ashley Chapel Road S86-50-56E 210.03' to a point, the southeastern corner of the Daniel Pressley property as shown in Deed:18520-309 and recorded in the Mecklenburg County Register of Deeds Office; Thence with the eastern line of the Daniel Pressley property N01-50-31E 208.96' to a point in the southern line of the Donna P. McCormick property as shown in Deed:18520-309 and recorded in the Mecklenburg County Register of Deeds Office; Thence 2 calls with the Donna P. McCormick property 1) S86-49-26E 91.05' to a point; 2) N01-49-00E 152.23' to a point, the northeastern corner of the Donna P. McCormick property; Thence S81-16-12E 915.62' to the Point of Beginning.

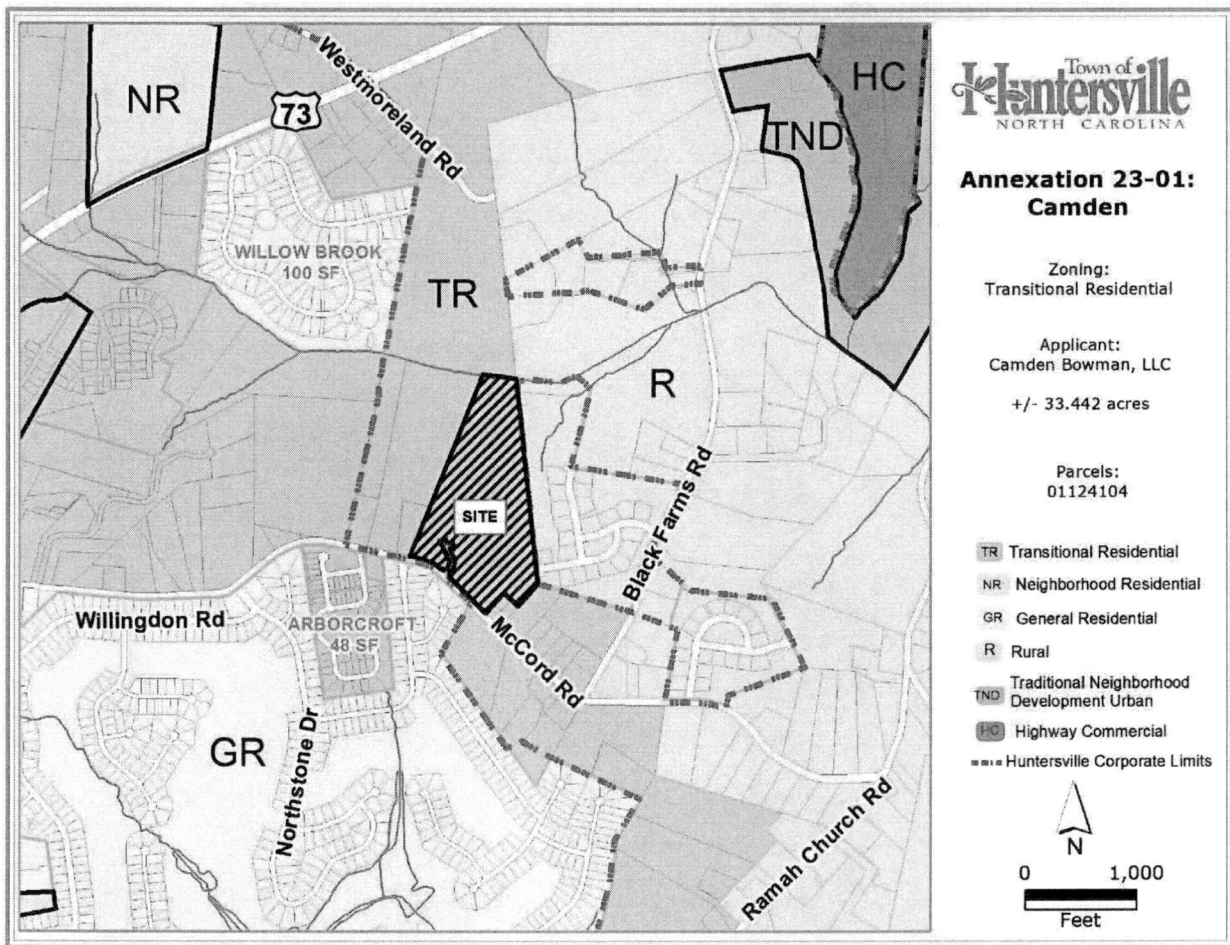
Said Non-Contiguous Annexation Area containing 62.593 acres

**Annexation Petition # 23-01 (Contiguous)
Camden Subdivision**

EXPLANATION OF THE REQUEST

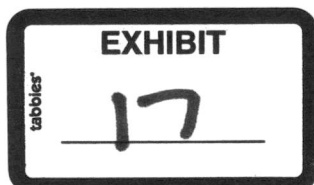
Petition Annex #23-01 is a request for contiguous annexation into the Town of Huntersville of 33.535 acres consisting of one (1) parcel (PIN# 011-24-104).

LOCATION



BACKGROUND

The property owners, Camden Bowman, LLC, have filed a petition to consider voluntary contiguous annexation (see Exhibit A) pursuant to North Carolina General Statutes Section 160A-31; the proposed area to annex is 33.535 acres.



All statutory requirements for annexation have been met:

- A petition requesting annexation was received on October 26, 2023 (see Exhibit A).
- The Town Clerk certified the sufficiency of the petition on March 20, 2023 (see Exhibit C).
- On March 20, 2023, the Board of Commissioners set the date for the public hearing to be held on April 3, 2023.
- Notice of the public hearing was placed in a newspaper of general circulation. The notice appeared in the Charlotte Observer on March 20, 2023 (see Exhibit E).

STAFF RECOMMENDATION

Since all statutory requirements have been met in full, staff recommends that the Board of Commissioners approve the petition with Mayor's signature on the associated ordinance. If the final action of this annexation takes place on April 3, 2023, the voluntary contiguous annexation would also become effective on April 3, 2023.

ATTACHMENTS

Attachment A – Contiguous Annexation Petition
Attachment B – Annexation Plat
Attachment C – Certificate of Sufficiency
Attachment D – Resolution of Intent to Annex
Attachment E - Public Hearing Ad
Attachment F – Metes & Bounds Description

**AN ORDINANCE TO ANNEX CONTIGUOUS AREA INTO THE CORPORATE
LIMITS OF THE TOWN OF HUNTERSVILLE, NORTH CAROLINA**

Annexation Ordinance 2023-01
(Camden Property)

WHEREAS, the Board of Commissioners has been petitioned under G.S. 160A-31 to annex the area described herein; and

WHEREAS, the Board of Commissioners has directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at Huntersville Town Hall at 6:00 p.m. on the 3rd day of April 2023, after due notice by publication in The Charlotte Observer on March, 20; and

WHEREAS, the Board of Commissioners hereby finds that the area described therein meets the standards of G.S. 160A-31; and

WHEREAS, the Board of Commissioners further finds that said petition, (i) has been signed by all of the owners of real property within the area proposed for annexation; (ii) is otherwise valid; (iii) the public health, safety, and welfare of the inhabitants of the Town of Huntersville and of the area proposed for annexation will be best served by the annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Huntersville, North Carolina;

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Huntersville as of the 3rd day of April 2023:

See Exhibit A attached hereto for a metes and bounds description of the subject tract

Section 2. Upon the effective date, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Huntersville and shall be entitled to the same privileges and benefits as other parts of the Town of Huntersville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Huntersville shall cause to be recorded in the office of the Register of Deeds of Mecklenburg County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Adopted this 3rd day of April 2023.

ATTEST:

Town Clerk

Mayor: _____

APPROVED AS TO FORM _____

Town Attorney



Exhibit A: Camden Property - Property Description

ALL that certain piece, parcel or tract of land lying and being in the Town of Huntersville, Huntersville Township, Mecklenburg County, North Carolina, and being more particularly described as follows:

Land of
Camden Bowman, LLC
Mecklenburg County Parcel #01124104B
Annexation Description

Beginning at an existing 1" pipe on the norther margin of McCord Road, a common corner with the land now or formerly of Michael & Kimberly Powell (Deed Bk-16950, Pg-1), said point being located N48°02'17"E 15,809.43' of NGS Monument "Lead", having grid coordinates N:609,119.894' and E:1,446,785.708'; thence turning and running with said "Powell" property N22°02'08"E 479.24' to an existing #4 rebar (passing an existing #4 rebar at 4.66'), said point being a common corner with land now or formerly of Calvin and Joann Mason;

Thence, turning and running with said "Mason" property on the same course of N22°02'08"E 1,271.32' (passing an existing #4 rebar at 1,231.32') to a computed point near the center of Ramah Creek, said point being the southerly line of land now or formerly of T.M. Westmoreland Family L.P. (Deed Bk-10160, Pg-527);

Thence, turning and running with said "Westmoreland" property S83°18'56"E 299.48' to a computed point near the center of Ramah Creek;

Thence, leaving said Ramah Creek, turning and running S06°18'53"E 714.70' (passing an existing #4 rebar at 40.00') to an existing 1" pipe, a common corner of land now or formerly of Blackwood Knoll community Association, Inc. (Deed Bk-35843, Pg-100);

Thence, turning with said "Blackwood Knoll" property S06°19'14"E 1,123.10' to an existing #4 rebar, a common corner of land now or formerly of Vigneswaran and Anushya Velayuthan (Deed Bk-28644, Pg-956), said point being located N73°23'40"W 115.32' of an existing #4 rebar;

Thence, turning and running with said "Velayuthan" property the following two (2) courses and distances:

1. N77°42'39"W 5.42' to an existing #4 rebar;
2. S41°01'34"W 270.00' to an existing #4 rebar, a common corner of land now or formerly of Wayne and Gladys Bowman (Deed Bk-21741, Pg-286);

Thence, turning and running with said "Bowman" property N47°11'04"W 90.06' to an existing #4 rebar, common corner of land now or formerly of Brandon Jentz (Deed Bk-28420, Pg-178);

Thence, turning and running with said "Jentz" property the following two (2) courses and distances:

1. N47°11'15"W 90.13' to an existing #4 rebar;
2. S41°01'19"W 241.26' to an existing #4 rebar on the northerly margin of McCord Road;

Thence, turning and running with the northerly margin of McCord Road the following two (2) courses and distances:

1. S45°44'23"E 19.55' to computed point;
2. With the arc of a curve to the left, having a radius of 3,270.99', an arc length of 160.62' with a chord bearing S47°19'29"E 160.60' to a computed point;

Thence, turning and running with a line within the right of way of McCord Road the following four (4) courses and distances:

1. S41°01'55"W 29.91' to computed point;
2. With the arc of a curve to the right, having a radius of 3,300.90', an arc length of 162.14' with a chord bearing N47°19'28"W 162.12' to a computed point;
3. N45°55'02"W 337.79' to a computed point;
4. N46°07'46"W 137.88' a computed point on the limits of an area previously annexed into the Town of Huntersville in Map Bk-52, Pg-563;

Thence, turning and running through the subject parcel with said previously annexed portion the following seventeen (17) courses and distances:

1. N43°52'14"E 35.41' to a computed point;
2. With the arc of a curve to the right, having a radius of 30.00', an arc length of 47.21' with a chord bearing N00°49'57"W 42.49' to a computed point;
3. N44°15'13"E 13.45' to a computed point;
4. With the arc of a to the left, having a radius of 113.00', an arc length of 136.62' with a chord bearing N09°37'00"E 128.45' to a computed point;
5. N25°01'14"W 67.00' to a computed point;
6. With the arc of a curve to the right, having a radius of 20.00', an arc length of 31.41' with a chord bearing N19°58'46"E 28.28' to a computed point;
7. N64°58'46"E 27.00' to a computed point;
8. N25°01'14"W 46.00' to a computed point;
9. S64°58'46"W 27.00' to a computed point;
10. With the arc of a curve to the right, having a radius of 20.00', an arc length of 31.41' with a chord bearing N70°01'14"W 28.28' to a computed point;
11. N25°01'14"W 27.00' to a computed point;
12. S64°58'46"W 46.00' to a computed point;
13. S25°01'14"E 180.00' to a computed point;
14. With the arc of a curve to the right, having a radius of 67.00', an arc length of 81.00' with a chord bearing S09°37'00"W 76.16' to a computed point;
15. S44°15'13"W 13.77' to a computed point;
16. With the arc of a tangent curve to the right, having a radius of 30.00', an arc length of 47.03' with a chord bearing S89°10'03"W 42.36' to a computed point;
17. S43°52'14"W 35.80' to a computed point within the margin of McCord Road;

Thence, turning and running within McCord Road the following two (2) courses and distances:

1. N46°07'46"W 144.50' to a computed point;
2. N78°17'17"W 157.31' to the Point and Place of Beginning;

Contains 1,406,791 sq. ft. or 33.535 acres more or less.



RESOLUTION RATIFYING ACCEPTANCE OF STATE GRANT FUNDS

WHEREAS, in the 2022 State Appropriations Act, the State of North Carolina appropriated directed grant funding for an air filtration system for Huntersville Family Fitness and Aquatics ("HFFA"); and

WHEREAS, the Town of Huntersville ("Town") has received \$650,0000.00 for the above-stated purpose; and

WHEREAS, the Town wishes to adopt a resolution affirming that the Town will spend funding in accordance with the terms of the grant; and

WHEREAS, revenue received under the grant will be kept in a separate fund and will not be co- mingled with other revenue; and

WHEREAS, the Town of Huntersville will provide to the State of North Carolina unspent balance of the funds received; and

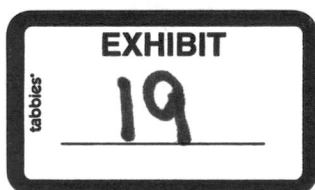
NOW, THEREFORE, BE IT RESOLVED, by the Town of Huntersville Board of Commissioners that the Town has accepted and ratifies its acceptance of said grant funding from the State of North Carolina and by adopting this resolution, the Town affirms that the revenue will only be used for the purposes prescribed in the terms of the grant and any applicable regulations. The Town also affirms that it shall budget and certify such expenditures to the State Director of Office of Budget and Management and the Town of Huntersville Finance Officer; and

BE IT FURTHER RESOLVED that the Town of Huntersville will comply with the applicable procedures created by the North Carolina General Assembly to receive such funds.

Adopted the 3rd day of April, 2023.

Janet Pierson, Town Clerk

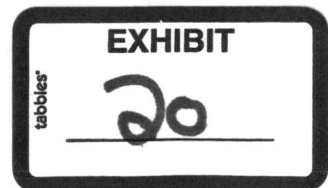
Melinda Bales, Mayor





Huntersville Family Fitness & Aquatics

50M Pool – HVAC Replacement Bid



Project Review

- 50M Pool has 2 units servicing the air space and is currently tied into pool water and temperature control
- 2017 – Current, pool HVAC units have required ongoing repairs
- Unit motors, compressors, controllers, fuses, piping and valves have been getting replaced causing extended unit downtimes
- Pool airspace maintained airflow with the use of mitigation strategies (Installation of roof and deck fans, increased outdoor fresh air inflow and existing exhaust).



Project Review

- Fall 2021 throughout 2022 – Further research and analysis was performed to consider long term solutions
- HFFA site visits were performed by various groups to work on the current system and to discuss ongoing issues
- External site visits to area natatoriums were performed to gather data, possible solutions and to speak with end users



Project Review

- RFB was issued December 2, 2022
- Pre-Bid Meeting held December 15, 2022
 - Three potential bidders attended
- Two bids were received and opened publicly on January 25, 2023
- Reviewed and researched both bids extensively.



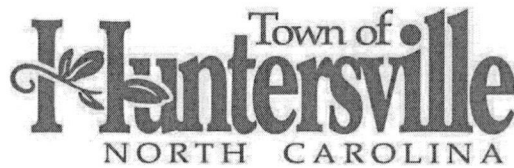
Project Review

- MSS Solutions determined to be the lowest responsive responsible bidder
 - \$1,865,049 vs. \$1,885,625
- MSS Solutions bid would also include replacement interior ductwork and modifications to existing interior returns.
- Current project timeline estimate would be for installation to begin in Fall/Winter 2023



Questions?





**REVISED RESOLUTION OF THE TOWN OF HUNTERSVILLE BOARD OF COMMISSIONERS
TO ACQUIRE RIGHT-OF-WAY AND EASEMENTS NECESSARY FOR THE CONSTRUCTION OF
THE ADOPTED AND FUNDED BEATTIES FORD AT HAMBRIGHT PROJECT (BFH)**

WHEREAS, the Town of Huntersville (the "Town") has determined that the acquisition of fee title right of way, and easements is necessary to the delivery of the BFH Project; and

WHEREAS, the Town finds that such title, rights-of-way, and easements, including existing public rights-of-way and easements, are for a public use and necessary for the construction of the BFH Project; and

WHEREAS, the statutory powers of the Town include the power to acquire real property (N.C.G.S. §160A-11 and §160A-240.1), including the power of eminent domain (N.C.G.S. Chapter 40); and

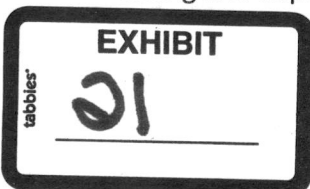
WHEREAS, to meet said defined project delivery schedule, the property acquisition process is underway; and

WHEREAS, the Town's proposed property acquisition process for the BFH Project will comply with applicable federal and state requirements; and

WHEREAS, the Town has certified that the parcels ("the Property"), represented on Exhibit A, are needed for the BFH Project.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF HUNTERSVILLE BOARD OF
COMMISSIONERS (the "Town Board") AS FOLLOWS:**

1. The Town Board approves and authorizes the acquisition of the necessary fee title, rights-of-way, and easements affecting the parcels described on Exhibit A at a price not to exceed that determined by the appraisals described in the Proposal for Real Estate Acquisition Services by a Professional Property Acquisition Firm and permitted Administrative Adjustments for Right-of-Way Acquisition. No further action is required by this Board to authorize the acquisition.
2. In the event any of the parcels or interest in Exhibit A cannot be acquired by negotiations at the price authorized above, the Town Manager, through counsel, may institute and pursue acquisition by the process of Eminent Domain according to the procedures contained in Chapter 40A, including but not limited to, giving notice of intent to the property owner, executing and filing a complaint and declaration of taking and depositing the necessary appraised value amount with the Clerk of



Superior Court of Mecklenburg County. Any action pursuant to this subsection requires approval by the Town Board.

3. The Town Board hereby authorized the Town Manager, acting on advice of counsel, to take any actions necessary to carry out the provisions of this Resolution; and
4. This Resolution shall be effective as of the date its adoption.

Adopted this 3rd day of April, 2023.

ATTEST:

TOWN OF HUNTERSVILLE

Town Clerk

Town Mayor

APPROVED AS TO FORM:

Town Attorney

EXHIBIT A - PARCEL INDEX
BEATTIES FORD AT HAMBRIGHT PROJECT

PARCEL #	PARCEL ID #	PROPERTY OWNER NAME
1	015-161-33	County of Mecklenburg
2A	015-151-79	Aspire Carolinas Foundation Inc
2B	015-151-80	Aspire Carolinas Foundation Inc
3	023-031-05	James G Galloway, C/O James Galloway Jr
4	015-171-02	Michael Kucera
5	015-171-01	Michael Kucera
6	023-031-04	Kenneth S Et Al Powell, Beatties Ford Memorial Gardens
7	015-171-20	Arlington O'Neal Cornelius, Kathy S Cornelius



**RESOLUTION OF THE TOWN OF HUNTERSVILLE BOARD OF COMMISSIONERS TO APPROVE
MEDIATION SETTLEMENT AGREEMENT FOR PROPERTY NECESSARY FOR THE
CONSTRUCTION OF THE MAIN ST IMPROVEMENTS PROJECT**

WHEREAS, the Town of Huntersville (the "Town") has determined that the acquisition of property is necessary for the construction of Main St Improvements (the "Project"); and

WHEREAS, the statutory powers of the Town include the power to acquire real property (N.C.G.S. §160A-11 and §160A-240.1), including the power of eminent domain (N.C.G.S. Chapter 40); and

WHEREAS, the Town has certified that a portion of the Parcel 108 ("the Property"), listed on Exhibit A dated December 18th, 2017 is needed for the Project; and

WHEREAS, the Town was unable to settle property acquisition with the owner(s) of Parcel 108 and filed for condemnation on March 12, 2019; and

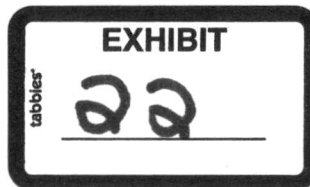
WHEREAS, the Parties held a mediation of this matter on March 21, 2023, and the Parties came to a settlement regarding the controversy between them; and

WHEREAS, the mediation settlement agreement is represented as Exhibit B, for Town Board approval and execution.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF HUNTERSVILLE BOARD OF
COMMISSIONERS (the "Town Board") AS FOLLOWS:**

1. The Town Board approves the mediation settlement agreement as listed on Exhibit B, for the parcel described on Exhibit A; and
2. The Town Board hereby authorizes the Town Manager, acting on advice of counsel, to take any actions necessary to carry out the provisions of this Resolution; and
3. This Resolution shall be effective as of the date its adoption.

Adopted this 3rd day of April 2023.



ATTEST:

TOWN OF HUNTERSVILLE

Town Clerk

Town Mayor

APPROVED AS TO FORM:

Town Attorney

EXHIBIT A- RESOLUTION TO ACQUIRE PROPERTY

**RESOLUTION OF THE TOWN OF HUNTERSVILLE TO ACQUIRE
RIGHT OF WAY AND EASEMENTS NECESSARY FOR THE CONSTRUCTION OF
THE ADOPTED AND FUNDED MAIN STREET IMPROVEMENT PROJECT (MSIP)**

WHEREAS, the Town of Huntersville has pre-award authority from the North Carolina Department of Transportation (NCDOT) to acquire real property for rights of way and easements required in the delivery of the MSIP, and

WHEREAS, the Town of Huntersville finds that such rights of way and easements, including existing public rights of way and easements, are for a public use and necessary for the construction of the MSIP, and

WHEREAS, the required rights of way and easements shall be shown in detail on the preliminary right of way plans for which the National Environmental Policy Act (NEPA) review process has been completed; and

WHEREAS, the statutory powers of the Town of Huntersville include the power to acquire real property (N.C. Gen. Stat. §160A-11 and §160A-240.1), including the power of eminent domain (N.C. Gen. Stat. Chapter 40); and

WHEREAS, the property acquisition process is anticipated to take more than 15 months, and the receipt of the authorized federal funds are contingent upon a defined project delivery schedule; and

WHEREAS, to meet said defined project delivery schedule, property acquisition process should begin no later than February, 2018; and

WHEREAS, the Town of Huntersville's proposed property acquisition process for the MSIP will comply with applicable federal and state requirements, including the Uniform Relocation Assistance and Real Property Acquisition Policies Act (49 CFR Code of Federal Regulations), as well as all applicable North Carolina General Statutes; and

WHEREAS, the Town of Huntersville has certified that the parcels ("the Property"), represented on Attachment A, are needed for the MSIP:

NOW, THEREFORE, BE IT RESOLVED that:

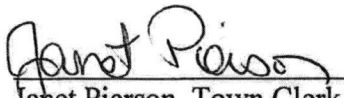
1. The Board of Commissioners approves and authorizes the acquisition of the necessary title, rights-of-way and easements affecting the parcels described on Attachment A at a price not to exceed that determined by the appraisals described in the Proposal for Real Estate Acquisition Services by Professional Property Service, Inc., dated October 6, 2017, and permitted Administrative Adjustments for Right-of-Way Acquisition, and no further action is required by this Board to authorize the acquisition.
2. In the event any of the parcels or interest therein cannot be acquired by negotiations at the price authorized above, the Town Manager may institute and pursue acquisition by the

process of Eminent Domain according to the procedures contained in Chapter 40A, including (but not limited to) giving notice of intent to the property owner, executing and filing a complaint and declaration of taking and depositing the necessary appraised value amount with the Clerk of Superior Court of Mecklenburg County.

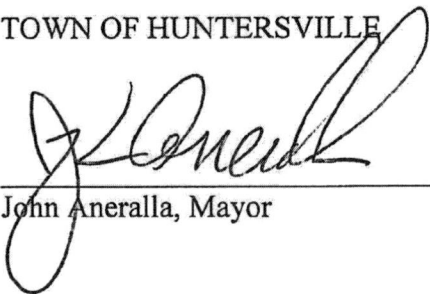
3. The Board hereby authorized the Town Manager, acting on advice of counsel, to take any actions necessary to effect the provisions of this Resolution.
4. This Resolution shall be effective as of the date its adoption.

Adopted this 18th day of December, 2017.

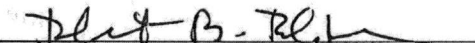
ATTEST:


Janet Pierson, Town Clerk

TOWN OF HUNTERSVILLE


John Aneralla, Mayor

APPROVED AS TO FORM:


Robert B. Blythe, Town Attorney

ATTACHMENT A

TOWN OF HUNTERSVILLE, NC
MAIN STREET IMPROVEMENT PROJECT
RIGHT OF WAY PARCEL INDEX

PG.1

Parcel No.	Parcel ID	Property Owner Name
1	01707244	Cynthia A Kaufman
2	01707209	Michael A Westhafer
3	01707211	James L Price
4	01707212	Larry Harold Maye
5	01707213	Fore Realty Inc
6	01711316	William F III Raines
7	01711306	William F III Raines
8	01711307	Mary E Mowry
9	01711308	Mary E Mowry
10	01711309	Donald J Skipper
11	01711310	Mark I Coffino
12	01711311	David B Mccord
13	01711313	Frank JR Walsh
14	01711402	100 Ranson /302 Old Statesville LLC
15	01711403	Jennifer Abercrombie
16	01711404	Rebecca Dickinson Wells
17	01711405	Phyllis Lynch Underhill
18	01907301	Ogle's Hardwood Flooring Inc
19	01907204	James JR. Kepple
20	01907203	Joey A Bagwell
21	01907202	Charles S. Guignard
22	01907201	Charles S. Guignard
23	01904505	William JR Fountain
24	01904504	Charles S. Guignard
25	01904503	Charles S. Guignard
26	01904502	Kevin P. King
27	01904501	Donald J Skipper
28	01904413	Donald J Skipper
29	01904404	Jerry D Lemke
30	01904403	Jay Michael Hill
31	01904402	Dorothy B Florentine
32	01904401	Dorothy B Canady
33	01907208	Charles S. Guignard
34	01904507 / 01904704	Charles S Guignard
35	01904508	Charles S. Guignard
36	01904509	Antoinette Altemus
37	01904510 / '01904701	John E. Johnston
38	01904406	Tyler L Pierce
39	01904407 / '01904604	Pete Archie JR &W Canipe
40	01904408 / 01904603	Huntersville Presbyterian Church
41	01904409	Association Inc Mayors Corner Homeowners
42	01904703	Ernest C Mitchell
43	01901210	Town of Huntersville
44	01901211	Town of Huntersville
45	01904415	P Mullen Ruth
46	01904416	Carolyn C Gibbons
47	01904417	Mullen Enterprises Inc
48	01904305	Church Corp Huntersville Presbyterian
49	01904306	Huntersville Presbyterian Church
50	01904307	Sierra Rose Woods Collins
51	01904301	Huntersville Presbyterian Church Trustees
52	01904101	Larry Dalton Irvin
53	01904102	Town of Huntersville
54	01904106 / '01904802	Charles S. Guignard

TOWN OF HUNTERSVILLE, NC
MAIN STREET IMPROVEMENT PROJECT
RIGHT OF WAY PARCEL INDEX

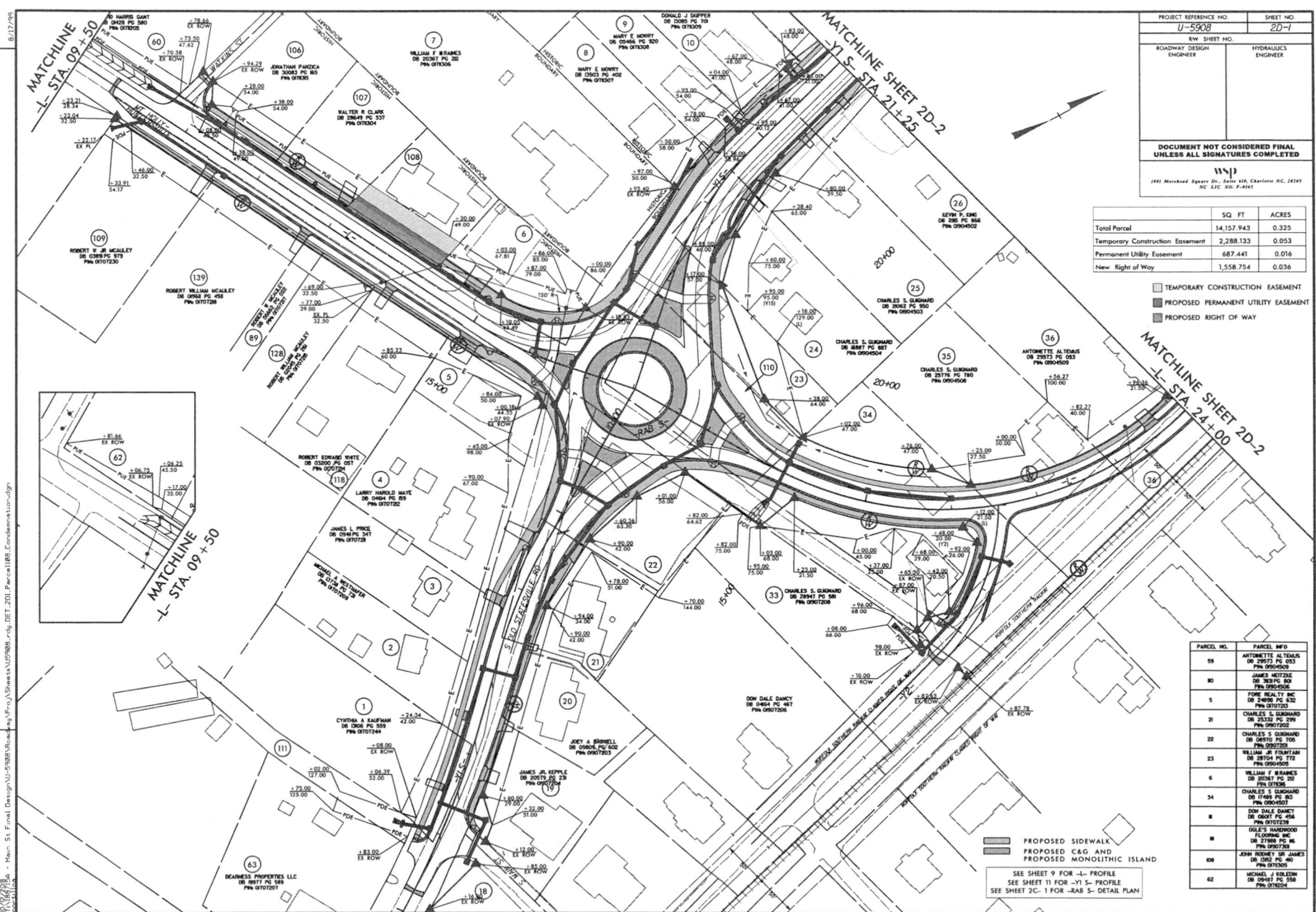
PG.2

55	01904107	Emily Kornegay
56	01904108	Robert D. Dowdy LLC
57	01904109	Greyron LLC
58	01904110	Charles S. Guignard
59	0190702	James Franklin Ellis
60	01711205	David Harris Gant
61	01904605	Deborah Freeze
62	01711204	Michael J Koledin
63	01707207	Dearness Properties LLC
64	01904602	Ruth P Mullen
65		No Name
66	01904601	Cecil D Bradford
67		No Name
68	01904801	Bradford Properties
69		No Name
70	01711301	Ernie J Lee
71		No Name
72	01901303	Jesus Martinez
73		No Name
74		No Name
75	01904103	Charles S Guignard
76	01901201	Town of Huntersville
77	01905313	Partnership White Hill Limited
78	01903413	Mary Jo Tyner
79	01903408	Bowman Development Group Inc
80	01903407	Town of Huntersville
81	01903499	Harvey David Gibson
82	01903417	Bowman Development Group Inc
83	01903416	Bowman Development Group Inc
84	01903436 / '01903215	Town of Huntersville
85	01903435 / '01903434 / '01903213	Town of Huntersville
86	01733202	Joseph F JR Runyan
87	01903433 / '01903212	Town of Huntersville
88	01903432 / '01903431 / '01903210 / '01903209	American Legion Post 321 Inc
89	01707217	Robert W Mcauley
90	01903430 / '01903207	American Legion Post 321 Inc
91	01903429 / '01903206	Ronald Julian
92	01903428 / '01903204	Hager Enterprise LLC
93	01903427 / '01903201	Danny S Hargis
94	01903426 / '01903202	Huntersville Arp Church
95		No Name
96	01904111	Sara Marlene McCraw
97	01904219	Cyndee Properties LLLP
98	01904218	Charles S. Guignard
99	01904201	Charles S Guignard
100	01903116	Town of Huntersville
101	01903117	Rafik M Hanna
102	01904112	E. Billue Guignard
103	01733129	Willard V Hager
104	01733130	MD Hampton Properties LLC
105	01901119	John David Bassett
106	01711315	Jonathan Panzica
107	01711304	Walter R Clark
108	01711305	John Rodney SR James
109	01707230	Robert W JR Mcauley

TOWN OF HUNTERSVILLE, NC
MAIN STREET IMPROVEMENT PROJECT
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PG.3

110	01904506	James Neitzke
111	01707239	Don Dale Dancy
112	01901111	Huntersville Arp Church
113	01901112	Sweetwater Assets LLC
114	01901113	Trina Y. Davis
115	01901114	Tony F Kennerly
116	01901115	North Mecklenburg Properties
117	01901116	Lars M Nordenstam
118	01707214	Robert Edward White
119	01901117	Cross Building LLC
120	01901118	Charles S Tilson
121	01901120	Charles S Tilson
122	01711507	Terry E Dewese
123	01901204	Leonardo Torres
124	01901205	Charles S. Guignard
125	01901206	Ernie J Lee
126	01901207	Town of Huntersville
127	01901208	Town of Huntersville
128	01707215	Robert William Mcauley
129	01901209	Town of Huntersville
130	01901308	Deborah Kay Blackburn
131	01901309	North Mecklenburg Properties
132	01902201	Town of Huntersville
133	01901202	Town of Huntersville
134	01901203	Charles E JR Cook
135	01901212 / '01901213	Town of Huntersville
136	01901101	Rhonda M Jones
137	01901102	Philip Lowe
138	01901104	Robert Scott Willett
139	01707218	Robert William Mcauley
140	01712225	Mark S Butler
141	01712226	Huntersville NC Inc First Baptist Church Of
142	01733204	Betsy Harris Humphres
143	01733205	Marion Sparrow
144	01733206	Hager Enterprise LLC
145	01733208	J & M Automotive Enterprises
146	01733209	J & M Automotive Enterprises
147	01733124	Maureen M Walsh
148	01733125	Maureen M Walsh
149	01733126	Terry E Dewese
150	01733127	Willard V Hager
151	01733128	Willard Vance Hager
152	01901301	Presbyterian USA Huntersville United
153	01901302	Jacalyn Nicole Vandiver
154	01901103	Robert Scott Willett
155	01733203	Edward Dwight Humphries



PROJECT REFERENCE NO.		SHEET NO.	
U-5908		20-1	
RW SHEET NO.		HYDRAULICS ENGINEER	
ROADWAY DESIGN ENGINEER			
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED			
WSP 1801 Marshwood Square Dr., Suite 400, Charlotte NC, 28203 NC L&E 300-1-0001			

	SQ. FT.	ACRES
Total Parcel	14,157.943	0.325
Temporary Construction Easement	2,288.133	0.053
Permanent Utility Easement	687.441	0.016
New Right of Way	1,558.754	0.036

- TEMPORARY CONSTRUCTION EASEMENT
- PROPOSED PERMANENT UTILITY EASEMENT
- PROPOSED RIGHT OF WAY

PARCEL NO.	PARCEL INFO
59	ANTONETTE AL TEAS DB 29173 PG 053 PIN 07050049
80	JAMES HETZLE DB 2619 PG 608 PIN 07050049
5	FORE REALTY INC DB 2419 PG 632 PIN 07107233
21	CHARLES S. GUINARD DB 2533 PG 299 PIN 07072002
22	CHARLES S. GUINARD DB 2675 PG 705 PIN 07072002
23	WILLIAM J. FOUNTAIN DB 28704 PG 772 PIN 07050049
6	WILLIAM F. BRAMES DB 17408 PG 82 PIN 07050049
34	CHARLES S. GUINARD DB 27004 PG 82 PIN 07050049
8	DON DALE DANCY DB 0642 PG 456 PIN 07107233
8	OGLE'S HANDWOOD LORIAN INC DB 27888 PG 86 PIN 07072002
806	JOHN ROONEY SR JAMES DB 2802 PG 40 PIN 07107233
62	MICHAEL J. KOLESON DB 0642 PG 504 PIN 07107233

PROPOSED SIDEWALK
PROPOSED C&G AND
PROPOSED MONOLITHIC ISLAND
SEE SHEET 9 FOR -L- PROFILE
SEE SHEET 11 FOR -Y1 S- PROFILE
SEE SHEET 2C-1 FOR -R&B S- DETAIL PLAN

REVISIONS

8/17/09
V:\66474\104 - Main St Final Design\U-5908\Drawings\Pro\Sheets\U5908_rdy DET 201 Parcel\88 Condemnation.dgn
10/16/09

EXHIBIT B- SETTLEMENT AGREEMENT

MEDIATION SETTLEMENT AGREEMENT

This MEDIATION SETTLEMENT AGREEMENT (the "Agreement") is entered into this 21st day of March, 2023, by and between the Town of Huntersville, North Carolina (the "Town"), and The Estate of John Rodney James, Sr., Linda James, John Rodney James, Jr., and Victoria Lynn James (collectively "James") (collectively referred to as the "Parties").

WHEREAS, the Town has instituted a lawsuit captioned the Town of Huntersville v. The Estate of John Rodney James, Sr., Linda James, John Rodney James, Jr., and Victoria Lynn James, case number 19-CVS-4828 (the "Action") to condemn certain portions of the property owned by James located at 104 Mt. Holly-Huntersville Road, Huntersville, North Carolina (the "Property") for Right of Way, Permanent Utility Easement and Temporary Construction Easement (the "Condemned Property"), as shown on the Complaint filed in the Action; and

WHEREAS, the Parties held a mediation of this matter on March 21, 2023, and the Parties desire to settle the controversy between them;

NOW THEREFORE, in consideration of the foregoing mutual representations and the mutual promises and agreements set forth hereinafter, and for other good and sufficient consideration, the receipt and sufficiency of which is acknowledged by all Parties, the Parties agree as follows:

1. Settlement Amount. The Town has paid into the Clerk of Court for Mecklenburg County, North Carolina, the sum of Twenty Two Thousand Four Hundred Twenty Five Dollars and 00/100 (\$22,425.00), and the Town agrees that it will pay an additional amount of Thirty Two Thousand Five Hundred Seventy Five Dollars and 00/100 (\$32,575.00) to the Clerk of Superior Court upon the filing of a Consent Judgment in the Action, and James accepts the total amount of Fifty Five Thousand Dollars and 00/100 (\$55,000.00) as the full and complete monetary compensation related to the Lawsuit, the condemnation of the Property, and the road right of way, permanent utility easement and temporary construction easement shown on the Complaint, including any interest.

2. Release by James. In consideration of this Agreement, the execution of the Consent Judgment, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, James, for themselves, their employees, insurers, agents, representatives, attorneys, predecessors, heirs, devisees, successors and assigns hereby release, remise, and discharge the Town, its employees, insurers, agents, representatives, attorneys, predecessors, successors and assigns from any and all claims, demands, debts, liabilities, obligations, torts, causes of action, or other claims for relief, of whatever kind or nature, whether known or unknown, whether suspected or unsuspected, whether accrued in the past or to accrue in the future, which James had, has, or may in the future have against the Town related to the Action, the Property and the Condemned Property.

3. Acknowledgement. The Parties represent that they have had adequate opportunity to consider the terms of this Agreement, that this Agreement is being entered into of their own free

will, and not based on any coercion or inducements made by the other Party. Each Party has been represented by counsel in negotiating this Agreement.

4. Governing Law. This Agreement shall be governed by the laws of the State of North Carolina.

5. Attorneys' Fees and Costs. Each Party shall bear their own attorneys' fees and costs. Mediation fees shall be equally divided between the parties (50/50).

6. Authority to Execute. Linda James represents and warrants that she is the wife of John Rodney James, Sr. and that upon his death she became the sole owner of the Property and that John Rodney James, Jr. and Victoria James have no ownership interest in the Property. John Rodney James, Jr. is deceased and died without children. Victoria Lynn James represents and warrants that she holds no ownership interest in the Property. James acknowledges that they are authorized to execute this Agreement and have fully read this Agreement, that they understand all the terms and conditions set forth herein, and that they are entering into this Agreement voluntarily and without promise or benefit other than as set forth herein. The Parties acknowledge that the Town is not bound by this agreement until it is pre-audited and approved by the Board of Commissioners for the Town of Huntersville. A recommendation will be made by those Town representatives present at the mediation to approve this Agreement in its entirety. If this Agreement is not approved in its entirety by the Board of Commissioners, then this Agreement shall be null and void in its entirety.

7. Successors in Interest. This Agreement shall be binding upon the parties and each of their assigns, agents, insurers, legal representatives, and any other persons or entities acting on their behalf or claiming through or under them or any of them, and shall inure to the benefit of the parties, as well as each of their respective assigns, agents, insurers, legal representatives, and any other persons or entities acting on their behalf or claiming through or under them.

8. Consent Judgment. The Parties agree that they will enter into a Consent Judgment, prepared by the Town, in conformance with the terms of this Agreement, and that the Consent Judgment requires approval of a Judge of Superior Court.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

THE ESTATE OF JOHN RODNEY JAMES, SR.

By: _____

Its: _____

Linda James

Linda James (Mar 21, 2023 13:25 EDT)

Linda James

Victoria James

Victoria James (Mar 21, 2023 13:19 EDT)

Victoria Lynn James

David Needham

David Needham (Mar 21, 2023 13:15 EDT)

David Needham, Attorney for Defendants

THE TOWN OF HUNTERSVILLE

By: _____

Its: _____

Keith Merritt

Keith Merritt (Mar 21, 2023 13:19 EDT)

Keith J. Merritt, Attorney for Town of Huntersville

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Finance Director