

Mayor
Melinda Bales

Mayor Pro Tem
Stacy Phillips

Commissioners
Dan Boone
Rob Kidwell
Amber Kovacs
Lance Munger
Derek Partee



Town Manager
Anthony Roberts

Deputy Town Manager
Jackie Huffman

Assistant Town Manager
Bobby Williams

Town Attorney
Emily Sloop

Town Clerk
Janet Pierson

AGENDA
Regular Town Board Meeting
October 2, 2023 - 6:00 PM
TOWN HALL (101 Huntersville-Concord Road)

Live Stream available via YouTube
@townofhuntersvillenc28078

- 1. Pre-meeting - None**
- 2. Call to Order**
- 3. Invocation/ Moment of Silence**
- 4. Pledge of Allegiance**
- 5. Staff Questions**
- 6. Public Comments, Requests, or Presentations**
 - 6.A. Mecklenburg County HOMES Program - Helping Out Mecklenburg's homeowners with Economic Support. *(Jamie Nagle, Program Supervisor)*
 - 6.B. Proclamation for Dysautonomia Awareness Month. *(Mayor Melinda Bales)*
- 7. Agenda Changes/Adoption of Agenda**
- 8. Consent Agenda**
 - 8.A. Approve the minutes of the September 5, 2023 Regular Town Board Meeting. *(Janet Pierson)*
 - 8.B. Approve the minutes of the September 18, 2023 Regular Town Board Meeting. *(Janet Pierson)*
 - 8.C. Approve Electric Fund write-offs for FY 20 totaling \$24,453.96. *(David Lucore)*

9. Public Hearings

- 9.A. Conduct public hearing to receive input on proposed traffic calming measures on Cambridge Grove Drive between Glencrest Drive and NC73. (*Lora Mastrofrancesco*)

10. Other Business

- 10.A. Consider decision on Traffic Calming Measures for Swansboro Lane (*Lora Mastrofrancesco*)
- 10.B. Discuss and select preferred alternative for Beatties Ford Road at Brown Mill Road intersection for NC 73 (R-5721B) Project. (*Stephen Trott/Brett Canipe, NCDOT*)

11. Mayor and Commissioner Reports/Closing Comments

12. Adjourn

GENERAL MEETING INFORMATION

Town Board:

The Town of Huntersville Mayor and Board of Commissioners are elected for two-year terms. Huntersville operates under the council-manager form of government, which establishes the Town's policies that are carried out by the Town Manager and staff. For more information visit www.huntersville.org.

Meeting Time, Place and Agenda:

All meetings of the Board are open to the public and the public is invited and encouraged to attend. The Board meets in the Town Hall at 6:00 p.m. on the first and third Monday of each month (unless otherwise posted). Agendas are published Thursdays before the meeting on our website. The Board reserves the right to deviate from the agenda.

Public Comment and Public Hearing Policy:

Persons desiring to address the Board during the public comment period or a public hearing shall sign up via the speaker sign-up sheet prior to the beginning of the meeting. Once the meeting has begun, a person may not sign up to speak. Persons who have signed up to speak shall be allowed to speak for up to three (3) minutes. The Mayor shall have the discretion to shorten the allotted speaking time depending on the number persons registered to speak and in consideration of the length of the agenda. (Public Comment and Public Hearing Policy - Adopted April 19th 2021)

Special Accommodations:

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



A Proclamation For Dysautonomia Awareness Month

WHEREAS, Dysautonomia is a group of medical conditions that result in a malfunction of the autonomic nervous system, which is responsible for “automatic” bodily functions such as respiration, heart rate, blood pressure, digestion, temperature control and more; and

WHEREAS, Dysautonomia impacts over 70 million people around the world, and includes conditions such as Diabetic Autonomic Neuropathy, Neurogenic Orthostatic Hypotension, and Postural Orthostatic Tachycardia Syndrome; and

WHEREAS, Dysautonomia impacts people of any age, gender, race or background, including many individuals living in Huntersville; and

WHEREAS, Dysautonomia can be very disabling and this disability can result in social isolation, stress on the families of those impacted, and financial hardship; and

WHEREAS, some forms of dysautonomia can result in death, causing tremendous pain and suffering for those impacted and their loved ones; and

WHEREAS, increased awareness about dysautonomia will help patients get diagnosed and treated earlier, save lives, and foster support for individuals and families coping with dysautonomia in our community; and

WHEREAS, Dysautonomia International, a 501(c)(3) non-profit organization that advocates on behalf of patients living with dysautonomia, encourages communities to celebrate Dysautonomia Awareness Month each October around the world; and

WHEREAS, we seek to recognize the contributions of medical professionals, patients and family members who are working to educate our citizenry about dysautonomia in Huntersville.

NOW, THEREFORE, I, Melinda Bales, Mayor of Huntersville, do hereby proclaim the Month of October “**DYSAUTONOMIA AWARENESS MONTH**” in Huntersville, North Carolina.

IN WITNESS WHEREOF, I do hereby set my hand and cause the Seal of the Town to be affixed, this the 2nd of October, 2023.

Melinda Bales, Mayor

**Town of Huntersville
Town Board
October 2, 2023**

To: Town Board

From: Janet Pierson, Town Clerk

Date: October 2, 2023

Subject: Approval of Minutes - September 5

EXPLAIN REQUEST:

Consider approving the minutes of the September 5, 2023 Regular Town Board Meeting.

ACTION RECOMMENDED:

Approve Minutes

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. Draft Minutes

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**September 5, 2023
6:00 p.m. – Huntersville Town Hall
101 Huntersville-Concord Road**

PRE-MEETING

None

**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 September 5, 2023.

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

Mayor Bales called the meeting to order.

Mayor Bales called for a moment of silence.

Mayor Bales led the Pledge of Allegiance.

STAFF QUESTIONS

Commissioner Munger requested update on lane closures that are happening this weekend on I-77 at Gilead.

Ethan Smith, Public Information Officer, reviewed lane closures scheduled for September 7, 8 and 9.

Commissioner Kidwell questioned if a policy had been set for the use of the new golf cart in the Police Department and if it had been added to the insurance.

Police Chief Barry Graham noted it is registered with the state and has been added to insurance. The use of it will be regulated under the policy for Special Use Vehicles.

Commissioner Kidwell noted he had been receiving complaints from residents of Sherwood Drive about the traffic for Huntersville Elementary blocking driveways.

Chief Graham explained that the Police Department is working with the school and have asked that they allow the cars to come in earlier than they have been to get some of those off the road. They don't want the cars on there until a certain time, so they are telling parents not to get there until 15 minutes

before dismissal. We have asked them to double stack. If a car is moving to get in, they are not violating the law. If they are sitting in the road stopping traffic for an extended period, they are. This is a school issue and we are trying to help them as much as possible.

Commissioner Kovacs noted she got there at 2:20 p.m. the other day and they were stacked up down Sherwood past Mr. Guignard's house.

Chief Graham said last week was the first week of school. The traffic squad is going to start policing that.

Mayor Bales noted that Huntersville Elementary is scheduled for replacement and asked if there have been any conversations with CMS to ensure that stacking at the new school does not happen.

Chief Graham noted CMS has been asked to contact the Police Department when they start to build the school to get our input.

Commissioner Kovacs requested information on School Resource Officers in elementary schools now that Cornelius has funded their SRO's.

Chief Graham explained that Cornelius did fund them. They asked for one to cover two schools and their board approved two SRO's to cover their two elementary schools. Huntersville has six elementary schools. Huntersville could probably start with three for the six elementary schools. There are probably some individuals in the Police Department that would be interested in going to the School Resource Officer program, we would hire three new people to take patrol positions.

Commissioner Boone questioned if additional sergeants would be needed.

Chief Graham noted another sergeant would not be needed.

Commissioner Kovacs questioned if there have been any problems with robberies at grocery stores.

Chief Graham noted he is not aware of anything.

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

Mayor Bales proclaimed September 17 through 23, 2023 as Constitution Week.

A Proclamation for Constitution Week

WHEREAS, September 17, 2023 marks the two hundred and thirty-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to read, study, and preach the greatest document of human liberty and to protect the freedoms set forth in the Bill Rights; and

WHEREAS, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

WHEREAS, it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

NOW, THEREFORE, I, Melinda Bales, Mayor of Huntersville, do hereby proclaim September 17 through 23, 2023 as "CONSTITUTION WEEK" in Huntersville, North Carolina and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

IN WITNESS WHEREOF, I do hereby set my hand and cause the Seal of the Town to be affixed, this the 5th of September, 2023.

Jeff Locke, 13522 Merry Chase Lane, said I heard a rumor that you guys were considering upping the parking minimums in the Town of Huntersville. If you believe the people that get up here on a regular basis, they tell you it's impossible to find parking in Huntersville, they can never find parking. I'd like to give you a little bit of a different perspective on that. Instead, I'd like to talk about the high costs of having too much parking. It's bad for local businesses. It makes it much harder for them to adapt and to establish themselves. It incentivizes the larger businesses that can afford larger plots of land. Because it's bad for business, it's bad for the town, it decreases the amount of revenue that you can raise by taxes on these businesses. And thirdly, it's bad for traffic. Having all of these businesses far apart and far apart from our homes makes it harder to walk there, to bike there. It makes us have to get in cars and because we all have to get in a car, that's more cars on the road. Huntersville doesn't really have a parking problem. I've never had a problem parking anywhere in Huntersville, not even Birkdale. But I have had problems sitting in a car for half an hour to come here from my job in Davidson. I think upping these parking minimums, I think it's kind of overreach. If anything, we should just abolish parking minimums and let the free market decide what the land is actually worth and it will be better for the town, better for business, better for traffic.

Don Gordon, 208 Canadice Road, said thank you for letting me speak and thank you for letting me address a question that's going to be brought up later tonight regarding the environmental studies committee. I am a grandfather of four, soon to be five by Friday of this week. I am a widower and I have been a Baptist minister for most of my adult life, for 35 years. I made a transition a few years ago because my first grandchild was born and I recognized that this grandchild might well live into the 22nd century and it sort of blew my mind that they would be living in that century. Even though I've been in ministry, I did my undergraduate work in scientific fields, and I believe the more we learn about science, the more we can alter and change based on what we learn and the more I know and learn about God I can alter my understanding of who God is, who I believe is unchanging. I just want to thank those of you who are interested in the environment and what the environment is going to be like in the 22nd century when our grandchildren will be living here and not just my grandchildren. I have a 3-minute limit here and if I had three hours, I would show you pictures of my lovely grandchildren and talk to you a long time about them, but there are grandchildren around the world, not just here in Huntersville. I really want to encourage our community and the town council to find ways to study the environment and our impact on the environment and how we can be better managers and stewards of what God has created and given to us, so thank you for the time.

AGENDA CHANGES

Commissioner Kidwell moved Item 8.E (Approve Lake Norman Chamber Business Expo Facility Usage Agreement) to Item 10.D under Other Business.

Commissioner Kidwell made a motion to approve.

Commissioner Munger seconded motion.

Motion carried unanimously.

Commissioner Phillips made a motion to adopt the agenda as amended.

Commissioner Munger seconded motion.

Motion carried unanimously.

CONSENT AGENDA

Approval of Minutes – August 7. Commissioner Phillips made a motion to approve the minutes of the August 7, 2023 Regular Town Board Meeting. Commissioner Kovacs seconded motion. Motion carried unanimously.

Approval of Minutes – August 21. Commissioner Phillips made a motion to approve the minutes of the August 21, 2023 Regular Town Board Meeting. Commissioner Kovacs seconded motion. Motion carried unanimously.

Resolution – 2024 Road Resurfacing Project. Commissioner Phillips made a motion to adopt Resolution to award bid for the 2024 Road Resurfacing Project and accept and approve the bid proposal as the contract. Commissioner Kovacs seconded motion. Motion carried unanimously.

Resolution attached hereto as Exhibit No. 1.

Property Tax Refund Report. Commissioner Phillips made a motion to approve Property Tax Refund Report from Mecklenburg County. Commissioner Kovacs seconded motion. Motion carried unanimously.

Resolution attached hereto as Exhibit No. 2.

Call for Public Hearing – Cambridge Grove Drive Traffic Calming. Commissioner Phillips made a motion to call a public hearing for Monday, October 2, 2023 at 6:00 p.m. at Huntersville Town Hall, 101 Huntersville-Concord Road, Huntersville, NC 28078 to receive public input on traffic calming measures on Cambridge Grove Drive. Commissioner Kovacs seconded motion. Motion carried unanimously.

Call for Public Hearing – Petition #TA23-05. Commissioner Phillips made a motion to call a public hearing for Monday, September 18, 2023 at 6:00 p.m. at Huntersville Town Hall, 101 Huntersville-Concord Road, Huntersville, NC 28078 on Petition #TA23-05, a request by the Town of Huntersville Planning Department to amend Article 9.51 of the Zoning Ordinance to further clarify non-residential outdoor activities allowed within the Neighborhood Residential zoning district within ¼ mile of the Town Center zoning district. Commissioner Kovacs seconded motion. Motion carried unanimously.

Resolution – Sole Source Purchase of Police Vehicles. The Huntersville Police Department (HPD) would like to purchase eight police pursuit certified vehicles from Lake Norman Dodge. These vehicles are 2023 Black Dodge Chargers and Durango's. They are the same color and specifications that have previously been purchased through the NC state contract and HPD equipment is compatible with these vehicles. HPD has been unable to locate any other dealerships that have these police pursuit certified vehicles in stock and, therefore due to the need for compatible vehicles and the lack of availability from other dealerships, HPD is seeking Board approval for a sole source purchase.

Commissioner Phillips made a motion to adopt Resolution approving a sole source purchase of police vehicles. Commissioner Kovacs seconded motion. Motion carried unanimously.

Resolution attached hereto as Exhibit No. 3.

PUBLIC HEARINGS

Traffic Calming Measures – Swansboro Lane. Lora Mastrofrancesco, Transportation Engineer, reviewed the request. *Refer to PowerPoint attached hereto as Exhibit No. 4.*

Swansboro Lane is on the west side of 77, near Hambright Road. It's a small community called Yorkdale and it's a no outlet community, so there's three roads in it with three cul-de-sacs.

In August the representative requested traffic calming. This community does not have an HOA, so there's a different procedure for that. The representative had to get three additional signatures from the community all in favor of a study. That was completed and provided to staff.

Radars were put out in November and the first collection of data said that the 85th percentile was driving at 33 mph. The policy says anything over 30 mph the process can continue. The 30 mph limit is based on the posted speed of the community which is 25 mph and then we add 5 mph.

The neighborhood then completed a neighborhood awareness campaign which was accepted and approved by staff.

Next was Type 1 Solution Implementation, which means Huntersville Police Department was asked to increase their police presence in the area and radar feedback signs were temporarily installed.

The second data collection was completed in May of this year and the 85th percentile speed was 31 mph. It was a reduction from the first collection at 33 mph, but still over the threshold which means we move to physical traffic calming measures.

I spoke with the neighborhood representative and we went through some proposed solutions and they gave me their recommendation based on that. Last month we had the call for public hearing. It was in the newspaper and here we are today with the presentation.

The three proposed solutions include:

1. Two speed humps along Swansboro Lane, just before the two intersections where possibly half the community would be slowing down to make their left.
2. Three speed humps, with the third one further up near the end where there's less population in the community. The community prefers this solution. Staff reached out to Police Chief Barry Graham and Fire Chief Jim Dotoli for their input. Chief Graham prefers the two speed humps option. Chief Dotoli does not like speed humps because every second counts

The Engineering Department came up with a third option of traffic mini-circles placed at the intersections. They are like a roundabout but much smaller. They are 16' in diameter. Staff would recommend two of them. There is a mountable curb around the perimeter. This option would be the

Fire Department's preference, as it allows fire trucks to drive over it. The Police Department does not recommend this option as they receive calls about people not driving them correctly.

The Engineering Department recommends Option 1 (two speed humps). On Swansboro the mini-circle would be in the middle of the intersection, so I've got to the right take a little bit of that land and turn it into road. It's a ditch section, so I need another about 8' ditch then I would have to ask that homeowner for some right-of-way. It's not a lot of right-of-way, but will that homeowner want to give us some of this right-of-way. If they don't, would the Board be willing to exercise eminent domain for a traffic calming measure. Speed humps are always built within the right-of-way. We never ask for right-of-way and they are easy to maintain.

Commissioner Kovacs said is it possible to do the ones that are split so fire trucks can maneuver through those?

Ms. Mastrofrancesco said those are called speed cushions. Most of the time they are made of rubber and you affix it into the ground. According to Public Works they are a maintenance nightmare when they have to do snow removal the one or two times a year. The trucks lift the whole cushion up. The Fire Department seemed fine with those. Even if we made them just out of asphalt instead of getting the rubber kind, Public Works would not recommend that for maintenance reasons.

Commissioner Phillips said what's the cost difference in the three?

Ms. Mastrofrancesco said a speed hump installed is around \$4,000 to \$5,000 per speed hump, so we would do two or three depending on the option. The mini-circles are \$10,000 to \$15,000 each and we would want two.

Commissioner Phillips said how many people are in that section of the neighborhood?

Ms. Mastrofrancesco said I counted 55 parcels in the community.

Commissioner Phillips said and those are home parcels.

Ms. Mastrofrancesco said yes.

Commissioner Phillips said how many people would we have to get land acquisition if we do the circles?

Ms. Mastrofrancesco said if we do the circles, it would be two. It would be the ones directly across from the t-intersections. Land acquisition cost is not included in the price of the mini-circles.

Commissioner Kidwell said what kind of traffic calming device would everybody agree on from Public Works through the Fire Department?

Ms. Mastrofrancesco said the traditional speed humps. The two.

Commissioner Munger said I'm more curious about the process. You said you had one person ask and three other people sign up together, so you had four people out of what you just said was 55. Is it typically a percentage. I know HOA's completely different, we deal with the HOA board, but how is it that four houses can come up out of 55 and make this happen?

Ms. Mastrofrancesco said that's the policy that was in place. It's not a percentage of how many people. That's all she needed to sign to start the process, but she has been talking to the community at large.

Commissioner Munger said just in this particular instance it might make sense, but there might be scenarios where we have 100 houses and four people say I want speed bumps and everyone else is like no, but then we kick that thing down the road and start doing things, so it's an interesting process.

Ms. Mastrofrancesco said even if it was an HOA board and let's say half the community didn't want it and half the community did want it, it's ultimately the board of their HOA's so then half the community would not be happy.

Commissioner Munger said I'd be okay if only half were unhappy, but if it were to a point where 90 percent of the people were unhappy, which is potential in this type of scenario, that's a problem.

Mayor Bales said I would say just remember though it comes back for this Board to make a decision on whether they go in or not.

Commissioner Munger said but to the best of our knowledge we have four people who asked for this out of 55.

Commissioner Kidwell said I would agree with Commissioner Munger. That's one of the reasons we're having a public hearing so hopefully we can get.....I don't know how we get this information to everybody because I don't know who's heading it up and I appreciate the efforts and I don't know them, but we don't know if they're actually hitting everybody or if they are just hitting certain people.

Ms. Mastrofrancesco said when we did the call for public hearing it went into the newspaper for four weeks prior to this meeting.

Commissioner Kidwell said not everybody gets the paper.

Commissioner Partee said when it comes to police and fire there's always that little competition that we always have and maybe we can have like a pickleball competition to find out whose idea.....but I'm more interested in when it comes to response times, life and death, overall in this community how often are we going on calls for emergencies that require life and death situations and also where there is fire calls where the obstruction of either a mini-circle or a calming device will impede that response time.

Chief Graham said just like anywhere else in town you have no idea where these emergencies are going to happen at. If you are asking me if Swansboro has a high percentage of having the life and death situation, probably not. We are down there running traffic, we have domestics things like that, but it's not known for a high crime area, things like that. I'm not necessarily against traffic circles, I just want to make sure everybody uses them correctly.

Commissioner Phillips said can you give an explanation of how these things impact Public Works like in your day-to-day operations.

Kevin Fox, Director of Public Works, said we tried the speed cushions several years ago in a couple of different locations. We ended up coming back and taking those up because the way they affix to the asphalt when the asphalt deteriorates they start peeling up and coming up and we found that it was more challenging to keep them down. We had some that were on Devonshire Drive which is on our

bare pavement snow route and the snowplow just peels them up if you don't know they are there. We found that it was more economical to go back with just traditional speed humps.

Commissioner Phillips said with the circles and you guys having to plow when it snows, is this a street you plow and then what kind of problems do the circles cause in those situations.

Mr. Fox said Swansboro Lane and the side streets on Swansboro would be way down in the tiers of priority. Chances are good that Mother Nature gets those cleared before we do. From a snow plow perspective, a mini-circle wouldn't be an issue on that street.

Crystal Camp, 11800 Swansboro Lane, said I did start the traffic calming process with Lora and we've worked together on this for a very long time. There are 55 parcels there, but there's about 53 that are currently occupied. The neighborhood is an older neighborhood. We've been there since 2003. My dad owned the land prior to that, so I've been in Huntersville a long time, seen a lot of changes. The neighborhood has changed. A lot of the older residents have now moved on and are renting some of those properties out, so some of the people that are currently there don't have a big investment in any changes to the community, which is why I think we see a lot of speeders. There's a lot of kids in the neighborhood and I actually do live at that t-intersection, so I'd be one of the ones that would have to give that right-of-way for the traffic circles. We are not interested in the traffic circles just the way it's going to affect the yard and we have a brick mailbox and that may have to be moved, so it would be a lot of different expense for us probably to do that. We are interested in the traffic humps, which is what a lot of the other neighborhoods in Huntersville have and that's what we would like to see happen. I have 8-year old twins. They can't ride their bicycles on the road. We don't have sidewalks, so we have to pack up, hike it over to the park, go over to Patterson Road which is now getting really busy now that that's been opened up. Previously we could go over there and ride because that was not a busy area. It really affects all the kids in the community. It affects my kids who can't go outside and ride because it's so busy through there and they are speeding. The whole time, if we do that, we're like yelling the whole time, get out of the road, stop, because they are ahead of us riding their bike so the whole time that we are out there with them it's just a headache. Again, a lot of the homeowners are renting their homes out now so they don't have a big investment in the traffic calming, but there's quite a few of us because a lot of them were going to come tonight. My neighbor actually was going to come and then she said I'm sick tonight. If we would have known that we needed to, we could have got a bigger presence here tonight just to show that they do support the traffic calming. We have a Facebook page for the neighborhood. It was advertised there. There was quite a few things that we did in the neighborhood to make sure that everyone was aware of what we were doing and we have a lot of support.

Mayor Bales said I would just tell you that a decision will not be made this evening, so they can certainly come when it's back on the agenda.

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

Petition #R23-08, Dearness Gardens. Mayor Bales called to order public hearing on Petition #R23-08, Dearness Gardens, a request by Ken Forster, to rezone six parcels totaling +/- 10.07 acres generally located at 13501 Old Statesville Road from existing Highway Commercial - Conditional District and Neighborhood Residential to Highway Commercial - Conditional District and Neighborhood Residential for boundary and site amendments.

Jesse James, Principal Planner, entered the Staff Report into the record and reviewed the request. *Refer to Staff Report and Staff PowerPoint attached hereto as Exhibit No. 5.*

This rezoning is to actually in a way swap land from the two southern parcels to a rear parcel that the owner has purchased, and then the other two parcels to the south would go to Neighborhood Residential, which is more of a residential zone similar to the surrounding adjacent properties. The proposed land use would just be to further the existing Dearness Gardens for retail for plants and similar accessory items.

This is a map provided by the applicant that shows kind of what we are doing here. The main genesis of this rezoning is a boundary change from the original Dearness Gardens you see in the dark and light purple or pink, those are the original Dearness Gardens parcels. You've got the two at the north and the two at the south with some easements in the middle. Those were the original Dearness Gardens properties. The newest owner has purchased the parcel to the rear which is the hatched area with that purple tone to it so the new Dearness Gardens would be those three northern parcels where the other two to the south would go to Neighborhood Residential.

The sixth parcel that's on this plan is shown for the access easement that actually goes to 115, so they have a small sliver of property as well. Those would go back to Neighborhood Residential as well.

Moving to the actual site plan seeing what we have proposed here. Like I said it's mainly to redraw the boundary and add one parcel to the west and clean up some non-conformities on site. The original Dearness Gardens plan called for some drainage and some retention of storm water as well as some buffering from adjacent parcels, so this plan would not only change the boundary of Dearness Gardens but also clean-up some of the interior items there within the property.

There is a 3,500 sq. ft. accessory building for retail and storage to the rear. I have asked the applicant to be a little more specific on the accessory use, whether it's just for storage of plant items or if there's a proposal for a future some other kind of retail. That's one question I still have. And then there is some additional plant storage to the far west behind that building and to north, as well as some additional parking. One item to note, the easement to the south, there's actually two easements. One is temporary, one is permanent. The proposal is to continue to have one to the closest to the property as an access easement with offsite buffering as well. That is one of the modification requests.

The first modification request, however, the northern property boundary, you see a 30' required buffer to the back portion of the property which is the added parcel to Dearness Gardens. They have asked for a reduction in the buffer closest to 115. You see there's a smaller buffer there to the north. That would be their first modification request. There are some existing greenhouses within that buffer as well as some area where they store some of the plant material.

The second modification request which is kind of a tricky one, I touched on it before, but they would like to keep their access easement to the south for access to the back lot. They have an existing driveway that they would like to maintain and would like to add instead of a 30' buffer to that south which would now be Neighborhood Residential, they would like to have a 10' off-site evergreen buffer that is within the access easement.

Modification request number three would be to continue to have gravel driveways and parking areas. The Town of Huntersville ordinance requires driveways and parking areas to be paved. This would be a modification request to keep gravel as the existing development has.

The applicant retains 60 percent of the specimen trees on site. There's a 30 percent specimen tree requirement, so they are meeting that and exceeding it.

The main item here is boundary changes to the original Dearness Gardens and some modification requests for buffering as well as gravel. Staff does recommend approval if some of the minor staff comments are addressed during our review cycles. The plan is consistent with Land Use Policy 6.3 and 2.1 which go into items of promoting local businesses and allowing small scale retail in the downtown vicinity in medium density areas to continue to bring in those small businesses to the downtown area. We do recommend approval of the three modifications. Modification No. 1 we recommend on the plan showing how that reduction 20' buffer would look, maybe a cross-section and added landscaping, that way the intent of the ordinance is maintained.

Number two would be for the landscape easement to be added to that access easement, that way 10-20-30 years from now that's captured in the plat that that 10' easement for the landscaping remains on that access easement. That would make us comfortable to allow that.

And then number three for the modification for the gravel within the development, we recommend approving that to maintain the aesthetic of the existing development.

We do have representatives for the applicant here today.

Commissioner Boone said my question is the 3,500 sq. ft. accessory building. What's the height of that building?

Mr. James said an accessory building would need to be one-story so they haven't specified or given elevations for that. It's one of the questions I have in the last round of reviews to be more specific on that actual building, so I don't have that information for you now, but it would need to be accessory to the principal building, which is that house in the front, so it would be at least smaller.

Commissioner Boone said no higher than the house that's in the front.

Ken Forster said I don't live in Huntersville, but that's my business down there. All I would really say is that all I want to do is bring the two lots into conformance and add the back lot to the garden center. And that's all I intend to do. I didn't want to rezone the other two south lots, but I have to. I don't own them and I'm not going to own them. All I want to do is keep Dearness Gardens as a viable entity and make everybody in the community from Mooresville down to Charlotte love that place. I just want to keep it a viable place.

Bob McAuley, 109 Mt. Holly-Huntersville Road, said I also own 107 Mt. Holly-Huntersville Road and two other adjacent properties, so I own about five acres that are on the northern side of Dearness Gardens. I have no concern with the rezoning. My only issue is with Modification 1 with the buffer. If you notice back to the drawing he showed a while ago, the greenhouse is actually in the buffer now and also if you go back to the 93 zoning it's actually completely through the buffer that was there in 93 which speaks to zoning reinforcement. I had my property surveyed back in 2019 when my mother passed away and the surveyor said you realize that they have a decorative fence and bushes all over on your property, so they are all the way through the buffer. My only concern is keeping a reasonable buffer and the greenhouse is right there so I think most of the patrons walk through there, so they are going to be walking through the end of that greenhouse somehow, so I'm exactly sure how you are going to keep hardly any buffer there. That's my main concern.

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

Petition #R23-09. Mayor Bales called to order public hearing on Petition #R23-09, Golden Cow, a request by H2H Holdings, LLC to rezone approximately 0.6 acres at 14516 S. Old Statesville Road from Town Center to Town Center - Conditional District for a one-story retail building.

Jack Simoneau, Planning Director, said I just want to take a moment to acknowledge the hard work of the Downtown Plan Steering Committee. They spent over a year of their time meeting and did a wonderful job of preparing the plan that was ultimately adopted by the Town Board in April of this year. The Downtown Master Plan actually looked outside of the ¼ mile and looked how that downtown will fit in with the properties going all the way to I-77 and east past Vermillion and north and south of the two roundabouts, but specifically the plan concentrated in a ¼ mile and I just highlighted where the block is where the Golden Cow is going to be proposing for rezoning. But this is the area of concentration that the Town Board and the Downtown Plan Steering Committee wanted to look at. They were focused on getting an action-oriented plan. This plan doesn't have a lot of policies like our 2040 Plan does, it's an action-oriented plan and this is the Downtown Master Plan that is part of that report. Again, this is the block in question where Golden Cow would like to place their property. I'm going to just show you, these are some existing parking lot across the street and the deck. There's also parking on Main Street and then if the Town Hall is built there will also be some additional parking in that area. What we have here is this is the very detail of that block in question and what I've highlighted in yellow shows the site in question so you will see it's right on the edge of some existing homes and those homes if you looked at the Staff Report, those are historic homes. These are homes that have quite a number of years on them. And unlike the 2005 plan, the 2023 Plan was recommending preserving those as opposed to taking them down and putting up other structures. With that, again I just want to thank the Downtown Plan Steering Committee. I will also mention that part of that plan had a conceptual vision, so this was just to give folks an idea of how the buildings would sit, so it wasn't these blocks, but actually how buildings might sit on there and where the parking might be and the connections might be and again it is intended to just give a visual idea of how land could develop and it's not going to prescribe people have to do this type of building. And where you see the star, that is actually where the Golden Cow property is located and they would like to rezone. All of this information is in your Staff Report is also I the Downtown Plan and now that I've just kind of given an overview of that I'm going to turn it over to Jesse and he will talk about the rezoning itself.

Mr. James said so the actual rezoning request will go from Town Center to Town Center – Conditional District for a proposed commercial retail site, three to four tenant space on that 0.6 acre site at 14516 Old Statesville Road. The context map on the screen kind of shows its proximity to other notable buildings in town. The new Huntersville Town Center not to be confused with Town Center where DPK and the town offices are as well as Town Hall to the north, this site would be directly across from the fire station.

The rezoning plan, so the main reason we are here today for a conditional district rezoning is the one-story modification request. The code does require two occupiable stories, so this again is a 5,400 sq. ft. retail building with several tenant spaces within. The Town has off-street parking requirements in Town Center and it's the same parking requirements throughout town which is required for one space for every 500 sq. ft. of retail space which in this case would be 11 spaces. They have gone over that by one space with 12. The ordinance requires because of that requirement for on-site parking there is a 10' parking lot screened buffer. Modification No. 2 would be to reduce the 5' to 10' here's a graphic that shows the difference between 5 and 10 and how that would look.

Modification request number 3 would have a dumpster adjacent to residential properties. You see to the east and to the south there are residential properties. The ordinance requires those to be internal to the property.

There is one specimen tree on-site. There is a requirement to save specimen trees, however this one is diseased and not in the best shape, so that is planned for removal.

The one-story modification request, the applicants through the process have shown some renderings to us during reviews for the front elevation and throughout that process we've gone from around 14' to a 25' front elevation on a portion of the building, so a typical first floor elevation on a retail center like this is 14', you see that step down to the south but they have given and you can see on the elevation number 2 the depth of that 25' elevation, so it's not just a faux parapet it actually is open to the inside, so while they are not providing two stories, it does have a perceived second story at 25' on the front.

So more on the elevations. Part of the Downtown Plan as Jack described earlier talked about mobility gathering and sole, so what this plan does and what they have provided as given an active street front. There's 56 percent of that building frontage is windows, so that's more of a welcoming type street frontage for a retail type business. They have created a pedestrian environment with a patio on the front as well as those windows and that adds to the gathering area for pedestrians. As Jack mentioned before and I'll get a little more into that in the next couple of slides, the downtown plan talks about the soul of downtown and respecting historical precedent and keeping it a small-town livable downtown. The applicants have offered an historic type rendering and then stepped down the intensity of the building as they are adjacent to those historic homes.

These elevations are from the sides where you can see there is gathering places on the front and the rear towards the parking lot and the Downtown Plan calls that parking lot an alley, however they have given access to the northern property.

Getting into adjacent properties and the block analysis and how they mold into the Downtown Plan and the 2040 Land Use Plan, the Downtown Plan talks about intentional building frontages that are complimentary to existing buildings and to frame streets and open spaces with transition sensitive between adjacent neighborhoods. The Downtown Plan also talks about stepping down intensity and density near established residential neighborhoods. On the screen what you will see here is commercial buildings in red, the dates they were constructed, residential buildings of the same date and then the proposed Golden Cow and this is a good perspective of when buildings were built, the size of them and the land use within. Golden Cow has provided a street frontage that has that 25' similar to another two-story building two buildings down that was built in 1946 has a similar mass on the front, while it steps down next to adjacent residential historic properties. Here's another vantage point for Golden Cow where it shows kind of that massing as it relates to adjacent properties. And then in 2018 the Charlotte Mecklenburg Historical Society did an architectural survey of Huntersville's downtown and there are several properties in and around, actually on that block that either were notable or merited attention for further investigation for possibilities of being added to Historic Landmarks Commission. You see directly to the east 1923 which is I believe the blue house to the right, that would be backed up to Golden Cow. In 1933 which merits attention to the south and other historic homes around that. The reason we believe this is significant is the building that they have proposed blends in with the architecture of an old town and it steps down its intensity on the rear and the south adjacent to those residential properties, while adding similar massing that we would like to see on the front.

This is a east, southeast view of Golden Cow as it relates to those residential homes, so you can see that step-down.

Getting into a little bit of difficulties with small infill lots as they relate to some of the ordinance provisions and just the nature of a small downtown with small properties, so because there is a requirement for on-site parking, the driveway width at the front is 26'. That's the required driveway width, which it stems down to I believe 23' as it goes to the rear of the property. So that takes up a significant portion of the front while also making it extremely difficult to add the street tree canopy that we need downtown because of the site distance issues. It also because of the parking lot requires screening, buffering, there's a modification for 5' down from the 10' requirement. The parking requirements the Downtown Plan has recommended a parking study be done, that way we can see where existing parking is, proper areas for proposed public parking and where parking sharing currently is and where it could happen. This could allow us to do more studies into either reduction in parking for these type of lots or to take that away all together but it's something that needs to be studied.

Two items that the Downtown Plan and 2040 Plan do recommend is encourage incremental small scale infill development congruent with existing land ownership and parcel geometrics and to attract businesses downtown and encourage new businesses that help downtown meet the 10/10/10 goal of having 10 places to serve food, 10 retail establishments and businesses open after 6 p.m., so we believe this plan would help achieve those two goals.

Talking about parking sharing, so you see the rendering on the screen here shows existing parking lots that have shared access. The areas to the north in the black with the red outline currently have shared parking. The second area has shared parking. The first tinted area is under one ownership, so those lots have shared parking within. This one is a collaborative parking sharing. Golden Cow just south of that would like to gain access and have park sharing through that vehicular area as shown. The applicants can speak more to that but it does have the access easement to the north for a possible one day joint connectivity. The yellow shaded areas are driveways for residential lots. This shows also the amount of driveways along 115 and requiring on-site parking for every lot without parking lot sharing would add that issue of having a parking lot or a parking driveway every so feet and not having the street canopy, tree canopy that we would like to have.

This clip of the plan shows the sidewalk that is provided that gives a more than adequate cross-section for the sidewalk, it also shows the amount of street frontage that the driveway encompasses. A 26' driveway, 10' parking setback, eats up a lot of that building frontage.

To end this, considering the Downtown Plan and Land Use Plan, staff does recommend approval if any minor staff comments are addressed. Staff does believe that this plan improves the pedestrian experience with adding wider sidewalks, a vary building façade of 56 percent windows on the street. It's construction of a building that is sensitive with transitions of existing buildings. It accommodates small infill development, establishes opportunity for shared parking and creates new gather spaces in front and behind the building subject to the three modification requests. We believe it is reasonable and in the public interest to approve the rezoning plan because the site is small. The important part of that is the difficulties of building on a small site and not developing the adjoining properties at the same time makes that difficult and the proposal brings several small businesses to downtown that we desperately need. The proposed building blends with the surrounding development and the proposal enhances visual interest and walkability in downtown. We do have the representatives from Golden Cow here. They have a presentation as well.

Commissioner Phillips said I don't have a question, I just want to say that's like one of the best presentations you've given. It was so in-depth and like bringing in the Downtown Steering Plan. You did a really thorough job and I know we are really critical of you guys sometimes.

Commissioner Partee said in our packet on the first page Item No. 3 neighborhood meeting was held on Monday, July 31, 2023. Questions were asked by the residents and response from the applicants were summarized in the Neighborhood Meeting see attachment D. We don't have Attachment D in our packet.

Mr. James said I heard that earlier today, it is actually attached on there, it's called Community Plan Report.

Mayor Bales said it's not in the paper agenda.

Commissioner Partee said we have the attendance list but I was just curious to see how the community responded to the proposed plan.

Mayor Bales said Mr. James if you would send that to everyone so that everyone has a copy.

Mayor Bales recognized Planning Board Vice Chair Mr. Gammon.

Frank Gammon, Vice Chair, Planning Board, said if this plan is approved when it comes back to the Town Board but the modification for the dumpster is not approved, where will the dumpster go.

Mr. James said that's something the applicant may be able to address. They have in the past said that if it has to be moved, it's possible. The reason for the placement of the dumpster where it is now is it's the most practical for pick-up, so they've added the evergreen required screening. If you put it more onto the interior of the site or against the building it would be more difficult for trash pick-up to navigate one of these small type lots. So I'll let the applicant to speak to that.

Alex Hannah said I'm the property owner and also the owner of Golden Cow Creamery. I live in Charlotte. Thank you all for your time.

Justin Maxwell, 512 Katona Avenue, Charlotte, said I work with DPR Design Landscape Architect. We are working on the site design with Alex. Jesse did a great job presenting the project. The architect is Red Line Design Group the other consultant involved with some of the building design. The picture on the left is Alex and his family.

Mr. Hannah said the project is Golden Cow Creamery but obviously we're not going to take up the 5,500 sq. ft. The idea is to bring a food service establishment – restaurant, taproom, something like that, with us up here. Possibly another tenant as well. It all depends on where the plan ends up. We're a family-owned business. We started in Charlotte 8 years ago. We have three locations in Charlotte. We bought the lot to try and grow our business and make Huntersville a better place and the reason for the zoning change in our opinion is to make the best possible building we can because it's our legacy. We want to make the best thing for the lot and given the constraints of the lot but for Huntersville. We can get into the details of why some of the zoning changes are just due to the lot size and some are due to we want to make a really inviting fun place that going to draw people in.

Mr. Maxwell said we are extremely excited to be part of this infill into downtown Huntersville. Obviously, Jesse already presented where the site is, right across from the fire station and the public parking garage. Quick concept sketch to kind of give you a little bit more color to the black and white site plan. NC 115/Old Statesville is on the left there and showing that outdoor gathering space in the front and the streetscape, the wider sidewalks and then the entry drive is to the south coming in and going back to the parking lot. There's a sidewalk along that drive and then there will be an internal corridor that kind of invites everybody into the back and a large patio space in the back there for tenant space which we are showing an old broken down, well I guess not old broken down, but.....

Mr. Hannah said like an ice cream truck that we will make so the kids can play in it and play around it without getting cut, and then also like a play space for kids in the back with some type of natural element that's not a plastic treehouse or something.

Mr. Maxwell said just bringing the character that Huntersville deserves and giving those gathering spaces for families to come and sit outside, sit inside, just trying to invigorating Huntersville and everything that's going on. Switch to a couple of the conceptual renderings showing that front façade, that's the two stories look and feel and kind of fills in the streetscape there and then stepping down as you go towards the residential lots. You see that outdoor patio in the front and the streetscape won't look exactly like that for one it will be all concrete presenting a big wide sidewalk to match some of the other newer streetscapes around downtown.

Mr. Hannah said just to clarify something with the two-story will be an actual two-story height. I know Jesse mentioned that, but the option for a tenant that takes that space will be to put a mezzanine in there. It is the height for that which is a lean towards one of the requirements of the zoning is that we could have a mezzanine over I believe a third or two-thirds of the building. We can't do that obviously but there might be a chance where the tenant chooses to put a mezzanine. There are functional windows that bring light all the way through. It's not just a parapet.

Mr. Maxwell said and then jumping down to the back patio there showing that gathering space associated with the other tenant in the building or any other tenants or even just public space. That's pretty much it, jumping to the black and white site plan that Jesse presented and the three modifications that we are requesting.

Commissioner Kovacs said where do you generally receive supplies via semi or.....

Mr. Hannah said if we are going to ourselves, we do not, we self-service with a mini transit van. We are tenants in many other places that do not allow semis so we don't take any at any of our retail locations. We can't speak to any future tenants but I have antidotally just spoken to....we do have a warehouse where we do take an 18-wheeler so that we can self-distribute and showed them the plan. They have ways of getting off the streets especially coming into the 26' wide driveway we have.

Commissioner Kovacs said I was terrified thinking about a semi just sitting in the middle of 115.

Mr. Hannah said that's something the operators obviously will have to work with. They have sprinter vans and smaller trailer trucks as well.

Commissioner Kovacs said I am thankful for the investment in downtown. I'm slightly worried about parking because I do see this being very busy. I don't think you know how busy this would probably be. Parking just kind of on a safety standpoint most people are going to end up parking in the parking

garage and walking across where we don't have a crosswalk and so I'm concerned about the safety of that. Do we as the town have a plan for that?

Mr. Simoneau said so the Downtown Plan, the master plan does show a mid-block crossing that leads you from the Town Center site to the middle of the block where we are talking about, almost in front of this building. It is an NCDOT road and so we have to work with NCDOT on that. But the answer to your question is that is part of the plan, part of the vision to have that mid-block crossing.

Commissioner Kovacs are we still looking at Greenway?

Stephen Trott, Director of Engineering, said we are currently working on the crossing at Greenway and 115. We do have that plan approved through DOT and we are currently in the property acquisition stage, but not much luck so far.

Commissioner Kovacs said if we do get the Greenway crosswalk and then the one that Jack just mentioned, is NCDOT likely to let us have another one like in the middle.

Mr. Trott said I don't know. Those are really close together. You also have a crossing up at the traffic signal right outside the building. You do look for some spacing between those, not really close together so we'd have to take a look at that to see if that's something feasible and then ask the state if they would be agreeable.

Commissioner Kovacs said I just know that sometimes people just, they want the fastest route and I'm worried about people being flattened.

Mr. James said sometimes downtowns would typically have way-finding signs to show where public parking is, so that's an idea as well.

Commissioner Kovacs said besides Golden Cow you will have space for at least one more business, potentially two?

Mr. Hannah said potentially two. Right now it's shaping up we're in the background trying to see who would be interested. One tenant that would be food heavy it's as much a restaurant as a tavern, they would be both.

Commissioner Munger said just for clarification, you have how many other locations currently.

Mr. Hannah said we have three.

Commissioner Munger said is there a plan for bigger, better, more everywhere.

Mr. Hannah said sure.....I mean no, not outside of Charlotte in any realm of my.....

Commissioner Munger said I mean really, Charlotte is the only area that you are looking at.

Mr. Hannah said we produce everything in a commercial kitchen that we own and we bring it out, so there's a distance to how far we can bring things.

Commissioner Munger said word has it you can build more than one more commercial kitchen.

Mr. Hannah said sure. We're not a chain. I guess at some point we are because we have three locations.....is to bring like minded people with us, someone else as of right now that's a neighbor in Charlotte, not a direct neighbor.....but that we would still service it out of Charlotte.

Mr. Maxwell said I think part of that is he makes his own ingredients.

Mr. Hannah said everything is from scratch.

Mr. Gammon said some of this we will get to at the Planning Board. I just have some concerns about this being next to residential, potential noise, odor, all that may be explained, but if for some reason the dumpster location did not receive a modification that's on the site plan right now, where else would it be moved.

Mr. Maxwell said obviously we feel like this is the most advantageous location for the tenants and for maintenance. We feel that the wall and everything we are proposing it would be gated and completely enclosed and meet all of the ordinance requirements for screening. It would just be a little bit closer to residents than what is allowed, which we are surrounded by residential units on two sides which obviously limits the location we can put them so I think there is an opportunity to put it elsewhere on the site but we will definitely be sacrificing parking, potentially some gathering space and potentially that connection to the adjacent property. This is the best location we feel like and it sounds like Planning staff also agrees with us, but we do understand that it's a little closer to residents.

Commissioner Kidwell said according to the zoning requirements this requires two occupiable stories to not exceed or shall exceed one-third of the area and then they mentioned a mezzanine. What's that look like. How would a mezzanine go up in that occupiable space.

Mr. Hannah said it would not satisfy the requirements of the Zoning Ordinance. We could have a mezzanine over a third of the building.....just for the appearance.

Commissioner Kidwell said a lot of talk about parking and it's fitting because we are going to talk about parking later, one of the things I saw here was the site plan shows future parking lot connections, northern property line. I know we have the parking deck. It's good to hear that we are making some headway with crossing. We've got a crossing up here, another crossing at Greenway. Not sure a third crossing is warranted at that point if you've got two functional crossings. I will say the question is if it's going to be two to three businesses in here, how many employees of each business are you guys expecting.

Mr. Hannah said just speaking for ourselves two to three. I have no concept of what the other, we can say 10, but that's something we deal with. We're in downtown Charlotte. We're also in a very high density in South End and Southpark. Our employees don't park where our customers are going to park. It's bad for us. It doesn't help. The average time someone spends in an ice cream shop is 15 minutes, so we don't need, outside of what's required by zoning I don't personally feel like an ice cream shop needs a lot of parking and we have zero in uptown. We have zero in South End and there is very difficult parking in Southpark. We can require them to park further away. We can designate a parking lot operationally that says you can park in this lot.

Commissioner Kidwell said I appreciate that and I've ran restaurants and nightclubs and required my employees to park elsewhere as well, so those patrons could use the onsite parking. I'm going to

disagree with you on you're in and out in 15 minutes. I have a 9 year old daughter. She does not eat ice cream in 15 minutes. That is a 45 minute sit down meal with my daughter and I've got an 18 month old son who is just getting into ice cream and that is a lot longer process.

Mr. Hannah said not to counter that but people it is and this is also with the parking and the zoning and what I think what downtown Huntersville wants is it's a grab and go for a lot of people. So it is something that I think a lot of people I would hope come from other adjacent businesses, get ice cream and go to another one. I think in addition to having a small space because we want people to enjoy it outside, it makes our space cleaner and keeps the line moving. Same with the actual building plan in general. It keeps people moving throughout Huntersville and doing other things in the community.

Commissioner Kidwell said how many people were on our downtown steering committee.

Mr. Simoneau said there were 15 members and then we had ex officio members as well.

Commissioner Kidwell said how many ex officio members.

Mr. Simoneau said I believe there were six. It might have been seven.

Commissioner Kidwell said 21-22 people.

Gatewood Campbell, 104 Interlaken Place, said I served on the Town appointed Downtown Planning Steering Committee. I come to you with a wealth of knowledge gained from those 13 months of somewhat intense conversations. But tonight I'm making my own personal statement. Bring on the ice cream. I love that Golden Cow wants to invest in our downtown and sees us not as a risk but a reward to their proven business model. As we build up downtown, we need retail. Rooftops bring retail they say. Rooftops are coming across the street, behind me and over here. If you build it, they will come, so here they come. The Downtown Plan Steering Committee was unanimous in our agreement that we want locally owned businesses, not franchises. This is a small local business with a locally made product and space for other shops for tenants ready to make an empty lot a viable gathering spot in our downtown. I want to see a walkable, livable downtown with places to go and enjoy. This is an opportunity to check boxes in gathering, mobility and soul, three of our core organizing principles in the Downtown Master Plan. I'll remind us the 2040 Plan and the Downtown Master Plan are guides, they are not the law. Will every single project check all the boxes to both of these guides? Probably not. Can we make adjustments and reasonable compromises based on these guides? Absolutely. For these reasons I would love to see the staff recommended project approved.

Sarah McAulay, 300 Gilead Road, said I respectfully request that you deny the Golden Cow rezoning application for these reasons. First of all, I attended the Neighborhood Meeting. There's no comments recorded. There was nobody recording comments and when I asked about it, I was told that we were to send our comments to the petitioners and they would edit them and send them on to the Planning Department. Well, you know how believable I would believe that my comments would get there so I said I would just wait and make mine at the public hearing. So there are no recorded comments from that meeting apparently that you received. That's the reason you didn't receive them. I also have researched the Mecklenburg County Property public information and this lot this was purchased on January 9, 2023. We were just into our downtown study group. I never saw these participants or these petitioners appear at any of our public hearings, which were numerous, or attend any of the meetings or comment at all, so they are bringing their idea to Huntersville, which is very commendable to invest in Huntersville, but they are bringing their idea of what they think would be good for Huntersville rather

than what we've already spent a long time with professional guidance and citizen input in developing our plans. I also looked at the Mecklenburg County tax public records on property. As I said, this was purchased apparently in January this year. There are two comments out there from the county. They are trying to get in touch with these property owners and my guess is the address of it is here on Old Statesville Road and there's no mail delivery there and there's no post office there, so they have a question about the area of the property, the lines of it, and who they are. They can't get in touch with them apparently. I think that the one-story this violates goes against the one-story requested building as a fake two-story that somebody in the future might decide they want to refurbish and build. The downtown.....okay so I think they should go back and regroup to what Huntersville has and I request you deny it.

Commissioner Munger said I'd like to give an opportunity to the applicant to comment on the county's inability to get a hold of you on comments that are made in the public record.

Mr. Hannah said I'm not aware of that. I am not aware of that. I am aware that our property tax bill was sent to the prior owner which we then went online and paid and communicated with that owner just because apparently and I also talked to the county about this, apparently they're just not fast at updating their records since it's close to being the end of year. You would think they would be by July or whenever it comes out so if you go on to Charlotte Mecklenburg's website you will see that our business name H2H Holdings which has an address, paid the property tax bill on it, so I don't know how.....they haven't contacted us but it's the first I've heard of it. There is no mailbox there. I don't think there ever has been, but we do have a mailing address.

Commissioner Munger said I would appreciate it if you would take the opportunity to try and reach out and rectify that situation.

Mr. Hannah said absolutely.

Commissioner Phillips said I don't look at my phone when I'm up here but when our Town Clerk sends an email to the Board I think it's worth peeping. Ms. Pierson let us know that the Community Meeting report was in the online agenda and there was just a mix-up with it being in the printed packet. So that was documented.

Commissioner Kidwell said I just want to go back to what former Commissioner McAulay said. Were we not recording comments at the neighborhood meeting. Were individuals told to send them into the applicant.

Mr. James said the staff doesn't record anything and the only requirement is that a community meeting report be drafted and sent back for us to add to the staff report. I've never been to one where there was an actual recording that may happen sometimes but.....

Commissioner Kidwell said I'm not talking recording, someone writing it down taking notes

Mr. James said they took notes and it was actually in the packet.

Commissioner Kidwell said but we the town did not send – it was the applicant was there taking notes.

Mr. James said I think they were jotting them down by notepad on their phones.

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

OTHER BUSINESS

Town Attorney Merit/Bonus. Commissioner Phillips made a motion to recuse Commissioner Kidwell since he was not in attendance at that meeting.

Commissioner Kovacs seconded the motion.

Motion carried unanimously.

Commissioner Boone made a motion to ratify the previous action of the Town Board taken in closed session allowed under the North Carolina Open Meetings Law to award a 2 percent merit increase effective July 24, 2023 and a \$6,000 bonus for the Town Attorney based on market analysis and performance evaluation.

Commissioner Munger seconded motion.

Motion carried 5 to 0 (Commissioners Boone, Kovacs, Munger, Partee and Phillips in favor; Commissioner Kidwell recused).

Commissioner Phillips made a motion to bring Commissioner Kidwell back to the dais.

Commissioner Kovacs seconded motion.

Motion carried unanimously.

Off-Street Parking Design Discussion. Commissioner Kidwell said contrary to the information that was given to one of our public speakers earlier, this is not to change this tonight. This is a discussion. The point of the whole discussion is to get input and see are we going in the right direction.

I have sent everybody here a hard copy. The Town Clerk has a hard copy to put in the record. *Refer to Exhibit No. 6.* It has nothing to do with the Golden Cow and their parking, it is simply looking at parking generally around the Town of Huntersville. I can tell you that I went to the 760 Brewery to meet some friends and it was completely packed. People were parking everywhere. What I found funny is that we have designated parking for the greenway down there and that was being used for patrons of the brewery. We are not enforcing nor are we following our own guidelines.

I'm just going to address we need parking for businesses. When I, as I mentioned earlier, ran restaurants and nightclubs, if I did not have established parking for my patrons then I would just be like park wherever you want, and someone came and said I'm going to build here, here and here and there was no parking the restaurants and nightclubs gone under pretty quick. I've made my comments and again my comments are not final. It is a discussion. They are in bold. I would be happy to entertain any comments on this. I'm not looking for any type of action tonight. I just want to have that discussion to see where this Board stands because more than likely if anything does get moved forward it will be moved to the next board, whomever that shall be.

Commissioner Kovacs said I would just like to say since we already talked about the Downtown Plan Steering Committee, I don't know if anybody watched those meetings, but parking was a hot topic every

single meeting and the need for parking and that's just downtown. For the six months that we were dealing with the Birkdale situation and the expansion, the number one thing people requested was parking, so Commissioner Kidwell and I talked about how everything we hear about is always parking is the number two complaint. Traffic is first. Parking is second. That's how we ended up requesting to put this on the agenda just to see if there's something we can fix, because once something is built there's nothing we can do and then our hands are tied, so we're trying to be more proactive than reactive.

Commissioner Boone said the recommendations are in bold print here on a one-bedroom dwelling, you are suggesting going from 1 space to 1.5, those are your suggestions?

Commissioner Kidwell said those are just my suggestions. I downloaded this from our website, thank you Mr. Brian Richards for getting it to me so I had the right one, and then also I just used a simple thin crossing out of text so you could see what our current is, my suggestions and by all means I encourage each Board member to read over, look at it, and then redline the heck out of everything, because that's what we are up here to do and it may come back in a couple of weeks and you can say our parking requirements are too strenuous and we need to take them down and like Jeff said remove all parking requirements, I mean that's part of the discussion and that's why we are up here. We're a legislative board, so if we are going to talk about changing something legislatively for the town, let's have that open discussion and see what we all consider is right and things like that. Let me rephrase that, not right, what's good for the town, because there is no right or wrong here.

Commissioner Munger said I absolutely just want to commend you for bringing this to the Board because it's definitely always an ongoing discussion about parking and what not. One of the ones that jumps off the page to me is going to be commercial industrial office space. If you take for example the Golden Cow, if I understand correctly, the current requirement was for them to have 11 spots. If I read this right and do some quick math, that would translate into about 38 spots.

Commissioner Kidwell said yes, roughly. Again, my suggestion and you may come back and say I think 3.5 is way too much how about 1.75.

Commissioner Munger said that would be me. That's way too much.

Commissioner Kidwell said this is why I'm throwing it out there for discussion.

Commissioner Munger said and we're having discussion and I'm trying to participate.....I hear you but this one is going to bother me.

Commissioner Kidwell said I want it to bother you.....

Commissioner Munger saidcompromise in the middle and that's my point of discussion. That's why we are having a discussion. The other one that jumps off the page to me is warehouse. Warehouses tend to be very large and I know 0.5 spaces per 1,000 sq. ft. doesn't seem that large, but some of those warehouses are massive and having to put that much parking spaces ruins the effectiveness of those, my opinion, having discussion. And I'll leave it at that for now.

Mayor Bales said any other comments. I know that you are just now seeing this.

Commissioner Boone said do you want to go into the bicycle parking all in that detail.....where it says all non-residential buildings should include an area for parking bicycles. We had this issue once before in

front of a veterinary clinic where they had to put in a bicycle rack at a cost to them, are you looking for that type of detail.

Commissioner Kidwell said I would encourage this Board to look at every single line and see what jumps out to you that's either not good enough or needs changing. We can have spirited discussion up here and then we get to throw it back at staff, the Ordinances Advisory Board, the Planning Board, the public and get everybody else's input as well.

Mayor Bales said I for one am interested to hear what staff's views are on our existing ordinance as it stands today.

Jack Simoneau, Planning Director, said some general comments, one is parking standards in virtually all ordinances are minimum standards. This is the least you can have. Normally the businesses make determinations on what they need and nowadays what we're seeing is communities are actually reducing their parking standards. The City of Charlotte with their new unified development ordinance actually requires one space per 750 sq. ft. and we are at one space per 500 sq. ft., so they are actually reducing their parking spaces. Raleigh went in a completely different direction and completely did away with minimum parking standards. Raleigh, our state capitol, has no minimum parking standards across the entire city. Most of what we are seeing is communities either having a minimum or a maximum, so for instance in Cornelius they have four spaces per 1,000 maximum. Davidson has five spaces per 1,000 maximum. We don't. We just have one space per 500 sq. ft. minimum. Most developments will provide more parking, but we are happy to look at anything that you would like us to look at. We do pay a lot of attention across the state to what's happening and many communities are just doing away with parking in their downtowns. Mooresville for instance. Concord. There are communities around here where the downtown, because they want it pedestrian friendly, they'll do away with parking and then it's up to the business to determine what do I need to stay in business. Those are some of the trends that we are seeing and I'm happy to provide any kind of information. I will say with bicycle parking, there was a veterinary office that put in a bike rack and it came up when that bike rack was installed and this was out on 21. That bike rack was not required by the Town of Huntersville. That bike rack was actually shown on the first plan submitted, so our department caught heat saying why would you require bicycle parking for a veterinary office. Maybe employees might drive there, but you're not going to be bringing your animals on a bike. Just to be clear I know about that specific situation because right after it opened our office received complaints for requiring it and I personally went back and looked at the original plan that was submitted before we even commented and there was a bike rack in there so that's how the bike rack got in. I think maybe what happened was whoever the designer was probably worked in Charlotte where they started requiring them and they just assumed.

Commissioner Kidwell said I'm going to miss that knowledge.

Commissioner Partee said will you give us a summary.

Mr. Simoneau said I've got a PowerPoint all ready for you, so I'll just email you the PowerPoint.

Commissioner Phillips said the commercial space thing is very concerning to me because what you are doing is making us a big box town. Small businesses can't afford this. It absolutely is a no for me on that. Also, we need to take into consideration older buildings and dwelling spaces that want to be rehabbed into being businesses and making sure that we're not going to price them out of being able to operate in the town, too. So, you're wrong. I just want to say that on the dais for the record.

Commissioner Kidwell said I'm going to repeat myself because there seems to be people hard of hearing up here. I threw out the biggest numbers possible to stoke your imagination and I'm asking for feedback back.

Commissioner Munger said kind of like I do with budget.

Commissioner Kidwell said yeah, Lance wants to raise your taxes ten-fold, we say no. So, I'm doing that. I'm not trying to kill businesses, I'm trying to get us to spark conversation because let's be honest, the past two years up here has been dull with you guys, the conversation so let's make the last few months a little bit fun.

Commissioner Phillips said that's why I love getting to say that you're wrong right now, but I think it's cool too because all of us have different backgrounds and mine is in small business and historic stuff, so you are allowing us to actually have a say in something with our knowledge instead of it being cookie cutter nonsense, so I appreciate it.

Commissioner Kidwell said and mine comes from commercial industrial and office.

Commissioner Phillips said ideally what's your plan – like timeline when you would like to rediscuss this and actually bring materials back.

Commissioner Kidwell said let's say first meeting October.....have it to Jack by first meeting in October. You can email your comments to Jack Simoneau.

Environmental Studies Committee Discussion. Commissioner Munger said I believe everyone up here has had the opportunity to speak to a couple of gentlemen out in the audience and it was brought to us the idea of trying to establish an environmental sustainability committee and I kind of came up with the name of Environmental Studies Committee based on some of the things that I'd seen. My specific point of reference that I've kind of used throughout this process is the Town of Davidson. As a computer programmer the best thing we can do is control-c, control-v, copy and paste. If someone has already done all the work for you, figure out what worked for them and what is the best going forward. Part of what Davidson did is they actually had a sustainability analysis done by UNC-Charlotte. The outcome of this was to focus on major significant areas. The key strategy areas were air, water, land and collaboration. I'm just going to give you some quick bullet points on those.

Air – implement energy efficient standards for construction and renovations, promote public transportation initiatives, install public EV charging stations, and promote the use of EV's within the Town fleet.

Water – use permeable pavement technology, partner with Mecklenburg County on watershed management and encourage rain gardens.

Land – encourage town-wide composting programs, create town gardens, implement further tree save initiatives.

Collaboration – develop a sustainability webpage and establish a community advisory board.

That's kind of the steps that they went through and that's kind of the direction I was hoping to go in. One of the comments I've heard in general is government tends to overregulate. We have a specific

scenario I will point to and people in the crowd this is fascinating to me. I don't know why, but as most of you know a couple of years back we had a little pipeline spring a leak. Tiny leak. Million or so gallons give or take of gasoline into the environment. Do you know how that pipeline checks to see if there are leaks? They fly an airplane over the top of the pipeline and look down and they look for dying trees or pools of gasoline and they say we might have a problem there. Do you know why they do that? Because in the 1980's the EPA standard said that's what they should do. They have not evolved over time. There's a thousand ways they could have done it better and figured out how we can figure out if we have a leak before it becomes a major issue. Can you imagine if they caught that at 50,000 gallons as opposed to a million gallons. It still would have been an environmental travesty, but a million gallons. This is why government needs to be involved in the process and look into things.

We know climate change is real. We know that the best steps to regulate this are for the government to step forward because corporate America is basically saying I will do whatever you tell me to the letter, not a single thing more. We need to do what's best for the environment so that people such as your grandchild, my grandchildren, their grandchildren can enjoy the world and prosper. That's all I want out of this type of thing and it's a good first step. It says that as a town we care about the environment and we're trying to do what's best for our future generations.

Commissioner Boone said Lance and I did sit down and we've talked about this with several people and I was under the impression that we would have an environmental subcommittee under the Planning Board for a year, maybe three years. That's where I am as far as the whole process of this and that's why we're having the discussion. When we talked about this, I think you ran out there and got five or six people on this thing already, but we've got to go through a process of getting applicants and advertising this for 30 days. Just looking at the timeframe I believe this is our fifth meeting until the new Board takes over. I just wonder if there's going to be enough time to put this together, but that's just my opinion.

Commissioner Kovacs said I can just speak from experience on having to pick a committee that a previous board set in motion and that was frustrating, so I'm not necessarily saying I'm against the idea but I do think it would be a good idea if we look into this to have the next board decide because when we got on, well you were an incumbent, but when Commissioner Partee and myself were elected we came on and we had to vote on the people for the Downtown Plan Steering Committee after the previous board had created that committee and then I had heard well that's not really how we wanted that to go and I'm like I don't know you guys created the committee but made us put the people on it. I think it's a little more effective when it's start to finish the same people.

Commissioner Munger said I'd just like to counter that particular point and say look how effective that committee ended up being.

Commissioner Partee said I think it's very important that we do establish an environmental studies committee. I have and presently working with the Town of Davidson, well the North Meck Communities United, Reverend Dora DuBose, and their committee on the asbestos landfill situation there. I have my Masters in Public Administration and Environmental Studies also, so they have asked me to help them out and I think it's very important that we also here in the Town of Huntersville especially with the ocular melanoma situation that we have a studies committee, so I'm all in favor for it.

Commissioner Kidwell said I'm a firm believer if you want to clean house, you start with your own house. I buy into solar power. I don't know if anybody else up here does. I do that to try to negate some of the energy I use, other clean energy called nuclear that Energy United purchases. So, I started with my own

house. I recycle. Recycling is a bit of a scam when you go to the dump and see what they toss versus what's actually allowed to be recycled, so if you are not paying attention.....again, start with your own home, know what you can or cannot throw away and what cannot be recycled. Just because it says recyclable on it, doesn't mean it can actually go into that bin. We primarily only put cardboard in ours. I work in an environment where we're constantly working to create a sustainable environment in the label and pressure sensitive market in manufacturing where we are creating labels that can be put on PE packaging and tossed right into the recycling because right now it can't. Again, I go back, start with yourself. Having another layer of bean dip which I call the government might look great at a party, but it's not effective. You brought up the EPA. We've got politicians up north and they're supposedly pretty darn smart and they haven't updated something since the 1980's. Now I do remember that guy saying yeah we fly over, but they've also introduced robots that go down these pipelines to inspect for cracks. That's not required by the EPA, that's done by them because they are losing a lot of money. And let's face it corporations are about the bottom line, they're about losing money. When they lose 100 million gallons or 200 million gallons whatever, they've lost a ton of cash and that they can never get back. In fact it's impacted them so much where now they've probably spent more money than they would have made on the fuel they would have sold. So there is some reason behind for them to do their own work. The DEQ North Carolina is headed up by Secretary Elizabeth Bizer. Her number 919-707-8622. She's the individual appointed by the governor who sets the standards for environmental quality and justice within the state of North Carolina. I would encourage giving her a call and ask her what she's don't about the state of North Carolina. What is the state of North Carolina doing. Let's worry about what we can do here in our own homes. You take care of your house, I'll take care of my house. If we do that the entire neighborhood will be taken care of. Huntersville would be moving forward. Since you brought up coal ash Commissioner Partee, not coal ash, ocular melanoma, I will tell you we brought in individuals from the state on ocular melanoma, we brought professors, and doctors from all over the country. We haven't had a case lately, but there are still pockets of OM happening all around this country. I firmly believe it's coal ash. I firmly believe that an entity larger than NASCAR in the state of North Carolina helped spread that around in terms of infill and development. There's not one thing that a small town or a large town could have done to stop that, because they're listened to the scientists who said it's safe. I don't support this because it's going to be elected officials appointing people they think will be good at a job and they have no teeth. They can do nothing. They can't come up here and say you're going to do this or we are going to fine you. We're going to ban plastic bags or we're going to fine you. How are you going to do that. We are going to ban plastic forks or we are going to fine you. How are you going to implement that. I'm just saying I think that the town has started with putting in the EV stations. We talked about purchasing.....the golf cart is considered an electric vehicle, so for what it's worth we purchased a golf cart that's an electric vehicle. We've talked about hybrids for some of the town staff which I am a fan of hybrids. I think hybrids are the future. I applaud anybody who's got a hybrid. I think they're great. It does not suit my need otherwise I would buy one. But bottom line is Elizabeth Biser, Secretary of the EDQ for North Carolina 919-707-8622, give her a call. Ask her what the state is doing to help North Carolina.

Commissioner Kovacs said Commissioner Kidwell you brought up fining and I guess I don't know if I'm being naive or what but I was assuming this was more of an advisory type board so Commissioner Munger can you clarify what.....just because that brings up the discussion are you discussing trying to change ordinances that would go for fining and things as such or are we talking about advisory like what the town themselves can do to be more environmentally friendly. What are we looking at.

Commissioner Munger said I apologize for going down the pipeline line because that did give an indication that it might be more of a regulatory. It is meant to be more of an advisory type of situation.

One of the things just to clarify on a comment and I heard public banning plastic bags, plastic forks is against state law. NCJ?? Will not allow us to do that.

Commissioner Kidwell said I know.

Commissioner Munger said your brought it up, I'm addressing it. This is discussion. This is how discussions work. And you want to talk louder than me.

Commissioner Kidwell said can't be louder than me and I don't need a microphone 8:12:08

Commissioner Munger said I like my microphone. We're good friends. I don't know if it makes sense for it to be a standalone committee or to roll up to the Planning Board. To me that's part of the discussion. And part of what I tried to start this with was the points of the air, water, land and collaboration, it's thought processes into what we can do, what we can try and do as a town, what we can try.....I mean I like the idea of a town garden. If you had town gardens a couple of different places throughout town it has that feeling of community, it gets involved and it gets people to interact and it also you know it is environmentally friendly. And I don't have all the answers but the idea for me is if we can put nine people together in a room who are interested in trying to find the right ideas, they can do that. I have no desire to be one of those nine. Let them figure out what's the best course of action. And I think it's purely an advisory capacity, not a regulatory if I'm saying that correctly.

Ms. Sloop said I just wanted to make one minor clarification so in looking at the statutorily set duties of the Planning Board this would not fall within the purview of the Planning Board duties so it would be a stand alone committee such as Downtown Steering Committee, Parks & Recreation Commission, etc., or it could be structured as a subcommittee of the Town Board members. But I just wanted to clarify that if the Board did decide eventually to move forward.

Mayor Bales said I would say that this board has some sustainability initiatives. That's part of our goals. The one thing that jumps out at me is that we don't on the board have anyone really leading the charge. I think that's something you may want to consider.

Commissioner Phillips said this Board has never sent a letter to our state senators, US senators or congress about things that we want to change. So I think it's quite infantile 8:14:31 to jump ahead of the process when we can't even jot our names down on the same sheet of paper advocating for something. And like community garden, why aren't we doing more sustainable and green things under the current departments we already have like we already have greenways and that so put those initiatives because fun fact my background is environmental health and safety compliance and I have sat and filled out thousands of EPA forms and dealt with some of the worst things ever. If we are going to do it right we need to do it right and frankly as someone who went to high school with people who passed away from ocular melanoma, my grandfather being patient 0 in the cancer cluster and dying. I don't want random strangers sitting around thinking about things with this cancer because we have tapped into these experts who don't know why and I think that it's a slap in the face to our families. Like our relatives that have passed, they are not for people to campaign on or theorize on and so.....I'm not speaking for all the families but I am still close with a couple of them and even people.....we have a survivor in the community. We need to be mindful of her and what she's been through so if we are going to do it let's sit down and really hammer out this is what we really want to focus on, what can the community be engaged on and do we want to set aside money to hire experts because for four years I've sat up her and advocated for us to hire experts for ocular melanoma and we keep getting the Dillon rule mother may I stuff so like I get where you're coming from, I respect where you're coming from. I

sat with you and tried to help you get the plastic bag thing to somewhere because I know that is your passion so please know I'm not hating on this I just want to be mindful about everything and we can start at a basic level by sending congress and our federal senators asking for an EPA change. Bare minimum, so you've got me at least there.

Commissioner Kovacs said I was just going to make a comment that I see where you are coming from Commissioner Munger, and advisory is definitely more the route that I was assuming and I'll just explain when you said hey are you down with this and I said yeah, I was envisioning something kind of like the affordable housing task force, more like a task force type thing where the people that were chosen for that have a background in that field and then they could advise us on appropriate ways that we can run campaigns through like our PIO about how to be sustainable throughout the town, how when we are coming into our budget season things that we might be able to tweak or change, things like that. That's what I was just envisioning in my head and then my big brothers got into an argument tonight and so I don't even know where we are headed.

Commissioner Phillips said for reference with the affordable task force, the mayor and I worked really hard behind the scenes on that and we came out with a plan, we involved people like Bobby Williams and other staff so if there is a way to write it out where it's on paper black and white and everybody is in the know and then it comes up here for a vote, then you've got something going.

Commissioner Kovacs said I like that, that's how I was envisioning like a set plan.

Commissioner Phillips said but that was months of work the Mayor and I put into it.

Commissioner Kidwell said I'm glad you brought up Bobby Williams. I want to give Bobby Williams shout out. I reached out to Bobby and put him in touch with Barb Blewise and the soil and water conservation district and together the three of us were able to get something at the Board of County Commissioners that protects over 13,000 acres of farmland in Mecklenburg County. Again, it stated with our own house. It's 13,000 acres that have protection available.

Commissioner Boone said Commissioner Munger it looks like we got the discussion started and just a history lesson, 10 years ago the town did have a community garden that didn't do very well, but where it was successful was the local churches. When the local churches put in community gardens they did very well and thank you for your time putting this together.

Mayor Bales said so, next steps. Are there next steps.

Commissioner Munger said I just want to throw out there that one of the compromises that did resonate with me because honestly my belief is compromise is not a four letter word, we should do it all the time. The task force does make a bit of sense and I'd be open to that. The addressing sending out a letter that we could all jointly sign to our members of congress, our senators, definitely sounds like a step in the right direction but for that I would want us to be able to address specific things that we would want to be addressed in that. We can't just say hey fix.....we need to say this, I want this addressed or different things. To me it feels like an ongoing discussion. I'm a lot more passionate about it, I get that. Not everyone has to be passionate about the same thing. We all care. I'm not trying to throw anyone under the bus. I do appreciate having the discussion, so I would like us to entertain the idea of sending a letter. I would like us to entertain the idea of creating a possible task force specific to it and if there's anything else that anyone would like to add, I'm open to that as well.

Mayor Bales said then moving forward you will get with fellow commissioners to work through a couple of these and see where it leads.

Lake Norman Chamber Expo Usage Agreement. Commissioner Kidwell made a motion to recuse Commissioner Kovacs since she sits on this Board and Commissioner Boone.

Commissioner Phillips seconded motion.

Motion carried unanimously.

Commissioner Phillips made a motion to approve the Lake Norman Chamber Business Expo Facility Usage Agreement.

Commissioner Partee seconded motion.

Commissioner Kidwell said this is for the Chamber event we host every year at the Rec Center. Under the agreement would Commissioner Phillips under the indemnity clause under 7 would you be willing to add the Chamber shall indemnify, defend, and hold harmless.

Commissioner Phillips said I will accept that amendment.

Commissioner Partee said [inaudible].

Mayor Bales said I would ask that question.

Emily Sloop, Town Attorney, similar to the fire services agreement this particular template did not previously have an indemnity clause so when we were updating the template, we added an indemnity clause to further protect the town. Typically, the clauses that we use don't include the word defend because it includes paying for the attorney's fees and that gives the Town the ability to maintain control over any defense in litigation but still get reimbursed for attorney's fees, but if the Town Board would like to add the word defend, that is the Town Board's prerogative. It doesn't take away from anything it just would include them actually defending us in litigation versus just paying for the litigation expenses.

Commissioner Partee seconded amended motion.

Mayor Bales called for the vote.

Motion carried unanimously.

Agreement attached hereto as Exhibit No. 7.

Commissioner Phillips made a motion to bring back Commissioner Kovacs and Commissioner Boone.

Commissioner Kidwell seconded.

Motion carried unanimously.

MAYOR AND COMMISSIONER REPORTS/CLOSING COMMENTS

Commissioner Munger

- No Report.

Commissioner Partee

- Commented on his experiences of September 11, 2001.
- Provided safety tips for using area greenways.
- Advocate for gun safety. Huntersville Police Department has free gun safety locks.
- Consider supporting local non-profits.

Commissioner Kidwell

- No Report.

Commissioner Kovacs

- Provided update from Lake Norman Chamber of Commerce.

Commissioner Boone

- No Report.

Commissioner Phillips

- No Report.

Mayor Bales

- Women's Suffrage National Monument Foundation is working now to create the very first national monument to American Women's History.

Commissioner Kidwell encouraged residents to get their gas fire places, gas heaters, etc. inspected in light of recent house explosions caused by natural gas in Plum Borough, Pittsburgh and Mooresville.

There being no further business, the meeting was adjourned.

Approved this the _____ day of _____, 2023.

**Town of Huntersville
Town Board
October 2, 2023**

To: Town Board

From: Janet Pierson, Town Clerk

Date: October 2, 2023

Subject: Approval of Minutes - September 18

EXPLAIN REQUEST:

Consider approving the minutes of the September 18, 2023 Regular Town Board Meeting.

ACTION RECOMMENDED:

Approve Minutes

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. Draft Minutes

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**September 18, 2023
6:00 p.m. – Huntersville Town Hall
101 Huntersville-Concord Road**

PRE-MEETING

**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 September 18, 2023.

GOVERNING BODY MEMBERS PRESENT: Mayor Melinda Bales; Commissioners Dan Boone, Rob Kidwell, Amber Kovacs, Lance Munger, and Derek Partee. Commissioner Stacy Phillips 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 Munger requested details on the planned power outage tomorrow.

Bobby Williams, Assistant Town Manager, reported that Electricities will replace a failing transformer affecting the Walden neighborhood. The outage will begin at 9 a.m. and should last 3 to 4 hours. Approximately 200 customers will be affected.

Commissioner Kovacs requested update on salary study.

Lara Cagle, Human Resources Director, reported that an RFP went out last week for a full classification and compensation study. Proposals are due next Friday, with a decision hopefully by the beginning of October.

Mayor Bales requested details on Hay Days event this Saturday.

Mr. Williams noted Huntersville Hay Days is part of the Town's 150th celebration and will take place this Saturday at Huntersville Athletic Park.

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

Mayor Bales presented Proclamation proclaiming September 18, 2023 as Central Piedmont Community College Day, to Reggie Pincham, Executive Director of CPCC – Merancas Campus.

Town of Huntersville Proclamation

WHEREAS, Central Piedmont Community College was founded on September 18, 1963 and is now celebrating its 60th anniversary; and

WHEREAS, Central Piedmont Community College is vital to the function of higher education and life in our region, providing an outstanding opportunity for the education of our citizens and through the civic involvement of their students, faculty and staff; and

WHEREAS, Central Piedmont Community College has an enrollment of 43,600 students this year in basic skills courses, continuing education and for-credit programs, making it one of the largest colleges in the Carolinas; and

WHEREAS, Central Piedmont Community College is our community's first stop for postsecondary education and workforce training across its six campuses in Mecklenburg County; and

WHEREAS, Central Piedmont Community College has provided 60 years of service, connecting the past, present and future for this community; and

WHEREAS, The Merancas Campus, in Huntersville, has been supporting our town since it opened in 1990.

NOW, THEREFORE, I, Melinda Bales, Mayor of Huntersville, do hereby proclaim September 18, 2023 **"CENTRAL PIEDMONT COMMUNITY COLLEGE DAY"** in Huntersville, North Carolina.

IN WITNESS WHEREOF, I do hereby set my hand and cause the Seal of the Town to be affixed, this the 18th of September, 2023.

Mr. Pinchman said on behalf of the faculty, staff and students of Central Piedmont Community College I thank the Mayor and the Town for this proclamation in honoring its 60th anniversary. Central Piedmont is proud to be a long-time member of the Huntersville community. It's an honor and a privilege to serve the residents of North Mecklenburg County, here in Huntersville and at the Merancas Campus. We are excited about the recent growth of the Merancas Campus and look forward to more growth in the years to come.

Mayor Bales recognized the Lake Norman 9U and Lake Norman 10U little league teams who both won the state championship.

Darren Best expressed appreciation to the Town and the Parks & Recreation Department for the fields to practice and play games on.

Commissioner Boone noted when he found out Huntersville had two state championship little league teams, invited them to a Town Board meeting to be recognized.

BeeJay Caldwell, 14521 New Haven Drive, said we have new leadership in the Pottstown area, three young ladies, they are Huntersville Heritage, and so I kind of backed out. You don't need two administrations trying to administer at the same time, so you won't be surprised when I tell you today that I didn't know that voting was going to start the 30th of September and that some of the people in Pottstown were expecting me to put on a candidate forum. This call came about 3 p.m., so since 3 p.m. I have two sites. I'll have to get back with you as to which site it will be. It will either be David Beatty's Barber Shop or the shelter at Waymer Center, but I'll have to get back with you to let you know for sure. And I had forgotten all about the voting and everything, so I don't think we'll have early voting because

we are not in that arena for whatever reasons. So that's enough for that. I did want you to know that there are certain things that are unique about me and they are that I was able to be employed at the two schools that I graduated from, Old Torrance Lytle, the historic landmark, and Central Piedmont Community College. I'm so proud of that and I did not know that Mr. Pinchman was going to be here. I did not know that it was Central Piedmont Day. I am a graduate. I won't tell you when because I can't remember. But anyway, there's something else unique about the North Campus at Central Piedmont. You may not be aware but in every town from the inception of the United States of America, there was a section for people of African descent and that place was called the quarters, so would you believe the quarters for Huntersville was located between Central Piedmont's lower entrance and the Lake Norman Charter School and for Juneteenth we celebrated that. And for right now nobody knows but me and everybody else who was there during that time, so I'm trying to determine the best way to recreate history so it will not be considered folklore because that definitely is where the slave quarters was for Huntersville, North Carolina and I'm going to rush right out because I had not planned to come, but this happened since 3:00 p.m. today so I'm glad that I was motivated to come and stand before you and give you the information.

Bill Russell, 9449 Mt. Holly-Huntersville Road, President of Lake Norman Chamber of Commerce, said to have a state championship baseball team is cool, but to have two is just neat stuff. I really like that. That's awesome. The Lake Norman Chamber of Commerce has been pleased for the last 30 years to bring candidate forums to each of our three North Mecklenburg towns and because Huntersville is so special, we're actually going to have two this year. We are going to have a candidate forum on Tuesday, October 17 and it will be the three mayoral candidates along with five people that were pulled from actually a basket, Alicia Bergsman, Amanda Dumas, Edwin Quarles, John O'Neill and Jennifer Hunt. Those would be the five people on Tuesday. The balance of the commissioners will be on Thursday, October 19. These will be held here at the Huntersville Town Hall. Justin Ckezepis who is the new owner and General Manager of WSIC will be the emcee. The public is encouraged and invited to attend. Questions always come from the floor. The question was asked is it going to be livestreamed or on the radio and the answer is yes. WSIC is our partner. It will be on 105.9 FM, but it will also be livestreamed on their website and social media. We will also be having the Cornelius forum on October 12. I would encourage everybody to come out and support the candidates.

Dee Bailey, 9715 Midas Springs Road, said I'm here today in regards to the proposition for the entertainment center on Beatties Ford Road, as I would just like to express a couple concerns. Do know that I'm kind of for it, but against it as it stands. I do agree that the community does need something like this. We need a place for the community to get together and gather. I fully agree with that. I don't believe that we have the infrastructure in place at the location it is to do this considering there's not going to be enough parking with only 16 spaces when you have a farmer's market, entertainment and sports activities and ice cream and coffee shop and all the different things this has been explained to be. You go to any farmer's market in our area, do you have 16 attendees? No, you have many more, so you're going to have an issue with overflow parking. Overflow parking is going to put people down the street. When they are down the street, they're going to be walking along Beatties Ford Road that has an average speed limit of 40 mph with no sidewalks and no shoulder. And you're going to have people with kids. You are opening that up. Not only that, you're going to have a congestion problem with overflow parking. When it comes into Long Creek School, everything's going to be just mashed together. We already have a lot of issues down there with traffic. They don't have enough space just for the people going to the school, so that is one issue is we need to make sure that the people going to this place are going to be safe. When Oak Grove gets built, you are going to have people walking across the street to this location with no crosswalks. The red light is planned, however it's not in. Planning and existence are two completely different things. And then my other concern that I have is there's nothing being

done for sound mitigation and that is typically required by code enforcement for locations that are going to consistently have noise. The noise ordinance will apply to this location and there is a noise ordinance that was passed in 1985 for Mecklenburg County for the unincorporated zones that says anything that is amplified must stay under 55 decibels. That is an average conversation or the sound of a refrigerator. That's pretty much my main concerns in the sense that I do laud them for trying to do this. I do believe we do need a community center, but I also know that this location is outside the zone. If the rule is changed to Highway zoning, do understand there's not one place on Beatties Ford outside the designated centers that is existing Highway zoning at this time. You are going to be changing and setting a precedence that could be very negative down the road if this happens. Those are just some things that I'd like to throw out. As a neighbor, I love Huntersville. I've been here for 30 some odd years. I love this location. I love what you all do for this city.

Scott Brett, 9331 Broadway Street, said I'm asking you to not approve the R23-06 Beatties Ford Entertainment to rezone it from Residential to Commercial. The Huntersville Planning Staff recommendation says the rezoning is not consistent with the 2040 Community Plan. The rezoning is not consistent with the Beatties Ford Corridor Small Area Plan, Policies LU-6.1, LU-6.2, LU-6.3. If you don't follow Huntersville's 2040 Plan, you have no plan. This outdoor sports bar belongs in a commercial area, not in a residential area due to the noise impact and the visual impact of 40 to 80 people attending 7 days a week, 7 a.m. to 11 p.m. Please put yourself in our position. This is why outdoor sports complexes are zoned Highway Commercial due to this dramatic impact on residential areas. I ask you to follow your Planning staff of Huntersville's 2040 Plan and stand up for the residents of Huntersville, not just for the outside commercial interest and deny this rezoning.

Leo Brett, 3831 Alton Street, said I'm a third generation resident in Huntersville. My grandfather bought the house that is located beside me. It is at 3823 Alton Street and he bought that house and my mother grew up in that house. He fought in World War II and when he was done he used the money that he had to buy the land that my house is currently located on, along with my parents. I'm sorry, this kind of bothers me pretty heavily because I spent every dollar I had to have a place to live to raise a family, and to have kids. I want my parents to not be affected by this. I do not want them to be stuck dreading this. We don't want to move. We have family all in this area. My entire family – the Blythe's live down the road. Our other neighbors, anybody else.....it's been a family-oriented area forever and we know all of our neighbors and I walked around and got signatures from 37 different neighbors that said they did not want this. There's places for this. It's not where they are wanting to put it. They even mentioned it in their first meeting that it was cheaper to buy this property and turn it commercial. It's not what it's there for. That's not what it is. It's Long Creek. It's supposed to be a community, a place for everybody to come together and we come together as a community and we all don't want this. We already have enough issues. We've had two cars that were broken into in the past six months. We had a garage that was broken into. This is just going to bring nothing but more crime into the area and cause more problems. We don't want people drifting through causing more issues. We want to stay left alone. We want to stay in the area that it was made like it was. And I know if my grandfather was alive today, he'd stand against this. I just want you guys to know that I really hope that you guys don't pass this because my parents have spent every dollar they have to build a house and so have I and I don't want to have to move out of Huntersville and move to another area. I don't want to for this.

Mary Brett, 9331 Broadway Street, said that was my son. I'm a lifelong resident of the Long Creek community. I'm asking you not to approve case #R23-06, Beatties Ford Road Entertainment, to rezone Residential to Commercial. As my son was saying we sent out petitions and once we received those, we emailed the two petitions to all the Town Commissioners and the Mayor. We went to each neighbor in the Long Creek community and got signatures. This was 98 percent of the entire community that signed

this petition who are totally against this rezoning. Many of our neighbors have lived there all their lives. The other petition is from the residents that live in Huntersville who are also against rezoning. Since you have received this email we have gotten more signatures on both petitions totaling to 86. We hope our voices are heard through these petitions. This is extremely important to understand how many lives will be affected by this rezoning. This sports entertainment center would include volleyball tournaments, serving alcohol with music, lighting, open seven days a week 7 a.m. to 11 p.m. with 40 to 80 people in attendance. This would be an extreme amount of noise, bringing traffic and crime into our neighborhood. The front of our house faces the back property of 9339 Beatties Ford Road. Huntersville should deny this project coming into our neighborhood. It would be destructive to everyone's quality of life. This is an old residential neighborhood and commercial zoning does not belong in the Long Creek community which is what the Huntersville 2040 Plan states. My family and the residents of the Long Creek community should be taken into high consideration of how this will affect our lives. You all need to care about our lives and not ask us to live under the conditions of this rezoning. This is a two-way street, not one. Please do not approve this rezoning project.

Sam Crowe, 3920 Shider Lane, Kannapolis, said I'm actually reading an email on behalf of EPCON from Phil Puma, who is the owner of Phil Puma & Associates Realty.

To whom it may concern,

My firm and I have sold many Epcon homes over the years. Every Epcon community is well plan and fits in well with neighboring communities. Epcon does a wonderful job with the landscape and design plans in and around their neighborhoods. The Epcon residents that I have assisted have been a great addition to their neighborhood and community. I would highly recommend a new Epcon community in our area!

Phil Puma
Puma & Associates Realty

Joe Gworek, 15236 Sustar Farm Drive, Matthews, said I live in Matthews which is the Mint Hill EPCON community and quite frankly I could drive a golf ball between our old house with an acre and the maintenance and our nice new house that has a courtyard and the maintenance is all done by someone else. I truly appreciate that. I think if you go with EPCON you are going to do your community a favor because the quality of the house they build is certainly up there with anybody's standards. We have not had a single question by them when we asked the warranty people to fix this or fix that, they've been right on top of it. They have taken care of it. The community is very appealing to look at and I welcome you to drive through the Mint Hill community and you will see there's a certain standard of beauty in that community and it gives us, who we're all in our retirement years, the space that we need for that. I truly believe that they are a little bit superior to the competitors that we looked at other communities like this. I think EPCON has it going on.

Michael O'Connor, 16024 Clear Creek Farm Road, Matthews, said we're here to represent EPCON just because we want to. Like many of my neighbors, we're really happy. It's an unusual neighborhood. We've lived in the Charlotte area for a while. We've seen other EPCON neighborhoods that are different and they are unusual and they're really very nice. I want you guys to go in with an open mind as you vote. I can also say my wife and I have built five different homes across the United States and we're really happy with this. These are courtyard homes. They could be duplexes, but we don't share a wall with anybody, but the houses are built around a courtyard. They've got this beautiful, awesome kind of European modern look to them. There are small lot lines by design and as Joe said they're maintenance free and they're high covenant, like a lot of details about what you can and can't do, so the landscaping is consistent and eloquent. But there's a lot of advantages for the community. If you imagine, you know their luxury homes so it's a good tax-base for your community. I would anticipate things like traffic and

schools and all of that are issues, well these are 55 and older. In my neighborhood that I live in there are no children who go to Charlotte-Mecklenburg Schools. And I say probably 20 percent of the residents work outside of the home, so you don't have the compromise on the rush hour traffic or the noise or the complaints or some of those other things. It's a beautiful neighborhood. I believe it would increase the appeal to your neighborhood or your surrounding area. I'd just like you to keep an open mind as you consider your vote tonight.

Mary Ann Turetsky, 16977 Bridgeton Lane, said I drive my grandson to Spartan Park four days a week for practice for football. We live less than four miles away from the field and we leave at 4:45 p.m. and he just makes it there by 5:30 p.m. with the traffic first on Sam Furr Road, then we make a left onto Beatties and we are crawling down to the field. I can't imagine how the people that live in Stephens Grove, Cashion Woods or Latta Plantation deal with this every day. It's horrendous. On August 22 the Planning staff recommended denial for the EPCON plan. Remember the Planning staff are people that we pay because they are the experts. Their opinions should be valued. They found four different Land Use policies that were in violation. Building 118 new homes on this land contradicts the 2030 Plan and the amended 2040 Plan. Please do not vote to approve the EPCON developers for this project. This plan does not follow the Huntersville Zoning Ordinance or the 2040 Plan.

Kim Baylor, 15015 Beatties Ford Road (Kris Manley, 15015 Beatties Ford Road deferred his time), said my home sits somewhat between the edge of Riverdale as it is now and the proposed EPCON development and where that will go. I'm not sure at this point anything that I'm going to say will sway this vote. I'm just going to be real with you. But what I do want to shine a light on is the Huntersville resident experience at this point. Since moving to our address in 2012 my husband and I have been diligently trying to follow the plans, have tried to follow that the plans were for the undeveloped land in and around our area. We know that these are private properties and we believe deeply that individuals should be able to sell their properties. The reason we are trying to stay ahead of those plans is so we can decide if we want to remain in our home or if we want to move to possibly a more rural area. We have stayed closely aligned to the 2030 Huntersville Plans and the amendments to the 2040 Plan which still very much suggests that significant effort will be made to keep certain areas including the ones that we are discussing tonight as rural as possible, not European or modern in décor. I realize more and more that as a resident that those plans are guides, they are not rules. They are what Huntersville could do. They are not what Huntersville will do. We've learned that. But as residents that's very much what we count on to make decisions about where we want to live. That is what we count on to tell us what the future of our town and our community looks like. I will read you a tiny piece of LU-3.1 because I know you know it more than anything. There needs to be a concerted effort to uphold previous policy decisions to limit density and increase open space preservation in the more undeveloped areas outside Town Core. A few things I want to call attention to. The argument could be made that a 55 plus transitional property may be considered an alternative to higher density districts. I get that. But when you consider EPCON alongside the additional development that is currently taking place in that same Rural zoned area, Riverdale Phase 2 for example, I'm not hearing a lot of talk about that. There is active clearing and land moving underway that connects the current existing Riverdale community with the proposed EPCON development. We are talking about 33.4 additional acres of development that will connect right up to EPCON. The sum total of those equals to me a much higher density district than we are talking about. Incidentally if you try as a resident to find information about the plans for Riverdale Phase 2 on the Town website, you will find this. You will see that the preliminary plan is still in review. There are no scheduled dates for neighborhood feedback, public feedback, Planning Board or Town Board voting. But I can tell you by the clearing and machinery we hear every single day in our backyard, that is happening now. And it's this lack of clarity and this lack of transparency that has residents mad and frustrated and frankly distrusting of what gets spoken about and what candidates are saying. When

I posted on Nextdoor that the EPCON request was being voted on today, there was not a single person out of 60 who responded that was aware of these EPCON plans. Folks were gob smacked. The development on any density is being considered while we all sit stalled and in crawling traffic along Beatties Ford Road, Highway 73 and Gilead. This has gone way outside of commuting times. It has become increasingly difficult to get clear, concise and consumable ideas of what is happening in this town and it shouldn't be this difficult to find and participate in the conversations, yet it is. An example, to notify of the EPCON public hearing a sign was placed at the end of a gravel driveway with a public hearing date. I live right there. I personally didn't notice this until after the date had past and frankly most residents wouldn't have known that a little gravel driveway led way down a road to an 80-acre open area that is in danger of being developed. The EPCON site is not even visible from where the sign was placed. Of the dozens of neighbors I have spoken to in and around this area, only one neighbor received a mailed notification about a public hearing regarding EPCON. We certainly did not nor have we received any information regarding Riverdale Phase 2 work which apparently has already begun and this backs up against and touches 50 percent of our property. No notification. No nothing. So some questions I would ask our Town Board to consider. What is the purpose or value of these 2030 and 2040 Plans? It's giving a false positive narrative to residents to believe in until they read the fine print. Where can residents go in order to clearly see what is going to happen to their community, what has been approved in the past, what is underway and what is still in discussion? Do you really want residents to be part of this conversation or is that just a necessary step in order to move things forward because the way info is made available right now is suggesting that resident perspective is just really not a necessary input.

Fred Wilson, 9004 Treetop Way, Concord, said I live in an EPCON community. We've lived in North Mecklenburg all our lives, me and my wife. I was born in Presbyterian Hospital so you can't get much more native than that. I lived in Huntersville, North Mecklenburg. I worked with Anthony Roberts over there when he was in Cornelius and we had a good Town Manager and how you've got him. We worked on a lot of projects together. I want to say one thing. I live in an EPCON community and I'm proud of it. They do a good job. They build a good house. They have a good product. They have good people working for them and what we found, I wanted to live in Huntersville but there was none available. There's two projects in Huntersville that's completed and if you didn't get in, you are just out of luck and you very seldom find any come up for sale. The people in there are 55 and older, so you don't have people going to school, you don't have traffic going in and out near as much. The one we are in now over off Poplar Tent has 80 some houses in there and about half of that community is common area and it's my understanding that the one that they are talking about here, about half of that community is going to be common area. The only thing I can say if you give them the okay maybe me and my wife can come back and live in Huntersville again and we can get in on the upside of this thing whenever they get started because we would definitely consider doing that and I don't think there's anything negative about the construction, the houses, the people that live there and remember everybody is going to be 55 and older someday.

AGENDA CHANGES

Commissioner Munger made a motion to adopt the agenda.

Commissioner Kidwell seconded motion.

Motion carried unanimously.

CONSENT AGENDA

Commissioner Munger made a motion to adopt the Consent Agenda.

Commissioner Partee seconded motion.

Mayor Bales said there's a motion and there is a second for the Consent Agenda. All those.....well, there is no Consent Agenda. I just looked down and went hey, wait a minute, there's nothing under there. So, we will pass that Consent Agenda as nothing. That's a first. I don't think we've ever not had a Consent Agenda.

PUBLIC HEARINGS

Petition #TA23-05. Mayor Bales called to order public hearing on Petition #TA23-05, a request by the Town of Huntersville Planning Department to amend Article 9.51 of the Zoning Ordinance to further clarify non-residential outdoor activities allowed within the Neighborhood Residential zoning district within ¼ mile of the Town Center zoning district.

Brian Richards, Assistant Planning Director, entered the Staff Report into the record. *Staff Report attached hereto as Exhibit No. 1.*

Back in 2004, 2005, and 2006, the Town held a series of meetings to create a Downtown Master Plan Charrette. Some of the outcomes of that was what you are starting to see in development today, some of the older homes being turned over into business and so forth. As part of that there was a text amendment, TA05-11, which allowed for commercial uses to be within residential buildings within a ¼ mile of the Town Center district. Today that's what we have here highlighted in yellow. Through a series of events and potential businesses looking to move in, we thought it would be a good time to do some clarifications as to what those conditions that are allowed for under Article 9.51. As it's written today, it says no outdoor display of goods is permitted. We wanted to take that a little bit further and have some additional clarification of what that actually meant. The staff came up with this language which clarifies that no outdoor activity, including outdoor seating, is permitted in these homes along the corridor of the Neighborhood Residential district within ¼ mile of the Town Center. Where those occur, you can see there's a ¼ mile black outline. You see highlighted in pink are the parcels that are eligible. That doesn't mean it's actually going to occur there. You can see Huntersville Elementary School is there as well as some churches and some other things if there was ever an adapted reuse potentially but typically these are going to occur in homes that are up and down along 115, Gilead Road and Huntersville-Concord Road. I zoomed in just a little bit for you guys to see those identified properties. Again we thought this is just really serves for further clarification is what type of activities can occur on the front porch. We did take this to the Huntersville Ordinances Advisory Board back in July and they recommended 6-2 to approve it as written.

Commissioner Kovacs said what does this do to places that already have seating?

Mr. Richards said there are none that already have seating to my knowledge.

Commissioner Kovacs said does Hunter House fall into that?

Mr. Richards said no, Hunter House is zoned Neighborhood Center, so it's a different zoning category, similar to Neighborhood Café.

Mayor Bales recognized Planning Board members present: Frank Gammon and Lee Hallman.

Amy Hallman, 100 Cambridge Road, said when this came up it seemed like it was a really important thing for downtown residents to be aware of and it is something, especially the ones that live in downtown versus just simply a business downtown, needed to be aware of and that's why I'm here tonight is to bring attention to that. Because it is a Neighborhood Residential zoning by name, I want to make sure that those families are considered that live in those areas so that until they make a decision to change the use of their own properties, that as long as it is a residence that they are not in any danger of having who knows what 30' outside their bedroom just because there's a buffer somewhere because we know what happens, buffers are only as good as the people who are on the other side. They could certainly want to be in a resident's yard next door and fences aren't necessarily going to take care of that. Mr. Richards showed you it's not that many properties that are in the downtown and I'm afraid you're probably going to have lots of decisions to make as we build downtown and it gets bigger and it grows and it does different kinds of things, but this one is just strictly to protect the residents until it becomes completely commercial or Town Center. I believe in the ordinance it says it should be low intensity commercial uses in our buildings and that restricting outdoor activities is going to help to keep things low intensity until that changes.

Commissioner Boone said what was the thought process of the ¼ mile and not ½ mile?

Mr. Richards said I think when they debated this back in the early 2000's that they looked at what the actual walking distance was, so ¼ mile walk is what's considered comfortable. Additionally, if you go much further than that you're really taking a lot of properties that aren't in downtown. If you're looking at those approaches from Exit 23 from out east or towards Metrolina as you are coming to the downtown area what makes good logical sense in that ¼ mile is that 10 minute walk so that's where we came up with the ¼ mile distance.

Commissioner Boone said so basically this is saying that if I have a residential home and somebody opens a business next to me, which you can do in this district, they cannot have any outdoor type of seating where you would go outside and drink a cup of coffee or something like that.

Mr. Richards said correct. If you were to have a coffee shop you could have maybe some drinks or something on the front porch during the day, but no, you could not have outdoor seating.

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

OTHER BUSINESS

Petition #R23-06, Beatties Ford Family Entertainment. Petition #R23-06, Beatties Ford Family Entertainment, is a request by Jonathan Eury and Katie Carpenter to rezone +/-2.513 acres generally located at the intersection of Beatties Ford Road and Broadway Street from Rural to Highway Commercial - Conditional District for outdoor recreation and rentable meeting/office spaces.

Nathan Farber, Planner II, entered the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 2.*

The applicants are proposing to rezone the site from Rural to Highway Commercial with conditions. Planning staff recommends denial as stated in the Staff Report. The Planning Board recommended approval of the rezoning, while denying Modifications 1 and 2, which would require the applicants to build sidewalk along Broadway Street outside the Town intersection project boundaries and it would deny the use of mulch within parking stalls, though the board did recommend approving Modification 3 allowing the existing shed to encroach into required buffer. The Planning Board made a recommendation for approval based on the rezoning site being part of the Long Creek Activity Center. While staff does not recommend approval of the rezoning, we would like the Board to consider that if approved the Activity Center shift slightly north to include the rezoning site.

Commissioner Boone said just for clarification, if this business, and I hope it's successful, but if it doesn't succeed, what happens to the property.

Mr. Farber said the same uses and the same structure would be the only things allowed on the property and if anybody wanted to do anything different than what is approved on the rezoning site plan, they would have to come back in for a rezoning.

Commissioner Boone said so once it's zoned Commercial, it stays commercial.

Mr. Farber said correct, the specific uses on the site plan.

Commissioner Partee said do we have a timeline as to when the state will come in and I think that's that three corners, that four corners, which they will install the light and upgrade that area.

Brian Richards, Assistant Planning Director, said per Stephen Trott it's at least a year away and that's a Town project.

Mayor Bales asked the applicant to come forward and introduce themselves.

Jon Eury, 9339 Beatties Ford Road and Katie Carpenter, 9339 Beatties Ford Road.

Commissioner Munger said one of the things I noticed is your operating hours are you open as early as 7 a.m., some days 8 a.m., and you are open until 11 p.m. On the early, I have to assume that's just for a coffee shop. Can you explain the earliness.

Ms. Carpenter said that's for the meeting space that's inside so that anyone who's working from home or would rather not work from home and want to bring their laptop over, they can set up inside and meet with whoever they want to meet with, bring somebody over and sit and have a cup of coffee.

Commissioner Munger said so there would be no volleyball activities at that hour.

Ms. Carpenter said correct.

Commissioner Munger said one of the questions that I have in general is it something you would be willing to commit to, to close at 10 p.m. instead of 11 p.m.?

Ms. Carpenter said we have proposed to all of you, I don't know if you all read our email that we sent in, but for the outdoor activities on any school night, so the Sunday through Thursday, we would plan to be done with any outdoor activities by 10 p.m. Friday and Saturday would be 11 p.m. for outdoor activities.

Commissioner Munger said would you be open to putting a 6' solid privacy fence along Broadway, essentially the north and west boundaries of your property?

Ms. Carpenter said we absolutely would. I assume you're asking for sound mitigation purposes.

Commissioner Munger said yes.

Ms. Carpenter said would we be able to do dense trees there instead of a fence. I don't know what the difference between.....I'd love to be able to increase and add more trees.

Commissioner Munger said I'm looking for a fence.

Mr. Eury said yes to the fence.

Ms. Carpenter said then fence it is, yes.

Commissioner Munger made a motion in considering the proposed Rezoning Application R23-06, the Town Board recommends approval. The amendment is consistent with the Huntersville 2040 Community Plan Policy LU-1 which encourages a development pattern that follows the future Land Use Map in that the development is located within the Long Creek Village Activity Center and provides a low density commercial and recreational component for said Activity Center. This recommendation is consistent with and supported by Huntersville 2040 Plan Policies LU-6, LU-6.1, LU-7.1, LU-8.1, EV-2, EV-2.1. The amendment is further supported by the Beatties Ford Road Corridor Small Area Plan which identified Long Creek Hamlet as an urban hamlet or urban village mixed-use center generally located between McCoy Road and Mt. Holly-Huntersville Roads. The urban hamlet development pattern is defined in the plan as a pattern that fosters residential, institutional or recreational activities adjacent to Long Creek Elementary School and retail/commercial in the vicinity of the intersection of Beatties Ford and Mt. Holly-Huntersville Roads. The amendment is also supported by the Beatties Ford Road and Mt. Holly-Huntersville Small Area Plan for the same reasons previously stated. The Town Board further recommends that the following modifications be approved: (1) allow an existing storage shed to encroach into the required 30' buffer in the south side of the property; (2) that mulch be allowed for the individual parking stalls; (3) that a 6' solid privacy fence be installed along Broadway Street on north and west boundaries of the property; (4) that the hours of operation end at 10 p.m. Sunday through Thursday and 11 p.m. Friday and Saturday; (5) all redline comments must be addressed. The Town Board does not recommend approval of the following modification: (1) request not to install sidewalks along Broadway Street. The sidewalk is an infrastructure improvement required by the Zoning Ordinance, the sidewalk shall be located along the property frontage but outside the boundaries of the Town's planned intersection project at the intersection of Broadway Street, McCoy Road and Beatties Ford Road. It is reasonable and in the public interest to approve the rezoning because it is consistent with the Huntersville 2040 Community Plan Future Land Use Activity Center Character Area, Beatties Ford Road Corridor Small Area Plan and the Beatties Ford and Mt. Holly-Huntersville Road Small Area Plan. In addition, the rezoning is supported by the 2040 Community Plan, Economic Development goal of balancing the tax base and encouraging entrepreneurship. This rezoning approval shall further serve to amend the 2040 Community Plan to shift the Long Creek Village Activity Center northward to include the property subject to this rezoning.

Commissioner Kidwell said I need a confirmation on the motion. Could you say the hours of operation once again. I heard 1 p.m. Did you mean 11 p.m.?

Commissioner Munger said I apologize. The hours of operation would be Sunday through Thursday ending at 10 p.m., Friday and Saturday ending at 11 p.m. If that's not what I said, that was my intent.

Commissioner Kidwell seconded motion.

Commissioner Kovacs said this is actually extremely hard because it's tugging me in two different directions. I have very much enjoyed hearing Jon and Katie talk and hearing your passion and loving the idea of a community space for people to be able to gather, but I would also be hypocritical if I didn't put myself in the shoes of the residents that are living right there and would be experiencing their neighborhood altering quite a bit. While I do believe Jon and Katie in that you would do everything you can to make sure it doesn't affect the residents and that you genuinely want a place for people to have fun safely and do what they love, I just can't get over the fact that we would be altering those lives so much. I appreciate this and I've told you guys I wish I could pick it up and move it somewhere, but clearly that's not possible. I do want to thank you for your entrepreneurship and the small business ideas and everything that you are trying to do and if it does pass, I hope that it works out well for you guys.

Mayor Bales said before you vote I do need to remind this Board that even with Commissioner Phillips not attending, this takes four to pass. All three of our votes this evening, 10.A, 10.B and 10.C, will take four votes to pass. Is that correct, Ms. Sloop?

Ms. Sloop said yes.

Commissioner Munger said that is not at all what I had understood coming into tonight. I should have asked Emily. I did ask a staff member.

Mayor Bales said would you please explain to everyone why it requires the 2/3 vote.

Ms. Sloop said 160A-75 requires a majority vote of all members of the council not excused from voting on the question and issue if it has the effect of creating an ordinance, which this does as a conditional rezoning. Even if Commissioner Phillips had been here and recused herself for a conflict of interest, it still would have been four votes.

Commissioner Munger said I'm just thinking out loud here. If a motion is made and it fails to pass, they have to wait a year. Is that my understanding?

Ms. Sloop said no. If you make a motion to approve it and the motion to approve fails, it's just not approved.

Commissioner Munger said and we could potentially bring this back up a month for now.

Ms. Sloop said you could consider it anew.

Commissioner Boone said point of order. This is a question for the Town Attorney. The person who is on the majority would have to bring it up.

Ms. Sloop said that's for a motion to reconsider.

Commissioner Boone said Mr. Munger, could you restate your position here.

Commissioner Munger said I made a motion. Hypothetically, if it went 3 to 2, it's not going to pass, based on the 3 to 2. Thirty days from now if we have all six commissioners come up here and it passes and I or someone on this Board says I'd like to reintroduce at that point and it passes 4 to 2, could that happen.

Ms. Sloop said if you make a motion and the motion to approve fails, it's not denied, it's just not approved.

Commissioner Munger said for 100 percent clarity, October 16 I come back up here and I say I want to reintroduce this and it passes 4 to 2, it could happen, that's a viable path.

Ms. Sloop said a motion to consider something anew would be what you are referring to.

Mayor Bales called for the vote to approve Petition #R23-06.

Motion failed 2 to 3 – Commissioners Munger and Kidwell in favor; Commissioners Boone, Kovacs and ParTEE opposed.

Petition #R23-01, Foundry – Everett Keith Road. Petition #R23-01, Foundry – Everett Keith Road, is a request by Foundry Commercial, LLC to rezone +/- 59.66-acres generally located east of Everett Keith Road and south of Hambright Road from existing Transitional Residential to Corporate Business - Conditional District for approximately 750,000 sq. ft. of light industrial space.

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

This is the item that was before you last month for final action. You can see the property located here on Everett Keith Road, south of Hambright Road and north of Eastfield. It is 100 percent zoned currently Transitional Residential. The request is to rezone to Corporate Business – Conditional District. This nearly 60 acres is for 750,000 sq. ft. of light industrial flex space and the plan set would allow between two and three buildings. Since the last time that we were here the staff's position has not changed and that is that this project is not consistent with the 2040 Plan, however there is the Eastfield Road Small Area Plan which indicates that if the infrastructure was in place that there could be support for rezoning to Employment Generating and so if the Board finds that this particular property and project is doing that, then the 2040 Plan could be amended to be an Employment Center or Employment Generating designation.

The staff recommendation is to support Modification B, which was to allow disturbance of the buffers that we went over and that is specifically along the edges to the north and to the east. Item C is the block length and that is prescriptive. There is a specific length in the plan. It is not just an open block length modification. And then A was to reduce some of the buffers utilizing the existing Duke Energy land and power lines to the east in combination with the buffer on the east side to allow for slightly less than would normally be seen when you have light manufacturing up against residential. You can see there that there are several of the modifications that are not needed and then there is one dealing with.....I'm sorry, I'm going to go to this one because it is clearer and takes out all the unnecessary. I've gone over the reduced buffers. I've gone over the disturbed buffers, the block length. The right-of-way at the end of Everett Keith Road where the cul-de-sac is, it last time did not extend to the edge of the

project. That is not Eastfield, that is the project. And I can show you that on the site plan if you would like to see that, just a very small extension and they have done that. The findings Article 14 has been satisfied. There are no off-site requirements for this project. You can see in Part 3 of the Staff Report that there will be upgrades to the site access points for the driveways as you might call it, 1, 2, 3 and 4. And then there would be internal protected stem of 100' for those. Any improvements that are required by DOT and CDOT would be required. And then all the rest of the improvements that are shown on the rezoning plan within the red boundary and again just to show you very quickly you can see that would be the cul-de-sac down here, the roundabout there and then there's a 10' wide side path along Everette Keith as well.

The parcel south of Everette Keith, the remnant parcels as we call them, those are the ones that are not being rezoned but are part of the land that is part of this project. They are going to have up against the roadway either a 4' berm or a 20' opaque buffer as specifically shown with the having the permission to accommodate such and with permission of the parcel owners to the south.

A willingness to serve letter from Charlotte Water is to be provided. The outstanding redline comments would be addressed and of course staff still makes the recommendation of extending Everette Keith all the way down to Eastfield, which is just a recommendation.

That recommendation went to the Planning Board and they voted unanimously 5-0 to approve. They found that it was not consistent with the 2040 Community Plan, but they did recommend that the 2040 Plan be amended as follows: (1) the property proposed for conditional rezoning be included as an extension of an Employment Center located along its western boundary. This amendment is supported by the Eastfield Road Small Area Plan and that the proposed Foundry – Everette Keith Road development is in Planning Zone 1A of that plan. That plan states that the area Everette Keith and south of the proposed Hambright alignment could be developed for light industrial, among other things as you can read there. If the Board amends the 2040 Plan, then the Planning Board recommends approval of the rezoning because it would be consistent with the following policies – LU-5, LU-7, EV-1, T-3 and T-5. The recommendation is based on all the conditions for the approval outlined in the report being addressed to the satisfaction of staff except for two items: (1) the applicant would work with staff to enhance the northern buffer berm to which is acceptable by staff and that I have alluded to, they have done that; and (2) is not to include the requirement of the extension of Everette Keith Road down to Eastfield.

With those conditions, the Planning Board stated it is reasonable and in the public interest to extend the Employment Center designation and then rezone the 59.66 acres from Transitional Residential to Corporate Business – Conditional district because it would then be consistent with the 2040 Community Plan.

Commissioner Boone made a motion in considering the proposed Rezoning Application R23-01, the Town Board recommends approval. The Town Board finds the request inconsistent with the Huntersville 2040 Community Plan Policy LU-1. However, the Town Board would encourage the development pattern that supports expanding the Employment Center located to the west of the property subject to this rezoning request by amending the Zoning Map to facilitate increased employment and tax base opportunities as stated in Part 4 of the Staff Report. Therefore, the 2040 Community Land Use Map is amended as follows: the property subject to conditional rezoning R23-01 shall be included as an expansion of the Employment Center located along the project's western border. This amendment is supported by the Eastfield Road Small Area Plan, specifically the proposed Foundry – Everette Keith Road development is in Planning Zone 1A of the small area plan and the plan recommends that this area

of Everette Keith Road and south of the proposed Hambright Road alignment be developed as office, light industry, multi-family with limited commercial/retail to support primary office and light industrial uses. The rezoning is further consistent with the following policies of the 2040 Community Plan: LU-5, LU-7, EV-1, T-3 and T-5. Approval is based on all the conditions for approval outlined in the Staff Report being addressed to the satisfaction of the staff. The applicant will work with the staff to enhance the northern buffer berm to the satisfaction of the staff. With those conditions, it is reasonable and in the public interest to expand the Employment Center area and rezone the 59.66 acres from Transitional – Residential to Corporate Business – Conditional District because it is consistent with the 2040 Community Plan, as amended. The request is also consistent with the Eastfield Road Small Area Plan and the applicable provisions of the Zoning Ordinance. It is essential to the Town of Huntersville to have a balanced and diverse tax base that also includes development projects that provide for employment opportunities for citizens within or close to the Town limits.

Commissioner Kovacs seconded motion.

Mayor Bales called for the vote to approve Petition #R23-01.

Motion carried unanimously.

Petition #R23-07 – EPCON – Beatties Ford Road. Petition #R23-07, EPCON – Beatties Ford Road, is a request by EPCON Communities Carolinas, LLC to rezone six parcels totaling 78.7-acres generally located at 15201 Beatties Ford Road (South of NC 73 and east of Gilead Road & Beatties Ford Road intersection) from existing Rural to Transitional Residential - Conditional District zoning district for a 118-lot, single-family home subdivision.

Commissioner Kidwell made a motion to defer Petition #R23-07, EPCON – Beatties Ford Road, until October 16 at 6:00 p.m. to take place here at Town Hall, 101 Huntersville-Concord Road.

Commissioner Munger seconded motion.

Motion carried unanimously.

MAYOR AND COMMISSIONER REPORTS/CLOSING COMMENTS

Commissioner Munger

- On September 28 CMS Superintendent Dr. Crystal Hill will be hosting a Town Hall community meeting at North Mecklenburg High School.
- Reported Crys Roeder who served on the Huntersville Public Arts Commission and as Huntersville's representative to the Arts & Science Council North/West Advisory Council, passed away on September 3.

Commissioner Partee

- No Report

Commissioner Kidwell

- No Report.

Commissioner Kovacs

- Provided update from the Lake Norman Chamber of Commerce.

Commissioner Boone

- Attended ceremony at the Police Department where two officers received life-saving awards.

Mayor Bales

- Building Carolina at the Joint Employer Education Center will have an open house on September 28.

Commissioner Kovacs announced Girls Night In Create and Elevate on October 7 sponsored by the Pottstown Heritage Group.

There being no further business, the meeting was adjourned.

Approved this the ____ day of _____, 2023.

DRAFT

**Town of Huntersville
Town Board
October 2, 2023**

To: Town Board

From: David Lucore, Electric System Manager

Date: October 2, 2023

Subject: Electric Fund Write-Offs

EXPLAIN REQUEST:

Town staff and ElectriCities have cooperatively worked at collecting finalized electric accounts to accurately reflect the amount customers owe the Town. As we did in FY 22, Staff recommends that annually the Board approve the write-offs of amounts that have proven uncollectible for more than three years. While this will not stop our collection efforts (these amounts will remain with our collection agency and we will continue to seek collection through debt set off program for accounts over \$50), our financial statements will no longer report the amounts as likely collectible.

Staff is recommending the Board approve write-offs for FY 20 totaling \$24,453.96. In total, this represents .10% of the total 2020 Electric revenue and 160 customers.

ACTION RECOMMENDED:

Approve Electric Fund write-offs for FY 20 totaling \$24,453.96

FINANCIAL IMPLICATIONS:

Loss of revenue collected from final accounts.

ATTACHMENTS:

None

**Town of Huntersville
Town Board
October 2, 2023**

To: Town Board

From: Lora Mastrofrancesco, Transportation Engineer/Project Manager

Date: October 2, 2023

Subject: Traffic Calming on Cambridge Grove Dr between Glencrest Dr and NC73

EXPLAIN REQUEST:

Conduct public hearing to receive input on proposed traffic calming measures on Cambridge Grove Drive between Glencrest Dr and NC73

ACTION RECOMMENDED:

Conduct public hearing to receive input on proposed traffic calming measures on Cambridge Grove Drive between Glencrest Drive and NC73

FINANCIAL IMPLICATIONS:

N/A

ATTACHMENTS:

1. Vicinity Map - zoomed in

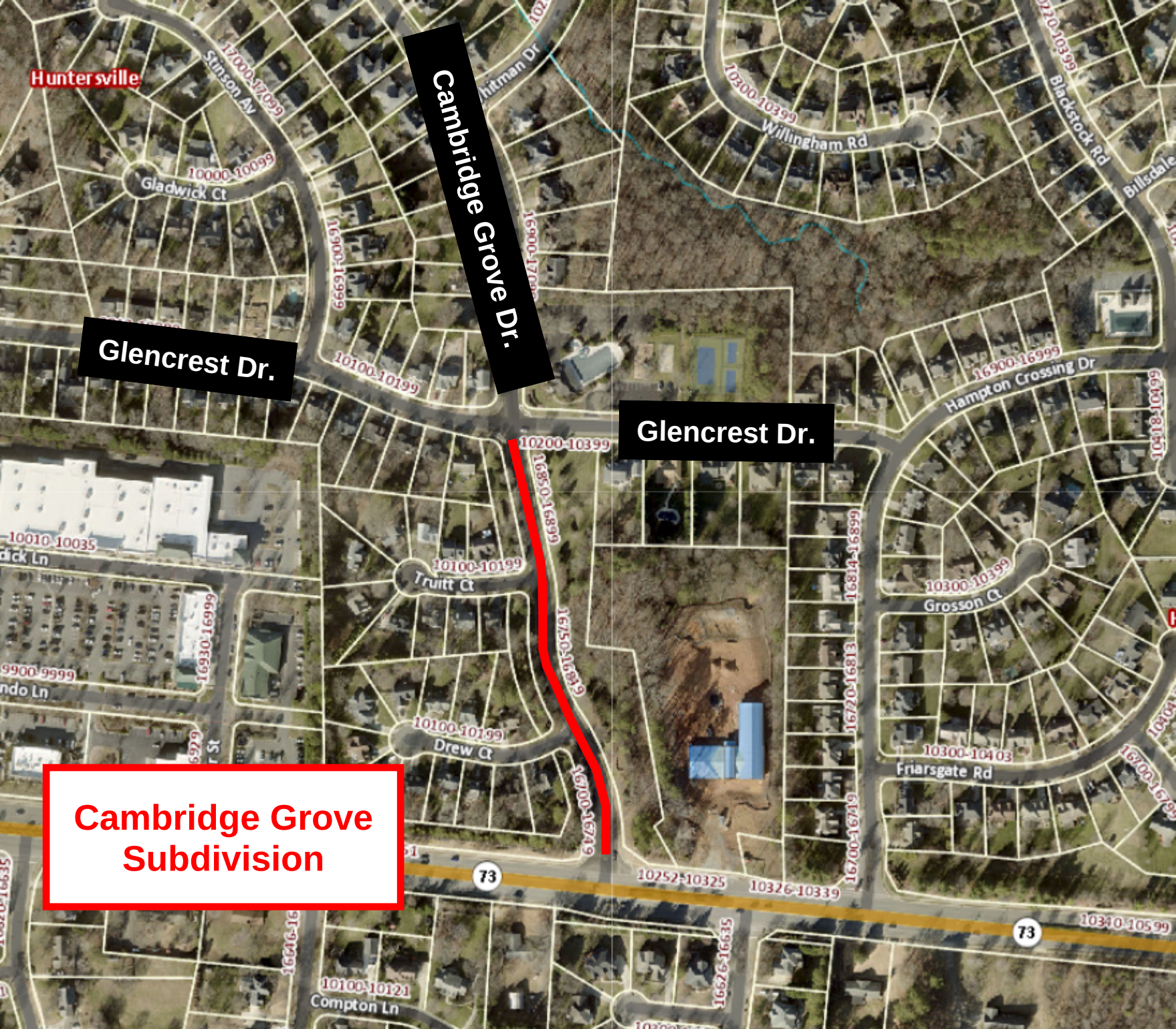
Huntersville

Cambridge Grove Dr.

Glencrest Dr.

Glencrest Dr.

Cambridge Grove
Subdivision



**Town of Huntersville
Town Board
October 2, 2023**

To: Town Board

From: Lora Mastrofrancesco, Transportation Engineer/Project Manager

Date: October 2, 2023

Subject: Traffic Calming Request for Swansboro Lane

EXPLAIN REQUEST:

Consider approving Traffic Calming Measures on Swansboro Lane.

ACTION RECOMMENDED:

Approval of Traffic Calming Measures on Swansboro Lane.

FINANCIAL IMPLICATIONS:

General Fund or Powell Bill

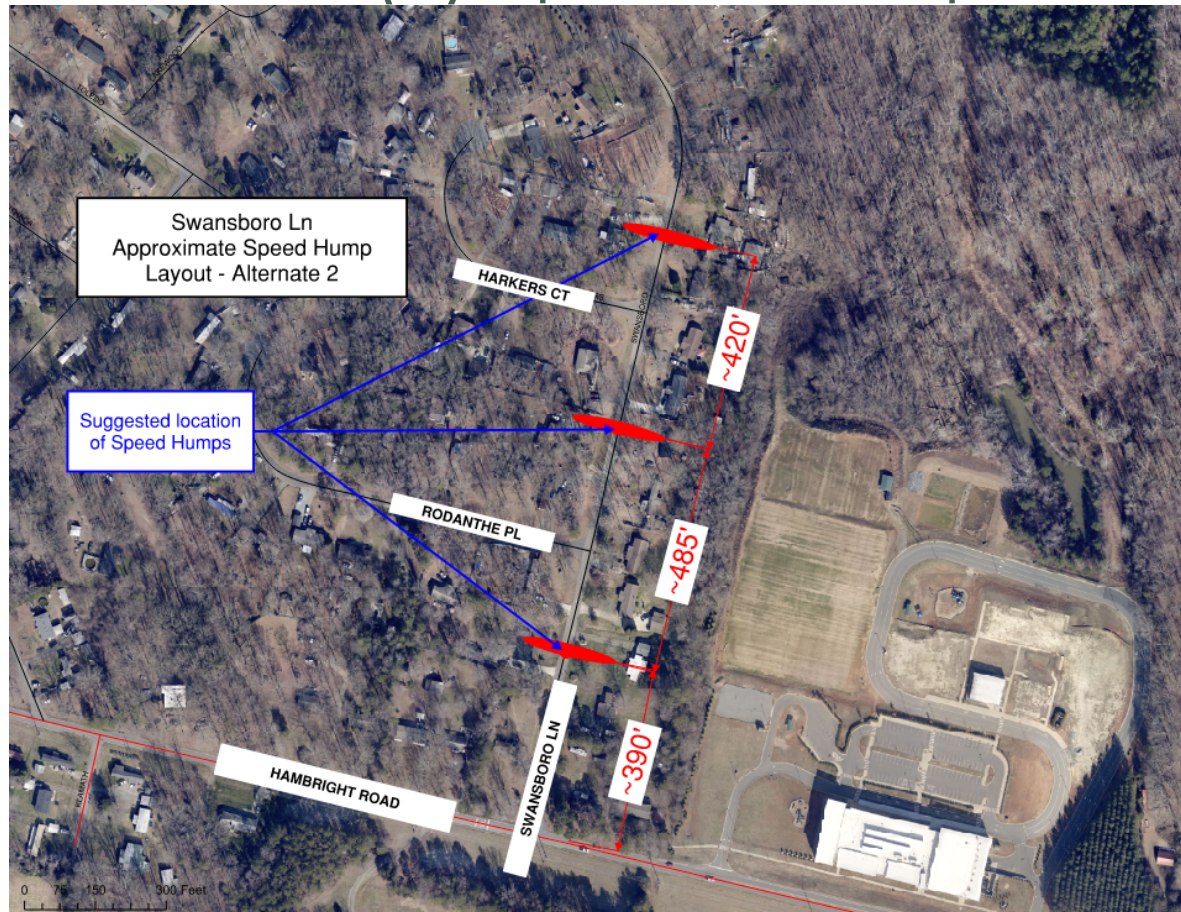
ATTACHMENTS:

1. Traffic Calming for Swansboro - 3 Options

Alternate 1 - Two (2) Speed Humps



Alternate 2 - Three (3) Speed Humps



Alternate 3 – Mini Traffic Circles



**Town of Huntersville
Town Board
October 2, 2023**

To: Town Board

From: Stephen Trott, Director of Engineering

Date: October 2, 2023

Subject: Beatties Ford Road at Brown Mill Road Intersection for NC73 Project

EXPLAIN REQUEST:

Discuss and select preferred alternative for the Beatties Ford Road at Brown Mill Road intersection for NC 73 Project.

ACTION RECOMMENDED:

Selection of Alternative.

FINANCIAL IMPLICATIONS:

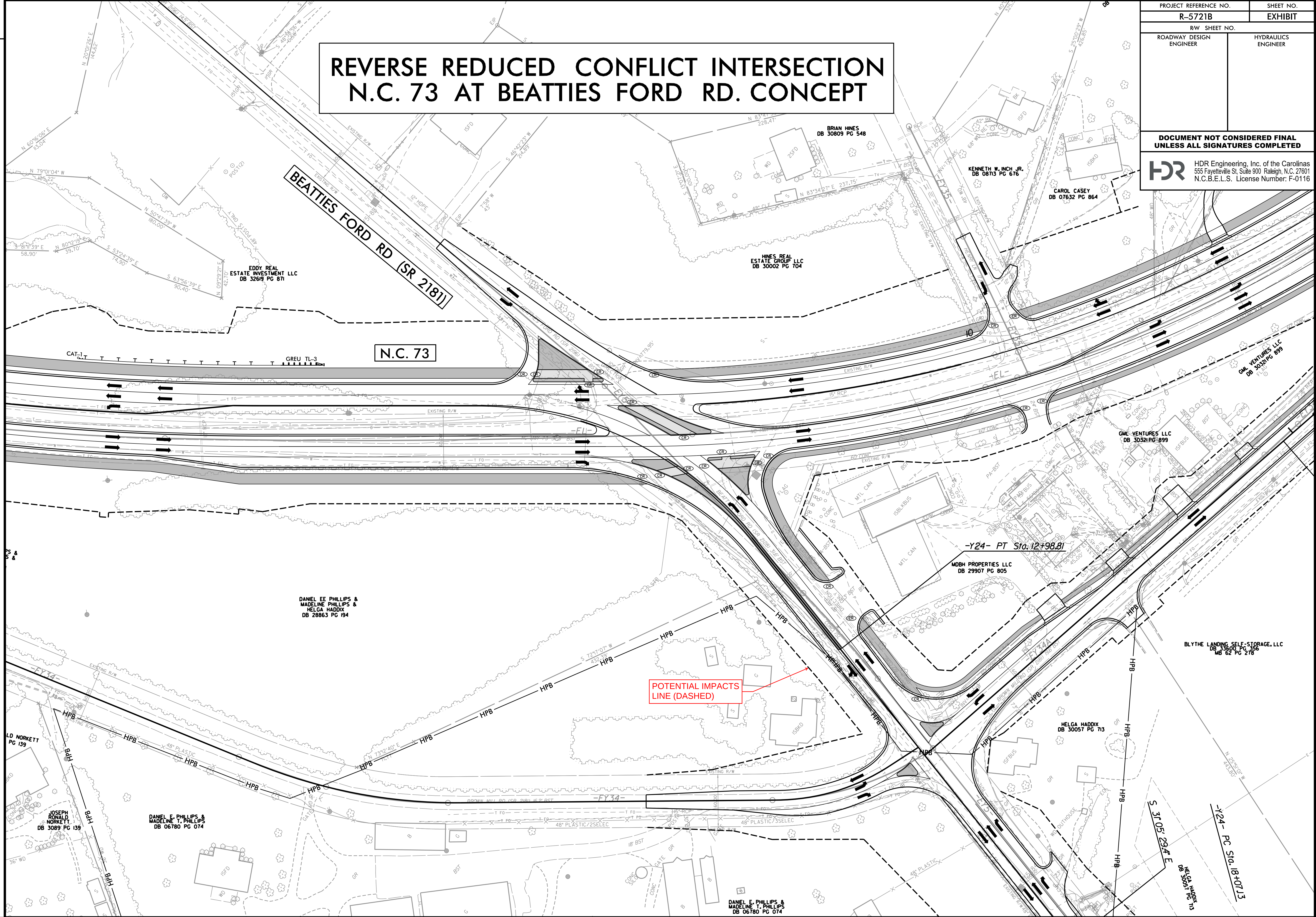
None

ATTACHMENTS:

1. R5721B_PSH_05_Reverse CFI Exhibit_ALT1
2. R5721B_PSH_05_Reverse CFI Exhibit_ALT2

REVERSE REDUCED CONFLICT INTERSECTION
N.C. 73 AT BEATTIES FORD RD. CONCEPT

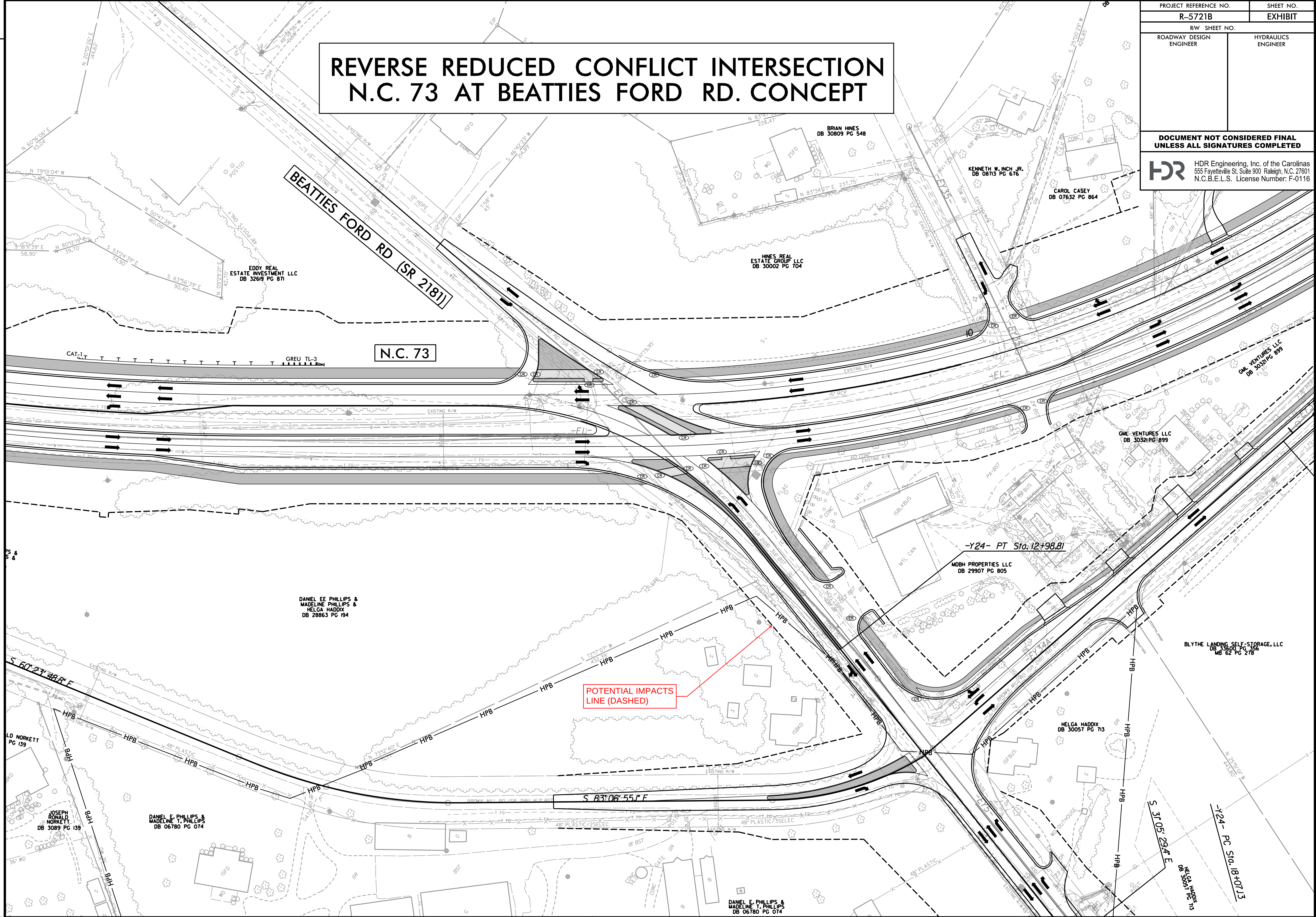
PROJECT REFERENCE NO.		SHEET NO.	
R-5721B		EXHIBIT	
RW SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED			
 HDR Engineering, Inc. of the Carolinas 555 Fayetteville St, Suite 900 Raleigh, N.C. 27601 N.C.B.E.L.S. License Number: F-0116			



REVISIONS

REVERSE REDUCED CONFLICT INTERSECTION
N.C. 73 AT BEATTIES FORD RD. CONCEPT

PROJECT REFERENCE NO.		SHEET NO.	
R-5721B		EXHIBIT	
RW SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED			
 HDR Engineering, Inc. of the Carolinas 555 Fayetteville St, Suite 900 Raleigh, N.C. 27601 N.C.B.E.L.S. License Number: F-0116			



REVISIONS

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TIME: 4:37:01 PM

DATE: 6/30/2023