

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**November 4, 2024
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 November 4, 2024.

GOVERNING BODY MEMBERS PRESENT: Mayor Christy Clark; Commissioners Alisia Bergsman, Amanda Dumas, Jennifer Hunt, Edwin Quarles, LaToya Rivers and Nick Walsh.

Mayor Clark called for a moment of silence.

Mayor Clark led the Pledge of Allegiance.

ANNOUNCEMENTS

Roundabout Landscaping

- NCDOT approved work on October 6, 2024.
- Design complies with NCDOT guidelines.

Lake Norman Teen Council is working in partnership with Bags of Hope to collect bags of food for Thanksgiving.

New college summer baseball team that will be playing at Huntersville Athletic Park next summer is asking for the community's help to name the team.

Brian Richards, Planning Director, provided update on Downtown. *PowerPoint attached hereto as Exhibit No. 1.*

- Design Guideline Update – Draft is complete and staff anticipates final delivery within two weeks.
- Downtown Parking Plan – Staff has completed data collection and has begun analysis of existing parking.

- Woonerf – Held public input and demonstration event October 17-18. Consultants are finalizing their report and staff is researching grants for next steps.
- Arborist Tree Assessment Report – The Tree & Shrub List is updated and posted online. The consultant has begun the windshield survey of the downtown tree canopy.
- Downtown Stormwater Study – Received five submittals from the RFQ to study regional stormwater solutions.
- Landscaping of the traffic circles has begun.

Ways to connect with us – website, social media pages, Town of Huntersville app and newsletter.

Commissioner Bergsman said the landscape design for the roundabouts, is that available on our website for people to look at?

Mr. Smith said not right now, but I can certainly make it that way.

Commissioner Dumas said is there anything we can share that's ready to share in regards to some of the exciting new businesses coming into town. I know there's a couple that have already been announced, maybe just go over those.

Mr. Richards said Golden Cow Creamery, they are still waiting to find a co-tenant before they start construction, but we've been in contact with their team. Over there at No. 5, that's Walk23. You'll see a number of those townhomes being built and the cottages as well. I believe they do have a tenant that's going to be upfit for the yellow house. I think there was an article in the paper. I haven't seen the permits yet. I do know the folks over at North State are in discussions with a number of tenants for their commercial space downstairs in the mixed-use building. A lot of activity, a lot of energy, lots of phone calls. With the purchase of the Red Line, I anticipate more inquiries over the next couple of months.

PUBLIC COMMENTS

Amy Hallman said on Tuesday morning at 3 a.m. we had a medical emergency. We called 911 Medic after about 30 minutes of making sure it was the right thing to do. The dispatcher told me that I had to talk to a nurse to determine the type of arrival we were going to get. That would be an ambulance is what I thought. What kind do I want – Atrium, Novant.....in that moment I'd take any first responder showing up at my door. This was my child. But nope. Tick tock.

The first nurse didn't answer. Medic came back on and told me this was required protocol that I speak to a nurse first to determine.....I don't know, I may have nearly blacked out from stress, and she transferred me to a Novant nurse. After several questions she assessed that indeed we needed Medic with emergency and dispatch actually made her repeat that. The process took 20 minutes. My son was scared and we were, too. At this point no Medic had even been routed. None. Lee and I took turns sitting with our son and standing on the front porch with the door wide open at 4 a.m. Maybe we're spoiled because we've been used to our fast first responders, our fire department, that used to be here before we finished dialing 911 and we were used to that. But we've been having that for decades. But we could hear no sirens, no sounds at all, no vehicles. It was eerily quiet, and we were alone. Still stunned, I called 911 back and they said that it had been 7 minutes since dispatched. A Medic arrived at 4:03 a.m. and they did recommend then that he go to the hospital. They said they could take him or they could help put him in the car. Our son couldn't stand. I know we took requiring first responding off of the fire department's plate and I dislike calling 911 for any kind of police matter. I certainly feel like I know what a dang emergency is. My mother died of a brain aneurysm and my father died in a gym

working out when he was 60 years old. And my grandmother with Alzheimer's was in the ER frequently with fractures. My son is okay, but when dispatch said keep him on his side and make sure he doesn't have a seizure, that to me confirmed emergency right away. While Medic deals with all kinds of frightened and harried people routinely, calling 911 should be considered an emergency. We are people with emergencies, we are not line items on a spreadsheet. We are callers and should not be forced to consult a third party to ascertain our need. I did post this on Save Downtown and I will forward you some of the other responses. Please bring in Medic and have them do a presentation about what their call responses are.

Luz Rosenfeld said I'm an international activist in which I actually take care of people that are with special needs. My request today is in reference of sidewalks where I live in Arden. Arden is a 55 and older community in which we do not have any sidewalks from the right or from the left. My dog and me do a lot of walking and the dogs as you know, guide dogs do not train grass, they train what you call sidewalks and that's how they are trained to walk and that's the way that I actually walk around. I have another request it's in reference to transportation. The transportation here called STS which is Special Transportation Service for people with disabilities that are blind, deaf or seniors that do not drive, it stops half a mile from Huntersville. I would like to make a request and see if it's possible to create awareness in reference to people that cannot drive or cannot get any type of transportation. You do have here places that they come. You schedule them, they come four hours late or they don't show up. If you call Lyft or if you call Uber, guess what, they see me with a guide dog, they just take off. They just do not help. I wanted to know if that's something that we can put on the agenda or you already have some type of plans in reference to do sidewalks or to create any type of transportation that will pick up seniors or people that are disabled in front of their door here because I know that there isn't any here. I come from a town called Doral, Florida in which I did sidewalks, ramps, things for people that have disabilities, like anything that they will need, it was provided for them. I'm not sure this is included but where I live, Arden, you're like a block and a half away from the right and from the left for me to walk and I just want to create awareness. There's people that are blind that need that kind of thing here. In Florida the whole city was surrounded with the bus or trolley that will pick us up in front of our door. I actually made that request and they did it. The city is now about 21 years old. When I moved there it was starting and they put all that into project.

Michelle Pace said I live at Huntersville Commons Apartment complex. Mine is about a 911 response. Mine was actually law enforcement because of gun shots to the point I had my 15 year old hide in the bathroom. It took at least 5 minutes for a live person to come on so I could tell them what I needed and then when they responded, when I told them where I live, they go we've got to send you to Huntersville PD. I had to wait another minute or two and when somebody else came back on, they were like you weren't supposed to be transferred, we take those calls. Went through the process. It took about 5 to 8 minutes to finally get to what needed to be done. I grew up here, I grew up around guns. I do not call 911 unless it's a true emergency, but to the point that my child was scared to stay home by herself today and she's 15 years old and at the point that she wants to learn how to shoot a gun to defend herself. I grew up here. I'm sad to see how this town has gotten to where it takes so long for somebody to come on 911. It wasn't like that when I was growing up. I will say that Huntersville PD was wonderful about response time. I have no issues with them, it's the 911 response time I have issues with. Something needs to be done because when you have children wanting to learn how to shoot to defend themselves, something is wrong.

AGENDA CHANGES

Commissioner Hunt made a motion to adopt the agenda.

Commissioner Dumas seconded the motion.

Motion carried unanimously.

CONSENT AGENDA

Approval of Minutes. Commissioner Bergsman made a motion to approve the minutes of the October 15, 2024 Regular Town Board Meeting. Commissioner Dumas seconded the motion. Motion carried unanimously.

Southern States Contract. Commissioner Bergsman made a motion to approve purchase contract with Southern States, LLC for the purchase of substation equipment needed for the new electric substation. Commissioner Dumas seconded the motion. Motion carried unanimously.

Contract attached hereto as Exhibit No. 2.

Budget Amendment – Electric. Commissioner Bergsman made a motion to approve budget amendment appropriating Electric Fund Balance in the amount of \$700,000 to Material Expense in the amount of \$350,000 and to Labor Expense in the amount of \$350,000 for Lodges of Stumptown development. Commissioner Dumas seconded the motion. Motion carried unanimously.

Resolution – Private Sale of Surplus Fire Truck. Commissioner Bergsman made a motion to adopt Resolution authorizing the private sale of a surplus fire truck. Commissioner Dumas seconded the motion. Motion carried unanimously.

Resolution attached hereto as Exhibit No. 3.

Construction Contract – Reese Blvd at Vanstory Dr. Commissioner Bergsman made a motion to adopt Resolution approving Reese Boulevard at Vanstory Drive construction contract. Commissioner Dumas seconded the motion. Motion carried unanimously.

Resolution attached hereto as Exhibit No. 4.

Accept Streets for Maintenance – Hampton’s Professional Center. Commissioner Bergsman made a motion to accept streets for maintenance in the Hampton’s Professional Center. Commissioner Dumas seconded the motion. Motion carried unanimously.

Street Name	From	To	Approx. Length
Northdowns Lane	Statesville Road	Hamptons Park Drive	375-ft
Hamptons Park Drive	End of Road – Barricade at north end	End of Road – Arbor Ridge Entrance	1005-ft

Accept Hunstad Boulevard for Maintenance. Commissioner Bergsman made a motion to accept Hunstad Boulevard for maintenance. Commissioner Dumas seconded the motion. Motion carried unanimously.

Street Name	From	To	Approx. Length
Hunstad Blvd	465' E of Statesville Rd	End of Road (Cul de sac)	100-ft

Accept Streets for Maintenance – Rosedale Subdivision. Commissioner Bergsman made a motion to accept streets in the Rosedale subdivision for maintenance. Commissioner Dumas seconded the motion. Motion carried unanimously.

Street Name	From	To	Approx. Length
Market Square Drive	Rosewood Meadow Lane	Rose Commons Drive	475-ft

Accept Streets for Maintenance – North Creek Village Commercial Subdivision. Commissioner Bergsman made a motion to accept streets in the North Creek Village Commercial Subdivision for maintenance. Commissioner Dumas seconded the motion. Motion carried unanimously.

Street Name	From	To	Approx. Length
North Creek Village Drive	Sam Furr Rd	Prosperity Church Rd	1835-ft
Village Crossing Road	North Creek Village Dr	Prosperity Church Rd	800-ft

Accept Streets for Maintenance – Walden Phase 6 Subdivision. Commissioner Bergsman made a motion to accept streets in the Walden Phase 6 Subdivision for maintenance. Commissioner Dumas seconded the motion. Motion carried unanimously.

Street Name	From	To	Approx. Length
Ravenall Drive	158-ft E of Keyes Meadow Way	154-ft W of Beecher Commons Drive	1373-ft
Casabella Drive	164-ft S of Ellery Channing Drive	141-ft N of Ravenall Drive	631-ft
Ellery Channing Drive	Casabella Drive	198-ft W of Chopin Ridge Road	420-ft
Chopin Ridge Road	144-ft N of Ravenall Drive	148-ft N of Ellery Channing Drive	490-ft

Call for Public Hearing – Petition #R24-12. Commissioner Bergsman made a motion to call a public hearing for Tuesday, November 19, 2024 at 6:00 p.m. at Huntersville Town Hall on Petition #R24-12, a request by TF Walden, LP to rezone +/- 21.599 acres located north of Huntersville-Concord Road and south of Ramah Church Road (Parcels # 01943117 & 01943169) from Neighborhood Residential Conditional District to Neighborhood Residential Conditional District for the revision to a previously approved term. Commissioner Dumas seconded the motion. Motion carried unanimously.

PUBLIC HEARINGS

Petition #R24-09 Town Center General Rezoning. Mayor Clark called to order public hearing on Petition #R24-09 Town Center General Rezoning, a request by Martha Rawdon, Larry & France Garner, Derong Huang, Franklin Lowry, & HFH Investments LLC to rezone +/- 3.213 acres located at 106, 115, 117, 121 Gilead Rd (Parcels #01711623, 01711620, 01711621, 01712208) from Neighborhood Residential District to Town Center District.

Staff Report and PowerPoint attached hereto as Exhibit No. 5.

Brian Richards, Planning Director, said there are four property owners who have applied for a general rezoning from Neighborhood Residential to Town Center. This is approximately 3.12 acres located just west of the intersection of 115 and Gilead Road.

This area in the 2040 Community Plan is called out to be Town Core and Mixed-use Centers. That's where you get most intense uses in this 2040 Community Plan. Again, pretty straightforward, a mixture of uses, different types of land, all things we're very familiar with, lots of the construction going on downtown now.

Additionally, one of the other things that's called out in the 2040 Community Plan is the different tiers. Most of these properties are located in the Downtown – Tier 2. As you can see, they're generally two to three stories, predominantly residential with some small-scale commercial. As this is a general rezoning, we do not have specific plans for these four properties. Each of those four would need to come in if they choose to redevelop and they would be subject to all the rules of the Zoning and Subdivision Ordinance, so this would rely on those documents.

The 2022 Downtown Master Plan calls for Gathering areas to be developed in the Primary and Secondary areas. These are areas of interest just west of the intersection envisioned to develop over time. We're getting some interest now, and with the purchase of the Red Line, I think we're going to see more and more interest in these areas.

You can kind of see what's already been going on. You can see on the north side you've got the Post Office. As we move east, you've got the Walk23, which is a mixed-use and commercial development, and we have the school.

On the north side adjacent to the 760 Brewery is one of the parcels. We'll go back down to the south, you've got multiple office uses. We have an approved multi-family development, some additional mixed-use buildings and then transitioning into homes that have converted over to offices.

On the corner you have the architect and design firm that did a change of use. And then we have a residential building, we have a home that's been converted over to a school which is now operating as a

business, and then you have the white home that's in disrepair, and then of course you have the mixed-use, the North State project that's going on there and Huntersville Town Center.

You can see this corridor has quickly transitioned over from a residential corridor to a mixed-use corridor and we envision that becoming more intense over time. Some folks had asked me a question earlier about why not come in with individual conditional district rezonings. Those can be viewed by the development community as a barrier to entry, so removing that just by zoning to the base Town Center district invites some potential projects that would not come before because maybe a smaller developer, a mom and pop, don't have the assets or funds to come and go through that whole six month or year long process to get a conditional district rezoning.

Staff is comfortable with this proposal. There's a number of reasons to support that in the 2040 Community Plan as well as the Downtown Plan. And we are comfortable with the strength and barriers that we have in those ordinances to support to get good development that would protect the residents and surrounding businesses in that area and we're here to support this.

Commissioner Dumas said can you talk a little bit about some of the specific differences in the different zonings – like sound ordinances, business hours, building height, things like that.

Mr. Richards said business hours, we don't have any restrictions on those. Those could come out of a conditional district rezoning and just to speak on that, if any of these folks wanted to redevelop and they wanted something that wasn't permitted in those uses, they would need to come back for a conditional rezoning to ask for a modification to that standard.

We have strong buffers, so if you were to come in and put an apartment building or something in there, depending on the density you might have a larger buffer as opposed to a smaller type building. In the Neighborhood Residential District you're allowed bed and breakfast, you're allowed boarding rooms, you're allowed congregate care facilities, family care home, single-family. You're also allowed commercial uses in a mixed-use building and you're also allowed full commercial uses in a detached building type within ¼ mile of the Town Center, which all these properties fall within. That's by right now, no changes today.

As you can see, some of those have already happened especially with the offices across the street and the former daycare/school. In Town Center you can do bed and breakfast, inns, you can do boarding rooms, you could have civic, fraternal and community clubs, you could have full commercial uses as you do now. It would be in a different style building. You could also have the same thing as family care homes, government buildings, you could do a hotel.

The size of these properties are smaller, so you're not going to be looking at large buildings. Building heights, they vary. We do have a massing scaling part of our ordinance that would restrict these, so if you have a single-story building, two stories is probably what you're going to get next door. Again, with these buildings and these parcels being the size that they are, they're not going to be conducive to three and four story buildings – you can't park them. You can't fit all of the infrastructure that you need for stormwater and those types of things on these parcels.

Commissioner Bergsman said I want to go back to the differences between the two zonings. For something like amplified music or live music, is there a difference between the two.

Mr. Richards said no, you could have that in both of the situations. Again, we would rely on the Town's nuisance ordinance and Chief Graham and his staff to moderate those types of issues.

Commissioner Bergsman said is there any possibility of having a multi-family project that would not have commercial.

Mr. Richards said yes and as a matter of fact just down the street in Neighborhood Residential you have that down near the orthodontist office. You have an approved multi-family building there right now. It hasn't been built, but it is able to be built, and you would have the same situation over here.

Commissioner Bergsman said hypothetically, because I know with the Downtown Master Plan there's a lot of talk and with North State of having commercial on the first floor and residential above, but that is not a requirement.

Mr. Richards said no. If you offered a mixed-use building, then you could have commercial downstairs or non-residential downstairs and residential upstairs. With the size of the parcels, it's pretty restricted. The one to the north is a little bit larger at 1.7 acres. You're not going to get a large building up there with parking and market rates. We have lower parking standards than what market drives. Parking is going to be the big restriction on these lots.

Commissioner Bergsman said I believe at least one of these parcels has either the whole house designated historic or there's historical components to it. Maybe I'm wrong. I'm thinking of the Henson Foley, the white house.

Mr. Richards said I'm sorry, you are correct. They did that not too long ago. Yes, they have historic designation.

Commissioner Bergsman said for a house that has historical designation, is there anything that would change.

Mr. Richards said no, they are going to continue to operate as the office. I did speak to Mr. Henson this afternoon and he said they have no intention of converting that over any time soon. Maybe a restaurant one day further down the line, but that would not change. Those are all uses that are allowed. The historic is more like the aesthetic of the building and they went through and did all of their infrastructure work shoring up that prior to getting that designation. Anything afterwards, if anybody wanted to make aesthetic changes to that building, they would need to go through the historic landmarks commission as well.

Commissioner Hunt said there's a concern from a resident about the general zoning simply because they didn't know what would go on that site. Do the folks wanting to rezone have any interest in maybe talking to the homeowner next to them to say like this is kind of the idea that we are toying with.

Mr. Richards said sure, we always encourage folks before they go through the change of use to talk to their neighbors. I do know there has been some conversations, but we can always encourage discussions as well. I know everybody received an email from the one property owner of the former bed and breakfast. There are no plans. If there are plans, we will definitely get them in touch with those folks. And, of course, everything is public record and I'd be more than happy to reach out to folks when applications do come in.

Commissioner Bergsman said are the applicants giving any kind of presentation?

Mr. Richards said I don't see anybody here this evening.

Commissioner Bergsman said none of the applicants are here this evening?

Mr. Richards said I do not see any.

Mayor Clark called for public comments.

Elaine Kerns said I'm coming to you tonight as a citizen of Huntersville, downtown resident, and a previous member of the Downtown Planning Steering Committee. I would like to strongly urge you all to deny this rezoning request for the following reasons.

There are no concept plans as was just discussed for the particular parcels in question. Given such a critical downtown location, I believe the responsible thing to do would be to know what the property owners plan to do with the parcels before approving any rezoning requests that would give them carte blanche. I would encourage each one of you to further look into the differences between the TC and NR zoning.

We are going to have 800+ new residences in this downtown area. They are currently being built. When they are all occupied this will more than double the number of residences in Greenfield Park alone and, of course, I'm thinking about traffic and cars and hundreds more cars in the downtown area. It's easy to have a failure of imagination because they're not here yet. Can we please wait until we can see and experience this reality before opening the door for even more density and therefore more cars on these streets.

Also, this is something that I just thought about, how might a TC rezoning which would allow higher housing density along Gilead Road affect the Town's plan to make this road conducive to a safe and walkable corridor to and from downtown. I don't know if it would impact it at all, but it was just a question that came to mind.

That's all, just again please deny this. This can be revisited later after everything is built and we know what we have here after we have the town hall, new businesses and a whole lot more people and cars.

Robert Kerns said I live about two blocks from the properties that we're discussing in this petition. Some of you may know me as Bob Kerns, Man About Town, who fruitlessly searched for the light rail downtown transit station. The only thing left of my search is high density zoning that was related to being within a quarter mile of the non-existent station. I'm still looking for it, don't worry. I'll get back to you.

First, this is important, none of my comments should be construed as criticism of my friends, Martha and Frances, two of the petitioners. Both of our families have a long history of friendship and loyalty to this town. My concern is for transparency and due process in town governance. You may be familiar with the term cart before the horse. Things should be in a certain order. How about pig in a poke. Any farmer would tell you don't buy livestock you haven't seen yet. I think we're in a condition like that. We don't know what's coming, we don't know what the plans are. Wouldn't this Board like to see the plans for these parcels before voting to rezone it for higher density. I know I would.

I suspect that some entity already has fairly detailed plans for these parcels. Probably yet more apartments to further overwhelm our already inadequate infrastructure. As my wife mentioned, there are already about 800 new residences that are in the works right now. I think before considering rezoning to a higher density which causes additional stress, maybe we'd like to see what the effect is of the ones that have already been approved.

I think we need to show a little more imagination, a little more care for posterity in our development of our town. How we make our town more walkable and bikeable, where are the agreeable common areas with trees and maybe a water feature. I suggest that all of the world's best loved and most vibrant cities have chosen to make such investments. Examples, Amsterdam comes to mind. Any town in Bavaria. Most of them in France. For Heaven's sakes have you been to Paris.....in downtown there's trees growing along every single street. We don't look like that. We look like an industrial area by comparison, but I digress. I ask you to please deny this rezoning at this time. Let's see the proposal first, then vote.

Amy Hallman (Jamie Wideman and Amber Kovacs yielded their time) said when the SNL writer was charged with writing the all-important opening skit to help Kamala Harris over the goal line, he or she probably felt enormous pressure.

Since the surprise mailing of R24-09, I too have felt enormous pressure, like it all rests on me. And while I may not be your first choice of resident, my heart is 100 percent with Huntersville. I show up, I put my name on it, and I mean well. Please don't hold my ADHD against me.

First, nice decision to buy Cashion's and to continue town hall. The 760, Huntersville Ice Cream Shop and many other stores have done a great job to start growing our downtown. I'd like to remind you that I was a big supporter of the Golden Cow project, Walk23 on Gilead and even North State's Maxwell Street townhouses. I showed up then, too, and supported these and even took flak for each one of those.

Tonight, I'm asking you to deny Rezoning Petition #24-09. On the surface it may be easier for the Planning staff to rezone multiple parcels at one time, especially without specific plans, but that is not the right idea for our downtown. Please ask yourself and others why do this, why this way.

This request is wrong as a group because they are raggedly pieced together. There is no flow. Require the petitioners to break up the request to individual ones and consider them individually, only with site plans. Use conditional rezoning only. I don't know why this wasn't presented. If not, you will remove almost any say that you as a Board has in what can and should go there and because Gilead is the gateway to downtown in Huntersville according to the Downtown Master Plan, input is necessary, crucial. Each parcel needs to be considered individually because building a downtown is delicate work.

Rezoning from Neighborhood Residential to Town Center allows for the highest residential density and the broadest allowances of commercial options, much more than NR. TC, once approved, does not require any further Board approval for specific projects. Buffers, tree save, gone.

I couldn't figure out why 106 was included in this petition at first. As part of Parks & Rec's wish list, 106 doesn't need to be rezoned. As a single-family home being rezoned to a single-family home, it doesn't need to be rezoned. And with no listed plan for what that property might be in the agenda or online, what makes the most sense.

I reached out to North State and just asked what their plans were for 106 and he said to me he's waiting to see what happens with this rezoning request first. This morning, I opened my email to see that the property owners at 108 Gilead confirmed to you that North State is involved. Why are they not included in this petition? They're certainly an important part of the equation.

According to the previous Planning Director, NR zoning was created to allow addition of some commercial businesses within the residential homes and feather in to or out from TC, while also operating with respect to existing residences.

The interesting thing is none of these applicants have any immediate need for such a rezoning.

121 already operates with 100 percent within NR zoning. They immediately began a beautiful restoration. They are on the historic register, and they have no immediate plan to change what they are doing, so why rezone.

115 and 117 Gilead are land development clients of the applicant at 121 Gilead and they have submitted no plans nor site projects. 115 has always been a single-family residence and trash receptacles inside were or are used to catch rain. There's been no new roof put on this house. In 2020 North State tried to buy 115 from Ms. Carol as part of their Town Center project. They couldn't come to terms on the price.

117 Gilead has most recently operated as a successful daycare 100 percent within ordinances of NR and has been vacant since June 2022. 117 has no new submitted plan and 121 is content. Why do this?

Is the purpose of rezoning 106, 115, and 117 to TC to benefit North State? If they want to build true mixed-use with at least 50 percent retail and commercial on some of these properties, it may be a good idea. But if they buy 106 Gilead, maybe they don't need 115 and 117 and vice versa. But if we generally rezone all these parcels to TC just in case, we as a town and you as a Town Board will have no say and we will miss the opportunity to have the 2040 Community Plan's DT8 preserve and celebrate and DT11 mixed type of residences.

106 Gilead is 1.7 acres. The right person could come along and buy it to restore, even as a museum with some Parks and Rec land, but if it is rezoned to TC now the property value alone will seal that house's demise. Only a residential developer could afford that, not unlike what's happening to our farmland. The property is family owned, full of Huntersville history, inherited by out-of-town siblings. Yes, they have property rights, but why is there no developer here when North State is clearly interested in it.

Let's talk about 117 Gilead. It sits fully beside and in front of residential property and the Greenfield Park neighborhood. While his application says his current use is daycare, it is not. According to an email I received from Planning staff, 117 Gilead was granted a change of use in April 2024 for a restaurant and not a Pint and Page as the sign in the yard currently reads. So, which is it, a biergarten, a restaurant, a Pint and Page, a resell. I don't know and you don't either. Why isn't the change of use online. Some are.

Rezoning 117 Gilead to general TC allows him by-right to have a biergarten, an outside business with more noise than inside businesses, which is what he originally said he wanted to put there, with outside drinking, music and activities until the wee hours of the morning, all at 30' outside my bedroom windows and he will have no restrictions, including the time of day the trash truck can collect from his dumpster. Within NR, the zoning in which he purchased this property in 2022, he cannot operate

outside those walls of his building except on his front porch, which makes sense among residences. This parcel alone is clearly its own rezoning petition.

Two addresses in the middle of all this, 108 and 119, which is my house, do not want to be rezoned but they will still be negatively affected. Also 108 was completely gutted and restored and 119, my house, is currently under renovation. This is not the case for 106, 115 and 117. Why do this rezoning?

There is no site plan for 106, 115, 117 nor 121, not even a concept of a plan. While this isn't required for a general rezoning, they're asking you to rezone based on speculation. I am not a speculation. Actual physical renovation is happening at 119 Gilead and happened at 108 and 121 Gilead to boost the beauty and the value of our downtown.

While the Staff Report doesn't convey the parcel's history, it's necessary. I have no more time tonight to discuss that so I will email and post those histories of these houses that I'm talking about, but suffice it to say 106, 108, 115, 119 and 121 are historic to Huntersville and Mecklenburg County history, even if not designated and we know Doc Craven's house became our greenway trailhead when the 2019 Town Board voted to demolish it.

It's been a difficult public hearing to prepare for. Juggling all these different and varied parcels as a resident and concerned citizen further confirms that dropping this general rezoning on us was a blitz offensive call. I hope you recognize how many moving parts there are to consider or to miss with such a petition. If you wonder why more residents don't come out, this could be the reason. It is simply too much to take on at a single time, Where do you even start?

Recently this Board commended Jake Palillo and the Northbrook residents for working together for a decent compromise for Northbrook Storage. Jake made many concessions and some on the fly during public comments. Developer concessions were made by Hotel Ventures of Lake Norman, Long Creek Entertainment and certainly residents in both these areas made concessions. If you approve this general rezoning, you will be disallowing the compromise to happen here.

In 1920 my great, great grandmother, Mary Rogers inherited a piece of what is now 106 Gilead Road. She sold her interest and bought our house at 119 Gilead Road. When my renovation is complete our son will be the sixth generation to live in that family home. Will that plan change? It might. But I'm not asking the Town to get involved until I do know. I'm doing my part until then and I'm showing good faith. Please separate it and deny it.

Lee Hallman (Kevin Wideman yielded his time) said I'm here to reason against the general rezoning of the 100 block of Gilead Road from Neighborhood Residential to Town Center. There are six properties in this area, the four on the application and two that do not support being rezoned. The two against rezoning are active residences and would be engulfed by, and subjected to, the externalities that come with more intense commercial development afforded by Town Center zoning. I'm asking that you reject this request and ask the applicant and owners, or potential owners, to come back with an application for conditional rezoning so that each project can be vetted by Town staff and boards.

This being the 100 block of Gilead Road makes it the welcome sign to the downtown. As such, we must continue to be careful with the development that happens along the corridor. So far, we've done just that. The 760 brewing got the ball rolling as we owned the property allowing us to choose the business we desired. Some might argue that the Town Center project provided the necessary density to support more retail and restaurants. You have decided to opt out of NCDOT's widening of Gilead Road to keep

our downtown from becoming a major thoroughfare. We must continue that diligence by using our rezoning process to ensure we get exceptional results as these properties develop.

Recall that Neighborhood Residential zoning was created along this corridor to allow property owners to convert their residences to businesses without having to go through major structural changes. That process has worked well so far. Granting general Town Center zoning could strip the Town Board's input into the development of those properties. For a by-right build the staff and town boards would not see anything until the bulldozers arrived. Beyond that, any modifications to our design standards would be administrative and again town boards would not see that. If the idea, as many suspect, is to soften the zoning with this action, then when a project plan is required our only input would be minor, a buffer here, a fence there, with no material influence over what's added to our downtown. We will find ourselves resigned to the "well ok, it could be worse" decision. We use that much too often already. At least it's not more apartments or storage units or another bar. You get the idea.

Let's look at each property individually.....106 Gilead, beside 760 Brewing, is owned by two sisters who live in Concord, and has been vacant for 20+ years, 2 acres of prime property and an historic house that could be saved, but with a general Town Center zoning, it's likely to be torn down for higher density housing.

Across the street you have 115 Gilead, vacant for about 2 years, bought by a local food truck vendor with the intent of putting in a kitchen only to discover structural problems that make it now a tear down, with TC zoning, more marketable to an active developer.

Also vacant for two years is 117 Gilead that was once a preschool. We know the owner has a change of use to a restaurant for this property which is allowed in the current NR zoning. We also know that this owner, with the help of staff, initiated this rezoning due to one factor that he desires that is not allowed in NR, outside consumption of goods and services beyond a front porch, in particular alcohol sales as indicated by the 'coming soon' sign on the property....a property that is 30' from a residential bedroom at 119. The last property is the applicant's own and currently houses an engineering business with no intention to change that anytime soon.

So why are we doing this? Are we willing to give up any chance of having input into the development of this block? Do the residents stand to gain anything in return for taking down these barriers? Have no doubt that this is simply a real estate speculation exercise. This enhances the property value of these four lots, it increases the revenue generating potential of those properties by adding more intense commercial uses like hotels and nightclubs that can be built by right. Why would we administratively grant that value without having a solid set of plans, a commitment, from the applicant? The applicant will likely give you some ideas of what is intended for these properties, but again don't be distracted by the concept of a plan. Let's have him come back with conditional rezoning and site plans for this potentially iconic block of downtown. Let's not let our brand be well it could've been worse.

In closing, a general rezoning with no plan, no commitment, is effectively giving away any influence we might have over this area of downtown in direct opposition to 2040 Plan Policy EV-1.3 Protecting Strategic Development Sites. We won't get what's best for downtown. We'll get what's most profitable for the developers.

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

Petition #R24-05 Hillco Skilled Nursing Facility. Mayor Clark called to order public hearing on Petition #R24-05, a request by Novant Health Inc. to rezone approximately 13.9 acres of land from Corporate Business to Campus Institutional Conditional District. The property is located at 13600 Reese Boulevard East in the Huntersville Business Park (PIN 01719110).

Brad Priest, Assistant Planning Director, entered the Staff Report into the record. *Staff Report and PowerPoint attached hereto as Exhibit No. 6.*

Petition #R24-05 Hillco Skilled Nursing is a conditional rezoning that we're looking at today. The property in question is here in the Huntersville business park on Reese Boulevard East. It's on the east side of the park adjacent to I-77. They are looking for a rezoning from Corporate Business to Campus Institutional Conditional District. This is a similar zoning that Novant Hospital is currently zoned as well. They are looking to do a congregate care facility and that's essentially a skilled nursing facility or some call it a nursing home, some call it extended stay services for nursing situations, so we can talk a little bit about that if you have any questions on it.

Just to get a little bit of an overview of the site, here on the top left is the aerial, so a lot of trees. There is a creek. On the bottom right you see a lot of in the brown shaded area is floodplain that cannot be built upon and overlaid onto that plan is their plan. It's a very tight site that they are trying to put things on here.

Here's the site plan that has been submitted for review. It's a one-story building, 72,000 sq. ft. It would have 110 beds for people who need nursing assistance. We talked a little bit about the floodplain limits and just a note about the Huntersville business park because this does come into play. Generally, the Huntersville business park was approved in 1986, so the ordinance that applies for by-right development if someone came and just wanted to build an office building they would go from the rules from the 1991 Huntersville Zoning Ordinance, so a lot of things in the current ordinance would not apply. However, because the use of congregate care is not permitted in the old Zoning Ordinance, the applicants are seeking to come rezone the property to allow the new use that also opens up the new zoning requirements from the ordinance. So that's something very particular to this application.

I wanted to just give you another highlight in regard to where the building is in relation to the floodplain that is shown here in green that cannot be built upon. Obviously when you look at a commercial building or you look at the other skilled nursing facilities in Huntersville, those buildings are usually up on the street. They front the street, the parking is in the back. In this situation that's not really possible, because of the floodplain they can't build in it. We worked with the applicant to do an alternative frontage. The Zoning Ordinance allows buildings to front on urban open spaces, public spaces, in addition to public streets. There's a private drive that goes back to a very large roundabout that is simply sidewalks and grass right now. The applicant has agreed to take that roundabout and turn it into an urban open space, a place where people can walk, go out and sit, and enjoy nature, do some landscaping on it and turn it into a nice plaza. That would be their frontage condition that they would be fronting on in this application. That's very unique to this application and staff is looking forward to working on that as well.

Just a slide just to emphasize and zoom in to the alternative frontage. Currently it's grass with a couple of sidewalks, but as you can see they are wanting to put landscaping, seating and sculpture shade elements that you can sit under, almost artistic in nature. It would be very unique to the business park and be a compliment to both of the buildings to the right and to the left.

We are working with the applicant on a few things that need clarification on the bottom of the slide. I can get into those but the top ones there are because of the floodplain there are many modifications that the application is asking for from the ordinance through the conditional rezoning plan, so again the ordinance says that if you do a conditional rezoning and the applicants go above and beyond, they do excellent design, they do this and that, they might need some flexibility from the ordinance and so that's what they are asking. From the Staff Report, staff outlined the reasons for those modifications. I'd be happy to answer any questions you have about those.

The alternate frontage, one thing we do want to work with the applicant on and we have discussed with them is making sure that alternate frontage, the urban open space, the adjacent property owner who it goes onto their property a little bit is willing to work with the applicant on building it and maintaining that, so that's still a question that we just want to make sure it's feasible to actually do what we are proposing to do.

The uses proposed – change the uses, narrow them down to the skilled nursing facility. Why is that important, because the skilled nursing facility, as the applicant is probably going to come up and talk about, they are going to have a lot of medical jobs added to this facility and that's important in an employment generating business park and we'll talk a little bit about the 2040 Plan. The 2040 Plan calls this an Employment Generation area, so having that employment generation is important. Uses in the CI district can range from universities to churches to schools where you don't really have a lot of that, so narrowing up the uses just to make sure what is proposed with the employment generating medical facility would be the one that's actually going to be built to meet our 2040 Plan recommendations.

Tying up some building elevations, making sure the very unique and modern building elevations are committed to, we'd like to work with them on that and then as mentioned in the aerial, there's a greenway that's actually going to go along the frontage, a Town greenway along the frontage, so looking for at minimum an easement so when the Town is ready to build that greenway we can go in and build it or if the Town Board is looking for an opportunity for more public benefit or excellent design, the applicant could build that and there is some willingness I believe on the applicant's behalf to do that so they might talk to you about that as well.

Where are we with the recommendations on the 2040 Plan. Again, this parcel is in the Employment Center, a future land use recommendation, and so that's what you would expect for the Huntersville business park. There's a lot of policies from the 2040 Plan that really hit the mark for this application. I won't go into them all, but I mentioned Land Use Policy 1.1, using that map having a use that is going to encourage employment in Huntersville and certainly they are going to do that with the information that they submitted with a lot of nursing jobs. I also want to touch on Land Use 8.2. Instead of just putting a buffer along the street and calling it a day, they're saying how can we make this use really kind of like a Huntersville use and front on something unique and be pedestrian oriented, so they are taking that roundabout and upgrading it. That's going above and beyond in that way. Staff believes that this proposal is consistent with the 2040 Plan.

Staff recommends approval with those note clarifications. There are a lot of bullet points there, but many of them can be fixed with just an alternate note, so staff is recommending approval. The Planning Board is scheduled for 11/20/2024 to make their recommendation, and staff recommends approval of the modifications that are in the plan as well.

Commissioner Hunt said can you talk more about Stormwater Administrator Rusty Rozzelle's opinion in how this won't affect the floodplain.

Mr. Priest said the applicant has to get some modifications in working with the Engineering Department how I understand it, it's two things that the Engineering Department is looking at. One, the applicants are having a lot of problems with the topography to get the water that does fall to go in the appropriate location. It's very flat so it's been difficult to get it to put it in a pond to filter it and then put it in the stream. So that's part one. There's difficulty there. Part two, going back to where we are with the Huntersville business park. None of the Huntersville business park, nowhere, do they have water quality devices because they are vested. If someone came and just built an office building here that was approved under the old code there would be no water quality. All of the water would go straight to the stream, so in this situation the applicants are treating maybe about half, 40 to 50 percent of the water that is falling, then the rest of it goes to the stream. From engineering standards, they're saying we're getting something when before we would have got nothing. From an environmental standpoint that was worth getting a recommendation for approval on those modifications, if that helps.

Commissioner Bergsman said in the Staff Report it mentioned that for the roundabout or the plaza that we're still waiting on permission or approval from the adjacent property owner. Is that something that's still outstanding.

Mr. Priest said talking to the applicant, they're researching the cross-access easement that allows them to go on there anyway to see if they can go in and do those improvements, if that's included in the easement. They do want to talk to the property owner about who's going to maintain it because if they put more sidewalks, they put more landscaping, there's probably going to be an agreement to say okay, who's going to limb up all the trees. If the sidewalk breaks, who's going to fix it, because it's not a public street. This is going to be on private property. That's information that's ongoing, but they're confident that they can do that and so that's why we just put it in our recommendation as something that we want to work on and then as we go through the process hopefully we can get that tied up before final approval.

Commissioner Rivers said the current rezoning issues, I know the I-77 buffer, was that a recommendation from the Town to ensure that there is a buffer?

Mr. Priest said yes ma'am.

Commissioner Rivers said how close are they to 77 in regards to this buffer?

Mr. Priest said they are proposed to have a 20' buffer, so that 20' would go right up to the right-of-way of I-77. The reason why staff is good with that, two reasons, that the constraints of the floodplain really reducing the size of usable area. Two, the business park again they haven't buffered anything because they haven't had to because the rules for today don't apply, so there really are no buffers. So having any buffer is better than what's adjacent, but then three, with 20' just emphasizing evergreen trees, evergreen shrubs with even 20' staff is confident that we can get an opaque buffer that will function over time and still be operational. With those three things we were okay with the reduction from 50' down to 20'.

Robert Irvin said the purpose of this slide is to show the surrounding uses in The Park. *Refer to PowerPoint attached hereto as Exhibit No. 7.* What you will see here is a lot of large corporate and industrial users with the requirements for large building footprints and large parking facilities, so when you have a skilled nursing facility like this, it gives it a little bit more flexibility to fit in some type of property that's a little more constrained. If we zoom in here, the unbuildable area right there, and if you

look down in the bottom left you see the frontage and there's really no frontage and that's why we're doing this urban open space. As Brad mentioned one of the comments in his Staff Report was a suggestion to wait until the county designs and builds the greenway and then what the applicant would do would be to put in that sidewalk right here as a 12' multi-purpose path instead of putting in a 7' sidewalk and it not really matching up with the greenway, so that's something the applicant is willing to do.

Here's your helicopter view of the facility and as you can see there's a little bit more space in the front for some handicap parking and then there's also a secured entryway for patients and visitors and the entire facility is bounded by the urban open space and then I-77 in the back.

Now we can zoom in on the entryway and what this shows here is we have some architectural elements, some facades and some like vertical designs in the building and then we also have some different types of materials that are used and Brad asked in the Staff Report and with conversations with us, that we provide some examples of materials that we are going to use and so we are happy to provide that.

Here's the roundabout. Here's a little bit different view of kind of what a potential design is. You can see on the left this is what it is now, it's pretty burnt out grass and sidewalks and what we want to do here is have seeding, have other sculptural shade elements and make a really good walkable pedestrian element and have that be the frontage of the building.

He touched a little bit on the buffer. This is just a little cross section. It gives you an idea of what that buffer would look like. The bottom is when it's initially planted and the top is at full maturity and so you can see that this skilled nursing facility is a one-story building and compared to the buildings next to it, those buildings are almost 40' and so this buffer will definitely shield the facility from I-77.

I think this is some of the most important information, that the facility is going to create 160 jobs.....very important for an Employment Center and then according to Huntersville Health & Rehab data, the town is already operating at 90 to 99 percent of licensed nursing home beds and so this is a critical need, especially when you look at Huntersville's growth, you look at aging population and you look at the hospital right next door and you look at the new hospital coming in right down the road.

Economic benefits, just from construction in Huntersville we have \$30 million in direct and indirect benefits from construction of the facility and then we're going to have property taxes of close to \$70,000 a year. And then as far as the Huntersville 2040 Plan is concerned, this is an Employment Center and the 2040 Plan contemplates institutional uses like this and for a use that's going to add 160 jobs, it's a great addition to the Employment Center and it fits in well with the 2040 Plan.

Finally, Brad hit on these, but compatibility with the 2040 Plan. It really fits in well with the plan and would be a great addition to this Employment Center. We have our team here, we have Emily Buehrer from Stimmel and we have Jonathan Rodgers from Principle LTC to answer any questions.

Commissioner Walsh said I just want to make sure I understand, staff had asked you to narrow the proposed uses, you're good with that and complying with that, also removing the sample elevations, so you guys are good with that. Can you walk me through the greenway thing again?

Mr. Irvin said on Reese Boulevard right there we would be required to put a sidewalk on that street frontage, but if you go back to the third slide, you can see there's like a little dotted line, it comes right here and it crosses and then it goes down. This is where the greenway is proposed and that's not

official. That's not finalized and so what we want to do is wait until that's finalized so we know where the connection is going to be and then the applicant can build that 12' multi-purpose path to fit in with the greenway connection.

Commissioner Walsh said Brad, we're good with that?

Mr. Priest said yes. The design of the greenway is currently underway. There's a couple options that staff is looking at where it needs to go close to the road a little bit further back from the road so what we are looking at is just saying let's put a note on the plan just committing to it. It doesn't have to be in the right location, but when the greenway is actually constructed the applicants are willing to build that multi-use path along their frontage and then we're good to go and then they'll do that once that greenway is actually designed later.

Commissioner Walsh said we would tie it down to a specific amount of time?

Mr. Priest said correct. Concurrent with and with staff's direction and have the note say exactly that.

Commissioner Bergsman said with that urban open space roundabout, there seems to be a couple of different names for it. Are there plans to use like pavers or different surfacing to differentiate it and give it a bit more of an aesthetic appeal?

Mr. Irvin said we do have plans for that. I'm not sure if you want to share anything.

Emily Buehrer said in the sketch rendering that we had, it showed keeping the sidewalks but then adding either some crushed granite paving to add some textural and sensory differentiation with the pavement materials in there, seeding and then different plant materials, ground covers and trees, trying to keep visibility through there so that it feels like a safe area with kind of an overhead canopy and then low planting so that it maintains visibility through there.

Commissioner Bergsman said that gray area kind of in the center, that's representing gravel of some sort?

Ms. Buehrer said yes, in the circular area in the center.

Mayor Clark said I assume that this applicant has had to obtain a Certificate of Need to build a skilled nursing facility in this area. Do we know if that has been done.

Mr. Irvin said yes.

Commissioner Bergsman said I'm just thinking skilled nursing home, wheelchairs, ADA accessibility, so that's gravel but the white kind of "x" that would be like an ADA accessible so that folks who are ADA or need ADA resources can still utilize that space?

Ms. Buehrer said any material that we would use would be ADA compliant and the sidewalks that would be maintained there would be ADA compliant. We would add curb ramps in for accessibility to and from that space.

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

Petition #R24-06 Rosedale Infill. Mayor Clark called to order public hearing on Petition #R24-06, a request by Antiquity Woods LLC - Joe Roy to rezone approximately 0.186 acres of land located at 9923 Ansonborough Square from NR (TND-O) to NR (TND-O) CD to develop four townhome units.

Staff Report and PowerPoint attached hereto as Exhibit No. 8.

Nathan Farber, Senior Planner, said the applicant, Antiquity Woods LLC, is proposing to rezone 0.186 acres of NR (TND-O) to NR (TND-O) CD. To the north of the property there is the existing townhome development and apartments and to the south is Rosedale Commons shopping center with Harris Teeter.

A little background, the R98-12 rezoning was approved in 1999 and this created the current Rosedale mixed-use development and then later in 2001 Meeting Street Homes submitted R01-13. This rezoning amended 3 acres of Rosedale for townhomes and it included 26 townhomes and 7 live/work units. Today the R24-06 rezoning is proposing to modify those R01-13 plans to construct 4 additional single-family attached townhomes on 0.186 acres of vacant common open space which would bring the total count of the entire development to 37. The rezoning stormwater is being met via the existing Rosedale wet ponds and the water quality is being met using a buy down mitigation and a TIA was not required.

The original Rosedale rezoning only required one urban open space to be provided. Today's rezoning will not affect that existing required open space and the subdivision will remain in compliance and the subdivision's common open space was not a requirement of the previous rezonings. The previous ordinance language just stated that any leftover vacant land to be labeled as common open space.

The applicant does have one modification request to Article 4.11 which states that the building facades are to be generally parallel to the front property lines. The applicant is requesting to front on an urban open space that will not be generally parallel to the public street. Staff is in support of this modification request as the proposed homes would be oriented towards Ansonborough which is similar to the existing units and provide an urban open space that connects the units to the public street.

This is the urban open space that is being proposed. It will provide a sidewalk connection to Ansonborough for the entire development to use. It includes a bench, landscaping, an art piece, and they're planning on using pea gravel as the surface below the seeding.

The parking requirements for residential dwelling units with more than one bedroom is 1.5 spaces. The development would require a total of six spaces and the applicant is providing seven spaces. One of those spaces will be located in a garage within one of the townhomes. The parking will be accessed via the existing private alley drives and the overall Rosedale townhome development will still remain in compliance with its parking standards.

The proposed units will remain consistent with the overall character of the existing development which includes its massing scale, though stylistically the units are proposed to use white Hardie board which is a different material and color than the existing red brick that the existing townhomes are using.

The rezoning site is located within the Town Core in the Rosedale Mixed-use Center and is supported by the following policies as noted within the Staff Report. It is not currently supported by LU-8.2, which asks that a higher design standard be used above the minimum requirements. In order for this policy to support the rezoning, staff is asking that the applicant provide a conditional note on the site plan that formalizes the elements of the urban open space. We're asking for this in order to ensure that once this

is constructed, we get exactly what's on the site plan and with that staff is recommending support for this rezoning. We are recommending that as long as that conditional note is added to the site plan.

Commissioner Quarles said is there a reason the applicant is going with Hardie board versus the existing brick?

Mr. Farber said that will have to be a question for the applicant and I do believe they are here to answer questions and provide a presentation.

Sonny Crater said I'm here on behalf of Meeting Street Homes and Communities and Antiquity Woods. To Commissioner Quarles' question, the same set-up was done in Antiquity in a very almost identical situation where the townhomes that were surrounding in the original part were the brick, but they made just a little bit of an accent by putting the two townhomes that they did at that location, they did use a cement fiber siding or James Hardie siding which some don't use that, but this just is to provide a little bit of texture change and certainly materials are every bit of quality as the brick. That's pretty much the reason that they did it. The only other thing that I would say and I kind of went through this during Covid, is the bricks that were used at this location I could no longer get most of them, so it would be pretty difficult to duplicate that exactly.

I have an actual photograph, but this one is actually the rendered one that shows you through that window that you have in that corner where the townhomes with siding and I think with a little plaza in front of it, that's really adding a very nice detail to the proposal. *Refer to PowerPoint attached hereto as Exhibit No. 9.*

Commissioner Walsh said it was mentioned before about this idea of providing a note stating commitment to formalizing the urban open space. Are you going to provide that?

Mr. Crater said yes, the plaza is the open space.

Mr. Farber said I think he's asking if you guys are willing to provide a statement that we were asking for.

Mr. Crater said yeah, I believe that was sent to you, but absolutely. I think that's the only way to do it.

Commissioner Walsh said what's the price point going to be on these?

Mr. Crater said the price point should be under \$300,000 or under \$350,000, which by today's standards is certainly in the affordable category.

Commissioner Hunt said with these units being more in the affordable range, what about the HOA fees, because sometimes those might be cost prohibitive for people who are looking at affordable, so can you talk about that.

Mr. Crater said well, I think actually and Joe Roy is actually working on the function and if y'all have been involved with affordable housing, that will probably be a little bit different set-up than the other three that will be market rate that can handle those HOA fees, but I think at the end of the day and that's something that Joe would have to.....he's just trying to work out how to do it, but I'm sure there's going to be some sort of assistance in the overall pricing or payment structure to make that feasible.

Commissioner Bergsman said I want to go back to the Hardie siding versus the brick. I understand that you can't access the exact same color, but I personally looking at the design feel that I would prefer brick. I don't know about everybody else, but is that something that is still possibly on the table or are you pretty set on the siding?

Mr. Crater said I appreciate your point of view and obviously brick's great. I think that one of the challenges in getting these in a price range, and the price difference isn't dramatic, but it's enough that every bit counts. Again, Joe and I actually kind of acquired this property in 2000 and went through the redesign and rezoning and so it's very dear to us. Some of the things that we've created and over the years, even though a lot of time has passed, the architecture has always been absolutely superb and if you look at Walk23, he's currently doing not just the townhomes that you see facing the street, but the homes facing the back. I think you would agree that they are extremely attractive.

Commissioner Bergsman said so I guess maybe my follow-up to that is I'm curious with that HOA for townhouse.....with the other townhouses being brick and one issue that would be different with siding, I mean I have white siding on my house and we have red clay in our area, so I am very familiar with how they need to be maintained.

Mr. Crater said I've actually done quite a bit of construction with that and you really have to go back once your landscaping is established and kind of hit the bottom sections of it, but he will be using the James Hardie Color Plus which is compared to regular....going out there and painting it lasts far longer and being white it may be 20 years before you notice that it might have faded a little bit.

Commissioner Bergsman said we have to have ours pressure washed on a yearly basis, so is that something that would be the responsibility of the property owner or the HOA for that?

Mr. Crater said at this point it is yet to be totally decided that it would be a part of the existing HOA even though I would think that's the likely scenario. It's not uncommon to have some different elements within the same HOA that may require a little tweaking what their fees are.

Commissioner Bergsman said I've got two other things. I saw at the community meeting in the minutes someone had mentioned about the mailboxes and I'm just curious where those are located, because I think it was said that some people currently use this as kind of a cut-through to the mailboxes. I'm assuming there is a path that could be used alternately.

Mr. Crater said right now the split between those two buildings, there's a white fence there. I'm sure as owners they feel fine to cut through there, but there perhaps are others from nearby that are doing that. There's still a way to get there, it's just going to be a little prettier walk than it is right now.

Commissioner Bergsman said there are very clear alternate paths to get to them, that's what I was trying to get at, an answer to that.

Mr. Crater said they certainly can walk through the grass is what it is now.....they'll have sidewalk part of the way. In our meeting it seemed that there were probably more that drove.

Commissioner Dumas said would you consider adding a path along the side to the mailboxes?

Mr. Crater said so far Mr. Roy has been really not wanting to do that. We've got some drainage things going on on that side and there's still a way to get there, it's just getting closer to the building where that would have to be, not totally practical.

Commissioner Dumas said it just seems to me that people are going to walk that way anyway and they already do, so it might be something to consider.

Mr. Crater said that's something I certainly would have to talk to Mr. Roy about. I know that we have discussed it before and as we've gone along through some of this process that really is not part of the motivation. There's several things going on, but we've kind of gone through a process like it was a whole new development and trying to keep some reasonable cost so that we can keep affordability into it, but I would certainly ask that.

Mr. Farber said urban open space currently will already have a sidewalk that goes through a portion of that existing private drainage easement.

Mayor Clark called for public comments.

Brian Warren said my wife Jamie and I are residents on Ansonborough Square in one of the existing brick townhomes. When we became aware of this, obviously we were curious as to what was going to be proposed and white Hardie plank in a community of existing all brick townhomes is obviously a concern. These units, one of the four will have a garage. All of the other existing units have one or two car garages. Regarding that pedestrian plaza, that's basically access for those four units to be brought in through an egress in and out of their front doors. One of the more interesting aspects is none of these units are planned to have any sort of rear shielding from their backyard porch. There's no storage without a garage for potted plants, tools and we've walked neighboring areas where those type townhomes do exist, and it just doesn't really fit with the community as it currently sits. It just feels like why weren't townhomes put on this common area lot 20 years ago when the development was originally built, and it just feels like they might be shoehorning in for units that don't fit. Architecturally they are going to have different elevations, frontages, facades, materials, the amenities of garage or not, and so you're going to be coming in through that private drive right into the open rear yards of those four units. They are not going to have privacy for themselves and we're not going to have privacy from themselves. It's obviously something I would say is unanimously within the residents not desired. I don't know if any of these objections or issues arise to the level of reasons to deny the rezoning petition, but I think that's what I would ask for. It's a nice community. It's all the same. I don't know, I can't find the words for it right now. But I just wanted to come down and state those things. There is the childcare center right across that private drive to the west. I don't know what kind of consideration might need to be made for that.

Jane Guzauskas said I'm a Huntersville resident in the Meeting Street townhomes. First, this is not what I came to talk about. I came to talk about these units, but not particular about what I'm going to say right now, which is also the brick facade. We actually have four different bricks used as the facades to the original townhomes, so as far as those bricks not being available, a different sort of brick would be better than white Hardie board sitting in the middle. Also, and I can't find this, on the top of this screen is the northern direction. The northern tip of these four units, I'm not sure what the setback might be, but there's a lady sitting here whose three-bedroom condominium has a wall of south facing windows that are going to be right in the nose of these four units, as does another three-bedroom unit that faces west towards the parking or towards the private drive. Twenty years this lot has been empty. Maybe two units would not be as profitable for Meeting Street as developers, but it would certainly be more

aesthetically pleasing to the homeowners at this point. What I came to talk about is beyond the southern private drive there is what is called a street. It's called Rosedale Meadow. There's no street sign on the east side of Reese Road. We are between Reese Road and Rosedale Hill and Rosedale Meadow borders this complex on the south side, which is just outside of the private drive. When I come out of that drive in the morning, there's what's often times there. This is a truck with a big trailer behind it that sits there on the wrong side of the street. We drive on the right side of the street. This is facing west, so I would be driving west and the people driving east would be face-to-face with this kind of thing. This is not unusual. This is every morning. Here's a large truck. Harris Teeter of course has all their deliveries that go on back there. Here's another one. Facing Reese Road this truck he's on the left side of the street facing west. We drive on the right side of the street. We would be going west. These people are never ticketed for this. They are always parked there. It starts at 2 in the morning and it's constant.

Harold Hudson said I have owned my property for 17 years. I've been a resident of Huntersville for 37 years and love Huntersville and love our community. It's a really great place to live. I agree with what Mr. Warren said and I think I've been the HOA board president for more years than I would have liked to have been. I agree that the building materials are our primary concern. There's really no reason if Mr. Roy was forthright in saying that there's not a big price difference as he did at the information meeting, he said that, that it wasn't a big difference in the cost. There are concerns about privacy that have been mentioned, the access to the mailboxes, it's a private alley that we pave and maintain. There are already enough problems with traffic and the Lot 34, which is a center lot, and I really appreciate you asking about that because we found out some years ago unfortunately that we didn't own that property. We thought we did. The taxes had not been paid on it in 20 years and that was quite upsetting to us, so we've been through some dialogue with Mr. Roy over the years about his property and the use of his property. I really think that four in there is way too many. The building material should be changed. I think he has a legal right to build there. I'm not opposed to that at all. I would urge you to slow the process down until we have some questions answered about how he's going to actually build these.

Ellie Joensen said I'm a new resident. I'm on the adjacent three bed house here, so I would also be looking at the townhomes. I wanted to come to strongly oppose the use of this land for further townhomes. As important as everything everyone has said is and like the environmental impacts the project would cause, I do want to point my thoughts in a little bit of a different direction. I know here on the corner it looks bigger than it actually is. It's roughly 0.2 of an acre. I know one of the recommendations is that there's already a greenspace in the center of the square, so that already technically meets the requirements for the zoning, but the courtyard isn't conducive to the various activity that this greenspace where the townhomes would be. I see use of this space all day everyday – dogs, people walking through to the mailboxes. It's personally something I love about living there on the corner is just like seeing people, seeing it be used. I've grown up in Huntersville. I moved away for a while, but I think something that makes Huntersville special is the spaces that promote these type of activities – time with family and friends, space for animals, what have you. I don't want to see more of that disappear. And I do think that the destruction of the space is not equitable to the amount of housing that it would create. Like I said it's just not enough space for four townhomes. I think that the more we can oppose changes like this in areas where the proposal considerably diminishes the integrity of the neighborhood for reasons that they've already stated, the material for the housing not being brick.....at the rate Huntersville is growing I think preserving spaces like that just a small green space has to be a priority and the value of current residents' space, privacy consideration shouldn't be ignored and the value of spaces should not be ignored as well.

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

Petition #R24-08. Mayor Clark called to order public hearing on Petition #R24-08, a request by Stephen A. McLane to rezone approximately 0.591 acres from Corporate Business to Neighborhood Residential.

Staff Report and PowerPoint attached hereto as Exhibit No. 10.

Nathan Farber, Senior Planner, said the applicant, Stephen A. McLane, is proposing to rezone 0.591 acres from Corporate Business to Neighborhood Residential. To the south you have the Industrial – Commerce Station development and to the north you have the existing residential homes off of South Church Street.

The applicant, Stephen McLane, purchased 0.591 acres of Parcel ID 01540105 from the Town of Huntersville earlier this year to recombine with his existing Parcel ID 01909440. This new parcel has been assigned the Parcel ID 01909448 by Mecklenburg County. Parcel ID 01540105 was Town owned land that was once part of the right-of-way needed for the Verhoeff Drive bridge extension into Commerce Station industrial park. This project was completed in 2012 and the remaining right-of-way was no longer needed. The applicant submitted an official bid to purchase 0.591 acres on June 17, 2024, and the Town Board later approved this bid.

Staff recommends approval of the rezoning as it is consistent with the adjacent development north of Verhoeff Drive. Staff would also recommend updating the Future Land Use Map from Employment Center to Moderate Density in order to be consistent with the surrounding residential properties.

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

OTHER BUSINESS

Resolution – Stumptown Road Extension. Stephen Trott, Director of Engineering, said before you is an item to update the Town CIP for the Stumptown Extension project and also endorse the application to the CRTPO for the Stumptown Extension.

The Stumptown Extension project is one that the Town previously applied for funding a couple of years ago. At that time the eligible portion of Stumptown that we could apply for was the work along 115 and along the existing part of Stumptown to the west of there. Since then, the application process has been changed to now allow roads that have not been built to apply for funding and so this application would be to apply for funds for the other part of Stumptown Extension that was previously not included in the application. If the Town does apply for this then that could be more funding towards that current project, if it was a selected project as part of the CRTPO process.

Commissioner Rivers made a motion to adopt the Resolution to revise the CIP and submit an application to the Fall 2024 Charlotte Regional Transportation Organization Call for Projects for the Stumptown Road Extension between NC 115, Old Statesville Road and Aberfeld Road project.

Commissioner Quarles seconded the motion.

Motion carried unanimously.

Resolution attached hereto as Exhibit No. 11.

Resolution – Oliver Hager Road Extension. Stephen Trott, Director of Engineering, said the same process as the last one. This project to submit to CRTPO for funding is for the Oliver Hager Road Extension. On the west side of town Oliver Hager or Irvin Cook Road is one that's planned to extend from 73 all the way down to Gilead Road. Portions of the road exist. The southern portion exists today. The very northern portion is under construction by a subdivision. This project would extend that further south and then also as part of the project would extend Birkdale Commons Parkway. This is a project that's already in the Town CIP. If the Town doesn't apply for the funding, then the Town would be on there for 100 percent of it, so the Town is asking for funding for a portion of it and that portion is the Oliver Hager Road portion to extend from the development further south.

Commissioner Walsh made a motion to amend the CIP and apply for CRTPO funding for the Oliver Hager Road Extension Project. The Town is requesting \$3,030,951 from CRTPO and will commit \$3,030,951 of local dollars which equate to a 50 percent local match.

Commissioner Quarles seconded the motion.

Motion carried unanimously.

Resolution attached hereto as Exhibit No. 12.

CLOSING COMMENTS

Commissioner Dumas expressed appreciation to the Greenway Committee for the Bike and Brew event and to Town staff for the Huntersville Halloween event.

Commissioner Quarles expressed appreciation to all the Veterans.

There being no further business, Commissioner Bergsman made a motion to adjourn. Commissioner Hunt seconded the motion. Motion carried unanimously.

Approved this the 3rd day of December 2024.