

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**February 4, 2025
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 February 4, 2025.

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

- Black History Month Celebration is February 15.
- CATS will host Microtransit meetings on February 6 at Huntersville Town Hall and February 12 at Huntersville Gateway Park & Ride.
- Ways to connect with us – website, social media pages, Town of Huntersville app and newsletter.

PUBLIC COMMENTS

Black History Month Proclamation. Mayor Clark proclaimed the month of February as Black History Month.

A PROCLAMATION FOR BLACK HISTORY MONTH

WHEREAS, in 1976, Black History Month was formally adopted to honor and affirm the importance of Black history throughout our American experience, which dates thousands of years and includes some of the greatest, most advanced and innovative societies that we can all draw inspiration from; and

WHEREAS, the second week of February was chosen to coincide with the birthdays of Frederick Douglass and Abraham Lincoln, was celebrated by Black people in the United States; and

WHEREAS, the Huntersville Board of Commissioners takes pride in recognizing February 2024 as Black History Month, celebrating

the many notable contributions that people of African descent have made to our community, state, and country; and

WHEREAS, the omission of much of the history and contributions of Black people from textbooks and other literature has impeded awareness and appreciation; and

WHEREAS, the celebration of Black History Month is a positive way of recognizing the culture and history of Black people vital to the core beliefs and values of this society; and

WHEREAS, Black people living and working in Huntersville - from the time of legalized slavery to the present day - have shown a steadfast determination to live freely and equally and to press the town and the community to make manifest an equitable Huntersville where race is not a determining factor of outcomes; and

WHEREAS, the contributions of Black people have played significant roles and made lasting contributions to our Town's history and the history of our economic, cultural, spiritual and political development, while working tirelessly to contribute to every aspect of American society including business, education, politics, science, and the arts.

NOW, THEREFORE, I, Christy Clark, Mayor of Huntersville, do hereby proclaim the month of February as "**BLACK HISTORY 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 4th day of February, 2025.

Random Acts of Kindness Week. Mayor Clark proclaimed the week of February 9 through February 15 as Random Acts of Kindness Week.

A PROCLAMATION FOR RANDOM ACTS OF KINDNESS WEEK

WHEREAS, The Town of Huntersville recognizes the value of acts of kindness that are performed without prompting or reason and how these acts can positively impact the person offering kindness, the person receiving the act of kindness, and those witnessing; and

WHEREAS, acts of kindness can be performed by any person regardless of age, origin, education, gender, religious beliefs, lifestyle, or abilities for the good around them; and

WHEREAS, kind individuals can create a more caring community and help to perpetuate genuine acts of kindness within their city, state, and even throughout the world; and

WHEREAS, we seek to cultivate thoughtful and compassionate residents by teaching our youth to make a difference through random acts of kindness; and

WHEREAS, the positive effects of kindness are contagious, which creates a domino effect of "paying it forward"; and

WHEREAS, Random Acts of Kindness Week is recognized as an international celebration intended to encourage all of us to practice acts of kindness in our homes, schools, businesses, and communities.

Now, Therefore, I, Christy Clark, Mayor of Huntersville, do hereby proclaim the week of February 9 through February 15 as "**RANDOM ACTS OF KINDNESS WEEK**" 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 4th day of February, 2025.

National Engineers Week Proclamation. Mayor Clark proclaimed the week of February 16 through February 22 as National Engineers Week.

A PROCLAMATION FOR NATIONAL ENGINEERS WEEK

WHEREAS, engineers use their scientific skills and specialized knowledge and skills in creative and innovative ways to fulfill society's needs; and

WHEREAS, engineers help solve major technological challenges of our time - from designing efficient building systems to rebuilding towns devastated by natural disasters; and

WHEREAS, engineering has been called the invisible or stealth profession because everything around us and things we use every day have been engineered in some way, yet we may not see the engineers behind the scenes or know much about engineering; and

WHEREAS, founded in 1951, National Engineers Week (EWeek) is dedicated to ensuring a diverse and well-educated future engineering workforce by increasing understanding of, and interest in, engineering and technology careers; and

WHEREAS, EWeek is a formal coalition of more than 70 engineering, education and cultural societies, with more than 50 corporations and government agencies dedicated to raising public awareness of engineers' positive contributions to quality of life; and

WHEREAS, EWeek promotes recognition among parents, teachers and students of the importance of a technical education and a high level of math, science and technology literacy, and motivates youth to pursue engineering careers in order to provide a diverse and vigorous engineering workforce.

Now, Therefore, I, Christy Clark, Mayor of Huntersville, do hereby proclaim the week of February 16 through February 22 as **"NATIONAL ENGINEERS WEEK"** 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 4th day of February, 2025.

BeeJay Caldwell said good evening Mayor, the Honorable Christy Clark, Town Manager, Commissioners, ladies and gentleman, this is a proposal that I've already submitted to the aforementioned people and I have a copy for some of you if you want to have one. I'll be delighted to take your name and get you a copy and what it's about. It's about the historic Torrence Lytle High School, the cafeteria portion. Thank you for the opportunity to allow me to come before you with a request and a solution for that request. Years ago, under another board, I submitted some information, but I did not get a response. I certainly hope I'll get a response this time. Pottstown residents are under the gun or shall I say, our backs are against the wall, to move forward or give input to officials on what we would like to see with the 31 acres. We appreciate the opportunity to have input, but could we take a moment and move backwards before moving forward. Fifty-nine years ago, the negro high school closed and the Historic Landmarks Commission tried to sell it and their best efforts yielded no tangible results. During this time, the Town government carved out the Waymer Center from the school's campus. Ten years ago in 2015, Mecklenburg County and Huntersville officials slated Waymer Center for demolition. Thanks to former students and the county commissioners, it was refurbished in 2021 and now is one of the most used facilities in the county from sun-up to sun-down and well into the evenings and the highly used ball field is leased by the Town of Huntersville Parks and Rec. With that designation in mind, these positives make the site and the community in it vital, even though Pottstown has gentrified. To some, gentrification is just a word, but to residents it is tragic, horrifying, and a traumatic place to live along with that trauma for us. We have no control over it, which puts us at the scene of a daily psychological nightmare. Residents are dismayed that the bird in the hand that has been allowed to deteriorate while the bird in the bush is being pressed. It's having us pressed against the back and that's our backs against the wall and that's the 31 acres. Attached is a proposal that you will have to read and seriously consider, and we hope that you will get back with me so that I can give some information back to the residents. And regarding Huntersville Rosenwald School No. 2 for black children, residents and former students are disappointed that after a year it is still not available to us and we hope that soon it will be. *Proposal attached hereto as Exhibit No. 1.*

AGENDA CHANGES

Commissioner Quarles made a motion to adopt the agenda. Commissioner Bergsman seconded the motion. Motion carried unanimously.

CONSENT AGENDA

Approval of Minutes – January 7, 2025. Commissioner Dumas made a motion to approve the minutes of the January 7, 2025 Regular Town Board Meeting. Commissioner Rivers seconded the motion. Motion carried unanimously.

Approval of Minutes – January 21, 2025. Commissioner Dumas made a motion to approve the minutes of the January 21, 2025 Regular Town Board Meeting. Commissioner Rivers seconded the motion. Motion carried unanimously.

Ordinance – Road Closures for Hello Huntersville. Commissioner Dumas made a motion to adopt Ordinance approving the 2025 Hello Huntersville road closures for the planned event at Veterans Park. Commissioner Rivers seconded the motion. Motion carried unanimously.

Ordinance attached hereto as Exhibit No. 2.

Ordinance – Road Closures for Spring Car/Truck Show. Commissioner Dumas made a motion to adopt Ordinance approving the 2025 Spring Car/Truck Show road closures for the planned event at Veterans Park. Commissioner Rivers seconded the motion. Motion carried unanimously.

Ordinance attached hereto as Exhibit No. 3.

Attainable Housing Program. Commissioner Dumas made a motion to approve the Town of Huntersville Attainable Housing Program. Commissioner Rivers seconded the motion. Motion carried unanimously.

Construction Contract – New Electric Substation. Commissioner Dumas made a motion to award construction services contract for New Electric Substation to Draw Enterprises and authorize the Town Manager to execute all documents. Commissioner Rivers seconded the motion. Motion carried unanimously.

Contract attached hereto as Exhibit No. 4.

Amended Meeting Schedule. Commissioner Dumas made a motion to adopt amended 2025 Huntersville Town Board Regular Meeting Schedule moving the Tuesday, April 15 meeting to Tuesday, April 22. Commissioner Rivers seconded the motion. Motion carried unanimously.

Amended Meeting Schedule attached hereto as Exhibit No. 5.

Call for Public Hearing – Petition #R24-13. Commissioner Dumas made a motion to call a public hearing for Tuesday, March 4, 2025, at 6:00 p.m. at Huntersville Town Hall on Petition #R24-13, a request by Mission Properties, LLC to rezone +/- 19.08 acres located at the intersection of Stumptown Road and Statesville Road from Neighborhood Residential to Highway Commercial – Conditional District. Commissioner Rivers seconded the motion. Motion carried unanimously.

Call for Public Hearing – Petition #24-15. Commissioner Dumas made a motion to call a public hearing for Tuesday, March 4, 2025, at 6:00 p.m. at Huntersville Town Hall on Petition #R24-15, a request by Station South LLC to rezone +/- 21.29 acres located on Old Statesville Road from Corporate Business – Conditional District to Transit Oriented Development Residential – Conditional District for a mixed-use development. Commissioner Rivers seconded the motion. Motion carried unanimously.

PUBLIC HEARINGS

Petition #R24-11 Birkdale. Mayor Clark called to order public hearing on Petition #R24-11, a request by DDRTC Birkdale Village, LLC to rezone +/- 12.36 acres at 8710 Lindholm Drive from Highway Commercial

– Conditional District to Highway Commercial - Conditional District for commercial, hotel, office and multi-family uses.

Brian Richards, Planning Director entered the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 6.*

We're here to speak about R24-11, a request by Birkdale Village to rezone from Highway Commercial – Conditional District to Highway Commercial – Conditional District to allow for 150 multi-family units, 26,715 sq. ft. of commercial, 122,300 sq. ft. of office, 125 room hotel and two associated parking decks utilizing the Urban Workplace building types.

A little brief history. Birkdale Village was originally rezoned in 1996. We don't have an image of the original rezoning there, but it's very similar to the R97-23. Then there was a small revision again in 01 and finally in 22 there was an application which was ultimately denied. I want to give a little brief history on that.

When that application first came in, R22-01, the original form of that was for 350 multi-family units, 25,000 sq. ft. of commercial, 150,000 sq. ft. of office and 125 room hotel and two associated parking decks. Through the public process, there was also an application for a special use permit, as well as a text amendment. Throughout that process, the applicants, Birkdale Village, decided to withdraw from the special use permit as well as the text amendment application, which caused us to go back to another public hearing with a revised application that the board at that time deemed a significant change. The new application had just a rezoning for one building and one parking deck. Ultimately, staff changed its position from support on the original to not in support with the second, due to a number of factors. Again, that's a brief history lesson and I've heard some folks say there's some confusion as to why we were against that previously, but for it now, but that's why that had changed over time.

At the beginning of Birkdale, we used to do rezonings and subdivisions a little bit differently. They were two separate processes. Now they're combined. In 1999 you see the original format, a small revision in 01 and they came back to the board in 21 for a revision for the center where you see some of the activities today.

You see here slated to start construction late 26, probably start in 27, are the improvements along Sam Furr Road. As part of this application, the applicant is requesting height modifications primarily for the office component is up to 115', for the multi-family building 85', for the hotel 90' and then for the two decks 85' and 55' in height. Currently today, the maximum allowed is 48'.

We all know parking is a challenge out there at Birkdale. Today, the required parking spaces are 1,384 spaces. Existing on the ground today are 1,940. With the addition of the two decks and revisions to other onsite parking, they're going to offer 2,409 spaces. This is based on the second version of the applicant's plan. They have been continuing to work on these plans and modify them some, so you're going to see when they do their presentation a slightly higher number. Again, they know that's a concern, so they wanted to address that, so you'll see a higher parking number. Staff does have to write our report on a snapshot in time, so that second version was in at our due date, so I had to write my report on that. We have been working with them to get a higher number of parking spots.

A little history, the 2040 Plan calls for this area to be in the higher intensity area. It's that red number two in the middle. The 2040 Plan calls this also for some additional intensification in a mixed-use node, so we have these mixed-use centers that allow for a lot of mixtures of uses and more intensity. These

are also located in our Town Core. The types of buildings and the locations are consistent with the envisioned goals of the 2040 Plan.

Here's some renderings that are proposed. This is the office building that's located at the intersection of Townley and Lindholm is another version of what could be built there. They're not giving us exact architecture renderings because they know when the market comes to fruition that there's going to be some slight modifications in there, but these are just representative of what these buildings could look like. Here's a version of what could be proposed for the multi-family building. This does have ground floor retail on this building. And then lastly, the hotel with some additional ground floor amenities there. Do note that they're showing some entrances on here. These are just graphic representations. There will not be entrances or cars on those spots due to some safety concerns.

There are several articles in the 2040 Community Plan that do not support this, including LU-5.1 and LU-11. There are also multiple policies that support this. I won't go through this long list of items here, but we're here to answer any questions you might have on those. Staff is in support of this. The applicant is prepared to have a presentation.

Susan Irvin, Irvin Law Group, said I would like to take a minute to introduce our Jamestown development team. Frances Bohn is the Director of Development and Construction for North America for Jamestown. Mike Lant is a senior VP for Jamestown. We also have Brittany Johnson and Maureen Smith here and with Irvin Law Group, myself and Robert Irvin.

Thank you for listening to our presentation tonight. I will try not to repeat what Brian has said. I will say that for the most part he's absolutely correct in his Staff Analysis about where we got to where we are. The one thing I would say that the 2040 Plan, some of the policies that he stated were not supportive of the plan. I think you could interpret them also as being supportive of the plan. That's one thing about the 2040 Plan, there are a lot of policies. I'd like to ask Frances to go through some of the slides. This is our agenda. Frances is going to go through our market review and we're going to hit these high spots here.

Frances Bohn said thank you for letting us speak today. I've been at Jamestown for 14 years. Jamestown is a vertically integrated design focused company. You may know us from some of our larger projects – One Time Square, Chelsea Market in New York, Ghirardelli Square in San Francisco, Ponce City Market in Atlanta. We also have asset classes throughout the world in a lot of different markets and a lot of different product types.

We acquired North American Properties this past October. We felt it was a really great marriage of our DNA of placemaking community hub centers, really activating that ground plain and so we're super excited about all of the properties that they were involved in prior that now we get to combine and team up on with everything. And this is one of those. Again, some of our representative projects that we have. We don't have to spend too much time on these. Geographically close Optimist Hall in Charlotte, Raleigh Iron Works in Raleigh, Colony Square and Ponce City Market, some of our larger adaptive reuse, just kind of showing our expertise in these mixed-use environments with really complex surroundings. And then the Forum and Avenue, which are similar to in scale to Birkdale Village.

Birkdale Village, just want to take just a quick moment. In this past year after the 2022 renovations with the plaza, we had 100 community events, over 75,000 people to the property. Those generated profits that went to a ton of contributions to a lot of local charities, and so really big community benefit. We like to partner with a lot of our retailers on that respect. But again, kind of reinforcing, which will take

me to the next slide, the community benefit and community gathering places that we like to create and this property just won this past fall, the Gold Award at ICSC, which is an international award, not an easy thing to come by. This property actually won it at the very beginning, about 20 years ago. Won it again just for the kind of success of the placemaking that has occurred and the embracing of the property by the community. So just a little background on that.

Ms. Irvin said this slide is really just giving you some perspective on what's around this property. You can see it's very close proximity to I 77, the CATS Park and Ride, Northcross, Northpointe Executive Park, Birkdale Place across the street in Birkdale Landing and Birkdale Crossing. This project is strategically located. As Brian said, what we're asking for is a height modification. The old Birkdale regulations were 48' in height. This Class A office building, Brian had said 115'. That was our prior submittal. When we met with the community and some of the comments that were made, we have worked on reducing the height to 100', so that will be the next submittal. Another thing that we heard at the community meeting were concerns about parking, so we have worked with the brokers and done a lot of research and are going to be able to make the parking deck available. You'll see the Deck A available to the public 24/7, 7 days a week except for the second level, which is residential now and will remain reserved for residential.

The other variation that we're asking for is originally the zoning allowed a hotel, it was later removed and we're asking to put that back in and 150 multi-family units, which really translates to our 2040 Comp Plan. And the Huntersville Comp Plan really does a great job of contemplating that there will be people moving to Huntersville and dealing with that growth. The way the Comp Plan deals with the growth is that it is able to move the growth into dense areas, and this is one of the more dense areas in Huntersville, into a node, so that really that use, that strategy essentially what it does is it distributes that growth within that dense node and has a more efficient traffic pattern, so there is less sprawl and less traffic when the node urban planning is used. And that's one of the things the Huntersville Comp Plan does very well. It is a very advanced plan in that regard. This is a way to deal with the future growth in Huntersville. I'm going to ask Frances to step back in.

Ms. Bohn said just a quick overview. Mixed-use office building, so ground floor retail there. Six stories of office. We have reduced that to a 100' height request, mixed-use residential building, 150 units, six stories, also ground floor retail in that building. And then a full-service hotel, five stories, 125 keys, parking below. And then again, the parking deck. There are currently four parking decks on property. Two of those would be removed and rebuilt. And so that's what these Parking Decks A and B represent. Both of the two that exist today are two-story. We would go back, one of them would go back at seven stories in its highest spot and then the second would go up to four as requested.

Ms. Irvin said one thing I just want to add, as a result of our community meeting too, we've kind of gone back to the drawing board and we'll ask for the option in the future to add two levels to Parking Deck B if the need arises to provide additional parking. So that's another modification that will come in the revision.

Ms. Bohn said again, graphic representation of what we just spoke about. So kind of in the foreground, hotel component, Class A office just behind that, with the seven-story, again on one side it's seven stories, six stories on the other, for Parking Deck A 537 spaces, Parking Deck B again replaces the existing parking deck that's there today, and then the 150-unit residential building as well. Some of the parking numbers that Brian referenced may look a little bit different here. We have met with several folks, are still massaging everything from a programmatic standpoint and are targeting, or right now the plan is 518 new spaces. And so the reserves that you see on here, parking gets really confusing, but the

reserve spaces here are for the new residential new public, as Susan mentioned kind of in that first deck there will not be any reserved parking for office or anything. The only reserved parking will be for the multi-family on Level Two in both decks, but ground floor of both decks will remain open to the public and then upper floors will be open to public as well, except for those residential.

Just a few community benefits. I won't read through all of this because I think we're probably tight on time. So again, the parking, we hear that from everybody. We really do believe that the parking decks will allow for a central location. There are several access points with those decks in the way that they're being designed currently to allow for folks to get easily in and out of them while providing the additional density of spaces needed kind of in a central location. So, we do feel that that's a huge community benefit. We are proposing 10 affordable residential units within those 150 additional units. The green building options to reduce carbon footprint, we've had a lot of success with this in the past on some of our other projects. That's something that we would love to incorporate into this project as well across all of the product types. EV charging stations, currently we do not have any EV charging stations on property, so we'd like to add those and a few other things that just again, we feel really further benefit creating this community hub for the area on property.

Ms. Irvin said obviously a huge economic development benefit to the Town of Huntersville. Birkdale is the No. 1 taxpayer in Huntersville now based on the Town's financial audit. This project would add \$200 million in direct construction spending, \$212 million in employment benefits annually. And we say a \$200,000 additional annual property tax to the Town. That is not the total ad valorem tax, that is just the portion of the ad valorem tax that would go to the Town of Huntersville. And it is also reduced by the amount of tax that the Town of Huntersville already gets now for the retail that is in those spaces that would be replaced by the office building and replaced by the mixed-use residential. We have been very conservative in giving you this \$200,000 number. New resident worker spending. Obviously, having onsite office employees really increases the business for the tenants. It also helps drive dinnertime and weekend businesses because you'll have the residents there and the hotel not only provides occupancy and sales tax dollars, but the people who stay at the hotel will for events and for corporate and wedding events, will be using the vendors who are in Birkdale so Birkdale really becomes an amenity for the office and the office and the hotel provide customers for those tenants.

The transportation and traffic, I think Brian had a great slide for this. Highway 73 is expanding from four to six lanes and there'd be a third lane added by NCDOT coming out of Birkdale on Lindholm. This is a synchronized street. This is their design for synchronized street. A TIA was conducted that traffic impact would be minimal. And again, the reason is that this is a mixed-use development, so that's one of the benefits of the mixed-use development is a very efficient circulation of traffic. The TIA concluded that there were no additional improvements required to mitigate the future impact. I will say that Brian mentioned the 73 improvements would be at the end of 2026. The projected timeline here would be if this project is approved, that groundbreaking would happen at the earliest around 2027. The parking deck construction is prioritized and the entire development is done in a phased approach over time. This is parking solutions and one of the things we heard at the community meeting loud and clear were concerns about parking in the Greens. And we want to say that Jamestown has worked and will continue to work with the Town to come up with parking solutions for the Greens neighborhood. These are just some of the solutions under consideration. Jamestown wants to continue to work with the Town and for instance, participate in barricade and other safety solutions during events.

Mayor Clark asked the Board if they had any questions.

Commissioner Hunt said I think it would be good to explain the Class A office demand since this is up and just explaining what Class A office space is, the benefits of it, etc.

Ms. Irvin said I have a letter from one of the brokers that I could also submit for the record. It's not something that we have in the PowerPoint presentation, but it is a summary of kind of the Class A office benefits and it's really kind of the description depending on the age, the location and a central location, very high level finishes, high level tenants and amenities. Basically, they want to attract the top tier employees and they also want to have a very high level of finishes for their clients. This letter also talks a little bit about the need for Class A office. And it's on this slide as well, that they're currently nationally executive return to work orders. A lot of large employers are implementing return to work five days a week. Locally, the big five in Charlotte are also implementing return to work. Class A, you're seeing right now rising rents, low vacancy, because there's a very high level of demand.

Ms. Bohn said what we are seeing and what we have seen is kind of a flight to quality. And so that's where this Class A office comes in. Now that folks are kind of after five years in some cases coming back to work as a mandate, a lot of the employers are finding ways to incentivize all of those employees to come back and attract new talent. And the way to do that separate from salary and bonus and all of that is through the office space. And so they're looking for Class A office space with incredible amenities, whether it's adjacency to trail systems, greenways, F and B offerings and retail offerings, the finishes, just kind of the entire community. There's a strong interest and locally, I mean that's across the board nationally. Locally, there's been an interest in, especially in this north kind of cluster and submarket, where folks maybe are having to go back to an office that is in a more urban setting, 30 to 45 minutes away, residents in the northern submarket are really looking for some place where they can have kind of a live, work, play all within a 15 minute radius. And so they don't have to go downtown anymore, they don't have to go.....they can kind of come in, they can have smaller floor plates, which allows them to have a better amenity package, pay higher rents in that case. And so you're seeing kind of that flight to quality across all of those different boards.

Commissioner Walsh said just quick follow-up to the Class A office space and maybe Brian knows it. Where else in Huntersville do we have Class A office space?

Mr. Richards said currently there are none in our market.

Commissioner Hunt said can you tell me how many security personnel you have on site and if you would be willing to employ more.

Ms. Bohn said I know we're including more. I don't know what our current total staff is.

Maureen Smith said I don't know the exact number of security that we do have on site, however we do intend on adding more and also including hopefully more HPD to assist.

Commissioner Hunt said can you talk about the process that determined the number of parking spots that you were adding.

Ms. Bohn said that's based on a number of factors. Obviously, code requirements, but also just market factors for the different product types. Office has one particular typical requirement that we factored in, hotel the same, residential the same, and then we blended them to understand the existing capacity as well.

Commissioner Hunt said related question, but if the project is denied again, are you going to add more parking.

Ms. Bohn said if the project is denied again, no, probably not.

Commissioner Hunt said Susan already mentioned that because it's a mixed-use development that impacts the TIA report. Can you further explain those results or is Stephen here to explain those results.

Mr. Richards said Stephen is here and while he comes up, we did defer the TIA to the NCDOT with a small supplement and he can explain.

Stephen Trott, Director of Engineering, said the Town deferred the traffic study to NCDOT as pretty much all the intersections that would've been studied are on a state road and also within the TIP project. With all those factors, the study was deferred to them to scope and review.

Commissioner Hunt said can you explain those a little bit, like the results. Are those in?

Mr. Trott said yes. Their report came in later last year. Based on the results of the study, no additional improvements were recommended in that study. One of the key assumptions in that study was that the TIP project was complete at the time of build-out of the development. I'm not sure if that will occur or not. It's one of the many assumptions in the traffic study.

Commissioner Hunt Chief Graham, if you could come and answer a question, please. Can you address any of the crime statistics we have in Birkdale and maybe provide some context for those.

Chief Graham said sure. We had a public records request for the last five years so I actually have some of the statistics here. Our five-year yearly average is 106 crimes in that area. We had 141 last year down from 150 the year before that. We're down 11 percent in that area for the year. Part One crimes versus Part Two, which your Part One is going to be more violent crimes versus Part Two. Property crimes are 122. Last year persons were 11 crimes against society, which would be like drug charge or something like that was one. And then the other small was just a number of seven makes up the total 141. Quite a few traffic things in and around, but it's actually down as well over the last few years. We only had like seven inside the actual Birkdale. Most of those are going to be at the entrance to Lindholm Home and Sam Furr and Sam Furr and Birkdale Commons Parkway.

Commissioner Hunt said Jackie, can you confirm the audit numbers that Susan mentioned?

Jackie Huffman, Deputy Town Manager, said we have bonds outstanding. Because we have bonds outstanding we have to comply with disclosure requirements that requires us to disclose our Top 10 taxpayers list. Mecklenburg County shares with us who appears on that list and Birkdale Village at the end of our FY24 most recently audited year, the assessed value was \$160 million. They do appear on our Top 10 list. In fact, they're No. 1.

Commissioner Quarles said at the Birkdale Community Meeting, some of the neighbors claim that all these improvement will make traffic worse and the people in the area do not want this. Some of the neighbors probably haven't heard about Town One. So, would you be able to explain what is Town One?

Mr. Richards said Town One is a recently approved mixed-use development down on Hambright Road and Mt. Holly-Huntersville. And they're going through their preliminary plan, which is their construction

plan now. It's very similar to Birkdale, just a different scale, a different location. They will also have a mixture of office, retail, multi-family and then they're going to have some light flex space in the back.

Commissioner Quarles said as a Planner, do you think that will relieve some of the pressure off of Exit 25 and Exit 23?

Mr. Richards said sure. When you start having mixtures of land uses and employment opportunities, folks do have the opportunities to live, work and play there. Again, as the applicants have stated, folks tend to come in in the morning, they'll stay there. If you have places to eat, they have a tendency to stay as opposed to moving off campus to go places to do their dry cleaning, shopping, those types of things. A lot of folks, again, with the return to work we're starting to see the demand for these lifestyle centers. They're popping up all over the country as it has been the trend for the last 30 years. Birkdale just happened to be one of the very first ones. It's constantly studied by the ULI and other associations for its success. You do see it winning two awards, which is pretty unusual for a development to win one at its infancy and then at its maturity win a second award.

Commissioner Quarles said we touched on Class A office space, but you mentioned the full-service hotel. What is the difference between a full-service hotel and a limited-service hotel?

Ms. Bohn said full-service is restaurant that provides three meals a day, bar, your room service is available as an option as well, which is why you need that full-service restaurant. You typically also have a conference amenity meeting space and whatnot. Limited-service would be maybe a coffee shop, if that. Sometimes they'll have like a little market with sundries and things like that. Nothing fresh, so much more limited in their offering. Typically no meeting space, things like that.

Commissioner Quarles said similar to Commissioner Walsh's question on Class A office space, where's the nearest full-service hotel in our area?

Ms. Bohn said I don't believe we have one until we get to Charlotte Proper. It may be helpful just to explain a little bit of what we're proposing with this hotel, which would be something in line with an autograph collection for those of you familiar. So, it's an elevated experience. It is full-service, everything that we just mentioned, and it's not something that's offered anywhere near here. It would be along the lines of Grand Bohemian and that brand is in Charlotte, which is an autograph brand, something along those lines. So, I would say Charlotte Proper.

Commissioner Quarles said as a retired entrepreneur, I just think business. And in my opinion, I think we have the best chocolate factory in town as well as bakery, but full-service hotel, I've been to one before and they had snacks. But will they sell for takeout and to compete against our chocolate?

Ms. Bohn said no, it's something that kind of stays within. It's not your traditional retailer. It's something for the hotel itself, if that makes sense. And so you may have an opportunity to have chocolates in your room, for example, or a unique experience, which is in line with that autograph collection. Why we really like that idea is that it is really catered around the specific location and the needs in that particular location and also the identity in that location. And this is a really special place. It's not Charlotte, it's not Raleigh, it's not a lot of different places. And so it's kind of bringing all of that. It would be a highlight of a local chocolatier, for example, and you get a chocolate on your bed at night, something like that. It's not a retail operation.

Commissioner Rivers said in regards to business, I know we spoke on the Class A office spaces. In the history of Birkdale, what is the turnover rate for your businesses within Birkdale Village?

Ms. Bohn said from a turnover rate perspective, I would say we're pretty consistent. A little blip from Covid, of course, but we actually, from a lifestyle center, as Brian mentioned, fared really well. Everything is outdoors, so our turnover is really not very high. We are 100 percent leased currently from a retail perspective, which we're very excited about and proud of, but that goes to why it's such a, we feel, successful location.

Commissioner Rivers said in regards to the traffic, we know in the history Birkdale has been here for over 20 years. When did the traffic become such an issue between 73 and Birkdale would you say? Has it been around like 10 plus years or if you had to just give an analysis there.

Mr. Richards said that is a very loaded question and depends on where you came from, I would say. Personal history, I came from the Tampa Bay area and some time in Atlanta. That was a lot of traffic. We moved here, we heard about traffic, and I was like this is not traffic. As we continue to grow, as we know we're just getting ready to approach 70,000 folks of Huntersville residents and the Charlotte area continues to mature. It's in the eye of the beholder. I would say most of the time you've probably seen a real uptick in the last 10 years.

Commissioner Bergsman said I know during your presentation you mentioned prioritizing parking as you do the build out. I am curious if you can be a little bit more specific in what you plan on including in Phase One and when the parking decks will be incorporated.

Ms. Bohn said the first parking deck, which is the taller one, would be prioritized first before anything else is done. We expect that to take about eight months or so to complete. Once that's back online, we would continue with the office, hotel, the second parking deck would come towards the end, again trying to minimize the disruption in each phase, and then multi-family.

Commissioner Bergsman said we've talked a lot about Class A office space already, but can you also talk a little bit about what kinds of tenants look for Class A office space, particularly in the suburban markets.

Ms. Bohn said you see a lot of those financial folks, real estate folks, engineers, architects, law firms. It's oftentimes not that there aren't, it's oftentimes not one huge tenant like a tech tenant. Sometimes it is. But it's typically those kind of smaller footprint, but financial kind of focused groups. Here in this location we have a lot of services as well that can take up some of those components. And then there's really, I would say kind of the design and engineering group is actually a good chunk of it. NASCAR is an option here that we've studied from a trend standpoint. There's a huge, much larger than we expected or anticipated community here of that. And so the corporate side of that, separate from the industrial where some of them are now, that when everybody thinks NASCAR, not to get too detailed, but they think of some of the big brands, but there are a ton of support companies that go into all of that as well that also need space, but they're not necessarily a 100,000 sq. ft. tenant, but they need to be close proximate wise.

Ms. Irvin said also corporate headquarters for a regional company or a corporate division of a national company.

Commissioner Bergsman said what impact, in your opinion, do you feel that this project will have on local small businesses and non-profits in our community?

Ms. Bohn said from a community standpoint, it's kind of two questions. From a community standpoint and a give back, we already do that. And I think bringing more focus, more density to the property only exponentially grows that ability to give back. From a retail standpoint and a support standpoint, while there may be some slight growing pains during different phases of construction, this is not our first rodeo. We've done this a lot. We work with our tenants every single time to make sure they're successful through this progress. But I don't think that's any different from what we do today. We really support our tenants. I mean, to have 100 percent occupancy I think is, we don't have that across the board. And so that's really special and speaks to the engagement of the local community in terms of fostering this. We have about half of our tenants that are local, either local companies or local franchises of larger companies on property, which speaks again to kind of supporting those folks. A lot of those community events that I mentioned earlier are in support with a lot of our different retail tenants. But we also feel that the density that, I mean hotel having people come in here, those are new clients for all of our retailers. Same thing with the office. I mean, I think we expect it, we know it will be very beneficial for all of our existing tenants.

Commissioner Bergsman said did you say half of the current?

Ms. Bohn said just about half. I think the last report I saw was like 47 percent or 48 percent.

Commissioner Bergsman said ADA parking spaces. Do you have an idea if there will be on-street ADA parking spaces through this and where they will be in the garages as well?

Ms. Bohn said I know we have them because they are code required. I can't tell you specifically where they are all located right now, but we will absolutely have that, we just haven't developed the plans that far.

Commissioner Bergsman said the reason I was asking is because I had heard that we may have lost some, I don't know if this is accurate or not, if we had lost some ADA spaces in the last couple of years from some of the improvements on the on-street.

Ms. Bohn said there may have been some displaced by the plaza redevelopment, but those should have been replaced in other areas on property. I can check that.

Commissioner Bergsman said kind of on that ADA and safety standpoint, do you have plans to have more visible crosswalks to make it a little bit more pedestrian friendly safety wise?

Ms. Bohn said I think this came up in one of the community meetings as well, just to clarify there are some crosswalks on property today that are holdovers from prior developments, like when the plaza was redone some of those crosswalks aren't necessary anymore because there's not really a crossing there anymore. And so some of those have been tried to be removed, but you can still see the remnants of them. There are planned crosswalks in some of the other areas at actual intersections to kind of remove people kind of walking in between the lanes. I think we'll add more. We can do that in the short term and the long term. Some of the short term ones may go away and then come back as part of that redevelopment, but yes we will add to all of that.

Commissioner Bergsman said do you have a breakdown of the cost, specifically for the parking garages and how much it costs to build those?

Ms. Bohn said I'm not going to claim to do math. It's been a long day in my head. But typically, it's about \$35,000 to \$40,000 a space in a precast deck. If anybody wants to contribute to that, that would be great. Susan just reminded me, we do offer free valet for any ADA parking needs currently on property and that would maintain, just to go back to your prior question.

Commissioner Bergsman said in the Staff Report it was mentioned from the 2040 Community Plan Land Use Policy 8.2. It talks about height limit modifications as an incentive for exceptional design. I'm just curious how staff evaluates whether a proposed height increase or project meets that specific standard.

Mr. Richards said when we take these into consideration, we talk about what public benefit can be there or obviously they have the aesthetics of the building, but it's also the public experience, the crosswalks, the sidewalks. We just mentioned that some of those need to get fixed up. We're more than happy to work with them and bring in Heather to work on a mobility plan for there to make sure we've got good effective crosswalks for folks to walk around. We do have the Vision Zero plan that's going to be coming up later this year. So we look at that, how things are impacting on the public space, transportation impacts, public streetscapes, parking facilities. And again, we do expect Birkdale to contribute to the pedestrian bridge over 73, and they're in talks about contributions to the Townley bridge as well. So those are all things that are all considered when we evaluate these projects.

Commissioner Bergsman said the only other question I have for staff, and I think Mayor Pro Tem may have asked about this earlier. We've heard from the applicant that if this is denied, there's probably not going to be a parking garage built. I am curious, are there other options for this particular shopping center for a parking garage? I mean, is that something that typically a town could do or what realistic options are out there?

Mr. Richards said outside of decking there is, or removal of buildings to install parking, there is no available space to be built upon. There is a 70 percent maximum built upon area. The village is at that 70 percent limit, so you'd have to go tear something down or go vertical again. That would be a business decision for them to do.

Commissioner Rivers said maybe Stephen could possibly give me just an update on transportation in regards to, there was a concern about tractor trailers and delivery trucks going into the residential areas. Have we gotten anywhere or is there any updates?

Mr. Roberts said I guess your question is on tractor trailer trucks. I think Bobby had mentioned to me that staff has reached out to, I'm going to say North American Properties, to let their tenants know about truck traffic. But there's no way to eliminate Lowe's home deliveries, if someone moves into a house with transfer truck, those are going to happen. I can't write a ticket for that I guess is what I'm saying. But all we can do is ask North American properties to let the tenants know to avoid neighborhoods. Typically, 18 wheelers don't want to drive in neighborhoods. I've drove one before, so I will tell you that's not what they prefer to do, but we have notified them.

Commissioner Dumas said I think it was Axios reported that office space rental sales were down significantly in 2024. I saw that we got a really good detailed email from a realtor saying that that's different or that he's getting, or they're getting a lot of requests. But are you saying that that's different with Class A?

Ms. Irvin said yes, I think that is one of the big chain differentiators, because if you think about it, in this market there isn't any Class A number one. Number two, the trend is to have more satellite Class A. As

Frances said, people want to avoid if they have to go back to the office five days a week, they don't want to drive down to Charlotte and go to the office and drive home. So, this is one of the ways that corporations, the Class A type of users are trying to, number one attract top tier employees, but they also want to provide that service for their clients so that their clients don't have to drive down to Charlotte. The second thing is that there's that kind of sub-market demand. And so it's different than just say your suburban office, it could be a medical office building or it could be just a general office building, which isn't going to have the kind of finishes. It's not going to have what you're looking at really as a Class A office. It's just a different market. And I think the letter that they wrote was really more geared toward what the demand is for Class A, specifically locally. And I think I was reading through it before we got here, and I think they did a really good job of talking about really the local demand and how there's not just a market trend, but it's something that they're seeing locally.

Commissioner Dumas said do you think there's a possibility that since building won't start until 2027 that you'll miss the return to office opportunities?

Ms. Irvin said first of all, my experience has been, I've had people even ask me, some of my old law partners, is there any space up there. They's have to make the move. They have to create that space. Everyone plans, they don't plan to do it tomorrow. They're planning to do it two years out.

Ms. Bohn said I would also say that the office trends in general, we're on the leading edge of that. That is not something that happens overnight. We absolutely see that continuing through for several years.

Commissioner Dumas said the last application was declined, but clearly still more work and more people visit Birkdale, even with that decline. We've heard that you do not plan to move forward with additional parking spaces if we decline. What would you move forward with?

Ms. Bohn said we have no plans for anything else.

Commissioner Dumas said for staff, what can be moved forward with in this plan?

Mr. Richards said perhaps they wanted to build a Class A office space above the existing Barnes and Noble. They could build a 48' tall building there today as part of the original rezoning from Birkdale.

Commissioner Dumas said do you have an idea of the hotel brand or a name or do you know who would come in on that?

Ms. Bohn said that would be that autograph. Not specifically them, because we can't talk about any of that. It would be similar to that autograph brand. It's not a particular brand that we can speak to at the moment, but that is the intent is for that autograph line and so again, kind of a very locally unique and curated brand.

Commissioner Dumas said clearly parking, we've all talked about it. Of the spaces you mentioned earlier, does that include the negated spaces where the hotel would potentially go?

Ms. Irvin said there will be three levels under the hotel and that is not really apparent from the drawing.

Ms. Bohn said if you go with these spaces, yes, take into account the ones that are removed and replaced.

Commissioner Dumas said is there a consideration of also adding spaces to the other two garages that are not currently in this plan?

Ms. Bohn said not currently. We can look into it. Those are currently under repair. We're spending literally millions of dollars to repair them currently, which is why if some of you have been in there, you may see some of the spaces are blocked. That's because we're doing construction to make them safe and continue keeping them safe. Right now, I would say there are not plans for that.

Commissioner Dumas said I've heard from folks that are frustrated and upset that Dicks and Barnes and Noble are going out and the perception is that you are asking them to leave and can you tell us about a little bit of that transition.

Ms. Bohn said as we mentioned, there is some timeline here relative to start and how all of that phasing happens. There are leases that I'm not at liberty to speak to relative to that, but I can tell you from some of our other properties where we have them as tenants, there have been discussions about downsizing potentially into new prototypes that they have and so it is not by any means we don't want to see them go. It is an open conversation and if we can kind of relocate them somewhere else on property, we are completely open to that. Candidly, we've had super early discussions with them, but it doesn't make sense to go into negotiations if we don't know if we can build.

Commissioner Walsh said I think I've heard the answer to most of my questions. Just one quick one. I'm trying to keep track of all the number of parking spaces, but from the original submittal for the multi-family, what was it versus what it is?

Mr. Richards said today they're allowed 320. Those exist. They were asking for an additional 350. Today they're asking for 150.

Mayor Clark said during construction obviously there will be staging locations, there will be vehicles coming and going. There'll be an impact to the current parking situation. What is the plan to kind of help mitigate that as people will still want to come visit Birkdale, but then they won't be able to park because there'll be storage containers or they'll be blocked off for traffic, etc.

Ms. Bohn said we know this is a huge concern. We have been engaged in conversations with many of the adjacent owners to look at opportunities there. From a construction standpoint, we've had success on a lot of our other properties with having construction park elsewhere offsite. They find space miraculously and that kind of limits that component. One of the reasons why we're prioritizing Parking Deck A is that again, that duration, taking it down and bringing it back up gets a lot of that capacity in right away and minimizing that component versus doing everything simultaneously. We're adding a satellite valet kind of on this, what I think is plan east and do east as well an additional satellite valet location for valet. We'd offer free valet during that period, but again with the adjacent owners, we're also looking at potentially a shuttle or some sort of shared parking agreements as well.

Commissioner Quarles said this is a comment. We've received quite a few emails and many of these people here have not been in one of our public hearings before, so just some things I want to say based on the emails. What I've done is I've taken every email and pulled pieces together because I want them to understand how the process really is going to go. The Mayor did a great job explaining we're not going to make a decision tonight, but it's something that I must say so they can understand how the entire process will work. Some was giving us a history lesson in some of our emails, but I want to share with many that my wife's great, great, great grandfather founded our church in 1868.

My great uncle was given the keys to Huntersville for his experience and his knowledge and the history of this town. We also have a historian here, BeeJay Caldwell. She's a historian of the town of Huntersville. Huntersville is attractive. Birkdale is attractive and is vibrant. It's so vibrant that as I did my research and to study before we had this public hearing, I went to a website of one of the tenants who talked about how vibrant Birkdale Village is. It's vibrant and that's why on Saturdays and Sundays or Fridays it's very busy. When we have the Christmas tree lighting there, you have a plethora of people parking all the way as far as Hickory Tavern and walking to Birkdale Village. In some of the emails they talked about population. In 2005, the estimated population of Huntersville was 35,000 people. The town experienced rapid growth in 2000's that almost doubled from the 1990's. We're coming up on 2030 and the estimated growth in Huntersville will be 80,000 people.

Progress stops for no man, no person, no town, and we have to do the right thing and someone emailed and said, Edwin explain responsible growth. Well, is this project responsible growth. Well, we will see. I do think it's intentional growth. We need responsible growth, we need intentional growth. Constituents have reached out to this Board and talked about traffic, parking, crime and taxes. They want each of them fixed. However, some have reached out to us and said, pause or wait. There's a cost when you wait. Of all the emails we received that was an opposition of this project, not one mentioned anything about the benefits this project will bring to our town.

This was mentioned in the public group with Birkdale and I think a lot of this was left out intentionally when people were getting the support for those to oppose this project. Just yesterday I was at Cheesecake Factory and I was talking to the waitress about this Birkdale rezoning project and the lady beside me jumped into my conversation and said I heard they're adding 150 more apartments. Well, I asked her what else are they planning on doing. She said, all I know is the apartments. I don't think that's fair to our tax paying citizens. Leaders of the past have failed us, our town. We didn't have adequate infrastructure. A rapid growing town such as Huntersville that didn't have a full-time fire department and spent zero dollars to hire full-time police since 2017. I'm going somewhere with this. Then having town owned roads that need widening, traffic calming and other repairs. Citizens, since this past year we have more road construction in this town than ever before.

We now have a full-time fire department and this town is starting to retain and staff up its police force to keep us safe. The residents who have emailed and said I've been here one to 20 years, yours and your family's life was a game of roulette. We hear all the time, why didn't the police notify us of this crime in Birkdale. Well, if they were properly staff, they probably could have told you about those crimes in Birkdale. Thankfully, there was no gas explosions with the colonial pipeline that runs through our town or a 20 car crash on I-77 between Exit 23 and Exit 28 or multiple alarm fire in Birkdale on the day this town didn't have enough firefighters because they were part-time to sit in the seats of the trucks. In deciding this proposal, there's more than just an inconvenience. We are here. We need more businesses to take the load off of us. This project may not be the right one, but what development is. I know my family didn't think Birkdale was when it was being developed.

This project failed last time because commissioners and I've heard someone, I think Brian mentioned about a Townley bridge or something. This project failed last time because commissioners didn't ask the former applicant to bring some skin to the game so that we can take some of the burden off of our taxpaying citizens. There would be some negotiations with the residents' best interests at heart. The failure to government was not responsible, it was politics. If one wants to play politics, go to Raleigh or DC and stop misleading our people. We vow to sit at the table and have the tough talks. We already have meetings set for this coming Friday with some of the residents and some of you are sitting in here

right now. We also have had meetings prior to this meeting with some of the residents. Some may not want to play ball or compromise, some may want to grandstand to get his point across.

Regardless, this Board has a proven record to show that we care. We voted against development projects. We voted for development projects. We've gotten developers and communities to agree when they were so far apart. We also had developers pull their applications. This Board, we are also only the third municipality out of 552 municipalities in the state to ever be recognized for civility by the North Carolina League of Municipalities, which recognizes us for our professionalism and our ability to seek common ground and listen past our own perceptions. We will look for common ground in trying to find a win-win. We must vote on the merits and what's best for all of Huntersville and no decision should ever be made until all the information is given and studied. This is not the same proposal and it is not the same company. The applicant was NAP. This applicant is Jamestown.

Some will tell you that Jamestown is NAP because they have some of the same employees. When I was a logistics manager at First Union, the bank bought out Wachovia, but it kept the name Wachovia because Wachovia had the better reputation. The bank also kept most of its employees. As I wrap up, if you hear someone talk about taxes in Huntersville and they say that it's too high, know that Huntersville is the 16th largest municipality in the state as far as population and of the top 25 in population, Huntersville has the lowest tax rate. Birkdale is the highest tax generator in Huntersville. That goes back to what I said earlier, intention of growth. For every email I received, I responded and I said I would love to sit down and talk with you. I ask you if you want facts and not any misleading rhetoric, please reach out to us. We're here to serve Huntersville. You can see it is very serious to our town. We want to do the right thing. It's going to be tough, but we want to hear you as well.

Mayor Clark called for public comments.

Peter Romaniello said I'm scrapping everything that I wrote because I was listening to everything that was being said. I found it very interesting that the developers said that if this is not accepted, that they're going to do absolutely nothing to address parking, and we keep hearing over and over again that parking is a major issue. As a business owner, I own my business. If I don't listen to my customers' needs, if I don't listen to my patrons' needs, then I'm not a good business person. If they're saying that they're not going to do anything and the parking is one of the major issues that people have that stops them from going to Birkdale Village, expanding the area is only going to make it worse. And one of the things I want to bring up really quickly is that when this was brought up last time with R22-01, they had mentioned that the existing parking deck was reviewed by an engineer and it only had two more years of being safe. That was two years ago. If they're saying that they're not going to do anything to address parking and they're not going to fix a parking deck that already has been deemed that it needs to be fixed, now what are we talking about here. We have to hold them accountable, but more importantly they should care about their patrons. If they're not going to do anything and they have a garage that is already deemed unsafe, I don't know how we can trust them with anything else that they plan to do.

Suzanne Villar (Phyllis Twitter deferred her time) said thank you for the opportunity to comment on the rezoning of Birkdale Village and thank you for listening carefully to the comments from your constituents. We'll try not to be repetitive, but topics mentioned more than once represent widespread concerns across Huntersville. I don't want to focus on parking tonight except to point out that the Town has heard complaints about parking problems since the first redevelopment buildings were completed. In November of 2022 the Planning Department was quoted in an article in Business Today defending the parking in the Village saying minimum parking requirements have been satisfied. Yet the parking problems and complaints have gotten worse ever since, spilling into adjacent neighborhoods with

hundreds of retail customers, parking on residential streets and creating well-documented dangerous situations on a regular basis. This suggests that the Town's minimum parking requirements are inadequate for the conditions inside Birkdale Village and need to be reevaluated before any additional construction is permitted anywhere, let alone before hundreds and hundreds more residents, guests and vehicles are permitted in the very limited space of Birkdale.

Not only is parking insufficient, but roads inside Birkdale Village are not designed to handle the current traffic load and the Town can't widen the streets. We now experience traffic congestion inside Birkdale Village, not just on Sam Furr. I have numerous screenshots of red and yellow traffic backups in the Village from my phone navigator that happened at random times during the day and during the week. I'll be glad to share them with anyone who's interested. Contrary to claims that were made by Jamestown at the December 16 residents meeting, the last rezoning was not denied on a technicality, but rather because it failed to meet several key requirements of the 2040 Plan, including LU-5.1, which allows more intense development only when transportation infrastructure already exists. And I've already told you we can't handle the traffic load even if we had more parking. There's no way to move cars through the Village and LU-11.2 encourage new buildings to respect the general spacing of structures, building masses and scale of existing buildings.

This new Jamestown rezoning proposal like the last, fails both of these requirements. It's important to note that Jamestown, like NAP before them, knew before undertaking this Birkdale Village project that the current zoning for this property limits buildings to just 48' in height. Raising building heights to 115' or even just 100' would not be by right and will certainly destroy the appearance of this neoclassical development that's been the crown jewel of Huntersville for years and has brought worldwide recognition to the Town. Approving taller building heights will create Manhattan style shade canyons and seriously diminish the exposure of many retail shops around the perimeter of the development. The solution to these issues does not lie in approving more high density development. As the old saying goes, insanity is doing the same thing over and over again and expecting different results. Shoehorning a hotel, additional apartments and unneeded Class A office space into a very confined space with inelastic streets hoping to increase revenue is a lot like putting a goose into a cage and force feeding it, hoping to get more golden eggs. Two things are going to happen. You're going to end up with a little bit of pate of foie gras and you're definitely going to kill your golden goose. This is the wrong project and the wrong time and Birkdale Village is the wrong place.

Madeline Basden said I just wanted to let everyone know I grew up in this community for the past 21 years. I'm 33, so not my whole life, but I relocated here and the vision that this community has had in the schools that I attended, I grew up in Birkdale as a teenager and then it kind of dwindled down and then got bought out by new management and has really trusted my growth in our community and who we are today. I will say I reside in Huntersville, but I also work in Birkdale, so I'm there 50 plus hours a week and so the biggest concern we hear from our customers is the parking. I believe that this project really presents additional parking as the option and I think that's a great opportunity for us as well as the corporate partners we see on a regular basis. They're coming from all areas that are not staying in the Birkdale area, they're not staying in Huntersville. They're taking Ubers from Charlotte and they're coming to Birkdale to shop with us and be a part of our community of we have a project that can service them in a better way with a beautiful boutique hotel and other opportunities. I think that's the vision that our customers are looking for and just it aligns with the vision of our community. I also think there is that younger generation that has hope and vision for our community and I think this project presents that, so not only as a resident of Birkdale but as an employer that works there 50 plus hours a week, this is not a beach umbrella. It can't just go up overnight. There has to be vision and there's a project and I think this project, they've done a really amazing job of listening to the residents and giving them what

they're asking for, but also they're bringing business and hope and vision to our community and I think that's how communities grow. I think the economic impact that this project invests in us.

William Bowles said I live in Birkdale. We moved here five years ago and it was the Village that caused us to look for a home in Birkdale. It was the quaintness of it. It was the shops, the restaurants, seeing families just wandering around and even letting their teenagers just kind of go by themselves and get together with other teenagers and go to get coffee, go get ice cream, whatever, just hang out. I don't see that with this development. I'm trying to get my head around this and saying who does this benefit. Does it benefit the residents of Birkdale and Huntersville or does it benefit the developers. And to me it benefits the developers. I don't see it benefiting us. We voted for you folks to represent us – our interests, our needs and so forth, not that of the developers. I pray that you'll keep that as your strongest consideration when you decide what to do with this right here.

Kerry Edelstein (Casey Childers deferred time) I live in Birkdale Greens. I want to thank you. Those were great questions and I want to address some of the things you said because they're the same questions I've been asking. You're going to hear a lot from my neighbors tonight I suspect about infrastructure and parking and traffic and all that. All of that's true. I endorse everything that's been said. I walk into Birkdale mostly, so I'm not the person to carry the parking torch personally. I want to talk about partnerships and what it takes to have a good partnership, to have responsible growth. One of the things that strikes me in all this, whether it was NAP or Jamestown, is that this started off on a very dysfunctional foot. That's why you're hearing so much frustration and anger.

I've probably been to 8 to 10 meetings at this point over the years. We have seen this developer, this owner, show up unprepared, unable to answer some basic questions. One of the questions I've been asking is what's the cost to the Town. We can't do any sort of thoughtful cost benefit analysis if we only know the revenue to the town, but we don't know the hidden costs like increased infrastructure or more public servants and police officers and firetrucks and things like that that are all a part of increased growth and they've also failed to meet any of their deadlines. It's still a half-built construction site that we've been promised would be finished for three, four years now and it's not finished yet in 2025. And I was actually really excited when Jamestown bought NAP because they have a cool history. I thought this is a group that has revitalized and created Chelsea Market, sold it to Google.

Maybe Google could be a partner in all of this. Maybe they could anchor this office space. I was excited about Ghirardelli Square. Could we have the next optimist hall in our space. I came into this really wanting to feel positive and when I went to the December meeting, I found myself disappointed because all the things we've been talking about all this time weren't presented to us as part of the plan. They've had two years to do that and there were no improvements made. That's not the sign of a good partner. The big thing that struck me is that we've been talking about aesthetic continuity and design continuity for four years now, and one of the things that struck me in what Frances proposed, and by the way I actually really enjoyed your presentation, that was very well done, is the idea that Jamestown is design focused and those designs might be lovely, but they don't match Birkdale, they don't fit with Birkdale.

They clash the existing beautiful design of Birkdale and there's been no discussion of that over the years. There's been no discussion about inside the Village infrastructure. I can't tell you how many times I've been walking my dog and I've seen cars drive over my neighbor Brian and Christine's lawn because they can't get through already before we've done any of this addition. Here's my philosophy on all of this. To me, I love change. I actually work in the world of using data to drive change. That's what I do for a living. But change comes with responsibility and rigor and partnership. It should bring optimism, joy, and

opportunity. And you're hearing a lot of sentiment tonight that's anger and frustration and negativity. We need to reverse that. I want to come back to a point one of you made, which was what instead, if this were to be denied what instead, so I'm going to give you a what instead vision.

Let's play with the idea of Birkdale Village. It's in the name, the idea of a village. What if instead we had a small business village, a food entrepreneur village, an artist village, an empty nester village for all of the people who raised their kids here and are now empty nesters. What if we had a library, a gym, a farmer's market, all these things that build community and build a village. These are the things we could do. We're not trying to be South Park. We don't have the infrastructure for transport that South End has. We're a village, we're Birkdale Village and I want to reject this proposal so we can get back to imagining what instead, what could be better to be the best version of ourselves.

Merlin Villar said I want to talk about traffic and making a bad traffic situation even worse by bad timing. Right now, Highway 73 is often congested to the point of standstill. We know because we have to use it to get anywhere. That's with today's traffic. Right across Sam Furr from Birkdale Village is Birkdale Place. They will be opening soon and leasing over 200 apartments, multiple retail locations and restaurants and offices. All of these will use Sam Furr to enter and exit. At that point, we will have hyper congestion. The 2040 Plan as well as slides from your recent retreat continually use the term responsible growth. There's nothing responsible about allowing and even encouraging more traffic onto an undersized highway. DOT has done nothing but add dates and slide dates since I've been living here 13 years. They've had plans to widen Sam Furr, but I will bet anyone on this day is that it's not going to start when they say it's going to start. At this point, no one, not even DOT knows exactly when the widening project will start, much less when it'll be completed.

Yet you continue to signal your support for more development and increased traffic along Sam Furr. If this rezoning is approved, you're multiplying congestion without some guarantee that the work won't start until the widening of Sam Furr is complete. You were all elected with the promise of responsible development. Dumping this much traffic on an already clogged artery is not responsible. This project should not be approved until the Sam Furr widening is complete. The developer does not care about traffic congestion on Sam Furr. You should. You are the only people who can stop this. We the voters, your constituents, are depending on you as our elected officials to not make a bad situation worse. Please do not grant this rezoning request without ironclad control. Let me add one more thing about parking. I'm sure none of you know this, but I know it all too well. Fin and Fino, which is where Dresslers used to be, their valet parks in our neighborhood, every car they pick up. That means there's a problem.

Eric Willoughby said I'm here to support the Birkdale rezoning request and I'd like to begin with a quote I read recently. Change is inevitable but personal growth is a choice. The buildings around us will always get taller, the roads will always get wider and our town will continue to grow. That is the reality we live in and we cannot stop it, however we can control how we respond to it. When it comes to reactions, we've seen two primary groups emerge. One group accepts the fact that change is inevitable and works hard to ensure that it benefits as many people as possible while unfolding in an orderly manner. The other group unfortunately, has chosen to blow this out of proportion. They've chosen to demonize their neighbors and spread false message in an attempt to derail the inevitable.

They've placed partisanship over partnership, choosing to divide our community over something as simple as an office building, a hotel and some parking decks, rather than constructively working together for the good of our town. Huntersville is our home. So many of you have come to raise your children, grow your businesses, and achieve personal success. Now, I understand that people have their concerns about parking, property taxes, taller buildings and traffic. Let's address those directly. Parking.

This proposal would increase Birkdale's parking capacity and would meet the requirements under Article 5. That's just the reality of this. When it comes to property taxes, the revenue generated by new shops, hotels, and businesses would dramatically lower your property tax bill. Taller Buildings. This is simply a part of the change that I was talking about earlier. Huntersville is not turning into Manhattan anytime soon. That building is five, six floors. We're not in Manhattan. When it comes to traffic on Highway 73, that is not an issue this Board has much control over. Like many mentioned, it's all up to DOT.

Rose Hamilton said unlike many here I'm a relatively new member to Birkdale and I actually relocated a few months ago from New Jersey. First, thank you for the work you're doing. I really appreciate all the things I'm hearing and all the facts tonight and I appreciate the work that you do in giving the chance for us to have an opportunity to speak tonight as well. I want to share with you something important. When I was deciding where to move, I spent two years researching to come here and I made a very intentional move coming out of a project very similar just like this, moving out of a city that was right about exactly the same amount of miles where we are between here and Charlotte and I watched eight years of this kind of activity going on.

We lived through it, we lived through the parking challenges, we lived through all the issues that got us to a pretty frustrating place and it got me to want to actually move. When I came to Birkdale Village, it had this amazing energy, a balance of charm, vibrancy, local shops, restaurants, and spaces that felt built for people to be together. It was more than just a shopping area, it was the heart of the neighborhood. We've talked a lot about that already tonight. But since getting here and settling in, I'm seeing a sense of this place being chipped away. Several of the key stores that made the village feel special have been replaced and the newest structures don't really even fit the feel and the look. It just doesn't make sense. It feels very temporary and out of alignment the existing work that we've done. I've heard from many, as many have said tonight, that there are many who share the concerns and don't even want to come to Birkdale. One of the most pressing issues is parking, of course. Even though I still enjoy visiting the Village, parking is often a challenge and everybody's talked about that already, so I'm not going to say much more about that. I'll just skip past it. We need sustainable solutions here to ease the parking burden and it sounds like there's others having to invest in this big, enormous, huge project. Otherwise, the very businesses and experiences that make the Village special will not continue to be available.

Roger Mitchell said I wish I had this guy's speech because that's really what I wanted to say. I'm concerned about this. We just had this discussion two years ago and the previous board saw fit to say it wasn't a good fit. I live in the Birkdale subdivision. Sam Furr Road is a nightmare today. I understand there's new lanes coming that'll be sometime in the future. I beg you guys to put the infrastructure in place before you bring us more traffic. Sam Furr Road is a nightmare. There are times on a Saturday, a Friday, a Tuesday afternoon when you pull out of Sam Furr Road and it's traffic lights all the way to I-77. Please give that some consideration when you're giving your thought to this.

Julia Kiewit said thank you for hearing our comments regarding the proposed development in Birkdale. Since moving to Huntersville three years ago, I purchased a home in the neighborhood right behind the Village. I did so because I love the area, but I'm concerned that proposed development doesn't meet criteria for smart development. It should be safe, managed, accessible, required, and timely. Safe. The increased traffic density from the proposed development will further erode safety. When emergency vehicles struggle to get around corners in our neighborhood because of overflow retail parking, those seconds can mean a matter of life and death. Our streets cannot afford an increased parking burden. Managed. Any new development that is approved should come with corresponding confidence that it will be managed and completed. Unfortunately, projects approved in 2021 are still incomplete.

How will the new development be managed. Accessible. New development should be accessible to everyone in our community. The prior round of development wiped out many curbside parking spots and all of the handicapped parking in the Village circle. We don't need more development at the expense of accessibility for any of our residents. Required. While I'm pro-development, it should correspond to an increased market demand. Currently, there are numerous office buildings in Huntersville with available space and right across 73 a hotel, office space and apartments are under construction that haven't even come online for inventory yet. Timely. Finally, a good thing at the wrong time is the wrong thing and the timing of this project makes it the wrong thing with construction that would be overlapping with the widening of Sam Furr, making it nearly impossible to enter and exit either of the only two Birkdale access points. The proposed development project does not fulfill the criteria of safe, managed, accessible, required or timely. Please do not harm the delicate balance between growth and overdevelopment by approving this project.

Errol Genois said I've been a resident of Birkdale Village for 23 years. I consulted my crystal ball on the issue of rezoning Birkdale Village. It simply revealed that the Town Board of Commissioners and Mayor must reject the request for rezoning Birkdale Village because the number of proposed parking spaces supplied by the new parking garage, hotel, high rise apartments will total even less than the current parking spaces available. Acceptance of the request for rezoning will as a result leave shoppers with only one choice. That is to park on residential streets in Birkdale Village in front of our homes. Moreover, parking by non-residents on residential streets will cause unacceptable traffic congestion. Use your power to protect and to serve our community, not destroy it. Furthermore, I request the Board of Commissioners and Mayor to recognize the unavoidable threat of rezoning to the livability of Birkdale community and to therefore unanimously reject the proposal to rezone Birkdale Village. A unanimous rejection of the rezoning proposal will protect the following rights of homeowners: (1) to park in front of their own homes; (2) to feel safe from an invasion of unknown visitors; and (3) to secure streets for fire, police and medic during life-threatening emergencies. Your approval of rezoning will demonstrate a total rejection of your support for the rights of homeowners to continue to live and secure their investments in their homes in Birkdale Village.

Nick O'Shaughnessy said I've lived in the Birkdale Greens since 2002, so I'm a long-term resident. I'm surprised to see the same graphics this evening as were presented and denied two years ago, and they still show the traffic circle that was illegally removed and which caused a lot of traffic issues, but now I'll get to my little speech. In 2023, the Birkdale Village expansion proposal was rightfully denied by the Planning Board and the Town Board because it was the blatant violation of zoning regulations, excessive height requests, and its inconsistency with the Huntersville 2040 Community Plan. The critical issues from 2023 are still not resolved. In fact, this 2025 proposal is even worse and more of a violation. The 2023 denial, a single-story office building was at 110' was deemed too tall.

The 2025 proposal, now we have three massive structures and the office tower similarly a moving target because it is shown on the drawings at 115', but now according to Susan Irvin is now 100'. The target seems to be an ever moving object. The hotel at 90', the multi-family at 85' each drastically exceeding the height restrictions, which are still the same. It still says Urban Workplace is 45', so the two parking decks at 85' and 55' both exceed the ordinance limits. So what's changed? The Planning staff appeared to have done a 180 degree flip flop, which raises red flags for me. The same planning staff COD on YouTube stood firm in 23 against 110' building and is now fully supporting a project with even taller structures. What is the justification?

Brian Rice (Shannon Rice deferred time) said like many here, I support responsible development that strengthens our community and aligns with the Huntersville 2040 Community Plan. While I understand the intent behind the proposed Birkdale Village expansion, there are significant concerns that I believe deserve careful consideration. Like my other friend, a lot of these things have been spoken and so in the interest of time I won't restate them.

First, the project is happening at the same time as the Sam Furr Road expansion. We've already talked about that. We know the traffic issues that that's going to create. I won't go into that. We also heard about the increased tax revenue, but I think we heard from Kerry who also cited, but what are going to be the actual infrastructure costs. We really don't know. The traffic study, I think Merlin talked about the traffic study. This doesn't take into account the full picture. It doesn't take into account that there are other developments just across the street that haven't been completed yet, but they have been approved.

The parking still remains a concern. I did want to clarify in that initial development, there were 78 parking spots that were eliminated. They were not replaced with anything. And to put that in context, when we talked about the tractor trailers going through the development, the reason that is, and I live on the corner so I know because you can see the trail and you can see the tire tracks on the sidewalk. It's because when they took out those parking spaces, they made the radius so narrow that the tractor trailers can't go around Birkdale Commons Parkway. That's the reason why they have to come up around Birkdale. They come through Bridgeton and then they come around, they go over the sidewalk and then they go into eeZ or some of the other places. That's why that's happening.

One other thing is I did hear, and I'm very supportive, that Jamestown wants to support their tenants. I just ask, are they going to support their neighbors, because we're their neighbors. I saw a full PowerPoint of all kinds of bullets of all the things that are going to help with parking. They haven't done it yet. It was the same issue that we had two years ago. They didn't come to the table then, why should we expect that they're going to come to the table now. I guess it all comes down to trust. I want to be clear. I support growth that is well planned and beneficial to our town. However, responsible development means finishing approved projects, which we talked about weren't finished, allowing the Sam Furr expansion to be completed. That is a choice that you can make. Ensure any new proposal truly aligns with Huntersville's long-term needs and the needs of its neighbors and tenants. I respectfully ask that you reject this proposal in its current form and request a development plan that fully considers our infrastructure, economic, and community needs.

Mary Ann Turetsky (Brad Kerbs deferred time) said we have already sacrificed the heart of our village, the green space that once defined it. We lost open site lines that allowed us to see from the front entrance to the lights of the movie theater. Instead, we now have massive buildings, a jumbo screen flashing ads all day, a half-built brewery and a collection of little trailers that they like to call their jewel boxes. But that's not all. Besides the parking spaces, they drove out little businesses that we had shopped at for 15 years. Why? Because the developers doubled their rents and they had to relocate. Now we have high end stores that most people can't afford to shop in.

Let's talk about the biggest blunder of all, the removal of the rotary, which made a smooth way out of the Village. Without it everybody talked about how much of a nightmare the traffic is. As if that weren't enough, crime has surged. Frequent smash and grab robberies and shoplifting incidents plague our area. Some sitting commissioners don't think that shoplifting is a crime, but I happen to. Our Village is no longer the self-welcoming, safe-welcoming place it once was.

We did not vote for you to represent Jamestown. We voted for you to represent us and this community. While executives of Jamestown retreat to their golf club communities and beachfront properties in other states, we are the ones left to deal with the fallout of their overbuilding and greed. And make no mistake, this is their cycle. They develop, they profit, they abandon, and in a few years they're going to sell us off without a second thought. We will then just be another Northlake Mall. By then, it will be too late.

This is your moment to stand with us. We are all watching. We're all counting on you to protect what's left of our Village. Please do not sell us out again. It's time to demand better.

Sue Gilbert (Marissa Gilbert deferred time) said my husband and I own the Nothing Bundt Cakes bakery, which is located at 8830 Lindholm Drive in Huntersville. My husband and I are deeply concerned about the rezoning request by Jamestown. We agree that the parking is terrible. These two parking decks I do think would help. However, the additional building center planned, in particular the 125-room hotel encompasses almost the entire parking lot, which is in front of the strip center that I am in. This hotel would block the visibility to our guests in Birkdale. It would divert traffic around our business and most importantly it would eliminate almost all the parking lot for our customers, employees, not only for Nothing Bundt Cakes, but also for Chipotle, Visionworks, Chase Bank that are also located in our building. We've been located here for the past 11 years, and we have tried to be active in our community. We have donated to almost every single charity you can imagine. We try to give back and have always wanted to support our community, and now we're hoping that you will do the same for us.

We were very excited when we heard that the Cheesecake Factory and the Apple Store were coming to Birkdale. We thought this would bring in more guests, more people into our bakery. But what we found is that we've had a significant decrease in sales. Our sales have been down more than 25 percent, and this is we credit to the lack of parking. We have customers that call and cancel their orders at the last minute because they can't find a parking space. There's not even a space that we could walk the cake out to them to their car because people get so mad if you even stop, you've got people honking and other people getting out, arguing with our customers. We've had women come in crying because they've been yelled at trying to find a parking space. We have people coming in yelling and cussing us out and they vow they'll never return to Birkdale because of traffic and the lack of available parking spots.

While this sounds so great to have all these new office buildings and more retail, where are the employees going to park? Because I can tell you that the Cheesecake Factory alone probably employs 40 people per shift. The Apple Store probably 30 people per shift. That's 70 people right there. My building has just on a regular day, 28 to 30 people. On weekends we have about 40. This is just employees, but that entire building, that's 40 employees. Where are they going to park? What about the hotel employees? Where are they going to park? Now you're saying this is going to be some boutique hotel. Is it going to have conventions? Is it going to have wedding receptions? Is it going to host proms? Where will all these people park?

I'm not against renovations and let's update it, but for Jamestown to say that you give us all or you get nothing, I don't believe that. I think they're trying to push your feet to the fire and say you do this or we're not doing anything. I don't believe that. This is a company that wants to make money. They will do it in bits and pieces if they have to to get it done. What I would like to propose is that you do it responsibly. Do certain sections. Maybe allow the parking garage to go in. See if that helps relay some of the parking nightmare that we are experiencing. If it does, then we do a phase two, then maybe allow a retail building. But how many people are going to work in that retail building. And then if they have

their customers coming in every day, what's that another 150, 200 people coming into their offices each day. It does not make sense.

Then you have not only the hotel, but then you're going to have apartments and that's at least 1.5, so 1.5 people average because we don't know if it's a one bedroom or two bedroom, but we'll say at least 1.5 cars per person for that apartment complex. This is not just we're adding 500 more parking spaces. They're all going to be taken. This is not a solution at all. And if you come up there on the weekends, you will see. I mean, they have done a great job with the town green and lots of people want to go there, but this is not a solution.

Kim Zarsadiaz (Janelle Schmit deferred time) said I live in the Greens at Birkdale Village. I prepared something, but everybody has said everything. I just want to say that I am for responsible development. And like so many people have said, we need to know that this developer is going to be a good neighbor to us and we need to know that you guys are going to support us. We were there first and we support Birkdale Village. I don't think there's any segment of people that supports that commercial project more than the 500 homes that live right next to it. I eat dinner over there several times a week, lunch a couple times a week. I buy every single piece of clothing I own for me and my husband over there.

I've lived there for 25 years. I was one of the first residents in that community, and we own two homes. We just need to know they're going to be a good neighbor. You guys were voted to support the Town of Huntersville residents.

I do support responsible development. I think it's needed. We need to grow with the times, but we need to do it right. We have people parking on our streets. It takes me as long to get out of my neighborhood as it does to get to Charlotte or the east side of Charlotte. That's not proper. But I like what I saw. It's pretty, but I want it to match what's already there. It looks disjointed now. It looks like we have little house trailers sitting in the middle. It's painted white and black in the middle and brick on the outside, and it just looks like no thought went into it.

Dawn Snow (Doreen David deferred time) said the pending proposal is not new. It's almost identical to the original 2022 application except it's worse because it includes eliminating an entire parking lot, 90 plus parking spaces, in order to build a hotel. The previous proposal was denied because it was not in the spirit of the regulations and due to the building height and the structures substantially exceeding the maximum 48' limit for Urban Workspace and for not complying with several of those 2040 policies. And one of those policies is the Land Use Policy 5.1 is to allow for more intense development only where transportation infrastructure already exists.

Birkdale Place, which is currently being constructed, will be using the same two intersections as Birkdale Village. There's already a bottleneck for anyone driving down Highway 73. The widening of 73 is going to last years and it's going to require lane closures, staging, and redirecting traffic. That's going to create even more of a traffic nightmare. You don't really need a traffic study to figure out that there's going to be major gridlock. And even though Jamestown has stated that they will participate in the Townley Extension, this extension should be in place before development given that our main exit out of the neighborhood would be bottlenecked. Not only will our quality of life and property values suffer, but safety will be jeopardized when first responders cannot get to a fire or some medical emergency. The other Land Use Policy that was reason for denial was 11 to protect the existing housing stock and LU-12.3 to blend new development with existing neighborhoods.

This is because Birkdale's unique character is derived from the fact that it was modeled after a small town. A max building height of 48' was put into place to be in compliance with the pedestrian oriented development standards and to create a friendly human scale that's like the character of a village. Both the scale and architecture have to be right to maintain character, but the sheer size and mass alone of the five proposed structures would be two times the height of other neighboring buildings. This would destroy the remaining aesthetics and ambience of the Village and would be completely out of context and scale. Furthermore, why would the town even consider removing an existing parking lot to add a 90' hotel that will be out of context and scale when one will be right across the street at Birkdale Place and there's going to be two others at Rubbermaid in Northcross.

The staging of materials that will take place along with the 90 plus parking spaces that will be lost will severely impact the businesses right there that rely on that parking lot. And let's not ignore the fact that there's no designated parking for this full-service hotel. With demand for office space lagging and vacancy rates rising, what justifies the need for this massive 100' Class A office building with lots of glass that will be completely out of place and why must it be in Birkdale Village where it'll not respect the character or blend with the Village or neighborhood. This totally goes against this Land Use Policy. Lastly, referencing an analogy by Jeff Bezos, approving this proposal is a one-way door decision because it has significant and irreversible consequences. Please do not let the potential tax revenue outweigh all the negative and far-reaching consequences that this will lead to. It should be denied for all the same reasons it was denied before and it should be an easy decision.

Tom Barrett said I feel like I'm coming at it with a different perspective. I work with Cool Kids Clubhouse. We work with kids with pediatric cancer. We're in Huntersville. We started in 2020. Everything was good. Everyone wants to support kids with cancer, so we were doing very well. But then we lost a lot of our staff. COVID came up, so we lost people. We had to stop our in-house programs. Then we lost staff. One of our staff members died. Another one moved on. Birkdale Village and their management company really sustained us through things from giving us opportunities to do events there with Bar Taco, Fin and Fino, and they've really carried us through financially. So, they helped. We've had a good partnership with them and they've really helped make a difference in the 496 kids that we deal with in the North Carolina area, so just wanted to come and show support.

Kim DiBenedictis said I am an original homeowner, 24 years or something crazy like that, and I'm sure the owners of the farming communities were mortified that we were taking over and ruining it just as how we are now thinking this developer is going to ruin Birkdale Village. So, I understand that we're all kind of in the same change and growth and worried and scared, but ultimately I think trust is such big thing.

I just don't know if I can really trust because the problem stems from the parking by them taking our parking away, by them taking the circle away, by them building things in the center. All of a sudden we have parking problems because of what they were doing. And now for them to say, makes me so angry for them to say that if they don't get what they want, they're not going to do anything for us for the parking. They were the ones that, well, not them, NAP originally were the reason. That's my biggest frustration.

That's not even what I was going to share, but I just wanted to throw that out there right now that I'm just upset and I just want to be able to have you protect us because I don't really trust these people. I don't know that they're really caring for us. I think they're caring for their pocketbook, and I just worry about that a lot.

I do appreciate the fact that Birkdale Village didn't grow tired and become an eyesore. I do appreciate that the developer saw value in our property and what it offered to the Birkdale Village homeowners and the neighboring towns and citizens from Mooresville, Cornelius, Charlotte, etc. But when is too much now. Now is too much. The requested changes are just not right. I support responsible growth, but definitely not this rezoning. The heights are ridiculous. The buildings and offices are ridiculous. It is beautiful, but it doesn't belong here.

David Krug (Derek Partee deferred time) said I own Out Parcel 8B. That is right at the entrance to Birkdale Village, the eastern entrance. I purchased the out parcel from Birkdale Village in 2005 and I built a multi-tenant building that includes Nothing Bundt Cakes, Visionworks, JP Morgan, Chase and Chipotle. None of those out parcels include parking. I am totally dependent upon common area parking in front of my building and I pay monthly cam charges for it.

The declaration, which is recorded, of the conditions reserves both exclusive and non-exclusive surface parking in front of my building. I'm protesting the hotel portion of the petition because I believe the construction of a hotel violates the intent of the declaration of easement, covenants, conditions and restrictions which were recorded when this project was first developed. To construct the hotel on the parking directly in front of my building would eliminate 120 spaces.

Birkdale Village has offered to reserve 17 of these spaces, but that would still eliminate 107 spaces. I'm told by Brian Richards and Anthony Roberts this has never been brought up, but that Huntersville plans a median that would prohibit customers from our entrance off Lindholm Drive and would require customers to drive past the current entrance to the intersection of Townley and Lindholm, then turn left, then drive down to the end of the hotel, then turn left at the western corner of the hotel and drive down what is currently a parking lot that they intend to eliminate. I think you folks all have the plan that shows that.

Also, if you Google Earth, you'll see that every day those 124 spaces are full. Where are people going to park there. Underground parking, structured parking for us doesn't work. There's no way my tenants can survive the loss of the parking, the loss of the access, and the loss of visibility.

The declaration further states that the declarant's intention and objective in building those improvements is to enhance the value of the owner's property, which will inure to each owner. Tell me how eliminating 107 to 124 parking spaces is going to increase that value. My tenants can't survive, but because Birkdale Village doesn't own the building, they would suffer no consequences when that building is shut down, shuttered. The median is an inconvenience, but so long as the hotel is not built, customers could at least drive up to the intersection, turn left at Townley and then immediately turn into the current existing parking deck. The median with the hotel is a complete killer. Please don't allow the construction of a hotel that will destroy my tenants' businesses and ruin my property.

Amber Kovacs (Jamie Wideman deferred time) said I used to sit there where Commissioner Dumas is, so I'm pretty familiar with this project and because our minutes were shortened and somehow the prior board always appears to be a topic to discredit and you seem to have some questions, I'll just email you my original speech. First, I'd like to say I'm not running again, so this isn't political for me. No desire to be there again. I do believe in continuity and due to the lack of changes that this new company has presented, I still believe this project is not for the best. The previous board did in fact take this seriously, but of course I can only speak for me and there was another commissioner in here and you can ask them their feelings on the project as well. It was suggested that we didn't put in the work and we didn't ask the applicant to put skin in the game.

I'd like to clarify some things that happened over this very long process. When I look around this room, I can name almost every person here tonight that was involved the last time. First, last name, I can tell you what their jobs were and why every specific topic they talk about is so important. I put in the work. I followed up after every meeting where I took detailed notes and called, met with them, or emailed them to get more information. I also sat down with them and said, if things can't work out the way that you're asking, what is a compromise we can find in the middle.

The absolute greatest concern over all things was parking and how to get in and out of their home. Can you imagine if you were basically roadblocked every single day. So, we talked about the Townley Road Extension and I said, I don't know, I can't demand it, but I can talk about it. So on the flip side, I went to the applicant and talked about it and I was told absolutely not. That is so cost prohibitive for us, we would never even consider that. So that's where it ended for me. When the residents were not able to find a compromise because everything revolved around the dollar that the applicant can make, then I have to do my job as a commissioner and listen to the residents that elected me because these people aren't residents. They don't live here and they frankly don't care about the outcome other than what goes into their bank account. If you have questions or concerns about the last process, reach out. Don't assume you know.

Ultimately, I'm asking that you hear these residents and businesses that are here tonight and don't rely on the fuzzy math that's presented by someone paid a lot of money to present it to you. Look at it, do your own work. They can tell you what's being added, but they're leaving out the things that they're taking out. You heard our business owners almost in tears talking about how they won't survive this. We've had small businesses that are residents of our very town kicked out because they don't fit a vision. You guys are such proponents of small business, but they're going to be here and these small business and franchise owners are telling you they can't survive it, so listen.

The math, the price tag, it's all too much. They're telling you that there's going to be a \$200,000 tax increase and I know Commissioner Walsh, you always love to hear that, but we also have to talk about the \$10 million price tag that would go on the Townley Road Extension to make it so they are not roadblocked into their neighborhood. It's a long time. That's 50 years to make that tax increase worthwhile. I don't really think that's worth it.

This applicant has already shown their lack of concern for residents and the Birkdale businesses by saying that they're not going to fix parking unless this goes through. They threatened you with either an approval or no fix for a cause, and that right there should tell you that they're not being responsible business owners for the people that are relying on these businesses to survive. And that should tell you where your vote should go.

Frank Logano said I live on Devonshire Drive. Most of the time when I leave my neighborhood I come out and turn onto Sam Furr. We can do all these studies and I did a lot of models in my business world, but the end result was well after you do the study, what's the result. Someone said, you don't have to do the traffic impact analysis to know using that as a tool what the study is, you can come out at 2:00 in the afternoon on a Tuesday afternoon and it's bumper to bumper. The result I go with is the actuals. And what did the actual say. In the 2022 traffic impact analysis it gave F mark, so I'll quantify the traffic a little bit. It gave F marks for levels of service in the PM afternoon for all the intersections on Sam Furr.

The Staff Report said a traffic report wasn't required. I don't know why for this, but they did one and I happened to get a copy of it. That one done two years, three years later, gave those same levels of

service as D's, which I'm surprised it's worse from my experience yet you had F's and then D's. I think they're all still F's. The other thing about traffic impact analysis, I think we should take a look at that. Those numbers were done based on four hours of measurement of traffic on a Tuesday afternoon in May. Doesn't feel like enough with the magnitude of what we're asking here. I do think there's a lot of other points, but everybody's done a great job. One individual that mentioned it, you have the right slide up, the right slide because the real question, it's simple, what's the vision you want for Huntersville and for this key property in Huntersville? This says the original vision for Birkdale Village. Is it Birkdale Village or is it going to be Birkdale City? And that's the real question.

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

Petition #R24-14. Mayor Clark called to order public hearing on Petition #R24-14, a request by Linda Long to rezone +/- 64.5 acres located at 12705 Commerce Station Drive from Corporate Business to Corporate Business Conditional District to develop an industrial and flex space warehouse development.

Staff Report and Staff PowerPoint attached hereto as Exhibit No. 7.

Brad Priest, Assistant Planning Director, said Petition 24-14 is a conditional rezoning application for Commerce Station Industrial. The property owner is Linda W. Long and so briefly, here's the subject property here at the eastern side of Commerce Station Business Park. Commerce Station dead ends in the very end and this parcel is at the end there and is proposed to be developed. It is +/- 64 acres in size. It's currently zoned Corporate Business. You can see through the middle of the property those two red lines. Those are two thoroughfares that are going through the property. That will come up in our discussion in just a moment. Context map, just again to give you a context of where this is in relation to existing development, it's south of the construction and debris landfill Greenway Waste to the north and then again at the end to the south you can see some flex warehouse building at the end of Commerce Station Drive.

Just some highlights of this plan. It is a four-lot subdivision that is proposed for Lot 1 and Lot 2 to be flex space distribution warehouse type of uses. Currently there's a note on the plan that caps the space at 500,000 sq. ft. for Lots 1 and 2. I don't think that includes Lots 3 and 4. We're getting clarification on the applicant on that.

Whenever you see a rezoning come in that's CB to CB, that means there's not really a change of use or an intensification proposed. Really the sole purpose of this application is to ask for modifications and for site design constraints. The main one being a swim buffer modification. If you look on the map on the area that's highlighted in red, that's highlighted as an intermittent stream categorized as an intermittent stream and in our ordinance, there should be a buffer around that stream. Since there is not, the applicants are looking to somewhat encroach into that water quality buffer. The ordinance says that with mitigation and a conditional rezoning that encroachment can take place. And so that's a big reason why this application is coming before us, not necessarily because of the uses. The uses are the same that would be allowed in Corporate Business, but to enable that encroachment into the swim buffer.

Another highlight of this plan I want to draw attention to, it's not necessarily pertinent for the project but for the landfill in the back. Highlighted there, the applicants have proposed to fully stub for that private drive access on the west of the property that gives access to Lot 1 on the top. They would stub to the Greenway Waste property to the north. They've been working with Greenway Waste to move their main entrance from where it currently is on Holbrooks Road to this private drive which connects to Commerce Center Drive, which connects to Verhoeff Drive, getting the landfill off of more of a

residentially constructed street and more to a commercial street. So that would be something that the staff would work with the landfill separately, but this is accommodating that potential connection in the future.

Something to consider, the modifications that are proposed, we mentioned the swim buffer. To the right you'll see the area in red, the encroached intermittent stream there that would be piped and covered over there. CB buffer disturbances along Verhoeff Drive and along that Everette Keith thoroughfare, there's required 80' buffers. They're asking to remove the existing vegetation and replant. They're also asking for a modification for the design of the private drive sidewalk to remove the requirements to have sidewalk on one side and they're asking for a block length modification to have a longer block length for Commerce Station Drive.

Site plan design considerations, we mentioned the thoroughfares on the property. Verhoeff Drive is shown there as frontage. This is Verhoeff Drive here and here is Everette Keith Drive here that they're accommodating. This pretty much matches the existing alignment that's on the Comprehensive Transportation Plan. We're good with that. However, the alignment may be in flux soon. The Town is looking to take this to the MPO to request and to study looking at shifting the alignment. It's been in the same alignment for I believe 20 some years now and we've got a lot of questions about the alignment and potentially shifting it, so the Town is studying it currently, so this is kind of a floating alignment. We're working with the applicant now to try to come up with some options and to make sure that the change in alignment won't necessarily disturb the site plan in a way that would make significant changes. So that's currently in discussion.

Open space, we're working with them to establish open space and there's a note on the plan we'd like to work with them on as well that allows significant flexibility to the site plan. We'd like to hone that down just a little bit so we can get the spirit and intent of the plan that's shown and make sure that sticks when it actually comes to construction.

The 2040 Plan, I just highlighted some of the ones that the Plan does support. It's in an area that is already zoned CB so it can handle the infrastructure. We're using the Future Land Use Character Area Map for the Employment Center character. It's certainly going to do that warehouse and distribution, but also we wanted to point out Land Use 11.2 protect existing housing stock. There's a lot of residential development along Holbrooks Road, so being able to get a lot of those trucks off of Holbrooks Road and onto commercial streets and the commercial thoroughfares would go a long way to keep the residential character of those neighborhoods. That's something the Town's been looking to do for a while, so that stub would make that happen.

Opportunities that we're working with them on. Connectivity and short block lengths, we have a few recommendations on how the private drive could be designed to shorten the block length, provide connectivity and kind of meet the recommendations of the 2040 Plan. Flexibility and getting that higher design as was mentioned in the previous rezoning application, one of the things that the applicant will need to do with the rezoning is provide for mitigation or in other words if you're disturbing the stream, what can they do to make water quality better in different ways since you're maybe reducing it with the encroachment of the buffer. The ordinance outlines specific ways, but one of the things that we're encouraging and the applicant is looking for ways to do this is finding an onsite application or somewhere nearby an application that would contribute to the increase in water quality, the betterment and benefit of water quality.

There's some discussion that Cane Creek nearby that Mecklenburg County is actually proposing to make that a project to update and put in better buffers and take out the erosion and do things like that. If the applicant can get the county to work with them to earmark that to better water quality, then that would be a great way that Huntersville can locally make this a win-win scenario. We're working with the applicant on that.

Staff is supportive of the application. We recommend approval with some design changes that we mentioned through the presentation. The Planning Board will hear this item on the 25th of this month.

Commissioner Walsh said you mentioned the stub street to the landfill. Have we had conversations with them and are they committing to moving their entrance? Is there a timeframe?

Mr. Priest said there is not a timeframe. The applicant has been discussing it and if you'll notice a little bit of their stormwater pond and their disturbance goes onto Greenway Waste property, so they've had discussions and they've been working easements and permissions and they've been discussing making that stub. There has not been a timeframe of when they need to make that come out. However, in 2016 when the landfill was rezoned and a special use permit was approved, there was a condition put on there that within a year of that stub being put there, the entrance is supposed to move. That's currently the expectation. We would expect that to happen and work with them to make that happen as soon as possible.

Commissioner Walsh said nothing with that stream would preclude that connection being made?

Mr. Priest said no, that would not. That would bring it up. Grading would be necessary to bring that stub as close to the property line as possible.

Commissioner Walsh said then on the block length, obviously that's a long block length, are you guys working with them on some traffic calming, a circle, something to potentially slow traffic down or break it up somehow?

Mr. Priest said we haven't had very specific ones on the traffic calming, but to break up that block, yes we wanted to try to get that private drive to look and function as much as a public street as possible. We need urban open space. One recommendation would be to put urban open space on that corner, but as far as traffic calming in regard to maybe raising the intersection to slow it, that's something else we can look into when we get into the nuts and bolts of it. But that's a good point. We can discuss that.

Commissioner Hunt said I don't know if this is a better question for Rusty Rozzelle, but if we're able to keep the funds and restore another stream like the one you mentioned, is this going to offset or improve whatever we're losing at this particular site?

Mr. Priest said that is the hope and that is what we want to do. Currently in the ordinance you can submit mitigation credits, which is essentially a calculation based on how much buffer you're disturbing. They come up with a cost and you put it in a fund, and it goes anywhere in Mecklenburg County. What we're doing here in discussing briefly with Rusty Rozzelle, what he always likes to do is try to make sure it's an apples to apples match. How much stream are you disturbing, how much buffer are you disturbing. Then whatever the mitigation is, we want to make sure it matches exactly. That would be the hope here. We're disturbing X, so what can we do to Cane Creek or whatever stream locally to better that water quality there and make those numbers match.

Mayor Clark called on the applicant.

Robert Irvin said I'm from the Irvin Law Group. Tonight with me we have Robert McCall from GTIS and then we have Chase Kerley from Crescent Communities and we also have the team from SeamonWhiteside. We have Chad Berwick and Trey Little here. First, I wanted to let the applicant give a rundown of what their company's all about and highlight light, some of the things, some of the practices that they do and will do on this project.

Applicant PowerPoint attached hereto as Exhibit No. 8.

Chase Kerley said Crescent Communities are a mixed-use master plan residential and commercial developer headquartered here in Charlotte. We just had our 60th birthday. We develop multi-family, residential, commercial office, industrial projects like this and life sciences. I lead our industrial as well as life sciences business line in the southeast and then Robert McCall with GTIS based out of New York. We are not just developers. We are trusted, experienced place makers with a great proven track record of delivering both high quality and impactful projects. We delivered over 30 million sq. ft. of commercial development with very strong economic engines behind them to create job growth, track investments. We do build to prioritize sustainable developments like this that does respect the environment, but with strong design and capital partnership and then best in class architecture that enhances both the community and the project itself.

We aren't here just asking to build four walls and a roof. We with careful planning and execution on our team as well as with the Town's team intend to build opportunities and partnerships to invest in Huntersville and Huntersville's future as well as economic hubs. We think this project is very supportive in that manner.

Crescent's footprint, we do projects just like Axial Commerce Station, which is what we're calling this one. We have built many across the country, but also just been recognized as the National Association of Office and Investment Industrial Properties developer of the year and that's across the country. And so with that commitment, us building vision, quality and partnerships like with GTIS, we have been able to earn those type of marks that we are very proud of and happy to celebrate that both with projects we have done and those that we're continuing to do in front of us like this one today.

I don't have many other notes other than to kind of give reference images of some projects we have done. This project is in Cabarrus County. We're actively developing in Iredell, Mecklenburg near the airport, as well as in Rock Hill and some other precedent images of projects we have delivered in this market and nearby to give similar images as well as projects that GTIS has done that gives examples of what the architectural elements and quality and commitments that we intend to develop for this project.

Robert McCall said similar to Crescent, we are an active developer in the industrial and residential space. Our footprint may be a little bit larger than Crescent and it's nationwide. There's some representative images here from Phoenix and Atlanta. We have a project that we just broke ground on in Gastonia. We also have a project just across the North Carolina, South Carolina border in Cherokee County that we're developing.

Our industrial business is pretty similar from an architectural perspective to what Crescent's doing. One of the things that we're very much focused on in conjunction with Crescent is not just building a warehouse but building a warehouse that the town is going to be proud of and somebody that wants to

own it long-term will be an architecturally beneficial addition to the town. And we are trying to do that in conjunction with what already exists with Commerce Station and make sure that we fit into that existing infrastructure. We know there's more opportunity for future development in that park and we want to support that in the future.

Mr. Irvin said I think Brad did a great job of showing where this project is. You can see the Greenway Landfill project right above the property and then to the west of the property you'll see Southwire, Reynolds, more warehouse industrial type uses. And then there's a Town of Huntersville utility station to the edge. Like Brad said, the current zoning is CB and we're requesting a CB conditional and the types of uses that are permitted are exactly what we are proposing here. Like Brad said as well, not to harp on it too much, but we're here mainly for the stormwater mitigation process and we're going through the Town's conditional rezoning process to have a public process to go through this and do what's best for the town.

Here it is again, you can kind of see the site plan overlaid and see how it fits into relation with the other buildings and the surrounding properties. A little bit more project information, it's 452,750 sq. ft. It's warehouse distributive business, current zoning Corporate Business and we're asking for Corporate Business Conditional.

This just is kind of a recap summary of some of the things that Brad talked about. We're working with him. Some of the mitigation fees in our conversations with the county, it seems like we're going to be able to hopefully earmark some of those mitigation funds for the Cane Creek project in Huntersville and keep some of that mitigation to benefit Huntersville.

This was kind of an idea to show you how the lots were broken up. Once again, Brad stealing my thunder, taking the 2040 Plan slides and you see it's in an Employment Center and Employment Centers contain a mix of uses, office, industrial, institutional and so this project is fitting in with that theme.

Mr. Kerley said Crescent has a strong history of being involved in sustainability. Our namesake used to be Crescent Land and Timber and so we do like to integrate wood within any projects we do. This project will be sort of a lead shell ready condition, but otherwise a lot of articulation, a lot of integrated wood within the facade of the building to break that up, bring some harmony. The design of this building, yes, it's to attract investment, but it's also predominantly to attract employment and so people like to work where they like to go to and so we like to make the building as attractive as possible, integrating color, material, texture, variation of the building facade as well.

Mr. Irvin said I think this is some of the most important information here. It's a \$50 million plus project when you take into account the land acquisition, hard costs, leasing costs, soft costs, financing contingency, but more importantly the economic benefits that come with this. Currently this is in the ETJ, so there's no tax benefit. The estimated Huntersville property tax after this is completed is about \$132,000 a year. The construction benefits that we calculated were a little bit over \$58 million. The construction jobs created were 237 during the construction process and then after construction there'll be 250 plus jobs. It's a great fit for the Employment Center.

Just a quick rundown of the public benefits that this project provides. Like we said, the access road up to the Greenway Landfill to take some of that landfill traffic off of the residential Holbrooks Road and bring it more to Industrial Commerce Station. Dedication of the right-of-way of Everette Keith and Verhoeff Drive consistent with the CRTPO. Elevated architectural designs, access to the currently landlocked

Baucum properties to the south/southeast of the property. And then traffic improvements to Meacham Road and US 21.

Commissioner Dumas said one of your last slides said that you expect 250 or so employees after construction. That was one of my questions just because that's an employment zone as you mentioned and that's important. How do you know that if you don't know what's going to be there? You know it'll be a warehouse, but how can you estimate the number of employees yet?

Mr. Irvin said there are calculations based on square footage and types of uses.

Mr. McCall said for a manufacturing use, typically you have roughly one job per 1,000 sq. ft., so if we ended up with all manufacturing users, we may create more than 450 jobs here. If it's distribution, it's closer to one job for every 2,000 or 2,500 sq. ft. A mix of those ultimately gets the 250 plus. Our goal would be to get only manufacturers. That would be great for the town. It would also be great for our investment. We can't 100 percent control who ultimately is going to lease it, but the expectation is that we would get some mix of manufacturing and distribution.

Commissioner Dumas said this might be about zoning and I can't remember off the top of my head. A storage facility couldn't come in then? No. Okay. For those who are watching Ryan shook his head no. You mentioned sustainability. Would you consider putting solar panels?

Mr. McCall said we would. That's a complicated answer because a lot of it requires cooperation in a lot of cases with the utility provider and how willing the utility provider is to allow you to be a generator and a seller of power because you are taking business away from them. But if we can provide that benefit, not only from a sustainability perspective, but we can also figure out a way to deliver power more economically to our tenants, that makes a lot of sense to do so. It's certainly a consideration. The challenges that at least GTIS has had in other places is the utility company isn't necessarily the most flexible to work with, but you certainly have our word that we would try to make that happen.

Commissioner Bergsman said I'm just curious on one of the slides that you had up, I saw that one of the materials was described as thermally modified wood planks and I'm just not familiar with what that is.

Mr. Kerley said that is wood products. I think it's just how it's treated so that it can last and create a stain that so it's not weathered over time. I think it's just more weatherproofing the material.

Commissioner Bergsman said it's not a product that would need regular maintenance.

Mr. Kerley said not regular. Everything will require some maintenance, but our investment goals are not to create regularly maintaining building materials, so it should be something that is cosmetically consistent but also sustainable.

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

Petition #R24-16. Mayor Clark called to order public hearing on Petition #R24-16, a request by Cottage Properties of Lake Norman, LLC to rezone +/- 8.77 acres located at 15533, 15513 and 15501 NC Highway 73 from General Residential to Neighborhood Residential Conditional District to develop a single-family residential development.

Brad Priest, Assistant Planning Director, said the applicant has requested that the public hearing be continued until April 1 to allow time for them to address some of staff's comments on the site plan.

Commissioner Rivers made a motion to continue the public hearing on Petition R24-16 to April 1 at Town Hall at 6:00 p.m.

Commissioner Hunt seconded the motion.

Motion carried unanimously.

Petition #ANNEX24-03. Mayor Clark called to order public hearing on Petition #ANNEX24-03, a request by Paul and Ruth Walters Family, LLC, to annex 15.677 contiguous acres into the Town of Huntersville.

Becca Prichard, Planner I, entered the Staff Report into the record. *Staff Report attached hereto as Exhibit No. 9.*

Tonight we're here to talk about a petition for a contiguous voluntary annexation – Annexation 24-03 Courtyards at Walters Farm. The applicant is the Paul and Ruth Walters family LLC. The property is 15.677 acres. It's comprised of three parcels, two full parcels and a portion of one. These properties are under the Rezoning 23-07 that was approved in October 2023.

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

OTHER BUSINESS

Petition #ANNEX24-03. Petition #ANNEX24-03 is a request by Paul and Ruth Walters Family, LLC, to annex 15.677 contiguous acres into the Town of Huntersville.

Commissioner Hunt made a motion to adopt the Ordinance approving Petition ANNEX24-03, a request by Paul and Ruth Walters Family, LLC to annex 15.677 contiguous acres into the Town of Huntersville.

Commissioner Quarles seconded the motion.

Motion carried unanimously.

Annexation Ordinance attached hereto as Exhibit No. 10.

Purchase Agreement for Surplus Property. On January 21, 2025, the Town Board authorized the advertisement for upset bids for the sale of approximately 1.68 acres of surplus property. The Town did not receive any upset bids for the property.

Commissioner Walsh made a motion to approve the purchase agreement for the sale of approximately 1.68 acres of surplus property.

Commissioner Rivers seconded the motion.

Commissioner Walsh said during the last town election, the individuals who comprise this Board made a commitment to attainable housing. While no one sitting up here is naive enough to think we're going to solve this local and national problem, we're following up our words with action. As part of the budget

process for the current year, we committed \$150,000 towards attainable housing. This past month we approved a small infill development that will include one attainable unit. In our last meeting, we in essence donated two Town owned properties to Habitat so they could create attainable housing units. On tonight's Consent Agenda, we approved the Town of Huntersville Attainable Housing Program. With this motion, we are partnering with a local developer to create an attainable housing co-op building, leveraging Town owned land to make this happen. Moving forward, we will continue to look at other opportunities to address the fundamental shortage of attainable housing in Huntersville.

Motion carried unanimously.

Purchase Agreement attached hereto as Exhibit No. 11.

CLOSING COMMENTS

Mayor Clark wished a happy Black History Month.

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

Approved this the 4th day of March 2025.