

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

May 6, 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 May 6, 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

Gilead Road closure.

Working with the Town of Davidson to have access to arborist services two days per month.

Budget engagement sessions – May 12 at Primal Brewery and May 19 at Town Hall.

Veteran Services meeting hosted by Mecklenburg County Commissioner Arthur Griffin is May 8 at Town Hall.

PUBLIC COMMENTS

250th Anniversary of the Mecklenburg Declaration of Independence Proclamation. Mayor Clark proclaimed May 20, 2025, as Meck Dec Day.

**A PROCLAMATION FOR THE 250TH ANNIVERSARY OF THE MECKLENBURG DECLARATION OF INDEPENDENCE
("MECK DEC")**

WHEREAS, on May 19, 1775, elected representatives from nine County Militia Companies, met at the courthouse in the middle of Charlotte and began their discussions on the need for independence from the Crown; and

WHEREAS, these men unanimously adopted resolutions to declare themselves *“a free and independent people”* in a document which came to be known as the Mecklenburg Declaration of Independence; and

WHEREAS, six of the men were associated with Hopewell Church (Hezekiah Alexander, John McKnitt Alexander, Richard Barry, Ephraim Brevard, John Davidson, and Matthew McClure) and two others lived in this area (William Graham and Waightstill Avery); and

WHEREAS, at noon on May 20, 1775, Colonel Thomas Polk read the Mecklenburg Declaration of Independence from the steps of the County Courthouse to the assembled citizens; and

WHEREAS, on May 31, 1775, the delegates adopted twenty additional resolutions to directly govern themselves, and became known as the Mecklenburg Resolves; and

WHEREAS, Militia Captain James Jack took both documents to Philadelphia where the Second Continental Congress was meeting. When he returned, he said that the representatives from North Carolina had read and approved the documents; and

WHEREAS, upon delivering the Meck Dec, Captain Jack said to the delegates, *“Gentlemen, you may debate here about reconciliation and memorialize your king, but, bear it in mind, Mecklenburg owes no allegiance to, and is separated from the crown of Great Britain forever.”*; and

WHEREAS, in 1819, President John Adams wrote to President Thomas Jefferson that the Meck Dec was, *“the genuine sense of America at that moment was never expressed so well before, nor since”*; and

WHEREAS, the State of North Carolina has chosen to recognize the significance of the Mecklenburg Declaration of Independence by placing the date of its signing “May 20, 1775” upon our State Flag and Great Seal; and

WHEREAS, this May 20, 2025 is the 250th anniversary of the Meck Dec.

NOW, THEREFORE, I, Christy Clark, Mayor of Huntersville, do hereby proclaim 20th day of May as **“MECK DEC DAY”** in Huntersville, North Carolina.

IN WITNESS WHEREOF, I do hereby set my hand and cause the Seal of the Town to be affixed, this the 6th day of May, 2025.

Small Business Week Proclamation. Mayor Clark proclaimed the week of May 12 through May 17, 2025, as Small Business Week.

A Proclamation for Small Business Week

WHEREAS, the Town of Huntersville, North Carolina recognizes and values the dedication and entrepreneurial spirit of small businesses that keep the State and American economy growing stronger; and

WHEREAS, there are approximately one million small businesses with employees in North Carolina accounting for 99.6% of all businesses in the state; and

WHEREAS, the income of North Carolina’s small business owners totals over \$20 billion, and these businesses employ 1.7 million North Carolinians or 45.3% of the State’s non-farm private workforce; and

WHEREAS, as of 2023, Mecklenburg County, North Carolina, had approximately 96,000 businesses employing over 650,000 residents; and

WHEREAS, it is the collaborative mission of the town working with the Lake Norman Chamber of Commerce, Mecklenburg County Economic Development, and the Small Business Administration to help our businesses grow and create new jobs in the community and Lake Norman region by providing exemplary workforce training, financial assistance programs, and research and technical assistance; and

WHEREAS, the Town of Huntersville appreciates the support of our small business community by the Chamber of Commerce, Central Piedmont Community College, Small Business Technology Development Center, and our SCORE volunteers; and

WHEREAS, during the week of May 12 through May 17, the Lake Norman Chamber of Commerce is celebrating Small Business Week.

Now, Therefore, I, Christy Clark, Mayor of Huntersville, do hereby proclaim the week of May 12 through May 17 as **“SMALL BUSINESS WEEK”** in Huntersville and urge all citizens to acknowledge and celebrate the achievements made by small businesses both locally and nationally, and to further support your local businesses by **“Shopping and Buying Local!”**

In Witness Whereof, I do hereby set my hand and cause the Seal of the Town to be affixed, this the 6th day of May, 2025.

National Police Week Proclamation. Mayor Clark proclaimed the week of May 11 through May 17 as National Police Week.

A PROCLAMATION FOR NATIONAL POLICE WEEK

WHEREAS, every day across the Town of Huntersville, police officers bravely and courageously risk their well-being to protect and serve our community and preserve the peace and order to which every citizen is entitled; and

WHEREAS, the week including May 11 has been designated as “National Police Week” to honor the police officers who put their lives on the line to keep our communities safe; and

WHEREAS, the Huntersville Police Department consists of 116 full-time sworn police officers and 21 law enforcement support staff. The Police Department is responsible for 24-hour community wide law enforcement and responds to all requests for emergency services. The Police Department responds to an estimated 65,000 calls for service per year; and

WHEREAS, the members of the Huntersville Police Department are dedicated to ensuring public safety and enhancing the quality of life in the Town of Huntersville by serving as leaders and mentors, educating the community about the importance of public safety; and

WHEREAS, we appreciate the extraordinary efforts and sacrifices made by officers and their family members daily, to protect our schools, workplaces, roadways, and homes.

Now, Therefore, I, Christy Clark, Mayor of Huntersville, do hereby proclaim the week of May 11 through May 17 as “**NATIONAL POLICE 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 6th day of May, 2025.

Veterans Services Presentation. Edison Platt, Director of North Carolina State Veterans Services for the Department of Military and Veterans Affairs, presented information as to why it’s important to have a Veterans Services Office in the local region. *Refer to PowerPoint attached hereto as Exhibit No. 1.*

Manager’s Recommended Budget for FY2026 Presentation. Anthony Roberts, Town Manager, presented the Manager’s Recommended Budget for FY2026. *Refer to PowerPoint attached hereto as Exhibit No. 2.*

AGENDA CHANGES

Commissioner Walsh made a motion to add a Resolution in opposition to House Bill 765 as Item 10.D under Other Business. Commissioner Hunt seconded the motion. Motion carried unanimously.

Commissioner Dumas made a motion to adopt the amended agenda. Commissioner Rivers seconded the motion. Motion carried unanimously.

CONSENT AGENDA

Amend Chapter 93, Article III of the Code of Ordinances – Noise. Commissioner Dumas made a motion to approve amending Chapter 93, Article III of the Code of Ordinances – Noise. Commissioner Hunt seconded the motion. Motion carried unanimously.

Amended Chapter 93, Article III of the Code of Ordinances attached hereto as Exhibit No. 3.

Call for Public Hearing – Petition #R25-05. Commissioner Dumas made a motion to call a public hearing for Tuesday, June 3, 2025, at 6:00 p.m. at Huntersville Town Hall, Huntersville, NC 28078, on Petition #R25-05 MHH Logistics, a request by Skye Partners, LLC to rezone +/- 8.677 acres from Corporate Business to Corporate Business - Conditional District for an Industrial Flex Warehouse with associated office. Commissioner Hunt seconded the motion. Motion carried unanimously.

Call for Public Hearing – Petition #R25-03. Commissioner Dumas made a motion to call a public hearing for Tuesday, June 3, 2025, at 6:00 p.m. at Huntersville Town Hall, Huntersville, NC 28078, on Petition #R25-03, Mint Landscaping, a request by Brandon Morris to rezone +/- 2.98 acres from General Residential to Special Purpose - Conditional District for a Commercial landscaping site. Commissioner Hunt seconded the motion. Motion carried unanimously.

Call for Public Hearing – Petition #TA25-05. Commissioner Dumas made a motion to call a public hearing for Tuesday, June 3, 2025, at 6:00 p.m. at Huntersville Town Hall, Huntersville, NC 28078, on Petition #TA25-05, a request by the Town of Huntersville Planning Department, to amend Article 8.17(6) of the Zoning Ordinance and Articles 150.05 and 150.14 of the Code of Ordinances to ensure compliance with state statutes. Commissioner Hunt seconded the motion. Motion carried unanimously.

Call for Public Hearing – Petition #R25-02. Commissioner Dumas made a motion to call a public hearing for Tuesday, June 3, 2025, at 6:00 p.m. at Huntersville Town Hall, Huntersville, NC 28078, on Petition #R25-02, First and Church Townhomes, a request by Better Path Homes, LLC to rezone +/- 1.147 acres from Neighborhood Residential to Neighborhood Residential - Conditional District for a townhome development. Commissioner Hunt seconded the motion. Motion carried unanimously.

Call for Public Hearing – Petition #TA25-07. Commissioner Dumas made a motion to call a public hearing for Tuesday, June 3, 2025, at 6:00 p.m. at Huntersville Town Hall, Huntersville, NC 28078, on Petition #TA25-07, a request by the Town of Huntersville Planning Department to amend the Huntersville Zoning and Subdivision Ordinance by re-designating the Board of Adjustment duties to the Planning Board. Commissioner Hunt seconded the motion. Motion carried unanimously.

Call for Public Hearing – Petition #R25-04. Commissioner Dumas made a motion to call a public hearing for Tuesday, June 3, 2025, at 6:00 p.m. at Huntersville Town Hall, Huntersville, NC 28078, on Petition #R25-04 The Holbrook Phase 2, a request by North State Development to rezone +/- 1.727 acres at 106 Gilead Road (ID 01712208) from Neighborhood Residential to Town Center Conditional District for a mixed-use building. Commissioner Hunt seconded the motion. Motion carried unanimously.

PUBLIC HEARINGS

Traffic Calming – Devonshire Drive and Cockerham Lane. Mayor Clark called to order public hearing for Traffic Calming measures on Devonshire Drive and Cockerham Lane.

Commissioner Hunt made a motion to defer public hearing to May 20. Commissioner Quarles seconded the motion. Motion carried unanimously.

Petition #R25-01 Alex Yards. Mayor Clark called to order public hearing on Petition #R25-01 Alex Yards, a request by Alexandriana Partners, LLC to rezone +/- 11.34 acres from Corporate Business to Transit Oriented Development - Residential Conditional District for a multi-family development.

Jesse James, Principal Planner, entered the Staff Report into the record and reviewed the request. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 4.*

Commissioner Walsh said you said it's half a mile from a transit center, but there's no way to get to the transit center other than to drive, correct.

Mr. James said correct, unless you were walking on the right-of-way without sidewalk.

Commissioner Bergsman said could you go over what would be allowed by right under the current zoning on the property.

Mr. James said under Corporate Business, you're looking at things like manufacturing. You've got other industrial uses like warehousing, distribution, business parks, offices, research facilities. You've got some education, some vocational type school that you could have there by right. There's a litany of other uses, but they're all employment generating uses.

Commissioner Bergsman said do we know the percentage of the property that currently is tree canopy. I saw in the report that they're only planning on saving three trees, but do we know how much of that property is wooded.

Mr. James said there's approximately 85 specimen trees on the site. There's other trees that are not considered specimen 24" and above. There is, I don't know off the top of my head how many residential houses are on that site, so there's some cleared land as well. I wouldn't call it a deep forested site, but there are a considerable amount of specimen trees.

Commissioner Quarles said can you go through the slide where you have the little red light industrial use area. Is this Alexandria and Mt. Holly-Huntersville Road.

Mr. James said that's Alexandria Road and that's Mt. Holly-Huntersville Road adjacent to it to the north.

Commissioner Quarles said staff would prefer light industrial at that spot, because what I'm getting at is I live in that area and I know there's apartments and houses in that area.

Mr. James said to the south the City of Charlotte has some apartment units, but the town reserved this land in the last town rezoning for Employment Center uses, so Corporate Business and so what the Community Plan is really trying to do is reserve those for employment generating uses. With that being said, all that area to the left is critical watershed. You can't do employment generating uses there and a lot of the other parcels to the north and some other various areas of town that are Corporate Business, there's not many left, so we're trying to reserve those areas for employment.

Commissioner Dumas said the lot right next to the....so to the right is reserved for the park space from the county. I'm not sure I had a question, I just wanted to clarify.

Mr. James said to the east of that is the cemetery.

Commissioner Dumas said we're going to have a park but then.....I'm all about employment spaces. I think it's really important to reserve spots for employment. I'm just curious if the land right next to a park makes sense.

Mr. James said one thing to mention with something similar to a light industrial, you would think that doesn't make a lot of sense there, but one thing that does is in the ordinance when you have that type of use, there's a prescribed and required 80' buffer on the right-of-way, so that off the top offers the tree canopy you're looking for tree save. The proposed use, the buildings are allowed to be right at the street and it's kind of built in. There's not a lot of room for additional tree canopy on there. That is one

thing that an employment generating use does require depending on the building type is some required tree canopy.

Ben Geisler said I'm here to talk about Alex Yards. I'm a developer. I live in Davidson. We're local here. I don't live in Huntersville, but spend a lot of time and money in Huntersville. I'm really proud of some of the things that we're doing in Huntersville. I think just to give you a little better context, I know Jesse had a context map, but it was kind of just the Huntersville context. We wanted to show you a little better context for the whole area there.

The black and white dash line is the City of Charlotte/Huntersville border. The red uses are the more intense, higher density residential, whereas the orange is medium, yellow is low density mostly in that Gar Creek watershed that just won't be developed and then blue are those commercial business uses. The 2040 Comp Plan did not show a park in this area, so that's why you see that big swath of blue Employment Center through here, where in reality we have our corner surrounded by the green park and then the cemetery, which obviously is not going to be commercial business use.

You can see here a little better that park we were talking about earlier. Our site is surrounded by it. I feel like that's a much more appropriate use from a residential perspective buffering up against a park as opposed to industrial, particularly if you look at the population here. The southwest corner of Alexandriana and Mt. Holly-Huntersville is currently townhomes and apartments, multi-family. The image you see there on the southeast corner is a quadplex. Taylor Morrison is under development on that project. In a sort of not exceptional design, the apartment complex you see on the righthand side, south of the large industrial building, is already in place, so when you think of all those people trying to get from there to that future park, walking through an industrial site to me is sort of contrarian to what you would want to see there.

The cemetery there again in gray. You can see the CB that has grown up around it. I want to add, you might look at the Comp Plan and say why did this show all Employment Center when it was developed. The Comp Plan started that work in early 2019 and was adopted in late 2020. In the midst of that, at the end of 2019, the county bought 27 acres that surrounds this corner that wasn't contemplated in the graphics and the maps that were in the Comp Plan, so one of the things that we feel like is the Comp Plan is a guide, but it is a general guide. It's not a specific guide. It certainly didn't contemplate the cemetery nor did it contemplate the future park. At the time, Town staff actually opposed City of Charlotte acquiring that land on the basis that it would diminish the value of this corner from an Employment Center perspective because you need larger swaths, larger tracts, large employment opportunity centers. It did take that away from the site. The county bought it anyways and so we kind of have to deal with the conditions on the ground today.

This is a little bit about the park. They're a neighbor so I have had a number of conversations with Bert Lynn who is the Director of Capital Projects for Mecklenburg County Parks Department and they've been very favorable to what we're looking to do. They recognize and feel the same way that a residential use makes more sense here than an industrial use.

Clarks Creek Park is an example they provided that is down off of Hucks Creek Road in north Charlotte. Very active, very similar. It's the exact same number of acres – splash pad, dog park, walking trails, pickleball courts, a lot of really cool stuff, not just a piece of land.

From a Community Plan perspective, again you'll see the map on the lefthand side with those parcels numbered 1, 2, 3, 4, 5 just for reference. Number 1 is our site. Number 2 is the future park. Number 3

is a small piece that surrounds the creek there, a lot of topography to it. Four is the cemetery and five is that new industrial building. If you look at the map on the left and then you look at the map in the middle and you say okay, what's really happened out here, it's not all blue. It's kind of blue/green, blue/gray, blue. For that reason, we feel like a mix of uses including residential would make some sense here.

I also want to call out the mixed-use node is the pink circle, the dashed line there. Those are areas that should have residential mixed in with commercial uses, employment centers and I think again looking at the Community Plan, maybe that should have touched down to the intersection of Alexandriana and Mt. Holly-Huntersville Road recognizing the mix of uses that are already in place there between a park, CB and the cemetery. I think you can start looking at the middle map and you look at the colors that are happening out there, it tells a little different story about what's really happening.

Our whole site is within a half mile catchment area. In TODR it says you're generally within a half mile of a rapid transit station. We meet that criteria, our entire site does. As far as being within a 10-minute walk of a rapid transit station, the measurement that you see the green line here is from our parcel in pink and the bottom left to the CATS station parcel top right, it's 0.49 miles. Generally accepted a 10-minute walk is a half mile or less. Semantics here, you could argue where is the actual pick-up point for the bus – maybe it's another 0.10 of a mile or maybe it's 0.05 miles more, but I do feel like when you look at future development here that industrial site they are putting in a 10' multi-use path. The park obviously will put in its own 10' multi-use path. We're putting in 1,500' of 10' multi-use path around the entire site. I do think we are adding connectivity in this area and beyond that I think it's important to note and it's in bold in the ordinance. The ordinance says nothing in these regulations shall preclude applications beyond a half mile radius. We are within a half mile radius. I'm not saying we need that exception, but I think if logic dictated that you are putting a TODR outside of a 0.50 mile radius, you would therefore then be outside of a 10-minute walk. I don't think the ordinance contemplated that it is a requirement that you must in all cases be within that half mile walk.

A couple things you heard Jesse talk about. I think there's a few other areas where the Land Use Plan does support the project. In particular, and he did discuss it, but focusing intense development where infrastructure exists. I think it's really important to note the site is less than a 5-minute drive to I-77 at Hambright to Beatties Ford and 485 and to 115 and 485, in addition to the CATS station. This is the southernmost point of Huntersville. The traffic that would be generated from here, they are going less than one traffic light in any direction to get to an interstate.

We don't have anywhere left in Huntersville where you can put density. We do have people moving to Huntersville. We do need to have a place for them to live. I think this is a really appropriate place for that reason. A mix of uses, again I think if you look at Town One and the retail that will be up at Hambright, I think there's an argument to be made that the TODR district here has already been established with that 70-acre project and yes we are within a half mile and the two could be read together.

We did have a conversation with staff early in the process about putting a little commercial in and it just really didn't feel like it made sense. I'd also point out in TODR it reads within $\frac{1}{4}$ mile of the transit station you may include up to 10,000 sq. ft. of commercial for every 250 units. We are outside of that $\frac{1}{4}$ mile. I think there's a little misnomer that TODR is this real rich mix of uses which is the terminology used in the ordinance, but the ordinance doesn't really back that up in terms of what it might allow you to do in terms of limitations that are actually in place.

We certainly don't meet the criteria of being a pedestrian village from a street and block perspective. We did spend time with staff looking at the site trying to reflect that in our site plan. If you think about where a new street could come here, it would come through our site through the park to the cemetery to an existing road. It just didn't make a lot of sense to add a street network here that the town would have to maintain. I think when you see our site plan, we did try to factor that into the way we designed it.

Encourage transit supportive development. It actually indicates provide incentives to do development around these centers. We are within that half mile. It specifically says consider ways to encourage transit supportive development proximal to future CATS bus rapid transit stations. I think it's important to note as Jesse mentioned, it is a CATS park and ride. They are building 450 parking spaces. This is not just a everybody has to walk here. We want to try to keep people off the roads in general, but we want to grow in Huntersville. Whether you walked or you drove, you drive half a mile and you're at a bus and you're taking traffic off the roads.

This is our site plan. We do have all of our buildings around the perimeter fronting on the public street, a requirement of the pedestrian village, TODR. Our other four buildings front on a large central green. If you look at the corner of Mt. Holly-Huntersville and Alexandriana Road, we're really excited to have worked with staff to generate that sort of viewshed kind of keyhole urban green space there, so as you're entering Huntersville you have a really attractive view up through the site through this large central yard and then the red arrows show that pattern of traffic going into the park then, pedestrian traffic that is.

The top view is what we are proposing at this corner. I think one thing, and Anthony and I talked about this a long time ago, you don't arrive in Huntersville anywhere where you see a sign that says welcome to Huntersville. This is the southern gateway to Huntersville. It's a major gateway, so we've included in our proposal to have that welcome to Huntersville accentuating that corridor view.

Someone asked what the likely uses would be in this area. If you look CB up and down Mt. Holly-Huntersville Road, these are two buildings that exist today that have been developed recently and that is what you would see here. The site is challenged, though, for it. Most of these front the street and you don't see the rest of the buildings. You're going to see all the way around this at this site. Again, I just kind of question what would you want to see as you ride to Huntersville.

Some examples of other towns, that welcome to.....this is our central yard kind of split into two parts. The northern section up along the clubhouse and the pool is more active. These buildings front that green, so these are their front doors. They actually get to walk out and enjoy that sort of mini park before they walk to the actual park.

There's a lot of multi-family communities around that have a little bit of this or a little bit of that. What we are proposing here is think about more of an Old English gaming yard where you have all of it in one place.....tied to the pool, tied to that clubhouse, kind of an active area. The southern portion would be more static, more a little quiet area, a garden yard, some fire pits, curvilinear paths and plantings.

Some examples of some of those elements. Things are subjective. I will give staff a lot of credit. They challenged us with the site plan as we went through the process and although they don't support the site, a lot of their fingerprints are on the site plan. I would argue that what we are proposing in this large central yard does represent exceptional design. I would argue to look at apartments south of here

in Charlotte, there's nothing like that. I think you would be challenged to find anything like that anywhere in Huntersville. I think that is an area where we do excel.

Our group is also involved in Town One and really proud of the fact that two years ago when we put that project together, we were the first multi-family project I believe that voluntarily offered up attainable housing units in a project in Huntersville. I think if you look at submittals that have happened over the last few years most projects have included attainable house. Obviously here we're also going to propose that. We're really happy with that trend.

We have four units at 80 percent, four units at 100 percent, so eight units in the project and generally people that can afford to live there would be first responders, healthcare workers, teachers. It gives a guaranteed sort of rent control. I would also add that multi-family is the least expensive type of housing that we can build in our community, so when we talk about attainable housing or affordable housing, we talk two things. We talk about deed restrictive, but we also just talk about are we building million dollar homes or are we building somewhere where people can afford to live and in this area I think it's appropriate.

I'll defer to Brian and Anthony, but I think we are the first project in Huntersville to propose installed active solar as part of a project. I want to correct Jesse. Our clubhouse we're proposing installing active solar, so that would be live. We're proposing 20 kilowatts of power in kind of an architectural focal point. If you see the bottom right image, instead of just scattered panels like you see on houses that have been converted, we're looking at a way architecturally to make it something that's a point of emphasis. We're not trying to hide from it.

In addition to that, though, I think it's maybe where the confusion came in, we are proposing that all of the residential buildings be built what we're calling solar ready. We're working with a solar consultant. Conduits run from the attics to the electrical rooms, making sure there's that chase for future power connectivity and then making sure the roof and trusses are engineered to support solar panels in the future. Ideally when our regulatory environment is a little more predictable, our political environment may be a little more predictable. We'd like to see Duke Energy maybe a little more amenable to putting power back into the grid, but we think the same way two years ago, we put the first affordable project together I think having the first live active solar project in a multi-family community can be meaningful and really lead that conversation.

From an economic impact perspective there's a widely accepted program called IMPLAN that is used to size. Are these numbers perfect, no they're not. If you look at it relative to other projects, it gives a really good view of what happens here. First off, there's the construction itself, about \$74 million in spending. During that time, though, there's another \$300,000 in indirect.....plumber's got to run to Lowes and grab something. There's also another \$240,000 in induced spending. That's I'm going out and buying lunch or I'm stopping and grabbing a gift for the workers who are in that area. It's about \$84,000 in actual tax benefit to the town during that construction period. The residents themselves, we're building 300 and some units, there's going to be a lot of people living in there who are spending money in our community, about \$9 million in labor income, \$16 million in spending in the community and the big one here and you guys talked about property taxes and budgets. That property today generates about \$3,300 a year in tax revenue to the town. We're projecting about \$180,000 a year looking at Brookson Flats, Waterford and Ardmore as examples. Brookson really being the best example because it's a recent construction.

I will say relative to the CB use there's four or five good examples in this area of Mt. Holly-Huntersville/Hambricht. They generate properties that are about twice the size acreage. They generate about \$25,000 to \$50,000 a year in tax to the town of Huntersville. There's a significant economic advantage to the town also here.

Wrapping things up, if you step away from all the land use, what do you want to see here. When you arrive in Huntersville, what do you want to see here. What would you want to see around the park. What would you want to see for our community to say you've arrived. You've left Charlotte and you've arrived in Huntersville. I think residential is better than the industrial and I think that our project is an exceptional version thereof.

I think we do from a Land Use Plan meet the criteria for the half mile catchment area of TODR. I do think that when you look at this in a granular level, while staff has to follow the rule book, the rules say our leadership has the ability to interpret and I think if you look at the 2040 Community Plan that map that Jesse showed and I showed, that shows us as all Employment Center when in reality it's just not the case. I think this is an opportunity to correct that and look at the specific use on this specific piece of property that fits here. Certainly, the attainable housing, the solar are two pieces that we are excited about and the economic impact of this. I think if you look at this area in general, there's already a mix of uses here. I think this is another use that would be complimentary.

Commissioner Rivers said thank you for your presentation on your project that you have presented to us this evening. In the proposed project you said eight units would be set aside for affordable housing out of 320. Why was eight that number.

Mr. Geisler said from an economic perspective, you maybe first say why doesn't anybody just build these. That's because these are below market rate. As a development community we are not able to build these units and have them be profitable. Each unit we project about \$125,000 per unit as a cost to the project, so eight units is about \$1 million. We feel like it's a pretty healthy number when you start looking at it that way and for the project to move forward we have to go with the raise equity in financing and we have to raise equity in financing against the cost of those units telling someone that we're really not going to pay for them with the rents that we are going to collect.

Commissioner Rivers said with your project and the affordable housing units, will they be consistent with the proposed project as far as the apartments are concerned.

Mr. Geisler said absolutely, it's a mix of units. Someone moves out of a unit, they might move into a different unit, no differences in finishes and it's a mix of if we have one, two and three bedroom units, there'd be a mix of those.

Commissioner Rivers said and the same as far as the solar options.

Mr. Geisler said the clubhouse itself will have active installed solar but then the individual buildings will have that solar ready if the owner of the project at some point in the future decided to add solar power to those buildings, it would power the whole building.

Commissioner Rivers said the proposed project, where is it in conjunction with the graveyard site.

Mr. Geisler said if you look at our site, the yellow buildings, the green outline is the future park. The black outline is the cemetery property and then you have the industrial to the right of it. It's still provided.....the park will be a much larger buffer to the cemetery than we might disturb.

Commissioner Hunt said can you help me understand why you're saving so few trees.

Mr. Geisler said it's a small site. I think whether there was a CB use there or a multi-family use, you're going to see the developer have to participate in the tree mitigation bank. If you look at the cost we just talked about with affordable housing, to put those units in, if we said we're going to basically remove a building, the economics of that are pretty devastating to the project. One of the things that I've kind of committed I guess personally to is trying to find a better place and a better way to replant these trees than just paying into the tree bank. I'd love to find specific uses or specific areas of town where there's a need for that. I'll add to it, there are a number of trees that we will try to save that don't meet the technical criteria for tree save in the project. If you're going to count a specimen tree as a tree save tree, we can't disturb anything around the drip line of the tree and outward of that 5'. There's a number of places in the site where we have a tree that we're showing disturbance 10' or 15' into 80' circle. That tree is almost certain to survive but it doesn't meet the criteria from the town's perspective to call that a saved tree. Hence, we're left mitigating.

Commissioner Hunt said staff, is there a way that we could look into partnering with Mr. Geisler to plant the trees in a specific location other than just putting it in the tree bank.

Anthony Roberts, Town Manager, said Brian and I have chatted some about it. I think we need to chat with Emily to see if that's possible to do that. I don't know if we've come up with a resolution on that yet.

Brian Richards, Planning Director, said if that is something that is agreed upon by the Board and the applicant, that could be a condition of the application.

Commissioner Dumas said you mentioned that it doesn't make sense to do retail. I was going to ask you if you would consider adding retail, so help me understand why it doesn't make sense.

Mr. Geisler said it's a couple of things. If you look at location candidly and there's no other retail around here and usually you need a draw of a collection of things to become a destination. I think the amount of retail that's going in less than a half mile up the road is another reason. If we were trying to market the space, I think it would be very difficult to market it. And then access-wise, we are a right-in/right-out off of Mt. Holly-Huntersville Road and we're full access off Mt. Holly-Huntersville but a right-in/right-out off of Alexandriana. When you start to think about where would you put that and where would the parking for that be in a primarily residential village, it's a tough sale. Candidly, I could tell you that we're going to put 3,000 sq. ft of retail in and I could spend five years trying to lease it out and I would give it to the local Kiwanis Club or the Boy Scouts or Girl Scouts. I'd rather tell you if we're going to put some affordable housing in and have the dollars that would go being spent into a underperforming retail space, go into something that's more valuable.

Commissioner Dumas said I was looking at your really beautiful pictures of people walking around in the courtyard and everything and what did you call it.....like the vision into Huntersville.

Mr. Geisler said kind of a central yard.

Commissioner Dumas said you referred to it as people are coming into Huntersville.

Mr. Geisler said the corridor.....the view shed.

Commissioner Dumas said you have a bunch of parking right here. I don't know the elevation, but I would imagine if people are parking right after that first little green space that they'd block the view.

Mr. Geisler said staff had commented on that and this is not the most current version of the plan. Jesse could either pull his up or I could just tell you. You see that eyebrow, kind of the rounded parking area. That's now gone in our plan, so the green is larger and there's just the two rows of parking there instead of being sort of like three and a half.

Commissioner Dumas said do you think that it's enough to be able to see the pretty green corridor or will it get blocked.

Mr. Geisler said no, I think it's still a pretty significant view through there. To me, I do think it is. We're not showing street trees planted along the 10' multi-use path for that reason. We're showing landscaping there, but just in front of that little view area to kind of again further accentuate that view into the site. I do think it's the view just from the road looking at that sort of entrance and the arch and the way that the people can walk through there, drawing people into the site and ultimately up through the park. I think it's a combination of both that you're talking about.

Mayor Clark said this site location, does it fall within the zone for the CATS micro transit.

Mr. Geisler said I don't know. That's a great question. We can look into that.

Commissioner Bergsman said I think the TOD would be a little more palatable to me. I'd be curious to know if there was an option that the town could explore extending the sidewalk up to CATS, actually not just a sidewalk, but a multi-use path, if that's something you would be willing to contribute funds towards. I guess first I would need to know from staff if that's even a good idea.

Mr. James said that could certainly be a condition that can be added to the plan if you all decided and the applicant agreed to it, to connect all the way to BRT. There would obviously be right-of-way needed and things like that, so there would be some engineering involved in figuring out the price of that. I can let Ben speak on that.

Mr. Geisler said I think there's probably three pieces of that. One, could we work together with the town. Absolutely. Could we acquire the right-of-way. Maybe. Anthony, I don't know how your right-of-way acquisition went along Hambright and fortunately I think there's only one remaining occupied home on that section, so it probably would be a little lower bar, but you might be able to speak because you've had that recent experience from a right-of-way acquisition perspective.

Mr. Roberts said they all differ. You want a million for your property and the next person wants \$100,000 so it just varies. Some projects are easier than others, but nobody is giving it to you.

Mr. Geisler said the third question, I think we could certainly contribute some funding to it. Could we do it ourselves. I don't think so. I think we could certainly contribute funding towards it.

Commissioner Bergsman said that's kind of what I was thinking, if there could be a commitment that if the town would decide to pursue sidewalk or multi-use path, if you would also be willing to commit to funding some of that.

Mr. Geisler said I think definitely. I think when we look at it, the industrial complex does have a 10' multi-use path across the front of it that's going to be constructed and I think the park is obviously going to construct that piece, so it's probably not quite as daunting as it might look if you just look from Point A to Point B.

Mayor Clark called for public comments.

Randy Rabenold said my wife and I live on Kerns Road in Huntersville. I moved here in 1995, so I've seen a lot as most everybody has and I'm very familiar with the site around Alex Yards proposed site. Actually, me and my son used to tramp around in the woods down around there quite sometime ago. I think Alex Yards fits that site. I know a lot of people come up from Charlotte. I'm for it.

Elaine Benjamin said we're the Benjamin family. We've been up in this area for like 23 years and we've grown with this area and we've built our family on traditional grassroot foundation and we're really thankful to be here right now. What we see with our property on Mt. Holly-Huntersville Road is an excellent location with a great opportunity to provide wonderful community service for the residents that live there. This was the first time I got to see the real proposal and it really looks grand, it looks wonderful. It looks like it would really serve the needs of the community and to know that the park is right behind, that's just awesome. I know that living down here in Charlotte that access to the highway is like a mandatory thing to get to work. That was awesome. I was a nurse for many years at Mercy Hospital and getting to work was a trip. I'm excited to see this coming into fruition hopefully. I hope that you agree and see our vision.

Joseph Portnova said I appreciate the opportunity to propose the rezoning from Commercial Business to multi-family use in Huntersville. This project has the potential to bring tremendous benefits to our community and I want to highlight a few key reasons why supporting this change is a smart move for our town.

Number one, addressing housing demand. Huntersville continues to grow attracting new residents and businesses alike. As housing costs rise, many individuals and families struggle to find affordable options. Rezoning for multi-family use allows to provide more attainable housing opportunities, ensuring that we accommodate diverse income levels while maintaining the character and vibrancy of our town.

Number two, supporting local businesses. An increase in residential density brings economic benefits. More residents means more customers for local shops, restaurants and service providers. This shift will help sustain and grow small businesses, creating a thriving local economy that benefits everyone.

Number three, providing workforce housing. Many essential workers – teachers, police officers and healthcare professionals struggle to find affordable housing near their workplaces. Multi-family housing can help address this issue by offering cost effective living options allowing those who serve our community to live within it.

Number four, optimizing land use and planning for the future. Certain commercial areas may no longer serve their intended purpose. Rezoning for residential use ensures that we maximize land efficiency, create vibrant neighborhoods and align with Huntersville's long-term community goals.

This proposed rezoning represents an opportunity to enhance Huntersville's livability, economic vitality and sustainability. By supporting this transition, we foster a balanced approach in development that meets the needs of current and future residents. I encourage the Town Board and community members to consider these advantages and work together to create a Huntersville that is inclusive, thriving and forward thinking.

Ryan Flores said I'm a resident right here in Huntersville, about 400 meters away on the edge of Vermillion. I am a business owner on Mt. Holly-Huntersville. I was actually part of the selection committee for the artist of the Park and Ride right there is one of three that selected the artist that is going to design and Park and Ride building, so I feel like my fingerprints are a little bit all over that area. I can't really speak for the Public Arts Commission, I'm not here to do that, but being part of those meetings and as an active member of that, I really liked to hear what Ben said about the gateway in our community. We've recently worked with the builder right here behind Discovery Place about maybe even extending our SculpTOUR that we just put in in 2024. I think there's a lot of opportunity. As I've been a member of the Arts Commission since 2023, we have never worked with one of the builders of these big commercial properties, but we have worked with the builders to extend the beauty of our community. I think it's a great idea and as a business owner right here on that corner, I support it fully.

Brad Meents said me and my wife have lived off of Hambright Road right near Mt. Holly-Huntersville. We've lived there about six years. It went from a nice little quiet road on Hambright to a warehouse heaven. We were a little frustrated to kind of see this start happening and when I heard about this project, I fully supported it, especially once I heard about the 27-acre park. Just as the commissioner stated, I just didn't understand where you'd have a commercial park within a commercial area. I just think to take advantage of that park and have young families living there, creates more of a home area instead of just completely filled with warehouses. It just makes total sense to me. It's a great location to get onto the interstate and the last thing I want to see is another box store there or warehouse. Since it hasn't been decided what it could be, my fear is it's just going to be something nondescript, plain building and that's what's going to welcome you to Huntersville. I fully support this. I think it would be great for families. I think that park would just be amazing for young families moving in there.

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

Mayor Clark said before we proceed with our next public hearing, I inadvertently lumped in our general public comments with the public hearing comments and so I'm going to call on Christine Wolak.

Christine Wolak said I live on the Holbrooks side of Vermillion. Before I moved to Huntersville I lived in an awesome townhouse community. I'd like to tell you what made it so awesome architecturally speaking in case any of the developers in the room want to include this in their future plans.

The first thing was that there were one-story units in addition to the two-story units and this allowed seniors to live in a community with lawns and with mixed age ranges instead of staying in a house that's too big or having to move into an apartment complex or a senior living complex. There were at least three different floor plans for the two-story units. The one stories were just mirror images of each other, they would be on one side of a building. Each building was either three, four or five units, so it was very mixed as far as what you would see when you're looking down the street.

Each unit had a patio or a deck depending on the ground elevation and there were four different external paint colors, so nothing outrageous, beige, tan, gray and very light green. The road was not all right angles. The neighborhood didn't look cookie cutter or prefab. It looked like a neighborhood. Last, but not least, not only did each unit have an attached two car garage, but also there was room to park in the driveway, revolutionary for townhouse complexes if you've ever seen them. Many people left a car or even two in the driveway and used the garage for storage and then with the cars in the driveway it felt more like any other neighborhood that you would go to. People didn't disappear into their garage if they parked in their driveway, they said hi to their neighbors. Room for parking in the driveway, single floor units for those that can't do stairs and buildings that are different enough that you don't end up walking into someone else's living room by mistake, these are the things that made my Silver Gate community an awesome townhouse community and I hope other developers will consider this when planning their next project. Make your townhouse community a neighborhood and keep Huntersville homey.

Joe Sailors said just down the street from the project that they were talking about and by the way, there's five home sites on that piece of property. Two of them are lived in right now. The other three people have moved on and I guess that's why it's being sold. I'm trying to get staff to put the 7-Eleven station on Mt. Holly-Huntersville Road and Beatties Ford back on the agenda. Our attorneys and your attorney have been doing emails or texts back and forth according to my attorney, but haven't actually talked to each other yet. Jeff's guy is trying to get hold of you. We made a significant change. The Houston's who own the property next door, we're not going to include it in the property because they do not want to come to the board and ask the board to downzone their property back to what it was in 2008.

Because we're reducing the size of the property by almost 50 percent, that's a significant change and could constitute it being able to be brought back to the board. Ironically, the Overhill project on Beatties Ford Road, the board allowed rezoning of that property when Mr. Bowman didn't sell all of the existing property to the new developer. The board approved the property for the new zoning and it wasn't supposed to happen, but it did. I'm asking that staff and the manager people get together and the attorney and see fit to put it back onto the board.

Petition #R24-07. Mayor Clark called to order public hearing on Petition #R24-07, a request by the property owners to rezone +/- 106 acres located east of the intersection of Hambright Road and Everett Keith Road from Transitional Residential to Neighborhood Residential Conditional District. The purpose of the rezoning is to develop a single-family detached and attached house subdivision.

Brad Priest, Assistant Planning Director, entered the Staff Report into the record and reviewed the request. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 5.*

Commissioner Walsh said I've read through the Staff Report and there are a lot of notes and things, but I've got a couple of questions. It says no phasing plan has been submitted. Can you help me with that.

Mr. Priest said in looking at the site plan as a whole, you've got connections, you've got open space, you've got infrastructure and roads. But the reality is when a subdivision comes in and actually constructs, it's usually not at the same time, it's phased out. Some entrances are put in the beginning, some entrances are put in later and some open spaces are put in later. What staff is asking to do on a conceptual level, not on a lot-by-lot basis, but just understand what entrance is going to go where, what infrastructure is going to be put in when. And because the time element matters, for instance, of course we wouldn't want, and this is not something the applicant's going to do, I'm sure, but we wouldn't want

everybody going on Dogwood Lane to get into the neighborhood for Phase One being the ones to the east. That wouldn't make sense, they wouldn't do that, but at the same time we want to see that. We want to be able to see the timing because it matters. That's the request for a phasing plan to understand what connections are going to be where and to make sure those are sequential and logical in the development of the site.

Commissioner Walsh said there was modification of the conditional subdivision note. However, the subdivision note still allows a potential third party to purchase a portion of the subdivision and rezone it without the owner or other portion of the subdivision's permission. Kind of your point there on Dogwood Lane, it sounds like they could start some projects over here to the west and then sell that portion that's off of Dogwood Lane and orphan that so to speak by not connecting. Can you help me with that.

Mr. Priest said we kind of deal with worst case scenarios. A lot of time they're not the worst case scenarios, but we check and verify and that's the intent of amending the conditional note because as the note is written, that's exactly right. If the developer sells off to a third party and they start selling homes and then the owners of the homes who purchased the lots on the other side, they have use of open space, they have connections, but then the third party says they want to rezone the property, they remove connections, they remove open space, so now these property owners are being affected. It's staff's recommendation that they should be able to go to those property owners to sign on to that rezoning to be able to all be on the same page. Rather than just having that done to them, it should be with them.

Commissioner Walsh said there were in a couple of places issues with build-to lot lines. I can see down here on the left side you've got a road. Obviously, the homes are fronting the road, but it looks like there was some fronting Hambright as well as Everette Keith. In fact, I think in one place it talks about the lots may be like 10' above the street line.

Mr. Priest said the units that front proposed now on Hambright Road, so walkability, street frontage relationship is a big element of the Huntersville Code and the 2040 Plan. Usually what that means is that the units are very walkable, that you push the buildings closer to the street, you have a sidewalk that goes right to the street and it becomes a function of the home, especially in urban areas. An example, I do have just a couple of pictures I can show. Here's a picture of some developments of townhomes and narrow lot development that are on a thoroughfare, but you see they have a very close proximity to the street. Each one has a sidewalk going to the street and are very usable and functional, and how fortuitous someone was walking when I took the picture. That's the intent that encourages that when you pull those buildings back, you're less likely to use them and then it becomes somewhat of an awkward connection from the street to the house with long sidewalks that parallel each other and it becomes an awkward design.

Staff recommendation is to put a cap on that and push the buildings a little bit closer. The issue that the applicant is dealing with on the Hambright lots, there's a lot of grade because they are dealing with streams in the area. Those units are about 8' to 10' higher than the street and so you're hurting that frontage relationship. You're hurting that walkability.

On the Everette Keith side, you'll notice you've got townhomes that front Everette Keith, but you also have almost a buffer and landscaping. Staff's recommendation is to put them closer to actually front Everette Keith, but what the applicant is concerned about and we understand that from marketability standpoint, you have industrial on that side. It's buffered, but the plants are low right now, so it's not

very natural. You still see into an industrial area and it might not be as marketable that way if you have those units fronting on an industrial area. However, staff is keeping to that principle of walkability and having a closer build-to line closer as opposed to further.

Commissioner Bergsman said the tree canopy, do we know if it's wooded throughout the whole property, if it's concentrated in certain areas.

Mr. Priest said I can't tell you a percentage, maybe the applicant could. It is heavily wooded because of the streams, I would say. Some of the area to the east is not wooded. Maybe the applicant can answer it better, but essentially it's 50 percent maybe, but I can't speak to the exact. I could get that for you.

Commissioner Bergsman said that would be great. Do you know offhand which school are these zoned for. I'm guessing North Meck High School.

Mr. Priest said yes.

Commissioner Bergsman said would it be the same with the one we just heard as well.

Mr. Priest said I can verify all that information.

Commissioner Bergsman said I'd be curious to know because they're both in that Hambright corridor.

Commissioner Rivers said maybe you can assist me. Is Dogwood Lane the main entrance/exit for this project.

Mr. Priest said no ma'am. There are lots of connections. Everette Keith Road connects down to Savoy, which goes out to the intersection of 115 and Alexandriana. Then you also have Hambright Extension that they're proposing to build and that goes directly out to 115. Those are the main entrances that we expect. Dogwood Lane is more of an option of a connection of people who want to go a different way you might live closer to that way.

Sean Paone, Applicant, said as part of the application team we have NVR, we have Nicole Frambach and Scott Munday who can answer anything specific associated with the development team. They're a Top 4 national home builder with 75 overall years of experience in residential building and mortgage. They have done a number of projects within the Huntersville jurisdiction. Same for Bolton & Menk. Bolton & Menk is a new name in the market. We used to be called Cole Jenest and Stone. *PowerPoint attached hereto as Exhibit No. 6.*

As we started the design process, we kind of identified four key points, trying to create diversity and residential product throughout the development. The second one being to advance opportunities to expedite initiatives through the public good associated with the Town of Huntersville, Mecklenburg County and NCDOT initiatives. Creating a great pedestrian-friendly environment adjacent to future thoroughfare, roadways and industrial uses. And then to minimize impacts to environmentally sensitive areas which are steep slopes, jurisdictional waters, wildlife corridors and mature vegetation. I'm going to kind of build off of Brad's presentation as it relates to a context map, so kind of slide west, you've got Highway 115 which is your initial intersection there with Hambright Road which extends east to Eastfield. That's the top red line there identified as Hambright Road. The dash line extending beyond that is the proposed alignment for the Hambright Road Extension which long-term has the expectation to connect to Eastfield Road further east.

We've got the two Duke Energy corridors. There's a 150' corridor which is that broader yellow line cutting across the site and then another 68' corridor, which is that one that kind of angles going down through the southern portion of the site. There are three jurisdictional bodies of water or waterways plus the pond. They're identified in the dashed blue lines there and then as Brad mentioned, we do have these stub street connections associated with Dogwood Lane and Forest Lake Avenue, which is in the southeast corner of the development.

The overall site is 106 acres currently zoned TR. Some of the adjacent land uses and properties – directly to the north is the construction material landfill. You've got several Bryton projects with the parcel in the northwest quadrant of Hambright and Everette Keith being the proposed multi-family project. You've got Bryton subdivision which a majority of it currently constructed kind of further towards 115 Bryton Corporate Center which is the industrial complex directly west of Everette Keith. You've got the newly constructed or under construction Everette Keith industrial just to the south of our development and then also Dogwood Estates to the southeast portion. You can also see the connection to Eastfield Road from Dogwood Lane. We've got Asbury Chapel Road on the east side which would be that first intersecting extension of Hambright Road.

Just a little bit more context on some of the site conditions which will help build the environmentally sensitive case that we're trying to portray. You could see these are the slopes associated with the site and I've overlaid the kind of masterplan for the development, the red being the most extreme slopes and generally they are associated with the jurisdictional bodies of water, so between 50' and 100' of that center line of the stream, there's 40' to 50' of elevation difference, so four to five stories of elevation difference. Where we're trying to be a little bit more sensitive to those areas and crossing where necessary and then trying to make internal connections through some other improvements that we are proposing.

As I mentioned, the site is 106 acres. Our proposed rezoning would be to Neighborhood Residential Conditional District. As Brad mentioned there's 259 for sale homes. We're proposing eight affordable housing units, the addition of the proposed dedication of the 10-acre park which is associated with the pond on the southeast quadrant of the site. Throughout the improved open space areas, we have just shy of 23 total acres of urban open space areas. We have submitted the TIA to NCDOT and the Town of Huntersville and both have approved that report.

I'm just going to go through now some more of the kind of intentionally designed open space areas that we've kind of integrated throughout the development to create a connection and a kind of more intentional aspect of making a greater kind of design community and not just kind of focusing an open space in one location. For context, this is Hambright Road Extension which is on the bottom portion of the plan there. That is kind of the terminus that we're proposing. To the north of this is the townhome section. We've got four open space areas located within this area.

The first is Open Space Area A which is a park designation that is kind of the northwest quadrant. Items associated with that are the recreational field which would accommodate large multi-use recreation, soccer, football, things like that, but not goal posts and goals, but the opportunity to have a really intentional, well multi-purpose recreational field.

Just kind of to the north of that we have a townhome building that's fronting on an urban open space which we're calling a hammock garden, so it's basically a pedestrian pathway to the frontage of those units and then having a more intentional garden area with some kind of relaxation as you kind of tuck

into more of the tree save canopy that's existing on site. We also just to the east of that where that alley connection is connecting to the additional townhomes to the right, we have specialty paving area to kind of minimize that impact of the vehicular traffic through there.....more of a motor court as it relates to the pedestrian and vehicular relationship in there and by softening that through adjacent butterfly gardens on both sides. That area is 2.13 acres.

To the right of that we have Open Space Area B which is a pedestrian passageway, which essentially is a frontage condition that's linking all those townhome units together through multiple lawn areas, water feature, more community gathering space associated with a fire pit, outdoor seating and then adjacent visitor parking.

Open Space C is associated with the dog park. Every development, especially with this number of units, is always looking to be able to have a pet-friendly location, so this is a great opportunity to maximize this area and create this linkage between all the adjacent open space areas and kind of the higher density area of the development. You also see several pedestrian connections leading to either the end of alleyways or to the Hambright Road frontage which also has a multi-purpose path.

The smaller kind of more quaint open space area is Open Space D. That's basically tucked in adjacent to the proposed affordable housing units and that would have a multi-purpose green location hardscape, more of the outdoor gaming, kind of all weather....ping pong, things like that. More of an active use for that location.

This is moving just south of Hambright Road and you can see Everette Keith Road, so this would be the area that essentially is adjacent to the existing Bryton Industrial. We have Multi-purpose Area E, which is a large park. It includes a playground, earth mound areas for multi-interaction play facilities, so it doesn't have to be a physical structure. We have decorative swings. We've got a native plant material and then as Brad mentioned we also have basketball goal and a partial court to accommodate a multi-sport court.

Adjacent to the sand filter is the extension of the pedestrian movements through.....it shows up in the overall masterplan, but this is one of the locations where we've got a pedestrian pathway that links other parts of the development. It basically becomes that pedestrian connection, runs down kind of adjacent to the wet pond location, then connects down to Dayflower Drive. This would be the southernmost connection onto Everette Keith Road. On Ruby Falls Drive you have a signature terminus as you're coming down Dayflower Drive which is Open Space F. Again, a park designation so you've got a splash pad, a shade structure, lawn area for multiple activities and then that connects to a wildflower corridor, as Duke has several restrictions as it relates to how much vegetation they would allow within their corridor, but we want to kind of accentuate that corridor instead of just leaving it as a blank slate, so that would be like a wildflower meadow continuation throughout the site.

As we move further east, you can see this is Ruby Falls again, so you can kind of see that Ruby Falls goes kind of north and is starting to curve. This is the extension of Ruby Falls going to the mini traffic circle. This is more of your sport activity area. You've got pickleball courts, an open space lawn area, dedicated parking specifically associated with the pickleball courts and then additional noise buffering for the rest of the development. This area is just shy of three acres.

As we continue to move east there are Open Space H and I, so this is getting closer to the connection associated with Dogwood Lane. You've got Forest Lake. You can see right there Dogwood Lane, that's the extension that we have. You essentially are directly adjacent to the Dogwood Estates development

with the larger lots. There are two larger green space areas that are kind of multi-functional and not specifically tied to any particular use, but a lot of additional vegetation shrubbery to be able to accentuate the lawn areas and create another gathering space for this side of the development. Both of those are just shy of an acre in proximity and both of them have frontage to public streets for access.

I mentioned the key design criteria that we started looking at as we evolved the plan was to create a diversity of home types. As Brad mentioned, and I'm just going to kind of continue with that, is we essentially have four different product types, three kind of general ones, so you have the attached residential which there are 76. We're at 29 percent, which is below that 30 percent threshold for NR. Those are in the kind of darker orange north of Hambright Road. There are 75 detached cottages which are all alley loaded. They're in the lighter orange color south from Hambright to our southernmost connection off to Everette Keith Road there. In the yellow we've got 108 detached single-family homes. Those range from just over 50' in width to the 100' as you get closer to Dogwood Lane.

In addition to that we mentioned the eight affordable housing units that are being proposed associated with units in the townhome section.

These are architectural elevations associated with the different product types. The top left is the attached residential – covered porches, bay windows, variation in the frontage facades. To the right of that, you've got variations in the cottage homes so narrower homes could be single-story or two-story homes. As we mentioned, all alley loaded. The bottom two are examples of the 50' and 100' single-family detached homes. As part of the submittal package we did include architectural standards associated with front porches, covered stoops, Hardie siding and then additional brick and stone accents.

Getting a little bit more into kind of the technical aspect of what we were trying to do as it relates to the public good initiatives, we mentioned the extension of Hambright Road and there's a reason for stopping Hambright Extension at the Duke Power easement. The current alignment that is essentially a dashed line on a piece of paper crosses the Duke Power corridor at an angle that's not acceptable to Duke, so there's been some coordination back and forth and so essentially what we did was propose the extension of Hambright Road to the point that we knew was acceptable and then we're dedicating the future right-of-way to be able to accommodate the alignment in whatever fashion is negotiated between the Town, NCDOT and Duke Energy. It's that area in gray with the red outline. You can see that it flares out, so that would allow for essentially kind of like a deviation in that alignment or the straight alignment that goes across to the project boundary and then also a construction cost donation based on the payment in lieu for that additional construction.

The yellow is associated with dedicating greenway easements that align with the town's greenway alignment as well as the county's Seam Trail alignment. We're currently having additional coordination with Mecklenburg County as they're kind of working through their ultimate alignment based on some feasibility and that's specifically associated with the slopes on this project and the kind of functionality of that alignment, but these essentially are the portions that would align there. We are dedicating those easements. The last one would be the dedication of the 10-acre park which is that southeast portion of the site. In addition to that we have the construction of multi-purpose paths along Everette Keith and associated with the Hambright Road Extension on both sides, so those are 10' pathways that are associated with those enhancing the pedestrian experience, so this first one and ultimately I think the kind of opportunity here is to create that frontage condition with the homes on Everette Keith and Hambright through the cottages and the townhomes.....still create that relationship to the street but we're not considering it a buffer. We're considering it a landscape setback, so it's not intended to be a

full buffer and create a complete opaque view corridor. Essentially down those frontage conditions the intent would be to enhance that frontage condition. Obviously when Everette Keith is fully extended based on the transportation plan or Hambright is fully extended to Eastfield Road, the amount of traffic volume on those roads is going to greatly increase. The difference between having that frontage relationship on a local street which is narrower, more quaint, not nearly the same amount of overall traffic volumes versus having something that fronts on a thoroughfare, the ability to still have that kind of frontage relationship, but setting the homes back a little bit further creates a little bit better of a pedestrian experience. We're still maintaining the multi-purpose paths. We're actually enhancing those pathways with this kind of landscape setback.

That's basically highlighting those yellow boxes that are basically the frontage condition and again not looking to create a buffer, looking to create a landscape enhancement on those frontage conditions. This would also be consistent to essentially the separation between adjacent uses, so I highlighted the perimeter buffer which is shown in green dashed line. We're maintaining a perimeter buffer around the property and really that's to create a separation between either consistent uses associated with residential or not consistent uses like the industrial, which is just south of the site or to the west of the site, so having that kind of setback area off of Everette Keith and Hambright is in keeping with that same thought process.

In addition to that holistically we have roughly 2.35 miles of internal pedestrian walkways. Because we have such deep slopes throughout the project, it makes it very challenging to have this kind of cross jurisdictional waters connections from a pedestrian bridge standpoint, so what we've done in all the areas is kind of highlight that broader kind of blueish green dashed line are all 10' wide sidewalks, so a larger sidewalk than what would be required under traditional local streets and that is an opportunity to kind of create that pedestrian experience while having a multi-purpose path that we can link all these sections of the development together.

The last one would be obviously creating that easement condition there to be able to link the town's greenway alignment while kind of snaking back to the first crossing that you could make on Hambright Road and then linking that up to the Seam Trail, so that provides a lot of opportunity for future pedestrian connectivity beyond the project boundary and again that's all done through a dedicated easement. I highlighted the areas to kind of identify the linkage between all of our open space areas, the 23 acres of open space areas and these multi-purpose trails.

The environmental sensitivity ties back to the slope analysis, but then also our ability to kind of minimize vehicular and pedestrian crossings of the jurisdictional waters as part of the permitting process we do have to show avoidance. Are there any other ways to make these sites work without having a certain number of crossings or impacting additional jurisdictional waters, so we've tried to strategically locate those to minimize the overall impact to jurisdictional water. Currently we only show two crossings of jurisdictional streams. Obviously Hambright would then create another one once it got fully extended, but essentially that was kind of the thought process was to minimize the amount of jurisdictional crossings that would ultimately impact more stream or vegetation area, specifically associated with those really steep slopes.

As part of that talking about revegetating, the question came up about the coverage area and obviously having the two Duke Power easements through there, the site was actually timbered a number of years ago but the overall site is approximately 70 percent covered and we're maintaining about 20 percent of that total as it relates to undisturbed. From a tree save standpoint there are 290 specimen trees on site. The requirement is to save 29 of those, that's 10 percent and we're saving 141. Obviously as we try to

kind of minimize any impact we have with those steep areas in the jurisdictional water areas, that's where a lot of the really heavy vegetation, more mature vegetation is because it wasn't timbered in previous history.

Then we mentioned revegetating any portions of the Duke Energy easement that we can, whether or not that's through a wildflower meadow situation, as long as we have enough separation from the wire zones we can put trees and other things like that within there, which are going to help to enhance those open space areas that we've designed.

In summary, just kind of hitting the high points, the intent was to have thoughtfully planned amenities in common open space areas, provide a number of product diversity throughout the site, extend Hambright Road beyond our overall need from an access standpoint. We have the proposed park area dedication of approximately 10 acres, the eight affordable housing units, the enhanced pedestrian experience and then that kind of environmentally sensitive thought process in the way that we went about our design.

Commissioner Rivers said I saw in the Staff Report and you reiterated you are willing to allocate eight units for affordable housing. I appreciate that, thank you, because I'm a big proponent of affordable housing. Those units, they are just the townhome units or condo units.

Mr. Paone said that's right.

Commissioner Rivers said are those for sale.

Mr. Paone said those are for sale. Everything on the site is for sale.

Commissioner Rivers said are you willing to look into allocating any single-family homes.

Mr. Paone said we did meet with staff after our application and the comment came up about spreading those units throughout, so I think that's under consideration or that's the proposal that we have to date as the units that we have in those locations. I don't know if there's anything in particular.

Commissioner Rivers said yes, because I was going to ask about why was it just that specific area only allocated for affordable housing.

Scott Munday, NVR Ryan Homes, said in identifying areas for affordable housing we did look at the attached area because we had an opportunity to create or what we identified as being compelling over 10 percent of attached housing being dedicated, which again is for sale. Our understanding was that the Town of Huntersville currently has no for sale affordable housing units. We were asked by staff to contemplate a program to kind of pioneer that effort for the town. We looked and studied other jurisdictions where there is a for sale affordable housing component. We crafted this plan and identification of units and language, which is included within the development notes based on what we've seen in other jurisdictions. Again, more than 10 percent or so of our attached housing product, these would be for sale units.

There was a comment earlier about these units looking sort of different than the units around them and that's not really the case at all because these units happen to be flats but from the exterior they look just like two-story townhomes. There's a front door and you walk in and that door serves two flats, but from the outside you can't tell. In many of our communities we develop that product type with our

conventional two and three story townhomes regularly for sale at market rate. This is something we do at market rate all the time, it's just in this case we identified this particular opportunity and what we're looking to do is in close proximity to those locations have those be two story townhomes and the remainder be three. When you're just looking around from the exterior, again everything even from the interior, there's no distinct difference between what would be affordable or in the affordable program.

Commissioner Dumas said I do still like the idea of spreading them out. I'd ask you to consider that. This is currently zoned as Transitional Residential. Why this project. Why the rezoning. What is it about this plan that you're needing or wanting to move forward with.

Mr. Munday said for a number of years I was involved with the development of Bryton, especially the sections north of Hambright. Bryton is just right across the street from Everette Keith and we have a proposed transit center. There's Hambright that connects of course now to I-77 direct and we've always felt like that this site was an opportunity to have greater density as we believe it responsibly should give its location, which is again the proximity to vary and much greater dense Bryton. When we look at this what we're trying to do is basically as development moved down Hambright and Bryton is more fully developed, on the most western edges of this site, kind of continue with that density and then soften the density as you move back. We're still under 2-1/2 units an acre. It's not a dense site, but there's an opportunity given the transportation opportunities here, public and vehicular, and the proximity to 485, I-77 and of course with 485 to 85 that this should be, especially with water and sewer available here, a more dense site than TR.

Commissioner Dumas said one of the questions we've all received on this petition we received from neighbors is about installing a gate. We've received this question before, so I just thought it would be good to talk about what's possible when it comes to adding a gate on a road that's a public road.

Mr. Priest said adding a gate to Dogwood Lane wouldn't be consistent with the requirement to have a connection, so that would be a gate and that would only be emergency use only, so that's not a connection. It kind of takes that connection away, it's gated. Staff's interpretation would be that wouldn't be consistent with the ordinance.

Commissioner Dumas said maybe I'm remembering this wrong, but my understanding is also that on a public road we can't put a gate, so they would have to purchase the road if they wanted to put a gate.

Mr. Priest said for a private gate, that's correct. It's got to be a public street.

Commissioner Bergsman said where are you proposing that the construction vehicles will enter and exit the site.

Mr. Munday said If I may answer that and simultaneously address Commissioner Walsh's earlier question about phasing, because I think the answer sort of dovetails. The reason that we had not submitted a phasing plan is not the absence of doing that, but we really considered this as being developed almost fully in a single phase. The reasons for that are given the number of townhomes and given the number of cottages, those would not be subphased. If you look at west of the creek that's closest to Everette Keith, there aren't enough single-family detached 50' lots there to develop as a single phase. Automatically from a phasing standpoint, we are at least going to develop to the second creek. But what we are prepared to do, given the discussion that we had with staff about the phasing plan, we are prepared to identify the area east of the second crossing or above Dogwood as a second phase. In doing that, and the reason we didn't do that before is because we were concerned that if our clearing

limits of construction were confined to the first phase only, we were concerned since we haven't performed civil design to develop the site, that we may not be able to balance the dirt across the site and balance the site. We didn't want the last section to have to balance earthwork, if you will, on its own because a lot of times the site really has to work all together to balance earthwork across the site because we have so much topography across the site, it's a real challenge. We're not entered into civil design, however in discussing with staff, it sounds like we would be able to extend our clearing limits to a future phase for the purposes of balancing earthwork, so on that basis we are certainly willing to identify the area east of the second stream from Everette Keith as a second phase. And then to answer your question, the construction traffic would be entering in from Hambright.

Commissioner Bergsman said I would appreciate the idea of having a Phase 2 instead of having it all in one and saving that backend. I just want to reiterate what Commissioner Rivers brought up. If you could consider looking at mixing in the attainable housing units throughout rather than having them all next to each other like in one little pocketed area. That's something I would appreciate.

Commissioner Walsh said we need to scatter the affordable units. Regardless of what you say, people know that's where people with affordable units live, so they really should be spread out. There was some issue regarding utility connections in the Staff Report. Can you tell me what's going on with that.

Mr. Munday said the utility connections specifically is the sewer tie-in and we're in very productive discussions with each owner to resolve that.

Commissioner Walsh said if we were approving this tonight and you couldn't get that connection, what does that mean.

Mr. Munday said my understanding is that we would need to demonstrate at least a letter of intent or some sort of agreement for your approval. We're not voting tonight.

Commissioner Walsh said I'm saying if tonight it was approved and you were clear to go and you couldn't get that utility connection, what happens to your project.

Mr. Paone said we've been in discussions with Charlotte Water on other opportunities. There's sewer going down Everette Keith and Hambright. Ultimately Charlotte Water would prefer that we follow the stream corridor going down, which would then tie into the extension of Trails End, so that's kind of the alignment that's there. There are other mechanisms. Ultimately it would have to be likely phased differently from a utility standpoint if we were going to make connections to Everette Keith or Hambright.

Mr. Munday said that's the preferred route, but there is another route because there's the trunk in Bryton that comes down.

Commissioner Walsh said let's talk about the pond. Same scenario, we approve it tonight, when do we get the pond.

Mr. Munday said I think we did provide language on a development note. I think the dedication would occur commensurate with the recording of the plat of the last phase or the last plat.

Commissioner Walsh said if that were in Phase 2, you could be talking years away.

Mr. Munday said the development once started will be sold out in three years. It would take probably two years to work through construction plan design and approval of that.

Commissioner Walsh said let's talk about connectivity. I think in the report I see some issues about alleyways and some other things. In one of the slides you brought up, so looking at this slide right here, let's say I buy one of your townhomes up there in the northern section and as people know up here I'm an avid pickleball player. Other than coming down this road or driving to it, there's no stream crossing for me to get there other than taking a long loop around.

Mr. Munday said that is correct. We've provided some 19 parking spaces at the facility. You can certainly bike there or walk there and the various trails that we have through the community. The multi-modal pathways are an extensive network, some 2.35 miles I think we quoted, that reach every section of the neighborhood, so you certainly can bike, walk or drive to the pickleball courts.

Commissioner Walsh said crossing that stream, we call it Stream One there, is there any crossing there.

Mr. Munday said no, there's no crossing there.

Commissioner Walsh said so I'd basically have to go around to get to it.

Mr. Munday said you would have to go around. The one thing we would like to point out is the span of that, given the topography. We showed the topography slide earlier. The span of that would be hundreds of feet and it falls some 50' to 70' to the creek and not to mention it would involve a considerable amount of clearing in that area where we're not proposing to clear. As we pointed out earlier, under avoidance and minimization of those environmental impacts, which is a Army Corps of Engineers mandate when we permit the stream crossings that we have, we're asked to avoid and minimize those, which we've done.

Commissioner Walsh said with regards to the future greenway, I was unclear. I read in there at some point you were giving an easement but it got into the BMP and then you were dedicating the greenway space or you weren't going to build it.

Mr. Munday said there's two things. I think possibly the best way to think about it is there's the town greenway which is a north/south configuration. The gold lines up by the storm pond and the townhome section, that's part of the town greenway. Then there's the county greenway, which is navigating in the east/west fashion along the Duke corridor.

Commissioner Walsh said the yellow one that I see there, you're calling that the town greenway.

Mr. Munday said both are actually that goldish color. The way to think about the north/south in this orientation up and down, that's the town. And then the other is the county. What we're saying is that we're dedicating the easement for the town greenway that runs by the pond and we're in discussions with Mecklenburg County about the alignment and orientation requirements of their trail, which have not been determined yet. We set up a meeting with Parks. We started to have a discussion and they were actually more focused on the parcel in Bryton which is in the northwest quadrant of Hambright and Everette Keith and just asked us to set up another meeting. We are going to follow-up with them on the alignment.

Commissioner Walsh said the county with the gold color, yellow color, so they're talking about crossing the stream there.

Mr. Munday said their alignment is unclear. They've acknowledged that the feasibility of that is in question and it's one of the reasons why and they understand the cost and the feasibility of that, was one of the reasons that we plan to discuss with them ways to utilize our infrastructure from a built condition to provide probably a more feasible route.

Commissioner Walsh said if that were there right now, that's my question, then there would be connectivity within the neighborhood, so we're going to have to cross the stream at some point other than looping around, because even Hambright Road will eventually cross that stream.

Mr. Munday said that's correct.

Commissioner Walsh said so all you are doing is dedicating any property to the county or the town but not actually building any of that.

Mr. Munday said we don't know. In discussions with the county, we don't know how much of the infrastructure that we're building could accommodate the trail alignment for the county. We don't know yet until we talk to them. There's things that we're building, it really depends on their alignment, so things we're building that could be used and if their alignment differs from that then we'll work with them on that, but we certainly would by easement dedication accommodate the county trail through there, but we're trying to see if there's alignment advantages to some of the things that we're building to help supplement that, so then it would be a mix of build and easement dedication.

Commissioner Walsh said I think it's something we need to address for connectivity within that neighborhood. Another subject, the Eastfield Small Area Plan, the transition from Dogwood Estates right now. I looked at the map. It's about nine units and then it quickly goes to 50' wide lot lines which is not in keeping with that small area plan. Why not buffer that a little bit more so that it transitions. We do that a lot. We don't put apartment buildings next to five acre homes. It seems to me that you'd want to kind of buffer that a little bit more, that transition out and comply with the small area plan.

Mr. Munday said we are complying as pointed out with the 2040 Plan. The Eastfield Area Plan we are buffering the Dogwood Estates. When I say buffer, the surrounding lot.....

Commissioner Walsh said transition, maybe buffer is the wrong word. Transitional from there, larger lot homes, you got a few there and all of a sudden it's 50' wide, so why not transition a little bit – have some more larger lots and transition a little farther north.

Mr. Munday said there's multiple reasons for that. One of the things we're trying to do that we really frankly have to do with our plan is make sure we're meeting market demand and consumer preferences. There's all sorts of planning philosophy and initiatives that we want to get right, but ultimately, it's the consumer that we have to satisfy from a demand standpoint. Quite honestly, 100' lots are not that compelling in the marketplace. What we're doing is meeting consumer demand with our configurations really of all three property types but perfectly willing to transition with a larger lot surrounding Dogwood. The Dogwood Estates lots were not served by water and sewer when conceived, only served by public water. It's my understanding in the last 10 years or so the homesites from at least Cedar Lane, I believe it is two rows down that are still served by septic. We're served by water and sewer. We're trying not to be sort of sprawlish with those resources.

I do have one other thing. You'd mentioned earlier about the note that was creating some confusion as to a future rezoning or a third party or whatever. We looked at that. There was no intent at all to kind of create that confusion and we're willing just to delete that note in its entirety so that it doesn't create confusion.

Mayor Clark called for public comments.

Donna Thore said I'm one of the sellers for the new development that NVR is proposing. I just want to let you know that this property has been all these families' lives for 45 to 55 years or more. Some of them are second generation, so this has been a major decision for all of us. I'm here to let you know that the sellers and I are excited about the new development and we think it will be a great asset to the community and the town of Huntersville.

Last fall NVR invited the neighbors in the area to a neighborhood meeting showing the plans that were proposed for development. NVR welcomed the feedback from everyone and answered the questions asked. They took that feedback back and made adjustments to some of the concerns from that meeting. We, as the sellers, are excited for this development and think that NVR has done a fantastic job in designing and planning this development while taking the concerns of the existing neighborhood into consideration. We, as the sellers, think this project will be a positive asset to the town of Huntersville and look forward to it getting started.

Becky Petitgout said I am addressing R24-07 for the extreme negative impact it's going to have on Dogwood Estates and Dogwood Lane specifically. I won't waste your time because you've got our petition with an overwhelming majority of the people that live on this street, we're a small street. It's been a dead end for 72 years. We have people that have moved in most recently six months. We have people that have lived there for 50 plus years. The people that I spoke with when we were walking around the neighborhood were talking about this devastating event. They've said the reason why they moved there is because it's a dead end. It's got trees, it's quiet, there's no crime and as soon as you connect that development and allow Eastfield drivers to drive down Dogwood Lane, all of the listed items – crime's going to go up, the kids aren't going to be able to ride their bicycles or play in the street they're chalk games, they're not going to be able to walk. We've got families with babies. I understand that you're going to probably approve the development, but you need to understand that we need something. This is going to destroy that street, absolutely. Everybody's unhappy about it. The Eastfield Road people from the development are going to be cutting through Dogwood Lane. The traffic is going to be backed up the entire road because it's a bitty road. The people from the development if they want to go on the east side of town, they are going to use Dogwood Lane as their driveway. I don't know what the solution is. We suggested the gate. I think probably you guys can do whatever you want to do. I think you can probably put a gate or some other alternative to protect the dead end nature of the road. This is really devastating. I've lived there for 35 years and as I said people have lived in those houses over 50 years.

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

Annexation Agreement – Town of Cornelius. Mayor Clark called to order public hearing on an Annexation Agreement with the Town of Cornelius.

Brian Richards, Planning Director, said this item is an Annexation Agreement with the Town of Cornelius. In 1991 we entered into an agreement to define the boundary between the Town of Huntersville and

Cornelius. That agreement was amended in 1996 and we're asking for another amendment this evening. The length of the amendment would be 20 years. This is scheduled also to be heard by the Town of Cornelius at their May 19 meeting.

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

Petition #ANNEX25-01. Mayor Clark called to order public hearing on Petition #ANNEX25-01, a request by the Bowman Development Group, Inc., for the contiguous annexation of 4.933 acres into the Town of Huntersville.

Patrick Patterson, Planner II, entered his Staff Report into the record and reviewed the request. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 7.*

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

OTHER BUSINESS

Petition #ANNEX25-01. Petition #ANNEX25-01 is a request by the Bowman Development Group, Inc., for the contiguous annexation of +/- 4.933 acres into the Town of Huntersville.

Commissioner Bergsman made a motion to adopt Annexation Ordinance #ANNEX25-01.

Commissioner Hunt seconded the motion.

Mayor Clark called for the vote.

Motion carried unanimously.

Annexation Ordinance attached hereto as Exhibit No. 8.

Annexation Agreement with Town of Cornelius. Brian Richards, Planning Director, entered the Staff Report into the record and reviewed the request.

Commissioner Quarles made a motion to approve Annexation Agreement with the Town of Cornelius.

Commissioner Rivers seconded the motion.

Mayor Clark called for the vote.

Motion carried unanimously.

Annexation Agreement attached hereto as Exhibit No. 9.

Budget Amendment – Asset Forfeiture. Police Chief Barry Graham said I'm here before you to ask for a budget amendment from our Equitable Sharing account in the amount of \$185,528 to our General Fund for the purchase of a modular vehicle barrier trailer system. This is the same system we went over when we had our retreat. Instead of putting this in the budget, we're going to try to use our asset forfeiture funds to do that at this time.

Commissioner Walsh said with this purchase, we can pretty much cover any of the events we have in town.

Chief Graham said yes, it's what we call a moderate level. This would cover our Birkdale events, town parades, events, things like that. We should be able to cover everything with this.

Mayor Clark said can you describe what a modular vehicle barrier trailer system is.

Chief Graham said It is a metal structure that is put up. It takes a couple of officers to put it out and it would be put at the entrance of any road, any street or anything like that that we want to block off to keep vehicular traffic from coming through there. As you've seen over the last few years, we've had a lot of folks run through big events like that in New Orleans. We had one up in Waukesha, Wisconsin where they killed a bunch of folks. This is what those are to prevent that. We'll have officers out there as well. If someone hits this, it folds up underneath the vehicle and keeps the vehicle from traveling down the road.

Commissioner Walsh made a motion to approve the budget amendment appropriating asset forfeiture revenue in the amount of \$185,528 to the Asset Forfeiture Capital account for the purchase of modular vehicle barrier trailer system.

Commissioner Quarles seconded the motion.

Mayor Clark called for the vote.

Motion carried unanimously.

Resolution Opposing House Bill 765. Mayor Clark said HB765 is a bill that would generally at large change the way zoning happens in the town of Huntersville and would kind of take away control from the elected officials who get to determine and our Planning Department who help to determine zoning around our town. It is basically outlining how historically local governments have had the opportunity to determine our zoning. Our 2040 Plan is a perfect example of this of how we have a vision for what our town could look like and this bill would take that ability away from us. It would implement some extreme measures in the intent to make housing more affordable, but in the event of that I do feel like it would not do that for the town of Huntersville, in fact have the opposite affect and probably contribute to gentrification in areas of our town we did not want that to happen and so before you Board is a Resolution that we intend to provide to our delegation in the General Assembly on our feelings on this bill.

Commissioner Bergsman said it's ironic that we had multiple public hearings tonight which this would drastically change the way those would look. House Bill 765 strips away the voice of local residents. It would force Huntersville and towns across the state to accept unchecked development with no public input and that's not planning. It's giving away our ability to protect neighborhoods, manage growth and maintain the quality of life for our residents. While it claims to promote affordability, HB765 does nothing to ensure homes will actually be affordable. In higher cost areas like ours, this bill could accelerate land speculation and expensive development and not help working families find housing. True solutions to the affordable housing crisis require thoughtful community-led planning. Huntersville

and towns across North Carolina deserve the right to plan for growth in ways that reflect local values, infrastructure capacity, and public input. HB765 is a threat to that basic principle and we're urging the General Assembly to reject it.

Commissioner Bergsman made a motion to approve the Resolution in opposition to House Bill 765.

Commissioner Hunt seconded the motion.

Mayor Clark called for the vote.

Motion carried unanimously.

Resolution attached hereto as Exhibit No. 10.

CLOSING COMMENTS

Mayor Clark commended staff for the Hello Huntersville event.

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

Approved this the 15th day of July, 2025.