

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**April 22, 2025
6:00 p.m. – Huntersville Town Hall
101 Huntersville-Concord Road**

PRE-MEETING

The Huntersville Board of Commissioners held a Pre-meeting at Huntersville Town Hall, 101 Huntersville-Concord Road, at 5:00 p.m. on April 22, 2025.

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

Fiscal Year 2026 Capital Improvement Projects. Jackie Huffman, Deputy Town Manager, reviewed FY26 Capital Improvement Projects and the Five Year Financial Plan. *Refer to PowerPoint attached hereto as Exhibit No. 1.*

There being no further business, the Pre-meeting was adjourned.

**REGULAR MEETING
TOWN OF HUNTERSVILLE
BOARD OF COMMISSIONERS**

The Regular Meeting of the Huntersville Board of Commissioners was held at the Huntersville Town Hall, 101 Huntersville-Concord Road, at 6:00 p.m. on April 22, 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

The bridge on Gilead Road that crosses I-77 will be closed for work on the diverging diamond interchange from May 2 at 9:00 p.m. until May 5 at 6:00 a.m.

PUBLIC COMMENTS

Recognition of North Mecklenburg High School Boys' Basketball Team. Mayor Clark recognized members of the North Mecklenburg High School Boys' Basketball team for winning the State Championship.

Earth Day Proclamation. Mayor Clark proclaimed April 22, 2025, as Earth Day.

A PROCLAMATION FOR EARTH DAY

WHEREAS, April 22 is celebrated globally as Earth Day, a day dedicated to reflecting upon our responsibility to protect and sustain the natural world for future generations; and

WHEREAS, the theme for Earth Day 2025 "Our Power, Our Planet," reminds us of the collective power we hold to enact positive changes for our environment and to promote sustainable practices; and

WHEREAS, we recognize that our actions today significantly impact on the health of our planet, its ecosystems, and all forms of life that depend on a healthy environment; and

WHEREAS, it is imperative that we empower communities, individuals, and organizations to harness their collective strength to advocate for policies and practices that promote sustainability and stewardship of our natural resources; and

WHEREAS, engaging in local and global efforts to combat climate change, conserve biodiversity, and reduce pollution is essential to creating a more sustainable future; and

WHEREAS, we honor the contributions of individuals and organizations dedicated to environmental stewardship and advocating for a sustainable future.

NOW, THEREFORE, I, Christy Clark, Mayor of Huntersville, do hereby proclaim 22nd day of April as "**EARTH 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 15th day of April 2025.

Frank Gammon said as a veteran and a military retiree, I'm here to support Commissioner Quarles' efforts to open a Veterans Service Office in Huntersville. It might surprise you, but Commissioner Quarles and I disagree on occasional issues, he being a Democrat, not being a Republican. We're both veterans and agree on the need for a Veterans Service Office at this location. Commissioner Quarles will provide the details, but there will be a meeting here in this hall on May 8 with County Commissioner Pro Tem Griffin to discuss the need for the VSO office in north Mecklenburg. I urge all north Mecklenburg veterans and surviving spouses, because it's not just about the actual veteran itself, to attend and show their support for this effort. I and Commissioner Quarles see veterans as a protector class, but sometimes even the protector and their families need assistance.

Trisha Knight said I'm here largely to discuss a little bit about sustainability and in particular a program called the Voluntary Agricultural District Program that is going to be presented to you all if it hasn't been already. First of all, I want to say I'm hugely in support of farmers and farmland, specifically non-animal farms and farmland. I think any program that's going to help with workforce development, economic development, succession planning and the rest is fabulous.

When learning about the program a few keywords that jumped out were things like nuisance lawsuits and there were a lot of photographs about animals, so my brain connected the two and I was instantly thinking of larger industrial agriculture.

In terms of sustainability and the planet, animal agriculture is a huge greenhouse gas emitter. It is responsible for massive land degradation, water problems – wastewater as well as water use amongst a myriad of other things. My concern is what's involved in the program I guess is the bigger question. Why now. It's been around for almost 40 years, but our county has withheld. I think it was attempted in 2010 and 2018, so my curiosity is why and why now. What are our lands capable of is industrial agriculture possibly here and what would that mean. Things like bird flus that are prevalent right now.

I just ask that before you vote on it is to investigate further about what do citizens lose the right to do for a nuisance lawsuit if that's a thing and then also what is possible here. There was also something in the language about water [inaudible]. I personally didn't understand it, so I would urge you to look at that as well. Again, maybe there's a program that exists that has elements of this particular program to help support the larger farm preservation plan, which sounds also really great, but maybe we as our county do it different. Maybe there's a reason we held out and maybe we can make some ordinances in place that will help protect animals in a way that we haven't done in the past because I think they deserve a voice, too, and they don't have it today. On behalf of them and Earth Day we'll give the animals a voice. Maybe a hen has to have 5 sq. ft. and touch some grass and have time outdoors a couple hours a day. Maybe that's the least we can do, but maybe our county does it a little different.

I just ask that before voting on it, is to give your board time to review it and understand a little bit more about it because I've been trying for three months and I'm still learning.

BeeJay Caldwell (Christine Wolak deferred time) said I'm speaking about gentrification and its impact on Pottstown, East Huntersville, and New Haven Park communities. At the last Board meeting I made remarks and I am delighted tonight to thank you for your prompt response to some of those issues. I am raising awareness to these community needs for more oversight. We need more police protection just to ride through the community just to look and see what you see. If you see something, say something. We need the police to please do that for us because we want to maintain a certain level of quality of life for us and the Pottstown area.

The change in landscape is of residents' concerns. The gentrification of these communities has dramatically altered the landscape and demographics of a once predominantly black neighborhood. Homeowners who can afford to live in these prime property areas have moved in, driving up the property values and making it difficult for long-time residents to remain in their homes. This shift has brought a sadness and a sense of loss to the community, but we appreciate those who can come to our community and afford to live in their homes.

An even more pressing issue is the influx of individuals who relocated to these areas without the financial means to purchase a home. They understand the appeal of living in such a desirable location and wanting to pursue happiness here. For over 100 years these neighborhoods have been the homes to black landowning families who have built their lives and legacies in this space.

Unfortunately, the gentrification process has also had unintended consequences. The growing homeless population across Mecklenburg County has led to an increase of individuals seeking shelter in these newly gentrified areas. These people who are not landowners drive into the neighborhoods and find refuge in plain sight. This situation poses a safety threat to both the residents and their quality of life which challenges their desire to balance and maintain the community's historical and cultural significance. It is crucial to find solutions that address the needs of both existing residents and those who seek to make our neighborhoods their home.

AGENDA CHANGES

Commissioner Bergsman made a motion to remove 8.H from Consent Agenda and shift it to Other Business.

Commissioner Dumas seconded the motion.

Motion carried unanimously.

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

CONSENT AGENDA

Approval of Minutes. Commissioner Rivers made a motion to approve the minutes of the March 4, 2025 Regular Town Board Meeting. Commissioner Bergsman seconded the motion. Motion carried unanimously.

Property Tax Refunds. Commissioner Rivers made a motion to approve property tax refunds. Commissioner Bergsman seconded the motion. Motion carried unanimously.

Property Tax Refund Report attached hereto as Exhibit No. 2.

Budget Amendment – Sidewalk in front of North Mecklenburg High School. Commissioner Rivers made a motion to approve budget amendment recognizing revenue of \$95,300 (Contributed Capital) from Bryton TC#1, LLC escrow account for the purpose of constructing a sidewalk along Highway 115 in front of North Mecklenburg High School. Commissioner Bergsman seconded the motion. Motion carried unanimously.

Budget Amendment – Recreation Center. Commissioner Rivers made a motion to approve budget amendment appropriating Signage revenue in the amount of \$1,700 to non-capitalized expense for new café tables at the Recreation Center. Commissioner Bergsman seconded the motion. Motion carried unanimously.

Budget Amendment – USTA Grant. Commissioner Rivers made a motion to approve budget amendment appropriating USTA Grant revenue in the amount of \$11,000 for resurfacing of the tennis courts at North Mecklenburg Park. Commissioner Bergsman seconded the motion. Motion carried unanimously.

Engineering and Surveying On-call Contracts. Commissioner Rivers made a motion to approve 2025 Engineering and Surveying On-call contracts. Commissioner Bergsman seconded the motion. Motion carried unanimously.

Contracts attached hereto as Exhibit No. 3.

Ordinances to Repeal and Enact Speed Limits. Commissioner Rivers made a motion to adopt four ordinances to repeal and enact speed limits on Stumptown Road. Commissioner Bergsman seconded the motion. Motion carried unanimously.

Ordinances attached hereto as Exhibit No. 4.

Call for Public Hearing – Devonshire Drive/Cockerham Lane Traffic Calming. Commissioner Rivers made a motion to call a public hearing for Tuesday, May 6, 2025 at 6:00 p.m. at Huntersville Town Hall for the Devonshire Drive and Cockerham Lane Traffic Calming request. Commissioner Bergsman seconded the motion. Motion carried unanimously.

Call for Public Hearing – Annexation Agreement with Town of Cornelius. Commissioner Rivers made a motion to call a public hearing for Tuesday, May 6, 2025 at 6:00 p.m. at Huntersville Town Hall for a request by the Town of Huntersville to enter into an Annexation Agreement with the Town of Cornelius to establish spheres of influence for the municipalities. Commissioner Bergsman seconded the motion. Motion carried unanimously.

Call for Public Hearing – Proposed Budget for FY26. Commissioner Rivers made a motion to call a public hearing for Tuesday, May 20, 2025 at 6:00 p.m. at Huntersville Town Hall to receive comments on the proposed budget for Fiscal Year 2026. Commissioner Bergsman seconded the motion. Motion carried unanimously.

PUBLIC HEARINGS

None

OTHER BUSINESS

Resolution – Acquire Right-of-way and Easements for Electric Infrastructure. David Lucore, Electric System Manager, said Coventry Glen is a subdivision with 82 single-family homes being constructed as we speak and we need to get electricity to these homes. The closest power line we have to access this property is in the back of Ambassador Christian School and we're seeking an easement to run those lines to serve this subdivision. We've been working on this since January, and we have not been able to come to terms with the property owner and we're requesting approval to move forward with eminent domain condemnation on this easement. The easement is on their school property. It's on the far left-hand side in an unusable area. All the lines will be underground, so it will not be a hindrance to their property whatsoever. The work will be done to eliminate any conflict with the drop-off and pick-up that goes on there every day. Minimal impact to their property and their school function. We need to proceed with this as quickly as possible. The homes are almost ready to be occupied and we still haven't got an electric line there.

Commissioner Walsh said I understand this easement is down in an unusable ravine area.

Mr. Lucore said it's on the crest of a ravine. It's beyond usable space.

Commissioner Dumas said we've made several offers that are within the assessment amount I'm assuming.

Mr. Lucore said we had a professional property surveyor survey the property, the easement and appraise the easement. We made an offer to the property owner. The property owner indicated that they did not agree that was fair market value. They have yet to respond with a counteroffer after dozens of attempts to say give us a counteroffer and we're glad to consider it. We have not received any.

Commissioner Dumas said just a reminder of the process for those watching or are here tonight. If we move forward with condemnation there's still that dollar amount that we have offered available to them.

Mr. Lucore said correct.

Commissioner Bergsman said Commissioner Walsh asked about it being a ravine. Do you have an image available to show exactly where the easement is.

Mr. Lucore said I do not have that with me tonight. I can send it out.

Commissioner Bergsman said is it towards the back of the property.

Mr. Lucore said if you're facing the property, it's on the left-hand side. There's a creek that runs along that side of the property and it's on that side at the top of the ravine where it goes towards the creek and it's in the back near the athletic field.

Commissioner Hunt said you already said it won't interfere with pick-up or drop-off. Can you talk about the timeframe for that construction. How long would that take.

Mr. Lucore said construction takes about two weeks. There will be a boring crew that will bore the lines in underground, so it won't be an open trench situation. It will be minimal disruption to the existing terrain and they will actually bore under the paved areas that the drive that pick-up and drop-off occurs, so there won't be any disruption to that either.

Commissioner Walsh made a motion to approve the Resolution to acquire right-of-way and easements necessary for the construction of electrical infrastructure to serve the Coventry Glen subdivision on Mayes Road.

Commissioner Dumas seconded the motion.

Mayor Clark called for the vote.

Motion carried unanimously.

Resolution attached hereto as Exhibit No. 5.

Petition #R24-13 Mission Stumptown. Petition #R24-13 Mission Stumptown is a request by Mission Properties, LLC to rezone +/- 19.08 acres located at the intersection of Stumptown Road and Statesville Road (Parcels 01714405, 01714406) from Neighborhood Residential to Highway Commercial - Conditional District for a commercial and multi-family development.

Jesse James, Principal Planner, entered the Staff Report into the record. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 6.*

Just a quick overview of the rezoning proposal that we had a public hearing. It is at the site hashed on the screen there. Currently NR is the district. They are proposing to go Highway Commercial for a mixed-use development.

I'll go real quick through the modifications. They are asking to go 100 percent attached. Staff is in favor of that request. They have asked to go to four stories at 44' in height. That was the change updated from the public hearing. They just asked to go four stories. They're asking to go 44'. Staff is in favor of that height increase. They are asking to go 20' into the 50' buffer along I-77. Staff is in favor of that request. Side-yard parking, they're adding screen walls. Staff is in favor of that request. The block

length modification to exceed the maximum amount for Block A. Staff is in favor of that. They have street curvature and parking on the street that will slow traffic.

Some updates with the architecture. In the Staff Report you see on the screen updated April 4, staff made some comments that we would like to see elevations that are consistent with emphasis on the public realm up at the street frontage and the 4/21 update is consistent with staff's request. Those are updates that weren't in the Staff Report, but we've received those this week and we are in favor of the multi-family apartment elevations. That is the new update.

These are some of the vertical mixed-use. They are the same as in the public hearing and then the carriage units 4/4 update that was in the Staff Report you see below 4/21. This week they sent in updated elevations. You can see more windows, doors and emphasis on the frontage situation, so we are in favor of the new updated elevations for those.

As far as the Community Plan, this plan is in support of LU-2.1, 6.2 and 3.1. They are improving some connectivity and connections in the Town Core, so there's emphasis on more density and increased intensity of uses around that 77 corridor. Staff has throughout the process asked for two story commercial buildings in the commercial section. We are okay with a perceived second story when at the time of construction if the market is not feasible for an occupiable second story.

Staff is in favor of all the modifications requested and we do recommend approval. Planning Board recommended approval unanimously.

Commissioner Dumas said I'm curious about the 100 percent attached housing versus 30 percent. What is our normal rationale for the 30 percent standard in our ordinance and why would we be comfortable in this case with 100 percent.

Mr. James said what we look for is the plan going over and beyond what's required of the ordinance, so when you get a modification that is say you know you've got 30 percent required or max attached, you're going 100 percent attached, we look for things like good design and open space, connectivity, architecture that may go above and beyond and just the cohesiveness of the plan with the area. Those are the things that we accounted for when we thought about whether we were in favor of modifications similar to that.

Commissioner Dumas said they're doing 16 affordable housing units, was the right number.

Mr. James said correct – 16.

Commissioner Dumas said I just wanted to make sure that was mentioned, because I think that's pretty high compared to our other.

Commissioner Bergsman said I would love to hear some more detail in addition to what we saw in the report on the changes to the elevation. Would you be able to kind of go into that a little bit.

Jason McArthur, Mission Properties, said on the carriage homes we met about two weeks ago with staff to better understand what staff was looking for and we looked at photographs of buildings that were in staff's view a better example of architectural expression. The old version of the carriage house was flat on this elevation you see in this rendering. We've added that second story balcony that's a covered element. We've added doors up and down to create a rhythm that feels like townhomes where there

are now three entry doors like three townhomes would have. We created in between those doors if you look at that element that's in the gray or the brownish gray section to my left of the balcony, it mimics a door, but it's not actually a door. It's architectural interest, so if you were walking by or driving by, it almost feels like five doors. There are three operable doors now in this version. We added a second story porch. We added a little bit more emphasis to the end unit doors with more glazing beside the doors and above them. We also brought the roofline down. We thought the scale was a little off. There is too much sort of air space above the top windows to the eave line of the building, we just thought the proportions were wrong and so we lowered them. These units have 10' ceilings so they are gracious in that respect. We think this is an improvement. It's not in its final form. It's a work in progress. Every turn from the architect it takes more than a week to get on their schedule to get revisions and then invariably we're fighting deadlines to get things back to staff. I think staff, not speaking for them, but I do think they agree that we are moving in the right direction in exhibiting enough good faith there that we will get to a place of mutual approval on this. Those are the primary changes.

On the garden building, the four-story building, most of the changes that we were asked to make were related to one of two things, the roof line.....originally the format of the garden building is pretty substantial. We had hipped roof elements on the end, but in between it was just a flat plane and now we've added this gable element and then bumped up a steeper roof pitch for the middle section to create instead of three roof planes, six and so there's much more visual interest there than we had. We strengthen some of the architectural expression with different color patterns along the front with bigger pilasters for that center gable element to anchor it. Most notable you see it here, this building for reasons of fire code has to have two access points. It can't have one central. It doesn't meet life safety requirements, so there are two. We've made those features much more prominent now. There's a two-story lobby at each end. There's two stories of glass proposed. There's a lid on it and much more substantial columns than we had on previous versions. Those are in response to staff requests.

Commissioner Bergsman said I definitely agreed with staff on that. I definitely feel this is an improvement and appreciate the changes and the work you put into that. The only other question I have is in regards to the affordable housing units and just refresh my memory because I know we've had like for example Birkdale is offering theirs in perpetuity. Is that the same offer that you have or what is the timeframe that you're willing to commit to.

Mr. McArthur said our offer is 15 years. We started at 10. Staff asked for 30. We settled at 15. I just remind you that we're a small developer that's financing this with lenders who are profit motivated and with investors who have a return expectation. We can't compel the lenders or the investors to participate in the project except for reasons of profit. The give on that is coming solely from the developer, from me and my partner. We went as far as we could go on that. In our experience perpetual is a long time and ends up being an objection when you go to sell the asset. Any time there's a limitation or some form of an encumbrance, we have found that buyers need to believe there is some sunset to it. Perpetual is just a long, long time. In 50 years or 60 years or 100 years if this property were being redeveloped, someone would still have to be mindful of that and that may be an entirely different context where the site no longer wants to be residential. Maybe it would be some kind of transportation node and yet there's some remnant from zoning that requires 16 affordable units to be built on site, so we believe that sunsetting it at some point is necessary for the viability of the project and we hope that as new projects come online and if they have a component of affordable housing, over time that base of affordable units increases from our 16 to something exponentially more because new projects have delivered that also are serving that need and we feel like we will have done our part after 15 years

Commissioner Bergsman said staff asked for 30, you came up from 10. My sweet spot personally is 20. Is that something you would be willing to do.

Mr. McArthur said no, I don't mean to be ugly, but we said it before and I didn't say it laughingly, we're at our point of breaking. I can't commit to a project that I'm going to fail on, that I know at the onset I can't succeed. Fifteen is a heavy lift. I appreciate the ask, but I really mean it, 15 is all we think we can offer. There's just not enough meat on the bone to give more. I wish there were, but if I said yes to that, you'd never see this project be built, you would see it just on paper. That's just the honest truth.

Commissioner Bergsman said for 15, will all of the 16 units have the same.....will they look identical and be identical in terms of what they offer.

Mr. McArthur said yes, we're not setting aside 16 unique units. Year to year the complexion of those 16 units will change, depending on who comes through the door. We don't know at the onset who's coming through the door, but we know at all times 16 of our units need to accommodate this requirement for affordable housing and so some years that may be a disproportionate share of two bedrooms. Other years, ones. We don't know, but there will not be a set aside set of units with inferior finishes, with inferior views, with smaller floor plans. All of the units will be built to the same standard. It's our goal that those people would be distributed throughout the community and not relegated to some sort of second tier. We're not an airline, there's not economy and business class. Everybody here is going to have the same treatment.

Commissioner Hunt said we know DOT is planning to improve 21 and this is an area zoned for high density. Can you tell us where DOT is in the process for that road improvement project.

Stephen Trott, Director of Engineering, said as I understand they're nearing completion of right-of-way acquisition. After that will come utility relocation and then start of construction, with start of construction anticipated sometime in 2027.

Commissioner Quarles made a motion to approve Petition #R24-13 Mission Stumptown, with the following conditions:

1. The requested modifications are approved, however Plan Note No. 16 shall be amended to remove the last sentence of the note.
2. The current multi-family architectural design should be revised to at a minimum meet ordinance standards with a goal of going above and beyond.
3. The applicant shall commit to offer 16 attainable housing units as set forth in the rezoning plans.
4. All outstanding planning, transportation, storm water and engineering comments are redline shall be addressed.

With these conditions the Petition is consistent with Policies LU-2.1, LU-6.2, T-3 and T-3.1 of the Huntersville 2040 Community Plan. It is reasonable and in the public interest to approve the petition because the plan adds a key future road connection and Maruti Avenue which will eventually connect Stumptown Road south to Huntersville Gateway development along Statesville Road and consistent with the 2040 Community Plan.

Commissioner Walsh seconded the motion.

Commissioner Rivers said I just want to say to the applicant I appreciate you for going above and beyond and listening to staff and listening to the comments that were given to you. This morning we received a letter from the landowner and she was very impressed with the work that you have done in working with her and her family. Those attainable housing units mean a lot because that is one of the highest numbers that we have ever been presented with by a developer, so I want to commend you for that effort. I know it is a hard effort because of inflation. We all know, so it's not easy. But again, I want to thank you and commend you for taking that step and in her letter she stated that is what helped her to make her decision to work with you all because her sons are first responders. I think people have the misconception of affordable housing and what that looks like and who the residents are that are asking for affordable housing. But when you think about it, it is your first responders, it is your teachers, it is those that are working in the community, that want to live in the community and at the rate that Huntersville is growing, Huntersville is also expensive. People that work here, they want to live here, too. Again, I thank you and I am in approval of this project.

Commissioner Bergsman said can I just clarify something before we vote. In the motion with the conditions in regards to the 16 units, do we have in the rezoning plans mention about the 15 years.

Mr. James said yes.

Mayor Clark called for the vote.

Motion carried unanimously.

Petition #R24-14 – 12705 Commerce Station Drive. Mayor Clark called to order public hearing on Petition #R24-14, a request by Linda Long to rezone +/- 64.5 acres located at 12705 Commerce Station Drive from Corporate Business to Corporate Business Conditional District (parcel ID 01930105). The purpose of the rezoning is to develop an industrial and flex space warehouse development.

Brad Priest, Assistant Planning Director, said R24-14 Commerce Station Industrial originally came to the Board a few months ago, so I just wanted to give a little bit of background/reminder and catch up where we are.

The hashed property is to the east side and the end of Commerce Station Drive behind Southwire, the big tower. The property is zoned Corporate Business and is asking for Corporate Business – Conditional district, not changing the zoning district.

Quick highlights, not mixed-use but more of a flex use for 500,000 sq. ft. Lot 1 and Lot 2 on the north side of the plan. The purpose for the rezoning since it's CB is to modify the SWIM buffer requirements and the Corporate Business buffer requirements and the block length for Commerce Station Drive. Again, the highlight of this plan as well is a stub of a private drive built to public street standards back to the landfill, which would allow them to connect and then stop going out on Holbrooks which is not necessarily built up to the standards to handle those heavy trucks and come out on a commercial street. That's a big benefit there.

Quick update on the plan from the last time the Board saw this rezoning application. It was clarified that Lots 3 and 4, the ones south of Verhoeff Drive next to the existing building, those lots are going to be retained by the current property owner and so there is no site plan, there's no proposed development at this time for that property, so there's no conditions on it. Staff was kind of asking that question, well

what about Lot 3 and that's the answer, there is nothing proposed right now. In the future it would just develop per the ordinance requirements at the time of the construction application once it's submitted.

Rezoning considerations, the modifications we talked about, the SWIM buffer, the picture on the righthand side is a stream buffer that is being encroached upon through the conditional rezoning application. The applicants are asking for a modification of that. We talked about the CB buffer. The modification request previously to the Board was to approve no sidewalk along that private drive that goes back to the landfill. As discussed, the applicant has changed that, put in sidewalk and street trees. Per staff's recommendation, they have done that, but they are asking to go from 7' down to 5' to be consistent with what's already out there on Commerce Station Drive and staff is supportive of that.

The big consideration and discussion for this project was actually in regard to Verhoeff Drive Extension, so as discussed previously and outlined in the Staff Report, we have an alignment currently and that's the red alignment you see there of the drive that would come west to east through the property. We have an alignment, but the Town is currently starting the process to work with the regional planning organization to think about modifying that alignment – changing it and switching it up a little bit. The question became how does this site plan affect or marry up to where we might have the updated alignment. Are we going to remove some alignments that we might want if there's a new building there through this process. We've been trying to work with the applicant to try to identify that and we've worked in a pretty good way to kind of iron that out, so just giving a summation you've got different alignments. What you see here, you have an orange alignment, you've got a purple alignment that the Town's consultants have worked through and given a recommendation on. As far as we think these would work. They're preliminary. They're not the end all be all. There still has to be a public process where we go through and we talk to the property owners, we talk to everyone, but these are ones that our consultants came up with as a recommendation preliminarily.

In regard to the site plan tonight, of course the red alignment, the applicants are able to accommodate that. The orange alignment, if you look at the call-out and the blow-up on the bottom lefthand side of the screen, we see that with just some driveway modifications even the far north orange alignment could still work with the applicant's site plan. At the time later on assuming the orange alignment was chosen and Verhoeff Drive was constructed by the Town and NCDOT, the Town or NCDOT would work to change the driveway into the configuration you see there and then the operation could work. Orange works, red works, the purple is for a future development that is no proposed building at this time so there are no conflicts. Going through this process we've just eliminated the question is this going to hurt our realignment efforts. The answer at this time we feel is no, although it's still preliminary. Is there a potential risk that we should say you could go further north in orange. Yes, there is, but we think that this exercise has reduced that likelihood.

The 2040 Plan with the changes that the applicants have made, we feel that they are meeting all the policies from the 2040 Plan. There's lots of checkmarks there. Again, Policy LU-11.2 Protecting Existing Housing Stock, the residential area on Holbrooks Road assisting to get that traffic from the landfill onto Commerce Station Drive is very good. Policy LU-8.2 Higher Design Standards, they are conditioning the application for their mitigation disturbing the stream to put those mitigation credits into the county project for Cane Creek that's coming up soon, so improving local water quality in Huntersville, so that's a good win there.

Staff recommends approval. There are some conditions there. The Planning Board met back in February and recommended unanimous approval as well, with the staff conditions. Staff's

recommendations right now are just some tweaks in regard to the notes. I won't read those out, but if you have any questions about them, I'll be happy to answer them.

Commissioner Dumas made a motion to approve Petition #R24-14 Commerce Station Industrial, with the following conditions:

1. The requested modifications are approved but Notes 14F and 14C shall be amended as follows:
 - a. Note 14F shall be amended to reserve and dedicate the right-of-way for any future Verhoeff alignment between the current red alignment and orange alignment on Lot 2.
 - b. Note 14C shall be amended to state that water quality mitigation fees shall be applied to the Mecklenburg County Cane Creek Project, if allowed by Mecklenburg County.
2. Urban open space shall be added to the plan at the corner of Commerce Station Drive and the public access drive or at another location that connects the buildings on Lots 1 and 2 to the pedestrian realm per Article 7.11.1 of the Zoning Ordinance.
3. All outstanding Planning staff comments and redlines shall be addressed.

With these conditions, the Petition is consistent with Policies LU-1.1, LU-5, LU-7.1, LU-8.2, LU-11.1 and EOS-1.1 of the Huntersville 2040 Plan. It is reasonable and in the public interest to approve the petition because it does not change the proposed uses of the existing zoning district, provides recommended flexibility to employment centers and provides a needed alternative entrance to the Greenway Waste Landfill.

Commissioner Quarles seconded the motion.

Mayor Clark called for the vote.

Motion carried unanimously.

Traffic Calming Measures – Dellwood Drive. Commissioner Rivers said I will need to recuse myself due to conflict of interest.

Commissioner Bergsman made a motion to recuse Commissioner Rivers from Item 10.D.

Commissioner Hunt seconded the motion.

Mayor Clark called for the vote.

Motion carried unanimously.

Lora Mastrofrancesco, Transportation Engineer, said this agenda item is to consider traffic calming physical measures for Dellwood Drive. Just to recap, this is where Dellwood Drive is. It's on the east side of Church and South Main. And then the street view just shows you the street characteristics.

When I was at the public hearing I showed you several options. We have five total. Each one increases in speed humps from one to three and then four adds in a traffic circle as well as speed humps. At the public hearing the majority of the speakers suggested more than one speed hump. The community's preference after Ms. Rachel and I figured it out, we were discussing Option 2, which is two speed humps. Option 4 has two speed humps and a mini-circle. With discussions with Fire and Police, their

preference is two or three speed humps. The Engineering Department is recommending two or three speed humps as well.

Commissioner Quarles made a motion to approve traffic calming measures on Dellwood Drive in the form of Option 3 with three speed humps.

Commissioner Hunt seconded the motion.

Commissioner Walsh said wasn't it the community's preference to do two.

Ms. Mastrofrancesco said they said two or two and the traffic circle.

Commissioner Quarles amended his motion to approve the traffic calming measures on Dellwood Drive in the form of Option 2, with two speed humps.

Commissioner Hunt seconded amended motion.

Commissioner Hunt said Stephen had mentioned at some point that we could add on later, right. We could do like a phased approach. That's an option later.

Ms. Mastrofrancesco said there's adequate room with the 500' spacing to put a traffic circle or additional humps at a later date.

Mayor Clark called for the vote.

Motion carried 5 to 0 (Commissioner Rivers was recused).

Commissioner Quarles made a motion to bring back Commissioner Rivers from recusal.

Commissioner Hunt seconded the motion.

Motion carried unanimously.

Appointment to the Greenway, Trail and Bikeway Commission. Consider appointing one member to the Greenway, Trail and Bikeway Commission for one unexpired term due to a vacancy. The term will expire December 31, 2026.

Mayor Clark called for nominations.

Commissioner Bergsman nominated Christopher Price.

Commissioner Quarles nominated Aimee Abernathy.

Commissioner Hunt nominated Aimee Abernathy.

Commissioner Dumas nominated Aimee Abernathy.

Commissioner Walsh nominated Aimee Abernathy.

Commissioner Rivers nominated Aimee Abernathy.

Commissioner Dumas made a motion to appoint Aimee Abernathy to the Greenway, Trail and Bikeway Commission due to a vacancy.

Commissioner Rivers seconded the motion.

Mayor Clark called for the vote.

Motion carried 5 to 1, with Commissioner Bergsman opposed.

Amend Chapter 93, Article III of the Code of Ordinances – Noise. Emily Sloop, Town Attorney, said you have the proposed edits to the Noise Ordinance. These edits are striving to align our ordinance with the statutory authority for noise ordinance regulations and also we had done some research in conjunction with HPD to look at what other jurisdictions do as far as best practices for their noise ordinance, and we had hoped to by incorporating these edits move more towards what best practices are in other jurisdictions. Also, we had received some commentary from the public regarding engine brakes or you could also call it compression brakes. These edits will also prohibit that. Just to clarify this item you will need to vote on it tonight, but it will come back for a second vote at the next meeting because the noise ordinance does carry with it a misdemeanor charge.

Commissioner Rivers said for clarity the engine brakes.....

Ms. Sloop said we have language in the prohibited acts now with these edits that would include the use of an engine brake, compression brake or mechanical exhaust device designed to aid in the braking or declaration of any vehicle as a prohibited act via the noise ordinance, unless it's for something to avoid imminent danger.

Commissioner Hunt said what's the enforcement of that.

Ms. Sloop said we have various options including the misdemeanor charge. We can also write a citation to include a civil penalty. Usually, it is going to be a citation or a charge, but we do have the option to also issue a misdemeanor charge.

Commissioner Walsh made a motion to amend the Town of Huntersville Code of Ordinances Chapter 93 Article 3 of the Code of Ordinances Noise.

Commissioner Rivers seconded the motion.

Mayor Clark called for the vote.

Motion carried unanimously.

Management Services Contract for HFFA. Emily Sloop, Town Attorney, said in your packet you have for this item an updated contract for management services with LIV unLtd, LLC for the management of our Huntersville Family Fitness & Aquatics Center. We have a couple of slides that will show some of the updates that are being made to the contract. *Slides attached hereto as Exhibit No. 7.*

The first slide just shows what some of the components of the management services are. They include programming, staffing, marketing, scheduling, billing/collection, financial reporting and also management of the maintenance of the building. There would be other tasks as directed by the Board of Commissioners.

On this slide you have what the management fee structure would be for the five years of the contract. The contract is requiring that any increase in management fees be subject to a successful performance evaluation on an annual basis. As I mentioned with the previous slide, the Board will be adopting annual goals for LIV and those goals will be assessed during the annual evaluation.

Commissioner Hunt made a motion to approve the management services contract with LIV unLtd, LLC for full and complete management of Huntersville Family Fitness & Aquatics Center.

Commissioner Quarles seconded the motion.

Mayor Clark called for the vote.

Motion carried unanimously.

Contract attached hereto as Exhibit No. 8.

Huntersville Mobility Plan. Heather Maloney, Transportation Planner, said I'm here tonight to ask for your consideration to adopt the Mobility Plan. I've got some slides to review, what we went over at your last meeting and the steps that we've taken since that last meeting to bring this to your consideration tonight. *Slides attached hereto as Exhibit No. 9.*

As you will recall we were here on April 1 to review the plan. After that we met with the Planning Board on April 9 and presented the report to them. The Planning Board recommended approval of the Mobility Plan unanimously that night. We made some modifications based on some of your feedback after the April 1 meeting and their feedback on April 9. I'll just go through the slides briefly and then kind of get to the one change that we made at the end.

We've got six chapters. We have an introduction where we present our vision to have a transportation network that integrates land uses, offers choices to safely connect pedestrians, bicyclists, transit riders, and motor vehicles in the community and meets the needs for all users. Our goal is to create safe and accessible mobility choices for all and we're going to do that by defining our complete streets cross-sections for all boulevards, major thoroughfares and minor thoroughfares that are context specific to the Town's land use areas. We created an online mapping database using GIS that shows these defined cross-sections and can be used to evaluate and prioritize transportation projects by considering local input and we hope to use this as well to identify funding sources, partnerships and opportunities to collaborate to support this implementation of these projects.

We did an extensive analysis of existing conditions looking at demographics, land use, commuting patterns and transportation infrastructure. We did a network gap and connectivity analysis looking at what percentage of our thoroughfare network is complete streets. We looked at pedestrian and bike network gaps, constraints and barriers, roadway gaps, the historic build-out of our thoroughfare network and historic traffic growth patterns.

We had opportunities for public engagement with a community survey and focus groups, as well as a technical committee that included department staff and NCDOT members and members from our regional transportation planning group CRTPO.

Chapter 5 goes over the roadway topology and land use matrix where we looked at how boulevards, minor thoroughfares and major thoroughfares vary across the different land use contexts and

developed context sensitive cross-sections for each of those different land uses. We also then included the online database, a link to it in the report. When you click on that database online, you get a pop-up with those cross-sections and detailed descriptions of the various elements in there. This is kind of one-stop shopping for staff and the Board, as well as the public when we make this available, to be able to click and see what the future cross-section is going to be when we are able to fund it and build it.

We list out all the projects based on their implementation steps, meaning the steps it will take to achieve that full cross-section, whether it's a new road construction or a roadway widening or complete street reconstruction. Appendix A and Appendix B have details of our existing plans and a review of our ordinances and how that informed the plan and recommendations, as well as kind of very detailed summary of our public input and engagement results.

On to the key change from when we were here on April. We took your feedback and that of the Planning Board and broke the action steps out into a list by Town Board roles and the Town staff steps that we can take to implement this. The content of the action steps didn't change dramatically. The wording may have changed just to make it more appropriate. These changes are reflected in your agenda packet.

Commissioner Rivers made a motion that we consider the approval of the Mobility Plan.

Commissioner Dumas seconded the motion.

Mayor Clark called for the vote.

Motion carried unanimously. *(Commissioner Bergsman was away from the dais at the time the vote was called, therefore her vote was recorded as a vote in favor)*

Resolution – Voluntary Agricultural District Program. Bobby Williams introduced Erin Stanforth and Kathleen Reed from the County. They presented on this topic to the Environmental Sustainability Committee back in January and that was referenced earlier with the item that was moved to other business.

Erin Stanforth and Kathleen Reid presented information on the Voluntary Agricultural District. *Refer to PowerPoint attached hereto as Exhibit No. 10.*

Commissioner Walsh said just a clarification, about five slides back you talked about the idea of NCDOT was going to build a road but it's not legally binding. Can you clarify, I got a little confused there.

Ms. Reed said the condemnation of land, so let's say they are putting a road in and so right now that can happen and a public hearing doesn't have to happen, nothing other than an agreement between DOT and that landowner. So this rather than that happening gets elevated to a public hearing so that there can be more conversation. It offers the opportunity for those two parties to potentially come to more of a compromise and to find maybe a way that doesn't cut through the middle of a farm or things like that and so it's really raising the voice of the farmer to give them a platform to state their case and to work out something that might.....a place for that road for example that might be more beneficial than directly through.....

Commissioner Walsh said but ultimately NCDOT could...

Ms. Reed said they still could.

Commissioner Walsh said I heard the word non-binding and I was trying to figure out.

Ms. Reed said let's say that the agricultural advisory board issues a ruling that says DOT has other options than putting their road directly through the farm. DOT could still do that, but it gives that space and that time for those two parties to come to hopefully some kind of agreement.

Commissioner Hunt said could you be a little bit more specific about the type of farming we have in Huntersville.

Ms. Stanforth said there are I want to say mixed-use and that's not the term at all, I would say folks that are growing literal agriculture so fruits, vegetables, I don't believe there's any poultry processing that's happening within the town of Huntersville nor within the ETJ. There are quite a few large-scale forests that are considered farmland but there aren't any sort of animal processing that's happening.

Ms. Reed said I would say it's small scale agriculture, so small businesses. Other than forestry, you're not talking 500 acres of nothing but cows. I would say our farmers work very closely with our soil and water conservation district to make sure that the agriculture their doing is regenerative is taking care of the land is protecting our soil and our water resources. You can see throughout the presentation we visited a lot of farms, not only in the building of the farmland preservation plan but also in having conversations about this voluntary ag district program and this is the kind of agriculture that we have in Mecklenburg County.

Ms. Stanforth said I do want to add to that. There's a lot of agri business within the town of Huntersville. There's Sweetwater Farms, there's Blackberry Ridge and those are really, with the exception of Hodges, down in the southern area of the county that's really unique and rare in terms of farms.

Commissioner Hunt said if a farmer was interested in expanding their operations, do you think it would ever be possible for them to have a large scale like animal farming operation.

Ms. Stanforth said the way that we interpret the current zoning ordinances is that is not allowed. You would have to issue a special use permit to that. Not only would that have to happen, they would have to be many other hoops to jump through. By a soil and water conservation district I believe Mecklenburg County would also have some say in that. It would not be a lickety split thing.

Ms. Reed said any of those more confined animal feeding operations are also regulated at the state level very highly and there's also a whole layer of things of what has to happen at the state level for something like that to exist. There are not currently any farms that meet that definition operating in Mecklenburg County.

Mayor Clark said do you have an idea of how many of the farmers that are in Huntersville are interested in participating.

Ms. Stanforth said we've spoken with roughly 50 farmers within the county and I do want to make this statement by also saying that we are the government and so there are agricultural folks that don't necessarily want to have conversations with us. That being said, of the 50 folks we've spoken with, no one has said no. Everyone has been overwhelmingly supportive and interested in this.

Ms. Reed said I think especially when you look back if you think back to that North Carolina map that we would be the 92nd county. Our farmers are generally aware that this program exists. We operate in a corridor in Mecklenburg County that's surrounded by that dark green so all counties that touch us have the regular and the enhanced version of this program, so there's probably even some farmers who own land in surrounding counties who are already potentially part of this program in other counties.

Commissioner Dumas said I just want to clarify, the Sustainability Committee saw this and they voted in favor of it, correct.

Ms. Stanforth said yes. It wasn't unanimous.

Commissioner Hunt made a motion to approve the Resolution ratifying and authorizing interlocal cooperation between the Town of Huntersville and Mecklenburg County for the implementation of the Voluntary Agricultural District Program within the jurisdiction of the Town of Huntersville.

Commissioner Quarles seconded the motion.

Commissioner Hunt said thank you for coming out here tonight to share the details about the VAD. I really appreciate that. I'm super grateful to our remaining farmers in Huntersville and their interest in the VAD and farmland preservation in general. I think this is a really important step in farmland preservation and I'm super thrilled to support this.

Mayor Clark called for the vote.

Motion carried unanimously. *(Commissioner Bergsman was away from the dais at the time the vote was called, therefore her vote was recorded as a vote in favor)*

CLOSING COMMENTS

Commissioner Rivers wished her mom happy birthday tomorrow.

Commissioner Hunt said happy Earth Day. I want to encourage everyone to treat every day like its Earth Day and if you're looking for more ways to live sustainably there's some easy tips to get you started from ditching single use plastics like water bottles, bags and straws and switching to reusable ones, avoiding fast fashion brands whose practices contribute to environmental degradation and shop secondhand or join clothing swaps and if you are looking for more ideas, you can check out earthday.org or the Nature Conservancy's Earth Day Everyday Guide to learn more.

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

Approved this the 3rd day of June 2025.