



MINUTES

August 2, 2021 - 6:00 PM

HUNTERSVILLE RECREATION CENTER (11836 Verhoeff Drive)

1. Pre-meeting - 5:00 p.m.

Mayor Aneralla called the pre-meeting to order.

Governing Body Members Present: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Brian Hines, Lance Munger and Stacy Phillips. Commissioner Nick Walsh was not present.

1.A. Traffic Impact Analysis Discussion and Possible CIP Projects.

Traffic Impact Analysis. Stephen Trott, Director of Engineering, reviewed the Traffic Impact Analysis process. *Refer to PowerPoint attached hereto as Exhibit No. 1.*

Mr. Trott presented two options: (1) Raise the TIA threshold from 100 peak hour trips and 1,000 daily trips to 150 peak hour trips and 1,500 daily trips, or (2) Not require a TIA for the Town if NCDOT is requiring a TIA.

Following discussion on the options, there was not a clear consensus. Mr. Trott recommended that the threshold be increased to 150 peak hour and 1,500 daily.

Commissioner Munger suggested going with the Staff recommendation to raise the threshold and no TIA required if NCDOT is requiring a TIA and if possible, if NCDOT is not going to require the TIA, then the Town would require it.

Mayor Aneralla requested Mr. Trott create language for either eliminating the TIA or what was proposed by Commissioner Munger and move those on parallel paths.

Mr. Trott pointed out that whatever option is chosen, it will have to go through the public hearing process.

CIP Projects. Mr. Trott presented Board with information on the NC 115 – McCord Road to NC 73 project to see if there is interest is the Town putting together an application for the CRTPO Fall 2021 Call for Projects. Application package would cost approximately \$75,000. It was the general consensus of the Board to move forward with the application process. Staff will bring a budget amendment to the Board on August 16.

Mr. Trott reviewed the request to add Church/Seagle – McCord to NC 73 as a project, in order to work with developer on alignment to best accommodate road and development now versus trying to fit it in later after the development. The Town project would go between 73 and McCord. Their site only is within that property boundary and it does not go to 73.

It was the general consensus of the Board to add this project to the CIP.

Mr. Roberts noted staff will bring a budget amendment to the Board on August 16.

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

2. Call to Order

Governing Body Members Present: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Brian Hines, Lance Munger and Stacy Phillips. Commissioner Nick Walsh was not present.

3. Invocation - Moment of Silence

Mayor Aneralla called for a moment of silence.

4. Pledge of Allegiance

Mayor Aneralla led the Pledge of Allegiance.

5. Mayor and Commissioner Reports-Staff Questions

Mayor Aneralla

- Erica Brown who went to Hough High School won two bronze medals in swimming at the Olympics.
- Next Metropolitan Transit Commission meeting is scheduled for August 25, but it may not be held.
- National Night Out is tomorrow night at North Mecklenburg Park.
- On Thursday there will be a discussion about the new town hall and Lalacaboosa will be at Veterans Park.

Commissioner Bales

- Lake Norman Economic Development Corporation is currently working 47 projects, 30 of which are in Huntersville at various stages.
- Students and staff of Charlotte-Mecklenburg Schools will be required to use masks when they are in school when school goes back in session.
- Expressed appreciation to the officers at HPD for all of their work in regards to National Night Out that will be held tomorrow evening.

Commissioner Boone

- Provided update from the Lake Norman Chamber of Commerce.
- National Night Out is tomorrow night.

Commissioner Hines

- Next Charlotte Regional Transportation Planning Organization meeting is August 18.

Commissioner Phillips

- Provided update from Ada Jenkins Center.

Commissioner Munger

- Next meeting of the Huntersville Ordinances Advisory Board is August 5.
- Next meeting of the Centralina Regional Council Board of Delegates is August 11.

- Angels and Sparrows will be closed for the next two weeks for remodeling.
- Consider supporting local non-profits.

Commissioner Munger requested Chief Hoyle provide update on the possibility of integrating social workers into the Huntersville Police Department.

Chief Hoyle explained that they are in the preliminary stages of researching the idea. It's something worth looking at and we will bring back additional information at a future meeting.

Commissioner Boone questioned if anything can be done legally to get Colonial Pipeline to come before the Board to answer questions.

Ms. Sloop said you can ask them and strongly encourage them, but you cannot legally require them to attend a Board meeting.

Commissioner Boone requested the Town Manager to invite Colonial back until they come.

Mayor Aneralla said I have asked, numerous times.

6. Public Comments, Requests, or Presentations

Laura Czerwinski and son Marek, 13215 Serenity Street, son Marek. We wanted to share some great news with you because we all need it. Marek has partnered with Levine Childrens Hospital where he was a patient just under 8 years ago when he came into this world about 10 weeks early and he spent quite a bit of time at Levine and he's been asking me consistently on how he could give back and how he can help make kids happy. He does it in our neighborhood by putting out lots of inflatable decorations during the holidays. He has a mini reputation for that among people that walk by our home. I was thinking that would be a great fit for him to help spread joy to the children. We reached out to Levine Children's and came up with Inflated Joy. That's why you saw all the wonderful inflatable decorations here when you entered this evening. What we are doing is we are collecting small, new inflatable decorations, lights and some other items on the hospital's wish list. We are collecting them for the kids to have to brighten up their hospital rooms during the holiday season. This has been well received so far. We really just launched about a week ago, but we are really excited to bring it to our town and neighbors to give people an opportunity to contribute. There are a lot of things on the list, all different price points if people want to give. We have a registry set up at myregistry.com. You can go there and then search for Inflated Joy and see all sorts of things from \$10 and up that you can purchase right off our registry and sent to us for us to deliver to Levine and we would love to come back here in December and share the good news about all the lives that have been affected in a positive way to bring joy to these children who are missing out on one of the really big holiday traditions that families have nowadays to drive around and see these holiday inflatables and get excited and really just bring that spirit up for the holiday season. Anything that the Board or anybody in this room, if anyone has recommendations for us on how to get the word out more or would like to contribute or have questions, please reach out to us. We are going to stay until the meeting concludes in case anyone wants to come take a flyer. There's a QR code on there to find out more and you can chat with us.

7. Agenda Changes

Commissioner Phillips moved Item 10.I (Adopt Resolution to acquire property for the construction of a new fire station) to Item 9.B.

Commissioner Bales made a motion to adopt the agenda, as amended.

Commissioner Phillips seconded motion.

Motion carried unanimously.

8. Public Hearings

Mayor Aneralla recognized Planning Board members present: Scott Hensly, Derek Partee and Frank Gammon.

- 8.A. Conduct public hearing on Petition #R21-09, a request by CapRock LLC to rezone +/- 38.1 acres east of Old Statesville Rd, Caldwell Station Rd, and south of Mayes Rd from Corporate Business and Transitional Residential to Traditional Neighborhood Development – Urban Conditional District for a mixed-use development with commercial, apartments, and townhomes; (Parcels:01103103, 01103204, 01103205, 01103206, 01103207, 01103208, 01103209, 01103210, 01103211). The applicant requests public hearing be continued to August 16.

Commissioner Bales made a motion to continue public hearing on Petition #R21-09, Caldwell Crossing mixed-use, to August 16, 2021.

Commissioner Phillips seconded motion.

Motion carried unanimously.

- 8.B. Conduct public hearing on Petition #TA21-06 Detached Garages in Farmhouse Clusters, a request by Jason Richardson to amend Article 3.2.1 (e, 6) and Article 3.2.2 (e, 6) of the Huntersville Zoning Ordinance to allow detached garages in the side yard of home lots in farmhouse clusters.

Mayor Aneralla called to order public hearing on Petition #TA21-06.

Lauren Speight, Planner I, entered the Staff Report into the record, with a correction. The language that's on your screen is the language that was recommended by the Huntersville Ordinances Advisory Board and that the applicant agreed to, to move forward. This language is more specific as to the proposed location that detached garages would be allowed in home lots. *Staff Report and Staff PowerPoint attached hereto as Exhibit No. 2.*

Today detached garages for single-family home lots can only be located in the rear yard of a lot and they are subject to the same regulation as any other accessory structure where they shall not exceed the first floor heated area of the principal structure. This text amendment is being proposed specific only to home lots within farmhouse clusters.

Today a detached garage can be built behind the rear of a home and what is being proposed is that it's for home lots in farmhouse clusters a detached garage would be able to go in the side or rear yard of the home lot.

Farmhouse clusters today, this is an example of one that was recently approved earlier this year, are required to meet open space requirements which are 50 percent of the original lot area because they are in the Rural and Transitional Residential zoning districts, they are also subject to tree save requirements and farmhouse clusters must have a generally rural appearance from the public street. This farmhouse cluster in addition to some existing vegetation included is going to be planting a buffer along Asbury Chapel Road.

Staff is recommending approval of this text amendment for several reasons. One is that farmhouse clusters would still be required to maintain the generally rural appearance from public streets. Farmhouse clusters have environmental protections and vegetation requirements where half of the original lot area has to be open space. There are tree preservation requirements. In addition to that, the recently adopted 2040 Plan encourages the preservation of rural character of lower intensity areas such as the Rural and Transitional Residential zoning districts and this would be in the spirit of that and it also includes that within the lower intensity area that conservation design in farmhouse clusters are encouraged, so this would not discourage the development of a farmhouse cluster, it would give greater flexibility to those home lots and one of the considerations with the allowance for detached garages in the side yard is that you still would not see them in a farmhouse cluster because of the vegetated buffer from the public street.

This map just shows where the farmhouse clusters are currently within the Town, so they are mostly on the border edges of the town in the Rural and Transitional Residential zoning districts.

Commissioner Hines said if the subdivision that is existing currently and CC&R's that says it has to be behind the plane of the rear of the home, this would not supersede those covenants.

Ms. Speight said no, that is correct.

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

9. Other Business

- 9.A. Consider adopting Resolution to approve the Exchange Agreement with Bowman Acquisitions, LLC, whereby the Town is exchanging Parcel ID #01908108 and #01908109 for a portion of Parcel ID #01908137A and #01908137B.

Emily Sloop, Town Attorney, said you have before you a proposed exchange agreement. Mr. Bowman is proposing to swap approximately 0.83 acres of Town owned property for approximately 0.83 acres of property that he has purchased. The property that he is proposing to exchange with the Town is to the east of the Dellwood Center property. Both of the proposed swap lands are of equal value in that they are both valued at \$50,000.

Mayor Aneralla said it's very rare that when you come with any type of situation that not only is it a win-win, but it's a win-win-win-win in my opinion. First of all, the Town unanimously supported last year the study to hopefully ensure the historical nature of the Dellwood Center as it stands. I do note that there's another similar school that is currently now being moved in order to preserve it to the Charlotte Museum of History, which I think is great. But I think it's a win obviously for the developer to get access to another road entrance to their development. Also I think it's great for the Dellwood Center. It gives a buffer to the adjacent building from any future development. I think it's great for the neighborhood in that it gives more connectivity, sidewalks, a way of getting from Dellwood to Central safely on sidewalks, which is something the community has been asking for. And then ultimately it could be a win for the Town as well because it will unlock potentially possibly four lots that the Town at its discretion could use for either a Habitat home or maybe a police officer's home or something like that, which could be worked out. And I know that Mr. Bowman is here and if that's the case he said he would commit to grading and clearing the lot as he is doing his construction over there. Correct?

Nate Bowman, 205 S. Church Street, said that is correct.

Mayor Aneralla said I think it's a great thing for everybody all around.

Commissioner Munger said if we do not approve this swap then the developer will not connect to Dellwood and if, hypothetically, at some future point we want to see the lots that the Mayor mentioned developed by Habitat, Hope House, or some other entity, we would then need to pave out that road connection using taxpayer dollars to ensure that those lots are on a street front. Is that correct.

Ms. Sloop said that's correct.

Commissioner Boone made a motion to approve the exchange agreement with Bowman Acquisition LLC whereby the Town is exchanging Parcel IDs 01908108 and Parcel 01908109 for a portion of Parcel ID 01908137A and 01908137B.

Commissioner Munger seconded motion.

Commissioner Phillips said I will be opposing this because the thing is none of us live in this area. However, the leaders of the North Mecklenburg Communities United sent an email about this project and they said we expect the Board to respect our community's history by not giving away our historic public properties to private developers. We expect our Town Board to foster economic opportunities and attainable housing for all of Huntersville's residents. We expect the Town Board to treat all communities equitably. I verified with the leaders including Ms. Verona Wynn and Ms. Jannelle Harris that they still do not approve of this. They do not want it and I feel like they should be heard because they are the ones who live in this community and I think it's unfortunate that we are putting a developer above the people who live in the community and that's all I have to say.

Commissioner Munger said quick question for the applicant. Who did you buy this property from.

Mr. Bowman said we haven't closed on it yet, but the gentleman that owns it, Valea Village LLC, bought a lot of the property from the Wynn sisters. We did buy one of the parcels recently that would make this up from two of the Wynn sisters.

Mayor Aneralla called for the vote.

Motion carried 4 to 1, with Commissioner Phillips opposed.

Resolution attached hereto as Exhibit No. 3.

9.B. Adopt Resolution to acquire property for the construction of a new fire station.

Emily Sloop, Town Attorney, said I'm happy to answer any questions about the resolution, but in order to move forward we would need Board action authorizing the Town Manager to move forward with negotiations to purchase the property. It's approximately 6.4 acres. The property is located at 8114 Oliver Hager Road.

Commissioner Hines said for a period of time nobody has been able to locate any heirs, it's in probate.

Ms. Sloop said the estate is still open because of the fact that she died intestate and they had

to engage a forensic genealogist to determine the heirs. The file is indicative of several potential heirs, so we have been in contact with them about potentially purchasing the property.

Commissioner Hines said all we are approving here is you are going to continue negotiations. If you can purchase it outright, fantastic. If not, it gives you all the authority.....

Ms. Sloop said it gives Anthony the authority of move forward with condemnation for the purpose of getting the land for a fire station.

Commissioner Phillips made a motion to adopt Resolution to acquire property for the construction of a new fire station.

Commissioner Bales seconded motion.

Motion carried unanimously.

Resolution attached hereto as Exhibit No. 4.

10. Consent Agenda

- 10.A. Approve Resolution Authorizing Electronic Advertisement of Contracts Subject to Article 8 of Chapter 143 of the NC General Statutes.

Commissioner Hines made a motion to approve Resolution authorizing electronic advertisement of contracts subject to Article 8 of Chapter 143 of the NC General Statutes. Commissioner Phillips seconded motion. Motion carried unanimously.

Resolution attached hereto as Exhibit No. 5.

- 10.B. Adopt Ordinance to temporarily close certain state-maintained roads for the Veterans Day Parade and Event.

Commissioner Hines made a motion to adopt Ordinance to temporarily close certain state-maintained roads for the Veterans Day Parade and Event. Commissioner Phillips seconded motion. Motion carried unanimously.

Ordinance attached hereto as Exhibit No. 6.

- 10.C. Receive 2021 Progress Report on Implementation of Mecklenburg County Multi-Jurisdictional Hazard Mitigation Plan for Town of Huntersville.

Commissioner Hines made a motion to receive 2021 Progress Report on Implementation of Mecklenburg County Multi-Jurisdictional Hazard Mitigation Plan for Town of Huntersville. Commissioner Phillips seconded motion. Motion carried unanimously.

Progress Report attached hereto as Exhibit No. 7.

- 10.D. Adopt bylaws for the 150th Anniversary Committee.

Commissioner Hines made a motion to adopt bylaws for the 150th Anniversary Committee.

Commissioner Phillips seconded motion. Motion carried unanimously.

Bylaws attached hereto as Exhibit No. 8.

- 10.E. Approve budget amendment recognizing contributed capital from Ingleside escrow account and appropriate to the Vance Road project in the amount of \$126,471.53.

Commissioner Hines made a motion to approve budget amendment recognizing contributed capital from Ingleside escrow account and appropriate to the Vance Road project in the amount of \$126,471.53. Commissioner Phillips seconded motion. Motion carried unanimously.

- 10.F. Approve budget amendment recognizing revenue in the amount of \$124,816.80 from C4 CStore Holdings II LLC and appropriate as a part of the Main Street project in the amount of \$124,816.80.

Commissioner Hines made a motion to approve budget amendment recognizing revenue in the amount of \$124,816.80 from C4 CStore Holdings II LLC and appropriate as a part of the Main Street project in the amount of \$124,816.80.

- 10.G. Approve the First Amendment to the Capital Project Ordinance for the Huntington Green sidewalk project in the amount of \$66,844.00.

Commissioner Hines made a motion to approve the First Amendment to the Capital Project Ordinance for the Huntington Green sidewalk project in the amount of \$66,844.00. Commissioner Phillips seconded motion. Motion carried unanimously.

First Amendment attached hereto as Exhibit No. 9.

- 10.I. Approve updated Town Board Meeting Schedule.

Commissioner Hines made a motion to approve updated Town Board Meeting Schedule. Commissioner Phillips seconded motion. Motion carried unanimously.

Updated Meeting Schedule attached hereto as Exhibit No. 10.

- 10.J. Approve Tax Collector's Settlement for Fiscal Year 2021 (Tax Year 2020) and adopt Order of Collection for Fiscal Year 2022 (Tax Year 2021).

Commissioner Hines made a motion to approve Tax Collector's Settlement for Fiscal Year 2021 and adopt Order of Collection for Fiscal Year 2022. Commissioner Phillips seconded motion. Motion carried unanimously.

Tax Collector's Settlement and Order of Collection attached hereto as Exhibit No. 11.

- 10.K. Call a public hearing for Tuesday, September 7, 2021 at 6:00 p.m. at the Huntersville Recreation Center (11836 Verhoeff Drive) or Huntersville Town Hall (101 Huntersville-Concord Road), on Petition #TA 21-07, a request by Nick Lombardo on behalf of North American Properties, to amend Article 4: Shopfront Building, Architectural Standards

and Principles of the Huntersville Zoning Ordinance, to allow metal panel accents up to 30 percent of any façade visible from the street.

Commissioner Hines made a motion to call a public hearing for Tuesday, September 7, 2021, on Petition #TA21-07. Commissioner Phillips seconded motion. Motion carried unanimously.

- 10.L. Call a public hearing for Tuesday, September 7, 2021 at 6:00 p.m. at the Huntersville Recreation Center (11836 Verhoeff Drive) or Huntersville Town Hall (101 Huntersville-Concord Road) on Petition #R21-10, a request by ADE 883, LLC to rezone 10401 Hambright Road (tax ID 01740103) from Corporate Business to Corporate Business Conditional District, to reduce the planting requirements of the 80 foot CB buffer.

Commissioner Hines made a motion to call a public hearing for Tuesday, September 7, 2021 on Petition #R21-10. Commissioner Phillips seconded motion. Motion carried unanimously.

11. Closing Comments

12. Adjourn

There being no further business, the meeting was adjourned.

Approved this the ____ day of _____, 2021.