

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**February 4, 2019
6:30 p.m. – Huntersville Town Hall**

PRE-MEETING

There was no pre-meeting.

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

The Regular Meeting of the Huntersville Board of Commissioners was held at the Huntersville Town Hall at 6:30 p.m. on February 4, 2019.

GOVERNING BODY MEMBERS PRESENT: Mayor John Aneralla; Commissioners Melinda Bales, Dan Boone, Mark Gibbons, Brian Hines, Danny Phillips and Nick Walsh.

Mayor Aneralla called the meeting to order.

Mayor Aneralla called for a moment of silence.

Mayor Aneralla led the Pledge of Allegiance.

MAYOR AND COMMISSIONER REPORTS/STAFF QUESTIONS

Mayor Aneralla

- Target for opening the renovated Waymer Center is end of this year or early 2020.
- Provided update from the Metropolitan Transit Commission meeting. Recommendation from Red Line study is to continue to work with Norfolk Southern to try to get access to the “O” Line and increase bus enhancements.
- Provided update from the Town Board Retreat.

Commissioner Bales

- Provided update on Visit Lake Norman events.
- Lake Norman Economic Development Corporation has 25 projects, 15 of which are in Huntersville. The EDC will be hosting tour of advanced manufacturing facilities in Huntersville for Charlotte-Mecklenburg Schools educators.
- The next Municipal Education Advisory Committee meeting is tomorrow.

Commissioner Boone

- Provided update on Lake Norman Chamber of Commerce events.
- Announced upcoming Huntersville Police Department events.

Commissioner Gibbons

- The next Veterans Council meeting is tomorrow.
- The next Charlotte Regional Transportation Planning Organization meeting is February 13.
- Public comments on the NC 73 widening project can be made on the NCDOT website.

Commissioner Hines

- The next Huntersville Ordinances Advisory Board meeting is February 7.
- Property tax revaluation notices were sent out by Mecklenburg County. You have 30 days if you would like to appeal.

Commissioner Phillips

- The next Olde Huntersville Historic Society meeting is February 6.

Commissioner Walsh

- Board Room audio/video upgrades have been completed. Additional remote mics will be added to improve sound on the stream.
- Centralina Council of Governments Annual Delegates Meeting is February 13.
- Provided update on Parks & Recreation events.
- Next Public Arts Commission meeting is February 8.

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

Lois Inglad, Vice President of Community and Corporate Responsibility for Atrium Health, announced that Atrium has been awarded to provide health and wellness programming for Huntersville Family Fitness & Aquatics.

Mayor Aneralla noted that due to the number of people signed up to speak, comments will be limited to 2 minutes.

Jim Howard, owner of Huntersville Hardwoods and property requesting to be rezoned as part of Petition #R18-15, reviewed the history of the property/project. Requested Board support Petition #R18-15 which will allow more greenspace and open space. If it stays commercial, it will have less tree save and doesn't have the restrictions for open space that the TR zoning allows.

Adam Brotherton, 12321 McCord Road, addressed the Board in support of Petition #R18-15. The Northbrook development would provide transition between the McCord Road homes and the commercial development on NC 73.

James Grill, 15801 Northstone Drive, General Manager and Vice President of Northstone Country Club, addressed the Board in support of Petition #R18-15. Mr. Grill noted the corporation itself has no opinion regarding Lennar's project, but would prefer to see it zoned TR to allow for more greenspace and maintain the integrity of McCord Road.

David Nelson, 423 Watson Street, Davidson, Petitioner for Lennar Carolinas LLC, addressed the Board in support of Petition #R18-15.

Robert Stolz, 2623 Sherwood Avenue, Charlotte (Jim Howard's brother-in-law), addressed the Board in support of Petition #R18-15. Briefly reviewed the master planning process the family went through with

the property. The family liked how the plan flowed with industrial, office and then residential and allowed for greenspace.

Bruce Manalan, 15923 Hollingbourne Road, addressed the Board in support of Petition #R18-15. With TR plan you know what you are getting, but you would not know what you're getting if it remained commercial. Issues with schools and infrastructure need their own solutions and will not be resolved by the outcome of how this property is zoned.

Andrew Mashburn, 18253 John Connor Road, Cornelius, read message in support of Petition #R18-15 from William Haigler that lives in one of the houses adjoining the property. Mr. Mashburn stated he supports Petition #R18-15. His main concern with CB development is noise and believes the benefits of the Northbrook development will outweigh the impact on infrastructure.

Rita Mashburn, 12309 McCord Road, addressed the Board in support of Petition #R18-15 to allow more greenspace.

David Mashburn, 12309 McCord Road, addressed the Board in support of Petition #R18-15. With TR you know what it will look like. If zoned CB, you don't know what it will look like.

Ed Cecil, Cobbleview Lane, read message opposed to Petition #R18-15 from Don Shue. Mr. Cecil expressed opposition to Petition #R18-15. Concerns include overcrowded schools, traffic congestion, delays to NC 73 construction and lack of infrastructure.

Chris Rider, 15101 Chilgrove Lane, addressed the Board in support of Petition #R18-15 due to dangers and pollution associated with commercial businesses.

Robyn Hahn, 11930 Sam Furr Road, addressed the Board in support of Petition #R18-15 to preserve the McCord Road community.

Roger McConnell, representing 12653 McCord Road, addressed the Board in support of Petition #R18-15. Lennar reduced the number of homes from their original plan and will build nice homes. Prefers to see residential development on the property.

Faye McConnell, 11920 Sam Furr Road, addressed the Board in support of Petition #R18-15. Issues with schools, roads and traffic will continue to be problem no matter what the property is zoned. Commercial development should be on the main corridors of US 21, NC 115 and NC 73.

Susan Irvin, 19726 Zion Avenue, Cornelius (attorney for Petitioner), addressed the Board in support of Petition #R18-15. Reviewed how plan complies with the 2030 Community Plan.

Nancy Cecil, Cobbleview Lane, addressed the Board in opposition of Petition #R18-15 due to concerns with the need to preserve commercial tracts, overcrowding of schools, delay in NC 73 improvements, protection of environment and clearing of trees.

Gay Gragale, 15814 Hollingbourne Road, President of Northstone HOA but speaking as a citizen, addressed the Board in opposition to Petition #R18-15 due to overdevelopment in Huntersville.

Ken Chelcun, 12010 McCord Road, addressed the Board in opposition to Petition #R18-15 due to the residential housing sprawl and the strains it is placing on police and fire protection, Parks & Recreation utilization, roads and schools.

Jane Brotherton, 12315 McCord Road, addressed the Board in support of Petition #R18-15. Prefers to see residential on the property.

Stephen Brotherton, 12315 McCord Road, addressed the Board in support of Petition #R18-15. Prefers to see residential on the property.

Georgia Brotherton, 12321 McCord Road, addressed the Board in support of Petition #R18-15. Prefers to see residential on the property. Overcrowding of CMS schools is something CMS will have to figure out.

Rob Kidwell, 7219 Handon Lane, noted that the amount of property zoned Commercial Business is a limited resource. Urged the Board to utilize the information shared by LNECD Director Ryan McDaniels for your decision.

Kevin Short, 12100 McCord Road, addressed the Board in opposition to Petition #R18-15. All the residential plan does is benefit other landowners where they stub streets for more future development. Would like to see nice office park and some retail and restaurants that people could walk to.

Peter Jacobson, 12505 McCord Road, addressed the Board in opposition to Petition #R18-15. There are already 6,700 new homes approved but not built yet even though there's no new roads or schools.

Andrew Liberacki, 12311 Braeloch Court, addressed the Board in opposition to Petition #R18-15 due to inadequate transportation infrastructure, overcrowded schools, stress on the Police, Fire and Parks & Recreation budgets.

Troy Williams, 12200 McCord Road, addressed the Board in support of Petition #R18-15.

Cindy Williams, 12200 McCord Road, addressed the Board in support of Petition #R18-15 due to concerns with commercial traffic if rezoned to CB.

Kim Aichele, 9511 Cennetta Court, addressed the Board concerning Huntersville development in general. Believes the town is getting overcrowded and development is getting out of control. We can't stop the development, so it's critical as to how areas are developed.

AGENDA CHANGES

Commissioner Boone made a motion to move Item 9.L from Consent (Atrium Sponsorship Agreement) to Item 8.B (Other Business) and amend Item 9.J (Consent) to note the request is to change the zoning to Highway Commercial – Conditional District, not Neighborhood Residential – Conditional District I District as stated on agenda.

PUBLIC HEARINGS

Mayor Aneralla recognized Planning Board members present: Frank Gammon, Jennifer Davis, Joe Sailers and Hal Bankirer.

Petition #R18-14. Mayor Aneralla called to order public hearing on Petition #R18-14, a request by EPCON Communities Carolinas to rezone 34.77-acres located at 14211 Eastfield Road, (Parcel #s 02112213, 02112214 & 02112215) from Rural to Neighborhood Residential - Conditional District.

Commissioner Hines disclosed he has investment in EPCON within the general region.

Commissioner Gibbons made a motion to recuse Commissioner Hines from the discussion.

Commissioner Bales seconded motion.

Motion carried unanimously.

David Peete, Principal Planner, reviewed the staff report. *Staff Report attached hereto as Exhibit No. 1.*

Below are requested Zoning Ordinance modification:

<u>REQUIRED:</u>	<u>PROPOSED:</u>	<u>STAFF RECOMMENDATION:</u>
1) 25% side yard parking max.	37% side yard parking max.	<u>Supported</u> with adequate opaque screening (per Art. 7).
2) 25' rear yard min.	15' – 20' rear yard.	<u>Not supported.</u>
3) 20' buffer along boundaries.	Allow 20' buffer in rear yard.	<u>Modification not required – not an Ord. requirement. Not supported.</u>
4) 800' block length max.	1,580' block length for Road B.	<u>Supported</u> due to environmental constraints.
5) 14' driveway width max.	16' driveway width. max.	<u>Not supported.</u>
6) On-street parking.	n/a	Proposed street cross-section does not provide on-street parking. If applicant does not want to provide on-street parking, a modification would be required. <u>Not supported.</u>

While staff recognizes the value of providing retirement housing options, this rezoning request is not supported for the following reasons:

- Rezoning is NOT CONSISTENT with the Huntersville 2030 Community Plan, specifically Policies H-1, H-9 & T-5.
- Rezoning is NOT CONSISTENT with Eastfield Road Small Area Plan, specifically “Recommended Future Land Use for Area B.”
- Proposed density is NOT IN KEEPING with other developments in this area and will add greater intensity of development far-removed from goods and services with sole access on Eastfield Road.
- Modifications # 2 and # 5 are NOT SUPPORTED. # 3 is not required (and also NOT SUPPORTED).
- Internal Town streets must provide on-street parking on (at least) one side. The proposed street cross-section is not Ord. compliant, therefore is NOT SUPPORTED;
- “Deed Gap” area must be clarified.
- All outstanding redline comments must be addressed.

Bob Kardos, Regional President for Epcon Communities, reviewed their rezoning request. *Refer to PowerPoint Presentation attached hereto as Exhibit No 2.*

Members of the Board asked questions of the applicant concerning density, average age of buyers, number of cars per residence, buffer, on-street parking.

Mr. Kardos noted there is an average of 1.7 residents per household and he would have to get the average number of vehicles. It would be less than 1.7 per household.

Commissioner Walsh expressed concern with raising the density in the rural area.

Commissioner Bales expressed concern that on-street parking would impede emergency service personnel from getting to someone in need.

Hal Bankirer, Planning Board, asked if there was any discussion about a left-in/left-out on Eastfield.

Mr. Kardos explained they haven't worked through those details yet.

Frank Gammon, Planning Board, asked if the Town has a projection of the number of units the town needs for this type of age restricted community.

Mr. Peete noted that Bradbury which is west of Metrolina Greenhouses is approved for 1,000 age restricted units

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

Commissioner Bales made a motion to bring Commissioner Hines back to the dais.

Commissioner Gibbons seconded motion.

Motion carried unanimously.

Petition #R18-16. Mayor Aneralla called to order public hearing on Petition #R18-16, a request by Joseph Logano to rezone +/- 4.471 acres located at the intersection of Mt Holly-Huntersville Road and Center Lane (Parcel #s 01745106, 01745107, 01745108, 01745109, 01745105, 01745104, 01745103 and 01745102) from Corporate Business to Highway Commercial.

Brian Richards, GIS Administrator, reviewed the Staff Report. *Staff Report attached hereto as Exhibit No. 3.*

This rezoning request is consistent with the 2030 Community Plan and the surrounding development, therefore staff recommends approval of the request.

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

Petition #TA18-10. Mayor Aneralla called to order public hearing on Petition #TA18-10, a request by the Planning Department to amend Sections 2.000, 3.000, and 6.000 of the Subdivision Ordinance to be consistent with Session Law 2017-10 which established expedited review for qualifying subdivisions.

Sierra Saumenig, Planner I, reviewed the Staff Report. *Staff Report attached hereto as Exhibit No. 4.*

Staff recommends approval of the request.

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

Petition #TA18-11. Mayor Aneralla called to order public hearing on Petition #TA18-11, a request by Bank of America, N.A. to amend Article 3.2.9(c) Corporate Business District, Permitted Accessory Uses to increase the amount of attached single family and multi-family housing developments allowed in a corporate business development of 400 acres or more.

Susan Irvin, representing the Petitioner, requested the public hearing be continued for two weeks.

Commissioner Boone made a motion to continue public hearing on Petition #TA-11 to the next meeting.

Commissioner Bales seconded motion.

Motion carried unanimously.

OTHER BUSINESS

Petition #R18-15. Petition #R18-15 is a request by Lennar Carolinas, LLC, to rezone 81.69 acres located at 11600 Sam Furr Road and 12145 McCord Road (Parcel #s 01122101 and 01122107) from Corporate Business to Transitional Residential - Conditional District.

Meredith Nesbitt, Senior Planner, entered the Staff Report into the record. *Staff Report attached hereto as Exhibit No. 5.*

Commissioner Walsh made a motion in considering the proposed Rezoning Petition R18-15, Northbrook, the Town Board finds the rezoning request is not consistent with Policies ED-1 and ED-2 of the Huntersville 2030 Community Plan or the Strategic Development Plan. We recommend denial of R18-15. It is not reasonable and not in the public interest to rezone this property because it is not in keeping with policies of the 2030 Community Plan or the Strategic Economic Development Plan. This rezoning will have a negative effect on our public facilities, our school capacity and specifically our road infrastructure.

Commissioner Bales seconded motion.

Commissioner Walsh said simply put Huntersville is busting at the seams. Our schools, road and quality of life are being negatively impacted by rampant development. Much of this future development cannot be stopped because it's by right. How often do we see commissioners shrug their shoulders and say there's nothing we can do about this project or that project because it's by right. Guess what, there is something we can do when it comes to a rezoning request. That something is to represent the interest of the citizens of Huntersville who elect us above the interest of developers and landowners. Don't worry, there's plenty of residential development going on. On top of the residential units already built here in Huntersville, the Town has approximately 3,870 single-family homes and 2,870 multi-family units approved but not built. There is no reason to convert valuable commercial acreage to residential development. Our schools are overcrowded and trailers are returning. Our roads are handling traffic well beyond their capacity. The EDC is against this rezoning. The Planning Staff is against this rezoning. And the Planning Board unanimously voted against this rezoning.

Commissioner Gibbons said we've heard these arguments on both sides of this project for going on two years. When this project came out at close to 300 units it was absolutely not going to be done here and as it has gone on and people talked and information was shared and people got to know more about what's going on, you can see that every time we've had a talk on this there's been more people that say I'd rather go with what we know than what we don't. You say that we are busting at the seams. We are growing. Our growth has actually slowed down over the last couple of years based on the information we were given at the retreat and also on the ULI study that was just done by the EDC. The projected housing numbers required by the year 2030 is somewhere in the 34,000-35,000 homes required and we are at about 20,000 homes right now. Count the 6,700 that Commissioner Walsh said are approved, that puts us at about 26,700, so we are still 8,000 homes short of what the 2030 projections say Huntersville would need. As far as the roads go, we can put blinders on and say the roads are full today, we should stop, but I think that ignores everything that is going on in our infrastructure growth. There's \$550 million in road projects that are approved and funded for Huntersville. We are going to have improvements on Gilead. We are improving the intersection at Exit 23. We are expanding and improving the intersection at Exit 25. Highway 73 will be completely redone from Denver to Kannapolis. All these things are coming. They are not a pipe dream, they are not maybe they're coming, they are coming. I have been accused of being a lobbyist for this builder or this owner who I barely know either of them. I don't know anybody in here that has gotten a phone call from me asking you to support anything, giving you an e-mail telling you that you should support anything. I've only tried to answer questions when they have come up. Something will be built on this piece of ground. I don't know what it will be if it's not these 122 homes. This is controlling growth. This is controlling what we get. Everybody hangs their hat on the 2030 Plan. I don't know how many people have actually read it. I would not accuse anyone of not reading it. I've read it two times fully in the last two months. There is a lot of information in here but there's one thing that is definitely in here – flexibility. It says prepare a small area plan as warranted particularly for areas that will be undergoing changes in the future such as road improvements or sewer extensions. In 2013 a study was done. It was started by our staff. It was given a lot of citizen input and it was run through the Planning Board. I have sent out e-mails and questions and talked to members of the Planning Board personally about what happened to this Upper Ramah Creek Small Area Plan. One of the Planning Board members that I spoke to first thought this had gone to the Town Board and not been approved. But it never did. I've heard from staff that maybe it was because we had a change in who was our planner at the time. But this plan came up and two of the things.....the Ramah Creek sewer which is now out there and extended all the way up through where this project would be and the fact that NC 73 is going to have major improvement and the fact that everything in here talks about connectivity. This gives us connectivity between McCord Road and Highway 73. It will keep some of us out of being in the intersection at 115 and McCord Road. I don't claim to be an expert. I've heard the word expert thrown around. I am not an expert for anyone's information, but I like what I see when I see that 80' buffer along McCord Road and I don't know that they would keep that split rail fence and those trees, but they could because that's inside the 80' buffer that remains. Do we really want to preserve what Huntersville looks like and the rural feel out there. I'd like to. I drive there. I live over there. Everything that was said by people that are against this project, that can be true too. You can go through this 2030 Plan and I think somebody else said it, you can have this 2030 Plan be what you want because it is written very broadly and has flexibility. We are supposed to be responsive to changes in the town. I sit here tonight and everybody says the staff didn't recommend it. They didn't. It goes against CB property going into residential property and we shouldn't do that. This plan right here says we have ample business and industrial areas. We are even going to take some more of our land and make it CB and industrial, so we trade off all the time things like that happen and I don't know that could sit there maybe it could sit there forever vacant because nobody wants to come develop it. I don't know that. I've been told different, but this is how I feel we can control what happens there rather than just let what happens there. Mr. Walsh mentioned by right. I

hate it every time I have to shrug my shoulders for by right. But by right is what lots of stuff can be done there. Big stuff, little stuff, noisy stuff, dirty stuff, and they don't have to keep trees and they don't have to worry about your buffer. I cannot support doing that to our town and my neighborhood to be blunt with you.

Commissioner Bales said the last two years there has been a lot of talk on both sides. I always feel like it's my job to take that step back and weed through it because there's a lot of emotion when we discuss projects like this, so I work very hard to try to take the emotion out of it to look at it in a thoughtful, methodical way. Commissioner Gibbons you are right when the 2030 Plan says we have ample Corporate Business. When that plan was adopted, this particular property was part of that saying we have ample Corporate Business. Just last week and I believe it was referenced earlier, the North Mecklenburg Demographic and Housing Assessment we just got this last week and as I was reading through it and it talks about existing land use. And it says just 5 percent of the land area in North Mecklenburg is used for commercial activities, which is well below that of Mecklenburg County as a whole, which is 12 percent. And then I go down here and it says residential properties make up the largest land area in North Mecklenburg. And then I scroll on down a little bit further and I find Huntersville. It says Huntersville 39 percent residential, 21 percent vacant, 4 percent other, 17 percent open space/recreation, 11 percent agriculture, 4 percent civic/institutional and 5 percent commercial. Compared to Cornelius who has 8 percent commercial, compared to Mecklenburg County with 12 percent commercial. We have to preserve opportunities for our residents to work and I've been on the other side of issues like this but I feel like our job as a board, my job is to look out for the whole of Huntersville. And one of the things that I find and I believe very strongly is making sure that while Huntersville is a great place to live, it's a great place to raise our kids, it's also a great place to work which does take folks off of the big beast out there, I-77. I don't know why the Upper Ramah Creek Small Area Plan never got to us. I do think that this is something that we still need to look at and reevaluate and I do believe that this Board is doing that by looking back and having the 2030 Plan reviewed and updated so that we can get citizen input because it's time for that, past time. But as the representative for the Town on the EDC and as I work diligently on workforce development and making sure that there's opportunities for Huntersville residents to work, I can't in good conscience support rezoning a piece of property. What I can do is work my tail off to get the right product for the right area. That's what I can do and that's always been my commitment to the town. Emotions have run high over the last two years and I have watched it kind of culminate within the last two months. Whatever happens tonight and whatever this Board decides I certainly hope that we have not gotten caught up in the emotion, that we do the right thing for the town as a whole and at the end of the day my prayer is that our neighbors, whatever side you're on, that you go back to being neighbors, that you care about one another because that's the most important thing in our community. But again 5 percent commercial in Huntersville. If it were 8 percent, 9 percent, maybe.....but at 5 percent and we are number two in the lowest commercial property.....we are behind Davidson who has 3 percent and their footprint is a whole lot smaller than ours. That's kind of where I'm at.

Commissioner Hines said this is my first term in Huntersville and this has been the underlying issue from the minute I signed up to run to serve my community. I haven't taken this role lightly at all and I think from the very beginning I sat down with both sides and I listened to everybody and I came in with an open mind and one of the first things that I do when something comes up on the agenda or I hear about something, I go tour the area. I've been down McCord Road multiple times in my 22 years here. But I was looking at it differently from this point and if I could project Google Earth up here and the streetscape view.....the first time I rode through it knowing what was going to transpire, I crossed the train tracks and saw 84 Lumber, the little veterinary place, maybe a pet place, Huntersville Hardwoods, a little storage lot and then Hagers Road goes over to Soil Supply and then from that point on Hagers Road

on McCord Road all the way down to Blackfarm and down to Hiawassee, it was nothing but a rural characteristic to me. There were homes, there were large lots, there were horse farms. It was a residential feel the minute I crossed over Hagers Road. So then I started thinking about well why.....we have Corporate Business, why do we have Corporate Business here. I started researching the 2030 Plan. I want to read this. This is from the 2030 Plan. It says the Huntersville 2030 Community Plan addresses such a large land area now over 63 square miles. It is by necessity general in nature. In other words the Community Plan does not make recommendations on land uses or development patterns for specific geographic locations but rather is broad in nature and intended to provide overall guidance for land use and development throughout the town. I understood this is a tool. The 2030 Plan is a tool, it's flexible, it's a guide. For people way down the road of where we wanted to grow in 2011, what we thought it would look like based on the limited information we had and I think when we do plans we don't pinpoint every single individual property around the town and say well this is really better for this. It's broad in scope. So then we started having conversations and I talked to residents and so I wanted to get fact from fiction. I'm looking at what are the facts of everything that I'm hearing because some things are just not jiving, right. So I want to know what are the facts. So, Corporate Business.....I'm all about economic development. I think economic development is fantastic in the right location. So Corporate Business district is established to provide for large business or light industrial. In this case it would be new business or light industrial uses or parks which because of the scale of the buildings or the nature of the use cannot be fully integrated into the fabric of the community. Then it goes on to say some institutional such as schools and religious institutions may be appropriate if they are sighted properly and temporary. The Corporate Business district unlike town districts is buffered from neighboring properties. Then I looked at what you can do in the Corporate Business district. You can do a lot of things. The goal would be and what we would love to have is a Burkert. Burkert is off Mt. Holly-Huntersville Road. It sits on 90 acres. It's a great community tenant. We want more of them here. But I haven't heard that any of those people are looking in this area. We spent a lot of our energy towards the Mt. Holly-Huntersville Road area, the Patterson Road area, where the businesses are already located. The roads are better suited for that because that's where we a long time ago when I was on the Planning Board recognized that's where we want to focus our business development. Then we started talking about and I heard all kind of things, well Corporate Business if you do this they have more tree save and if you do residential this and that. I want to give you some facts based off our ordinance. In the Corporate Business the tree canopy on an industrial site, a Corporate Business site is 0 percent. Not a requirement. In the TR it's 35 percent. The specimen tree save area on Corporate Business is 30 percent. In the TR district it's 35 percent. So I know a lot of people talked about trees. I love trees too. What can we help preserve here. First of all this preserves 53 percent of those specimen trees and they are only required 35. Open space is the things that we like to see. We like to see the trees, we like to see the farms, we like to see the pocket parks. In the Corporate Business only urban open space is required. In TR, 40 percent is required. So to understand, Urban Open Space is private spaces but it should be publicly accessible. So again zero requirement in Corporate Business, 40 percent in TR, this application is providing for 49 percent. Every business that comes to town does not necessarily have to go through the EDC. I think of the EDC as a recruiting tool, they try to get businesses to the town. The EDC states even in an email today that if it stays Corporate Business development will come and it will likely be flex buildings similar to the Silver buildings under construction in Commerce Station. To give you an idea, Commerce Station is where the big tower is. They are building 88,000 sq. ft. on 9 acres. This is 80 acres today so you can put to scale what they could do. Let me take it a little step further to give you more facts. You talked about traffic and traffic being a real concern. We have a TIA. I don't understand the TIA. A lot of people don't understand TIA's. So this subdivision that's in front of us today is 122 single-family homes, which is anticipated per the TIA to generate 1,249 daily trips. If we just take what's over at Silver and plop 88,000 sq. ft. on here it will generate 1,653 trips a day. So we're getting business but we're creating more traffic in a residential area. There was other plans, I mean

there's 80 acres, you can do more than 88,000 sq. ft. Let's just take the guess you could do 500,000 sq. ft. and let's just say it's over a period of time. Well 500,000 sq. ft. industrial park kind of like our EDC Director saying it'll probably go there would generate 2,168 trips a day. That is a burden on our roads. McCord Road is not a town road. McCord Road is state road. So we can't dictate when they leave that entrance. Then I've heard a lot about housing and I want to give you some more data. There's 6,701 approved units in Huntersville that haven't been built. There's 2,871 multi-family units and 2,302 of those units are in three locations. One is Bryton which is over 1,659 units. Caldwell Station which was approved in 1999 which is further up past Ramah Funeral Home is 343 and Bradbury which is out by Metrolina is 300. So 80 percent of our multi-family are in three communities, really not around this location. Of the 3,830 single-family homes 56 percent of those are in six communities Bradbury, Metrolina, Olmsted 238 which is on the Charlotte border, Skybrook North 251, Stonybrook 236 units, Walden which is 397 which is the closest one to this area and Vermillion Village which is 400 units. In total of the 6,700, 4,451 of those are represented in eight communities and a majority of those are on the Charlotte border because that's where the growth is. I look at it and a couple of people said some things tonight that really stuck me. Don't think about just today and have the town's best interest in mind and that reminded me of when I got started some of my neighbors came to me and said I know you're in the real estate business make sure you put the town first in all you do and I told him this, I said if I can sleep well at night I know I've done my job. And I promise you that whatever happens tonight I'm going to sleep like a baby tonight because I know that based off the facts and based off what I see and what I've heard from the community that this is the plan for this area.

Commissioner Boone said I want to look at this from a different angle. I've been to a majority of the meetings that were held on this project. I'm going to look at the school overcrowding issue and my question to the people that are talking about overcrowding is do you know how CMS measures overcrowding. It's not the students, it's the number of teachers in the classroom. It has nothing to do with the students. There's 13,140 CMS students that attend classes in Huntersville. Only 7,028 of those 13,000 are students that live in Huntersville – less than 50 percent of the children going to public school in Huntersville.....attend classes in Huntersville. Does the city of Charlotte take into account the approval of development in Charlotte the impact on Huntersville schools. I don't know if they do or not but it does have an impact on the schools in Huntersville. According to CMS, this was said earlier tonight, Hopewell High School is underutilized and in 2019/2020 300 students that would have gone to Hough High School will be moved to Hopewell, thus reducing the capacity of Hough High School. I won't go into Oak Grove rezoning issue, the tree canopy has been mentioned. The 2030 Plan has been talked about and you can read anything you want into the 2030 Community Plan. It is just a guide that we all go by and you can read any type of conclusion and there's a comment that was made that we need to protect the Corporate Business zoning because we are running out of CB zoning property in the town. That's not really true because the Griffin property will be rezoned from residential to CB and the property at the Commerce Station that is zoned right now as residential will probably be moved into CB.

Mayor Aneralla said I wish there were more people here right now because I should have said this in the beginning. These public hearings can be a little bit frustrating and we've had a number of those involving this one in particular because we're just listening trying to absorb.....there's no really give and take and question and answer so I know there's frustration when you get 2 minutes, 3 minutes, what have you or extended time and I understand that. It's also frustrating from our standpoint because we kind of sit here, we take it so to speak and I think in today's society, and this is why I wish there were more people here, there's not this respect that we should have and I appreciate what you were saying earlier. I literally said I should have just stepped in and I think in this process there has been a lack of respect on a good amount of people and we need to work on that in society and I'll continue to work on that. I think there's also a lack of compromise going on. We see it everywhere and if you look up the

definition of compromise, it's an agreement or settlement of a dispute that's reached by each side making concessions. From where this rezoning started to where it is today I believe there is a compromise that's occurred. There were 350 homes supposed to be there originally and we are down to 122. It's not all going to be residential, there will be some commercial. Is everybody happy. I bet the builder would love to build more homes on there. I don't know what the price point would be but the sellers probably would get more money out of that. Is it going to stay as it is right now. It's never going to stay as it is. Times are changing. We've heard that the 2030 Plan is a guide and it is and times have changed over the last 7 years. If you don't understand what this plan was supposed to do with the Red Line, the density that was supposed to come up here just go down to the Blue Line in Charlotte and see all those apartments. I'm not really quite sure that's what the town or the community want at this point. It's been mentioned the Upper Ramah Creek Plan could have been adopted. We were looking at reviewing the 2030 plan last year but we got a little short staffed and it became kind of a back burner issue and now we are going to be relooking at that. I mentioned the commuter rail and what the 2030 Plan looked like. Mr. Simoneau sent us something today and just to give you an example of what it could have looked like if we had the rail line, Vermillion is permitted for 1,970 homes. Currently there are 880 and the additional spots that are available are for another 124 townhomes. So when we hear about potential permitting, if you just subtract that, that's about 1,000 homes that are not going to happen because of how things have changed along the potential rail line. I would encourage everybody to go down to the Blue Line at some point in the southend area and get a better understanding of what that area in Huntersville could be like if we don't change some of what our future is. Huntersville is growing older. I mentioned that already. There are no plans in the 2030 Plan for 55 and older age restricted communities. There's no plan for nursing homes, memory care, assisted living, transitional living, these are things that have changed. People have moved here and they had kids and now their grandparents have moved here. I see it all the time. So they have different needs. I have also heard mentioned many times that the current inventory of commercial land is fixed and it's just not true. You have to be flexible. You have to look at say the downtown area, we have a lot of residential homes that are currently being converted to commercial. That's just a small example. Commissioner Boone stole my thunder over there on Greenway Waste over near Commerce Station. They own about 55 acres that are currently zoned residential. I've talked to Mr. Griffin and his intent is to zone that commercial. So if we are losing 60 or 80 acres on one side, we are gaining 55 or so. In addition, north of Commerce Station, the 268 acres that are zoned forestry.....you know how much forestry pays on taxes, very little. Most likely there's a plan to incorporate that in Commerce Station and that will be Commercial Business. So where you might be losing 81 on one hand, now you've got 315 or 320 on another. You've got to be flexible. Two years ago Lake Norman Charter came to us and said we want to put a new elementary school. I don't think anybody would disagree we need more elementary schools or any schools here, so we rezoned or allowed for the school to be on what was Corporate Business and one of the reasons why we did it was because it was a residential area and then there was this land and then the rest was going to be Corporate Business and it made sense to have a transition from residential to school to the corporate business instead of putting the Corporate Business right up abutting the residents there and it's being proven that what we did there because that area now Kurz is moving there and there's some other potential development that's going on there. We had good foresight. In terms of staff and the Planning Board, ultimately this Town Board is the decision maker. They don't really have the flexibility to change things. You saw a couple of weeks ago the Planning Board went against Planning Staff recommendation. We went with Planning Staff recommendation. There are things you have to take into account. Having said all this I think this is a good compromise to allow the TR in this area and putting much fewer homes in were originally asked, you're still having some commercial along Highway 73 and don't forget we are also getting a north/south connection between McCord and 73 and like what we are trying to do with some of the other road projects that we are going to be moving up we're trying to create more connectivity on the east side of 115 and 21 so you don't have to get bottlenecked into

the typical corridors that we have. There are going to be people that are upset. There are going to be people that are happy. I hope everybody respects the Board's decision whichever way that might be. If I have to vote, I'll vote. But I would have to say we need as a society and we need as a community here to understand where the other person is coming from, respect where they are coming from, understand why they are saying what they are saying or believe what they believe and if you don't agree – agree to disagree. We've had a number of disagreements and I always tell everybody I have four family members and I rarely get four votes, so why would we expect that everybody in this audience and the 200 people that have come in and out of here over the last couple of months would all agree. I do believe we are taking the long-term view. I think this is a good plan – greenways, more tree canopy, transitional. I think we can find more corporate and there's going to be a change in something a year for now or six months from now or five years now. There will be something different.

Mayor Aneralla called for the vote to deny the application.

Motion failed 2 to 4 – Commissioners Bales and Walsh in favor; Commissioners Boone, Gibbons, Hines and Phillips opposed.

Ms. Nesbitt noted that the NCDOT widening plans for NC 73 show u-turn bulbs that conflict with the proposed access road. The applicants have agreed to include the following note that would allow for some flexibility for that road. Staff requests you put into your motion to add that language to the plan.

Access on NC 73

The location of Road C as shown on this Rezoning Plan is not shown on the current NCDOT Plan for improvements along N.C. 73. The applicant will work with NCDOT to determine the exact location and specific design of an access road (labeled as Road C) prior to Preliminary Plan approval. Changes in the access to N.C. 73 can be administratively approved within the clouded area, unless otherwise determined to be a major amendment. Changes in access to N.C. 73 outside of the clouded area may require Town Board approval in accordance with the approval processes established in the Town's Zoning and Subdivision Ordinance.

Commissioner Hines made a motion in considering the proposed rezoning Petition R18-15, Northbrook, the Town Board finds that the rezoning request is consistent with the elements for consideration outlined in Article 11.4.7(e) of the Zoning Ordinance. We approve the conditional rezoning plan for Northbrook as shown in Petition R18-15.

1. To the extent that any part of the proposed rezoning plan is inconsistent with any part of the 2030 Community Plan or the Strategic Economic Development Plan, 2030 Community Plan and the Strategic Economic Development plan are hereby amended to reflect this zoning amendment.
2. There is currently no access road or infrastructure through the property to Highway 73 and the proposed rezoning plan changes that condition to provide road access and infrastructure to NC Highway 73 and the Corporate Business property along the Highway 73 frontage in accordance with Policies ED-1, ED-2, ED-11, CD-1, CD-2, CD-3 and CD-5 of the 2030 Plan.
3. The current zoning of the property does not include a walking trail amenity and the proposed rezoning plan changes that condition to provide greenspace and a walking trail amenity promoting connectivity to future greenways and providing an amenity for future CB development along Highway 73 and furtherance of ED-11, ED-1 and ED-7 of the 2030 Plan.
4. The current zoning of the property does not require open space or preservation of tree canopy and the proposed rezoning plan changes that condition to retain significant open space and tree canopy in accordance with Policies E-1 and E-7 of the 2030 Plan.

5. The current zoning of the property requires that only 30 percent of the specimen trees be saved and the proposed rezoning plan changes that condition to retain more than half of the specimen trees on the property.
6. The current zoning of the property does not contain any residential uses and the proposed rezoning plan locates residential uses in close proximity to the I-77/115 core and commercial services and employment opportunities in accordance with the 2030 Plan.
7. The proposed rezoning plan is reasonable and in the public interest because it is consistent with the character of the existing residential neighborhood in the immediate vicinity of the property, it retains environmental assets that are not required by the current zoning, it provides access and infrastructure to Highway 73, it provides a transitional area between the existing residential uses along McCord Road and the CB uses along Highway 73, contributes to a mixed-use development pattern in close proximity to the I-77/115 core and locates residential uses in close proximity to commercial services and employment opportunities.

I would like to add the note language as presented by Staff and address any outstanding concerns that they may have.

Commissioner Phillips seconded motion.

Mayor Aneralla called for the vote

Motion carried 4 to 2 – Commissioners Boone, Gibbons, Hines and Phillips in favor; Commissioners Bales and Walsh opposed.

Sponsorship Agreement with Atrium Health. Commissioner Phillips made a motion to approve Sponsorship and Professional Services Agreement with Charlotte-Mecklenburg Hospital Authority d/b/a Atrium Health.

Commissioner Boone seconded motion.

Commissioner Bales requested that she be included on future sponsorship agreement discussions.

Motion carried unanimously.

Sponsorship and Professional Services Agreement attached hereto as Exhibit No. 6.

CONSENT AGENDA

Approval of Minutes – January 7. Commissioner Hines made a motion to approve the minutes of the January 7, 2019 Regular Town Board Meeting. Commissioner Bales seconded motion. Motion carried unanimously.

Approval of Minutes – January 22. Commissioner Hines made a motion to approve the minutes of the January 22, 2019 Regular Town Board Meeting. Commissioner Bales seconded motion. Motion carried unanimously.

Temporary Road Closure Ordinance – Hello Huntersville. Commissioner Hines made a motion to adopt Ordinance for temporary road closures for the Hello Huntersville event. Commissioner Bales seconded motion. Motion carried unanimously.

Ordinance attached hereto as Exhibit No. 7.

Temporary Road Closure Ordinance – Veterans Day Parade and Event. Commissioner Hines made a motion to adopt Ordinance for temporary road closures for the Veterans Day parade and event. Commissioner Bales seconded motion. Motion carried unanimously.

Ordinance attached hereto as Exhibit No. 8.

Temporary Road Closure Ordinance – Huntersville Christmas. Commissioner Hines made a motion to adopt Ordinance for temporary road closures for the Huntersville Christmas event. Commissioner Bales seconded motion. Motion carried unanimously.

Ordinance attached hereto as Exhibit No. 9.

Amendment to Gilead Road West Project Contract. Commissioner Hines made a motion to approve amendment to the Gilead Road West Project contract. Commissioner Bales seconded motion. Motion carried unanimously.

Amendment attached hereto as Exhibit No. 10.

Tax Refund Reports. Commissioner Hines made a motion to approve tax refund reports from Mecklenburg County. Commissioner Bales seconded motion. Motion carried unanimously.

Audit Contract. Commissioner Hines made a motion to approve audit contract with Martin Starnes & Associates. Commissioner Bales seconded motion. Motion carried unanimously.

Contract attached hereto as Exhibit No. 11.

Budget Amendment – Parks & Recreation. Commissioner Hines made a motion to approve budget amendment recognizing Signage revenue in the amount of \$700 and appropriate to Supplies expense line item for bricks for Veterans Park from Pine Hall Brick Company. Commissioner Bales seconded motion. Motion carried unanimously.

Call for Public Hearing – Petition #R18-02. Commissioner Hines made a motion to call a public hearing for Monday, March 4, 2019 at 6:30 p.m. at Huntersville Town Hall on Petition #R18-02, a request by Birkdale Real Estate Investors, LLC to rezone 14.929 acres located at southeast quadrant of NC 73 and Birkdale Commons Parkway (Parcel #s 009-141-36 and portion of 009-141-17) from Highway Commercial – Conditional District and General Residential – Conditional District to Neighborhood Residential – Conditional District. Commissioner Bales seconded motion. Motion carried unanimously.

Call for Public Hearing – Petition #TA19-02. Commissioner Hines made a motion to call a public hearing for Monday, February 18, 2019 at 6:30 p.m. at Huntersville Town Hall on Petition #TA19-02, a request by the Huntersville Planning Department to modify Article 4 of the Zoning Ordinance to allow Aluminum Composite Material (ACM) panels on the workplace building type. Commissioner Bales seconded motion. Motion carried unanimously.

CLOSING COMMENTS

None

There being no further comments, the meeting was adjourned.

Approved this the 18th day of February, 2019.