

Mr. Simoneau said Jerry reminded me when this development was first approved I think it was just over 2,000 units and now you are at 917. Right before I got here there was a change that Mr. Bowman had asked for. At that time the Town Board gave the approval of that plan but said he had to do a traffic impact analysis and he did ultimately prepare that traffic impact analysis, which the plans are in line with that. Jerry did want me to remind everybody about that aspect, that there were some things that he conceded to do and in fact has done and has provided.

Commissioner Leonhardt asked is there some retail planned south of that roundabout?

Mr. Gordon said the conceptual plan for the East Huntersville Plan calls for some.....here's Anchor Mill and right here would be the location in here for some retail, which would back up to Vermillion, but be right on Huntersville-Concord Road. Here's the turn, we are talking now about a roundabout per the UDA recommendation, and then some commercial in here.

Mr. Bowman said that is currently zoned for commercial. The whole goal of getting a small neighborhood center, not even the size of Rosedale, is to interrupt vehicle miles traveled that would be going through the center of your town, through the intersection here that I have to wait at every day, to try to give goods and services to the people even at Northstone that don't want to go up 73. Our goal is to maybe get a grocery store, one drugstore and some live/work units and some small neighborhood shopping. We are not trying to be Birkdale Village. The goal of the commercial is to foster shorter trips. Hopefully what we intended originally was for people to actually walk to the grocery store and save some of your traffic, much as Rosedale has saved traffic from crossing your lights over to this side of town to get to Food Lion. We expect that to be an excellent opportunity on the east side of town.

Commissioner Sisson made a substitute motion to approve the revised sketch plan.

Commissioner Jeter withdrew his motion to defer.

Commissioner Swain seconded motion to approve.

Motion carried 3 to 2, with Commissioners McAulay and Leonhardt opposed.

Petition #TA06-14. Petition #TA06-14 is a request by the Town of Huntersville to amend Section 3.3.2.2(b) and 3.3.3.2(b) of the Zoning Ordinance to include "multiple contiguous lots under single ownership" in the exemption to the Mountain Island Lake Watershed Overlay District and the Lake Norman Watershed Overlay District for existing lots owned prior to the effective date of the ordinance.

Staff Analysis and other related documents attached hereto as Attachment No. 11.

Commissioner Swain made a motion to approve Petition #TA06-14. Commissioner Sisson seconded motion.

Commissioner McAulay said I noticed that Biltmore Park is mentioned here. Do we think this text amendment will affect other areas?

Lisa McCarter, Planner, said these could potentially be affected. The one that probably most likely would be affected besides Biltmore Park is Norman Park, which also has really small lots. The rest have a little bit bigger lots.

Commissioner McAulay asked what is the purpose of this?

Ms. McCarter said lots that were approved prior to the effective date of the watershed ordinance are exempt from the impervious restrictions of the Lake Norman Overlay and the Mountain Island Lake Overlay, but the last sentence says "However, this exemption is not applicable to multiple contiguous lots under single ownership." If you own two lots side-by-side, you are not exempt anymore even though the lot regulations were not for large lots back then, it was for smaller lots, so it makes it a very restrictive situation.

Commissioner McAulay asked could we amend this to apply to combining two lots and no more?

Ms. McCarter said there's probably a way to word that.

Commissioner McAulay said somebody could go out and buy up all the lots there and there's a lot left in Biltmore Park that's not developed, then they could be exempt from the watershed regulations and Norman Woods wraps around off of Hambright Road and is there that much development back in there?

Ms. McCarter said there's beginning to be more development because they are getting sewer back there, so there's more and more houses being built.

Commissioner McAulay said one entity could come up and buy 10 lots and build them and be exempt from the watershed regulations.

Ms. McCarter said yes.

Mr. Simoneau said that would be a true statement. How we got to this point is the odd situation that this happens to be a portion of Biltmore Park. If you owned a 50'x150' lot, you are exempt from the watershed regulations, but the restrictive covenants say you've got to combine these lots. When they cut them up into tiny lots they said you need to combine them so that you had more than 50' wide lots. Now because the restrictive covenants say they have to combine the two lots, the watershed rules kick in. These folks are caught in a catch 22. They could have unlimited build-on of 50'x150' but the restrictive covenants say you can't build on one lot, you've got to combine at least two or more. When they do that, it's no longer exempt.

Mayor Phillips asked would it be better to say a maximum footage?

Commissioner McAulay made a substitute motion that we re-word it to combine two 50' lots. Commissioner Swain seconded motion.

Mr. Blythe asked are there some lots that are different sizes than 50'?

Mr. Simoneau said we hear the concerns of the Town Board. You see where the folks have combined lots, because it's much wider. If you want, we could defer and take a hard look at it just to see all the different possibilities that could come up.

Commissioner McAulay said let's take Biltmore Park, where you see the larger lots there, I think those are the only ones that have houses on them.

Commissioner Leonhardt asked is it just limiting the lots to two, no specific size?

Commissioner McAulay amended her motion to approve Petition #TA06-14 and re-word it to combine two lots. Commissioner Swain seconded amended motion.

Motion carried unanimously.

Petition #TA06-15. Petition #TA06-15 is a request by the Town of Huntersville to amend Section 3.2.1-d)e. and 3.2.2-d)d. of the Zoning Ordinance to clarify that only major subdivisions are required to provide an 80' opaque vegetative buffer along existing State maintained roads and future thoroughfares (minor thoroughfares would be reviewed on a case-by-case basis and designed around the open space principles of Article 7.13).

Commissioner McAulay made a motion to approve Petition #TA06-15. Commissioner Leonhardt seconded motion. Motion carried unanimously.

North Mecklenburg Communication Center Interlocal Agreement. Commissioner McAulay said I was handed this e-mail from the attorney in Cornelius that was sent about 4 p.m. today. Cornelius is not voting on this tonight and there's some changes.

Greg Ferguson, Assistant Town Manager, said subsequent to your receipt of the draft interlocal on 10-10, which was the final version that came out of the committee, the committee had been working on this draft interlocal for a number of months and had requested that there be input from all parties. On 10-10 you and the folks at Cornelius received the final version of that document. Last Tuesday we did have some additional input from the Cornelius attorney, which Bob then responded to on that day and on the 15th of last week Bob and I crafted a revised interlocal that took into account a couple of comments that they had which included adding the date of the original interlocal, which was 1992. Bob suggested adding that to the whereas clauses on the first page. That was sent out again on Wednesday of last week and apparently did not make it into the