

Town of Holly Springs

Town Council Meeting Agenda Form

Town Clerk's Office Use:

Agenda Item #: 9a

Attachment #: 9a

Meeting Date: Aug. 7, 2017

Agenda Placement: **Consent Agenda**

(Special Recognitions (awards, proclamations), Requests & Communications (reports, information presentations), Public Hearings, Consent Agenda, Unfinished Business, New Business, Closed Session)

Subject Title: **Minutes**

Presenter(s): **None**

SUBJECT HIGHLIGHTS:

Minutes in draft form are attached for the Council's review. The minutes are from the Town Council's regular and special meetings held in June and July, 2018. If there are any corrections, please call the Town Clerk at 919-557-3900 or Deputy Town Clerk at 919-557-3904 in advance of Tuesday night's meeting so that corrected versions of the draft minutes can be circulated for review before adoption of the Consent Agenda.

Advisory board recommendation, if applicable:

N/a

Staff recommendation, if applicable:

Approval

Total Number of Motions: n/a

Action(s) requested or suggested motion(s):

Motion to approve the minutes of the Council's meetings held in June and July, 2018.

Funds, if applicable, are to be appropriated from account(s) / line item(s):

n/a

Staff Review Record

Are there exhibits for this agenda item? **Yes**

List them in order they should appear in packet: **Minutes**

Department head initials and comments, if applicable: **JP**

Finance director initials and comments, if applicable: []

Town attorney initials and comments, if applicable: []

Town manager initials and / or comments: **dw by jp**

Town clerk initials: **jp**



June 25-27, 2018

MINUTES

The Holly Springs Town Council met in closed sessions at various times during Monday, June 25 through Wednesday, June 27 in the Executive Conference Room (2nd floor) of Holly Springs Town Hall, 128 S. Main Street.

Council Members Present: Mayor Sears*, Councilmen Dan Berry, Tom O'Brien and Peter Villadsen and Councilwomen Cheri Lee and Christine Kelly.

* Mayor Sears was not present at the June 27 session.

Staff Members Present: Erika Phillips, Human Resources Director.

Others Present: Steve Straus of Developmental Associates.

- 1. Closed Sessions:** At each session, the Council approved a motion to enter into closed session, pursuant to N.C.G.S. 143-318.11(a)(6) to discuss the candidates for the Town Manager position.

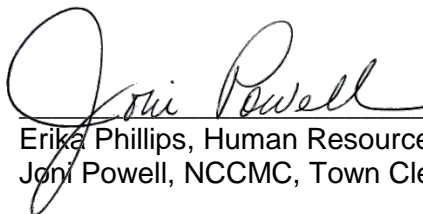
During these special meetings, Council members interviewed the top three candidates in the executive search for a new town manager. Following the interviews, Council members and some candidates toured around Holly Springs to get their own feel for the community.

No action was taken in any of the closed sessions, other than a motion to return to open session where no action was taken.

The next special Council meeting in the town manager search is scheduled for Thursday, June 28, when the Council will meet at 6 p.m. in the Executive Conference Room to deliberate on the merits of each candidate. This will be done in Closed Session. It is possible that the Council will return to Open Session to approve a motion to make a conditional offer to their top candidate for town manager.

- 2. Adjournment:** There being no further business for the evening, the June 25-27, 2018 special meetings of the Holly Springs Town Council was adjourned each evening.

Respectfully Submitted on Tuesday, Aug. 7, 2018.


Erika Phillips, Human Resources Director
Joni Powell, NCCMC, Town Clerk





June 28, 2018

MINUTES

The Holly Springs Town Council met in closed session on Tuesday, June 28, 2018 in the Executive Conference Room (2nd floor) of Holly Springs Town Hall, 128 S. Main Street. Mayor Sears presided, calling the meeting to order at 6 p.m.

Council Members Present: Mayor Sears, Councilmen Dan Berry, Tom O'Brien and Peter Villadsen and Councilwomen Cheri Lee and Christine Kelly.

Staff Members Present: Erika Phillips, Human Resources Director.

Others Present: Steve Straus of Developmental Associates.

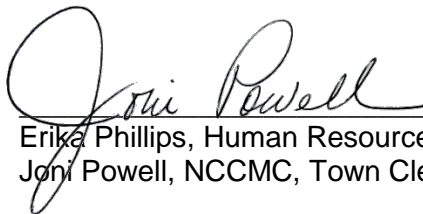
- 1. Closed Session:** The Council approved a motion to enter into closed session, pursuant to N.C.G.S. 143-318.11(a)(6) to discuss the top three candidates for the Town Manager position.

No action was taken in closed session, other than a motion to return to open session.

In open session, Council authorized a conditional offer of the Town Manager position to the Council's top candidate for the job. After contract negotiations, if successful, the Council will approve a motion in open session to retain the candidate, who will be named at that time.

- 2. Adjournment:** There being no further business for the evening, the June 28, 2018 meeting of the Holly Springs Town Council was adjourned.

Respectfully Submitted on Tuesday, Aug. 7, 2018.


Erika Phillips, Human Resources Director
Joni Powell, NCCMC, Town Clerk





July 17, 2018

MINUTES

The Holly Springs Town Council met in special session on Tuesday, July 17, 2018 in the Executive Conference Room (2nd floor) of Holly Springs Town Hall, 128 S. Main Street. Mayor Sears presided, calling the meeting to order at 5 p.m.

Council Members Present: Mayor Sears, Councilmen Dan Berry, Tom O'Brien and Peter Villadsen and Councilwomen Cheri Lee and Christine Kelly.

Staff Members Present: Erika Phillips, Human Resources Director; John Schifano, town attorney; Joni Powell, town clerk (recording the minutes); Daniel Weeks, interim town manager; Mary Hogan, finance director; and Patty Dressen, senior accountant.

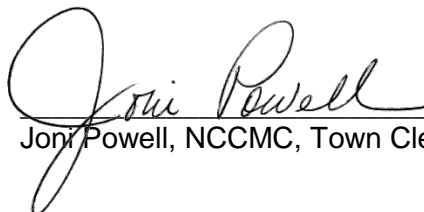
Staff Assessment Forms -- The purpose of this special meeting was for the Council to review and evaluate the forms it will use to conduct performance appraisals of the Town Clerk and Town Attorney on Aug. 21. The Council also wanted to establish the procedure and schedule it would follow going forward for future staff evaluations.

Council members suggested edits for the evaluation forms and directed that the forms be distributed in time for the Town Clerk and Town Attorney to fill out their own forms and turn them in on Aug. 7. The Council will have a special meeting on Aug. 14 to go over their individual assessments, and then the performance evaluations for the Town Clerk and the Town Attorney will be conducted Aug. 21.

Going forward, the Council will follow the same procedure each January.

Adjournment: There being no further business for the July 7, 2018 special meeting of the Holly Springs Town Council, it was adjourned.

Respectfully Submitted on Tuesday, Aug. 7, 2018.



Joni Powell, NCCMC, Town Clerk





July 17, 2018

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, July 17, 2018 in the Council Chambers of Holly Springs Town Hall, 128 S. Main Street. Mayor Sears presided, calling the meeting to order at 7 p.m. A quorum was established as the mayor and five council members were present as the meeting opened.

Council Members Present: Mayor Sears, Councilmen Dan Berry, Tom O'Brien and Peter Villadsen and Councilwomen Cheri Lee and Christine Kelly.

Council Members Absent: None.

Staff Members Present: Daniel Weeks, interim town manager; John Schifano, town attorney; Joni Powell, town clerk (recording the minutes); Linda Harper, deputy town clerk; Gina Clapp, director of planning and zoning; Sean Ryan, planner; Matt Beard, planner; Melissa Sigmund, principal planner; Kendra Parrish, director of engineering; Paul Allen, real estate acquisition agent; Dirk Siebenbrodt, project engineer; Tina Stroupe and Patty Dressen, senior accountants; Mary DePina, project engineer; Daniel Colavito, environmental specialist; Rachel Jones, development plan reviewer; Irena Krstanovic, economic development director; John Herring, police chief; Kimberly Keyes, project manager; Mark Andrews, public information officer; John Herring, police chief; Adam Huffman, assistant parks and recreation director; LeRoy Smith, fire chief; Tamara Ward, communications specialist; and Billy Whitehead, information technology analyst.

2 and 3. The Pledge of Allegiance was recited, and the meeting opened with an invocation by Rev. Jamal Brown, pastor of United Church of Christ.

4. Agenda Adjustment: The July 17, 2018 meeting agenda was adopted with changes, if any, as listed: Item 8h., an agreement with the Triangle Water Supply Planning Region, was removed from the agenda.

Motion by: O'Brien

Second by: Villadsen

Vote: Unanimous

5. Public Comment: At this time, an opportunity was provided for members of the audience who had registered to speak to address the Council on any variety of topics not listed on the night's agenda. The following comments were recorded:

Gerald Holleman, 5625 Easton Street – Mr. Holleman addressed the Council to tell Council that federal funding should be sought for continued improvements for infrastructure, especially transportation projects. He urged the Council to make trips to Washington D.C. to get to know elected officials there and foster relationships that might benefit Holly Springs.

Dr. Katherine Laughlin, 10112 Penny Road – Dr. Laughlin addressed the Council to inform members of Tell Your Place's Story Day declared by Gov. Cooper on June 23. Dr. Laughlin has performed in local theater and is an advocate for preserving and telling the history of a place.

6a. Drone System Pilot Program – Mr. Levitt said the Town of Holly Springs has been selected, as part of a team with NCDOT, to explore new applications for drone uses. The Town has a unique opportunity to become the first location in the nation to have residential drone deliveries. Being on

the cutting edge of this exciting new technology will set the Town apart and gain us national attention that could have significant positive effects for the town, he said.

He explained that the Federal Aviation Administration (FAA) has jurisdiction over all airspace within the United States. Current FAA regulations restrict the use of drones in certain ways that limit the beneficial applications of these devices. Such applications like flying beyond visual line of sight (VLOS), flying at night, and flying over people are all current restrictions that limit the benefits of drones. As drone technology has evolved at extremely fast pace the safety concerns that brought on these restrictions are dissolving. Current technologies include air traffic management, obstacle avoidance, and engine redundancy to name a few.

Recently an executive order created the Unmanned Air Systems Implementation Pilot Program (UASIPP). The program was conceived as a way to safely integrate drones into the nation's air space. The Town joined forces with Flytrex, a package delivery company, and applied as a secondary applicant under NCDOT's primary application into the program. The FAA received over 150 primary applications from around the country.

NCDOT along with the Town of Holly Springs were selected as 1 of 10 winning programs.

The UASIPP is a 2.5-year-long program and will be monitored closely by the NCDOT Division of Aviation and the FAA. At the next Town Council Meeting, representatives from Flytrex will be presenting their proposal which starts with food delivery to Forrest Springs and is planned to grow into package delivery across most of the Town.

Mr. Levitt said the Town has been using drones for a few years now in accordance with FAA regulations. Current uses include engineering design, construction management, inspections, economic development, IT analysis, and more. The town also has a drone users group that has facilitated several employees getting FAA and state licensure. The group continues to provide guidance and a place to discuss uses and issues with this blossoming technology that is sure to be a part of the future of the town.

Action: None.

7a. Public Hearing: 2018 Transportation Bond Order – Ms. Powell said in keeping with the schedule for a Nov. 6, 2018 vote on a \$40 million bond referendum, a draft bond order was introduced by the town council on June 19. Final action on this bond order is to take place after this public hearing on July 17 that is to be continued to Aug. 7.

No action will follow the July 17 public hearing. The transportation bond committee had asked that the public hearing be continued to make sure all residents would have a chance to speak if they wished.

Following the hearing continuation on Aug. 7, Council will be asked to adopt the bond order, formally ordering a \$40 million bond to pay for improvements to the Town's transportation systems for cars, bikes and pedestrians.

In addition to the legal requirements, several community forums and outreach opportunities are being planned through the transportation bond committee.

With that explanation completed, Mayor Sears opened the public hearing. The following input was recorded:

Jenny Appleton, 4600 Sunset Lake Road – Ms. Appleton addressed the Council to ask questions about specific projects and their costs. Ms. Appleton addressed quite a few project specifics that will not be finalized until if and when bond funding is authorized. She asked that before the Town takes the question of funding to the voters, however, that plans be changed in regard to Holly Springs Road. She asked that the construction of 540 be completed and then a traffic analysis be done before improvements are designed and constructed.

There being no further input, the public hearing was continued.

Action: The Council approved a motion to continue the public hearing to resume Aug. 7.

Motion by: Berry

Second by: Lee

Vote: Unanimous

7b. Public Hearing: Rezoning Petition 18-REZ-05 - Mr. Beard said this is a request for a zone map change for the properties located on the south side of Holly Springs New Hill Rd just west of the split in New Hill Rd, with the addresses of 1307 and 1309 New Hill Rd. The request includes two adjacent parcels, with a combined area of 2.93 acres.

He said the applicant is requesting to rezone the property from R-10: Residential to BT-CU: Business & Technology Conditional Use. The parcels are occupied by several single-family dwellings. The requested BT-CU: Business & Technology Conditional Use zoning is consistent with the comprehensive plan designation as part of the Holly Springs Business Park.

Zoning conditions are offered by the property owners to be placed on the property and are not required by the Town.

The petitioner had not performed their neighborhood meeting in time for the originally advertised Town Council public hearing; consequently, staff has recommended a motion to open and continue the public hearing to Aug. 7.

With that explanation completed, Mayor Sears opened the public hearing. The following input was recorded: None.

There being no input, the public hearing was continued.

Action: The Council approved a motion to continue the public hearing on proposed Zone Map Change Petition #18-REZ-05 to resume on Aug. 7.

Motion by: O'Brien

Second by: Kelly

Vote: Unanimous

7c. Public Hearing: Special Exception Use 18-SEU-05 / Development Plan 18-DP-02 for 200 and 202 N. Main Street - Mr. Beard said this request is proposing a new building addition and restaurant use in the historic Brown-Holloway House. The design of the addition was done in coordination with Capital Area Preservation to maintain the potential for designation of the property as a Local Historic Landmark.

Along with the special use permit and development plan, Mr. Beard said, the applicant is requesting several variances from development standards and waivers of the Unified Development Ordinance. The request package includes:

Special Exception Use

18-SEU-05: Request to allow for a Special Exception Use as specified in Unified Development Ordinance Section 3.03 A. 2. a. TV: Town Village to allow for a new project in the TV: Town Village District at the property located at 200 & 202 N. Main Street, Wake County PINs 0649924764 and 0649924862.

Variances

1. **18-VARTC-04:** A request for a variance from Unified Development Ordinance Section 1.21 E., 1. Legally Established Nonconforming Buildings or Structures, to allow for an expansion of a nonconforming structure. The property is located at 200 & 202 N. Main Street, Wake County PINs 0649924764 and 0649924862.
2. **18-VARTC-05:** A request for a variance from Unified Development Ordinance Section 3.03 B., 8., a., (2) Outdoor Operations, to allow for an outdoor seating area in a side yard rather than in the business' tenant bay or storefront façade. The property is located at 200 & 202 N. Main Street, Wake County PINs 0649924764 and 0649924862.
3. **18-VARTC-06:** A request for a variance from Unified Development Ordinance Section 7.04 D., 2. Surface of Parking Areas, to allow for a permanent gravel parking area rather than hard surfaced pavement. The property is located at 200 & 202 N. Main Street, Wake County PINs 0649924764 and 0649924862.
4. **18-VARTC-07:** A request for a variance from Unified Development Ordinance Section 3.03 B., 4., a. Minimum Building Height, to reduce the minimum building height from 25' and two

stories to 9'5" and one story. The property is located at 200 & 202 N. Main Street, Wake County PINs 0649924764 and 0649924862.

5. **18-VARTC-08:** A request for a variance from Unified Development Ordinance Section 3.07 A., 3., c., Trash/Recycling Containers to allow board siding on trash enclosure rather than masonry. The property is located at 200 & 202 N. Main Street, Wake County PINs 0649924764 and 0649924862.

Waivers of UDO Regulations

1. **18-WAV-05:** Request to allow a Waiver of Regulations of UDO Section 3.03 C. 1. b. (1) Building Materials to allow lapped siding rather than brick or stone in association with Development Plan Petition #18-DP-02.
2. **18-WAV-06:** Request to allow a Waiver of Regulations of UDO Section 3.03 C. 1. b. (2). Building Massing and Façade Treatment to allow for a reduction in the minimum base percentage from 9 percent to 0 percent in association with Development Plan Petition #18-DP-02.
3. **18-WAV-07:** Request to allow a Waiver of Regulations of UDO Section 3.03 C. 1. b. (2) (c) (ii) Animating Features, to allow for a reduction in the percentage of façade as glass windows or doors from 40 percent to 0.1 percent and to waive the requirement for traditional storefront style in association with Development Plan Petition #18-DP-02.
4. **18-WAV-08:** Request to allow a Waiver of Regulations of UDO Section 3.03 C. 6. Fencing to allow white picket fencing in association with Development Plan Petition #18-DP-02.
5. **18-WAV-10:** Request to allow a Waiver of Regulations of UDO Section 7.08 B. 1. b. Underground Installation Required to waive the requirement to relocate existing overhead utility services underground in association with Development Plan Petition #18-DP-02.

Development Plan

Development Plan 18-DP-02 for a restaurant site plan at 200 and 202 N. Main St. to include renovation of a historic home, an addition, and site development as submitted by Matthew Griffith.

Ms. Jones addressed the Council to explain why the applicant is requesting 18-WAV-10, a waiver of the requirement to relocate existing overhead utility services underground. She said Duke Progress Energy representatives said the length of line to be relocated is not long enough to move; that it would recommend that it not be moved until more of the same line is to be moved.

Ms. Jones suggested that the applicants provide payment of a fee in lieu of relocating the line. The fee would be put toward relocation of the ultimate length of line at a later date.

Matt and Christy Griffith, applicants, addressed the Council to describe their plans to renovate the oldest home in Holly Springs into a downtown village restaurant called Pimiento Tea Room. They are excited about their project.

Councilman Berry asked about a historical marker or focal point mentioned in the Comprehensive Plan for this property and noted that a historic plaque was mentioned in development plan notes but not on the development plan itself. He asked if should be.

Mr. Beard said a historic plaque is not a UDO requirement but something mentioned in the Comprehensive Plan as something the Town desires. He said staff has had ongoing discussions with the applicants about providing some sort of focal point, either as a mural, a historic marker or public art.

He added that the argument could be made that the house itself – the oldest in Holly Springs – is its own focal point.

Councilman Berry asked if there was any expectation that the applicant would provide 8-foot decorative sidewalks matching that in the downtown area.

Mr. Beard said that would not be required since the requirement for downtown sidewalk ends at the corner just south of the property.

As for the gravel parking lot, staff and Council noted several older properties in Town that were granted waivers for lot paving to maintain historical character of the properties. Examples include the Mims House and the Masonic Lodge.

With that explanation completed, Mayor Sears opened the public hearing. The following sworn testimony and evidence was submitted by those who had been administered the oath by the deputy town clerk: None.

There being no testimony, the public hearing was closed.

Action #1: The Council approved a motion to adopt Resolution #18-24 to make the necessary findings of fact for Special Exception Use Petition #18-SEU-05; Variance of Development Standards 18-VARTC-04, 18-VARTC-05, 18-VARTC-06, 18-VARTC-07 and 18-VARTC-08; Waiver For Architectural and Site Design Requirements 18-WAV-05, 18-WAV-06, 18-WAV-07, 18-WAV-08; and Waiver of Lot Design, Street Design, or Utility Design 18-WAV-10 as submitted by Matthew Griffith.

Special Exception Use Findings of Fact:

A special exception use may only be granted upon the presentation of sufficient evidence to enable a written determination that:

- a. The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare;
- b. The proposed use will not injure or adversely affect the adjacent area;
- c. The proposed use will be consistent with the character of the district, land uses authorized therein, and the Town of Holly Springs Comprehensive Plan;
- d. The proposed use shall conform to all development standards of the applicable district (unless a waiver of such development standards is requested as part of the special exception use petition and approved as set forth above, in which case the proposed use shall conform to the terms and conditions of such waiver).
- e. Access drives or driveways are or will be sufficient in size and properly located to: ensure automotive and pedestrian safety and convenience, traffic flow as set forth in Section 7.09 – Pedestrian Circulation and Vehicular Area Design; and, control and access in case of fire or other emergency;
- f. Off-street parking areas, off-street loading areas, trash enclosures, trash pick-up and removal, and other service areas are located so as to be safe, convenient, allow for access in case of emergency, and to minimize economic, glare, odor, and other impacts on adjoining properties and properties in the general neighborhood;
- g. The lot, building or structure proposed for the use has adequate restroom facilities, cooking facilities, safety equipment (smoke alarms, floatation devices, etc.), or any other service or equipment necessary to provide for the needs of those persons whom may work at, visit or own property nearby to the proposed use;
- h. Utilities, schools, fire, police and other necessary public and private facilities and services will be adequate to handle the needs of the proposed use;
- i. The location and arrangement of the use on the site, screening, buffering, landscaping, and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impacts; and,
- j. The type, size, and intensity of the proposed use (including but not limited to such considerations as the hours of operation and numbers of people who are likely to utilize or be attracted to the use) will not have significant adverse impacts on adjoining properties or the neighborhood.

Motion by: Villadsen

Second by: Kelly

Vote: Unanimous

A copy of Resolution 18-24 and Special Exception Use Petition #18-SEU-05 are attached to these minutes.

Action #2: Having made the necessary findings of fact, the Council approved a motion to adopt Resolution #18-25 approving Special Exception Use Petition #18-SEU-05; Variance of Development Standards 18-VARTC-04, 18-VARTC-05, 18-VARTC-06, 18-VARTC-07 and 18-VARTC-08; Waiver For Architectural and Site Design Requirements 18-WAV-05, 18-WAV-06, 18-WAV-07, 18-WAV-08; and Waiver of Lot Design, Street Design, or Utility Design 18-WAV-10 and Development Plan 18-DP-02 for a restaurant at 200 and 202 N. Main Street as submitted by Matthew Griffith, with the stipulation that a payment of a fee in lieu of overhead power lines relocation to underground be provided.

Motion by: Berry

Second by: Lee

Vote: Unanimous

A copy of Resolution 18-25 and Special Exception Use Petition #18-SEU-05 are attached to these minutes.

7d. Public Hearing: Ordinance 18-09, Unified Development Ordinance Amendment 18-UDO-02 - Mr. Beard said the proposed ordinance is to address public concern regarding the preservation of trees during the development process and to provide options to developers so as to not reduce the economic viability of a site. The preservation of natural areas would not only potentially reduce the visual impact of development, it would expand the amount of preserved and protected natural habitat areas in Holly Springs, Mr. Beard said.

Mr. Beard went into much detail about how the proposed ordinance came to be and how it would benefit the Town. In the end, he said, he feels the proposed ordinance represents a workable plan for development and the Town.

With that explanation completed, Mayor Sears opened the public hearing. The following input was recorded:

Preston Dunn, 12011 Hwy. 96 South, Dunn – Mr. Dunn said he is a custom builder and was hoping to be a custom homebuilder in Holly Springs. He said he understands the Town does not want clear-cutting of trees, but he said the ordinance as it is written now would prohibit him from being able to build in Holly Springs. He said he did not have a certified botanist on staff, for instance. He said the ordinance would make it to where the only ones who could build in Holly Springs would be the large tract builders with more resources than the individual custom builders.

Paul Kane, Cary – Representing the Home Builders Association, Mr. Kane said builders are not against there being a tree ordinance, but he asked that input be garnered from the development community before its adoption. He said he thinks input should be sought for considerations on the economic side of the equation that may not have been considered.

Wayne Holt, 6116 Cass Holt Road – Mr. Holt is a custom builder, and he owns the family farm still located on the road that bears his grandfather's name. He said the tree ordinance as presented renders about 70 acres of his property undevelopable. He has no plans to develop the property, but he is a custom builder. He said he supports a tree ordinance, but feels builders and developers should have been involved in some of the input as the ordinance was being written.

There being no further input, the public hearing was closed.

Councilman O'Brien asked Mr. Beard if the tree ordinance was consistent with those in surrounding communities.

Mr. Beard said yes.

Councilman Berry said he has spoken extensively with builders, developers and real estate agents involved with current projects, and he said he feels the ordinance could be better with a little fine tuning. Specifically, he said, he has a problem with the tree restoration portion of the ordinance requiring the planting of trees where none already exist.

Councilwoman Lee suggested that action be postponed until Council can receive input from the development community and property owners.

Councilman Berry said he likes ordinance, but has a problem with the section pertaining to restoration.

Mr. Schifano said the Council could work a parallel track, adopting the ordinance with the exception of section 5d dealing with tree restoration.

Councilman Villadsen said he is inclined to move forward.

Mr. Beard said the ordinance can be put in place and then after a few projects run through, shortcomings in it would be identified and could be addressed.

Also, could place a waiver provision.

Action #1: The Council approved a motion to accept the following statement as being true: *“The requested UDO Text Amendment is consistent with the Vision Holly Springs Comprehensive Plan, specifically the following sections:*

- *Executive Summary in regards to “Using the Plan to Implement the Town’s Vision” and “Adopting and Implementing the Plan”;*
- *Section 1: Future Land Use “Objectives”, “Community Growth Areas”, “Regional Centers”, and “Future Land Use Plan Details”;*
- *Section 4: Community Character “Objectives”, “Defining the Village Streetscape”*
- *Section 7: Infrastructure and Utilities “Objectives”;*
- *Section 8: Natural Resources “Objectives”, “Forestlands”, “Wildlife Habitat”;*
- *Appendix 2.1: Village District Area Plan “Streets and Streetscape Recommendations”*

Motion by: Villadsen

Second by: Berry

Vote: Unanimous

Action #2: The Council approved a motion to adopt ordinance 18-09, with the deletion of Section 5d.(1) and (2) Restoration Areas, to approve and enact Unified Development Ordinance Amendment #18-UDO-02 to add Section 7.01 J. Required Tree Preservation, and modify the text of Section 11 Definitions consistent with this new section as requested by the Town of Holly Springs.

Motion by: Lee

Second by: Berry

Vote: Unanimous

A copy of Ordinance A18-09 as amended is attached to these minutes.

7e. Comprehensive Plan Amendment 18-CPA-03 – Mr. Ryan said following the Town Council workshop on historic preservation on April 4, staff is proposing the following modifications to *Vision Holly Springs* Section 4: Community Character:

1. Modify Section 4.2 Community Character Objectives to remove and replace less substantial language regarding preservation to better communicate with the public and potential land developers the town’s desire to preserve historic structures and protect them from demolition.
2. Modify Section 4.5 Preserving Town History to update the status of the Leslie-Alford-Mims House and Masonic Lodge, update the current survey year, and correct typographical errors and formatting.
3. Replace Table 4-01: Local Historic Resources with an updated table containing the most current survey information.
4. Update Historic Resources Map to reflect changes made to Table 4-01: Local Historic Resources.

The proposed amendments will more clearly communicate the town’s desire to preserve historic structures and will provide more accurate information based on the latest historic resource survey. These updates will allow Planning & Zoning staff to identify potential historic structures and better inform property owners, the development community, Planning Board, and Town Council on potential impacts when considering development petitions.

Councilwoman Kelly noted that her home on Grigsby Avenue is listed on the survey. She asked if she should recuse herself from discussion or vote on this item.

After discussion, it was determined the Ms. Kelly's home already is listed in the survey; therefore, the vote would result in no change to her property status or value. For this reason, she should vote.

With that explanation completed, Mayor Sears opened the public hearing. The following input was recorded: None.

There being no input, the public hearing was closed.

Action: The Council approved a motion to adopt Resolution 18-26 to adopt Comprehensive Plan Amendment #18-CPA-03 to modify the text of Section 4.2 Community Character Objectives and Section 4.5 Preserving Town History; replace Table 4-01: Local Historic Resources; and Update the Historic Resources Map as submitted by the Town of Holly Springs.

Motion by: O'Brien

Second by: Lee

Vote: Unanimous

A copy of Resolution A18-26 is attached to these minutes.

7f. Comprehensive Plan Amendment 18-CPA-04 – Ms. Sigmund said the Town of Holly Springs adopted Vision Holly Springs: Town of Holly Springs Comprehensive Plan in November 2007 and updated the plan in 2009. Included in this plan is Section 1: Future Land Use that includes objectives and policies for future land development in the town.

She said in July 2017, the town contracted with consultants O'Brien Atkins Associates and Benchmark to undertake the Southern Area Planning Initiative, a planning process that utilized public input and statistical analysis to assess the southern area of the Town's Future Land Use Plan. The results of the initiative were documented in a report accepted by the Town Council at their February 20, 2018 meeting. Following the results of the report, staff held a workshop with Town Council in April 2018 to identify potential options for change and receive direction from Council regarding desired modifications to the plan. As a result of the feedback received, staff has drafted proposed modifications to both the text of the Comprehensive Plan Future Land Use Plan, as well as the Future Land Use Plan Map.

On June 7, 2018, staff held a neighborhood meeting at Town Hall for property owners to discuss and receive public feedback regarding the proposed changes to the Future Land Use Plan. More than 77 attended the meeting. The results of the comments were generally favorable, although a number of property owners had concerns regarding the specific proposed designation for their properties. This is discussed in greater detail in the Staff Report to Planning Board.

Minor changes to the land use category descriptions have been made since the Planning Board recommendation to correct typographical and formatting errors.

Planning Board member Shawn McGrath reported that the Planning Board had reviewed the land use plan data and recommended approval of 18-CPA-04 following a 5-2-2 vote. He said the Planning Board discussed the following at its meeting:

- Concern with the long-term effects of changing/reducing the density of this large of an area to 1-2.5 units per acre on future transportation improvements, specifically, the proposed southern by-pass. Lower density would lead to a lack of funding for these road improvements that are needed for reduce existing and future traffic concerns from town residents and adjacent areas. Traffic going to Holly Springs and Apex business parks will only get worse in the future.
- Question regarding the reasoning for the Council decision to lower density so much with the rural residential areas.

[Councilmember Kelly spoke at the planning board meeting to explain the Town Council's rationale for lowering density. She said the town is dealing with old plans, the comprehensive plan and comprehensive transportation plan, and this serves as a stop-gap until those plans can be fully updated. These issues can be revisited when the entire Town is studied and plans have been updated with a bigger picture taken into account, she said.]

Additional Planning Board questions and concerns:

- Undeveloped properties in the southern area of Town are primarily R-30 and will require rezoning for development, and limitations could be placed on specific properties during rezoning.
- Has consideration been given to combining the Rural Residential and Transitional Residential Areas creating a range of 1-6 units per acre for this area?
- Concern regarding the impact of the proposed change on the property owners who have provided a request for their properties (located near Avent Ferry Road and Logging Road as described in the Staff Report to Planning Board) to be designated as Transitional Residential, instead of Rural Residential.
- Concern that adequate roads are an important part of the land use plan, therefore all land use categories should include language discussing coordination of vehicular and pedestrian access, similar to the regional commercial land use category.

With that explanation completed, Mayor Sears opened the public hearing. The following input was recorded: The Town Clerk had received written comments from two residents via email. The comments were provided to Council members and are included in the record.

J.B. Wright, 5420 Cass Holt Road – Mr. Wright stated, “In regards to the proposed 2.5 units per acre... after applying all of the UDO requirements and the pending tree ordinance we can’t even get close to 2.5 units. An active site plan that I am working is at 1.8 units given UDO and R10 zoning.

This penalizes me as a landowner as well as other landowners in the area that are interested in selling. One reason is that it significantly reduces our property value, another reason is it limits interested buyer/builder/developers because they can’t make the numbers work at such a reduced density.

Ultimately you will discourage and/or stop growth in this area. The needed tax base will be held up and at a standstill. Roads won’t get improved, other services forfeited. All the while you will see explosive growth in the Fuquay and Harnett County areas, with all that traffic using Holly Springs roads with no tax benefit and further compounding your road issues.

Council needs to decide whether they want to grow and improve the area, if they want to make improvements in the tax base and infrastructure then they need to revisit the agenda and direction that they started last year by voting down growth and creating a moratorium. Council simply cannot make so many demands on a developer and limit units per acre at the same time.”

Mrs. Celintia Wilson – Ms. Wilson stated, “While there are town-wide changes focused in the Southern Area of Town, and The Comprehensive Plan Amendment filed by The Town of Holly-Springs to modify the text and map of the Future Land Use Plan, I would like to make a few comments, of which, are stated below:

1. **Institutional** (such as schools) - While there are ample variables associated with the decision of the town-wide changes, i.e., land-use, densities, development standards, debate, discussions, and objections, my questions are:

Is there a current statistical analysis from the Wake County Board of Education in building additional school(s), such as a middle school, high school or both in the near future? Has there been land purchased by the Board of Education to-date in Holly-Springs, and if so, where is the specific location? Is there infrastructure in place for future institutional developments?

2. **Civic Buildings** - Within the designated map for long-term growth & a foreseeable vision, a beneficial direction towards Rex Rd., Rouse Rd, and Adcock Rd. would be viable for expansion. If there is a community park to be considered, please consider locating it off a main artery such as Avent Ferry Rd. Fostering a meaningful public space in a cornerstone that defines a sense of comfort, safety, and away from traffic congestion due to increase in housing development, population growth, and 4-lane road improvements with a median is most critical to keep into consideration from an objective perspective.

As "The Town" continues to define the community’s identity by installing designs that precludes public use, as well as keeping security concerns abreast for all citizens where

civic/institutional anchors and public spaces will be powerful catalysts with long-term sustainable investments.”

Other public hearing comments recorded were:

Nick Thornton, Hansen Aggregates, -- Mr. Thornton said his company, Hansen Aggregates supports the spirit of the land use plan but asked that the portion of property his company owns be designated industrial.

Anya McGuirk, 1212 Happy Hunting Hills – Ms. McGuirk said she felt the current 2-8 units per acre was suited to the property that makes up her neighborhood. She asked the Council to keep the current 2-8 units or to create Transitional zone for this area. She said owners are surrounded by dense developments and the noise that comes along with them. She illustrated her points on a map, showing the zoning districts that surround them. Now that some of the property owners are interested in selling, she said it doesn't seem fair to restrict them to 2.5 units per acre when all around them is more densely developed property.

Robert Forcum, 1001 Logging Road – Mr. Forcum said, collectively, the neighbors in this area own 77 acres and recently learned of the dramatic proposed change. He said he feels the Transitional designation of 2-8 units per acre would be accurate and appropriate. He asked that the existing land use designation remain in place.

Craig Schnier, Oliver Creek – Mr.. Schnier said he is concerned about growth and over-development in the area.

Lisa Powell, 7009 Rouse Road – Ms. Powell said she and her mother own almost 200 acres next door to Hansen Aggregates. She asked the proposed land use plan be amended to designate her property as industrial so that it would be suited for sale to Hansen Aggregates that has offered to buy it.

Wayne Holt, 6116 Cass Holt Road – Mr. Holt addressed the 2.5 units per acre. He explained to the Council that in land development, the overall density may be much more dense than an acre with 2.5 units sitting on it. By the time open space, streets, and buffers are thrown into the equation, densities may need to be increased on remaining property. As a builder, he asked for consideration of higher densities in the SAPI area.

There being no input, the public hearing was closed.

Councilman Villadsen noted that the average density of existing development in the SAPI area was already only 2.66 units per acre. He said the numbers don't support higher density in this neighborhood. He said he is not opposed to talking about language to address concerns of Happy Hunting Hills property owners but he thinks appearances are misleading and that neighborhoods are less dense than people realize.

Councilman Berry agreed.

Councilman O'Brien suggested that the Council table the question to be taken up again on Aug. 7.

Action: The Council approved a motion to table adoption of Resolution 18-27 to adopt Comprehensive Plan Amendment #18-CPA-04 until the Aug. 7 meeting.

Motion by: O'Brien

Second by: Lee

Vote: Unanimous

8. Consent Agenda: The Council approved a motion to approve all items on the Consent Agenda. The motion carried following a motion by Councilman O'Brien, a second by Councilman Berry and a unanimous vote. The following actions were affected:

8a. Minutes – The Council approved minutes of the Board's meetings held in June 2018.

8b. Resolution 18-28 – The Council adopted Resolution 18-28 directing the town clerk to investigate the sufficiency of annexation petition A18-02 Berman Edge Road. *A copy of Resolution 18-28 is attached to these minutes.*

8c. Resolution 18-29 - The Council adopted Resolution 18-29 directing the town clerk to investigate the sufficiency of annexation petition A18-03 Buckhorn Duncan Road. *A copy of Resolution 18-29 is attached to these minutes.*

8d. Resolution 18-30 - The Council adopted Resolution 18-30 directing the town clerk to investigate the sufficiency of annexation petition A18-04 Bass Lake Road. *A copy of Resolution 18-30 is attached to these minutes.*

8e. Resolution 18-31 – The Council adopted Resolution 18-31 directing the town clerk to investigate the sufficiency of annexation petition A18-07 S. Main Street Extension. *A copy of Resolution 18-31 is attached to these minutes.*

8f. Budget Amendment Report - The Council received report of monthly administrative budget amendments approved by the Interim Town Manager. *A copy of budget amendment report is attached to these minutes.*

8g. Budget Amendment – The Council adopted amendment to the FY 2018-19 budget transferring funds as follows: transfer \$265,773.00 of stormwater funds from Mims project account (43-701 12.05) into Stormwater Reserves (27 355.01); transfer \$281,148.00 of stormwater funds from Mims project account (43-701 12.05) into Town Hall Commons project account (48-813 90.04); transfer \$645,191.00 of street funds from Mims project account (43-701 12.05) into Town Hall Commons project account (48-813 90.04), to cover the Town Hall Commons project.

8h. Triangle Water Supply Planning Region – The Council approved during agenda adjustment to remove from Consent agenda.

8i. Annexation A18-01 Withdrawal Request – The Council approved to close public hearing and accept the withdrawal of Annexation Petition A18-01 by the petitioner.

8j. Hazardous Materials Response Team Agreement – The Council approved to enter an agreement with the City of Raleigh regarding Hazardous Materials Response Team services.

8k. New Town Manager Contract – The Council approved employment contract with a new town manager, pending finalization of the document.

8l. Transportation Bond Committee Appointments – The Council appointed new members to the Council's adhoc transportation bond committee.

9a. Holly Springs Road Widening Project – Ms. DePina said the Town applied for and was awarded the Locally Administered Projects Program (LAPP) funds for construction and right-of-way acquisition to widen Holly Springs Road to a consistent cross section (4-lane median-divided).

She said the preliminary limits of the project extend from Flint Point Lane to Main Street. The Town is responsible for the design portion of the project. After a fastidious selection process, staff has determined that Kimley-Horn Associates is best suited to design this project.

Action: The Council approved a motion to retain Kimley-Horn and Associates for engineering services and approve funding in the amount of \$540,980 by transfer of funds from 22.95 to project account 48-818-90 12.05.

Motion by: Villadsen

Second by: Lee

Vote: Unanimous

10. Other Business: Randy Harrington, who works with the City of Charlotte, has been offered and has accepted the job of town manager with the Town of Holly Springs.

11. Manager's Report: None that resulted in Council action.

12. Closed Session: The Council entered into closed session, pursuant to N.C.G.S. 143-318.11(a)(3,) to discuss with the town attorney matters of *Currin Builders vs Town of Holly Springs* litigation and 143-318.11(a)(4) to discuss with the town attorney and economic development director matters relating to the recruitment of a major employer to the Town of Holly Springs.

In closed session, the Council gave direction to Mr. Schifano and Ms. Krstanovic.

Action: The Council approved a motion to seal the minutes of the July 17 Closed Session.

Motion By: Lee

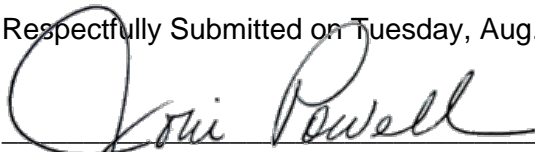
Second By: O'Brien

Vote: Unanimous.

No other action was taken in closed session, other than a motion to return to open session.

13. Adjournment: There being no further business for the evening, the July 17, 2018 meeting of the Holly Springs Town Council was adjourned.

Respectfully Submitted on Tuesday, Aug. 7, 2018.



Joni Powell, NCCMC
Town Clerk

Addenda pages as referenced in these minutes follow and are a part of the official record.



Closed Session sealed minutes to be unsealed following builders vs. Holly Springs litigation