



Sept. 16, 2014

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, Sept. 16, 2014 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 all five council members were present as the meeting opened.

Council Members Present: Mayor Sears, Councilmen James Cobb, Tim Sack and Hank Dickson and Councilwomen Linda Hunt-Williams and Cheri Lee.

Council Members Absent: None.

Staff Members Present: Charles Simmons, town manager; John Schifano, town attorney; Joni Powell, town clerk, (recording the minutes); Linda Harper, deputy town clerk; Daniel Weeks, senior projects manager; members of the Holly Springs Police Department; Jeff Wilson, information technology director; Len Bradley, parks and recreation director; Adam Huffman, assistant parks and recreation director; Mary Hogan, finance director; Gina Clapp, planning and zoning director; Jeff Jones, senior planner; Sean Ryan, planner; Laura Holloman, planner; Leroy Smith, fire chief; Stephanie Sudano, director of engineering; Elizabeth Goodson, development review engineer; Kendra Parrish, senior engineer; Tamara Ward, communications specialist and Mark Andrews, public information officer.

2 and 3. The Pledge of Allegiance was recited, and the meeting opened with an invocation by Pastor Jim Littleton of Holly Springs United Methodist Church.

4. Agenda Adjustment: The Sept. 16, 2014 meeting agenda was adopted with changes, if any, as listed below.

Motion by: Sack

Second by: Cobb

Vote: Unanimous

Items added to Consent Agenda: None.

Items added to Agenda: None.

Items removed from Consent Agenda: None.

Other changes: None.

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.

At this time, Mayor Sears asked Ms. Clapp to address Rhamkatte Planned Unit Development, a hot email topic that has generated questions, information and misinformation.

Ms. Clapp said staff and Council share some of the concerns being aired by residents of a neighboring subdivision. She explained that there are no development plans submitted for Rhamkatte PUD, but there is an application for zoning through amendment of an existing PUD plan that dates back to the early 2000s.

A new developer is looking to amend the plan, and that plan amendment is under review by the Town. She stressed that the PUD document is a zoning mechanism although some concerns expressed by residents would refer more to a development plan.

Ms. Clapp said an approved development plan from the original Rhamkatte PUD is not what she has heard that the new developer is planning, but no plans have been submitted to the town. She said staff shares concerns expressed by residents regarding density and alleyway networks but – as stated – no plans have been submitted to the Town.

She said a detailed traffic analysis is required of the developer and it is still to be submitted. Afterward, street improvements could be determined and required.

Ms. Clapp then explained the next steps. She said the PUD zoning document would be completed by the developer and the plan would be submitted for a joint public hearing before the planning board and Town Council. At that hearing, the Rhamkatte PUD application would be referred to the planning board for review and recommendation. The planning board will take into account public input and ordinance requirements in forming its recommendation to the Town Council for approval, denial or approval with changes. Then the PUD document will be brought before Town Council.

None of those steps are imminent, she said, adding that the input from residents thus far has been very helpful in communicating to the applicant what will and what will not be amenable.

With that explanation completed, Mayor Sears opened the public comment segment of the meeting. The following input was recorded:

Amy Gardner, 692 Skymont – Ms. Gardner said the main concerns of residents are density, added traffic and school capacity and traffic. She said residents also like the natural setting of the neighboring property and would like for it to remain wooded and not developed.

Peter Villadsen, 213 Chrismill Lane – Mr. Villadsen said he was concerned about the new Lennar plan with its density and alley networks rather than estate front-loaded garage lots. He said he felt residents were being misled by old information on the Web site.

6a. Operation Aspiration – Police Captain Michael Patterson said the Holly Springs Police Department, Crossfit Zeal and My Way Tavern teamed up to raise money for Amber Lunn, a little girl who will soon be three years old and lives in Holly Springs. Amber was diagnosed Aug. 21, 2013 with retinoblastoma, a cancer within her eyes. He said through a joint effort, the police department and partner businesses raised \$20,000 to help the Lunn family with medical expenses.

Captain Patterson presented the Lunn family a check and reported to Council on the activities that raised the funds.

Action: None.

7a. Boy Scout Project – Local Scout Leader Larry O’Neal, introduced Scout Tanner Mizelle, for whom the Council excused his fee in May for building an arbor at Holly Springs Elementary School. Tanner showed photos of his finished project and expressed appreciation for the waived fees.

Mr. O’Neal introduced another Scout, Jason Wilkie, who is working with Mr. Bradley and Jim Cannata of the parks and recreation department to build a deck overlooking the baseball field next to a wooded area off of Grigsby Ave.

Jason asked for a waiver of construction permit fees related to the project.

Action: The Council approved a motion to waive all fees for Jason Wilkie in association with his Eagle Scout project to construct a deck overlooking a Womble Park baseball field.

Motion by: Sack

Second by: Cobb

Vote: Unanimous.

7b. Street Tree Regulations Update - Ms. Clapp gave a presentation on current policy and ordinance requirements for street trees in new residential subdivisions.

In summary, she said questions among staff continue to be:

Do we keep the current street tree regulations?

Do we keep street trees, but move them?

Do we not allow or require them at all?

The Council will continue to give street trees consideration and provide direction later, if appropriate.

8a. Public Hearing: Annexation Petition A14-04 – Ms. Holloman said the Town has received a petition for voluntary annexation of approximately 156.44 acres located along New Hill Road. She said the property owners are John R. Burt, Billy C. Love, Orlean B. Newton, and William J. Seavey, and the property is contiguous with city limits. The petition meets all the statutory requirements for annexation.

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

There being no comments, the public hearing was closed.

Action: The Council approved a motion to adopt Annexation Ordinance A14-04 annexing 156.44 +/- acres owned by John R. Burt, Billy C. Love, Orlean B. Newton and William J. Seavey, and more particularly described as Wake County Pin's: 0639.61.2382; 0639.52.2804; 0639.41.3800; 0639.42.7725 and 0639.42.5873, into the corporate limits of the Town of Holly Springs.

Motion by: Sack

Second by: Dickson

Vote: Unanimous.

A copy of Annexation Ordinance A14-04 is attached to these minutes.

8b. Public Hearing: Rezoning Petition 14-REZ-09 - Ms. Holloman said the Town has received a request to rezone ±150.99 acres located on the south side of New Hill Road from R-30: Residential (upon annexation by the Town Council) to R-10 CU: Residential Conditional Use. The property is located to the west of the Ancient Oaks Drive entrance of the 12 Oaks subdivision.

She said this rezoning request is for a conditional use district. A conditional use district allows the petitioner to place specific conditions on the property that are more restrictive than the minimum zoning regulations in the Town's Unified Development Ordinance. Once a petitioner has placed such conditions with the zoning map change request, they cannot be removed or modified to reduce the restriction. During the review and consideration process the petitioner may add additional conditions or make the proposed conditions more restrictive; however, additional conditions or regulations cannot be added to the petition by planning board or Town Council, nor can either board request additional conditions.

Ms. Holloman said the applicant is requesting to rezone the properties from R-30: Residential (upon annexation) to R-10 CU: Residential Conditional Use with the following developer commitments:

1. Gross residential density will not exceed 2.5 units per acre (revised as a result of the planning board meeting).
2. Lots will not be less than 7,500 square feet in size.
3. Each house shall provide at least a standard two-car garage.
4. Vinyl siding shall be prohibited, except for accent elements of the façade, which will be limited to 20% of the façade area.
5. Lots greater than 65 feet in width shall show house foundations of at least twelve (12) inches vertically of brick or stone veneer over the entire foundation.
6. Each lot shall have one of the following: A) a minimum of two trees, B) minimum of one tree and four shrubs, or C) minimum of eight shrubs.
7. Decorative garage doors, if front loaded.
8. Architectural shingles will be required, with the exception of any secondary building located behind the primary house.

She said the zoning conditions are offered by the petitioner to be placed on the property and are not required by the Town.

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

There being no comments, the public hearing was closed.

Action #1: The Council approved a motion to accept the following statement as being true: *“The requested zone map change from R-30 to R-10 is consistent with the Vision Holly Springs Comprehensive Growth Plan since the Future Land Use Plan Map indicates this property as residential, and the R-10 CU: Residential Conditional Use District allows for single-family residential development with a maximum 2.5 dwelling units an acre, which is appropriate for the subject properties not located within a Community Growth Area.”*

Motion by: Williams

Second by: Cobb

Vote: Unanimous.

Action #2: The Council approved a motion to adopt ordinance 14-REZ-09 to change the zoning of Wake County PINs #: 0639413800; 0639612382; 0639522804; 0639425873; and 0639427725 from R-30: Residential to R-10: Residential Conditional Use as submitted by Longleaf Development Services.

Motion by: Cobb

Second by: Lee

Vote: Unanimous.

A copy of Rezoning Petition 14-REZ-09 is attached to these minutes.

8c. Public Hearing: UDO Text Amendment #14-UDO-01 – Mr. Jones explained that twice a year, the departments of Planning & Zoning and Engineering evaluate the Unified Development Ordinance and bring forward a series of amendments to the Town’s development regulations and requirements as interpretation issues arise, new or modified regulations are suggested for development within the Town’s corporate limits and Extraterritorial Jurisdiction (ETJ), or the State modifies regulations or the General Statutes that have an impact on the Town’s development regulations.

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

There being no comments, the public hearing was closed.

Action #1: The Council approved a motion to accept the following statements as true: *“The requested UDO Text Amendment is consistent with the Vision Holly Springs Comprehensive Plan because much of the UDO amendments currently proposed work to maintain a high quality of commercial growth. As found in the Comprehensive Plan’s Future Land Use Objective’s “Guide the development of regional commercial areas so they are contained and their access is managed to protect the character of the remainder of the community.”*

Executive Summary in regard 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”; “Ensure that new housing is appropriate in type, location and density to minimize environmental impacts and maintain community character.” The proposed UDO Amendments provide the tools necessary for staff and the development community to implement the goals and objectives stated in the Plan.”

Motion by: Dickson

Second by: Cobb

Vote: Unanimous.

Action #2: The Council approved a motion to adopt Ordinance #14-07 approving and enacting UDO Text Amendment #14-UDO-01 to modify the text of the Unified Development Ordinance as submitted by Town of Holly Springs.

Motion by: Dickson

Second by: Cobb

Vote: Unanimous.

A copy of Ordinance 14-07 is attached to these minutes.

9. Consent Agenda: The Council approved a motion to approve all items on the Consent Agenda. The motion carried following a motion by Councilman Sack, a second by Councilman Williams and a unanimous vote. The following actions were affected:

9a. Minutes – The Council approved minutes of the Council’s regular meeting held Sept. 2, 2014.

9b. Contracts Report – The Council received a report of contracts amounting to less than \$15,000 each in budgeted funds and approved by the Town Manager.

9c. Discount Tire Special Exception Use Permit Extension -- The Council approved an extension of plan approval expiration for Discount Tire special exception use permit.

9d. Law Enforcement Center Project – The Council approved to enter a contract with Falcon Engineering in an amount of \$78,043 for construction materials testing and inspections for the Law Enforcement Center.

9e. North Main Athletic Complex Phase 2 Project- The Council approved to enter a contract with Geo Technologies in the amount of \$86,868 for testing for the North Main Athletic Complex Phase 2.

10a. Jordan Lake Partnership Regional Water Supply Plan - Ms. Parrish explained that Holly Springs receives our drinking water from the Cape Fear River intake in Lillington. We plan on using this source for our future planning; however, history has proven that providing our citizens with an alternative water supply connection and allocations will safeguard our citizens. For this and several other reasons, Holly Springs has been a member of the Jordan Lake Partnership (JLP) since 2009.

She said the town has a 2 MGD allocation in Jordan Lake, and we have submitted an application to renew our 2 MGD, and to increase it by 0.2 MGD.

Ms. Parrish said that there are three main objectives of this agenda item tonight:

- staff update to the Town Council on the Jordan Lake Partnership’s recently completed JLP Triangle Regional Water Supply Plan;
- approval of a resolution supporting the plan;
- approval of a time extension to the JLP Memorandum of Understanding.

Participation in the JLP continues to be beneficial for Holly Springs for several reasons, she said:

- Involvement with our regional water planning challenges
- Identifying future water supply needs
- Participation in Interconnections Inventory and Modeling (for needed emergency connections).

Miss Parrish introduced a representative who told the Council a little bit about the Jordan Lake Partnership and the Triangle Regional Water Supply Plan.

Action #1: The Council approved a motion to adopt Resolution 14-25 supporting the Jordan Lake Partnership Regional Water Supply Plan.

Motion by: Dickson

Second by: Williams

Vote: Unanimous.

A copy of Resolution 14-25 is attached to these minutes.

Action #2: The Council approved a motion to adopt Resolution 14-26 approving a time extension as Addendum 1 to the JLP Memorandum of Understanding.

Motion by: Williams

Second by: Cobb

Vote: Unanimous.

A copy of Resolution 14-26 is attached to these minutes.

11. Other Business: None requiring Council action.

12. Manager's Report: None requiring Council action.

13. Closed Session: None.

14. Adjournment: There being no further business for the evening, the Sept. 16 2014 meeting of the Holly Springs Town Council was adjourned.

Respectfully Submitted on Tuesday, Oct. 7, 2014.

Joni Powell _____

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minutes follow and are a part of the official record.

