



**Dec. 2, 2014**

## MINUTES

The Holly Springs Town Council met in regular session on Tuesday, Dec. 2, 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; Rick Ralph, information technology technician; Len Bradley, parks and recreation director; Adam Huffman, assistant parks and recreation director; Gina Clapp, planning and zoning director; Laura Holloman, planner; Leroy Smith, fire chief; Kendra Parrish, director of engineering; Aaron Levitt, senior engineer; Elizabeth Goodson, development review engineer; Heather Keefer, environmental 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 Rev. Robert King of Douglas Chapel AME Zion Church.

**4. Agenda Adjustment:** The Dec. 2, 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 New Business Agenda:** 8c. Appoint representatives to serve on Wake Transit Advisory Committee.

**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. The following comments were recorded:

Gerald Holleman, 5625 Easton Street – Mr. Holleman addressed the Council to consider adding a turn lane off of Main Street onto Easton Street. He also asked the Council to consider naming the North Main Athletic Complex in honor of Mayor Richard Sears.

**6a. Public Hearing: Comprehensive Plan Amendment, 14-CPA-01** – Ms. Holloman said the Town has received a request to change the future land use designation of the subject area from Mixed Use to Residential.

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

Tom Spaulding, 972 Trinity Road, Raleigh – Mr. Spaulding, representing the applicant, addressed the Council to add that a commercial component would not have a chance at success because Holly Springs-Apex Road is scheduled to be realigned, which would eliminate the corner property.

Ms. Goodson agreed that eventually the road is planned for realignment.

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

**Action:** The Council approved a motion to adopt Resolution 14-33 to approve and enact Comprehensive Plan Amendment #13-CPA-01 to change the Vision Holly Springs Comprehensive Plan future land use designation of 133.74 acres of Wake County PIN #' 0730826440 from Mixed Use to Residential as submitted by Spaulding & Norris, PA.

**Motion by:** Sack

**Second by:** Cobb

**Vote:** Unanimous.

*A copy of Resolution 14-33 is attached to these minutes.*

**6b. Public Hearing: Rezoning Petition 14-REZ-10** – Ms. Holloman said the Town has received a request for a zone map change to property totaling approximately 133.74 acres from R-30: Residential to PUD: Planned Unit Development. The property is located adjacent to the existing northern boundary of the Twelve Oaks subdivision.

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

Tom Spaulding, 972 Trinity Road – Mr. Spaulding addressed the Council to say that he would speak to the density question during discussion of the Planned Unit Development amendment, if the Council desires.

There being no comments, the public hearing was closed.

**Action #1:** The Council approved a motion to accept the following statements as being true: *“The requested zone map change from R-30: Residential to PUD: Planned Unit Development is consistent with the Vision Holly Springs Comprehensive Plan since the Future Land Use Plan Map indicates this property as Residential and the Twelve Oaks Planned Unit Development Master Plan allows for a wide variety of residential lot types.”*

**Motion by:** Williams

**Second by:** Dickson

**Vote:** Unanimous.

**Action #2:** The Council approved a motion to adopt ordinance 14-REZ-10 to approve and enact Zone Map Change Petition #14-REZ-10 to change the zoning of 133.74 acres of Wake County PIN #0730826440 from R-30: Residential to PUD: Planned Unit Development as submitted by Spaulding & Norris, PA.

**Motion by:** Williams

**Second by:** Dickson

**Vote:** Unanimous.

*A copy of Zoning Ordinance 14-REZ-10 is attached to these minutes.*

**7. 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 Cobb and a unanimous vote. The following actions were affected:

7a. Minutes – The Council approved minutes of the Council’s meeting held Nov. 18, 2014.

7b. Annexation 14-08 – The Council adopted Resolution 14-34 directing the town clerk to investigate the sufficiency of annexation petition A14-08 and setting a public hearing. *A copy of Resolution 14-34 is attached to these minutes.*

7c. CY 2015 Regular Meeting Schedule -- The Council approved the CY 2015 regular meeting schedule. *A copy of the CY 2015 regular meeting schedule is attached to these minutes.*

7d. Jordan Lake Partnership Agreement Addendum – The Council approved an addendum to the Jordan Lake Partnership agreement.

7e. North Carolina Sedimentation Control Commission Agreement – The Council approved to enter a memorandum of agreement with the North Carolina Sedimentation Control Commission.

**8a. Avent Ferry Road-Bypass Intersection** – Ms. Parrish said staff and elected officials secured a NCDOT municipal agreement, as attached, in the amount of \$925,000 toward the improvements at Avent Ferry Rd/Bypass.

She said the estimated project budget is \$1,600,000. NCDOT will reimburse the Town in the amount of \$925,000. The Town's total share is \$675,000, of which \$189,000 has been appropriated. The remaining \$486,000 will come from street reserves.

**Action:** The Council approved a motion to approve a municipal agreement with NCDOT for Avent Ferry Road-Bypass intersection project.

**Motion by:** Sack

**Second by:** Cobb

**Vote:** Unanimous.

**8b. 03-PUD-01-A09 Twelve Oaks** – Ms. Holloman said the purpose of the proposed amendment to the Twelve Oaks Planned Unit Development is to incorporate a ± 133.47-acre parcel located adjacent to the existing northern boundary of the Twelve Oaks subdivision. The subject parcel is separated by Woods creek Road and is at the intersection of Old Holly Springs Apex and Woods creek Roads. There are no associated development changes with this amendment. The newly acquired land would be subject to the same PUD development criteria and standards as the existing land within Twelve Oaks.

She said a PUD is used to create a unified development and set forth a unique set of zoning regulations for the development; therefore, a detailed site plan is not provided, only the dimensional and "zoning" standards for each area.

**Action:** The Council approved a motion to approve Planned Unit Development #03-PUD-01-A09 for Twelve Oaks as submitted by Tom Spaulding of Spaulding & Norris, PA, Project Number 410-02, dated 10/27/14 with the following conditions:

1. All previous approval conditions for the *Twelve Oaks PUD* will apply to this plan amendment.
2. This amendment has added new area to the PUD and therefore the following conditions are specific to the new PUD area known as the Stephenson Tract:
  - A. There is an infrastructure reimbursement agreement in place for the original Twelve Oaks PUD which does not include the additional area being added to the PUD with this amendment however a new agreement is being prepared for the Stephenson Tract. This agreement has not been approved at the time of this staff report. Note that this approval is contingent on the approval of this agreement. If the agreement is not approved or approved with different terms than what staff and the developer have been discussing, this plan will need to be amended to reflect the changes.
  - B. Any property that is added to the PUD is required to meet the Town of Holly Springs NPDES PH. II Post Construction Stormwater Ordinance
  - C. A fee-in-lieu of upgrade will be required for this project for the Twelve Oaks Pump Station and Force Main
  - D. With the first plat associated with this tract of the PUD, the following items must be addressed:
    - 1) HOA covenants shall be recorded or verification provided that the current HOA document will apply to the additional area.
  - E. With the first preliminary subdivision plan associated with this tract of the PUD, the following items must be addressed:

- 1) A flood study will be required for any drainage area over 20 acres. A preliminary flood study will be required with preliminary plan submittals.
  - 2) No fill will be allowed in the flood plain for residential lot construction.
  - 3) The following will be required for the existing pond with any preliminary plan submittal.
    - a. Provide a sealed engineer's report including calculations to verify hydraulic capacity of existing pond prior to 1<sup>st</sup> construction drawing submittal. Identify primary and secondary outlet structures and/or spillways.
    - b. Provide a sealed engineer's report and recommendations to verify structural integrity of dam(s) prior to 1<sup>st</sup> construction drawing submittal.
    - c. Provide 100-yr water surface elevation area of the pond.
    - d. Show 20' maintenance easement surrounding pond and dam
    - e. Verify that pond meets NCDENR Dam Safety requirements.
- F. With the first construction plan associated with this tract of the PUD, the following items must be addressed:
- 1) Verify that there is room to provide diffuse flow into the buffer from the storm drainage outlets.
  - 2) Homeowner Environmental education packet must be submitted.
  - 3) Provide draft PCN with all supporting documentation including but not limited to buffer determinations and projected location and impacts to jurisdictional features for the entire project. This should include all impacts in the 12 Oaks PUD and that stormwater and other requirements resulting from 404/401 permitting process should be identified
  - 4) A Final Gravity Sewer Line Sizing Report will be required for all lines that are stubbed to adjacent upstream properties including calculations to document line sizes, adequacy of proposed sanitary sewer lines to serve all future upstream development. If no changes have been made to what was submitted and approved during the PUD review then provide verification that the original sewer study is applicable to the final design.
- G. Prior to issuance of a land disturbance permit or construction drawing approval for any area associated with this tract of the PUD, the following items must be addressed:
- 1) Approval of Stormwater Management Plan is required.
  - 2) Payment of the Stormwater Fee-in-Lieu will be required.
  - 3) Stormwater sureties are required on this project. A performance surety in the form of a bond, letter of credit or cash is required in the amount of 150% estimated construction cost of the stormwater BMP prior to the preconstruction meeting and a maintenance surety in the form of a cash escrow account in the amount of 35% the actual construction cost of the BMP is required at the end of the performance monitoring period for the project.
  - 4) All environmental permits must be obtained for the entire project.
- H. The following must be addressed within 10 days of approval by Town Council:
- 1) Provide revised plan to show the additional access point (with a note that it is to be provided if determined it is needed during the Subdivision Plan review) to Woods creek Road on the western side of main entrance to the southern portion of the property.
  - 2) The sewer study must be approved.
  - 3) The fire flow analysis must be approved.
- [Ms. Goodson said all of the conditions under item H are in the process.]

**Motion by:** Dickson

**Second by:** Sack  
**Vote:** Unanimous.

**8c. Appointments to Wake Transit Advisory Committee** – Ms. Parrish explained that Wake County is reviving the Wake County Transit Network planning project. The County is attempting to pull together an advisory committee of 70 to make sure all communities and interests in the resulting plan have input at every stage in the process.

One of the initial tasks of the project will be a public kickoff meeting for designated elected officials, decisions makers and interested citizens. This kick-off will be held Dec. 8, and the purpose of the presentation will be to introduce attendees to the team and explain the transit network planning process.

Following this kick-off meeting, Ms. Parrish said, the advisory committee must commit to attending and engaging in a half day introduction and a full day workshop. Members also must be willing to serve as liaisons between the study and the interest groups or communities they **represent**. In return, advisory committee members will have opportunities to guide the key policy decisions. They will come out of the process not only understanding what the plan includes, but why, she said.

The need for local appointments arose suddenly, Ms. Parrish said, and because the first meetings are within a week, a quick decision would need to be made as to whom would represent Holly Springs on the advisory committee. She said Wake County seeks an elected official, a business leader and a person to represent the community as a whole for each municipality and transit system interest in the County.

Ms. Parrish said staff would recommend that Mayor Sears be appointed as the elected official for Holly Springs since he has served for more than a decade on the NCDOT Transportation Advisory Committee. That leaves the business and community slots to be filled.

In discussion Council members indicated they need more time to select representatives, and they suggested that the Town gauge public interest through the Town's social media outlets.

In the meantime, Council members felt Mayor Sears and Ms. Parrish could represent the Town of Holly Springs.

**Direction:** The Council appointed Mayor Sears to represent Holly Springs on the Wake County Transit Plan Advisory Committee, and they asked Ms. Parrish to attend initial meetings until members could be selected from the community and businesses.

**9. Other Business:** None requiring Council action. Councilman Sack asked that the new members of the Wake County Board of Commissioners be invited to Holly Springs in an effort to establish and foster a positive relationship.

**10. Manager's Report:** None requiring Council action.

**11. Closed Session:** None.

**12. Adjournment:** There being no further business for the evening, the Dec. 2, 2014 meeting of the Holly Springs Town Council was adjourned.

day, Dec. 16, 2014.

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