

Town of Holly Springs
PLANNING BOARD MEETING MINUTES
Tuesday, November 23, 2021 - 7:00 p.m.

Agenda Item #1, 2 & 3:

The Planning Board of the Town of Holly Springs met virtually for their regularly scheduled meeting on November 23, 2021. At 7:00 after determining a quorum was present, Vice Chair Deshazor called the meeting to order.

Staff Members Present: Chris Hills, Development Services Director
Elizabeth Goodson, Land Development Division Manager
Sean Ryan, Planning Manager
Cheryl Caines, Planner II
Bronwyn Bishop, Planner I
Rachel Jones, Development Review Engineer
Steidrick Baker, Development Reviewer
Brett Gosney, Planning Board Clerk
Connie Zurek, Development Technician

The Board completed roll call.

Members Present: Chris Deshazor, Vice-Chair
Van Crandall
Joanna Holder
Rick Madoni
Courtney Patterson
Thomas Urquhart

Members Absent: Dana Rybak, Chair
Ernie Carpico

The Board recited the pledge of Allegiance and the meeting opened with an invocation by Joanna Holder.

Agenda Item #4: Agenda Adjustment

There was no agenda adjustment.

Agenda Item #5: Minutes

a. October 26, 2021 Minutes

Motion:
Motion to approve the October 26, 2021 Minutes.

Motion by: Rick Madoni
Second by: Thomas Urquhart
Action: The Planning Board voted in favor of the Motion. (6-0)

Agenda Item #6: Town Council Representative

- a. Planning Board Representation for Town Council
 - Joint Public Hearing: None
 - December 7th – Courtney Patterson
 - December 21st – Dana Rybak (Joanna Patterson as back up)

Agenda Item #7: Public Comment Period

No speakers signed up to approach the Board.

Agenda Item #8: Appoint Affordable Housing Committee Representative for 2022

Mr. Ryan provided the Board with an overview of the Affordable Housing Study Committee.

Mr. Deshazor wondered if we should wait to appoint with seats on the board getting ready to be open and those leaving may not be reappointed.

Mr. Ryan stated that the board may meet in January and the board does not want to miss out on this opportunity.

Mrs. Holder asked about when the board would meet.

Mr. Ryan stated they have not decided on a time of meeting yet.

Motion:

Motion to appoint Joanna Holder as Planning Board representative and Chris Deshazor as the alternate on the Affordable Housing Committee.

Motion by: Thomas Urquhart

Second by: Rick Madoni

Action: The Planning Board voted in favor of the Motion. (6-0)

Agenda Item #9: Zone Map Change Petitions

- a. *Holly Springs New Hill (21-REZ-01)*

Ms. Caines reviewed the staff report with the Board.

The Town has received a request to rezone the property in question from R-10: Residential to CB CU: Community Business Conditional Use.

Rachel Jones provided an update on transportation and utilities.

Mr. Madoni had a question for Mrs. Jones regarding the plans for the realignment. Mr. Madoni believed that when the storage unit was approved that Old Apex road was supposed to run on the east of that.

Mrs. Jones stated that with the realignment Old Holly Springs Apex road will shift to the west slightly so it can align to more of "T". This will require additional right of way from this development and ultimately there will be dual left-hand turn lanes so they are able to plan for the full build out of the intersection. The detailed design of the development will come with the development plan of the project.

Mr. Urquhart had a question about the intersection alignment and how the fee in lieu is calculated and what is the total percentage of cost that that covers.

Mrs. Jones stated that during the TIA review the developments transportation engineer to provide a percent impact. This is based on the traffic volume that the development would be adding to the area. This project will be about 15% impact on the intersection. The fee in lieu is a percentage of the total cost.

Mr. Madoni asked if the fee in lieu costs change with economy.

Mrs. Jones stated that the cost for projects will grow as time goes on.

Mr. Crandall asked about the right-hand turn lanes coming off of holly springs new hill road.

Mrs. Jones stated that she would need to access the TIA but she believes this is what they are expecting.

Mr. Crandall asked if this is a right in right out to the property.

Mrs. Jones stated that she would allow the projects traffic engineer speak on this.

Mr. Crandall asked if the TIA looked at any other transportation ideas such as buses.

Mrs. Jones stated that it did not in this area and would let the projects traffic engineer speak on this.

Vice Chair Deshazor invited the applicant to speak.

Tom Spaulding
Spaulding Group
5318 Burning Oak Ct.

Rehab Hamad
Triland Properties
1400 Crescent Green

Cliff Lawson
Timmons Group
5410 Trinity Rd.

Mr. Spaulding stated that the difficulty to acquire the parcels under one roof should be considered on the rezoning because this will allow the project to be completely rezoned to Commercial Business and allow one project to be completed. This area lends itself to being a mix used and the project does not want any residential on the property because of the apartments already around the area. Sidewalk will be extended across the frontage of the property. Mr. Spaulding discussed the benefits that the rezone would have such as the combining of several parcels, sidewalk connections, and increased commercial tax base.

Mrs. Hamad stated she would like to thank Tom and Staff. The team has been working on this project for over a year and they are excited to move forward and bring commercial development to Holly Springs. Mrs. Hamad understands the project has the required widening and they are okay with this widening.

Mr. Crandall asked about this area being a transportation hot spot to be addressed by the town. Will there be any right-hand turn lanes for these two drives?

Mr. Lawson stated that he would speak on all of the driveways. The right turn lanes were recommended at two of the drives and the DOT required an additional right turn lane on the new hill entry. All three drives will have right hand turn lanes.

Mr. Crandall asked if Mr. Lawson agreed with this recommendation.

Mr. Lawson stated it is not a recommendation but a requirement and he does see the benefit in the turn lanes.

Mr. Crandall asked if it would have an impact on the sidewalks.

Mr. Lawson stated it would have no more impact than it normally would on sidewalks.

Mr. Crandall asked if the sidewalks are subject to change on the site plan.

Mr. Lawson stated they will still be there but they are subject to change.

Mr Crandall asked since they are right in and right out, if someone wanted to head east on New Hill Road then they would have to take a right out and then U-turn.

Mr Lawson stated they would have two option of performing the U-turn or come out of the full movement access on New Hill Drive.

Mr. Spaulding state that early on they were asked to provide a plan on pedestrian movements so this site plan will most likely go away and was just a show me how it might happen.

Mr. Crandall asked if there would three or more potential access points.

Mr. Spaulding stated they analyzed three access points and Mr Lawsons TIA was proved to DOT with these access points but it will be evaluated further once they begin proposing the project.

Mr. Deshazor stated we are just looking at this from a zone map change and this team will have to come back to them with a development plan.

Mrs. Jones stated that the access points are established with the TIA. If more or less access points wanted to be changed then they would have to reevaluate to ensure this would be possible.

Mr. Crandall asked about the 10,000 square foot building across from the apartment building and if the goal of the project is to provide retail to these apartment buildings.

Mrs. Hamad stated that the conceptual site plan that is being referred to is just to allow them to look at the site as a whole to start building the access points. The one-story retail building would not be allowed anymore but the idea is to have some retail and some office spaces.

Mr. Crandall stated that this a hotspot for the town and how would pedestrians have access to cross the street.

Mr. Spaulding stated that with the realignment there would be a crosswalk to allow pedestrians the ability to cross the street.

Mrs. Holder asked if the type of business impact the traffic analysis.

Mrs. Jones stated that the transportation engineering standard is used to determine the rate and the more intense the use the more traffic.

Mr. Crandall asked what type of improvements would be made at this hotspot.

Mrs. Jones stated that those will be approved with the CTP. The Town does have a conceptual idea of how they will handle this hotspot but a detailed design will have to wait for the adoption of the new CTP.

Mr. Crandall stated that with the extension of New Holly Springs Road, how long before this will be handled.

Mrs. Jones stated that the realignment is the first thing that will be handled but the extension of the road is something that has not been included in hotspot. The hotspot is the intersection.

Mr. Spaulding stated that they would like to ask for the rezoning but will return with specifics once the development plan is created. What exactly will happen on the site has not yet been determined.

Mrs. Holder stated that she in torn here but she is supportive of it being commercial. Mrs Holders major concern is switching to commercial and a business be put in that is worse for traffic.

Mr. Spaulding stated this may be his fault and that the uses were just thrown in there to show that these different types could be in there but they are not necessarily the types of business in there.

Mr. Crandall stated that these types of business may not be an appropriate use for these parcels.

Mr. Spaulding stated that this a opportunity to have a developer pay for the widening and the right of way in front of the property.

Mr. Deshazor stated that we can leave this as residential and let apartment buildings come in and the road will still need to be widen or they can rezone it to commercial and control the types of business that are coming into the area.

Mrs. Caines stated that they are prohibiting certain uses on this site and it is part of the review.

Mrs. Hamad stated that when they look at a site, they look at it as a whole and try to fill in the things that are not in this area.

Mr. Deshazor reviewed the proposed Planning Consistency Statement and the Planning Board agreed with the following as being true:

The requested zone map change from R-10: Residential to CB CU: Community Business Conditional Use is consistent with the Vision Holly Springs Comprehensive Plan and Future Land Use Map designation of Mixed-Use Center and will allow for the development of neighborhood serving commercial uses compatible with and complimentary to surrounding existing uses.

Motion:

Motion that the Planning Board recommend the Town Council approve Zone Map Change Petition #21-REZ-01 to change the zoning of approximately 5.855 acres of Wake County PINs 0649258795, 0649353728, 0649353599, 0649352626, 0649257680, 0649353581 and land described in the attached legal description from R-10: Residential to CB CU: Community Business Conditional Use with conditions offered by the property owner as follows.

1. Buildings shall have a minimum height of 20 feet and 2 stories with the exception of 1 single-story building allowed for childcare/pre-school or similar uses. The single story building is still required to meet the 20 foot minimum height requirement.

2. The 10' pedestrian side path will be extended to the existing stub within the right-of-way in front of Thales Academy (PIN 0649265028)
3. Drive-thru facilities (if any) shall position service lanes to run parallel with Old Holly Springs Apex Road to allow for safe pedestrian access to the facility and commercial center.
4. The following uses shall be prohibited:
 - a. Motorcycle/Scooter Sales
 - b. Self Service Laundry/Costume Rental
 - c. Public Utility Substation
 - d. Bed & Breakfast/Bus Station/Agricultural Seed Sales
 - e. Neighborhood Recycling Collection Point
 - f. Automobile Parts Sales (new)
 - g. Quick Oil Change Facility
 - h. Car Wash (automatic or self)
 - i. Gasoline Service Station without repair
5. Any restaurant business having a drive-thru service shall be part of a two-story building and will require a Special Exception Use permit
6. All parking areas located between a front building line and a street shall be limited to either a single loaded parking area or 1 double loaded parking area with 1 access drive.
7. Low-impact landscape design techniques and sustainable stormwater practices will be incorporated into the development.
8. The Town requires certain fees to be paid upon development of land and for the granting of a building permit. Said fees are listed in the Town's annual budget, and with this rezoning the Developer agrees he/she (i) is familiar with these fees, (ii) does not dispute the reasonableness of these fees as set forth in the Town's annual budget; and (iii) notwithstanding any reimbursements discussed at this time through an Infrastructure Reimbursement Agreement, hereby agrees to timely pay all normal and customary fees applicable to Developer in connection with Non-Residential and Residential Projects. Such fees are listed in the current year annual budget of fees at the time the fee is due under the ordinary course of development unless otherwise specifically noted in the Developer Agreement.
9. The Town requires, pursuant to N.C.G.S. § 160A-372, the dedication and construction of streets and rights of way, as shown in the approved Comprehensive Transportation Plan and the approved Transportation Assessment Report, to create conditions essential to public health, safety, and the general welfare. A rezoning may be delayed until such time as necessary transportation improvements (to include offsite improvements) may be made, unless the Town and the Developer can enter into agreements to accelerate the time for completion of these needed improvements.
10. A fee-in-lieu (FIL) will be offered towards the realignment of Old Holly Springs & New Hill Roads. Developer offers the amount of \$234,000 to be paid at release of construction drawings.
11. Development may be split into two Phases. Phase 1 defined as up to 3 acres developable beside Thales Academy PIN 0649265028 (not to include any shared SCM or parking/entrances on remaining acreage). Phase 2 shall be the remaining developable acreage towards the intersection of Old Holly Springs & New Hill Roads. Should the development be divided into 2 phases, then Developer shall pay the proportionate share of the FIL at time of approval of those construction drawings for Phase 1. Proportionate share to be determined as a percentage of acreage developed versus overall acreage. Developer shall be responsible for any thoroughfare widening as part of the overall development or Phasing and any improvements such as turn lanes required by NCDOT.

Motion by: Thomas Urquhart
Second by: Courtney Patterson
Action: The Planning Board voted in favor of the Motion. (5-1)

Mr. Crandall voted against because he believes the rezoning is a good thing but that transportation needs to be looked at more.

Agenda Item #10: Development Plans

a. Fujifilm Diosynth Biotechnologies (Project Galaxy Ph 1) (21DP10)

Mr. Ryan reviewed the staff report with the Board.

The Town has received a request for Development Plan approval for Pod G of the Oakview Innovation Park located along Holly Springs New Hill Road, west of Green Oaks Parkway. The 152 acre site will contain office, lab, manufacturing, and warehouse space for Fujifilm Diosynth Biotechnologies totaling approximately 809,000 square feet in building area. In order to allow the Town to meet the obligations agreed to with this project, the Development Plan has been broken into phases that will be submitted over a period of several months. This has allowed for faster staff review of the plans and allows the facility to begin work on the anticipated schedule. This Development Plan does not contain a landscaping plan, which will be reviewed for compliance with Construction Drawings, or building elevations, which will be reviewed by staff and submitted for approval by the Technical Review Committee.

Mrs. Jones provided an update on transportation and utilities.

Mr. Beard provided an update on greenways.

Mrs. Holder asked what sharrows were.

Mr. Beard stated is a shared lane for bicyclists and vehicles.

Mr. Madoni asked when the master plan was approved for Fujifilm the road was extending from Avent Ferry to Holly Springs New Hill Road but in this diagram, it is not shown as such and it appears traffic will be forced into the neighborhoods.

Mrs. Jones stated that what is shown today is the preferred alternative and what was discussed before was what they had at the time but it has changed.

Mr. Madoni asked why this was preferred over that.

Mrs. Goodson stated that the north south road that is being discusse was on the previous CTP but during discussions with Fujifilm the road would not allow for the best development of the parcel. There was a discussion with Town Council on if this had to remain at that location or if alternatives could be looked at. The blue road was looked at as the alternative.

Mr. Madoni has a concern over the road emptying into an area that is in a neighborhood and has houses on it.

Mrs. Holder asked what the status of a road between Holly Springs New Hill and Avent Ferry.

Mrs. Goodson stated that what is being shown is what was approved by Town Council a few months prior.

Mrs Holder asked if there were alternatives.

Mrs. Goodson stated that there were discussions but there are other interconnections in others of the roads. The direct connection was eliminated though.

Mrs. Holder asked if the turquoise road would get you to the Fujifilm site.

Mrs. Goodson stated that it would get you to the rear portion of the site.

Mr Madoni asked if there was a way to access the preliminary comprehensive transportation plan.

Mrs Goodson stated that the virtual open house had just closed down in the last week.

Mr Ryan confirmed this and the consultant is still compiling all of the comments made dure the time but once finished it will be shared with the board.

Mr. Crandall asked about avent ferry road and holly springs new hill road connection.

Mrs. Goodson stated that the other road connects to the west as well as others would allow for that connection.

Vice Chair Deshazor invited the applicant to speak

Thom Schmalzbauer
FujiFilm Diosynth Biotechnologies
101 Jay Morris commons

Mr Schmalzbauer informed the board of who Fujifilm is and the beginnings of the project. The project sustainability goals were discussed because of the how the company values these goals highly.

Mrs. Holder asked about the project sustainability goals and if there will be the ability for employees to bike to work?

Mr. Schmalzbauer stated that some of the elad credits is for bike racks. There will be lots of accessibility points for the project with lots of different way for people to commute to work.

Mr. Deshazor asked about electric charging stations for cars.

Mr. Schmalzbauer stated there are 23 charging stations currently proposed and they will add more if they are requested.

Mr. Deshazor asked if there were ideas for a parking garage.

Mr. Schmalzbauer stated they have not looked into this option with it being a multi-phase development.

Mr. Deshazor asked if there would be bus stops available to the property.

Mrs. Jones stated that as a part of the comprehensive transportation plan they will look into the multiple options of transportation. It is currently being evaluated further.

Mr. Ryan stated the CTP will only go so far with the transportation plan and further research will need to be done into this.

Motion:

Motion to recommend the Town Council approve Development Plan 21-DP-10 for Fujifilm Diosynth Biotechnologies as submitted Jacobs, Project Number P20200048, dated Revised 5 NOV 2021 with the following conditions:

1. The following must be submitted as detailed below
 - a. Landscaping Plans shall be submitted with Construction Drawings for review and approval by the Administrator.
 - b. Building Elevations shall be submitted prior to Building permits issued for vertical construction and may be approved by the Technical Review Committee.
2. The following must be submitted prior to the installation of permanent site lighting:
 - a. A point-by-point photometric plan for all site lighting (not including public right-of-way street and pedestrian lights) in conformance with lighting levels specified in UDO Section 7.02 shall be submitted to and approved by Development Services. Site lighting fixtures shall match the approved fixture for Oakview Innovation Master Plan.
3. A UDO Permit for Sign Installation for permanent signage will be required. If Oakview Innovation Master Plan has a master sign plan, all signs shall conform to the Master Sign Plan.
4. This project will be required to meet Town's NPDES Phase II Post Construction Stormwater ordinance.
5. All previous conditions of approval for Oakview Innovation Master Plan shall apply to this amendment except for any condition that describes a fee or a fee-in-lieu to be paid shall now comply with the current amounts due pursuant to the town's current annual budget or any unexpired Economic Development Agreement associated with the Oakview Innovation Master Plan or FDB Development.
6. The following must be submitted with the first Construction Drawing submittal:
 - a. Thoroughfares, collectors and boulevards will require a calculated pavement design with 1st construction drawing submittal. This may result in a pavement cross section bigger than the specified minimum.
 - b. All items listed on the Stormwater Submittal Checklist, Form #16003, must be included with the first construction drawing submittal.
7. The following must be submitted prior to Construction Drawing Approval or issuance of land disturbance permit:
 - a. Invoiced fees from Special Study third party review must be paid prior to first Construction Drawing Submittal, and no later than prior to Construction Drawing Approval.
 - b. Off-site right-of-way dedication will be required in the form of a recorded plat prior to receiving construction drawing approval.
 - c. Approval of Stormwater Management Plan is required prior to issuance of a land disturbance permit or construction drawing approval.
 - d. Payment of the Stormwater Fee-in-Lieu will be required prior to construction drawing approval.
 - e. All environmental permits must be obtained prior to construction drawing approval and/or issuance of a land disturbance permit for the entire project.
 - f. 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 125% 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 SCM is required at the end of the performance monitoring period for the project.
8. If build out exceeds the anticipated time frame in the approved TIA, an update of the TIA will be required prior to or with the Development Plan for the associated phase. Recommended improvements will be required to be completed prior to plat approval of that phase.
9. A Deed of Easement is required to be executed for public vehicular & public pedestrian access between adjacent property owners at the time of plat.
10. Please continue to coordinate the off site sewer facilities needed to serve this project with the Town and the Oakview Innovation development. Off-site utilities needed to serve this project must be complete prior to installation of any public or private utilities shown as a part of this Development Plan. Additionally, no plats or CO's will be approved by the Town until all necessary on and off-site utility infrastructure is completed.

11. A future traffic signal at the intersection of Ancient Oaks Dr./Holly Springs New Hill Rd./Oakview Innovation Master Plan new site drive is warranted with a future phase of this development. This intersection should continue to be monitored through each phase of development and the traffic signal shall be designed and installed when warranted and approved by NCDOT and the Town. The traffic signal design and installation shall be in accordance with Town and NCDOT standards; including mast arm pole construction and fiber connection/extension.
12. A Traffic Impact Analysis (TIA) has been submitted as part of this Development Plan and is being completed in partnership with the Town. Coordination with the Town, NCDOT and developer is still underway as the additional construction traffic analysis is finalized and improvements are recommended. Recommended improvements will be incorporated into the development plans.
13. The Build-out analysis in the Traffic Impact Analysis (TIA) associated with this development, included a mix of background improvements and recommended development mitigations. If the assumed background projects do not occur, it should be the developer's sole responsibility to construct all of the background improvements included in the TIA unless additional analysis can be provided to demonstrate the background mitigations are not warranted by the subject development.
14. Finalize taper calculations per Town and NCDOT standards to determine any necessary off-site right-of-way needed to complete the thoroughfare widening along the project frontage on Holly Springs New Hill Rd. with the 1st construction drawing submittal review.
15. LANDSCAPING PLAN: When the Landscaping Plan is submitted with Construction Drawings, please be aware of the following requirements:
 - a. Show INTERSECTION Sight Distance triangles at all intersections and entrances and verify that no landscaping is located in these areas per Engineering Design and Construction Standards Section 3.03.
 - b. Verify that all easements (utility, drainage, etc.) are shown on the Landscape Plan and that proposed landscaping does not conflict with these areas.
16. Prior to Town Council, the following shall be completed:
 - a. Finalize remaining minor site plan revisions.
 - b. Finalize the Hydraulic Water Model and Fire Flow Analysis Report

Motion by: Rick Madoni

Second by: Joanna Holder

Action: The Planning Board voted in favor of the Motion. (6-0)

Motion:

The council and economic development team take a double look at the connection between New Hill Road and Avent Ferry with a concern at the three-lane road that connects into a neighborhood.

Motion by: Rick Madoni

Second by: Van Crandall

Action: The Planning Board voted in favor of the Motion. (6-0)

Agenda Item #11: Other Business

- a. Town Council Official Action Overview
 - Ms. Goodson provided an overview to the Planning Board regarding the Town Council's action on recent development petitions.
- b. Technical Review Committee Representative Report (*E. Carpico/C. Deshazor*)
 - November Meeting
 - December Meeting Cancelled
- c. Development Services Department Report
 - Mr. Hills provided an overview of current activities in Development Services.
- d. New Business
 - Board discussed no new business.

Agenda Item #12: Adjournment

Motion:


Motion to adjourn.

Motion by: Rick Madoni

Second by: Joanna Holder

Action: The Planning Board voted in favor of the Motion. (6-0)

Time: 9:04



Brett Gosney

Planning Board Clerk