

Town of Holly Springs
PLANNING BOARD MEETING MINUTES
Tuesday, March 22, 2022 - 7:00 p.m.

Agenda Item #1, 2, 3 & 4:

The Planning Board of the Town of Holly Springs met in the Council Chambers, 128 S Main St, for their regularly scheduled meeting on March 22, 2022. At 7:00 after determining a quorum was present, Chair Deshazor called the meeting to order and Linda McKinney provided Oaths of Office to the Board.

Staff Members Present: Chris Hills, Development Services Director
 Elizabeth Goodson, Land Development Division Manager
 Sean Ryan, Planning Manager
 Cheryl Caines, Senior Planner
 Bronwyn Bishop, Planner II
 Brett Gosney, Planner I/Board Clerk
 Rachel Jones, Development Review Engineer
 Steidrick Baker, Development Reviewer
 Linda McKinney, Town Clerk
 Matt Beard, Parks Planner

The Board completed roll call.

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

Members Absent: Josh Prizer

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

Agenda Item #5: Agenda Adjustment

There was no agenda adjustment.

Agenda Item #6: Minutes

a. February 22, 2022 Minutes

Motion:

Motion to approve the February 22, 2022 Minutes.

Motion by: Rick Madoni

Second by: Ernie Carpico

Action: The Planning Board voted in favor of the Motion. (8-0)

b. *January 25, 2022 Training Minutes*

Motion:

Motion to approve the January 25, 2022 Training Minutes.

Motion by: Rick Madoni

Second by: Ernie Carpico

Action: The Planning Board voted in favor of the Motion. (8-0)

Agenda Item #7: Town Council Representative

a. Planning Board Representation for Town Council

- Joint Public Hearing: None
- April 5th – Courtney Patterson
- April 19th – Rick Madoni

Agenda Item #8: Public Comment Period

No speakers signed up to approach the Board.

Agenda Item #9: Appoint Chair and Vice Chair

Mrs. Caines provided an overview of the Chair and Vice Chair and their role on the Planning Board and in the development review process. The Planning Board then discussed which members should be this year's Chair and Vice Chair.

Motion:

Motion to appoint Chris Deshazor as Chair and Rick Madoni as Vice Chair.

Motion by: Ernie Carpico

Second by: Courtney Patterson

Action: The Planning Board voted in favor of the Motion. (8-0)

Agenda Item #10: Appoint LUAC Representative for 2022 and Alternate

Mrs. Caines provided an overview of the Land Use Advisory Committee (LUAC) and its role in the development review process. The Planning Board then discussed which members should be this year's primary member and alternate member.

Motion:

Motion to appoint Ernie Carpico as Representative and Chris Deshazor as Alternate Representative.

Motion by: Courtney Patterson

Second by: Joanna Holder

Action: The Planning Board voted in favor of the Motion. (8-0)

Agenda Item #11: Appoint TAC Representative for 2022 and Alternate

Mrs. Caines provided an overview of the Tree Advisory Committee (TAC) and its role in the development review process. The Planning Board then discussed which members should be this year's primary member and alternate member.

Motion:

Motion to appoint Thomas Urquhart as Representative and Duane Hansen as Alternate Representative.

Motion by: Joanna Holder

Second by: Ernie Carpico

Action: The Planning Board voted in favor of the Motion. (8-0)

Agenda Item #12: Zone Map Change Petitions

a. 1000 S Main St (21-REZ-06/PLRZ202100110)

Ms. Bishop reviewed the staff report with the Board.

The applicant has requested to rezone 1.53 acres between SouthPark Village and Village Gate from RR Rural Residential to CB CU Community Business Conditional Use.

Mrs. Jones provided an update on utilities and transportation.

Matt Beard provided an update on greenways.

Mr. Madoni had a question about the side path connection to this property.

Mr. Beard stated they are providing a connection from the adjacent developments.

Chair Deshazor invited the applicant to speak.

Dr. Chaitany Patel
107 highends dr.
Apex, NC

Randy Miller
1149 Executive Circle Ste D2
Cary, NC 27511

Baohong Wan
940 Maincats dr.
Raleigh, NC.

Dr. Patel stated they are wanting to rezone the property to allow for a two-story medical office building so they are able to move their business from there current address.

Mrs. Holder asked about the current hours of operation.

Dr. Patel stated 9-6 Monday through Friday and 10-3 on Saturdays.

Mr. Hansen stated that the notice was sent to surrounding business and no one had responded to it.

Mrs. Bishop stated they went through the proper way for the neighborhood meeting but no one decided to come to the meeting.

Mrs. Holder asked what kind of practice it is.

Dr. Patel stated that it is private practice and emergency.

Mr. Miller stated all of the surrounding neighbors are businesses or corporations so they did not receive any feedback from those businesses. They are working with the Aspens next door.

Mrs. Holder asked if there way any impact to the GB Alford Main street intersection.

Mrs. Jones stated that it is less than 1%.

Dr. Patel stated that it is a very minor impact to surrounding areas.

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

PLAN CONSISTENCY STATEMENT:

The requested zone map change from RR Rural Residential to CB Community Business is consistent with Vision Holly Springs, since the Future Land Use Plan Map indicates this property as Mixed-Use Center and the CB district, with the conditional use restrictions offered by the owner, provides the opportunity to serve broader economic, entertainment, and housing needs in the community.

ZONE MAP CHANGE PETITION MOTION:

Motion that the Planning Board recommend Town Council *approve* Zone Map Change Petition #21-REZ-06 to change the zoning of 1.53 acres of Wake County PIN # 0648876157 from RR Rural Residential to CB Community Business Conditional Use as submitted by Randy Miller.

Conditional Use Restrictions

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 the 1000 S. Main Street rezoning, the Developer agrees they (i) are 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 the Residential Project. 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.

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.

1. Site to have no parking between the building and the street
2. Site to have an open space area in the northeast corner along S. Main Street with access available from the 10' side path running along S. Main Street
3. Site to utilize, where achievable and practicable, the use of low impact landscape design techniques and sustainable stormwater practices
4. The following uses shall be prohibited:

- (a) Automotive Sales and Service
 - (b) Neighborhood Recycling Collection Point
 - (c) Parking Garage
5. Site to have a right in and right out for emergency vehicles only access from S. Main Street
 6. Site to be subject to a building height a minimum of 25' and a minimum of 2 stories
 7. Applicant agrees to pay a fee in lieu of towards the construction of a 250' through/right turn land and signal upgrade at S. Main Street/Piney Grove Wilbon/Ralph Stephens Road
 8. Site to provide a joint cross access easement to the parcel to the east with PIN 648-87-7460

Motion by: Thomas Urquhart

Second by: Ernie Carpico

Action: The Planning Board voted in favor of the Motion. (8-0)

Agenda Item #13: Preliminary Plans

a. Optimist Commons (21-MAS-02/PLDMP202100096)

Ms. Caines reviewed the staff report with the Board.

The Town has received a request for a nonresidential subdivision located south on Optimist Farm Road near the intersection with Sunset Lake Road. The project area includes the 13.20± acres. The applicant has submitted a detailed master plan which establishes the transportation network, utility layout, lot lines, common landscaping, and master architectural guidelines (common building materials and colors) for future development of the property. If the master plan is approved, the next step in the development process would be a detailed development plan for each outlot. The detailed development plan will determine the specific use of the property (based on the permitted uses) and specific design standards such as pedestrian circulation, building location, parking lot layout, internal landscaping, site lighting, and building elevations.

Mrs. Jones provided an update on utilities and transportation.

Mr. Deshazor asked about the right in right out and if cars wanted to go away from sunset lake.

Mrs. Jones stated that this is where u-turns would be required and with future development it would allow for more connectivity.

Mr. Deshazor asked if commercial or residential would be built first.

Mrs. Jones stated commercial is the first phase.

Mr. Carpico asked about fire/rescue.

Mrs. Jones stated they get involved once there is a development plan and details are discussed further then.

Mr. Beard provided an update on greenways.

Mr. Carpico asked about the greenway crossing optimist farm.

Mr. Beard stated that it will be extended side path in both sides but it could be a culvert if optimist farm is reconstructed. Currently they are not requiring bridges over roads.

Mr. Madoni asked about the terrain in the area.

Mr. Beard stated this is more of a problem for the greenway side.
Chair Deshazor invited the applicant to speak.

Mike Rosselli
149 executive Circle
Cary, NC 27541

Mr. Rosselli stated that the developer is interested in opening a daycare in the area and have lived in the area for over 20 years. The applicant provided a quick recap on the rezoning process that previously occurred. An overview of the master plan was provided with highlights of the commercial and residential. Architectural elements of the building were provided to show how the commercial development would appear. Site elements were also shared. The anticipated approval timeline was shown to the board as well as the development schedule.

Mrs. Patterson asked about the traffic that this would create and if the commercial business were known.

Mr. Rosselli stated that they do not have business provided but the square footage was provided for the commercial business.

Mr. Deshazor asked about the right in right out and what happens. They are only able to come in from the sunset oaks area and would be required to u-turn even though there are no built u-turns.

Mr. Rosselli stated that people would be required to plan there trips accordingly knowing that there are not any u-turns.

Mr. Holder asked about daycare schedule and parking amounts.

Mr. Rosselli stated he does not have a time for when the daycare operates and the parking is not shown but it will be shown on the development plan when it is reviewed.

Mr. Carpico asked about the number of trips created.

Mrs. Jones stated about 500 trips were created.

Mr. Carpico stated a lot of people cut across this area and he would not like to see 500 more doing this.

Mr. Madoni shared this same concern.

Mr. Carpico stated that he is still sharing concern of the traffic issue.

Mr. Deshazor stated that they had the same concerns in the past and he does not believe the traffic will be okay.

Mr. Carpico asked if there was ever a time that DOT would deviate from the right in right out.

Mrs. Jones stated that there have been exceptions but the queuing would be backing up onto Sunset Lake Rd. with a left-hand turn lane.

Mrs. Holder stated that this project has been rezoned and is moving forward but there is a stalemate about the traffic and it is not their responsibility to negate the traffic. There is a future entrance to the area.

Mrs. Jones explained the future access again.

Mr. Deshazor asked about the time frame.

Mrs. Jones stated that they do not know and no development plan has been shown for those properties.

Mr. Madoni stated the struggle it would be to find a U-turn in the area again.

Mrs. Holder stated that there is nowhere else to go on the road.

Mrs. Jones stated they can revisit with DOT a bulb out to allow for a turn around but does not believe it was favorably looked upon the past time.

Mrs. Holder asked about if a business opens and the traffic is so bad if the town would do anything about it.

Mrs. Jones stated that they do follow up on the volume of complaints and where they are and the Town works with DOT to see if there is anything that can be done to improve the areas.

Mr. Madoni stated that even if there is a left hand turn it does not make it a safe idea.

Mr. Urquhart asked about a signal being there.

Mrs. Jones stated it is too close to another and the amount of traffic does not warrant it.

The board discussed possibly adding conditions for Town Council to review.

Mrs. Patterson stated that if conditions are to be considered then it needs to be related to the traffic pattern.

Mr. Crandall stated that the transportation issues are due to timing because other properties require development to help this property be developed.

Mr. Deshazor stated that he is disappointed that there are projects that do not warrant the study into the traffic.

Motion:

Motion that the Planning Board recommend the Town Council deny Detailed Master Plan 21-MAS-02 for Optimist Commons as submitted by the Underfoot Engineering, Project Number C19002.00, dated Revised 2/16/22 with the following conditions:

1. All previous approval conditions for *Optimist Commons Rezoning* apply to this plan 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 development agreement.
2. Prior to the submittal of any UDO Permit for Sign Installation for permanent signage, a Master Sign Plan must be submitted for review and approval.
3. This project will be required to meet Town's NPDES Phase II Post Construction Stormwater ordinance.
4. The following items must be provided prior to or with the first construction drawing submittal:
 - 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. All items listed on the Stormwater Submittal Checklist, Form #16003, must be included with the first construction drawing submittal.
5. The following must be addressed prior to issuance of construction drawing approval and/or land disturbance permit:
 - a. This project is responsible for paying a fee-in-lieu of construction for half of the median shown in the ultimate street cross section, across the project frontage along Optimist Farm Road. The fee is due at the time of 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. A waiver of UDO Section 7.08 requirement to relocate overhead utilities underground, was submitted with this project. A fee-in-lieu cost estimate shall be finalized through coordination with Duke during construction drawing review and finalized prior to construction drawing approval. The fee-in-lieu of relocation is required to be paid prior to Construction Drawing approval.
 - d. Approval of Stormwater Management Plan is required prior to issuance of a land disturbance permit or construction drawing approval.
 - e. Payment of the Stormwater Fee-in-Lieu will be required prior to construction drawing approval.
 - 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.
 - g. All environmental permits must be obtained prior to construction drawing approval and/or issuance of a land disturbance permit for the entire project
6. If build out exceeds the anticipated time frame in the approved Traffic Assessment Report (TAR), an update of the TAR 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.
 7. At the time of development of the Northern phase of this Master Plan, Phase II, a traffic analysis will be required. The scope of that analysis will be determined at that time of the specific Development Plan. Any additional roadway improvements will be required to be designed and constructed with that plan.
 8. With each Development Plan associated with this Master Plan, the following is required:
 - a. A separate Hydraulic Water/Fire flow Analysis Report will be required.
 - b. Additional sewer evaluation may be required.
 9. A Deed of Easement is required to be executed for vehicular & pedestrian access between the adjacent property owners at the time of plat.
 10. Note that during construction drawing review, a Street Lighting Plan for interior streets, adjacent public streets and thoroughfares will be required. Required street lights shall be installed with the project at the developer's expense, in accordance with the Town's Unified Development Ordinance (UDO) and Engineering Design & Construction Standards.
 11. . Prior to Town Council Meeting the applicant shall:
 - a. Update the decorative crosswalk detail to indicate a general color for the brick pavers.

Motion by: Courtney Patterson

Second by: Rick Madoni

Action: The Planning Board voted in favor of the Motion. (4-4)

Thomas Urquhart voted against due to traffic issues and believe the Planning Board should

Ernie Carpico against because of the right in right out and the traffic created in the area

Chris Deshazor against stated they should come before the board the plan

Van Crandall voted against it for traffic related reasons.

Due to a tie vote the board voted again to deny the motion.

Motion by: Rick Madoni

Second by: Ernie Carpico

Action: The Planning Board voted against the motion. (8-0)

b. Carolina Springs Ph 2 (subphases 6-10) (21-MAS-06/PLPP202100088)

Ms. Caines reviewed the staff report with the Board.

Note: This project was submitted before the new UDO became effective on March 1, 2022 and was reviewed for compliance against the UDO In place at time of application.

Carolina Springs Planned Unit Development (PUD) is located on approximately 396 acres of land south of the interchange of Old Holly Springs Apex Road/Verida Parkway and NC540. The PUD, approved in May 2019, is a mixed-use development consisting of commercial/retail, office, multifamily housing and single-family housing.

The proposed Preliminary Plan is the second residential phase of the PUD following the approval of the first phase of residential directly to the east of the site. Phase 2 will consist of 401 residential dwelling units (229 townhomes and 172 single family homes) in the Neighborhood District.

Mrs. Jones provided an update on utilities and transportation.

Mr. Madoni asked about phase two being 50% built and the TIA fitting into that with improvements.

Mrs. Jones stated that it is the intent of the developer to install the signal with this development.

Mr. Beard provided an update on greenways.

Chair Deshazor invited the applicant to speak.

Debbie Firm
115 mckennian Dr.
Cary, NC

Steven Dorn
1100 Permieter Park Dr. Ste 112
Morrisville, NC 27560

Ronald Stevenson
5808 Faringdon Pl.
Raleigh, NC 27609

Mrs. Firm recapped what was provided to the board through the staff report. Mrs. Firm continued to describe the project and the layout of the next development. The will be helping to fund the utilities that will also be going to the school but the school project is a bit ahead of theirs. The project will be providing a mix of residential and will be providing connectivity to the existing 12 oaks neighborhood. The project will be over the requirement by some margins on most requirements.

Mr. Stevenson provided an update on the traffic improvements of the project. By 50% of the project completeness all of the traffic improvements will be completed.

Mr. Deshazor asked about the widening of the road and it being so curved.

Mr. Stevenson stated they are working on the appropriate design for the posted speed of the road.

Mr. Deshazor asked if there will be flashing lights to allow for crossing by the school.

Mr. Stevenson stated they are not required to do this.

Mrs. Firm provided a recap of the project.

Mr. Madoni asked about phasing with so much commercial before residential.

Mrs. Firm stated that this requirement is at the building permit phase.

Mr. Madoni asked if any commercial had been built yet? And if this effects the iceplex.

Mr. Dorn stated that there is a trigger for commercial and several thresholds for the commercial. Some of the commercial is waiting for the spine road of Carolina Springs to be complete before they are able to begin with anything. They are working on getting site plans prepared for the commercial. The iceplex is happy to be behind the pandemic that was slowing them down and they are gearing up for submittal to staff.

Mr. Crandall asked if there are any aspects of the new UDO that could apply to phase two.

Mrs. Caines stated that no because it came in under the old UDO and they are under a PUD.

Mr. Crandall stated he believed that when some aspects of Town ordinances change that some of those changes could be applied to a PUD that was reviewed and approved previously.

Mrs. Caines stated that this may have to do with if they are trying to amend the PUD but none of that applies to this situation.

Mr. Crandall asked about the site plan showing access to the left side of the greenway at two points. To the east of the main greenway access to phase two will be on Woodfield dead end rd. What is the timing on Woodfield dead end rd. and the build out of phase two?

Mr. Dorn stated that this phase one that is under construction currently and phase two will be sequenced after these are complete.

Mr. Crandall asked if they have preference on where they will begin construction on phase two.

Mr. Dorn showed where the construction would begin and go through.

Mr. Crandall asked if Woodfield Dead End rd was under construction.

Mr. Dorn stated yes, it is but focus is on providing utilities to the school so it can open when it is supposed to.

Mr. Crandall asked if there are any plans for chagrining stations in any of the units.

Mr. Dorn stated no they are not anticipating that for this development.

Mr. Crandall asked if the main electrical unit will be sufficient to add EV charging stations in the future.

Mr. Dorn stated that yes adding an additional 240 amp will not be a problem in the future.

Motion:

Motion that the Planning Board recommend the Town Council *approve* Preliminary Plan #21-MAS-06 for Carolina Springs Phase 2 as submitted by WithersRavenel, Project Number 02190372.30, dated Revised February 11, 2022 with the following conditions:

1. All previous conditions of approval for *Carolina Springs PUD* apply to this plan 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 development agreement.
2. This project will be required to meet Town's NPDES Phase II Post Construction Stormwater ordinance.
3. The following items must be provided prior to or with the first construction drawing submittal:
 - 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. Refer to the TIA Revision Memo associated with Carolina Springs Phase 2 Residential Subdivision and confirm all on-site and off-site transportation improvements are included with your 1st Construction Drawing Submittal.
 - c. 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.
 - d. All items listed on the Stormwater Submittal Checklist, Form #16003, must be included with the first construction drawing submittal.
4. The following must be addressed prior to issuance of construction drawing approval and/or land disturbance permit:
 - a. This development is responsible for traffic signal design and installation; including mast arm pole construction and fiber connection/extension, in accordance with NCDOT and Town standards at the following intersections when warranted and approved. Until such time, the intersections will continue to be monitored and a fee-in-lieu of design and construction will be collected with each phase of the PUD. Fee-in-lieu below are required at the time of Construction Drawing Approval.
 - i. Future Traffic Signal at NC-540 EB Ramps at Old Holly Springs Apex Rd. - \$11,775.75
(draft - under final review)
 - ii. Future Traffic Signal at Old Holly springs Apex Rd. at Carolina Springs Blvd. - \$42,152.91
(draft - under final review)
 - iii. Future Traffic Signal at Old Holly Springs Apex rd. at Woods Creek Rd. - \$38,288.25
(draft - under final review)
 - b. Fee in Lieu is required for the thoroughfare improvements in the area not being shown as constructed along the Woods Creek Rd. project frontage. The ultimate Right-of-Way is required to be dedicated with this project on the final plat across frontage that cannot be constructed. The fee-in-lieu amount will be finalized prior to Town Council and is due at the time of Construction Drawing Approval.
 - c. Fee-in-lieu of design and construction of SB Right turn Lane at the intersection of Bennett Knoll Pkwy at NC-55 in the amount of \$10,395 is due at the time of construction Drawing Approval.
 - d. Off-site right-of-way dedication will be required in the form of a recorded plat prior to receiving construction drawing approval.
 - e. Approval of Stormwater Management Plan is required prior to issuance of a land disturbance permit or construction drawing approval.
 - f. Payment of the Stormwater Fee-in-Lieu will be required prior to construction drawing approval.
 - g. 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 SCM prior to plat recordation 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.
 - h. All environmental permits must be obtained prior to construction drawing approval and/or issuance of a land disturbance permit for the entire project.
5. 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.

6. This development is responsible for the design and installation of identified pedestrian facilities at intersections necessary to meet safety and circulation requirements.
7. 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.
8. A Deed of Easement is required to be executed for public vehicular & public pedestrian access between the property owners at the time of plat.
9. Fiber utility connection/extension is required with this project and any associated with traffic signal/pump station installation and construction. Please continue to coordinate with Staff through approval of this project.
10. This project is dependent on off-site sewer facilities being constructed by WCPSS, E-51 School and Carolina Springs Phase 1 Subdivision (Pump Station #1) to serve the proposed site. If they are not completed and accepted by the Town at the time of the approval of this plan, then these facilities must be completed prior to construction drawing approval unless otherwise approved by the Executive Director of Utilities & Infrastructure. The Town is not responsible for completion of off-site sewer facilities, and will not guarantee completion of such facilities by any other party. No plats or building permits will be issued by the Town until all necessary on and off-site water infrastructure is completed.
11. This project is dependent on off-site water facilities being constructed by WCPSS, E-51 School to serve the proposed site. If they are not completed and accepted by the Town at the time of the approval of this plan, then these facilities must be completed prior to construction drawing approval unless otherwise approved by the Executive Director of Utilities & Infrastructure. The Town is not responsible for completion of off-site water facilities, and will not guarantee completion of such facilities by any other party. No plats or building permits will be issued by the Town until all necessary on and off-site water infrastructure is completed.
12. Verification that no changes occurred to the gravity sewer network; including final sizing for lines that are stubbed upstream, will be required with first construction drawing submittal. If changes have been made to the gravity sewer network between Town Council Approval and first Construction Drawing Submittal, a Final Gravity Sewer Line Sizing Report will be required with first construction drawing submittal for all lines that are stubbed to adjacent upstream properties. Include calculations to document line sizes, adequacy of proposed sanitary sewer lines to serve all future upstream development.
13. A detailed hydraulic report will be required for the reclaimed water main extension proposed with this project. This report must be finalized prior to 1st construction drawing submittal and no later than prior to construction drawing approval.
14. The following items must be finalized no later than March 22, 2022 for this project to remain on the April Town Council Agenda:
 - a. The Opinion of Probable Cost for the remaining thoroughfare widening along the project frontage on Woods Creek Rd. must be reviewed and approved by the Town.
 - b. The Opinion of Probable Cost for the three (3) future traffic signals must be reviewed and approved by the Town
 - c. Update the TIA Revision Memo if the cost estimate review comments indicate revisions are necessary to finalize.
 - d. Finalize plan revisions and resubmitted complete plan set to the town for approval.

Motion by: Ernie Carpico

Second by: Courtney Patterson

Action: The Planning Board voted in favor of the Motion. (8-0)

The board had a break from 8:55- 8:59

Agenda Item #14: Development Plans

a. Rhamkatte Plaza (20-DP-10-A02/PLDP202100162)

Ms. Caines reviewed the staff report with the Board.

Note: This project was submitted before the new UDO became effective on March 1, 2022 and was reviewed for compliance against the UDO in place at time of application.

The Rhamkatte Plaza development is located in the Rhamkatte Village PUD at the intersection of Holly Springs Road and Rhamkatte Road/Bass Lake Road. The purpose of this amendment is to modify the building elevations of the westernmost building. In accordance with UDO Section 9.05 D. a major modification is a substantial change in building design, building material selection, or percentage of various building materials utilized.

Tom Spaulding
5218 Burning Oak Ct.
Raleigh, NC 27606

Ted Van Dyk
1304 Hillsborough St.
Raleigh, NC 27605

Mr. Spaulding stated they are here simply for a building change.

Mr. Van Dyk showed the site plan that creates a larger building in the corner and showed an architectural rendering of the new proposed building.

Mr. Carpico asked about signage on the building.

Mr. Van Dyk stated that the signs permits will be applied for as a separate permit.

Mr. Deshazor asked about the timeframe for the building.

Mr. Spaulding stated they will be looking to break ground in 60-75 days.

Mr. Crandall stated that anything that can help screen the residential project the better.

Chair Deshazor invited the applicant to speak.

Motion:

Motion that the Planning Board recommend the Town Council *approve* Development Plan #20-DP-10-A02 and associated Waiver for Rhamkatte Plaza as submitted by The Spaulding Group, dated Revised 2/11/22 with the following conditions:

1. All previous approval conditions for *Rhamkatte Village PUD and Rhamkatte Plaza* will apply to this Development Plan.

Motion by: Courtney Patterson

Second by: Ernie Carpico

Action: The Planning Board voted in favor of the Motion. (8-0)

b. CS Tree Services (21-DP-12/PLDP202100145)

Ms. Caines reviewed the staff report with the Board.

Note: This project was submitted before the new UDO became effective on March 1, 2022 and was reviewed for compliance against the UDO In place at time of application.

The Town has received a request for a Development Plan for the site located at the dead end of James Rest Home Road (8420 James Rest Home Rd.). The proposal is to convert an existing care facility (2,522 square feet) into an office for a contractor, construct a 4,930 square foot maintenance building, and construct accessory uses such as parking and storage yards.

Mr. Hansen asked about the Heavy Industrial zoning.

Mrs. Caines stated that as a part of the rezoning they are very restricted in the uses they are allowed on the property.

Mrs. Jones provided an update on utilities and transportation.

Mr. Madoni asked about the fee in lieu being used elsewhere.

Mr. Jones stated that it would have to be seen what type of account the money was going into.

Chair Deshazor invited the applicant to speak.

Will Altman
5410 Trinity Rd.
Raleigh, NC

Mr. Altman reviewed the project with the board and showed the existing conditions of the project. There is a deed easement on the property for Duke and the expansion of Sharon Harris Lake. There is well/septic on the site that will be utilized for the project. They will have an office building and storage yards for their trucks and equipment along with a repair shop to work on equipment.

Motion:

ACTION #1: WAIVER OF REGULATIONS OF UDO REQUEST

Motion that the Planning Board recommend the Town Council *approve* Waivers of Regulations of UDO Section 7.07 B. 13. Widening and Realignment of Existing Street and Thoroughfares and Section 7.08 D. and E. Water Utilities and Sewer Utilities.

Motion by: Ernie Carpico

Second by: Thomas Urqhart

Action: The Planning Board voted in favor of the Motion. (8-0)

ACTION #2: DEVELOPMENT PETITION REQUEST

Motion that the Planning Board recommend the Town Council *approve* Development Plan 21-DP-12 for CS Tree Service as submitted by Timmons Group, Project Number 49551, 3/8/22 with the following conditions:

1. This project will be required to meet Town's NPDES Phase II Post Construction Stormwater ordinance.
2. The following must be completed prior to the first Construction Drawing submittal:
 - a. Final Plat must be recorded for the consolidation of this property.

3. The following must be submitted with the first Construction Drawing submittal:
 - 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.
 - b. A landscape plan with updated buffer increment calculations, tree survey, and other information to show how the C-225 buffer requirements of UDO 7.01 are met.
 - c. All items listed on the Stormwater Submittal Checklist, Form #16003, must be included with the first construction drawing submittal.
4. The following must be addressed prior to issuance of construction drawing approval and/or land disturbance permit:
 - a. Street Tree locations shall be shown with approved lighting fixture locations shall be positioned as to not interfere with any lighting fixtures or any site distance triangles.
 - b. Approval of Stormwater Management Plan is required prior to issuance of a land disturbance permit or construction drawing approval.
 - c. Payment of the Stormwater Fee-in-Lieu will be required prior to construction drawing approval.
 - d. 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.
 - e. All environmental permits must be obtained prior to construction drawing approval and/or issuance of a land disturbance permit for the entire project.
5. Per Waiver Request, public utility connection is not proposed with this project. Waiver must be approved by Town Council
6. Per Waiver Request, road improvements along the property frontage on James Rest Home Rd. are not proposed with this project. Waiver must be approved by Town Council.
 - a. A fee-in-lieu (FIL) of design and construction of road widening across James Rest Home Road project property frontage in the amount of \$100,828.56 is required at the time of construction Drawing Approval.
7. The following must be finalized prior to March 25, 2022 in order to remain on the April Town Council Agenda:
 - a. The review of the cost estimate for the fee-in-lieu of roadway design and construction.
 - b. Submit responses and plan revision to address remaining minor plan review comments.

Motion by: Ernie Carpico

Second by: Thomas Urquhart

Action: The Planning Board voted in favor of the Motion. (8-0)

Agenda Item #15: Other Business

- a. Committee Reports
 - Land Use Advisory Committee Meeting
 - March meeting – Cancelled
 - April – 3:00 pm Meeting
 - Tree Advisory Committee
 - Housing Affordability Study Advisory Committee
 - Northeast Gateway Master Plan Advisory Committee
- b. Town Council Official Action Overview
- c. Development Services Report
- d. Other business

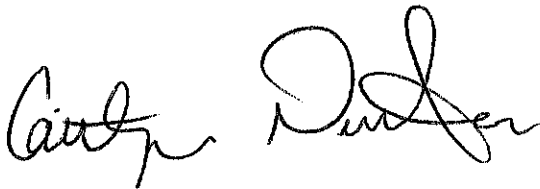
Mr. Crandall asked about planting of new vegetation that will be conducive to helping wildlife and what changes to the UDO does this address.

Mr. Hills stated that habitat preservation is important with new development.

Agenda Item #16: Adjournment

Motion:
Motion to adjourn.

Motion by: Ernie
Second by: Courtney
Action: The Planning Board voted in favor of the Motion. (8-0)
Time: 9:24



Brett Gosney
Planning Board Clerk