



Holly Springs Town Council
Regular Meeting

February 21, 2012

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, Feb. 21, 2012 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 four council members were present as the meeting opened.

Council Members Present: Mayor Sears and Councilmen Jimmy Cobb, Tim Sack and Councilwomen Linda Hunt Williams and Cheri Lee.

Council Members Absent: Chet VanFossen.

Staff Members Present: Carl Dean, town manager; Chuck Simmons, assistant town manager; John Schifano, town attorney; Linda Harper, deputy town clerk (recording the minutes); Drew Holland, finance director; Len Bradley, director of parks and recreation; Elizabeth Goodson, development review engineer; Stephanie Sudano, director of engineering; Gina Clapp, director of planning and zoning; Mark Zawadski, planner I; Jeff Jones, senior planner; Jenny Mizelle, director of economic development; Jeff Wilson, information technology director; and Mark Andrews, public information officer.

2 and 3. The Pledge of Allegiance was recited, and the meeting opened with an invocation by Rev. Grant Rector of the Woodhaven Baptist Church.

4. Agenda Adjustment: The Feb. 21, 2011 meeting agenda was adopted with changes, if any, as listed below.

Motion By: Sack

Second By: Cobb

Vote: Unanimous

Items added to Agenda: None.

Items removed from Consent Agenda: None.

Items removed from the agenda: 8a. Establishing a no parking zone on Cross Hill Lane was removed from new business to be heard at a later date.

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 input was recorded:

Richard Morrison, 1909 Grigsby Avenue said that he would like permission to build a shed on his property adjacent to his residence. When he met with the planning department he was told he could not build a shed without a primary resident on the site. Mr. Morrison asked the Council for their assistance to acquire the permits to build a shed on his property. Mayor Sears asked Mr. Morrison to leave his information and someone will be contacting him.

6a. Public Hearing: Special Exception Use Petition #11-SEU-07 - Ms. Powell said the Town has received a request for a major automotive repair facility to be located within the Holly Springs Business Park in an existing industrial flex space building. In the building, lease space is made up of office space in the front and warehouse space with roll-up doors in the rear. In

total, the flex building is approximately 8,400 square feet and currently houses two businesses, General Concrete and Carolina Garage Builders.

She said the applicant would like to occupy a 2,200 square foot vacant space as necessary to perform the following automotive repair: vehicle (auto/small truck/gas/diesel) service and repair; tune-ups/oil changes/brakes/axels/transmission removal/replace (not to be rebuilt at proposed location) engine removal/replace (not to be rebuilt at proposed location), new and used tires, as well as other general vehicle maintenance as required by the manufacturer.

Councilwoman Williams asked if there will be parked vehicles on site and how the parts and oil be disposed.

Councilman Sack asked is there storage allotment for each tenant on site.

Councilman Cobb asked if the planning board approved the application.

Ms. Powell said the planning board approved the application unanimous.

With that explanation completed, Mayor Sears opened the public hearing to accept sworn testimony. The following testimony was recorded under oath administered by the Deputy Town Clerk:

Denny Brookwell, 130 Thomas Mill Road, said that each tenant has an allotted area for outside storage located to the rear of the property. He said the vehicles and parts will be disposed of properly and the used motor oil will be recycled and removed from the property.

Councilwoman Lee asked what will be the operating hours.

Mr. Brookwell said the operation hours will be Monday - Friday, 8:00 a.m. - 5:00 p.m.; Saturday, 8:00 a.m. - 2:00 p.m. and Sunday, by scheduled appointments only.

Baxter Walker, 305 Acorn Faus Court, a representative of the property owner, distributed pictures of the property showing the customer parking areas and area the tenant will be occupying.

There being no testimony, the public hearing was closed.

Action #1: The Council approved a motion to make and accept the findings of fact to be recorded in the minutes for Special Exception Use Petition #11-SEU-07 for Holly Springs Vehicle Service to allow for major automotive repair in the RT District as submitted by Denny Brookwell, dated 12/21/11.

Special Exception Use Findings of Fact:

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

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

- h. own property nearby to the proposed use;
- i. Utilities, schools, fire, police and other necessary public and private facilities and services will be adequate to handle the needs of the proposed use;
- i. The location and arrangement of the use on the site, screening, buffering, landscaping, and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impacts; and,
- j. The type, size, and intensity of the proposed use (including but not limited to such considerations as the hours of operation and numbers of people who are likely to utilize or be attracted to the use) will not have significant adverse impacts on adjoining properties or the neighborhood.

Motion By: Williams

Second By: Cobb

Vote: Unanimous

A copy of Special Exception Use Petition 11-SEU-07 addressing the findings of fact is attached to these minutes.

Action #2: Having made the necessary findings of fact, the Council approved a motion to approve Special Exception Use Petition #11-SEU-07 for Holly Springs Vehicle Service as submitted by Denny Brookwell, dated 12/21/11 with the following condition(s):

- 1) Business operations must adhere to the evidence submitted by the applicant as stated in the findings of fact submitted in conjunction with 11-SEU-07.

Motion By: Williams

Second By: Cobb

Vote: Unanimous

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 Councilwoman Williams and a unanimous vote. The following actions were affected:

7a. Minutes - The Council approved minutes of the Council's regular meeting held Jan. 3, and Jan. 17, 2012.

7b. Budget Report - The Council received a monthly report of amendments to the FY 2011-12 budget approved by the town manager. *A copy of the budget amendment report is attached to these minutes.*

7c. Quarterly Budget Performance Report - The Council received a quarterly budget performance report. *A copy of the quarterly budget report is attached to these minutes.*

7d. Resolution 12-03 - The Council adopted Resolution 12-03 supporting an N.C. Turnpike Authority request to the NCDOT Scenic Byways Program. *A copy of Resolution 12-03 is attached to these minutes.*

7e. Linksland Drive Traffic Signal Contract Change Order - The Council approved a change order to the Watson Electric contract for installation of the Linksland Drive traffic signal.

7f. Stormwater Maintenance Fund Reimbursement - The Council approved a correction to the Storm water maintenance fund reimbursement amount for O'Reilly Auto Parts.

7g. Sidewalk Repair Contract - The Council approved to retain Precision Safe Sidewalk for repairs to existing sidewalks.

7h. Community Agency Grant Report - The Council received report of resolution to community agency grant request.

7i. Water Supply Plan Update - The Council approved to retain CDM to prepare a local water supply plan update.

8a. Cross Hill Lane No Parking Zone - This agenda item was removed from the agenda during agenda adjustments.

8b. Pinewoods Luxury Apartment Site - Mr. Dean said the information before the Council is a

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request for the Town's support for HOME financing for the Pinewoods Apartment site off of Lassiter Road. He told Council that it appears the Halcon Companies, LLC have purchased this site and are looking to make it an affordable housing project. The company requested a letter last week for the Town to support its application for HOME funds, but it is my opinion the Town Council would need to authorize support, Mr. Dean said.

He added that the Town would have no financial obligation should the Council wish to support this funding application, which would be directly between the company and the County.

Mr. Dean said the company still would need to go through the process to get approval for an amended site plan. Mr. Dean stressed that the Council was not being asked to support a specific project plan, but only the company's application to Wake County for HOME funds.

Traci Dusenbury, representing Halcon Companies, LLC, Richmond, VA -- Ms. Dusenbury said the preliminary site plan proposes to reduce the density to 64 units instead of 70 units. She said revised site plans would be submitted for the review process at a later date. She said the request before the Council this evening is for its support from the Town for HOME financing from Wake County for the Pinewoods Apartment site. She said the development of the project would cost approximately \$9.3 million, and the company is requesting the minimum grant funds from Wake County.

Ms. Dusenbury said the development would house moderate-income families such as police officers, nursing aids, teachers, and bank tellers. She distributed examples of other completed projects in North Carolina. She said this development would be built using high quality materials and be affordable for the citizens of the community. This project would be an improvement to the area, she said, adding that her staff would work closely with neighbors during construction of the project.

Once the project is complete there would be an onsite manager and maintenance staff, she added.

Ms. Dusenbury asked for the Town's support to proceed with a request for HOME grant funds from Wake County of the Pinewoods Apartment project.

Action: The Council approved a motion to support the Halcon Companies application for HOME financing for the Pinewoods Apartment site off Lassiter Road.

Motion By: Sack

Second By: Williams

Vote: Unanimous

8c. Civic Organization Monument Gateway Sign - Mr. Zawadski said that in December, Town Council approved the civic organization sign concept and directed staff to proceed with final design and issuance of a request for proposals for design/build services. Staff sent out requests for proposals to 23 local masonry, landscape, and sign companies for construction of the civic organization monument sign. Three companies submitted the following proposals for the project:

Rodney's Sign Company, \$33,290

Southern Landscape Professionals, \$35,522

Signcraft Solutions, \$60,586

He said the funding is included in the amount of \$30,000 in the current year's budget for construction of the sign. All of the bids received are over budget, but staff believes that the project can be completed for less than \$30,000 by using separate contractors for sign construction, landscaping, electrical, and site clearing.

Therefore, staff recommends selecting Rodney's Sign Company as the primary contractor to complete the construction documents, site grading, and sign construction based on its reasonable cost estimate and reputation for quality work. Staff will then solicit and select the most qualified landscaping, electrical, and site clearing contractors based on cost and reputation to complete the outstanding project components. Staff believes these selections would create an attractive focal point that provides recognition for local community organizations and allow the project to be completed within budget.

Councilman Sack asked if the easement has been secured from the property owner for

the proposed sign.

Mr. Zawadski said staff is working with the property owner for an easement for sign. The Town needs information from the sign company to complete the easement agreement.

Councilwoman Lee asked about the maintenance of the sign.

Mr. Zawadski said there are no funds budgeted or a maintenance agreement for the sign.

Action: The Council approved a motion to retain Rodney's Sign Company as the primary contractor for construction documents, site grading, and sign construction in an amount not to exceed \$23,590.63 for a civic organizational gateway sign and authorize staff to negotiate pricing and select the most qualified landscaping, electrical, and site clearing contractors and to authorize the town manager to enter into contracts for construction, the sum total not to exceed \$30,000, after review and approval by the town attorney.

Motion By: Lee

Second By: Cobb

Vote: Unanimous

8d. Northwest Area Plan - Mr. Jones said the Northwest Area situated primary around US 1 Highway and Progress Energy lands, has been designated in the Vision Holly Springs: Town of Holly Springs Comprehensive Plan as an area for Industrial and Business opportunities. The Town is currently working on plans to expand Industrial/ Business park opportunities in this area and have determined that a more detailed study of this area is necessary for marketing and planning purposes. With this important area identified the Town of Holly Springs prepared an RFP to solicit planning consultants to help prepare an area plan that will help identify what this area will look like in terms of amount of business, residential, commercial uses along with transportation and utilities that can be supported in the area.

He said staff request for proposals on December 9th to perspective planning consultants and received 5 responses by the deadline date on January 6th. He said staff met to determine which firms would be interviewed and decided to interview URS and O'Brien Atkins.

Both firms are respected planning firms and demonstrate the ability to provide the Town with a plan for this area that will be used to market and plan for the future of the Northwest Area of Town. He said staff is recommending Town Council award the contract to O'Brien Atkins, as this firm has set itself apart from other firms in terms of knowledge of master planning of Industrial/Business Parks and have great knowledge and understanding of the various certified site programs. O'Brien Atkins is also connected with other Industrial/Business park recruiters that will assist in presenting perspective companies to the Town.

He said this document will be used as a tool to recruit economic development in the Industrial/Business Park.

Action: The Council approved a motion to retain O'Brien Atkins for planning services to complete a Northwest Area plan and authorize the town manager to enter into a contract in the sum total not exceeding \$60,000, after review and approval of the contracts by the town attorney.

Motion By: Williams

Second By: Cobb

Vote: Unanimous

9. Other Business: Mayor Sears congratulated the engineering department being it is engineering appreciation week.

Councilwoman Lee congratulated the Holly Springs High School girls' basketball team and cheerleaders for doing a great job this year.

10. Manager's Report: Mr. Dean informed Council members of upcoming dates of interest.

11. Closed Session: None.

12. Adjournment: There being no further business for the evening, the Feb. 21, 2012 meeting of the Holly Springs Town Council was adjourned following a motion by Councilman Sack, a second by Councilman Cobb and a unanimous vote.

Respectfully Submitted on Tuesday, March 6, 2012.

Linda R. Harper

Linda R. Harper, MMC, Deputy Town Clerk

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

