



Feb. 3, 2015

## MINUTES

The Holly Springs Town Council met in regular session on Tuesday, Feb. 3, 2015 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); 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; Sean Ryan, planner; Laura Holloman, planner; Leroy Smith, fire chief; John Herring, police chief; Kendra Parrish, director of engineering; Elizabeth Goodson, development review engineer; Jenny Mizelle, economic development director; 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. Jamal Brown of the Holly Springs United Church of Christ.

**4. Agenda Adjustment:** The Feb. 3, 2015 meeting agenda was adopted with changes, if any, as listed below.

**Motion by:** Sack

**Second by:** Cobb

**Vote:** Unanimous

**Items added to Consent Agenda:** None.

**Items added to Agenda:** None.

**Items removed from Consent Agenda:** None.

**Other changes:** None.

**5. Public Comment:** At this time, an opportunity was provided for members of the audience who had registered to speak to address the Council on any variety of topics not listed on the night's agenda. The following comments were recorded:

Diana Harris, 316 Flint Point Lane – Ms. Harris addressed the Council as an impacted resident with the proposed Rhamkatte Village Planned Unit Development. She illustrated for the Council how close the neighboring development would be to her and her neighbor's backyards.

She suggested amendments to the plan that would be more tenable. She said she would appreciate the following conditions of approval be added:

- On lots boarding Sunset Ridge North, 3.0 units per acre and require one unit per lot, traditional single-family with front-load garages
- No units higher than two stories
- Ensure the buffer bordering Sunset Ridge North is sufficient and dense enough to provide necessary screening

Peter Villadsen, 213 Chrismill Lane – Mr. Villadsen presented an online petition he said had 400 names of people he believes oppose the Rhamkatte Village PUD amendment.

He said the buffer proposed would be inadequate. He asked the Council to require like-kind development to that of Sunset Ridge North.

Sandra Joyce, 5228 Sunset Walk Lane – Ms. Joyce said she did not like it, but acceptance is the only way forward. She said the plan would be more tenable with conditions proposed, and she presented the Council with a list of six conditions that residents say they want.

*A copy of the conditions requested by Ms. Joyce is attached to these minutes.*

**6a. Public Hearing: Annexation A14-05** – Ms. Holloman said the Town has received a petition for voluntary annexation of 134.546 acres located along Wood Creek Road. The property owners are the H. and B. Stephenson family, and the property is contiguous with city limits.

The petition meets all the statutory requirements for annexation.

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

There being no comments, the public hearing was closed.

**Action:** The Council approved a motion to adopt Annexation Ordinance A14-05 annexing 134.546 -/+ acres owned by H&B Stephenson family, and more particularly described as Wake County Pin's: 0730.82-6440, into the corporate limits of the Town of Holly Springs.

**Motion by:** Sack

**Second by:** Williams

**Vote:** Unanimous.

*A copy of Annexation Ordinance A14-05 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 Councilwoman Williams and a unanimous vote. The following actions were affected:

7a. Minutes – The Council approved minutes of the Council's meeting held Jan. 20, 2015.

7b. Resolution 15-09 – The Council adopted Resolution 15-09 directing the town clerk to investigate the sufficiency of annexation petition A14-09 and setting a public hearing. *A copy of Resolution 15-09 is attached to these minutes.*

7c. Resolution 15-10 -- The Council adopted Resolution 15-10 directing the town clerk to investigate the sufficiency of annexation petition A14-10 and setting a public hearing. *A copy of Resolution 15-10 is attached to these minutes.*

7d. Resolution 15-11 - The Council adopted Resolution 15-11 declaring certain personal property surplus to the needs of the town. *A copy of Resolution 15-11 is attached to these minutes.*

**8a. Rhamkatte Village, 11-PUD-05-A05, PUD Major Amendment** - Ms. Holloman said the Town has received a request for a major amendment of the Rhamkatte Planned Unit Development (PUD), which is located near and around the Holly Springs Road/Bass Lake Road intersection.

As it exists today, the southern portion of the Rhamkatte PUD was developed with what is now Holly Springs Crossing Shopping Center and Yadkin Bank. The northern portion was never developed, and the amendments requested are changes to the vacant northern portion of the PUD.

The amendments are specified below, but, in short:

- the residential and commercial portions would be adjusted, resulting in an increase in residential land area;
- street improvements would be brought up to current Town standards and introduce on-street parking for internal residential streets;
- perimeter landscape buffers would be adjusted; and
- the maximum of residential units allowed would be increased.

She said Town staff has been working diligently with the developer and their team since fall of 2013. During that time, staff laid out the framework of how the Rhamkatte PUD could be reinstated

and advised the developer that even if the PUD was reinstated, staff would recommend doing so only by placing conditions of approval on it, which would require the PUD to be brought up to all current Town development standards.

The PUD amendment was first submitted to the Town June 23, 2014.

A standard new PUD and a PUD major amendment go through the same process, which takes approximately 105 days. The PUD amendment originally was scheduled to go before Town Council for consideration Nov. 4, 2014; however, based on feedback from staff as well as the surrounding community, the PUD was tabled to allow for the traffic impact analyses to be finalized as well as to take community input into consideration.

The result of that extra time is the current master plan.

Ms. Holloman said as with any project, staff has taken much time and attention to detail to frame recommendations to Planning Board and Town Council. Given the fact that this PUD amendment will now bring the Rhamkatte Village Master Plan into conformance with Town standards with regard to stormwater, utility design as well as road infrastructure improvements, as well as meeting the intent of the Town's Comprehensive Plan, staff is recommending approval of the Rhamkatte Village major PUD amendment.

She explained that approval of the PUD master plan does not grant approval for construction or development of the property. Once the master plan is approved, the developer will be required to submit detailed subdivision plans as each phase of the development occurs to ensure compliance with the approved zoning regulations created in the PUD master plan. These plans are processed through the full review cycle and are presented to the Planning Board and Town Council for review and approval; however, there are no required public hearings associated with subdivision approvals.

Ms. Holloman explained to Council that the Rhamkatte Village PUD approved in 2001 was in conformance with the Town's comprehensive plan that was in effect at the time, and it is in conformance with the latest comprehensive plan approved in 2007.

Ms. Goodson explained the transportation improvements that will be required. She noted that the developers would be doing the required road widening and intersection and traffic light improvements. In addition, the developer will be paying a fee-in-lieu for off-site transportation improvements according to a formula figured on the percentage of impact the development would have.

Ms. Holloman said the planning board had reviewed the application and voted 6-2 to recommend approval with conditions.

At this time, the Council asked the applicant to explain changes that have been made to the plan since the public hearing.

Steve Leach, Lennar Homes – Mr. Leach said, simply stated, the amendment would be a down-zoning of the property. He said the PUD amendment seeks, among other things, the conversion of 6.5 acres from multi-family and commercial to single-family residential and the shift of 10 acres of low density from the center of the project to the northern and northeastern property lines and adding 5.75 acres to the low density section of the PUD.

*A complete list of the applicant's summary of the PUD amendment is attached to these minutes.*

In addition, Mr. Leach said the applicant, having met with neighboring residents and hearing their concerns, is committed to:

- Making the 20-foot buffer along the common property line with Sunset Ridge North undisturbed and to further enhance it to meet the Town's B-75 minimum opacity standards;
- Adding privacy fencing and additional evergreen plantings in the open space / buffer along the common property line with SSRN above the retaining walls, providing for a minimum 40 feet of enhanced buffer all of which will be platted in Common Area and maintained by the Rhamkatte community homeowners association;
- Placement of the community's largest lots and lowest densities along the common

property line with SSRN;

- Exceeding the open space required under the PUD by two acres and bringing pedestrian connectivity from communities to the east and north through Rhamkatte into Jones Park and the elementary school.

Councilwoman Williams said she felt that the applicant had gone to remarkable effort to try to make the plan more tenable to neighbors.

Councilman Sack said, as a member of the original 1998 comprehensive plan that was updated in 2008 and 2013, he feels the Rhamkatte Village plan was in keeping with Town comprehensive planning. In all cases, Rhamkatte provides connectivity to Sunset Ridge North and has met a lot of the concerns expressed by residents. He pointed out that all over town neighborhoods by different developers exist side by side.

Councilman Dickson said he liked the connectivity, open space and minor tweaks; however, in looking at the development plan, it meets most of the requirements in the UDO but one thing remains bothersome and that is its relationship with adjacent properties.

He asked that the Council to table decision until his notations on a map could be considered.

He said his suggestions would help the plan mirror Sunset Ridge North and would better fit the condition No. 9. He asked that the development team consider amendments he suggests.

Councilwoman Lee agreed there should be a better border transition and liked Councilman Dickson's ideas for putting estate homes on the perimeter.

Councilman Cobb said he appreciated the adjustments that had been made to the plan in an effort to be more amenable to neighbors. He said it seems that most of the perimeter buffer was in keeping with single-family lots except for the service drives.

Councilman Sack said he did not agree. He pointed out that Sunset Ridge North does not have as good a buffer as Rhamkatte has offered which is above and beyond what is required.

Mayor Sears asked the applicant to respond to Councilman Dickson's suggestions.

Mr. Leach said he was prepared to offer the 3.0 units per acre on the northern edge of the property. He said townhomes are planned against Flint Point Lane because, quite simply, a single-family home with a front-loaded garage won't fit. The latest version of the plan calls for 3.4 units per acre, but Mr. Leach said developers would reduce it to 3.0.

Councilman Dickson said he disagrees that the concession improves the plan and makes it better in relationship to Sunset Ridge North.

**Action:** The Council approved a motion to approve Planned Unit Development Major Amendment #00-PUD-05-A05 for Rhamkatte Village Planned Unit Development as submitted by Spaulding & Norris, PA Project Number 785-14 dated 1/12/2015 with the following conditions:

1. All previous approval conditions for Rhamkatte PUD will apply to this amendment.
2. A fee-in-lieu of upgrade will be required for this project for the pump station and/or force main.
3. A fee-in-lieu for Holly Springs Road improvements (in addition to the road widening along the frontage) will be required with this project proportionate to the number of new trips added.
4. This project will be required to meet the Town's NPDES Phase II post construction stormwater ordinance.
5. The following items must be addressed with the 1<sup>st</sup> submittal of the preliminary subdivision plan or development plan associated with this PUD:
  - a) Documentation from Colonial Pipeline that the encroachment shown will be allowed.
  - b) A preliminary stormwater management plan will be required.
  - c) All items on the preliminary stormwater checklist, TOHS Form #16002, must be submitted.
  - d) An updated TIA will be required with the first commercial plan submitted.
6. The following information will be required with the 1<sup>st</sup> submittal of a construction drawing plan.
  - a) All items listed on the stormwater submittal checklist, Form #16003, must be included.
  - b) Documentation in the form of a recorded plat of any required offsite sewer easements.
  - c) Thoroughfares, collectors and boulevards will require a calculated pavement design. This may result in a pavement cross section bigger than the specified minimum. Note that the pavement design will require NCDOT approval.

- d) A sealed engineer's report including calculations to verify hydraulic capacity of existing pond. Identify primary and secondary outlet structures and/or spillways.
  - e) A sealed engineer's report and recommendations to verify structural integrity of dam(s).
  - f) Provide 100-yr water surface elevation area of the existing pond.
  - g) Show 20-foot maintenance easement surrounding pond and dam.
  - h) Verify that the existing pond meets NCDENR dam safety requirements.
  - i) This project is located in a basin where the Town has an approved flood study. Accordingly, a flood study will be required to meet the Town's policy for hydrologic basin models (Town Policy - P-018.) The flood study will need to be updated to reflect this project and will need to demonstrate that development of the site will not raise established flood levels. Retention or detention may be required to accomplish this. The following is the approved flood study that this project will need to update:
    - 1) Windcrest.
    - 2) Sunset Ridge.
  - j) No fill is permitted in the flood plain for any residential development.
  - k) Provide NCDWQ buffer origin determination at 1<sup>st</sup> construction drawing submittal.
  - l) Label minimum buildable lot square footages outside buffer areas on each lot (per buffer ordinance – section 7.06D) without fill placement to achieve them.
  - m) Verify that there is room to provide diffuse flow into the buffer from the storm drainage outlets.
  - n) Homeowner environmental education packet must be submitted.
  - o) Show and label all jurisdictional streams and wetlands and provide jurisdictional determination once received.
  - p) 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.
  - q) Your project contains environmentally sensitive areas, per TOHS SCIMMP. The documentation provided with this review appears adequate at this time. Any correspondence with the regulatory agencies during the environmental permitting processes regarding these species should be provided to the Town upon receipt.
7. Prior to issuance of a land disturbance permit or construction drawing approval, the following items must be addressed:
- a) Submit a draft copy of the covenants for review including how the HOA will address parking and maintenance of the alleys and maintenance of street trees, perimeter buffers and fencing.
  - b) Approval of stormwater management plan is required.
  - c) Payment of the stormwater fee-in-lieu will be required.
  - 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 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.
  - e) All environmental permits must be obtained for the entire project.
8. The following items must be addressed with the first plat associated with this subdivision.
- a) Home Owner Association covenants shall be recorded
9. The following items must be addressed within 10 days of Town Council approval:
- a) Final copies of the TIA must be submitted for approval.
  - b) Submit a revised master plan (sheet C-7.0) indicating:
    - 1) The density reduction along Sunset Ridge North.
    - 2) Revised greenway trail notes to specify that all greenway trails as indicated on the master plan shall be a designated greenway trail and not removed and thereby substituted by the standard sidewalk system.
  - c) Submit a revised landscape plan indicating:

- 1) The species of evergreen shrubs that will be provided along retaining walls visible from Sunset Ridge North parcels and that such shrubs shall be a minimum of 36" at time of planting or taller.
- 2) The proposed species of evergreen trees that will be provided along the fence in the additional 25-foot buffer area, such as 'Green Giants' Arborvitae, and that such trees shall be a minimum of 6 feet at time of planting or taller.

**Motion by:** Sack

**Second by:** Williams

**Vote:** The motion carried following a 3-2 vote. Councilmen Sack and Cobb and Councilwoman Williams voted for the motion. Councilwoman Lee and Councilman Dickson voted against.

**8b. Holly Springs Towne Center Phase II, 13-DP-08-A03** - Ms. Holloman said the Town has received revised building elevations for the theater building proposed in Phase 2 of Holly Springs Towne Center.

She said the proposed building would be comprised of a dine-in nine-screen theater concept and, unlike the previously approved elevations, would not feature a bowling alley component. As a result, the building footprint has been reduced from 63,815 square feet to 47,813 square feet. However, the revised building would be comprised of the same tilt-up concrete panels and brick, EIFS, CMU, veneers as well as the same color palette as the rest of the approved buildings in Phase 2. That, of course, would match the architectural design and theme of Phase 1.

Ms. Holloman said due to the size and scale of the building, several requests for alternate means of architectural compliance have been requested for the project. While no specific architectural requirements are being met, staff has worked with the architect diligently to create a building that meets the intent of the Unified Development Ordinance. The requests for alternate compliance help to create a unique building form using distinctive color combinations as well as alternative faux panel requirements and details throughout the building's design.

**Action #1:** The Council approved a motion to make and accept the findings of fact to be recorded in the minutes for a waiver of regulations of UDO Section 3.08, A, 1. c. (1) (a) Architectural and Site Design Requirements to allow for alternate means of compliance for the building materials from the minimum requirement of sixty (60) percent masonry to twenty-one (21) percent masonry in association with Development Petition #13-DP-08-A03 Holly Springs Towne Center Phase 2 amendment dated 1/9/15 as submitted by Artech Architecture.

*A petition for a waiver of regulations of UDO Section 3.08, A, 1. c. (1) (a) alternate means of compliance for the building materials may only be granted upon the presentation of sufficient evidence to enable a written determination that:*

1. The proposed development represents the use of (*building materials*, colors, textures, *building* architecture, roof features, *façade* modulation, *building* orientation, *signs*, landscaping, lighting or *open space*) which will result in a development pattern which is equivalent to or superior to that achievable under the applicable regulations;
2. The proposed development will be compatible with and will enhance the *use* or value of area properties;
3. The proposed development is consistent with the intent of the *Comprehensive Plan*; and,
4. The proposed development is consistent with the intent and purpose of this UDO.

**Motion by:** Williams

**Second by:** Cobb

**Vote:** Unanimous.

*A copy of the findings of fact is attached to these minutes.*

**Action #2:** Having made the necessary findings of fact, the Council approved a motion to grant a waiver of regulations of UDO Section 3.08, A, 1. c. (1) (a) Architectural and Site Design Requirements to allow for alternate means of compliance for the building materials from the minimum requirement of sixty (60) percent masonry to twenty-one (21) percent masonry in

association with Development Petition #13-DP-08-A03 Holly Springs Towne Center Phase 2 amendment dated 1/9/15 as submitted by Artech Architecture.

**Motion by:** Sack

**Second by:** Cobb

**Vote:** Unanimous.

**Action #3:** The Council approved a motion to make and accept the findings of fact to be recorded in the minutes for a waiver of regulations of UDO Section 3.08, A, 1. c (2)(b)(i) Architectural and Site Design Requirements to allow for alternate means of compliance for the building massing requirement from a maximum allowed building bay length of thirty (30) feet to seventy (70) feet in association with Development Petition #13-DP-08-A03 Holly Springs Towne Center Phase 2 amendment dated 1/9/15 as submitted by Artech Architecture.

*A petition for a waiver of regulations of UDO Section 3.08, A, 1. c (2)(b)(i) alternate means of compliance for the building massing requirement may only be granted upon the presentation of sufficient evidence to enable a written determination that:*

1. The proposed development represents the use of (*building materials, colors, textures, building architecture, roof features, façade modulation, building orientation, signs, landscaping, lighting or open space*) which will result in a development pattern which is equivalent to or superior to that achievable under the applicable regulations;
2. The proposed development will be compatible with and will enhance the *use or value of area properties*;
3. The proposed development is consistent with the intent of the *Comprehensive Plan*; and,
4. The proposed development is consistent with the intent and purpose of this UDO.

**Motion by:** Dickson

**Second by:** Cobb

**Vote:** Unanimous.

*A copy of the findings of fact is attached to these minutes.*

**Action #4:** Having made the necessary findings of fact, the Council approved a motion to grant a waiver of regulations of UDO Section 3.08, A, 1. c (2)(b)(i) Architectural and Site Design Requirements to allow for alternate means of compliance for the building massing requirement from a maximum allowed building bay length of thirty (30) feet to seventy (70) feet in association with Development Petition #13-DP-08-A03 Holly Springs Towne Center Phase 2 amendment dated 1/9/15 as submitted by Artech Architecture.

**Motion by:** Lee

**Second by:** Cobb

**Vote:** Unanimous

**Action #5:** The Council approved a motion to make and accept the findings of fact to be recorded in the minutes for a waiver of regulations of UDO Section 3.08, A, 1. c. (1) (g) (i) Architectural and Site Design Requirements to allow for alternate means of compliance for the roof treatment requirement from a roofline plan extending in a continuous plane for more than fifty (50) feet to seventy (70) feet in association with Development Petition #13-DP-08-A03 Holly Springs Towne Center Phase 2 amendment dated 1/9/15 as submitted by Artech Architecture.

*A petition for a waiver of regulations of UDO Section 3.08, A, 1. c. (1) (g) (i) alternate means of compliance for the roof treatment requirement may only be granted upon the presentation of sufficient evidence to enable a written determination that:*

1. The proposed development represents the use of (*building materials, colors, textures, building architecture, roof features, façade modulation, building orientation, signs, landscaping, lighting or open space*) which will result in a development pattern which is equivalent to or superior to that achievable under the applicable regulations;
2. The proposed development will be compatible with and will enhance the *use or value of area properties*;

3. The proposed development is consistent with the intent of the *Comprehensive Plan*; and,
4. The proposed development is consistent with the intent and purpose of this UDO.

**Motion by:** Cobb

**Second by:** Dickson

**Vote:** Unanimous.

*A copy of the findings of fact is attached to these minutes.*

**Action #6:** Having made the necessary findings of fact, the Council approved a motion to grant a waiver of regulations of UDO Section 3.08, A, 1. c. (1) (g) (i) Architectural and Site Design Requirements to allow for alternate means of compliance for the roof treatment requirement from a roofline plan extending in a continuous plane for more than fifty (50) feet to seventy (70) feet in association with Development Petition #13-DP-08-A03 Holly Springs Towne Center Phase 2 amendment dated 1/9/15 as submitted by Artech Architecture.

**Motion by:** Williams

**Second by:** Cobb

**Vote:** Unanimous.

**Action #7:** The Council approved a motion to approve Development Plan #13-DP-08-A03 for Holly Springs Town Center Phase 2 amendment as submitted by John R McAdams Company dated 1/9/15 with the following conditions:

1. All previously approved conditions for *Holly Springs Towne Center Master Plan and Phase 2 Development Plan* shall apply to this amendment.
2. Revisions to all environmental permits must be obtained prior to construction drawing approval and/or issuance of a land disturbance permit for the entire project. This will become a condition of plan approval.

**Motion by:** Sack

**Second by:** Cobb

**Vote:** Unanimous.

**8c. Logan's Manor Phase II, 14-MAS-05** - Mr. Ryan said the Town has received a request for an 11-lot subdivision. The subject property is located south of the Logan's Manor subdivision, east of the Brook Manor subdivision, and west of the Old Mills Lake subdivision. Currently, this parcel is part of the parent parcel of the Sugg Farm. The previous owner of Sugg Farm placed the majority of the parcel in a conservation easement, meaning developing it in any way beyond a passive park was not allowed; however, there was a portion of the parcel left out of the easement, which is the portion encompassing this subdivision request.

Mr. Ryan said the planning board had reviewed the application and voted unanimously to recommend approval.

**Action:** The Council approved a motion to approve Preliminary Plan #14-MAS-05 for Logan's Manor II as submitted by Withers & Ravenel, Project Number 2140355.20, dated 01/12/15 with the following conditions:

1. Prior to the installation of a Cluster Mailbox Unit for the subdivision, a UDO permit shall be obtained from the department of Planning & Zoning.
2. At the time of construction drawing submittal, a street lighting plan will be required to be submitted to Planning & Zoning for review and approval. Street Trees on all interior streets shall be positioned as to not interfere with any lighting fixtures present or any site distance triangles.
3. A fee-in-lieu of upgrade will be required for this project for the Pump Station and/or Force Main
4. This project will be required to meet the Town of Holly Springs NPDES Ph. II Post Construction Stormwater Ordinance.
5. The following items are required with first construction drawing submittal:
  - a. All items listed on the Stormwater Submittal Checklist, Form #16003, must be included
  - b. Homeowner Environmental education packet must be submitted.
  - c. Provide NCDWQ Buffer origin determination.

- d. Prior to Town Council, the applicant shall submit a stamped plan from the Postmaster approving the Cluster Mailbox Unit location for this subdivision.
- 6. Prior to issuance of a land disturbance permit or construction drawing approval:
  - a. Approval of Stormwater Management Plan is required.
  - b. Payment of the Stormwater Fee-in-Lieu will be required prior to construction drawing approval.
  - c. 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.
  - d. All environmental permits must be obtained for the entire project.

**Motion by:** Cobb

**Second by:** Dickson

**Vote:** Unanimous.

**8d. Twelve Oaks Phase 9, 14-MAS-06** – Ms. Holloman said Twelve Oaks, a Planned Unit Development, is requesting the approval of its newest proposed phase, Phase 9.

She said this tract was brought into the PUD through a major amendment and rezoning that was approved by Town Council last month. This will be the ninth phase that is being developed, as phases 1, 2, 3A, 4 and 5, 6, 7, and 8 already are approved. Phases 2, 4, 5, and 6 are under construction.

The Twelve Oaks PUD consists of 823.14 acres and allows for up to 2,353 total dwelling units. To date, 1,172 lots have been approved for the entire project. Proposed phase 9 is comprised of 407 single-family lots (combination of Type A and B lots) and no multi-family residential units. The approved PUD plans establish four single-family lot types: Types A, B, C and D. These lot types range from 4,000 to 12,000 square feet, Type A's being the smallest and Type D's being the largest.

Ms. Holloman said in addition to meeting all established lot requirements, proposed lots also will have to meet the architectural standards of the Twelve Oaks PUD.

Tom Spaulding, Spaulding and Norris – Mr. Spaulding answered a question from Councilman Sack about the centralized mail kiosk. Mr. Spaulding said the kiosk is planned to be a part of an amenity center. He added that the single location is being placed and designed with input from local postmasters.

**Action:** The Council approved a motion to approve Preliminary Plan 14-MAS-06 for Twelve Oaks Phase 9 as submitted by Spaulding & Norris Engineering, Project Number 410-02, dated 1/12/2015 with the following conditions:

1. All previous approval conditions for *Twelve Oaks PUD* will apply to this phase.
2. At the time of construction drawing submittal, a site lighting plan will be required to be submitted to Planning & Zoning for review and approval. Street Trees on all interior streets shall be positioned as to not interfere with any lighting fixtures present or any site distance triangles.
3. A fee-in-lieu of upgrade will be required for this project for the Pump Station and/or Force Main
4. This project will be required to meet the Town of Holly Springs NPDES Ph. II Post Construction Stormwater Ordinance.
5. The town understands that an infrastructure reimbursement agreement is being prepared for this project that outlines modifications to required improvements for the adjacent thoroughfares. These have been shown on these plans for official action. If the agreement is not approved then revised plans will need to be submitted to revise the road improvements on the adjacent thoroughfares.
6. The following items are to be addressed with the first construction drawing submittal:

- a. All items listed on the Stormwater Submittal Checklist, Form #16003, must be included.
    - b. Drainage easements are required on all open channel drainage ways.
    - c. No fill is permitted in the flood plain for any residential development.
    - d. A Final Gravity Sewer Line Sizing Report will be required for all lines that are stubbed to adjacent upstream properties.
    - e. Thoroughfares, collectors and boulevards will require a calculated pavement design. This may result in a pavement cross section bigger than the specified minimum. Note that the pavement design will require NCDOT approval.
    - f. Homeowner Environmental education packet must be submitted
    - g. 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. If a PCN is not required, provide jurisdictional determinations to verify the location of all streams and wetlands.
  7. Prior to construction drawing approval and/or issuance of a land disturbance permit the following items must be addressed:
    - a. Approval of Stormwater Management Plan is required.
    - b. Payment of the Stormwater Fee-in-Lieu will be required.
    - c. 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.
    - d. All environmental permits must be obtained for the entire project.
  8. Within 10 days of Town Council action of these plans, revised plans are required to show the following:
    - a. Modification to the median on Woods creek Road at the western side of the project.
- Motion by:** Dickson  
**Second by:** Sack  
**Vote:** Unanimous.

**9. Other Business:** None requiring Council action.

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

**11. Closed Session:** None.

**12. Adjournment:** There being no further business for the evening, the Feb. 3, 2015 meeting of the Holly Springs Town Council was adjourned.

day, April 7, 2015.



These minutes follow and are a part of the official record.

