

Holly Springs Town Council Minutes

Regular Meeting Dec. 4, 2007

The Holly Springs Town Council met in regular session on Tuesday, Dec. 4, 2007, in the Council Chambers of Holly Springs Town Hall, 128 S. Main Street. Mayor Dick 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: Councilmen Vinnie DeBenedetto, Parrish Womble, Chet VanFossen, Peter Atwell and Hank Dickson and Mayor Sears.

Council Members Absent: None

Staff Members Present: Carl Dean, town manager; Chuck Simmons, assistant town manager; John Schifano, town attorney; Joni Powell, (recording the minutes) town clerk; Linda Harper, deputy town clerk; Daniel Weeks, project analyst; Drew Holland, finance director; Mark Zawadski, planner I; Jeff Jones, Planner II; Beth Trautz, planning technician; Stephanie Sudano, director of engineering; Kendra Stephenson, senior engineer; Elizabeth Goodson, development review engineer; Len Bradley, parks and recreation director; David Mallard, leisure program manager; Eric Tayler, IT manager; Anthony Revels, police lieutenant; John Herring, police chief; Luncie McNeil, director of public works; Ricky Blackmon, code enforcement director; John Herring, police chief; Cecil Parker, fire chief; and Mark Andrews, public information officer.

2 and 3. The Pledge of Allegiance was recited, and the meeting opened with an invocation by Rev. Horace Ferguson, pastor of the Holly Springs United Methodist Church.

4. Agenda Adjustment: The Dec. 4, 2007 meeting agenda was adopted with changes, if any, as listed below.

Motion By: Atwell

Second By: Dickson

Vote: The motion carried following a 3-2 vote. Councilmen VanFossen, Atwell and Dickson voted for the motion. Councilmen DeBenedetto and Womble voted against.

Items Added to the Agenda: Ordinance 07-18 to amend the Unified Development Ordinance to provide for administrative approvals of some limited types of planning issues.

Items Removed from the Agenda: Item 5b., the annual financial audit report, was removed and rescheduled for Dec. 18, 2007.

Consent Agenda Items Moved to New Business: None.

Other Changes: None.

At this time, Councilman Atwell asked why Councilman DeBenedetto took issue with the addition of reconsideration of Ordinance 07-15, which he requested be added because he was not present during the Nov. 20 Council meeting when it was originally considered.

Councilman DeBenedetto said he did not agree that it should be revived.

Councilman Atwell maintained that the subject should be revived because he had an interest in the question and was unable to participate in that discussion where only 3 council members were present.

No action was taken on the ordinance proposal on Nov. 20 because a majority of the council members in attendance (Councilman DeBenedetto and Councilman Womble served as the majority) did not believe the zoning consistency statement to be true and therefore, did not vote -- at the suggestion of staff members who believed the ordinance could not be adopted without first accepting an appropriate zoning consistency statement, so no action was necessary.

After Nov. 20, the town attorney and other staff members researched and determined that a zoning consistency statement is not necessary for an ordinance to amend the UDO, only for land use matters. This left the question on proposed Ordinance 07-18 open-ended.

The public hearing was held and closed on Nov. 20, and no action was taken on the ordinance. Councilman Atwell, who was not present at the Nov. 20 meeting, requested that since no action was taken on the ordinance that it be revived and added to the Dec. 4 agenda.

Councilman DeBenedetto disagreed.

5a. Athletic Park Sponsors Recognition – Mr. David Mallard presented plaques of appreciation to local businesses who contributed to the Parks & Recreation Department through sponsorship signage placed on the ball fields at Womble Park.

Action: None.

5b. Town FY 2006-07 Audit Report - This item was removed during Agenda Adjustment.

At this time, Mayor Sears requested to be recused from the next agenda item, saying that he is contracted by Wakefield Development, the

applicant. He asked to be recused and that the meeting temporarily be presided over by Mayor Pro Tem Dickson.

Councilman VanFossen also asked to be recused, saying that he is the architect designing the development's clubhouse.

Councilman Atwell made a motion to recuse Councilman VanFossen and Mayor Sears from deliberations and action on agenda item 6a, public hearing on proposed development plan of Twelve Oaks, Phase 5. The motion was seconded by Councilman DeBenedetto. The vote was unanimous.

6a. Public Hearing: 07-DP-21, Twelve Oaks Phase 5 – Mr. Zawadski said that the Town has received a request for a development plan for townhouses within the 12 Oaks Planned Unit Development. He said the proposed development plan includes 51 two-story townhouse units that would be accessed by a new street that would connect with the existing Green Oaks Parkway.

Mr. Zawadski said the townhouses are proposed to have one-car garages and at least two-car driveways. A total of 114 parking spaces are proposed throughout the site as well as a sidewalk on one side of the street. No open space is proposed with this phase of the 12 Oaks development.

He said the front elevations of the townhouses are proposed to be constructed entirely of brick. Other architectural elements include shutters, façade modulation, roofline variation, multiple dormers, multiple brick patterns, window mullions and window keystones. The side and rear elevations are proposed to be constructed with a combination of horizontal cement siding and shakes. Other architectural elements include roofline variation, façade modulation, decorative window molding, and shutters.

Councilman DeBenedetto asked what the density would be for this phase of 12 Oaks. He added that he figured it would be six units per acre.

Mr. Zawadski said the density was in keeping with the approved PUD.

Councilman DeBenedetto asked about the reuse water system and how it might be affected by the drought.

Ms. Sudano explained that the reuse system would not be affected by drought conditions since reclaimed water is constant, and the nature of the water is treated waste water.

With that explanation completed, Mayor Pro-tem Dickson opened the public hearing to accept input. The following comments were recorded:

In response to a question about the number of doors on a four-unit design with garages facing forward, the builder explained that units have side entries, too.

Tom McKay added that he is excited about the whole new price range and thinks the Town will be pleased with the results.

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

Action: The Council approved a motion to approve development plan #07-DP-21 for 12 Oaks Phase 5 as submitted by Spaulding and Norris, Project Number 410-02, dated revised 10/5/07 with the following conditions:

1. All previously approved conditions for the Twelve Oaks PUD will also apply to this phase.
2. Prior to Final Plat, the following must be completed:
 - a. Payment of fees-in-lieu of land dedication in the amount of \$904/unit.
 - b. Recorded Homeowner's Association covenants (documenting maintenance of open space, private streets, street trees, reuse, street lighting, etc.) will be required during the plat process. These must be submitted for Town review and approval prior to recordation.
3. Prior to 1st submittal of construction drawings, the following items are to be addressed or included with the plans (later in the approval process):
 - a. A comprehensive drainage area map with calculations.
 - b. Show and label backwater easements (to be recorded) at stream crossings and storm drainage inlets; provide 100 year calculations accordingly.
 - c. All conservation easements are to be labeled consistently with previous phases as "10' conservation/drainage easement" on each side of the wetlands.
 - d. Riparian Buffer Homeowner education packet must be submitted with first erosion control plan submittal.

Motion By: Atwell

Second By: DeBenedetto

Vote: Unanimous.

Councilman Atwell made a motion to readmit Councilman VanFossen and Mayor Sears into the meeting. The motion was seconded by Councilman Womble, and it carried unanimously.

7. Consent Agenda: The Council approved a motion to approve all items on the Consent Agenda. The motion carried following a motion by Councilman Dickson, a second by Councilman Atwell and a unanimous vote. The following actions were affected:

7a. Compost Site and Budget Amendment, \$7,200 - The Council approved to enter a contract in the amount of \$7,200 for state permit submittal consulting services for the town's yard waste composting site and adopted an associated budget amendment. A copy of the budget amendment is incorporated into these minutes as an addendum page.

7b. WRS Development Reimbursement – The Council authorized reimbursement of \$103,167.47 to WRS Development for the installation of off-site waterline, per the existing infrastructure reimbursement agreement.

7c. Ordinance 07-20, 4-way Stop – The Council adopted Ordinance 07-20 establishing a 4-way stop at the intersection of Avent Ferry Road (SR 1115) and Ballentine Street. A copy of *Ordinance 07-20 is incorporated into these minutes as addendum pages*.

7d. Historical Photographs Publication – The Council approved to enter a contract with Arcadia Publishing for publication of the Holly Springs Images of America book of historical photographs. A copy of *the contract is incorporated into these minutes as addendum pages*.

7e. CY 2008 Town Council Regular Meetings Schedule – The Council adopted the CY 2008 schedule of Town Council regular meetings.

7f. Budget Amendment, \$1,000 – The Council adopted an amendment to the FY 2007-08 budget in the amount of \$1,000 to accept a donation for the Buddy Sports Program. A copy of *the budget amendment is incorporated into these minutes as an addendum page*.

7g. Resolution 07-42 – The Council adopted Resolution 07-42 directing the town clerk to investigate the sufficiency of annexation petition A07-07 and setting a public hearing on the question of annexation for Tuesday, Dec. 18, 2007. A copy of *Resolution 07-42 is incorporated into these minutes as addendum pages*.

Unfinished Business: Ordinance 07-18, UDO Amendment (07-UDO-10), Section 9 – This item was added under Agenda Adjustment.

Mr. Zawadski explained since the adoption of the UDO, staff has been reviewing and evaluating its text.

He said during the drafting of the UDO in 2002, the Town Council requested authority to review all plans and most amendments until they become comfortable with the UDO's regulations. The following revisions change the review authority for certain plan amendments and provide some clarification to UDO Section 9 UDO Requirements and Procedures.

Proposed Amendments to Section 9:

Section #	Suggested Modification and Staff Recommendations
9.05.D.5.	Revise minor amendment criteria for staff level approval. (Part 1)
9.07	Change "Recorder" to "Register" (Part 2)
9.09-A	Add conditional use permit/district and zoning vested rights to the Decision Matrix. (Part 3)

Mr. Zawadski said the most significant amendment to this section is a revision to the criteria that defines minor amendments that can be approved by staff and major amendments that require Town Council action. Currently any type of increase in intensity of land use (e.g. increased number of lots, increased building size, increased project size, reduced open space, etc.) requires Town Council action. The following proposed changes to UDO Section 9.05.D.5. would only require Town Council review and action on amendments that include increases in intensity as listed below; amendments less than specified would be able to be authorized by staff:

- a. expansion of building footprint area by more than 25%;
- b. increase in building height by more than 10%;
- c. expansion or reduction in the amount of off-street parking areas by more than 10% (expansion above 110% of the minimum requires a Town Council approved waiver);
- d. increase in total number of lots/units within the overall subdivision by more than 10%;
- e. reduction of open space within the overall project or subdivision by more than 10%;
- f. increase in project acreage by more than 10% or 5 acres whichever is less (except for PUDs)

He said the major benefits of this change include an accelerated approval process for developers, and reduction in the amount of time staff spends on writing Planning Board and Town Council reports and preparing presentations for the meetings.

He said since 2002, the following plan amendments were approved by Town Council and would fall under the proposed criteria for staff-level approval of amendments: Bridgewater Subdivision, added 4 lots; Sunset Oaks Phase 10, added 2 lots; Sunset Ridge North Phase 7, reduced open space; and Twelve Oaks Phase 1, added 8 lots.

Mr. Zawadski reported that the Technical Review Committee and the Planning Board recommend approval, except that the Planning Board recommended staff-level approvals to building height increases to 15% and percentage increase in number of lots limited at 10 lots.

Mr. Zawadski said the reason staff is requesting this procedural change is that it takes the same amount of time for a developer to add one lot to a subdivision as it takes to go through the review process for an entire subdivision.

Councilman DeBenedetto said he felt this time as he did on Nov. 20 that it was the Council's duty to review and consider all changes to already-approved plans. He said he didn't feel any change would be insignificant. He expressed concern that delegating minor amendments to the staff level would circumvent the public's knowledge of and involvement in the process.

Councilman DeBenedetto made a motion that the proposed ordinance be tabled until the new Council was seated. Councilman Womble seconded the motion.

There was much discussion as to the appropriateness of reviving this issue. Councilman DeBenedetto said he felt if it was to be revived, another public hearing should be scheduled, advertised and held, and the new Council should be the decision-making body.

Councilman Atwell and Dickson explained that the public hearing already had been held and input recorded, and the hearing was closed. Councilman Dickson explained that tonight's discussion should be compared to any other action following a public hearing that is held on the same evening as the action.

Councilman DeBenedetto disagreed.

Councilman Atwell asked if it was because he didn't want Councilman Atwell to vote on the question.

Councilman DeBenedetto said as far as he was concerned the Council had already taken action on the item on Nov. 20.

Councilman DeBenedetto had made a motion that the proposed ordinance be tabled until the new Council was seated. Councilman Womble had seconded the motion.

Mayor Sears called for a vote on the motion.

The motion failed to carry following a 2-3 vote. Councilmen DeBenedetto and Womble voted for the motion. Councilmen VanFossen, Atwell and Dickson voted against.

Councilman VanFossen explained that the Technical Review Committee had asked staff to investigate this possible change and that it was not unusual for a municipality to provide for administrative approvals of some plan changes. He stressed that he felt the Council could trust staff to make sound decisions and that they would bring anything to the Council that was out of the ordinary.

Councilman Atwell added he felt that the Town's planning and development staff were experts in their career fields and should be trusted.

Action: The Council approved a motion to adopt ordinance #07-18 to enact UDO Text Amendment #07-UDO-10 to modify the text of UDO Section 9 Administration and Decision Making Bodies as recommended by staff and the Planning Board (including a limitation on additional lots at 10.)

Motion By: VanFossen

Second By: Atwell

Vote: The motion carried following a 3-2 vote. Councilmen VanFossen, Atwell and Dickson voted for the motion. Councilmen DeBenedetto and Womble voted against. A copy of *Ordinance 07-18 is incorporated into these minutes as addendum pages.*

8a. Organizational Meeting: Oaths of Office - Mayor Sears presented an award of appreciation and a proclamation to retiring Council Member Peter Atwell who has served on the Council since 1999. Councilman Atwell retired from his seat, giving a brief farewell address urging the Council to continue its good work, to not forget the details that add to the quality of life in Holly Springs and to support staff, who he feels are top notch.

Ms. Powell then administered the oath of office to incumbent Town Council member Parrish Womble and newly-elected Councilman Tim Sack.

A new quorum was established as the mayor and all five council members were present as the meeting resumed.

Council Members Present: Councilmen Vinnie DeBenedetto, Parrish Womble, Chet VanFossen, Tim Sack and Hank Dickson and Mayor Sears.

Council Members Absent: None

8b. Organizational Meeting: Election of Mayor Pro Tem - Mayor Sears explained that a part of the Organizational Meeting is the election of a council member to serve as mayor pro tempore, serving as vice chairman of the council and as mayor during the absence or disability of the mayor.

He said that currently, Councilman Dickson serves as mayor pro tem, a position he has served in during his past two terms on the Council.

Mayor Sears opened the floor for nominations for mayor pro tem.

Councilman DeBenedetto nominated Councilman Sack.

Councilman VanFossen nominated Councilman Dickson.

Action: The Council approved a motion to close the nominations.

Motion By: Sack

Second By: Dickson

Vote: Unanimous

Mayor Sears asked for a show of hands for those who were in favor of Councilman Sack's being named mayor pro tem. Councilmen DeBenedetto, Womble and Sack raised their hands, so there was no further need for action, and Councilman Sack was appointed mayor pro tem through the next Organizational Meeting, which will be held in December 2009 following the next municipal election.

8c. Appointment of Holly Springs Representatives - Mayor Sears said that the Town Council is to appoint and/or reappoint representatives of Holly Springs to various board, commissions, committees and task forces.

He then reviewed a list of those who have expressed an interest in individual positions.

Mayor Sears reported that the terms on these agency representatives would expire at the next Organizational Meeting, which will be the first Tuesday in December 2009 following the next municipal election.

Nominations to the agencies were as follows:

- Triangle J Council of Governments Board Member: **Councilman DeBenedetto**.
- Triangle J Council of Governments Board Member Alternate: **Councilman Sack**
- Triangle J Smart Growth Committee: **Staff members Gina Clapp and Jeff Jones**
- Holly Springs Chamber of Commerce Town Representative on the General Board: **Assistant Town Manager Chuck Simmons**

- Transportation Advisory Committee of CAMPO: **Mayor Sears and Councilman VanFossen as alternate.**
- Wake County Economic Development Commission (this agency is inactive at this time.) **Town Manager Carl Dean and Director of Economic Development Jenny Mizelle.**
- Holly Springs Parks and Recreation Advisory Committee Ex Officio (non-voting) member. **Councilman Dickson**
- Holly Springs Technical Review Committee: **Councilman DeBenedetto.**
- Wake County Growth Management Task Force – **Councilman Womble**

9a. Planning and Zoning / Board of Adjustment Appointments – Ms. Clapp explained that on Dec. 31 of each year, the terms of several members of the Planning Board and Board of Adjustment expire. She said at the Council's first December meeting, the Council is to review the applications for vacancies and re-appoint interested members or appoint new members to the respective boards.

Ms. Clapp said the Council is responsible for the appointment of "in-town" members to the Holly Springs Planning Board and Board of Adjustment. The members representing the town's extraterritorial jurisdiction officially are appointed by the Wake County Board of Commissioners; however, the Town Council makes recommendations to the county board.

Ms. Clapp said the Council needs to appoint one in-town alternate member to the Board of Adjustment with a term ending Dec. 31, 2010 and nominate one ETJ alternate member with a term ending Dec. 31, 2010.

She added that the Council is to appoint two in-town members to the Planning Board with terms ending Dec. 31, 2010 and nominate one ETJ member with a term ending Dec. 31, 2010.

Ms. Clapp reviewed the list of applicants who expressed interest in serving as in-town or ETJ members of the Board of Adjustment and Planning Board.

Mayor Sears asked the Council members to make individual nominations before acting on appointments as a board.

Board of Adjustment: 1 In-Town Alternate:

Councilman DeBenedetto nominated Cynthia Gibbons.

Councilman Womble nominated Cynthia Gibbons.

Councilman VanFossen nominated Cynthia Gibbons or Chandler Cobb.

Councilman Sack nominated Cynthia Gibbons.

Councilman Dickson nominated Cynthia Gibbons or Chandler Cobb.

Action #1: The Council approved a motion to appoint Cynthia Gibbons as an in-town alternate member of the Holly Springs Board of Adjustment, with a three-year term to expire Dec. 31, 2010.

Motion By: Dickson

Second By: Womble

Vote: Unanimous.

Board of Adjustment: 1 ETJ Alternate Member:

Councilman DeBenedetto nominated Arthur Barham

Councilman Womble nominated Arthur Barham.

Councilman VanFossen nominated Arthur Barham.

Councilman Sack nominated Arthur Barham.

Councilman Dickson nominated Arthur Barham.

Action #2: The Council approved a motion to recommend to the Wake County Commissioners that Arthur Barham Jr. be appointed to the Holly Springs Board of Adjustment as an alternate member representing the ETJ with a three-year term to expire on Dec. 31, 2010.

Motion By: Dickson

Second By: Sack

Vote: Unanimous

Planning Board: 2 In-Town Members:

Councilman DeBenedetto nominated Mark Shank and Christine Boretti

Councilman Womble nominated Mark Shank and Christine Boretti

Councilman VanFossen nominated Vincent D'Agostino and Donna Milligan

Councilman Sack nominated Mark Shank and Christine Boretti.

Councilman Dickson nominated Vincent D'Agostino.

Action #3: The Council approved a motion to appoint Mark Shank and Christine Boretti to the Holly Springs Planning Board as in-town members with three-year terms expiring Dec. 31, 2010.

Motion By: Sack

Second By: Womble

Second By: Womble

Vote: Unanimous

Planning Board: 1 ETJ Member:

Councilman DeBenedetto nominated Betina Osborne

Councilman Womble nominated Betina Osborne.

Councilman VanFossen nominated Bill Rousseau.

Councilman Sack nominated Betina Osborne.

Councilman Dickson nominated Bill Rousseau.

Action #4: The Council approved a motion to recommend to the Wake County Commissioners that Betina Osborne be appointed to the Holly Springs Planning Board as an alternate member representing the ETJ with a term to expire on Dec. 31, 2010.

Motion By: Sack

Second By: Womble

Vote: Unanimous

9b. 02-MAS-11-A02, Southpark Village – Mr. Zawadski explained that the Town has received a request for an amendment to the Southpark Village Master Plan. The project includes 9 commercial lots and 40 acres of property and is located adjacent to GB Alford Highway between Avent Ferry Road and Ralph Stephens Road. The proposed amendment includes a new design for the central access road that would connect Avent Ferry Road and Ralph Stephens Road, architectural and site design guidelines, perimeter and streetscape landscape plans, and a master signage plan that includes a sign waiver.

He said the plan also now indicates specific areas that would be set aside to satisfy the developed open space requirement for integrated centers, which was a previous condition of approval.

He said the design guidelines include specific requirements for the design of buildings, landscaping, and other site and appearance elements in Southpark Village. This includes a color and material palette, façade design elements, lighting, screening, and streetscape elements.

Action #1: The Council approved a motion to approve detailed master plan amendment #02-MAS-11-A02 for Southpark Village as submitted by Stephens Property Group, project number 3438-0001, dated revised November 26, 2007 with the following conditions:

1. All previous conditions of approval for this master plan apply to this amendment.
2. For each development plan, provide completed Industrial Waste short survey Form
3. The following items are to be addressed prior to or with the first construction drawings submittal:
 - a. A Sewer Line Sizing Report for all lines that are stubbed to adjacent upstream properties shall be submitted.
 - b. The waterline on Ralph Stephens Road still does not appear to be clearly labeled. Please verify that the lines are shown and labeled – specifically how it ties into the line that the Shoppes at Holly Springs will be constructing and the water service for Outparcel #1.
 - c. Show and label backwater easements (to be recorded) at stream crossings and storm drainage inlets; provide 100 year calculations accordingly.
 - d. All environmental permits for the entire project will be required with the first set of construction drawings.

Motion By: Dickson

Second By: DeBenedetto

Vote: Unanimous.

Action #2: The Council approved a motion to approve a waiver of regulations of UDO Section 7.03 Sign Regulations for Petition #02-MAS-11-A02 for Southpark Village, to allocate the unused square footage of the wall signs to the monument signs as submitted by Stephens Property Group, project number 3438-0001, dated revised November 26, 2007.

Conditions for additional consideration:

1. The unused wall signage from the rear of Harris Teeter, the rear of Building B and the rear of Building I, for a maximum of 540 sq ft can be applied to the three monument signs. If applied, the additional square footage must be distributed among all three signs.
2. A sign permit must be reviewed and approved by staff prior to construction.

Motion By: Dickson

Second By: DeBenedetto

Vote: Unanimous.

9c. 07-DP-22, Southpark Village, Phase 1A – Mr. Zawadski said the Town has received a development plan request for the first phase of Southpark Village. The development plan for Phase 1A includes a 52,000-square-foot Harris Teeter as well as 11,587 square feet of additional retail space.

He said this phase of development would be accessed by the main access road (tentatively named Village Walk Drive) through the project as well as a right-in right-out access drive located further down Avent Ferry Road away from GB Alford Highway.

Mr. Zawadski said the plan includes 319 parking spaces for both buildings. A parking waiver is being requested with the development plan to allow more than 75% of parking spaces to be located in front of the buildings. A pedestrian connection is provided through the parking lot to connect the sidewalk along Village Walk Way to the front entrances of the buildings. A total of 4,000 square feet of open space is included with

this phase of development.

He said this project is located within a Gateway Corridor and is therefore subject to a higher degree of architectural requirements. Since this project is also an integrated center, all of the buildings are required to utilize similar building colors, materials, texture, architectural design features, roof treatment, and façade modulation to ensure the development has a consistent look and feel.

He said this phase of development proposes two buildings that utilize similar materials and colors, but not similar architectural design features, roof treatment, and façade modulation as required for Integrated Centers by the UDO. Overall, the major difference in the building design is evident in the suburban Harris Teeter design (minimal windows, pitched roof, no pedestrian level design elements), as opposed to the retail building which has a more urban and traditional retail storefront design (multiple windows, awnings, flat roof). Furthermore, Staff has been presented with elevations proposed for future phases of development, and they are designed to be consistent with the retail buildings of this phase.

Staff recommends a condition on approval to require the revised Harris Teeter building to comply with the UDO to ensure consistent design style throughout the development.

The Planning Board determined, after extensive discussion, that the design of the building is subjective and that it is not as concerned about the design consistency. Although there is disparity, the design of the Harris Teeter building does fit in with the entire project.

Mr. Dean explained that there is some confusion because the Southpark Village development plan is coming in to the town in pieces, and it is difficult to see the integrated center. He urged the Council to look at the whole body of what is being proposed.

Councilman VanFossen agreed that it would be necessary to see elevations altogether to determine how integrated the plan is.

Chris Grimes, Kline and Associates, architects for the project – Mr. Grimes explained that the design of the Harris Teeter is purposeful. He added that architects are making cognizant decisions, trying to create a Cameron Village type of development with a built-over-time appearance. He noted that each building will be different. Since Harris Teeter will be the anchor, the design of the entire center is somewhat driven by it.

Councilman VanFossen maintained that he would like to have a more clear vision of what the entire center would look like.

Action #1: The Council approved a motion to approve a waiver of regulations of UDO Section 7.04 E., 3., to allow more than 75% of the parking to be placed between the front building line and front property line in association with Development Plan #07-DP-22 for Southpark Village Ph. 1A as submitted by Stephens Property Group, LLC, project number 3438-0001, dated revised 11/26/07.

Motion By: Womble

Second By: DeBenedetto

Vote: Unanimous.

Action #2: The Council approved a motion to approve development plan #07-DP-22 for Southpark Village Ph. 1A as submitted by Stephens Property Group, LLC, project number 3438-0001, dated revised 11/26/07 with the following conditions (note the deleted conditions designed by strikethrough text):

1. All previous approval conditions for the South Park Master Plan will apply to this plan as well.
2. Note that prior to construction of Phase 1A; the water line, sewer line, interior street access and any other infrastructure needed to serve this phase will be required to be installed or constructed. If this is not completed prior to construction of Phase 1A, these items should be included with the construction of this phase.
3. A fee-in-lieu of pump station upgrade will be required for this project.
4. The following items are required to be addressed with the first set of construction drawings:
 - a. Show and label backwater easements (to be recorded) at stream crossings and storm drainage inlets; provide 100 year calculations accordingly.
 - b. A Sewer Line Sizing Report will be required for all lines that are stubbed to adjacent upstream properties.
 - c. All environmental permits for the entire project will be required
 - d. Verify that the water lines are shown and labeled – specifically how it ties into the line the Shoppes at Holly Springs will be constructing.
5. Prior to issuance of Building Permit, the following must be completed:
 - a. The design for the developed open space area must be submitted to and approved by the Department of Planning & Zoning.
 - b. A detailed lighting plan is to be submitted to and approved by the Department of Planning & Zoning.
6. Within 10 days after Town Council action, revised plans are to be submitted to the Department of Planning & Zoning with the following items addressed, otherwise the action will be null and void:
 - a. Provide accurate parking space calculations for this phase in the site data table and include the specific ratios and square footages used for the calculations.
 - b. Revise landscape plan boundaries to match the boundaries of phase 1A.
 - c. Show the 4,000 s.f. open space area on the site plan to match the landscape plan.
 - d. Revise Harris Teeter building elevations to comply with UDO Section 3.08-B-1-d-(2) to ensure consistent design style throughout the development.
 - e. Revise Harris Teeter building elevations to provide a clearly identifiable base, body, and cap as required by the master plan design guidelines.
 - f. Revise Harris Teeter building elevations or building footprint shown on the plans to match.

Motion By: Womble

Second By: DeBenedetto

Vote: The motion carried following a 4-1 vote. Councilmen DeBenedetto, Womble, Sack and Dickson voted for. Councilman VanFosser voted against.

10. 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:

Rev. Otis Byrd – Rev. Byrd addressed the Council, announcing that a citizens group is organizing a Martin Luther King Jr. Day celebration in January. He said Lt. Gov. Bev Purdue would attend, and the featured speaker would be Wake County Board of Education Chairman Rosa Gill.

11. Other Business: Councilman Womble asked about the expansion of the Holly Springs Post Office. The United States Postal Service, Greensboro office, has told the town that on the list of upgrades, the Holly Springs Post Office is No. 1. Ms. Clapp added that the Postal Service, however, also has said that available funds are often redirected to other post office improvement projects that are more affordable than a new office or the expansion of an existing one.

Councilman Womble asked the town manager to investigate the possibility of installing caution signs and signals on Holly Springs Road at Flint Point Lane to warn motorists when emergency vehicles are entering the intersection.

He also asked that the town explore improving its Christmas decoration displays and adding twinkle lights in the street trees downtown.

12. Manager's Report: Mr. Dean reported to the Council on upcoming dates of interest.

13. Closed Session: None.

14. Adjournment: There being no further business for the evening, the Dec. 4, 2007 meeting of the Holly Springs Town Council was adjourned following a motion by Councilman Sack, a second by Councilman VanFosser and a unanimous vote.

Respectfully Submitted on Tuesday, Feb. 19, 2008.

Joni Powell, CMC, Town Clerk

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