



April 4, 2017

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, April 4, 2017 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, Tom O'Brien and Hank Dickson, Peter Villadsen and Councilwoman Cheri Lee.

Council Members Absent: None.

Staff Members Present: Charles Simmons, town manager; John Schifano, town attorney; Daniel Weeks, assistant town manager; Joni Powell, town clerk, (recording the minutes); Linda Harper, deputy town clerk; Adam Huffman, assistant parks and recreation director; Mary Hogan, finance director; Gina Clapp, director of planning and zoning; Sean Ryan, planner; Elizabeth Goodson, development review engineer; Aaron Levitt, senior engineer; Leroy Smith, fire chief; John Herring, police chief; Irena Krstanovic, 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, pastor of the United Church of Christ.

4. Agenda Adjustment: The April 4, 2017 meeting agenda was adopted with changes, if any, as listed below.

Changes: A motion setting a special meeting for 5:30 p.m. Wednesday, April 19 at the Holly Springs Law Enforcement Center for the purpose of discussing growth and its impact on the Town's budget was added to the Consent Agenda.

Motion by: Cobb

Second by: Dickson

Vote: Unanimous

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: None.

6a. Beericana Craft Beer and Music Festival Report - Mr. Wayne Holt said that as the promoters of Beericana Craft Beer and Music Festival, gave a report to the Council on the first three years of the festival.

Action: None.

7a. Public Hearing: 16-DP-09, Downton Square Townhomes – Ms. Clapp said that Downton Square is a proposed 88-townhome development that would be located on W. Holly Springs Road and that would provide interconnectivity from W. Holly Springs Road into Oak Hall. Downton Square is zoned R-MF-8-CU, and the submitted plans are in compliance with the development regulations and developer-offered conditions for this district.

Ms. Clapp described the following conditions offered by the developer:

- The site will be developed to meet the permitted uses of the R-MF-8 zoning district with the exception of apartments, condominiums, and section A.2 (a-g).
- A 20-foot undisturbed buffer will be maintained along the north and east boundaries (except for utilities/drainage).
- An additional 10-foot buffer is to be added to the north and east property-lines. This buffer may be disturbed if needed and re-vegetated.
- Both the 10-foot buffer and the 20-foot buffer should have an average plant unit value of 75.

Ms. Clapp said the planning board had reviewed the application in November and ultimately voted 5-3 to recommend denial of the Downton Square development plan. The following are highlights of the planning board discussion:

- Confirmed that the one-car garages and driveway lengths were adequate for parking needs
- Confirmed that the perimeter yard buffer adjacent to Oak Hall will remain undisturbed or supplemented where needed
- The development will have a kiddie playground and walking trails to provide outdoor space for the residents
- Traffic flow, traffic calming and impacts to Oak Hall due to the right-in, right-out only direct access to the development.
- Concerns about interconnectivity and how Oak Hall is used as a traffic bypass.
- The benefits of interconnectivity for emergency services access into Oak Hall.

At this time, Ms. Goodson addressed the Council to describe transportation improvements that would be required, including interconnectivity with Oak Hall subdivision.

Erika Letham, Lennar – Ms. Letham addressed the Council to describe the project.

One of the biggest points, she said, is that the plan has been changed

Kevin Bowman, traffic engineer with Kimley Horn – Mr. Bowman addressed the Council to describe the traffic analysis and proposed improvements. In summary, he said what is proposed would be safe.

With that explanation completed, Mayor Sears opened the public hearing. The following input was recorded, including input marked with an asterisk (*) that were received via email to the Town Clerk's office:

* Bruce Valley, 212 Tullich Way – Mr. Valley stated that he is against the use of Tullich Way and connecting streets through OakHall for Downtown Square. He said he feels Oak Hall streets are too small to handle the extra 200 cars per day. He noted that Oak Hall has a lot of children playing and people parking on the street, and he said there already is a problem with speeders through the neighborhood.

He said he felt traffic is a huge safety concern. We already have too many people driving too fast through the neighborhood.

The following comments were received during the hearing:

Lisa Cater, 133 Gremar Drive -- Ms. Cater said it would be dangerous to add potentially more than 200 cars per day to subdivision streets in Oak Hall..

Glen Conway, 808 Chambord Way – Mr. Conway addressed the Council in opposition. He said there would be confusion with the temporary barricade because GPS services would consider Gremar a through-street.

Brad Bieber, 128 Gremar Drive – Mr. Bieber spoke in opposition to the plan. He said an original plan with a neighboring parcel of land provided another access point onto Holly Springs Road. He said that plan would be preferred and should be pursued since it was presented as the concept for the rezoning. Since that time, the developers have not secured the neighboring property, and the current plan is as presented.

David Conrad, vice president of the Oak Hall home owners association – Mr. Conrad told the Council that they had heard concern from homeowners, ranging from the safety of children in the neighborhood with increased traffic flow, to the ability of emergency vehicles to traverse the already narrow neighborhood streets. He said "members' concern for our community is real; we are

a tight-knit and caring family. Their concerns regarding the potential negative impacts of the proposed townhomes are not without merit, and their apprehension is palatable."

Mr. Conrad added that he feels the Council may presume otherwise, but the Oak Hall HOA *supports* the Holly Springs town policy of neighborhood interconnectivity. He said, "We recognize the need for neighborhood interconnectivity as a means of reducing traffic congestion, **by creating alternate, possibly more convenient for some drivers, routes of entry and egress to a community.**" He added, however, "We submit that neighborhood connectivity routes were **not meant to be the primary, certainly not the sole, means of entry and egress.** We submit that the proposed right-only traffic flow in and out of the townhome community prevents inbound, peak-time traffic from Hwy 55 Bypass from accessing the *primary* route into the townhome community, as prescribed by the developer. We submit that, by forcing the flow of traffic through the Oak Hall interconnectivity route, via Stone Hedge->Gremar (accessed from Tullich or Oak Hall Drive), this creates a defacto primary traffic route, which is *not only* the primary, *but sole* means of entry and egress. We submit that this **violates the spirit of the neighborhood connectivity policy** of providing alternate, possibly more convenient for some drivers, routes of entry and egress to a community.

"We, therefore, request that the proposal for the Downton townhome community be remitted back to the developer, until such time that a solution to the primary means of entry and egress be satisfied."

Michael Davidson, 105 Ramshead Ct. – If there is a barricade at Gremar, then a lot of drivers will be doing dangerous U-Turns. When first presented, no one could talk about traffic network because it was a zoning question. Now it is time to address it, and this is why we are here, he said.

George Smith, Stonehedge Ct. – Mr. Smith said if Gremar Drive is barricaded, drivers will make unsafe movements.

Jerry Boman, 104 Gremar Dr. – Mr. Boman said Gremar Drive is more crowded and too narrow for additional traffic.

Christine Kelly, 201 Grigsby Ave. – Ms. Kelly spoke in opposition to the development plan, citing potential additional traffic on Holly Springs Road.

Doug Steigerwald, 200 Tullich Way – Mr. Steigerwald spoke in opposition to the development plan, citing potential additional traffic on Tullich Way.

Erika Letham, representing the applicant – Ms. Letham said the proposed barrier would work until another full access is provided.

Kevin Bowman, traffic engineer with Kimley Horn – Mr. Bowman said drivers form a pattern of least resistance and he expects that drivers would turn right out of the subdivision to the Bypass in the morning and then down Main Street to the right turn on Holly Springs Road and right into subdivision in the evenings.

He said he felt there was a way to create safe U-Turn opportunities that would not use anyone's yards.

Councilman O'Brien asked if additional traffic from other approved subdivisions like 2018 Market was considered in the TIA or just the subject townhomes. Mr. Bowman said Kimley Horn takes all pertinent traffic into consideration.

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

Councilman Dickson said he has no problem with interconnectivity, but his concern is that the connection with Gremar Drive is problematic.

Councilman O'Brien said he feels the design is not in the best interest of neighbors.

Councilman Cobb said the planning board recommends denial, and the plan has not changed any since the planning board review. He said he feels the plan would encourage unsafe movements and from a safety perspective, he does not feel the plan should be approved.

He said he would be in favor of tabling the plan until another full access is provided.

Councilman Villadsen said it is troublesome that the current layout might encourage people to make unsafe movements.

Councilwoman Lee said she agrees with public comment about interconnections should not be the primary route for traffic.

Action: The Council approved a motion to defer action on Development Plan #16-DP-09 for Downton Square Townhomes, submitted by Lennar Carolinas, LLC, project number: 03-15202 dated Oct. 17, 2016 until a full access onto Holly Springs Road is made available.

Motion by: Cobb

Second by: Dickson

Vote: Unanimous

7b. Public Hearing: FY 2017-18 Budget – Mr. Simmons said the public has been invited via the Town's Web site and local media to provide comments on the preparation of the Town's FY 2017-18 budget. Citizens have been invited to provide input as to what they feel are important programs, facilities or services.

The purpose of this pre-budget preparation hearing is to give folks a chance to have input before the budget process actually begins instead of having to wait until the end of the process when it may not be feasible to make adjustments.

This hearing is being held in addition to – and not instead of – the public hearing that is required by law later in the budget process. That hearing will be held in May or June.

With that explanation completed, Mayor Sears opened the public hearing. The following input was recorded:

Josh Biehl – Mr. Biehl said in an email that he was hoping to see the Bypass connection at Sportsmanship Way transportation project advance this year.

He said, “I know a lot of planning still likely needs to go into that, but that would be really great to see it completed. The intersection of Holly Springs Rd. and Main St. gets so busy at rush hour and if you’re coming from 55-bypass toward Main St. on Holly Springs Rd. and taking a left turn at that intersection, it can be a bit perilous because oncoming traffic is often difficult to see. I live in Arbor Creek, so it’s exciting that the connection would really improve my commute.”

Glen Walker – Mr. Walker said in an email he requests that the Town paint the town logo on the water tower on Avent Ferry Road, next to the fire station. The town logo exists on one side of the tower, and you can see it if you’re driving south on NC-55, but the other side of the tower is blank. If you are coming from Holly Glen and heading east on Avent Ferry (towards downtown), it’d be nice to see the town name and logo on the water tower.

Local citizen named Kyle, 108 Sunny Chloe Ct. -- Kyle submitted his ideas on budget priorities for the town:

- o Parks and Recreation -- in particular, focus on *natural* areas instead of sports-oriented, such as greenways, a dog park and natural playgrounds/sand playgrounds; the town has beautiful master plans on the website for Sugg Farm / Mims Property, let’s start making them a reality.
- o Public Transit -- Wake County based the sales tax increase in support of a transit plan, let’s be engaged/aggressive in the town to take advantage of this. Is there anything we need to budget for in 2018? Eg, establishing the park’n’ride locations, etc.
- o Holly Springs Downtown/Village development – I would love to see more consumer-friendly/unique development encouraged in the downtown/village area to help make it a destination.

Pam Chaney – Ms. Chaney said in an email that she would like to see a dog park in Holly Springs. Both Fuquay and Apex have one although they are not very nice or well maintained. The area that our police train their dogs would be nice to use when they are not using it at Sugg Farm.

Christine Kelly, 201 Grigsby Ave. – Ms. Kelly requested crosswalk lights on Main Street at Ballentine Street.

Garrett Razik – Mr. Razik noted that there is an increasing trend of private amenities, and that there should be more public ones.

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

Action: None.

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

8a. Minutes – The Council approved the minutes of the Council's regular meeting held March 7, 2017.

8b. 919 Beer LLC Contract – The Council approved to enter into license agreement with 919 Beer LLC for 2017 Beericana Beer and Music Festival at Sugg Farm.

8c. Resolution 17-12 - The Council adopted Resolution 17-12 declaring certain personal property surplus to the needs of the town. *A copy of Resolution 17-12 is attached to these minutes.*

8d. Resolution 17-13 - The Council adopted Resolution 17-13 declaring certain Town vehicles surplus to the needs of the town. *A copy of Resolution 17-13 is attached to these minutes.*

8e. Budget Amendment, Scoreboards – The Council adopted an amendment to the FY 2016-17 budget to use park reserves to purchase new scoreboards. *A copy of budget amendment is attached to these minutes.*

8f. Pump Stations Order Control Solutions – The Council approved enter into a contract with Evoqua Water Technologies LLC, in the amount of \$48,088 plus the cost of chemical applications, for odor and corrosion control solutions.

8g. Budget Amendment, Water Meters – The Council adopted an amendment to the FY 2016-17 budget to purchase new water meters.

8h. Special Meeting – The Council set a special meeting for 5:30 p.m. Wednesday, April 19 at the Law Enforcement Center for the purpose of discussing growth impacts on the Town's budget.

9a. 15-MAS-04-A01, Collins Park Development – Mr. Ryan said the Town has received a request for a master subdivision plan amendment for Collins Park, located at the northwest side of the intersection of Ralph Stephens Road and GB Alford Highway. The project was approved in 2016 for a maximum of eight commercial out lots for future development.

In accordance with UDO Section 3.08, Architectural and Site Design Requirements, all buildings located within a common master plan area shall utilize and repeat selected architectural design requirements that are in harmony with area developments and other recent developments within Holly Springs. A master architecture plan, or design guidelines, are required to promote consistency among buildings within a development and enhance compatibility of design and appearance requirements. A master architecture plan, or design guidelines, must be approved prior to the erection, location, or placement of any building within the master plan area.

The amendment request, if approved, will satisfy an original condition of approval for the Collins Park master plan (design guidelines were not previously submitted nor reviewed with the original master plan) and allow out lot development plans to move forward.

Action: The Council approved a motion to approve detailed Master Plan Amendment #15-MAS-04-A01 for Collins Park to add master design guidelines as submitted by Collins Park-Holly Springs, LLC with the following conditions:

1. All previous conditions of approval for Collins Park shall apply to this amendment.

Motion by: Dickson

Second by: Cobb

Vote: Unanimous

9b. Board of Adjustment Appointment – Ms. Clapp said on March 10, the Town Council received a resignation notice from Larry O’Neal, in-town regular member of the Board of Adjustment. In accordance with the new board appointment policy statement, the vacancy was advertised and applications were sought to fill it.

Applicants are: Edward Donovan, 12 Oaks; Timothy Forrest, Morgan Park; Garrett Lamm, Oak Hall and Michael Little, Windward Pointe.

Action: The Council approved a motion to appoint Edward Donovan to fill a vacancy on the Board of Adjustment as an in-town member for a remaining term that ends Feb. 28, 2018.

Motion by: Lee

Second by: Dickson

Vote: Unanimous

9c. Resolution Opposing HB 436 – Councilman Dickson reviewed House Bill HB 436 sponsored by Rep. Sarah Stevens of Surry County, that would be titled, “an act providing that counties and cities shall not impose regulatory fees on new construction,” and it would eliminate a city or county’s ability to charge development-related impact fees paid by developers to offset capital costs of local government infrastructure, unless otherwise authorized by the general laws of the state. The bill also would repeal all related local acts, taking away authority previously granted to individual towns and counties.

Councilman Dickson pointed out that if this passes as written, it would be a significant hit for Town taxpayers.

Councilwoman Lee reported that she and others on the Council attended Town Hall Day at the General Assembly and voiced their concern to state leaders about the potential impact to Holly Springs.

Action: The Council approved a motion to adopt Resolution 17-14 stating Town’s opposition to HB 436 proposing to remove ability of towns and counties to charge development fees, with the striking of the last preamble paragraph.

Motion by: Dickson

Second by: Lee

Vote: Unanimous

A copy of Resolution 17-14 is attached to these minutes.

10. Other Business: None that resulted in Council action.

11. Manager’s Report: None that resulted in Council action.

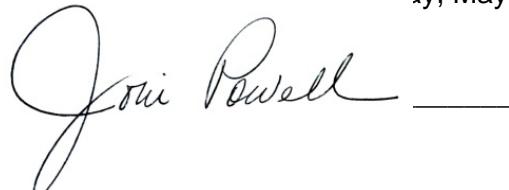
12. Closed Session: The Council approved a motion to enter into Closed Session, pursuant to N.C.G.S. 143.318.11(a)(3) to consult with the town attorney under the client-attorney privilege regarding mediation in the Fred Smith vs. Town of Holly Springs matter. The Council provided the town attorney with settlement parameters in the case and then returned to open session.

13. Adjournment: There being no further business for the evening, the April 4, 2017 meeting of the Holly Springs Town Council was adjourned.

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ay, May 2, 2017.

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