



Feb. 20, 2018

## MINUTES

The Holly Springs Town Council met in regular session on Tuesday, Feb. 20, 2018 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 five council members were present as the meeting opened.

**Council Members Present:** Mayor Sears, Councilmen Tom O'Brien, Dan Berry, Peter Villadsen and Councilwomen Christine Kelly and Cheri Lee.

**Council Members Absent:** None.

**Staff Members Present:** Charles Simmons, town manager; Daniel Weeks, assistant town manager; John Schifano, town attorney; Joni Powell, town clerk, (recording the minutes); Linda Harper, deputy town clerk; Adam Huffman, assistant parks and recreation director; Gina Clapp, director of planning and zoning; Sean Ryan, planner; Melissa Sigmund, principal planner; Kendra Parrish, director of engineering; Elizabeth Goodson, development review engineer; Mary Hogan, finance director; Jeff Wilson, information technology director; 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 Mayor Sears.

**4. Agenda Adjustment:** The Feb. 20, 2018 meeting agenda was adopted with changes, if any, as listed below: No changes.

**Motion by:** O'Brien

**Second by:** Berry

**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:

Bennie Glenn, 5836 Cass Holt Road – Mr. Glenn has property on Cass Holt Road, and he is not in support of a mixed use plan for his area. He wants to sell his farm, and he does not feel a mixed use designation would be conducive to that.

Joe Fanjoy, 109 Fairground Rd. – Mr. Fanjoy asked the status of proposed improvements to Grigsby Ave. He also reported to the Council what he and his neighbors are doing to improve their area, including litter pick-up. He encouraged the Council to remember the upgrade of Grigsby Ave. as they plan for transportation improvements in the town.A

**6a. Southern Area Planning Initiative Findings** - Ms. Clapp said the Southern Area Planning Initiative was discussed and authorized to proceed by the Town Council in May 2017 and the consultant team was selected and approved in August 2017. The lead consultant is O'Brien Atkins & Associates with Benchmark Planning leading the land supply analysis.

She said the purpose of this study was to conduct a public evaluation and assessment of the southern area of the Town's Future Land Use Plan and to provide recommendations on potential studies or amendments to consider.

The Southern Area Planning Initiative process included the following:

- Review and assess the study area with Staff, elected and appointed officials, citizens, and other interested parties to determine current development and trends;

- Identify and analyze the issues and needs;
- Evaluate different approaches for future development patterns and determine the most effective plan for the Town of Holly Springs which provides a clear vision and direction for future development;
- Evaluate the current Future Land Use Plan and determine modifications needed to ensure the highest and best use for lands within the study area and that the plan adequately reflects the development goals of Town Staff and Officials;
- Specify the appropriate locations for commercial, multi-family residential (townhomes), and single-family residential;
- Clearly define the expectations of the Town in regards to appearance, quality, infrastructure, density and type of residential development and the transition of land uses;
- Outline practical implementation strategies and address modifications to the Unified Development Ordinance and other Town development ordinances and policies.

She said the Department of Planning & Zoning with Administration, Engineering, Economic Development and Parks & Recreation have been working together in this study.

Mr. Jay Smith from O'Brien Atkins & Associates provided an over view of the study, community engagement and proposed findings/next steps for the Town Council to discuss and provide direction to the staff on moving forward from this study.

*A copy of the report's six findings is attached to these minutes as addendum pages.*

In a special meeting workshop prior to the regular meeting on Feb. 20, the Council heard the findings. In discussion, Council members maintained the perspective that housing developments in the boundary area should be closer to 2 dwelling units per acre and that the Community Growth Areas could be eliminated from the Comprehensive Plan in this area.

As specified in Town Council Resolution 17-23.1, upon the presentation of the findings and their acceptance (receipt) by the Town Council, staff will then resume bringing rezoning petitions to the Town Council for consideration within the southern area study boundaries

**Action:** The Council approved a motion to receive the Southern Area Planning Initiative report and findings.

**Motion:** Villadsen

**Second:** Lee

**Vote:** Unanimous.

**7a. Public Hearing: Special Exception Use 17-SEU-17, 300 W. Holly Springs Road** – Mr. Ryan said in December 2015, the Town Council adopted an amendment to the Unified Development Ordinance regarding future land uses and appropriate residential densities in the Town's Village District. The Department of Planning & Zoning is gearing up for an update to the Town's Village District Area Plan and preparing an implementation program to bolster development interest and to align development proposals with the Town's plan for the area. During this evaluation period, all new single-family homes in the R-10 and R-15 residential zoning districts are required to obtain approval through the Special Exception Use process so that the development of that parcel can be evaluated through the Special Exception Use findings of fact to ensure that it is appropriate for the neighborhood.

He said the applicant is requesting Special Exception Use approval for one single-family dwelling located at 300 W. Holly Springs Road. Since the parcel is zoned R-15 Residential and is located within the boundaries of the Village District Area Plan, a Special Exception Use is required to evaluate the appropriateness of a single-family home in this location. The applicant also has requested two setback variances and one waiver for the dedication of right-of-way along W. Holly Springs Road

Mr. Ryan said the planning board had reviewed the applications and recommends the Town Council approve the Special Exception Use. A representative of the planning board addressed the Council to explain that the planning board felt that if the owners want to build a new house on the foundation of the existing structure, it would be appropriate at that location. The planning board did not feel, however, that the applicant should be granted a waiver for the dedication of right-of-way along W. Holly Springs Road. The planning board reasoned that there is no question that W. Holly Springs Road is going to be widened; it doesn't make sense to approve a waiver of right of way dedication so the Town would have to purchase it later, and at the future market price of the developed lot.

With that explanation completed, Mayor Sears opened the floor to comment.

The following sworn testimony and evidence was submitted by those who had been administered the oath by the deputy town clerk:

Paela Pani, Timeless Properties of NC, 1215 Jones Franklin Road, Ste. 201 Raleigh, said she did not know Holly Springs Road was to be widened and that providing the right of way would be a hardship.

Kleida Pani, Above and Beyond Building and Remodeling, 8612 Lawdraken Road, Apex, said she was aware of plans were for less traffic in the area, so she didn't ask about road widening before investing in the property.

Mayor Sears asked if the widening of Holly Springs Road was on any plans or maps in the Town Hall offices.

Ms. Parrish said the widening of Holly Springs Road has been on the Comprehensive Transportation Plan since 2014.

In summary, the testimony was that the buyers of the property would suffer undue hardship because of the location of the house on the property. The required right of way on two sides of the property would render the lot useless with the current foundation, which they had planned to retain. The ultimate roadway would be at the home's front door.

The owners asked that they not be required to provide the right of way at this time.

Ms. Parrish said the Town would need the right of way, and getting it now would save money because later, the developed property would be more expensive to obtain.

Diane Thompson of 300 W. Holly Springs Road said she did not realize the road was planned to be widened and did not think to ask because it was her understanding that plans for this area were to reduce traffic.

The Town Attorney suggested the Council could continue the public hearing and table action on the application while he could meet with the applicant to consider other options.

**Action:** The Council approved a motion to defer action on Special Exception Use 17-SEU-17 for 300 W. Holly Springs Road and to continue the public hearing to resume at the March 20 meeting.

**Motion:** Lee

**Second:** O'Brien

**Vote:** Unanimous

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

8a. Minutes – The Council approved the minutes of the Council's regular meeting held on Feb. 6, 2018.

8b. Water Meter Budget Amendment – The Council adopted an amendment to the FY 2017-18 budget in the amount of \$70,000 to cover costs of water meter registers required for change out program. *A copy of budget amendment is attached to these minutes.*

8c. Resolution 18-09 - The Council adopted Resolution 18-09 declaring certain personal property surplus to the needs of the town. *A copy of Resolution 18-09 is attached to these minutes.*

8d. Network Hut Lease Agreement Amendment - The Council approved a network hut lease agreement addendum to increase the licensed space from 2,000 square feet to 4,359 square feet.

8e. Budget Amendment Report - The Council received report of monthly administrative budget amendments approved by the town manager.

8f. Gable Ridge Culvert Repair Budget Amendment - The Council adopted an amendment to the FY 2017-18 budget in the amount of \$19,586 to cover costs of Gable Ridge culvert repair. *A copy of budget amendment is attached to these minutes.*

8g. Set Transportation Workshop - The Council set a special meeting date of March 13 for a transportation workshop.

**9a. Northeast Gateway Sign** – Mr. Ryan said in 2017, the Town of Holly Springs engaged with consultants to design a wayfinding sign program to welcome visitors and new Holly Springs residents. The signs will showcase and direct people to the wide range of facilities around Town. As part of the wayfinding program, preliminary designs for the town's primary and secondary gateways were designed. Gateway signs mark the entry points into the Town of Holly Springs and will feature decorative welcome signs and landscaping to welcome residents and visitors. Upon the completion of the NC-540 interchange on Holly Springs Road, the Northeast Gateway will become one of the Town's most visible

and highly traveled gateways. The goal of the project is to provide an attractive gateway feature and focal point at the intersection of Holly Springs Road and Sunset Lake Road.

He said this project is identified in Vision Holly Springs, the Town of Holly Springs Comprehensive Plan, Section 4.0 Community Character. As stated in this section, "the enhancement of the gateways, or entrance points, to the Town of Holly Springs will immediately define the objective to encourage a 'Village' atmosphere. Through the development of gateway features, visitors, shoppers, and residents will be able to immediately recognize that they are entering the Town and get a sense of the Town's village character and know that they are entering a special place. Gateways should be designed with distinctive features such as decorative signs, landscaping, lighting, or other features that sets the tone for the Town's commitment to high-quality development."

The original project design was completed in 2002 and featured stone walls, gates, and extensive landscaping on all four corners of the intersection. Easements were obtained from all properties as they were developed for the purpose of installing gateway signs but the project was not finalized due to lack of funding. Funding for the project was first secured in 2015, however the project was delayed since the funding did not cover the full cost of the signs and there was a legal issue identified with one of the easements. In 2016, after the easement issue was resolved, funding was again provided for the project. At this time, staff began the process of a wayfinding sign program and it was determined that the project would be placed on hold for a redesign in conjunction with the design of wayfinding signs. Now that the final design concept has been finalized, the project is ready to move forward into construction.

He said on November 27, 2017, staff released a request for proposals to interested sign companies to assist the town in final material selection and design specifications for the signs. The town received valid proposals from five companies. The proposal review group (five staff members from the Planning and Engineering departments), met to score the proposals based on the criteria set forth in the Request for Proposals and held an interview with one of the high scoring responses. The proposal review group is recommending Rodney's Custom Cut Sign Company., Inc., of Holly Springs, to assist the town in the final design specifications and construction of the signs.

He said the current year budget appropriates \$100,000 for the detailed/ construction drawing and structural design and construction of the signs. Staff has identified the west (BP Gas Station / C-Store) and south (Dollar Tree / former Walgreens) corners as the primary focus for the gateway signs and will accent the north (CVS) and east (Harris Teeter Fuel Center) corners with complimentary features such as brick columns, knee walls, and / or landscaping.

In discussion, Councilwoman Kelly expressed concern about the artist's rendering of the sign. She said she didn't like the ironwork design and would like to see options.

Mr. Ryan said the artist's rendering used a random stock pattern to illustrate the ironwork in the foreground of the sign but the final design would be different. He suggested the Council could see the final design before it is commissioned.

**Action:** The Council approved a motion to approve a contract in the amount of \$85,156.51 for design and construction administration services to Rodney's Sign Company for the Northeast Gateway Sign with an amendment that the Council will review the final design of the sign before the structure is commissioned.

**Motion by:** O'Brien

**Second by:** Villadsen

**Vote:** Unanimous

**9b. Town Manager Search Firms** – Mayor Sears said following the retirement announcement of Town Manager Chuck Simmons, effective in April 2018, the Town Council will need to fill this position with a qualified candidate who is prepared to lead a thriving and dynamic city organization like Holly Springs. In anticipation that the Council may want to retain an executive search firm, Human Resources Director Erika Phillips prepared a draft Request for Proposals (RFP) for the Council's consideration.

He said the RFP could be sent out to firms that are familiar with government sector head hunting.

The RFP sets a timeline that begins with a March 9 deadline for firms to reply; March 20 selection of a firm; mid-April submission from the selected firm of town manager finalists; with a contract to follow at the end of April. This may be an ambitious schedule, but not impossible.

The Council is reminded that email and social media discussions on this and all town business matters are a matter of public record and subject to the Open Meetings and Public Records laws of the

State of North Carolina. Refrain from participating in this and reserve all discussions for the Council meeting setting.

Until finalists are presented and the Council deliberates on their individual qualifications, all discussions should be held in the open public meeting setting.

**Action:** The Council approved a motion to direct staff to issue a Request for Proposals for an executive search firm to assist the Town Council through the hiring of a town manager.

**Motion by:** Berry

**Second by:** Kelly

**Vote:** Unanimous

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

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

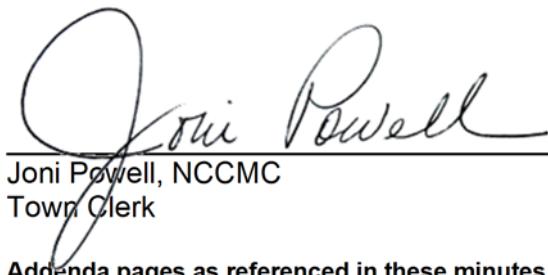
**12. Closed Session:** The Council entered into closed session, pursuant to N.C.G.S. 143-318.11(a)(3) to discuss with the town attorney under the attorney-client privilege the pending litigation matter involving *Currin Builders vs. Town of Holly Springs and Poythress Builders, et. al. vs. the Town of Holly Springs*.

In closed session, the Council heard information from Ms. Parrish and Mr. Schifano and then gave direction to the Town's attorney in the litigation matters.

No action was taken in closed session, other than a motion to return to open session. The motion to return to open session was made by Councilman O'Brien and seconded by Councilwoman Lee. The vote was unanimous.

**13. Adjournment:** There being no further business for the evening, the Feb, 20, 2018 meeting of the Holly Springs Town Council was adjourned.

Respectfully Submitted on Tuesday, March 20, 2018.



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Joni Powell, NCCMC  
Town Clerk

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



# Findings

The Southern Area is the last significant area that is available to Holly Springs to develop and shape within its current planning jurisdiction. As such, the Town will need to carefully plan its pace of growth, phasing of development and infrastructure. Recognizing an obvious geographic position reality, the land is situated in a difficult proximity between Harris Lake, Duke Energy controlled land, and the US Highway 55 Bypass. This geographic reality and positioning puts a heightened emphasis on the roadway systems within and immediately surrounding the Southern Area. For decades, these roads have functioned as 'farm to market' roads and now are transitioning to carry a tremendous traffic load that they were never designed to accommodate. Growth continues in adjacent communities along the NC 55 corridor, including Harnett County. This neighboring growth contributes to traffic delays on NC 55 Bypass in Holly Springs regardless of the development decisions made by the Holly Springs Town Council. As the Southern Area prepares for its pending growth, it will need to balance new infrastructure projects in concert with development to offset the inherent peaks and valleys of traffic flow and pressures.

The Community Growth Areas / Neighborhood Centers are an important tool to create successful, sustainable growth. However, further specific study is required for their individual composition and design. Tree preservation is to be evaluated and a network of pedestrian trail systems such as greenways need to be developed.

The citizens have weighed in on their concerns and the planning team has responded with appropriate measures and recommendations. Six specific findings have come from the process of this study. They are as follows:



## 1. RECOMMEND CONDUCTING A DETAILED MARKET ANALYSIS AND FEASIBILITY STUDY OF THE THREE COMMUNITY GROWTH AREAS (CGAS) IN THE STUDY AREA TO:

- a. determine the market conditions, trends, constraints and opportunities relative to the development of the CGAs as indicated on the Future Land Use Plan.
- b. determine the competitive market environment, establish demand estimates and assess the overall potential to support mixed-use development including non-residential and higher density residential (townhomes or upper story) in each of the CGA's to verify the appropriate locations and number of CGAs for the study area
- c. determine the appropriate size of each appropriate CGA
- d. determine the appropriate percentage and intensity/density of land uses of each CGA

# Findings

## 2. MAINTAIN THE EXISTING FUTURE LAND USE PLAN RESIDENTIAL DENSITIES FOR PARCELS OUTSIDE OF THE COMMUNITY GROWTH AREAS.

## 3. RECOMMEND REVISING THE EXISTING FUTURE LAND USE PLAN TO:

- a. Revise map colors to clearly denote the ranges of residential densities within the Community Growth Areas
- b. Update plan to reflect outcomes of the proposed market analysis and feasibility study in Finding #1 above.



## 4. RECOMMEND CONDUCTING A STUDY TO DETERMINE ANY NECESSARY AMENDMENTS TO THE COMPREHENSIVE TRANSPORTATION PLAN REGARDING:

- a. The effectiveness of the proposed secondary roadway network
- b. The addition of new greenway and bicycle trails connecting neighborhoods and Community Growth Areas
- c. Inter-connectivity analysis including proposed roadway networks and collector roads specified on the Future Thoroughfare Plan Map.
- d. Prioritizing the design and construction timeline of road widenings, new thoroughfare construction and construction of collector roads.
- e. Evaluate the proposed Future Land Use Plan revisions by utilizing the Triangle Regional Traffic Model to determine available transportation capacity.

# Findings

## 5. RECOMMEND UPDATING THE UNIFIED DEVELOPMENT ORDINANCE (UDO) AS FOLLOWS:

- a. Evaluate Section 2.09 Development Options for the following:
  - i. the potential for small lot cluster homes to create larger common open space and parks without increasing the overall gross density of developments
  - ii. modify the development standards for townhomes to consider adding new regulations to prohibit them from being located adjacent to existing single-family neighborhoods and to provide an appropriate maximum percentage of townhomes allowed in a project
  - iii. evaluate the open space requirements in regard to developed/usable open space versus unusable lands such as floodways and wetlands.
- b. Modify the allowed maximum gross densities of Residential Districts to align with the allowed densities depicted on the Future Land Use Plan map in the Comprehensive Plan.
- c. Require all subdivisions to provide Home Owner Association developed and maintained open space and/or pocket parks.
- d. Evaluate Section 7.01 Landscape Regulations to require
  - i. tree preservation along the perimeter and within new developments
  - ii. enhanced perimeter yard planting standards to increase screening between developments and along thoroughfares.



## 6. RECOMMEND UPDATING THE DEVELOPMENT PROCEDURES MANUAL TO REQUIRE A TRANSPORTATION IMPACT ANALYSIS WITH ZONING MAP CHANGE PETITIONS.