MINUTES

The Holly Springs Town Council met in regular session on Tuesday, October 21, 2025. Mayor Mayefskie presided, calling the meeting to order at 7 p.m. A quorum was established as the Mayor and five Council members were present in the Chamber as the meeting opened.

Council Members Present: Mayor Sean Mayefskie, MPT Dan Berry, Council members Timothy Forrest, Danielle Hewetson, Annie Drees, and Chris Deshazor.

Council Members absent: none.

Staff Members Present in Chambers: Randy Harrington, *Town Manager*; Scott Chase, *Assistant Town Manager;* John Schifano, *Town Attorney;* Linda McKinney, *Town Clerk* (recording the minutes); Kameron Womack and Jesse Dixon, *IT;* Corey Petersohn, *Director, Office of Budget, Innovation and Strategy;* Cassie Hack, *Director, Communications and Marketing*; Chris Hills, *Director, Development Services;* Elizabeth Goodson, Sean Ryan, Sara Lipkin Sularz, Grayson Taylor, and Elliot Blonshine, *Development Services*; Kendra Parrish, *Executive Director of Utilities and Infrastructure;* Tina Stroupe, *Finance Director;* Jay Osborne, *Assistant Town Attorney*; Irena Krstanovic, *Director, Economic Development;* Anna Murphy, *Economic Development;* Paul Liquorie, *Police Chief;* and Kathy White, *Deputy Clerk.*

2. and 3. The Pledge of Allegiance was recited followed by an invocation by Ahmed Radwan, of Alnoor Islamic Center.

4. Agenda Adjustment: The October 21, 2025 meeting agenda was adopted with changes, if any, as listed: none.

Motion: Berry
Second: Forrest
Vote: Unanimous

RECOGNITIONS

5. U.S. Marine Corps 250th Anniversary Proclamation

Mayor Mayefskie proclaimed November 10, 2025 the 250th Anniversary of the U. S. Marine Corps and presented the proclamation to a group of Marine Veterans.

CONSENT AGENDA

The Council passed a motion to approve all items on the Consent Agenda. The motion carried following a motion by MPT Berry, a second by Council member Forrest and a unanimous vote. The following actions were affected:

6. September 9, 2025 Workshop and September 16, 2025 Business Meeting minutes – Council approved the minutes of the September 9, 2025 Workshop meeting and the September 16, 2025 Business meeting.

7. Monthly Budget Amendments – Council received the Town Manager approved budget amendment.

A copy of the budget amendment is attached to these minutes.

8. 1432 Avent Ferry Rd., Courtyards at Holly Grove (formerly Graham Wood) Voluntary Annexation A25-06 – Council adopted Resolution 25-11 directing the Town Clerk to investigate the sufficiency of annexation petition A25-06 and setting the public hearing for November 18, 2025.
A copy of Resolution 25-38 is attached to these minutes.

9. Surplus of Firearm and Badge for Upcoming Police Department Retirement - Council adopted Resolution 25-41 authorizing the award of badge and sale of service sidearm to Lieutenant Robbie Parrish.
A copy of Resolution 25-41 is attached to these minutes.

10. Board Appointments Policy Update – Council adopted Policy 44.2, Board Opening and Application procedures.
A copy of Policy 44.2 is attached to these minutes.

11. America's Water Infrastructure Act Risk and Resilience Assessment / Emergency Response Plan Contract – Council awarded a contract to AECOM in the amount of $124,2000 to complete the Town of Holly Springs America's Water Infrastructure Act Risk and Resilience Assessment and Emergency Response Plan.

12. Sole Source Items for Phase 2, Utley Creek Water Reclamation Facility 6-8 MGD Upgrade Project – Council authorized the waiver of standard bidding requirements for specified equipment in Phase 2 of the Utley Creek Water Reclamation Facility upgrade project and authorized the Town manager to execute contracts for the specified equipment in the amount not to exceed $1,104,641.60.

13. Public Works Asset Surplus over $30,000 – Council approved the surplus of Public Works Asset #43 a 2005 Caterpillar 420D Backhoe.

14. Avent Ferry Widening – Phase 2 NCDOT Supplemental Agreement – Council authorized the Town Manager to sign and execute a supplemental agreement to the current Municipal Agreement between the North Carolina Department of Transportation and the Town to extend the prior agreement's duration for the design and delivery of Avent Ferry Rd. Phase 2 transportation investments.

PUBLIC HEARINGS

15. Seasons at Wilbon Rezoning 25-REZ-06 and Development Agreement

Grayson Taylor, Development Services, said a request had been received for rezoning at 2316 Piney Grove Wilbon Road. He showed the location of the property in the Town's Extra Territorial Jurisdiction and said the request was to rezone from RR Rural Residential to NR-CD Neighborhood Residential Conditional Zoning. He said the property is designated Mixed Residential Neighborhood on the Land Use & Character Plan and currently zoned RR Rural Residential. He outlined the project history and showed the evolution of the design. He said the project contemplates 222 units (142 detached dwellings and 80 attached dwellings) with various open spaces, an amenity center, public art at Adcock & Piney Grove Wilbon, and opaque buffers along thoroughfare frontages. He said the proposed standards modifications include a lower density, narrower minimum lot frontage for 55 front-loaded lots, and wider buffers. Building façade design standards include covered porch/stoop for all dwellings, attached dwellings in 4-, 5-, and 6-unit buildings, and anti-monotony standards. He said the Parks, Recreation, and Greenways Master Plan contemplates a proposed Greenway through the center of the project and proposed sidepath along Piney Grove Wilbon Rd. which the applicant has agreed to build.

Elliot Blonshine, Development Services, showed the proposed utility lines throughout the site. He said they offered two options, gravity fed or force main. The developer has committed to a downstream pump station. He said it is a priority 3 and meets the allocation with the public infrastructure improvements tree preservation, and green building standards. Staff determined that there is sufficient allocation remaining.

Mr. Blonshine said the interior of the project would include private alleys as well as public streets. He showed the two proposed site access points, one on Piney Grove Wilbon and one on Adcock, and the road widening on both roads along the property frontage. He said that eight intersections were studied as part of the traffic study and showed where they were and where nearby developments exist.

Mr. Taylor said the proposed development agreement includes commitments to the Water Resource Management Policy including a 25% increase in active recreation open space, vegetative wetlands in lieu of ponds, and green building standards.

Mayor Mayefskie opened the public hearing and the following input was received:

Bob Zumwalt, Kimley Horn, introduced the team. He said the site was 76.68 acres at the northwest quadrant of Adcock Rd. and Piney Grove Wilbon Road. The site has an existing lake and wetlands, rolling topography and specimen trees. He said they were proposing 22 lots with a density of 2.89 units per acre. Fifty-five will be single-family with alley access, 67 single-family with front access, and 80 townhomes with alley access. Amenities include a pool and clubhouse, 8 pocket parks and 5.4 miles of greenway or sidewalk. They are also dedicating .85 acres to longleaf pine reforestation.

Mr. Zumwalt showed the progression of the plan since its inception. He said that off-site utility improvements include 6,500 linear feet of off-site waterline extension and 1,500 linear feet of off-site gravity sewer extension.

Kevin Dean, Kimley Horn, said they coordinated with NCDOT and Fuquay-Varina in the traffic study. He said the off-site roadway improvements include frontage widening on Piney Grove Wilbon Road and Adcock Road, right turn lane on Rouse Road at Piney Grove Wilbon Road., fees-in-lieu towards left turn lanes on Piney Grove-Wilbon at Rouse, Piney Grove Wilbon at Adcock, and Piney Grove Phelps West Road and Rouse Road. He said that the land is designated Mixed-Residential Neighborhood on the Future Land Use Plan.

John Adcock, Adcock Law Firm, said this is a low-density project. He said it was compatible with existing developments and with the Land Use Plan. He said the buffers have been expanded to larger than required. He said that Piney-Grove Wilbon Road traffic is heavily traveled by people traveling through Holly Springs from other municipalities and coming from Harnett County. He said there is no DOT money allocated to widen this road so any improvements will come from developers. He said the improvements are consistent with the Town's Comprehensive Transportation Plan. He said the project would be a benefit to the public.

Mr. Adcock said he has some suggestions for changes to the Development Agreement and asked that Council allow time for them to work with staff to make those amendments.

Anne Oakley showed representative elevations of the planned homes, and renderings of the active recreation areas and amenities planned.

Erin Schnider, 209 Piney Grove Wilbon Road said she is speaking for all the properties that line the road. She feels this will cause people to lose their land. She said the cross sections don't match with Fuquay-Varina's. She thinks there would be a risk of total condemnation of properties. She spoke about traffic problems and the difficulties of sprawl. Road widening will not fix traffic because wider roads bring more traffic. She welcomes new houses but thinks this is too dense. This will make mass transit difficult to implement. She asks Council to remember people who are already here.

Ruby Jones, 5921 Adcock Road, said she was here to speak in support of the project. The sewer line would help her in the future allowing her family to develop their property for themselves.

Fran Hudson, 5524 Rex Road, said that she has seen the sprawl out into the ETJ and the closest subdivision to this is in Fuquay-Varina and those are .7 acre lots for 500 homes. She said that was a better density. She said that this does not meet the RR zoning. The number of houses approved in this area is too many and too dense. She said Conditional Zoning is not intended for speculative rezoning. This property has not been purchased yet so it would be speculative rezoning. She spoke of traffic problems. She said there is no public park land dedicated which she said was required by the UDO. She said there are things that don't make sense in this area to her.

Beth Kutsh had left the meeting. Greg Baxter passed.

Jacqueline Barry, 2501 Piney Grove Wilbon Road, said she is from Long Island and moved here 15 years ago and lives across the street. And this will be her view for the next 10 years. She doesn't want to see Long Island here. She spoke about traffic and said if it gets heavier people will not be nice anymore and there will be road rage. She said she wanted to warn Council about the dangers of greed. She wants new homes for new neighbors without hurting those who still live here.

There being no further input, Mayor Mayefskie closed the public hearing.

Mr. Taylor requested feedback for the applicant and said that the item will now go to Planning Board for review and come back to Council in November.

16. Brook Manor Subdivision Completion Development Agreement

John Schifano, Town Attorney, said this item was to consider a request for a Development Agreement for Brook Manor Subdivision. He said this was originally approved in 2005 for 141 detached dwellings. One hundred and nine lots were platted and constructed between 2013 and 2016, with 32 remaining. Development was halted based on regulation of an inactive Waste Disposal Site immediately adjacent, and the subdivision plan expired in 2022. The expired lots do not meet current UDO standards.

Mr. Schifano said the agreement would renew the expired plan approval to allow completion of the subdivision, with the contaminated area set apart as a conservation easement. It allows the use of previously constructed water and sewer infrastructure. The Developer must retain a third-party professional to inspect and certify the infrastructure and to make all necessary modifications and repairs to the satisfaction of the Town. The infrastructure must be bonded and warranted by the Developer for five years. The Agreement requires compliance with all requirements contained in the Declaration of Land Use Restrictions approved by the NC Department of Environmental Quality.

Council member Drees confirmed that the decision tonight is not to judge the contamination, that is done by NCDEQ. This is just to allow them to build to the UDO in place at the time of original building. Mr. Schifano said yes, the environmental decision will be made by NCDEQ. The developer's plan is to not build on land the DEQ considers contaminated. The Agreement restores the status of the law in 2005 when it was originally approved, and has the mechanism for platting in a way that removes the buildable lots from the contaminated area.

Council member Deshazor said if we go back to the original UDO that is a lot different. Mr. Schifano said going back will make the lot sizes and setbacks align with the existing neighborhood. Council member Forrest asked if this would set a precedent. Mr. Schifano said that development agreements are very site specific. There are probably no other sites in town like this that we would have to worry about.

Mayor Mayefskie opened the public hearing, and the following input was received:

Isabel Mattox, speaking for the applicant, said John Schifano did a great job of explaining the issues. To clarify, there are 13 acres right now covered by that agreement. But there are about 9 lots in the contaminated areas and 24 in the noncontaminated area. She said they have to go back to NCDEQ to refine the description to allow the use of the 24 lots. She said she wants the lots to follow the original UDO, to be consistent with the existing Brook Manor. She said the utilities have been in the ground and for the most part not used, but they have hired Withers Ravenel to inspect the pipes and warrant that they are functional. They will make repairs if they are needed.

Dawn Joseph, 105 Horncliffe Way, said that she lives in Brook Manor. She said the developer hasn't approached residents. They want to see the map of which properties will and will not be developed. She said they would like the agreement to use the original UDO to keep the houses consistent, but they would like the opportunity to look at the plans before this is approved.

Don McConnell, 405 Birkby Way, said he lives in Brook Manor, and the space looks atrocious, so having the developers come out would be beneficial. The Board wants to know if they are going to keep the land clean The weeds are waist high now and they only clean it a few times a year. He spoke of construction issues with nails, etc. and wanting them to keep it clean. He said NCDEQ required the remediation of the property, but he is concerned that they want to segment the land and whether the HOA would have to maintain the contaminated land, test it, etc. He wants a plan in place before that is approved. He said they don't know what the remediation of the landfill was and would like more information. He said runoff from the former landfill is contaminating those properties. His concern is how the developer is going to maintain this property to the standards of Brook Manor and to see how they can come together with a policy to move their ideas forward.

There being no further input, Mayor Mayefskie closed the public hearing.

Council member Hewetson said she would like the applicant's attorney to respond to the HOA's questions.

Ms. Mattox said the site would be better maintained once the Agreement is signed. This is a new developer who has only owned it for a few months.

Ben Mathis said their plan was to work with DEQ and the town first and then go back to the HOA to work on how we will maintain the property. The developer will maintain the property until everything is worked out. He said the contamination report just came back and there are no contaminates in the water, so it looks like the remediation in 2018 worked. They will work with the HOA on how to maintain those areas.

Council member Drees asked if they expected that the land set aside would belong to the HOA at some point. Mr. Mathis said they don't know what DEQ wants us to do with the land. It could go into a conservation fund or something else. They are waiting for DEQ direction.

Mayor Mayefskie asked for clarification on what the Development Agreement would allow this group to do. Mr. Schifano said it would allow them primarily to plat the land in the way that was originally approved but has now expired. The second thing is we typically don't allow people to plat twice, and they are going to plat twice to separate the contaminated area so they can ask DEQ to apply the restrictive covenants only to that part. Then they will plat the rest. It will also allow us to accept utilities that they prove meet our standards.

Council member Drees asked about fire truck access if they have to change the road. Mr. Schifano said the road circumference that we had back then hasn't changed significantly. Elizabeth Goodson said the roads and infrastructure are already on the ground and emergency access has already been provided. We will watch what happens with the divide but this should just restore what was already approved.

Mayor Pro Tem Berry said in the Agreement it notes that the Water Resource Policy is being waived. He asked what fees would be applied to this project. Will they go back to 2006 fees? Mr. Schifano said it would be the current fees. MPT Berry asked if this section would be subject to the recorded HOA covenants. Mr. Mathis said they would be subject to the same covenants. The whole purpose is to keep this the same as the rest of the subdivision. Mr. Schifano said he does not believe the HOA can be forced to take any property, so assuming the HOA is a separate legal entity it would not be forced to take land it doesn't want.

Action: Motion to approve Development Agreement for Brook Manor Subdivision.

Motion: Forrest
Second: Hewetson
Vote: unanimous

17. Duke Friendship Substation (Deer Path Rd.) Voluntary annexation A25-07

Grayson Taylor, Development Services, said this item was a request for annexation of +/- 51.057 acres north of Friendship Road, adjacent to Deer Path Road, and bordering US Highway 1. He showed where the site was located in the Town's ETJ.

Mayor Mayefskie opened the public hearing and the following input was received:
Toby Coleman, Smith Anderson Law Firm, on behalf of the applicant, said he was here with the team and happy to answer questions.

Dawn Cozzolino, 3632 Bosco Road, said she lived across the highway from this project. She said this would be fully visible to Hwy 1. She said they already see the power plant from the road and don't want to look at another industrial structure. She understands the need for power, but this must meet higher standards for security and design. She said a substation must be treated as a secure infrastructure but should be visually hidden so it blends into the environment. She said Holly Springs built its reputation on quality development, and she wants to make sure this stays safe and attractive.

There being no further input, Mayor Mayefskie closed the public hearing.

Action: Motion to adopt Annexation Ordinance A25-07 to approve annexation.

Motion: Berry
Second: Forrest
Vote: unanimous
A copy of Annexation Ordinance A25-07 is attached to these minutes.

18. Comprehensive Plan Amendment 25-CPA-01: Section 4 Community Facilities; Section 5 Infrastructure & Utilities; Section 6 Natural Resources

Sean Ryan, Development Services, said the purpose of this item was to conduct a Public Hearing regarding amendments to three sections of the Comprehensive Plan. The proposed changes would then go to Planning Board and return to Council at their November meeting. He outlined the timeline of these amendments starting in February of 2025 and said that these are the last three sections to be updated and are different in nature from the other sections. These sections support the vision created by the Land Use & Character Plan, provide an inventory of existing facilities or utility systems, are more technical in nature, and identify needs to support community build-out. He outlined the many public engagement activities, including the open house held earlier this evening.

Mr. Ryan said that Section 4: Community Facilities, identifies current and planned facilities to support Town growth, identifies public and private education resources, and supports long range planning for new Town facilities, such as fire stations. He said recommendations include continuing to plan for Town space needs, investigating solid waste as a town-provided service, ensuring that growth aligns with facility needs, proactively planning for future fire stations, and collaborating with County, State, and Federal partners.

Mr. Ryan said that Section 5: Infrastructure & Utilities includes inventories of the Town's major utility systems, new sections on stormwater and fiber optic utilities, establishes high level capacity needs based on full build-out and identifies opportunities to enhance sustainability of services. Recommendations include regional sanitary sewer pump station basins and facility locations; water main line locations; elevated storage tank; stormwater programs, and fiber optic system gap identification.

Mr. Ryan said Section 6: Natural Resources identifies existing natural resources and includes a new section on tree canopy and urban forestry. He said recommendations include prioritizing conservation on key areas, enhancing UDO standards, developing urban forestry planning programs, and refining and enhancing the Street Tree programs. He said there were five endangered species identified in the Town.

Mr. Ryan outlined the remaining steps in the Draft Review and refinement and said the hope is to bring it to Council for adoption at the November 18th meeting. He said the Infrastructure & Utilities Comprehensive Plan has overlap with the Utility Modeling and Master Plan, which is anticipated in Spring of 2026, at which point the Comprehensive Plan may need to be amended to align with it.

Council member Deshazor asked if the technical team would be present in November, and Mr. Ryan said yes. Council member Drees asked when the UDO amendments would come back to Council. Mr. Ryan said it would be up to Council how quickly they want those amendments to be made. They could come back as part of the semiannual process if they are not otherwise prioritized. Council member Drees asked if staff has received feedback. Mr. Ryan said they have received feedback. These sections are more technical in nature, but the feedback has been quality even if the quantity is not much.

Mayor Mayefskie opened the public hearing and the following input was received: none.

There being no input, Mayor Mayefskie closed the public hearing.

Mr. Ryan said next steps would be review by the Planning Board on October 28th, for recommendation to Council.

19. Semiannual UDO Text Amendments 25-UDO-02

Sean Ryan, Development Services, said this item was to conduct a public hearing for proposed UDO amendments. He said that after the public hearing the item would go to Planning Board for review and return to Council at their November meeting. He said there are 25 proposed amendments including alley building setbacks, landscaping revisions, infill lot building setbacks, home occupations, conservation subdivisions, murals and other artwork, and temporary signs. He said that under the current UDO murals are treated as signs. The amendment would have them regulated as an accessory use, increase the size allowed, and provide standards for types of materials, colors, and maintenance. He said that conservation subdivisions would be allowed in the RR, SR, and NR districts with maximum density permitted by standard subdivision. The 40-50% open space requirement would be calculated after removing constrained land areas, rather than as a percentage of the whole. Open space type would be tree preservation, constrained areas, and could allow some areas of active recreation. A conservation easement would be required on that open space so it cannot be developed in the future.

Mayor Mayefskie opened the public hearing and the following input was received: none

There being no input, Mayor Mayefskie closed the public hearing.

Mr. Ryan said that next steps are for the Planning Board to review at their October 28th meeting.

20. Economic Development Agreement with Ypsomed Manufacturing USA

Irena Krstanovic, Director, Economic Development, said that this public hearing was to consider an Economic Development Agreement (EDA) between Ypsomed and the Town of Holly Springs. She explained that the company would invest $195 million in Holly Springs and create 62 jobs. They have chosen a site in an existing building in YIELD. Ypsomed is a global leader in medical technology and diabetes care and a direct supplier to the biotechnology industry, delivering the injectable “pens” for bio manufacturing companies.

Ms. Krstanovic showed the location of the building and its proximity to CaMP Helix, Catalyst BioCampus, Genentech, Amgen, FUJIfilm Biotechnologies, and Seqirus. She said this will diversify Holly Springs' industries, being a supplier to the biotech industry, would provide high quality jobs, and expand the local tax base. She said they have plans to grow and have already purchased more land. She said the traffic mitigation measures have already been installed by YIELD and no further need to be done.

Ms. Krstanovic outlined key terms of the EDA including employment, wage & investment targets; the business investment grant that is proposed; and a customized review schedule for Town-administered permits, plan approvals, etc.

Mayor Mayefskie opened the public hearing and the following input was received: none.

There being no input, Mayor Mayefskie closed the public hearing.

Action 1: Motion to approve Economic Development Agreement (EDA) between Town of Holly Springs and Ypsomed.

Motion: Forrest
Second: Hewetson
Vote: unanimous

Action 2: Motion to authorize the Staff to execute necessary transactions consistent with terms of the EDA.

Motion: Forrest
Second: Hewetson
Vote: unanimous

NEW BUSINESS

21. Duke Friendship Substation Rezoning 25-REZ-04

Grayson Taylor, Development Services, said this was a rezoning requested on the land that was annexed earlier in the meeting and showed its location on the map. He said that if this is approved, the next step is Civil Construction Drawings, which is an administrative task. He said the property is currently designated Business & Industrial and Natural Area on the Land Use & Character Plan and zoned Rural Residential. The applicant is proposing two zoning districts. The larger would be a 46.25 acres Business & Research Technology Conditional Zoning District, and the smaller parcel to the northeast a 6.11 acre Business & Research Technology district. The applicant plans to construct a 230kv substation upon an existing but previously decommissioned site. They will redirect transmission lines into the site. Deer Path Road right-of-way is to be closed (under separate application.) He showed the buffer area to shield from US 1. The proposed standards include no minimum lot frontage, retaining the existing condition of 60' right-of-way of Deer Path Rd. being retained as Lot Frontage. The fence height would be a minimum of eight feet consisting of seven feet of chain link fence plus one1 foot of barbed wire extending outward for security. The buffers include no eastern buffer due to Deer Path Rd. site access and no required buffer adjacent to US 1 as it is a line easement area, with the specific area along US 1 to be preserved out of required maintenance areas.

Elliot Blonshine, Development Services, said there is no transportation study required because the project is not on a Comprehensive Transportation Plan road, and the estimate is for one or two trips per day at most. Utilities are not needed at the site.

Mr. Taylor said that staff analysis is that the proposed zoning supports the utility service needs of the overall community and is consistent with Town plans and policies. He said that staff's recommendation was for approval.

Van Crandall, Planning Board representative, said that Planning Board recommended approval with a vote of 9 to 0. There were questions about noise, the size of the new substation, projects in the adjacent area, future residential projects, current zoning, construction disruptions, visibility and buffers, the fence, Amgen's parcel, line corridors, and why rezoning was requested, and Planning Board received acceptable answers.

Council member Deshazor asked about the tree buffers given the concerns of Ms. Cozzolino, the speaker from the annexation. Mr. Taylor said the width of the right-of-way is the abandoned road. The land is owned by Duke. On the US 1 side they worked with the applicant to preserve as much buffer as possible, which is the area next to US 1. The Town's hands are tied by the amount of right-of-way that Duke has in that space, but they did work with us to preserve the buffer.

Action: Motion to adopt Ordinance RZ25-06 to adopt the Plan Consistency Statement, Statement of Reasonableness, and approve 25-REZ-04 Duke Friendship Substation Rezoning.

Motion: Hewetson
Second: Deshazor
Vote: unanimous

22. Holly Springs Business Park PUD Amendment 01-PUD-03-A05 for Pine Springs Upper School

Grayson Taylor, Development Services, said this was a request to amend the Holly Springs Business Park PUD for Pine Springs Academy. He reminded the public that there was a public hearing on this matter on September 16th, after which it went to the Planning Board for review. Should this be approved, the next step is Development Plan Amendment, which is an administrative decision. He showed the location of the site in town and within the PUD and said it is designated Business & Industrial in the Land Use & Character Plan and zoned PUD. He said the PUD was originally approved on October 1, 2002 and listed some of the uses currently in the Business Park. The PUD was amended in December 2024 to allow schools with additional standards and Development Plan 24-DP-07 was approved in March of 2025 and is now under construction. The applicant is requesting this amendment to reduce the number of EV and EV-ready parking spaces they provide. Currently they are required to provide 15 EV spaces and 45 EV-ready spaces. They are requesting to reduce this to 6 EV spaces and 18 EV-ready spaces, to apply only to staff and visitor parking. At the public hearing in September the applicant compared their site to recent Wake County Public School System projects approved by the Town and discussed staff's initial analysis of the PUD amendment. Mr. Taylor said that staff finds the PUD Amendment inconsistent with the Town's UDO; however, the amendment is supported by the Comprehensive Plan which provides encouragement for school development. Therefore, staff feels that overall the proposed rezoning is reasonable and in the public interest and they recommend approval.

Planning Board representative Van Crandall said that Planning Board recommended approval with a vote of 5 – 3. Those voting against approval cited inconsistency with the UDO. Additionally, the Planning Board made a motion to request the Town examine and research electric vehicle parking requirements. This motion was approved with a vote of 8 – 0. Mr. Crandall went into detail about the Planning Board's discussion.

Council member Deshazor asked if the school would be locked during non-school hours, weekends, so others can't charge there. Mr. Taylor said yes, it would be locked. Council member Deshazor asked his colleagues if they wanted to ask staff to do research on EV requirements to see what is good for the Town. Consensus was yes.

Council member Drees asked if this decision was deferred until the UDO was updated, would that give the applicant enough time. Mr. Taylor said the applicants expressed an aggressive timeline for construction, wanting to open the building in time for the school year 26-27. Staff would need to do research and bring something back to Council so it might not be possible.

Action 1: Motion to adopt Ordinance RZ25-07 to adopt the Plan Consistency Statement, Statement of Reasonableness, and approve the Holly Springs Business Park Planned Unit Development Amendment.

Motion: Forrest
Second: Berry
Vote: unanimous
A copy of Ordinance RZ25-07 is attached to these minutes.

Action 2: Motion to request staff examine and research electric vehicle parking requirements for potential Unified Development Ordinance updates.

Motion: Forrest
Second: Hewetson
Vote: unanimous

UNFINISHED BUSINESS

1317 N. Main St. Commercial Tracts Development Plan Major Amendment (21-DP-01-A02)

Brett Gosney, Development Services, said this was a request for a Development Plan Major Amendment for 1317 N. Main Street. The item went to Planning Board on June 24, 2025, and the public hearing was held July 15, 2025. At that time the applicant asked for the item to be tabled 60 days. At the September meeting a further delay was granted. He outlined the history of the project and showed its location at 200 Sportsmanship Way.

Mr. Gosney reminded the public that this was a quasi-judicial decision where Council collects evidence from sworn testimony by fact witnesses and opinions by qualified experts. The applicant must present evidence that the standards in the ordinance are met and if they produce sufficient evidence they are legally entitled to approval. He said the site is designated Mixed-Use Center in the Land Use & Character Plan and explained the characteristics of a Mixed-use Center. He said that while the applicant meets the characteristics of a variety of shared open space and buildings 3 – 5 stories along the corridor, but 2-3 in transitional areas, the plan fails to meet the other three characteristics.

Mr. Gosney said the site is currently zoned CB Community Business Conditional District and Mixed-Use Conditional District and has existing Development Agreement and Economic Development Agreement in place. The Development Agreement includes a commitment to provide a mixture of uses, including office, retail and hotel site, site design commitments, and transportation improvements. The Economic Development Agreement includes a required investment of $20 million by the developer. It references office, retail and a potential hotel and compliance with the Development Agreement. Terms and timeline of development completion and the Wake County Conveyance of property to the Town who would sell to the Developer based on a 2020 appraisal.

Mr. Gosney showed the approved plan for the DHIC half of the property, which is not under consideration, and the proposed plan for the Capital Associates side which is. He said the proposed plan is for one 75,000 square foot 3-story building and one 12,000 sq. ft. one-story building. The proposed use for both buildings is medical office, however Building B could also be used for retail. There would be 372 ground level parking spaces. Reduced open space is provided in front of the building and near the east property line. He said the applicant has a previously approved plan that they could move forward with it this amendment is not approved. He shared the previously approved building elevation and the currently proposed one.

Elliot Blonshine, Development Services, said the site would be served by potable water and sewer and showed where the lines would go. The utility use would be reduced a bit due to smaller square footage. Transportation commitments include a proposed greenway, side path along NC 55, a turn lane on Sportsmanship Way and the relocation of the bus stop. These are not under consideration for change.

Mr. Gosney said there is no allowance for a possible hospitality use so there is no way to ascertain there is adequate parking. He said that the proposed amendment complies with minimum requirements of the CB Zoning District as specified by the UDO. However, it is inconsistent with the Comprehensive Plan and Criterion 5 of the Findings of Fact, which required the project to further the goals and policies of the Comprehensive Plan. It is inconsistent with Town Council approved Development Agreement and Economic Development Agreement. Staff requests the staff report, attachments and presentation be entered into the record and recommends denial.

MPT Berry asked if the approved plan was the same as in the Development Agreement plan. Mr. Gosney said it conserves the place for a hotel but doesn't propose building it. Council questioned the details of the approved plan. Sean Ryan, Development Services, said the approved plan on file is for a 4-story office building as well as a smaller integrated center. The area where the stormwater pond is located would be a future hotel pad. At the time of approval staff found that in agreement with the Development Agreement. They could build the approved plan, but their request tonight is to modify that plan. The smaller building is the same size; the proposed larger building has been reduced in size.

Jeff Roether, Morningstar Law, speaking for the applicant, introduced the team who would speak to this application: Laura Holloman, Linda Vasil, Rynal Stephenson, and Frank Baird. He said the proposed amendment includes an amendment to the Development Plan to reduce. Following the July hearing the applicant submitted the amendment to add the building for multiple use, not just medical office. The only difference is reducing the larger building and changing the footprint slightly. He reminded Council of their duties in a quasi-judicial decision. He read the five criteria to be discussed below. He asked that the binders he handed out be entered into the record.

Laura Holloman, Planner with McAdams, gave her credentials and said she would show how the project meets Criterion 5: Furtherance of the goals and policies of the Comp Plan. She showed the previously approved plan and the current plan. She said the building stayed relatively the same, but the introduction of a stormwater feature rearranged the parking. The proposed plan locks in the same things, but they increased the building footprint for building A to drop it down to three stories, which was favored by the adjacent neighborhood. She said it meets the approved zoning conditions. She said they meet UDO requirements and listed them. She said it furthers the goals of the Comprehensive Plan by adding the small building with retail integration. She said the Comp Plan does not designate a specific number of uses to make a mixed-use site. She said they are meeting the buffer requirements. She said staff said retail could be in the medical office building, but that is not their intent. It will be a medical office building. She said these things satisfy Criterion 5.

Ms. Holloman said the packet handed to Council has the previously administratively approved plan. She said the original Development Plan shows a slightly smaller retail integrated building parallel to the spine road, but it was never a vertical mixed-use component in this site ever. She said the surface stormwater site was on the original plan, but there was never any mention of a hotel site.

Council member Drees said there was mention in the packet that the second building could be retail or medical. She asked them to clarify if it would be medical or retail. Frank Baird said the proposed smaller building was originally intended to be medical, but the tenant wanted to move to the larger building. So they will make the smaller one retail. The zoning allows for either use but we will try to get the larger one going and when the market indicates retail to do that. There is zero visibility for that building and he said they don't want to build something that will fail, so if the right tenant comes along they would build it then.

John Schifano, Town Attorney, asked Ms. Holloman if it was her professional opinion if office use was the only use on all the property it would still be in compliance with the mixed-use requirement. Ms. Holleman indicated yes, that in her professional opinion they would be compliant with the mixed-use requirement if they only had one use on the property, but to be clear, the applicant intends to market the integrated building to retail uses.

Council member Deshazor said the development agreement was signed January 19, 2023. In the Development Agreement, page 5, Article 2, Part 3(a)(1) it reads "Tract 1 consists of approximately 11.11 acres on the western half of the property. Development of Tract 1 shall include one or more office buildings as well as retail facilities, a hotel, and parking." He asked if that was being met with what they are proposing right now. Mr. Roether said when we read the agreement as a whole, it lists the intention of the developer, and a later section lists the zoning conditions. Those do not list a hotel. There's a list of developer obligations and those are the ones that we are meeting. The bigger point is that whether this plan amendment applies to the Developer Agreement is not the question today. You are here to decide if it meets the 5 criteria. If it is in violation of the Developer Agreement the State has a remedy for that and we can go through that whole process if the Town feels there is a violation of the agreement. He said the Town cannot deny the plan based on whether they feel it is a violation of the agreement.

Mr. Schifano asked Mr. Roether if in the Agreement the parties define what a mixed-use is. Mr. Roether said he was not a sworn witness and he doesn't know.

Linda Vasil, Civil Engineer, gave her credentials. She gave an overview of the proposed standards that differ from the UDO. She said the maximum building height has been reduced. They are still adhering to the other development standards. She outlined the street tree and parking proposals. She outlined the elevation elements. She said in her professional opinion, the project meets Criterion 5.

Ms. Vasil said it meets Criterion 1 because there are great buffers and walkability and connectivity. She said it meets Criterion 2, open spaces, because of the tree preservation along the property line. She said it meets Criterion 3 because there is a main drive through the site connecting with Sportsmanship Way and Main St. and provides connectivity to the parking and buildings. She said it meets Criterion 4 because there are public gathering places, open space, and greenway trails. She said in conclusion her professional opinion is that it meets all criterion.

Rynal Stephenson, Transportation Engineer gave his credentials. He said this project meets Criterion 1 because the changes reduce the traffic impacts. The required road improvements will be constructed as originally agreed. He said it was his professional opinion that the project meets Criterion 1.

Mr. Stephenson said it would meet Criterion 3 because the design of the internal streets is sufficient. There is adequate connectivity and street design, as well as pedestrian access. He said his professional opinion is that it meets Criterion 3.

Mr. Roether asked that the staff report and the binders be entered into evidence and that Council take judicial notice of the Comprehensive Plan. He said that the proposed amendment meets all five of the required Criteria and should be approved. He said he is aware that staff recommends denial. He said that nothing has changed with regards to the mixture of uses since original approval and it was found consistent with the Comprehensive Plan. He said this proposed amendment reduces the office building and a different footprint, but the mix of uses has not changed. It furthers the goals of the Comp Plan. He said the lack of a hotel being a violation of the Development Agreement is not to be considered because tonight only the five criteria should be considered. He said it was his opinion that Council cannot apply that consideration to this decision. He said they would need to follow the statutory procedure for a breach of a development agreement and the remedies for that designated in state law. He said it was his opinion that Council cannot d deny the application based on conclusions on whether this is a deviation from the Development Agreement. He said Council must approve the amended plan.

Council member Hewetson said we discussed this in July and Ms. Holloman heard that it doesn't have a mixture of uses. Here we are still with two office buildings and one use. She doesn't have any confidence that the second building would be retail. In her opinion it doesn't fit the Comprehensive Plan. Mayor Mayefskie asked Mr. Schifano to comment on Mr. Roether's closing remarks. Mr. Schifano said he disagrees with Mr. Roether's contention about what Development Agreements do. They inform you of your zoning authority. It is a modification of your zoning laws and happens in the same way you modify zoning law. There is a public hearing in the same manner as there is with a re-zoning and the public has ability to comment. It is not an executory contract that talks about when lines go in the ground. N.C.G.S. 160D-1003 talks about the interplay between Development Agreements and sketch plans and site plans and gives you the authority to make a developer pay attention to those plans. And that's what you did. You attached it as Exhibit B, and it showed three different uses. The project was defined in that agreement. And it used the word "shall" not the work "may." It *shall* have those three things. You heard testimony from Ms. Holloman that a mixed-use is satisfied by one use. Mr. Schifano advised that he doesn't know how you can find as a fact that a mixed-use can be satisfied by one use. But that is for Council to decide. But both parties signed an agreement that helped define what a mixed-use was in case there was any question. And the mixed-use in this particular example, you concurrently considered, with incorporation by reference, with a sketch plan or preliminary plat required, and you defined what that mixed use was. Mr. Roether would say it's just a contract and you can sue us over it, give us your approval under the UDO and that is how it works. But Mr. Schifano said he disagrees with that interpretation of the law with respect to Development Agreements.

MPT Berry said he struggles with defining mixed-use with one use, and testimony tonight did not change anything about that. This has been memorialized for a long time. We need to honor what is in the development agreement.

Council member Drees asked if they could take into account the comment about the retail building potentially not being built at all, depending on the market. Mr. Schifano said that is in the evidence. It's a difficult question about whether that is fact or not, but in the opinion of Mr. Baird, you can consider that the mix of uses will be determined by the market.

MPT Berry asked if it was appropriate to propose. Mr. Schifano said it depends on what the facts are and if they are in evidence. You might want to discuss what you are thinking of. If they are not in evidence and you want to get them in evidence you can reopen the public hearing and get them. MPT Berry said the Development Agreement is in the packet. Mr. Schifano said it is in the record so you can take judicial notice of it. It is in the packet, and I am here providing you with a legal opinion that that Development Agreement helps define what the mixed use is with this site, because it was formulated in reference to a sketch plan that was part of the original agreement. MPT Berry said he wants to consider Article 2 Section 3 of the Development Agreement as a fact. Also he proposes the fact that the current plan does not show any accommodation for a hotel or hospitality use. And the fact that the Town's expert planning staff has found their professional opinions that the project does not meet Criterion 5: furthering the goals and policies of the Comprehensive Plan.

Action: Motion to accept the above three facts into consideration.
Motion: Berry
Second: Hewetson
Vote: unanimous

Action: Motion to adopt Resolution 25-31 to make and accept Findings of Fact for and to deny Development Plan Major Amendment 21-DP-06-A02

Motion: Berry
Second: Forrest
Vote:
Aye: Hewetson, Deshazor, Berry, Forrest
Nay: Drees
The motion passed.

Public Comment: At this time, an opportunity was provided for members of the audience who had registered to speak to address the Council.

The following public comments were received in writing: one comment on noisy vehicles in Trinity Creek and one comment against the demolition of the house on Grigsby.

The following public comments were received in person:

Van Crandall said that as we approach the holiday season he has been exploring how the Town can foster the arts. A performing arts venue is expensive and involves risk. He gave examples from other municipalities that did not meet the number of tickets sold in order to break even. He said with Koko Booth, Fuquay's performing art center, and Apex's planned theater, there would be too much competition. He said he thinks a business conference center would be more appropriate.

Mahendrar and a delegation from TUTA invited Mayor and Council to the Diwali celebration at Sugg Farm and wants them to be part of the event and celebrate with us. He handed out invitations.

OTHER BUSINESS

Council member Deshazor said October is breast cancer awareness month. He wants residents to be aware. Second, he asked if Council wanted to review the new legislative process at a workshop to see if it needs to be tweaked. MPT Berry said he had the same thing on his list. He doesn't think the new process is working because applicants aren't getting feedback. Council member Drees said what she has seen is that Planning Board uses Council comments to springboard their discussion so we might be losing the Planning Board view in their own right. She would also like feedback from developers. Randy Harrington, Town Manager, said he sees a majority who would like that.

Council member Drees reminded the public of HollyFest on Saturday and that Early voting starts this Saturday at Brown Center.

MPT Berry thanked Holly Springs High School. He spoke to personal finance and economics classes. He has enjoyed the ability to do that over the past eight years. Secondly, he represented the town at the Hero Golf Tournament. It was great, and he thanked those who made it happen.

MANAGER'S REPORT

Randy Harrington, Town Manager, said he had 3 items. Next week, Saturday through Wednesday, he will be at the annual International City Manager Conference in Tampa. Second, HollyFest is from 10 to 4 on Saturday at Sugg Farm. Look for the microtransit van that will be there. Finally, on Nov. 1st the Farmers Market will have Touch a Truck event, and Battle of the Badges chili competition.

CLOSED SESSION: none.

Adjournment: Council member Deshazor made a motion to adjourn at 10:23 pm. It was seconded by Council member Forrest and passed with a unanimous vote.

Respectfully submitted on Tuesday, November 18, 2025.

Linda C. McKinney

Linda C. McKinney, Town Clerk

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