



Agenda

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Adjustment and approval of November 3, 2020 meeting agenda

PUBLIC COMMENT PERIOD

Notes on the Comment Period - Due to the current restrictions on mass gatherings, public comment will be received in writing and delivered to Council Members prior to this meeting.

RECOGNITIONS

5. Oath of Office - Finance Officer

REQUESTS AND COMMUNICATIONS

PUBLIC HEARINGS

6. Voluntary Annexation A20-06, 9024 Wesley Court - Legislative Public Hearing
7. Voluntary Annexation A20-08, 5200 Catherine Place - Legislative Public Hearing
8. Oakview Innovation Rezoning 20-REZ-02 - Legislative Hearing

CONSENT AGENDA

9. Approve the minutes of the October 13, 2020 Workshop Meeting and the October 20, 2020 Business Meeting.
10. Voluntary Annexation A20-03, Oakview Innovation
11. Voluntary Annexation A20-05, Village Gate
12. Budget Amendment to Receive United Arts Council Grant
13. Resolution 20-37 Designating Deputy Finance Officers

NEW BUSINESS

14. Oakview Innovation Park Preliminary Plan 20-MAS-02
15. Public Service Operations Campus Land Purchase

OTHER BUSINESS

MANAGER'S REPORT

CLOSED SESSION -

ADJOURNMENT

In accordance with ADA regulations please contact the Town Clerk's office at least 48 hours before the meeting to request an auxiliary aid or service needed to participate in this meeting:

linda.mckinney@hollyspringsnc.us 919-557-3900



Holly Springs Town Council

Town Council Meeting Agenda Cover Sheet

Agenda Item#: 5.

Recognitions

Title: Oath of Office - Finance Officer

Strategic Priority Area: Organizational Excellence

Staff Resource: Linda McKinney, Town Clerk

Action(s):

Town Clerk will administer the Oath of Office.

Explanation:

- Alan Antwan Morrison was hired as Finance Director after an extensive search.
- He comes to Holly Springs from Wake Forest, NC, where he served as Assistant Finance Director.
- General Statutes require the swearing of the Finance Officer, including swearing in as the Town's Tax Collector.

Background:

Funding Source(s):

N/A

Attachment(s):

1. Finance and Tax Collector oath of office

Town of Holly Springs



Oath of Office

Tax Collector & Finance Officer

November 3, 2020

*"I, Alan Antwan Morrison, do solemnly swear
that I will support and maintain
the Constitution and Laws of the United States,
and the Constitution and Laws of North Carolina
not inconsistent therewith,
and that I will faithfully discharge
the duties of my office's as Tax Collector and
Finance Officer
of the Town of Holly Springs, North Carolina,
So Help Me God."*

(North Carolina Constitution, Article VI, Section 7).

Alan Antwan Morrison,
Tax Collector & Finance Officer

Linda McKinney,
Town Clerk



Holly Springs Town Council

Town Council Meeting Agenda Cover Sheet

Agenda Item#: 6.

Public Hearings

Title: Voluntary Annexation A20-06, 9024 Wesley Court - Legislative Public Hearing

Strategic Priority Area: Responsible & Balanced Growth

Staff Resource: Melissa Sigmund, Development Services

Action(s):

Adopt Annexation Ordinance A20-06, annexing 0.69 +/- acres, Wake County PIN # 0669099476, owned by Harold and Patricia Clapper.

Explanation:

- The Town has received a petition for voluntary annexation of 0.69 +/- acres, located at 9024 Wesley Court.
- The property is owned by Harold and Patricia Clapper.
- Annexation is being requested to receive town sewer and water service.

Background:

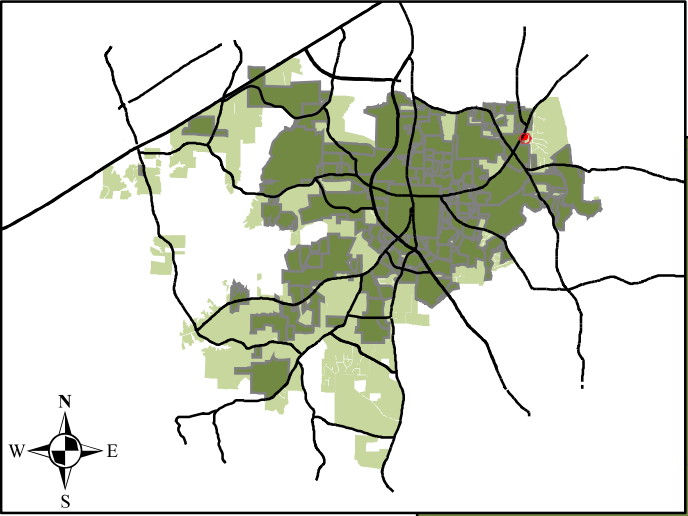
- The property is owned by Harold and Patricia Clapper and is contiguous with Town limits.
- Staff has received feedback from all departments and there are no issues with this annexation.
- The property meets all statutory requirements for annexation.

Funding Source(s):

N/A

Attachment(s):

1. Annexation 20-AP-06 map
2. A20-06 Resolution of Sufficiency
3. A20-06 Ordinance



Legend

-  Annexation
-  Property Site
-  Subdivisions
-  Lakes
-  Town Limits
-  Extraterrito...
-  Jurisdiction (ETJ)
-  Short Range
-  Urban
-  Service Area



THE TOWN OF

Holly Springs

Resolution No.: 20-28

Date Adopted: October 6, 2020

Annexation No.: A20-06

RESOLUTION OF THE HOLLY SPRINGS TOWN COUNCIL DIRECTING THE TOWN CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31 AND FIXING THE DATE OF A PUBLIC HEARING ON THE QUESTION OF ANNEXATION

WHEREAS, a petition requesting annexation of an area described in said petition was received by the Town of Holly Springs; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Holly Springs deems it advisable to proceed in response to this request for annexation, subject to the Clerk's satisfactory investigation of the sufficiency of the petition; and

WHEREAS, the area proposed for annexation is described as follows:

Legal Description for Voluntary Annexation

Properties located in the vicinity of 9024 Wesley Court, more particularly described as: All that certain parcel of land being situated in Wake County, North Carolina and being all of the property described in Deed Book 8470, Page 1719, and also, all of Lot 14, Plat Book 1986, Page 782 of the Wake County Register of Deeds and being more particularly described as follows:

Beginning at an existing iron pipe, said iron pipe being the common corner of Lot 14 and Lot 15 of Plat book 1986 Page 782, said iron pipe being located S32°30'46" 32.92 feet from an existing iron pipe, Thence; running along the common property lines of Lot 14 and Lot 15, S58°04'48"E 232.47 feet to an existing iron pipe found on the Right-of-Way of SR 4707 Wesley Court Thence; along a curve to the right, with a Radius of 25.00 feet, an arc length of 22.11 feet, a chord direction of S56°59'19"W, and a chord distance of 21.40 feet to an existing iron pipe found; thence along curve to the left, with a Radius of 50.00 feet, an arc length of 89.40 feet, a chord direction of S31°26'36"W, and a chord distance of 77.96 feet to an existing iron pipe found on the Right-of-Way of Wesley Court, Thence; along a shared property line between Lot 13 and Lot 14 per Plat Book 1986, Page 782, S84°03'19"W 169.49 feet, to an existing iron pipe found in the Holly Springs Corporate Town Limits Boundary Line, Thence; with said Boundary line, N02°13'52"E 182.77 feet to an existing iron pipe found on the Right-of-Way of Holly Springs Road (SR 1152); Thence; with said Right-of-Way, N32°17'46"E 42.60 feet to an existing

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iron pipe found; said iron pipe being the point and place of beginning making up the entire area for PIN# 0669099476 Lot 14 per Plat Book 1986 Page 782, 0.69 acres more or less.

Subject to a 20 foot Drainage Easement as shown on Plat Book 1986, page 782

Wake County PIN: 0669099476 containing 0.69 +/- acres, lying and being in Holly Springs Township, District of Wake County, North Carolina.

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Holly Springs, North Carolina, that:

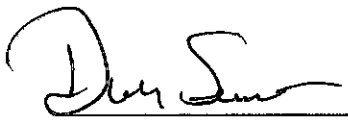
Section 1. The Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Holly Springs Town Council the result of her investigation.

Section 2. Subject to the Town Clerk's satisfactory result of her investigation, a public hearing on the question of annexation of the area described herein will be held at the Town Hall Council Chambers, located at 128 S. Main Street, at 7 p.m. (or as soon thereafter as is practicable) on Tuesday, October 20, 2020.

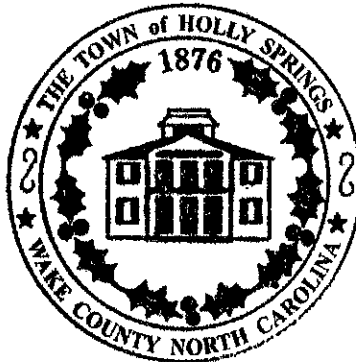
Section 3. Notice of the public hearing shall be published in the Raleigh News & Observer, newspapers having general circulation in the Town of Holly Springs, at least ten (10) days prior to the date of the public hearing.

Adopted this, the 6th day of October 2020.

ATTEST:


Dick Sears, Mayor


Linda C. McKinney
Town Clerk



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THE TOWN OF

Holly Springs

Annexation Ordinance No.: **A20-06**

Please mail after recordation to:

Town of Holly Springs
Town Clerk's Office
P. O. Box 8
Holly Springs, NC 27540

An Ordinance to Extend the Corporate Limits of the Town of Holly Springs, North Carolina

WHEREAS, the Town Council of the Town of Holly Springs has been petitioned pursuant to the provisions of N.C.G.S. 160A-31 to annex the area described herein; and

WHEREAS, the Town Council of the Town of Holly Springs has directed the Town Clerk to investigate the sufficiency of the petition for annexation; and

WHEREAS, following the certification of the sufficiency of the petition by the Town Clerk, the Town Council fixed a date for a public hearing on the question of annexation and caused a notice thereof to be published in a paper of general circulation in the Town of Holly Springs once ten days prior to the date of the hearing; and

WHEREAS, the Town Council found as a fact following public hearing on the matter that the petition for annexation is sufficient and meets all of the requirements set forth in N.C.G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF HOLLY SPRINGS, NORTH CAROLINA:

Section 1. By virtue of the authority granted by N.C.G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Holly Springs effective as of the 20th day of October 2020.

Legal Description for Voluntary Annexation

Properties located in the vicinity of 9024 Wesley Court, more particularly described as: All that certain parcel of land being situated in Wake County, North Carolina and being more particularly described as follows:

Beginning at an existing iron pipe, said iron pipe being the common corner of Lot 14 and Lot 15 of Plat book 1986 Page 782, said iron pipe being located S32°30'46" 32.92 feet from an existing iron pipe, Thence; running along the common property lines of Lot 14 and Lot 15,

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S58°04'48"E 232.47 feet to an existing iron pipe found on the Right-of-Way of SR 4707 Wesley Court Thence; along a curve to the right, with a Radius of 25.00 feet, an arc length of 22.11 feet, a chord direction of S56°59'19"W, and a chord distance of 21.40 feet to an existing iron pipe found; thence along curve to the left, with a Radius of 50.00 feet, an arc length of 89.40 feet, a chord direction of S31°26'36"W, and a chord distance of 77.96 feet to an existing iron pipe found on the Right-of-Way of Wesley Court, Thence; along a shared property line between Lot 13 and Lot 14 per Plat Book 1986, Page 782, S84°03'19"W 169.49 feet, to an existing iron pipe found in the Holly Springs Corporate Town Limits Boundary Line, Thence; with said Boundary line, N02°13'52"E 182.77 feet to an existing iron pipe found on the Right-of-Way of Holly Springs Road (SR 1152); Thence; with said Right-of-Way, N32°17'46"E 42.60 feet to an existing iron pipe found; said iron pipe being the point and place of beginning making up the entire area for PIN# 0669099476 Lot 14 per Plat Book 1986 Page 782, 0.69 acres more or less.

Subject to a 20 foot Drainage Easement as shown on Plat Book 1986, page 782

Wake County PIN: 0669099476 containing 0.69 +/- acres, lying and being in Holly Springs Township, District of Wake County, North Carolina.

Adopted this, the 3rd day of November, 2020.

ATTEST TO:

Linda C. McKinney, Town Clerk

Dick Sears, Mayor

I, Linda C. McKinney, Town Clerk of the Town of Holly Springs, do hereby certify that the foregoing is a true and accurate copy of an annexation ordinance duly adopted by the Town Council of the Town of Holly Springs, North Carolina, at a meeting held November 3, 2020, at 7 o'clock p.m. at the Town Hall in the Town of Holly Springs.

IN WITNESS WHEREOF, I have here unto set my hand and have caused the official corporate seal of said Town to be affixed, this the 3rd day of November, 2020.

Linda C. McKinney, Town Clerk

Office of the Mayor

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Holly Springs Town Council

Town Council Meeting Agenda Cover Sheet

Agenda Item#: 7.

Public Hearings

Title: Voluntary Annexation A20-08, 5200 Catherine Place - Legislative Public Hearing

Strategic Priority Area: Responsible & Balanced Growth

Staff Resource: Melissa Sigmund, Development Services

Action(s):

Adopt Annexation Ordinance A20-08, annexing 0.71 +/- acres, Wake County PIN # 0669190547, owned by Mark Smith.

Explanation:

- The Town has received a petition for voluntary annexation of 0.71 +/- acres, located at 5200 Catherine Place.
- The property is owned by Mark Smith.
- Annexation is being requested to receive town sewer and water service.

Background:

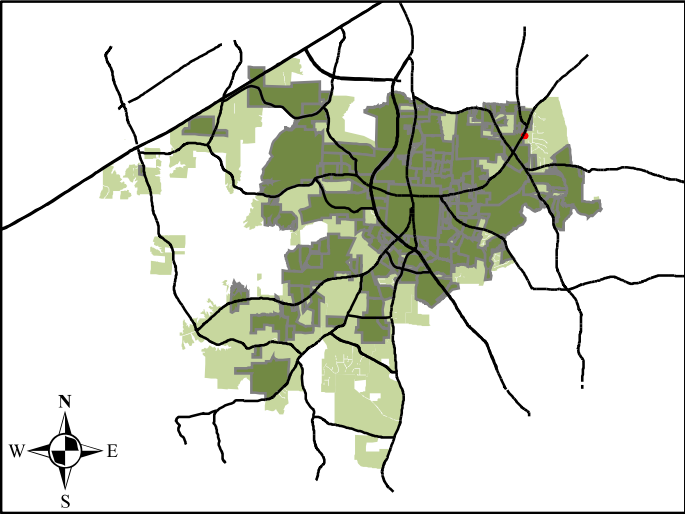
- The property is owned by Mark Smith and is contiguous with Town limits.
- Staff has received feedback from all departments and there are no issues with this annexation.
- The property meets all statutory requirements for annexation.

Funding Source(s):

N/A

Attachment(s):

1. Annexation 20-AP-08 map
2. Resolution of Sufficiency A20-08
3. A20-08 5200 Catherine Place Ordinance



- Legend**
-  Annexation Property Site
 -  Subdivisions
 -  Lakes
 -  Town Limits
 -  Extraterrito... Jurisdiction (ETJ)
 -  Short Range Urban Service Area



THE TOWN OF

Holly Springs

Resolution No.: 20-30

Date Adopted: October 20, 2020

Annexation No.: A20-08

RESOLUTION OF THE HOLLY SPRINGS TOWN COUNCIL DIRECTING THE TOWN CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31 AND FIXING THE DATE OF A PUBLIC HEARING ON THE QUESTION OF ANNEXATION

WHEREAS, a petition requesting annexation of an area described in said petition was received by the Town of Holly Springs; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Holly Springs deems it advisable to proceed in response to this request for annexation, subject to the Clerk's satisfactory investigation of the sufficiency of the petition; and

WHEREAS, the area proposed for annexation is described as follows:

Legal Description for Voluntary Annexation

Parcel

Point of beginning being S 50°49'27.3" E, 263.303 feet from -Y5- Sta 30+00 thence along a curve 109.730 feet and having a radius of 1142.500 feet. The chord of said curve being on a bearing of N 34°40'43.2" E, a distance of 109.688 feet thence along a curve 42.727 feet and having a radius of 25.046 feet. The chord of said curve being on a bearing of N 11°29'20.8" W, a distance of 37.731 feet thence to a point on a bearing of N 60°33'58.0" W 190.372 feet thence along a curve 39.207 feet and having a radius of 25.000 feet. The chord of said curve being on a bearing of S 74°30'20.5" W, a distance of 35.311 feet thence along a curve 92.865 feet and having a radius of 3280.000 feet. The chord of said curve being on a bearing of S 30°23'18.9" W, a distance of 92.862 feet thence to a point on a bearing of S 31°11'58.9" W 9.914 feet thence to a point on a bearing of S 58°5'11.2" E 232.131 feet returning to the point and place of beginning. Having an area of 31085.481 Square feet being 0.714 acres.

ROW Right

Point of beginning being N 59°43'48.9" E, 107.924 feet from -Y5- Sta 30+00 thence along a curve 39.207 feet and having a radius of 25.000 feet. The chord of said curve being on a bearing of S 74°30'20.5" W, a distance of 35.311 feet thence along a curve 92.865 feet and

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having a radius of 3280.000 feet. The chord of said curve being on a bearing of S 30°23'18.9" W, a distance of 92.862 feet thence to a point on a bearing of S 31°11'58.9" W 9.914 feet thence to a point on a bearing of S 58°5'11.2" E 72.084 feet thence along a curve 78.057 feet and having a radius of 4030.000 feet. The chord of said curve being on a bearing of N 29°44'40.5" E, a distance of 78.056 feet thence to a point on a bearing of N 77°33'35.9" E 12.030 feet thence to a point on a bearing of N 77°33'35.9" E 40.288 feet thence to a point on a bearing of S 60°33'58.0" E 110.000 feet thence to a point on a bearing of S 60°33'58.0" E 19.723 feet thence along a curve 31.939 feet and having a radius of 25.046 feet. The chord of said curve being on a bearing of N 23°49'40.8" W, a distance of 29.819 feet thence to a point on a bearing of N 60°33'58.0" W 190.372 feet returning to the point and place of beginning. Having an area of 12630.489 Square feet being 0.290 acres.

PUE Right

Point of beginning being S 82°34'16.4" E, 107.892 feet from -Y5- Sta 30+00 thence along a curve 55.374 feet and having a radius of 4030.000 feet. The chord of said curve being on a bearing of S 29°35'0.0" W, a distance of 55.374 feet thence to a point on a bearing of N 74°9'34.7" E 12.898 feet thence along a curve 54.240 feet and having a radius of 4039.000 feet. The chord of said curve being on a bearing of N 29°27'39.8" E, a distance of 54.240 feet thence to a point on a bearing of S 77°33'35.9" W 12.030 feet returning to the point and place of beginning. Having an area of 493.257 Square feet being 0.011 acres.

TCE Right

Point of beginning being S 72°50'51.3" E, 274.974 feet from -Y5- Sta 30+00 thence along a curve 6.243 feet and having a radius of 1142.500 feet. The chord of said curve being on a bearing of N 37°16'24.9" E, a distance of 6.243 feet thence along a curve 10.788 feet and having a radius of 25.046 feet. The chord of said curve being on a bearing of N 25°2'34.6" E, a distance of 10.704 feet thence to a point on a bearing of N 60°33'58.0" W 19.723 feet thence to a point on a bearing of S 19°59'59.9" E 25.922 feet returning to the point and place of beginning. Having an area of 177.443 Square feet being 0.004 acres.

Parcel has a remaining Area of 18454.991 feet being 0.424 acres after all takings have been subtracted.

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Holly Springs, North Carolina, that:

Section 1. The Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Holly Springs Town Council the result of her investigation.

Section 2. Subject to the Town Clerk's satisfactory result of her investigation, a public hearing on the question of annexation of the area described herein will be held at the Town Hall Council Chambers, located at 128 S. Main Street, at 7 p.m. (or as soon thereafter as is practicable) on Tuesday, November 3, 2020.

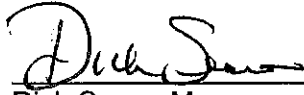
Section 3. Notice of the public hearing shall be published in the Raleigh News & Observer, newspapers having general circulation in the Town of Holly Springs, at least ten (10) days prior to the date of the public hearing.

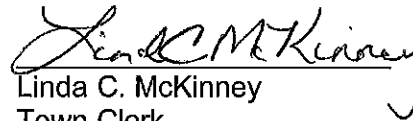
Office of the Mayor

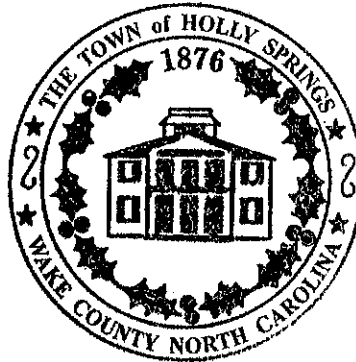
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Adopted this, the 20th day of October 2020.

ATTEST:


Dick Sears, Mayor


Linda C. McKinney
Town Clerk



Office of the Mayor

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THE TOWN OF

Holly Springs

Annexation Ordinance No.: **A20-08**

Please mail after recordation to:

Town of Holly Springs
Town Clerk's Office
P. O. Box 8
Holly Springs, NC 27540

**An Ordinance to Extend the Corporate Limits
of the Town of Holly Springs, North Carolina**

WHEREAS, the Town Council of the Town of Holly Springs has been petitioned pursuant to the provisions of N.C.G.S. 160A-31 to annex the area described herein; and

WHEREAS, the Town Council of the Town of Holly Springs has directed the Town Clerk to investigate the sufficiency of the petition for annexation; and

WHEREAS, following the certification of the sufficiency of the petition by the Town Clerk, the Town Council fixed a date for a public hearing on the question of annexation and caused a notice thereof to be published in a paper of general circulation in the Town of Holly Springs once ten days prior to the date of the hearing; and

WHEREAS, the Town Council found as a fact following public hearing on the matter that the petition for annexation is sufficient and meets all of the requirements set forth in N.C.G.S. 160A-31;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF HOLLY
SPRINGS, NORTH CAROLINA:**

Section 1. By virtue of the authority granted by N.C.G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Holly Springs effective as of the 3rd day of November 2020.

Legal Description for Voluntary Annexation

Properties located in the vicinity of 5200 Catherine Place, more particularly described as follows:

Parcel

Point of beginning being S 50°49'27.3" E, 263.303 feet from -Y5- Sta 30+00 thence along a curve 109.730 feet and having a radius of 1142.500 feet. The chord of said curve being on a bearing of N 34°40'43.2" E, a distance of 109.688 feet thence along a curve 42.727 feet

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and having a radius of 25.046 feet. The chord of said curve being on a bearing of N 11°29'20.8" W, a distance of 37.731 feet thence to a point on a bearing of N 60°33'58.0" W 190.372 feet thence along a curve 39.207 feet and having a radius of 25.000 feet. The chord of said curve being on a bearing of S 74°30'20.5" W, a distance of 35.311 feet thence along a curve 92.865 feet and having a radius of 3280.000 feet. The chord of said curve being on a bearing of S 30°23'18.9" W, a distance of 92.862 feet thence to a point on a bearing of S 31°11'58.9" W 9.914 feet thence to a point on a bearing of S 58°5'11.2" E 232.131 feet returning to the point and place of beginning. Having an area of 31085.481 Sqr feet being 0.714 acres.

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PUE Right

Point of beginning being S 82°34'16.4" E, 107.892 feet from -Y5- Sta 30+00 thence along a curve 55.374 feet and having a radius of 4030.000 feet. The chord of said curve being on a bearing of S 29°35'0.0" W, a distance of 55.374 feet thence to a point on a bearing of N 74°9'34.7" E 12.898 feet thence along a curve 54.240 feet and having a radius of 4039.000 feet. The chord of said curve being on a bearing of N 29°27'39.8" E, a distance of 54.240 feet thence to a point on a bearing of S 77°33'35.9" W 12.030 feet returning to the point and place of beginning. Having an area of 493.257 Sqr feet being 0.011 acres.

TCE Right

Point of beginning being S 72°50'51.3" E, 274.974 feet from -Y5- Sta 30+00 thence along a curve 6.243 feet and having a radius of 1142.500 feet. The chord of said curve being on a bearing of N 37°16'24.9" E, a distance of 6.243 feet thence along a curve 10.788 feet and having a radius of 25.046 feet. The chord of said curve being on a bearing of N 25°2'34.6" E, a distance of 10.704 feet thence to a point on a bearing of N 60°33'58.0" W 19.723 feet thence to a point on a bearing of S 19°59'59.9" E 25.922 feet returning to the point and place of beginning. Having an area of 177.443 Sqr feet being 0.004 acres.

Parcel has a remaining Area of 18454.991 feet being 0.424 acres after all takings have been subtracted.

Adopted this, the 3rd day of November, 2020.

ATTEST TO:

Linda C. McKinney, Town Clerk

Dick Sears, Mayor

I, Linda C. McKinney, Town Clerk of the Town of Holly Springs, do hereby certify that the foregoing is a true and accurate copy of an annexation ordinance duly adopted by the Town Council of the Town of Holly Springs, North Carolina, at a meeting held November 3, 2020, at 7 o'clock p.m. at the Town Hall in the Town of Holly Springs.

IN WITNESS WHEREOF, I have here unto set my hand and have caused the official corporate seal of said Town to be affixed, this the 3rd day of November, 2020.

Linda C. McKinney, Town Clerk

Office of the Mayor

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dick.sears@hollyspringsnc.us • www.hollyspringsnc.us**



Holly Springs Town Council

Town Council Meeting Agenda Cover Sheet

Agenda Item#: 8.

Public Hearings

Title: Oakview Innovation Rezoning 20-REZ-02 - Legislative Hearing

Strategic Priority Area: Responsible & Balanced Growth
Economic Prosperity & Diversity

Staff Resource: Melissa Sigmund, Development Services

Action(s):

1. Conduct Legislative Public Hearing to consider Zoning Map Amendment to modify the zoning of approximately 12.644 acres from R-30: Residential to RT: Research & Technology and approximately 11.64 acres from RT: Research & Technology to LB: Local Business.
2. Adopt Plan Consistency Statement and Future Land Use Map change for LB portion of the site.
3. Adopt Rezoning Ordinance 20-REZ-03 to approve the rezoning from R-30: Residential and RT: Research & Technology to RT: Research & Technology and LB: Local Business.

Explanation:

- The requested zoning is consistent with the Development Agreement for the Oakview Innovation project, approved by Town Council on December 3, 2019 and executed by both parties in February 2020.
- The proposed zoning will meet the Town's obligation to rezone the property in question per the terms of the approved Development Agreement.
- The rezoning to RT: Research and Technology is consistent with the Business and Industrial Future Land Use designation of the property within the Vision Holly Springs Comprehensive Plan. The LB rezoning will require modifying that property to Neighborhood Center on the Future Land Use Map.
- The requested zoning would allow the future development of the property consistent with the approved Agreement. It will expand business park development including opportunities for the development of significant employment centers and sites for advanced manufacturing and similar uses.
- The rezoning is in line with Responsible and Balanced Growth Strategic Initiative: Pursue a residential/non-residential tax base ratio of 70%/30%.

Background:

- Town Council approved a development agreement by and between the Town of Holly Springs and Helix Ventures, LLC. on December 3, 2019.
- A development agreement is a tool to provide a long-term plan for the development of a tract of land. By statute, a public hearing and ordinance adoption are required.
- The Agreement preserves the zoning for the various tracts, which are being developed into an employment center.

- The developer voluntarily offers certain zoning conditions as part of the Agreement and any subsequent rezoning requests for the property.
- Zoning of the property by the Town of Holly Springs shall occur in a manner consistent with the Agreement.
- The Planning Board discussed the requested rezoning at their 10/27/20 meeting :

Planning Board Recommendation:

The Planning Board recommended approval 8-0

Funding Source(s):

N/A

Attachment(s):

1. PB report for TC
2. GOTC_ Development Agreement_Signed
3. Oakview Innovation Ordinance rev



Town of Holly Springs Staff Report to the Planning Board

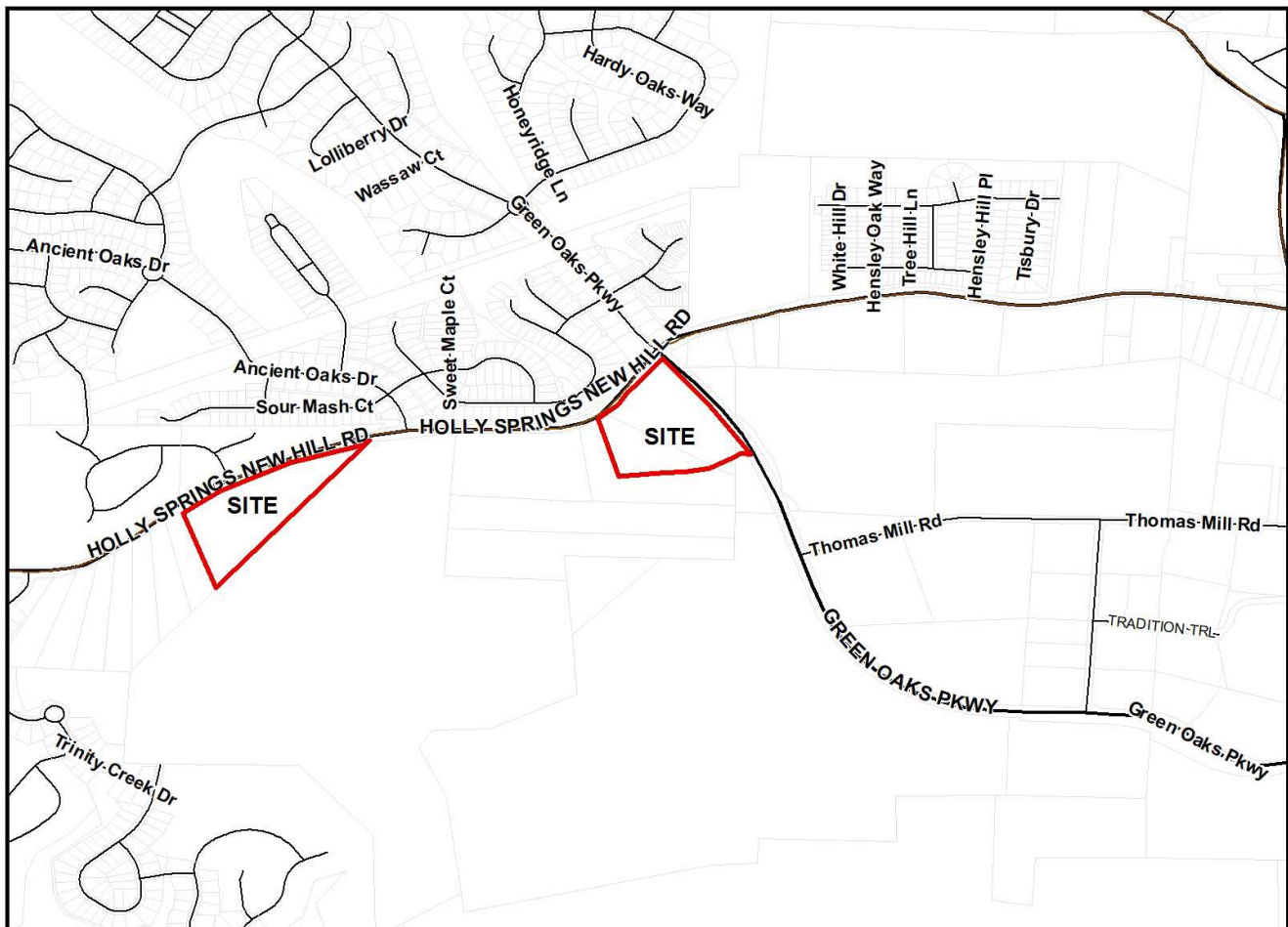
REQUEST FOR ZONE MAP CHANGE Oakview Innovation Park 20-REZ-02

PETITIONER(S):

Cara Hylton
Trustwell Property Group
3717 National Dr #209
Raleigh, NC 27612

OWNER(S):

Helix Ventures, LLC
Mildred Joyce Lucas
Town of Holly Springs

LOCATION:

☐ Within Corporate Limits of Holly Springs ☐ Within Holly Springs ETJ ☒ Annexation Pending

ANTICIPATED REVIEW SCHEDULE:

Planning Board:	October 27, 2020
Public Hearing and Town Council Action:	November 3, 2020

STAFF CONTACTS: Melissa Sigmund, Current Planning Manager
Rachel Jones Development Review Engineer

ATTACHMENTS:

Survey of properties
Petition for Zone Map Change
Zoning Consistency Statement
Neighborhood Meeting Report

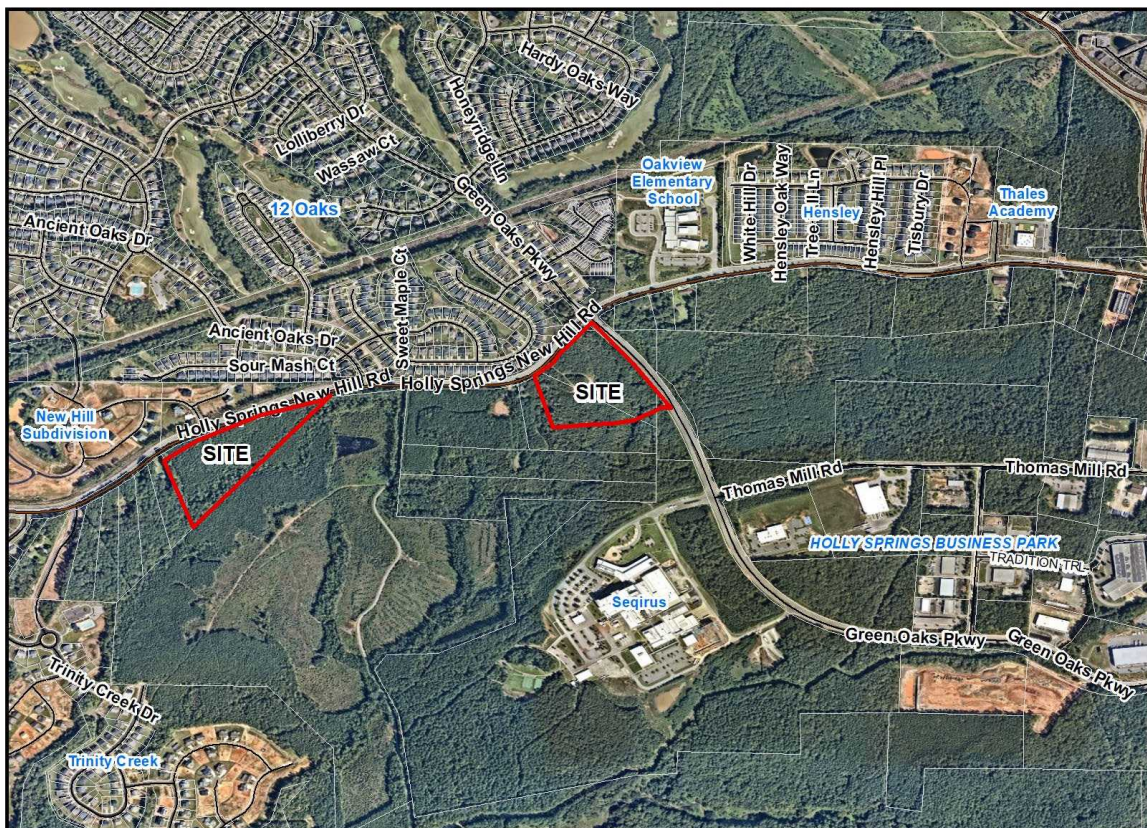
PARCEL INFORMATION

OWNER	PARCEL #	ZONING	AREA
Helix Ventures, LLC	0639633688	R-30: Residential	12.644 ac
Helix Ventures, LLC	0639941045	RT: Research & Technology	* 4.53 ac
Mildred Joyce Lucas	0639943500	RT: Research & Technology	6.88 ac
Town of Holly Springs	0639937984	RT: Research & Technology	* 0.23 ac
TOTAL			24.284 ac

*Portion of parcel included in this request

ADJACENT PROPERTY SITE DATA

	ZONING	EXISTING LAND USE
Subject Property	R-30/RT	Vacant, undeveloped.
North	12 Oaks PUD	12 Oaks residential development
South	RT	Vacant, undeveloped.
East	RT	Vacant undeveloped
West	R-30/RT	Single family residence /Vacant, undeveloped.



PROPERTY HISTORY

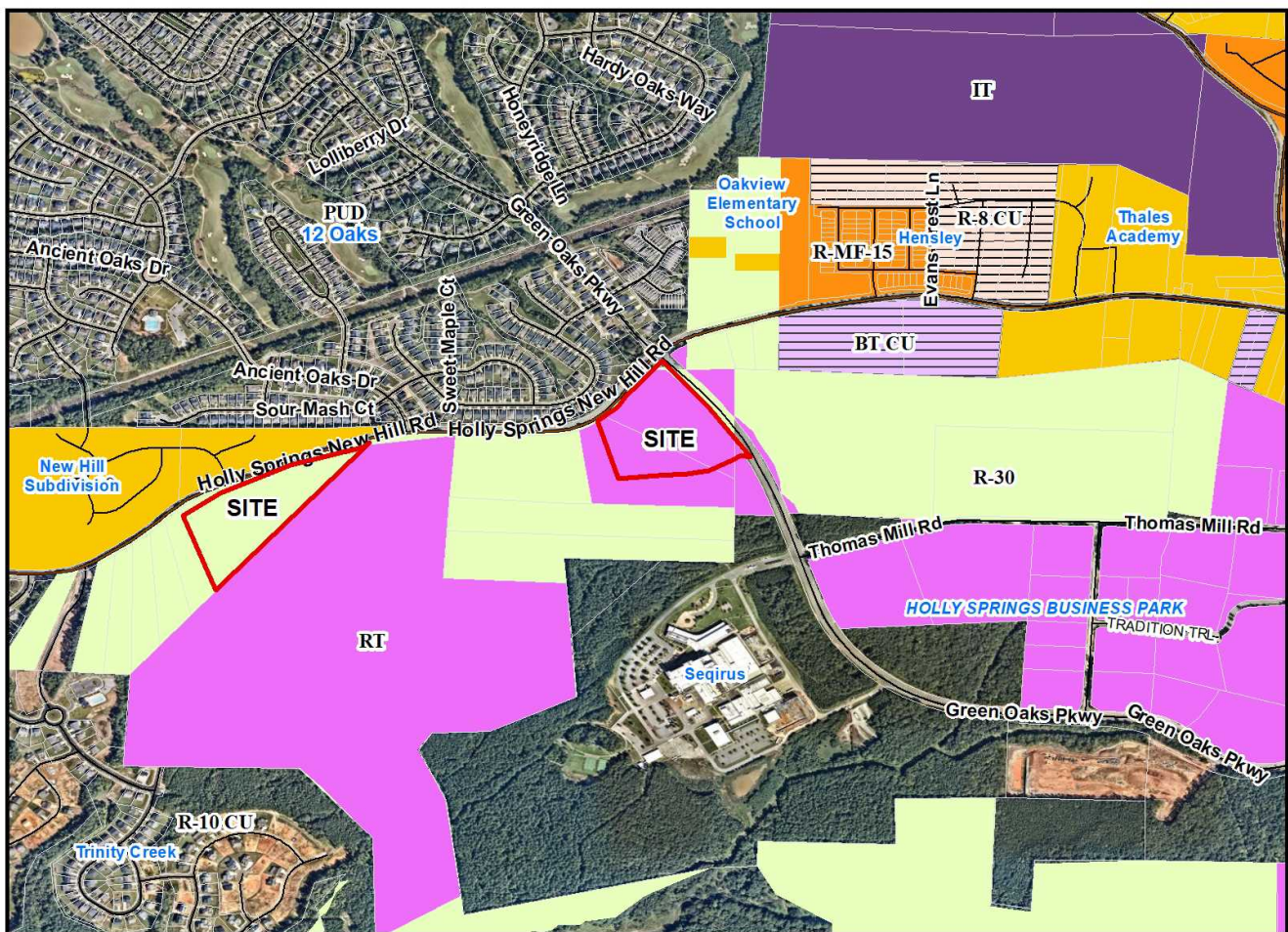
ETJ History

Resolution: 15-18

Approved by Town Council on: April 21, 2015

ZONE MAP CHANGE REQUEST

	CURRENT	PROPOSED
Zoning District	R-30: Residential/RT: Research & Technology	RT: Research & Technology LB: Local Business
Future Land-Use Designation	Business & Industrial	No Change



STAFF ANALYSIS

Zone Map Change Request:

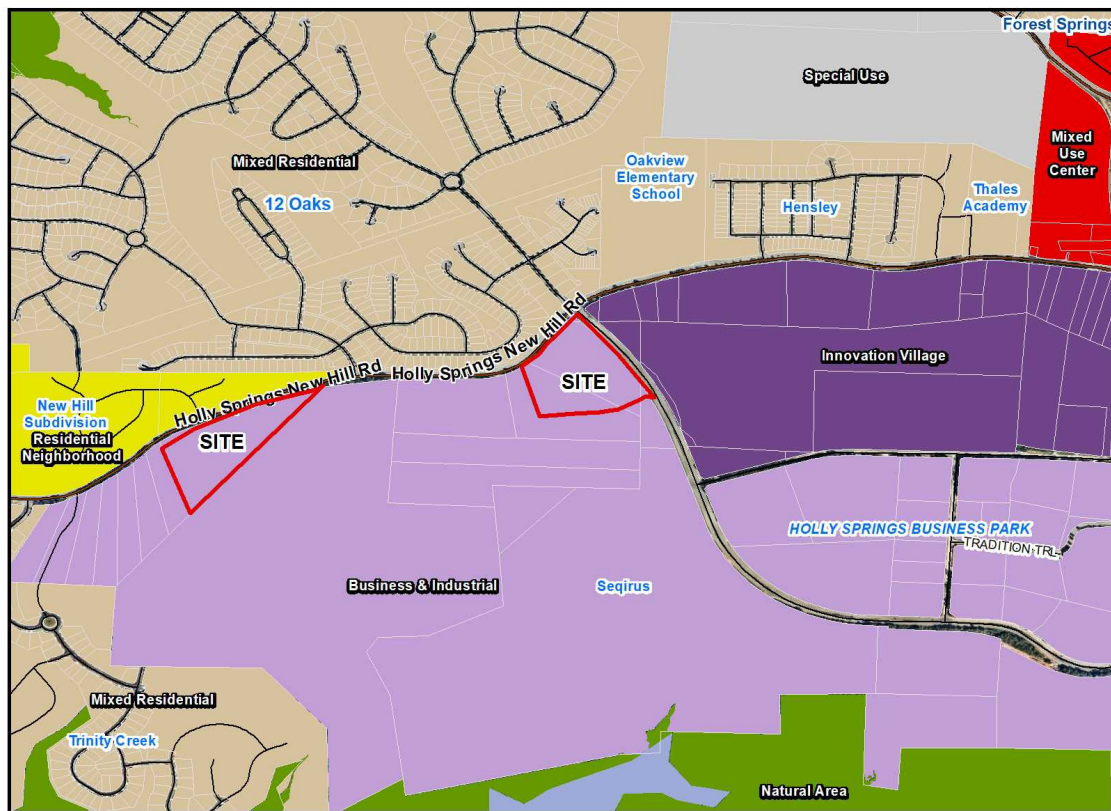
The request is to rezone the property in question from R-30: Residential and RT: Research & Technology to RT: Research & Technology and LB: Local Business.

PROJECT OVERVIEW

The project area consists of portions of four parcels totaling approximately 24.284 acres. There are two discrete portions of the site, the western parcel that is currently zoned R-30 and requested to be rezoned RT: Research & Technology and the eastern the parcels/partial parcels that are currently zoned RT: Research & Technology and are requested to be rezoned LB: Local Business. The site is generally located south of Holly Springs New Hill Road and west of Green Oaks Parkway. The project area is part of the larger 198.5 acre Oakview Innovation Park proposed Master Plan. This request is consistent with the Development Agreement entered into by the Town Council in February 2020, which

PLANNING & ZONING

Vision Holly Springs Comprehensive Plan *Land Use & Character Plan:*



The Future Land Use Map designates this property as Business & Industrial. Business & Industrial Centers provide opportunities to concentrate employment clusters throughout the town. They support both large-scale, single tenant office and industrial buildings and smaller, multi-tenant office and industrial buildings that are clustered and may support and serve one another. Business & Industrial Centers are typically buffered from surrounding development by tree preservation areas or landscaped areas, with the type and size of the buffer a function of the activities being performed on the site.

Zone Map Change Analysis

The proposed zoning will meet the Town's obligation to rezone the property in question per the terms of the approved Development Agreement. Rezoning the eastern portion to LB: Local Business necessitates changing the land use designation of that portion of the site to Neighborhood Center.

ENGINEERING

Utility Availability and Impacts due to change of Permitted Uses

Water Service:

With the development of this Master Plan, connections will be made to existing water main on Holly Springs New Hill Rd and Green Oaks Parkway. As development occurs, new water main will be extended within proposed internal roads to serve the various Development Pods and will be stubbed to adjacent properties for future connection. A Hydraulic analysis and system model is being completed with the Master Plan and subsequent Development Plans.

Reclaimed Water Service:

With the development of this Master Plan, connections will be made to existing reclaimed water main on Holly Springs New Hill Rd and Green Oaks Parkway. As development occurs, new reclaimed water main will be extending within proposed internal roads to serve the various Development Pods and will be stubbed to adjacent properties for future connection. A Hydraulic analysis and system model is being completed with the Master Plan and subsequent Development Plans.

Sewer Service:

With the development of this Master Plan, a new gravity sewer outfall will be constructed to serve the Development Pods and upstream properties. The gravity sewer outfall will extend through the site and discharge to the Business Park Pump Station. The Town Council previously approved a Development Agreement to partner with the Developer on the construction of the outfall and any necessary pump station upgrades. The timing of the sewer infrastructure improvements are outline in the terms of the executed agreement. A downstream sewer evaluation and preliminary engineering report are being completed with the Master Plan and will be updated if needed with subsequent Development Plans.

Transportation

A Traffic Impact Analysis (TIA) was completed with the Master Plan to identify traffic mitigation requirements at intersections that will be affected by the project. Development Plans in subsequent phases will re-evaluate the study intersections to determine if additional studies are needed to adequately mitigate project impact.

Environmental Issues

With development, the Town of Holly Springs NPDES Ph. II Post Construction Stormwater Ordinance is required to be met and all applicable requirements of the Cape Fear River Basin are applicable.

STAFF RECOMMENDATION TO THE PLANNING BOARD

ACTION #1: ZONE MAP CHANGE REQUEST

PLAN CONSISTENCY STATEMENT:

The requested zone map change from R-30 to RT: Research & Technology is consistent with the Vision Holly Springs Comprehensive Plan and Future Land Use Map designation of Business & Technology and will allow for the development of a large employment cluster.

Approval of rezoning portion from RT: Research & Technology to LB: Local Business shall thereby change the Future Land Use Map designation of said property to Neighborhood Commercial.

ZONE MAP CHANGE PETITION MOTION:

Staff recommends that the Planning Board recommend approval/denial of Zone Map Change Petition #20-REZ-02 to change the zoning of approximately 12.644 acres of Wake County PIN

0639633688 from R-30: Residential to RT: Research & Technology and approximately 11.64 acres Wake County PINs 0639941045, portion of 0639943500, portion of 0639937984 from RT: Research & Technology to LB: Local Business as specified on the attached survey map.

Agenda Item Completeness Checklist				
	Approved for Distribution			
Staff Member	Yes	No	Initials	Comments
Melissa Sigmund	X		MS	
Rachel Jones	X		RDJ	

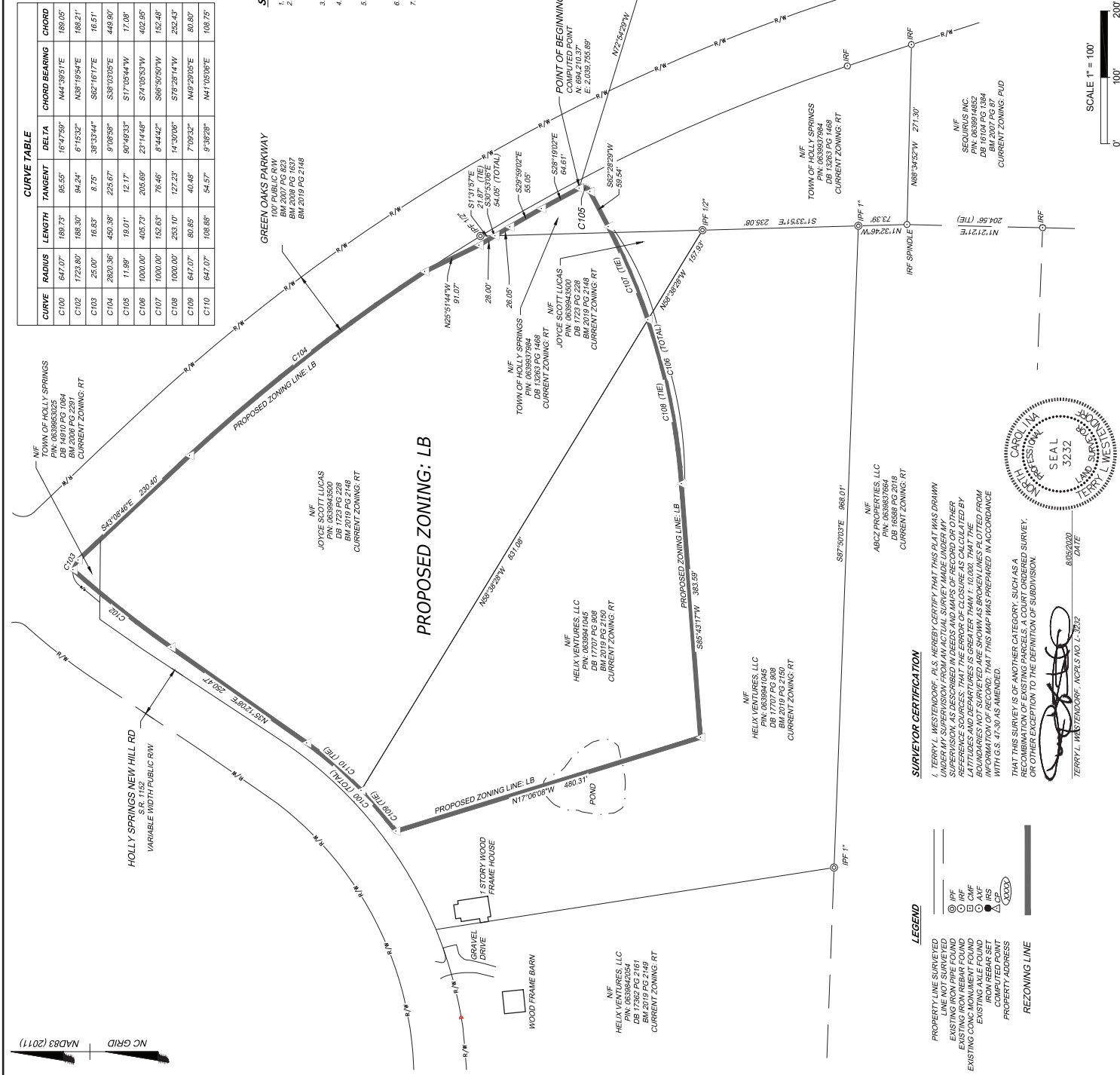
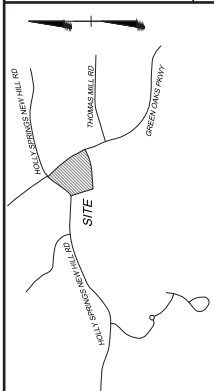
NC GRID
NAD83 (2011)

CURVE TABLE				
CURVE	RADIUS	LENGTH	TANGENT	CHORD BEARING
C100	647.07'	169.73'	95.55'	N41°30'51"E
C102	1723.80'	168.30'	6°16'32"	N38°19'54"E
C103	25.00'	16.83'	8°7'5"	S62°16'17"E
C104	2620.36'	450.38'	225.67'	S38°10'05"E
C105	11.98'	19.01'	12.17'	S07°49'33"
C106	1030.00'	405.73'	205.69'	S74°05'53"W
C107	1030.00'	152.63'	76.46'	S86°50'50"W
C108	1030.00'	253.10'	127.23'	S7°28'14"W
C109	647.07'	80.85'	40.48'	N49°29'02"E
C110	647.07'	108.88'	54.57'	N41°00'06"E

SURVEY NOTES:

1. PREPARED FOR TRUSTWELL GROUP.
2. THIS SURVEY IS NOT A SPECIAL FLOOD HAZARD AREA. PER FIRM # 3703062602 PANEL 0626 EFFECTIVE DATE MAY 02, 2008, THIS PROPERTY ALSO LIES IN ZONE X, NOT A SPECIAL FLOOD HAZARD AREA. PER NORTH CAROLINA LICENSE NUMBER C-16552.
3. HORIZONTAL CONTROL IS BASED ON NC STATE GRID, NAD83 (2011) AS DETERMINED BY GPS. ALL DISTANCES SHOWN ARE GROUND DISTANCES.
4. THE LOCATION OF ANY JURISDICTIONAL WETLANDS THAT MAY EXIST ON THIS PROPERTY IS NOT AND SHOULD NOT BE CONSIDERED AS A BOUNDARY SURVEY. THIS SURVEY IS FOR PLANNING PURPOSES ONLY AND SHOULD NOT BE USED FOR THE TRANSFER OF REAL PROPERTY. THIS MAP IS NOT SUITABLE FOR RECORDING PURPOSES.
5. THE LOCATION OF ANY JURISDICTIONAL WETLANDS THAT MAY EXIST ON THIS DEEDS AND PLATS OF RECORD AS SHOWN HEREON.
6. INFORMATION IS BASED ON NOT ALL IMPROVEMENTS HAVE BEEN SHOWN.

VICINITY MAP - MAP NOT TO SCALE



SURVEYOR CERTIFICATION

I, TERRY L. WESTENDORF, A.S. HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY PERSONAL SUPERVISION OR FROM A SURVEY MADE UNDER MY SUPERVISION. I HAVE REVIEWED THE PLAT AND IT ACCURATELY REPRESENTS THE SURVEY. I HAVE ALSO REVIEWED THE SURVEY FOR ANY ERRORS OR OMISSIONS. I HAVE ALSO REVIEWED THE SURVEY FOR ANY ERRORS OR OMISSIONS. I HAVE ALSO REVIEWED THE SURVEY FOR ANY ERRORS OR OMISSIONS.



DATE 8/05/2020
TERRY L. WESTENDORF, NCPLS NO. L-3032

LEGEND

- PROPERTY LINE SURVEYED
- EXISTING PROPERTY LINE
- EXISTING FROM REBAR FOUND
- EXISTING CONCRETE MONUMENT FOUND
- EXISTING ALLE FOUND
- EXISTING ALLE FOUND
- COMPUTED POINT
- PROPERTY ADDRESS
- REZONING LINE

TOTAL REZONING AREA =
550,599 Sq.Ft. / 12.640 ACRES

REZONING MAP FOR
TRUSTWELL GROUP
OF MULTIPLE PARCELS IN
HOLLY SPRINGS, NORTH CAROLINA
GREEN OAKS PARKWAY

HOLLY SPRINGS TOWNSHIP	WAKE COUNTY
DATE: AUGUST 06, 2020	SCALE: 1" = 100'
SHEET 1 OF 1	J.N.: 45363
DRAWN BY: MW	CHECK BY: TW
FIELD EDIT BY:	
MAP CHECKED BY: MM	
REVISED:	

SCALE 1" = 100'
0' 100' 200'

LINE TABLE		
LINE	BEARING	LENGTH
L42	N67°03'33"E	59.69'
L43	N67°08'35"E	54.78'
L44	N67°33'11"E	52.37'
L45	N67°28'24"E	57.13'
L46	N67°27'24"E	54.76'
L47	N67°52'36"E	51.98'
L48	N69°20'54"E	48.40'
L49	N72°01'10"E	53.15'
L50	N74°51'30"E	53.10'
L51	N75°04'34"E	51.98'
L52	N73°30'08"E	55.12'
L53	N76°26'29"E	39.36'
L54	S39°51'00"W	9.88'



REZONING, COMPREHENSIVE PLAN/ UDO AMENDMENT PETITION



The current Filing Fees can be found on-line in the Town of Holly Springs Fee Schedule: <http://www.hollyspringsnc.us/planning>

Petition Type (check one- each request must be on separate petitions)

☒ Zoning Map Change: ☒ General Use District **or** ☐ Conditional Use District/Permit

☐ Comprehensive Plan Amendment (check all that apply)

☐ Text Amendment ☐ Future Land Use Plan Map Amendment

☐ Area/Corridor Plan Map Amendment / Name: _____

☐ UDO Amendment (UDO Section: _____)

Project Information

Project Name: Oakview Innovation Park

Project Location: Holly Springs New Hill Rd & Green Oaks Parkway

Use street address. If none, use the closest intersection

☐ Within Corporate Limits ☐ Within Holly Springs ETJ ☒ Pending Annexation

PIN: Multiple Parcels (see map) Real Estate ID: Multiple Parcels (see map)

Project Acreage: (Rounded to nearest tenth) 12.6 Partial Parcel: ☐ No ☒ Yes

Scoping Meeting Date: 4/9/20 Concept Meeting Date: 5/28/20

If the Concept Meeting Date is not within 8 weeks of the submittal date, another Concept Meeting is required prior to submittal.

Petition Request

Current Zoning: R-30 & RT Proposed Zoning: RT & LB

Current Future Land Use Designation: Business & Industrial

Proposed Future Land Use Designation: Business & Industrial / Mixed Use Center

Area Plan Designation (if applicable): _____

Waivers Requested: ☒ No ☐ Yes- Specify UDO Section Number(s): _____

If yes, complete and attach appropriate Waiver Petition(s) from Waiver Packet

Petition Contact Information (complete each contact in its entirety- please print or type)

Project Applicant/Contact

(check one) ☐ Owner ☐ Owner's Agent ☐ Design Professional ☒ Developer ☐ Other _____

Is the applicant applying on behalf of the property owner(s)? ☒ Yes ☐ No If yes, please complete the Affidavit of Property Owner Consent form and attach. If applicant contact is not the Owner or representing the Owner(s), please complete Property Owner Notification Affidavit and attach.

Name Cara Hytten Company Trustwell Property Group

Mailing Address 3717 National Dr Suite 209

City Raleigh State NC Zip 27612

Telephone # (919) 371-6208 E-Mail jon@trustwellgroup.com

How would you like to receive staff review comments? ☒ E-Mail ☐ US Mail

How would you like to receive Official Action Notices? ☒ E-Mail ☐ US Mail- Certified

Property Owner(s) if different than Applicant/Contact-REQUIRED attach additional sheets if necessary

Name Cara Hytten Company Helix Ventures LLC

Mailing Address 3717 National Dr Suite 209

City Raleigh State NC Zip 27612

Telephone # (919) 371 6208 E-Mail cara@trustwellgroup.com

How would you like to receive staff review comments? ☒ E-Mail ☐ US Mail

How would you like to receive Official Action Notices? ☒ E-Mail ☐ US Mail- Certified

Owner's Authorization (Required for Conditional Use Zoning or Conditional Use Permit)

Owner's Signature(s) See Attached PIN/REID _____

Date _____

NOTIFICATION TO PROPERTY OWNER

Dear Property Owner,

I am requesting the Holly Springs Town Council to rezone ^{a portion of} your property described by: the attached map and;

Wake County Real Estate ID# 49387

and PIN 639941045

located at 11621 Holly Springs New Hill Rd.

from RT (existing zoning district) to

LB (proposed zoning district).

The public hearing before the Holly Springs Town Council on the matter will

be heard on TBD (date) at 7:00 PM.

Additional information can be obtained by contacting the Holly Springs Department of Planning & Zoning at (919) 557-3908.

Thank you,

Signature of Applicant:

Date:

Cara

6.25.20

Name CARA Hytten Company Trustwell Property Group
Mailing Address 3717 National Dr. Suite 209
City Raleigh State NC Zip 27612
Telephone # (919) 371-6208 Fax # () N/A E-Mail cara@trustwellgroup.com

AFFIDAVIT OF OWNER NOTIFICATION



The following Affidavit of Owner Notification shall be provided at time of petition submittal if the Applicant is requesting a Zoning Map Change for property(s) he/she does not own at the time of the petition submission.

The following form or a separately prepared document in substantially the same form may be used for submitting the Notice of the requested Zoning Map Change and the public hearing in association with a request for a Zoning Map Change to the property owner(s). The form must be sent to the owner(s) via certified mail. This Affidavit is to be signed by the Applicant of the requested Zoning Map Change and have attached thereto the USPS green certified mail receipt and a copy of the form sent to the owner(s) to ensure that all record owners of the property have been notified by the Applicant(s).

For DPZ Use only

Project # _____

Date Received: _____

AFFIDAVIT

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I hereby certify to the Town of Holly Springs that the owner of the property described by Wake County Real Estate ID 49387 and PIN 639941045 was served the notification attached to this Affidavit indicating the requested zoning map change petition and public hearing date and time. As evidence of the service of the notification, I hereby attach the return receipt from the certified mailing of this notice.

This the 25th day of June, 20 20.

Applicant Signature Cara Hyton

Printed name of Applicant CARA Hyton

NOTARY STATEMENT

Sworn to and subscribed before me the 25th day of June, 20 20.

Notary Public in and for the State of North Carolina. My Commission expires: 4/19/2025

Notary Public



Printed

Seal

AFFIDAVIT OF OWNER CONSENT



If the Owner(s) of the subject property is giving authorization for another person to apply for a Conditional Use District and/or Conditional Use Permit on their property, this affidavit must be completed and signed by all record owners of the subject property.

The persons listed below do hereby appear before a Notary Public and swear or affirm that they are the legal owners of the described property, and further give authorization to

CARA Hylton of Trustwell Property Group
(Name of Representative) (Name of Company)

to submit a Petition for Zoning Map Change to a Conditional Use District and/or for a Conditional Use Permit for my (our) property from

RT to LB A portion of (~4.53 acres)
(Current Zoning District) (Proposed Zoning District)

and to offer additional use and/or standard restrictions as a part of the request for a Conditional Use Permit.

Signature of Owner(s):

[Signature]

Wake County PIN/REID:

639941045 / 49387

State of North Carolina

County of Wake

Sworn to and subscribed before me the 25th day of June, 20 20.

Notary Public in and for the State of North Carolina. My Commission expires: 4/19/2025

[Signature]
Notary Public



Jonathan M. Keener
Printed

Seal

NOTIFICATION TO PROPERTY OWNER

Dear Property Owner,

I am requesting the Holly Springs Town Council to rezone your property described by:

Wake County Real Estate ID# 13207

and PIN 639633688

located at 11900 Holly Springs New Hill Rd.

from R-30 (existing zoning district) to

RT (proposed zoning district).

The public hearing before the Holly Springs Town Council on the matter will

be heard on TBD (date) at 7:00 PM.

Additional information can be obtained by contacting the Holly Springs Department of Planning & Zoning at (919) 557-3908.

Thank you,

Signature of Applicant:

Date:

Cara Z. Hytten

6.25.20

Name CARA Z. Hytten Company Trustwell Property Group
Mailing Address 3717 NATIONAL DR. SUITE 209
City RALEIGH State NC Zip 27612
Telephone # (919) 371-6208 Fax # () N/A E-Mail cara@trustwellgroup.com

AFFIDAVIT OF OWNER NOTIFICATION



The following Affidavit of Owner Notification shall be provided at time of petition submittal if the Applicant is requesting a Zoning Map Change for property(s) he/she does not own at the time of the petition submission.

The following form or a separately prepared document in substantially the same form may be used for submitting the Notice of the requested Zoning Map Change and the public hearing in association with a request for a Zoning Map Change to the property owner(s). The form must be sent to the owner(s) via certified mail. This Affidavit is to be signed by the Applicant of the requested Zoning Map Change and have attached thereto the USPS green certified mail receipt and a copy of the form sent to the owner(s) to ensure that all record owners of the property have been notified by the Applicant(s).

For DPZ Use only

Project # _____

Date Received: _____

AFFIDAVIT

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I hereby certify to the Town of Holly Springs that the owner of the property described by Wake County Real Estate ID 13207 and PIN 639633688 was served the notification attached to this Affidavit indicating the requested zoning map change petition and public hearing date and time. As evidence of the service of the notification, I hereby attach the return receipt from the certified mailing of this notice.

This the 25th day of June, 20 20.

Applicant Signature _____

Printed name of Applicant CARA Hylton

NOTARY STATEMENT

Sworn to and subscribed before me the 25th day of June, 20 20.

Notary Public in and for the State of North Carolina. My Commission expires: 4/12/2025

Notary Public



Printed

Seal

AFFIDAVIT OF OWNER CONSENT



If the Owner(s) of the subject property is giving authorization for another person to apply for a Conditional Use District and/or Conditional Use Permit on their property, this affidavit must be completed and signed by all record owners of the subject property.

The persons listed below do hereby appear before a Notary Public and swear or affirm that they are the legal owners of the described property, and further give authorization to

CARA Hylton of Trustwell Property Group
(Name of Representative) (Name of Company)

to submit a Petition for Zoning Map Change to a Conditional Use District and/or for a Conditional Use Permit for my (our) property from

R-30 to RT
(Current Zoning District) (Proposed Zoning District)

and to offer additional use and/or standard restrictions as a part of the request for a Conditional Use Permit.

For DPZ Use only

Project # _____

Date Received: _____

Signature of Owner(s):

[Signature]

Wake County PIN/REID:

639633688 / 13207

State of North Carolina

County of Wake

Sworn to and subscribed before me the 25th day of June, 20 20.

Notary Public in and for the State of North Carolina. My Commission expires: 4/19/2025

[Signature]
Notary Public



Jonathon M. Keefer
Printed

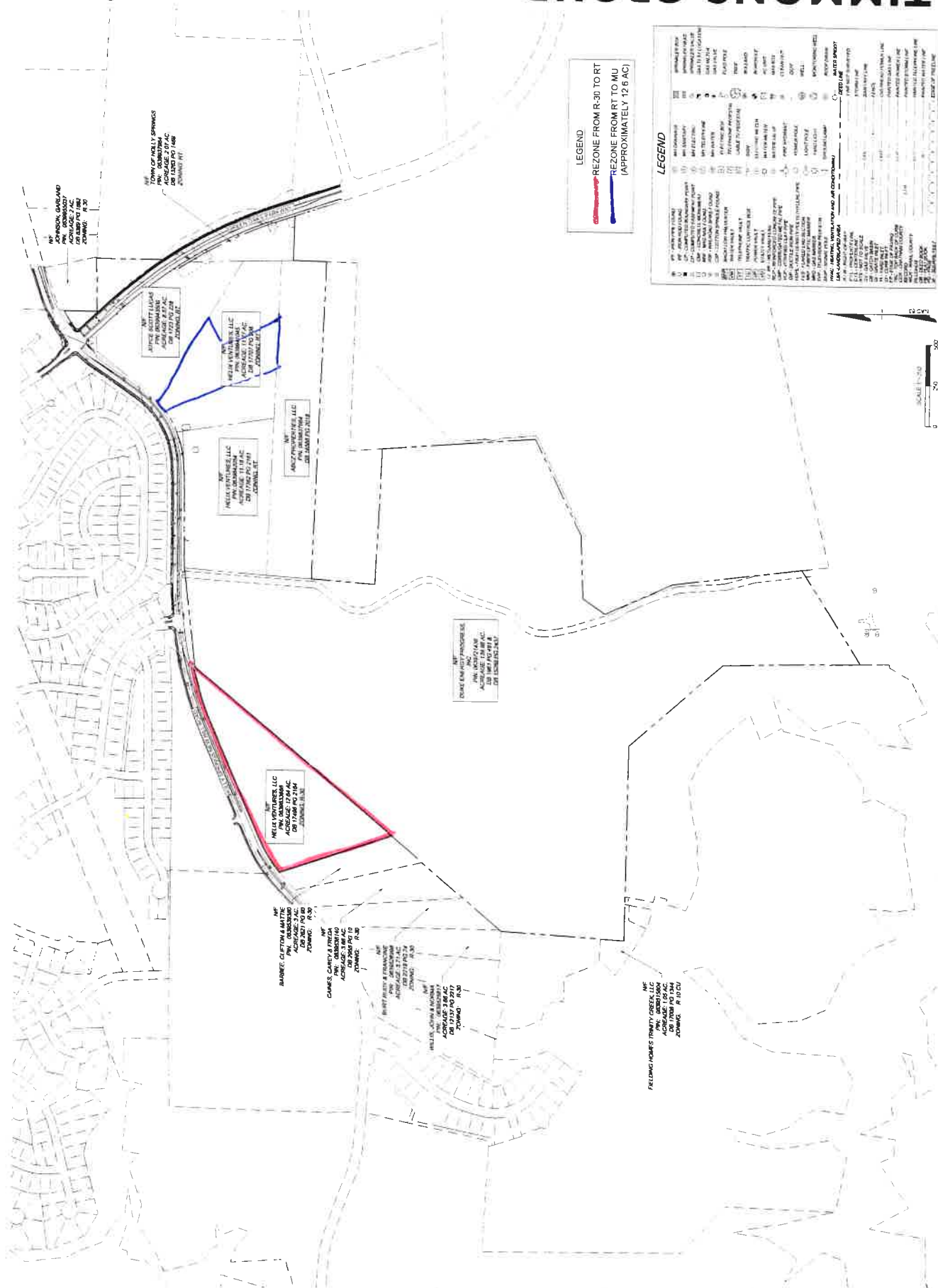
Seal

TIMMONS GROUP
OAKVIEW INNOVATIONS

NOT FOR
CONSTRUCTION

THIS DOCUMENT IS UNCLASSIFIED
DATE 08-11-2010 BY 60322
REASON: EXEMPT FROM GDS

YOUR VISION ACHIEVED THROUGH OURS

[illegible]

LEGEND

LEGEND

LEGEND		FIELD NO.		DATE		TIME		LOCATION		WIND		TEMP		HUMID		PRESS		SEA		WAVE		SWELL		CURRENT		TIDE		MOON		CLOUD		VISIB		WEATHER		REMARKS																																																															
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

NOTIFICATION TO PROPERTY OWNER

Dear Property Owner,

I am requesting the Holly Springs Town Council to rezone ^{a portion of} your property described by: ~~the~~ attached Map and;

Wake County Real Estate ID# 62886

and PIN 639837664

located at 11701 Holly Springs New Hill Rd.

from RT (existing zoning district) to

LB (proposed zoning district).

The public hearing before the Holly Springs Town Council on the matter will

be heard on TBD (date) at 7:00 PM.

Additional information can be obtained by contacting the Holly Springs Department of Planning & Zoning at (919) 557-3908.

Thank you,

Signature of Applicant:

Date:

Cara

6.25.20

Name CARA Hylten Company Trustwell Property Group
Mailing Address 3717 National Dr Suite 209
City Raleigh State NC Zip 27612
Telephone # (919) 371-6208 Fax # () N/A E-Mail Cara@trustwellgroup.com

AFFIDAVIT OF OWNER CONSENT



If the Owner(s) of the subject property is giving authorization for another person to apply for a Conditional Use District and/or Conditional Use Permit on their property, this affidavit must be completed and signed by all record owners of the subject property.

The persons listed below do hereby appear before a Notary Public and swear or affirm that they are the legal owners of the described property, and further give authorization to

CARA Hylton of Trustwell Property Group
(Name of Representative) (Name of Company)

to submit a Petition for Zoning Map Change to a Conditional Use District and/or for a Conditional Use Permit for my (our) property from

RT to LB
(Current Zoning District) (Proposed Zoning District)

and to offer additional use and/or standard restrictions as a part of the request for a Conditional Use Permit.

For DPZ Use only

Project # _____

Date Received: _____

A portion of
(0.84 acres)

Signature of Owner(s):

[Signature]

Wake County PIN/REID:

639837664 162886

State of North Carolina
County of Wake

Sworn to and subscribed before me the 25th day of June, 2020.

Notary Public in and for the State of North Carolina. My Commission expires: 4/19/2025

[Signature]
Notary Public



Printed

Seal

AFFIDAVIT OF OWNER NOTIFICATION



The following Affidavit of Owner Notification shall be provided at time of petition submittal if the Applicant is requesting a Zoning Map Change for property(s) he/she does not own at the time of the petition submission.

The following form or a separately prepared document in substantially the same form may be used for submitting the Notice of the requested Zoning Map Change and the public hearing in association with a request for a Zoning Map Change to the property owner(s). The form must be sent to the owner(s) via certified mail. This Affidavit is to be signed by the Applicant of the requested Zoning Map Change and have attached thereto the USPS green certified mail receipt and a copy of the form sent to the owner(s) to ensure that all record owners of the property have been notified by the Applicant(s).

For DPZ Use only

Project # _____

Date Received: _____

AFFIDAVIT

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I hereby certify to the Town of Holly Springs that the owner of the property described by Wake County Real Estate ID 62886 and PIN 639837664 was served the notification attached to this Affidavit indicating the requested zoning map change petition and public hearing date and time. As evidence of the service of the notification, I hereby attach the return receipt from the certified mailing of this notice.

This the 25th day of June, 20 20.

Applicant Signature Cara Hylton

Printed name of Applicant Cara Hylton

NOTARY STATEMENT

Sworn to and subscribed before me the 25th day of June, 20 20.

Notary Public in and for the State of North Carolina. My Commission expires: 4/19/2025

Notary Public

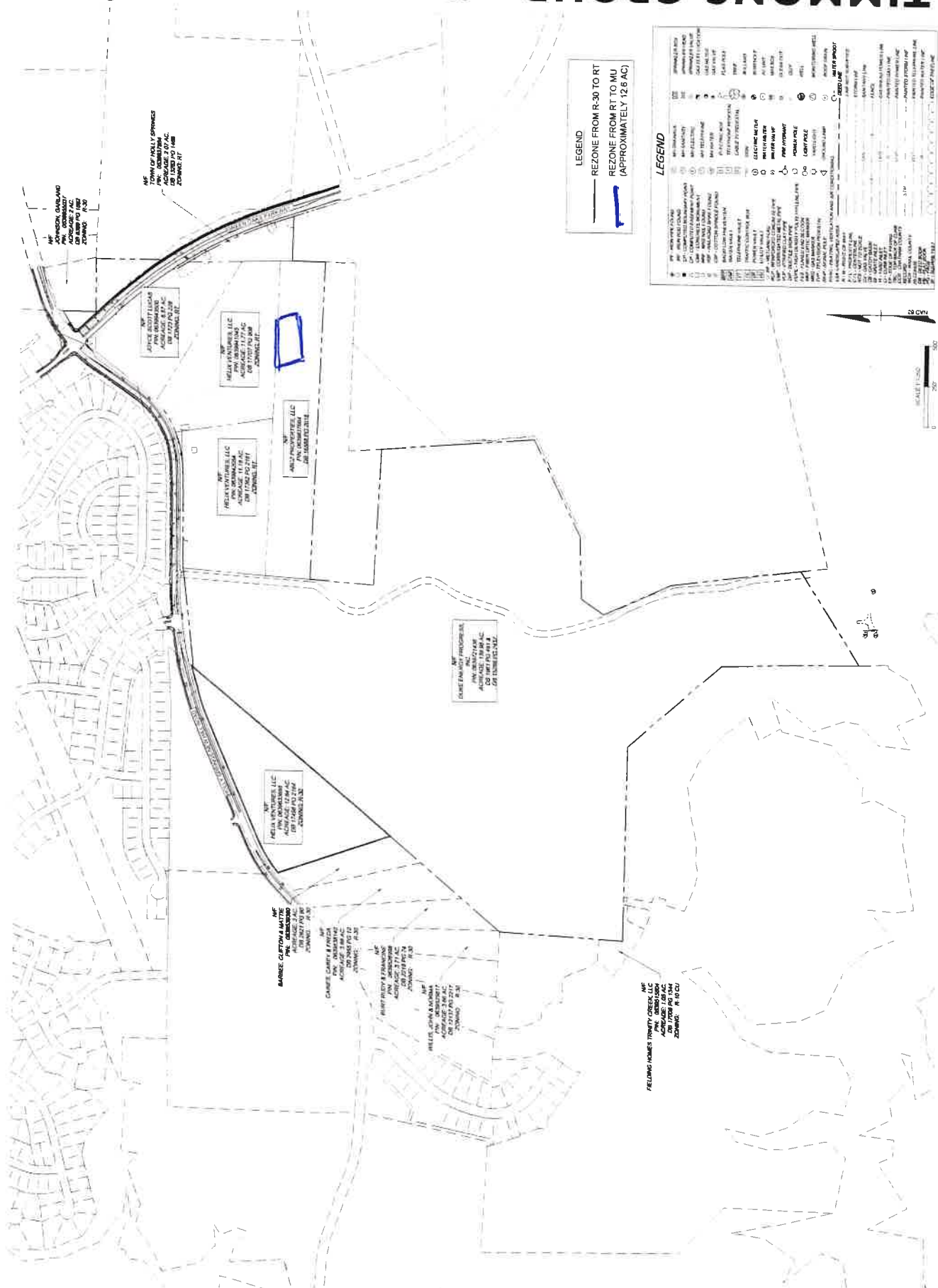


Jonathon M Keener
Printed

Seal

TIMMONS GROUP

NOT FOR
CONSTRUCTION



NOTIFICATION TO PROPERTY OWNER

Dear Property Owner,

I am requesting the Holly Springs Town Council to rezone ^{a portion of} your property described by; the attached proposed zoning map and:

Wake County Real Estate ID# 42 977

and PIN 639945500

located at 11605 Holly Springs New Hill Rd.

from RT (existing zoning district) to

LB (proposed zoning district).

The public hearing before the Holly Springs Town Council on the matter will

be heard on TBD (date) at 7:00 PM.

Additional information can be obtained by contacting the Holly Springs Department of Planning & Zoning at (919) 557-3908.

Thank you,

Signature of Applicant:

Date:

Cara Hylton

6.25.20

Name CARA Hylton Company Trustwell Property Group
Mailing Address 3717 National Drive Suite 209
City Raleigh State NC Zip 27612
Telephone # (919) 371-6208 Fax # () N/A E-Mail cara@trustwellgroup.com

AFFIDAVIT OF OWNER NOTIFICATION



The following Affidavit of Owner Notification shall be provided at time of petition submittal if the Applicant is requesting a Zoning Map Change for property(s) he/she does not own at the time of the petition submission.

The following form or a separately prepared document in substantially the same form may be used for submitting the Notice of the requested Zoning Map Change and the public hearing in association with a request for a Zoning Map Change to the property owner(s). The form must be sent to the owner(s) via certified mail. This Affidavit is to be signed by the Applicant of the requested Zoning Map Change and have attached thereto the USPS green certified mail receipt and a copy of the form sent to the owner(s) to ensure that all record owners of the property have been notified by the Applicant(s).

For DPZ Use only

Project # _____

Date Received: _____

AFFIDAVIT

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I hereby certify to the Town of Holly Springs that the owner of the property described by Wake County Real Estate ID 42977 and PIN 639943500 was served the notification attached to this Affidavit indicating the requested zoning map change petition and public hearing date and time. As evidence of the service of the notification, I hereby attach the return receipt from the certified mailing of this notice.

This the 25th day of June, 20 20.

Applicant Signature [Signature]

Printed name of Applicant CARA Hylton

NOTARY STATEMENT

Sworn to and subscribed before me the 25th day of June, 20 20.

Notary Public in and for the State of North Carolina. My Commission expires: 4/19/2025

[Signature]
Notary Public



Jonathon M Keener
Printed

Seal

AFFIDAVIT OF OWNER CONSENT



If the Owner(s) of the subject property is giving authorization for another person to apply for a Conditional Use District and/or Conditional Use Permit on their property, this affidavit must be completed and signed by all record owners of the subject property.

The persons listed below do hereby appear before a Notary Public and swear or affirm that they are the legal owners of the described property, and further give authorization to

CARA Hylton of Trustwell Property Group
(Name of Representative) (Name of Company)

to submit a Petition for Zoning Map Change to a Conditional Use District and/or for a Conditional Use Permit for my (our) property from

RT to LB
(Current Zoning District) (Proposed Zoning District)

For DPZ Use only

Project # _____

Date Received: _____

a portion of
(~6.88 acres)

and to offer additional use and/or standard restrictions as a part of the request for a Conditional Use Permit.

Signature of Owner(s):

Wake County PIN/REID:

639943500 / 42977

State of _____

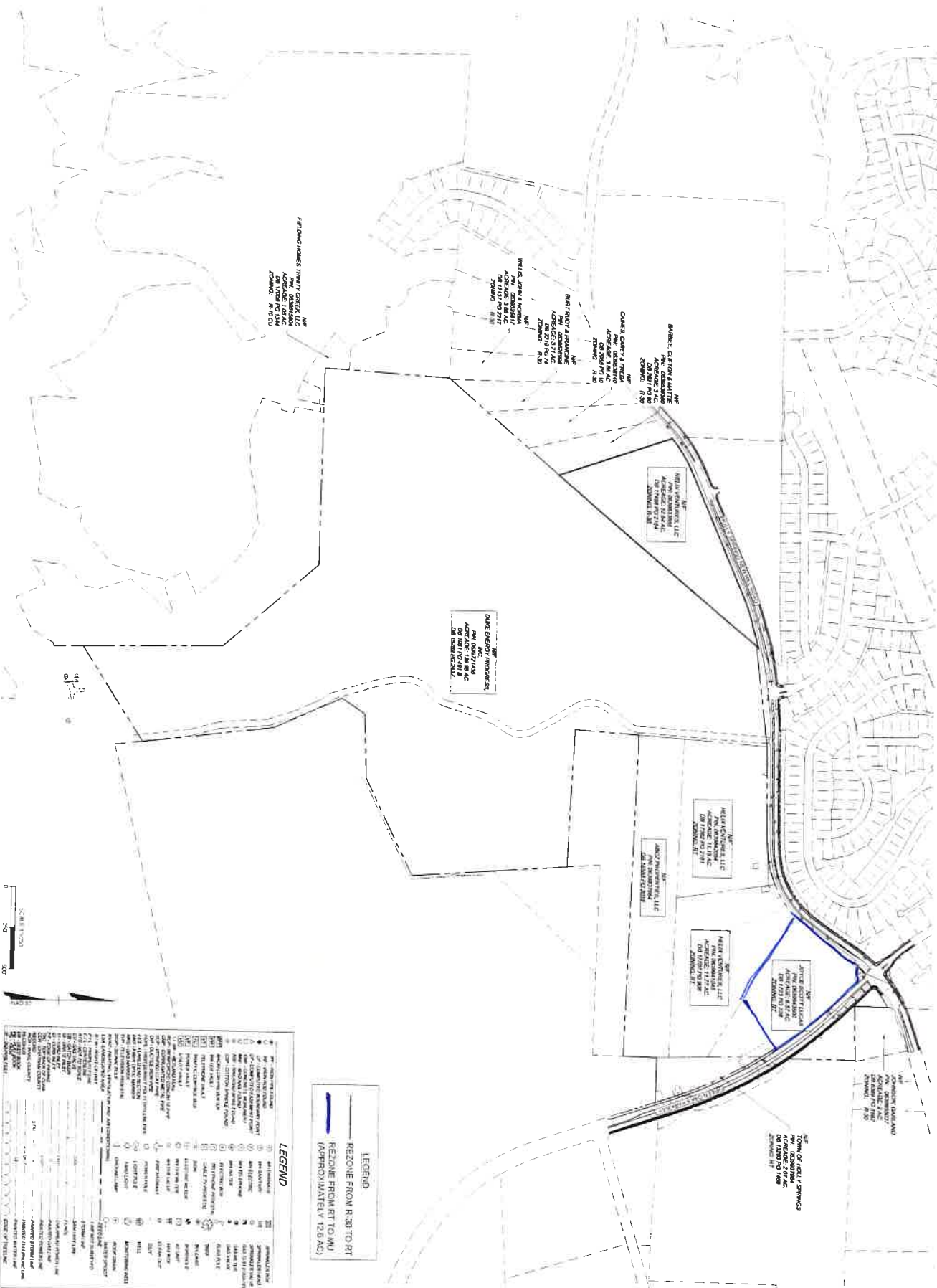
County of _____

Sworn to and subscribed before me the _____ day of _____, 20____.

Notary Public in and for the State of North Carolina. My Commission expires: _____

Notary Public / _____
Printed

Seal



TIMMONS GROUP

OAKVIEW INNOVATIONS
 WAKE COUNTY - NORTH CAROLINA
 EXISTING CONDITIONS & DEMOLITION PLAN

THIS DRAWING PREPARED AT THE
 RALEIGH OFFICE
 5410 E. 11th Street, Suite 100, Raleigh, NC 27607
 TEL 919 833 8124 FAX 919 833 8125

NOT FOR
 CONSTRUCTION

AFFIDAVIT OF OWNER CONSENT



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(Name of Representative) (Name of Company)

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RT to LB
(Current Zoning District) (Proposed Zoning District)

For DPZ Use only

Project # _____

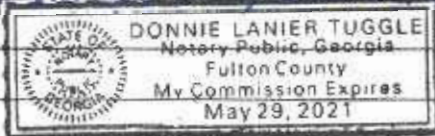
Date Received: _____

a portion of
(~6.88 acres)

and to offer additional use and/or standard restrictions as a part of the request for a Conditional Use Permit.

Signature of Owner(s):

Mildred Joyce Lucas
By: Yalecia L. Diamond AIF



Donnie Lanier Tuggle 7-2-20

Wake County PIN/REID:

639943500 / 42977

State of _____

County of _____

Sworn to and subscribed before me the _____ day of _____, 20____,

Notary Public in and for the State of North Carolina. My Commission expires: _____

Notary Public

Printed

Seal

NOTIFICATION TO PROPERTY OWNER

Dear Property Owner,

a portion of

I am requesting the Holly Springs Town Council to rezone your property described by; the attached proposed zoning map and:

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and PIN 639945500

located at 11605 Holly Springs New Hill Rd.

from RT (existing zoning district) to

LB (proposed zoning district).

The public hearing before the Holly Springs Town Council on the matter will

be heard on TBD (date) at 7:00 PM.

Additional information can be obtained by contacting the Holly Springs Department of Planning & Zoning at (919) 557-3908.

Thank you.

Signature of Applicant:

Date:

Cara

6.25.20

Name	<u>CARA Hyllon</u>	Company	<u>Trustwell Property Group</u>
Mailing Address	<u>3717 National Drive</u>	Suite	<u>209</u>
City	<u>Raleigh</u>	State	<u>NC</u> Zip <u>27612</u>
Telephone #	<u>(919) 371-6208</u>	Fax #	<u>() N/A</u>
		E-Mail	<u>cara@trustwellgroup.com</u>

AFFIDAVIT OF OWNER NOTIFICATION



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For DPZ Use only
Project # _____
Date Received: _____

AFFIDAVIT

STATE OF NORTH CAROLINA
COUNTY OF WAKE

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This the 25th day of June, 20 20.

Applicant Signature [Signature]

Printed name of Applicant CARA Hylton

NOTARY STATEMENT

Sworn to and subscribed before me the 25th day of June, 20 20.

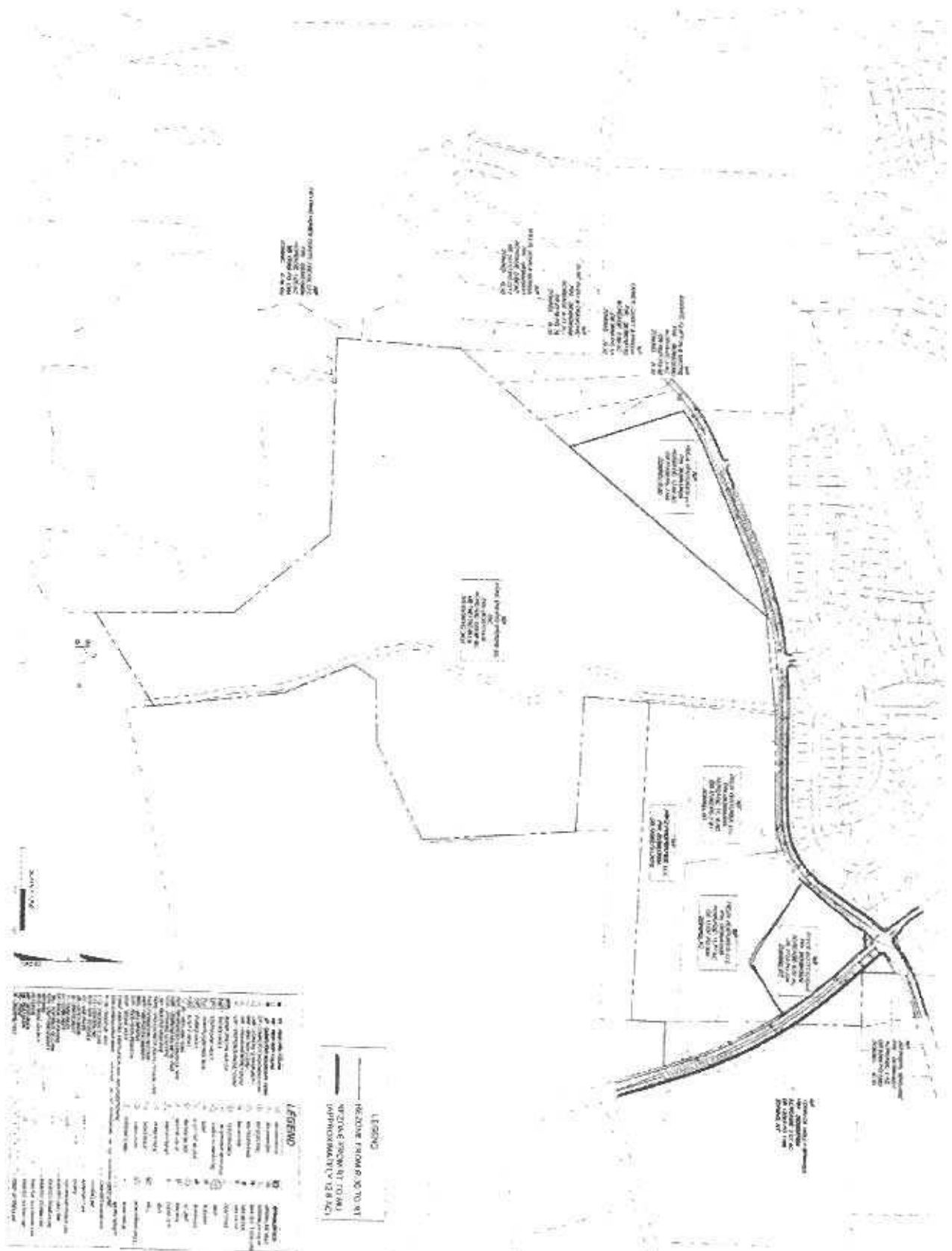
Notary Public in and for the State of North Carolina. My Commission expires: 4/19/2025

Notary Public



Printed

Seal



TIMMONS GROUP

OAKVIEW INNOVATIONS
 WEST COUNTY NORTH CAROLINA
 EXISTING CONDITIONS & DEMOLITION PLAN

NOT FOR CONSTRUCTION

AFFIDAVIT OF OWNER CONSENT



If the Owner(s) of the subject property is giving authorization for another person to apply for a Conditional Use District and/or Conditional Use Permit on their property, this affidavit must be completed and signed by all record owners of the subject property.

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(Name of Representative) (Name of Company)

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RT to LB
(Current Zoning District) (Proposed Zoning District)

For DPZ Use only

Project # _____

Date Received: _____

a portion of
(~6.88 acres)

and to offer additional use and/or standard restrictions as a part of the request for a Conditional Use Permit.

Signature of Owner(s):

Mildred Joyce Lucas
By: Valerie L. Diamond AIF



Donnie Tuggle 7-2-20

Wake County PIN/REID:

639943500 / 42977

State of _____

County of _____

Sworn to and subscribed before me the _____ day of _____, 20____.

Notary Public in and for the State of North Carolina. My Commission expires: _____

_____/_____
Notary Public Printed

Seal

NOTIFICATION TO PROPERTY OWNER

Dear Property Owner,

a portion of

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Thank you,

Signature of Applicant:

Date:

Cara

6.25.20

Name CARA Hylton Company Trustwell Property Group
Mailing Address 8717 National Drive Suite 209
City Raleigh State NC Zip 27612
Telephone # (919) 371-6208 Fax # () N/A E-Mail cara@trustwellgroup.com

AFFIDAVIT OF OWNER NOTIFICATION



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For DPZ Use only
Project # _____
Date Received: _____

AFFIDAVIT

STATE OF NORTH CAROLINA
COUNTY OF WAKE

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This the 25th day of June, 20 20.

Applicant Signature [Signature]

Printed name of Applicant CARA Hylton

NOTARY STATEMENT

Sworn to and subscribed before me the 25th day of June, 20 20.

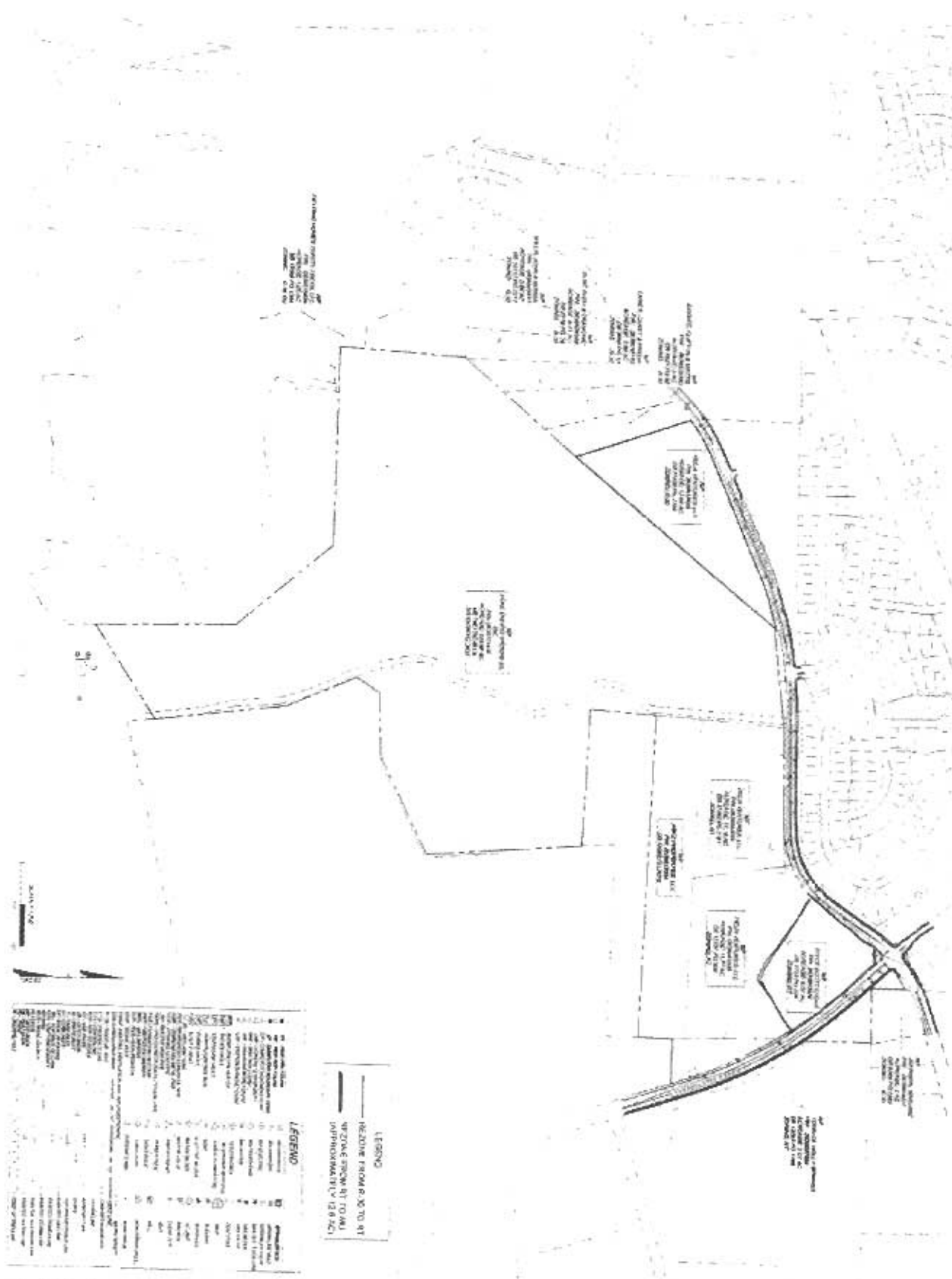
Notary Public in and for the State of North Carolina. My Commission expires: 4/19/2025

Notary Public



Printed

Seal





AGENT AUTHORIZATION and
PROPERTY OWNER CERTIFICATION FORM

All Blanks to be Filled in by Current Landowner

The Department of the Army
US Army Corps of Engineers
Wilmington District
PO Box 1890
Wilmington, NC 28402-1890

NCDENR - Division of Water Resources
401 & Buffer Permitting Unit
1650 Mail Service Center
Raleigh, NC 27699-1650

To Whom It May Concern:

I, the undersigned, a duly authorized owner of record of the property/properties identified herein, do authorize representatives of the Wilmington District, U.S. Army Corps of Engineers (Corps) to enter upon the property herein described for the purpose of conducting on-site investigations and a determination associated with Waters of the U.S. subject to Federal jurisdiction under Section 401 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899.

This the _____ day of _____, 2020.
(number) (Month) (Year)

Parcel: 639943500

This notification supersedes any previous correspondence concerning the agent for this project.

Project Name: Oakview Properties Location: Holly Springs, NC

Property Owner's Name (Print): Joyce Scott Lucas

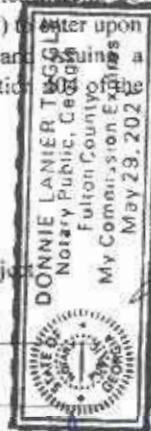
Property Owner's Signature: Mildred Joyce Lucas By Valerie L. Diamond, AIF

Property Owner's Mailing Address: 8354 Six Forks Rd Ste 103

Raleigh NC 27615
(Agent's Address)

Property Owner's Telephone: (919) 539-3391 Fax No. N/A

Property Owner's Email Address: sold@monteete.com
(Agent's Contact Information)



Donnie Tuggle 7-2-20

5410 Trinity Rd. Suite 112 | Raleigh, NC 27607

TEL 919.866.4951 FAX 919.859.5663

Site Development | Residential | Infrastructure | Technology

www.timmons.com

ZONING CONSISTENCY STATEMENT

OAKVIEW MASTER PLAN, HOLLY SPRINGS, NORTH CAROLINA



Project Information

Project Name:	Oakview Innovation Park
Proposed Zoning District:	LB (East Side) & RT (West Side)
Proposed Land Use/Density:	Commercial Mixed Use (~60k Retail, ~80k Office) Research Technology Campus (~40k Commercial)
Future Land Use Map Desig:	Business & Industrial
Future Land Use /Density:	Research & Technology (No density limit)

Petitioner's Response

Executive Summary

The proposed rezoning builds upon the goals of Comprehensive Plan by expanding and improving the Holly Springs Business Park for future major employers, adding new infrastructure to support the surrounding region, and creating a new retail amenity for the benefit of the Business Park and surrounding residential communities. This rezoning will allow Holly Springs to have a globally competitive and attractively amenitized business park that will expand the commercial tax base to support the economic vitality of the Town thereby sponsoring other positive growth throughout the community.

Section 1: Future Land Use & Community Character

- The RT rezoning provides a contiguous area to where the Future Land Use Plan has called for RT
- The LB Mixed Use rezoning matches the land use plan's desire for business and industrial in the region while accentuating the desired Innovation Village adjacent to the site and creating a complimentary amenity for the residential land use across the street
- Current RT zoning on the east side would allow buildings up to 75' tall next to the existing neighborhoods. By contrast, LB maxes out at 20'-45' thus providing a far better transition area between the more dense Business Park and the existing single family neighborhoods.
- The retail options under LB allow for desirable community gathering spaces and both vehicular and non-vehicular connections to the surrounding areas

Section 2: Transportation

- By attracting the major employers desired by the Town, this rezoning will meet Transportation's goal of supporting the economic vitality of Town by making this area a globally competitive business park
- Having two separate and diverse entry points onto different major thoroughfares disperses potential traffic in the area increasing safety and limiting any impact on the performance of surrounding intersections as detailed in the TIA
- Improvements recommended by the TIA meet the current requirements and support the goals of the long range transportation plan for the area

Section 3: Parks & Recreation and Open Space

- Master Plan for the area has been laid out to limit impact on wetlands and natural features

TRUSTWELL PROPERTY GROUP

3717 National Drive, Ste. 209
Raleigh, NC 27612

- The master plan encourages the use and preservation of native plants in the ROW, buffers and setbacks wherever possible with our architectural standards and plans for road way buffers
- The mixed use area will create a commercial center within walking distance of both the existing business park and neighborhoods as desired by the new Parks & Recreation Master Plan
- Though the security requirements and final development plans of individual employers within the park will need to be considered, we will encourage the allowance of greenway easements within the ROW of the new public roads and along the southern border of the park near Utle Creek to help with the long term acquisition goals of the Greenway Master Plan.

Section 4: Community Facilities

- This rezoning will help increase the commercial tax base of the Town allowing it to continue to make facility investments throughout the community

Section 5: Infrastructure & Utilities

- This rezoning will result in a massive investment in a sewer line benefiting not just this project but more than one hundred additional acres that can't currently be developed in accordance with the goals of the Comprehensive plan without it.
- This project will also add new water and public road infrastructure to the park to make it more "pad-ready" and attractive to the world class employers desired by the Town

Section 8: Natural Resources

- The infrastructure is laid out to avoid as much of the wetland and natural buffers as possible
- Master Plan aims to preserve and utilize native species within ROWs and Buffers throughout project as much as possible
- Will encourage use of native species in the landscape plans for each subsequent development plan through the architectural standards of the project

Submitted by:

Jonathon Keener

Jonathon Keener
Trustwell Property Group

Date:

6/28/2020

Metes and Bounds Legal Description of Rezoning Area

COMMENCING on Town of Holly Springs Geodetic Monument "Alford 33", having North Carolina State Plane Coordinates of N: 693,650.75' E: 2,041,575.85'; thence North 72°54'29" West, 1,904.05 feet to a point, the **POINT OF BEGINNING** having North Carolina State Plane Coordinates of N: 694,210.37' E" 2,039,755.89'; thence along the new rezoning line the following courses and distances:

thence with a curve to the right having a radius of 11.99 feet, an arc length of 19.01 feet and a chord bearing and distance of South 17°05'44" West, 17.08 feet to a point; thence South 62°28'29" West, 59.54 feet to a point; thence with a curve to the right having a radius of 1,000.00 feet, an arc length of 405.73 feet and a chord bearing and distance of South 74°05'53" West, 402.95 feet to a point; thence South 85°43'17" West, 383.59 feet to a point; thence North 17°06'08" West, 480.31 feet to a point; thence with a curve to the left having a radius of 647.07 feet, an arc length of 189.73 feet and a chord bearing and distance of North 44°39'51" East, 189.05 feet to a point; thence North 35°12'08" East, 250.47 feet to a point; thence with a curve to the right having a radius of 1,723.80 feet, an arc length of 188.30 feet and a chord bearing and distance of North 38°19'54" East, 188.21 feet to a point; thence with a curve to the right having a radius of 25.00 feet, an arc length of 16.83 feet and a chord bearing and distance of South 62°16'17" East, 16.51 feet to a point; thence South 43°08'46" East, 230.40 feet to a point; thence with a curve to the right having a radius of 2,820.36 feet, an arc length of 450.38 feet and a chord bearing and distance of South 38°03'05" East, 449.90 feet to a point; thence South 25°51'44" East, 91.07 feet to a point; thence South 30°53'06" East, 54.05 feet to a point; thence South 29°59'02" East, 55.05 feet to a point; thence South 28°19'02" East, 64.61 feet to the **POINT OF BEGINNING** containing 550,599 square feet, or 12.640 acres, more or less.

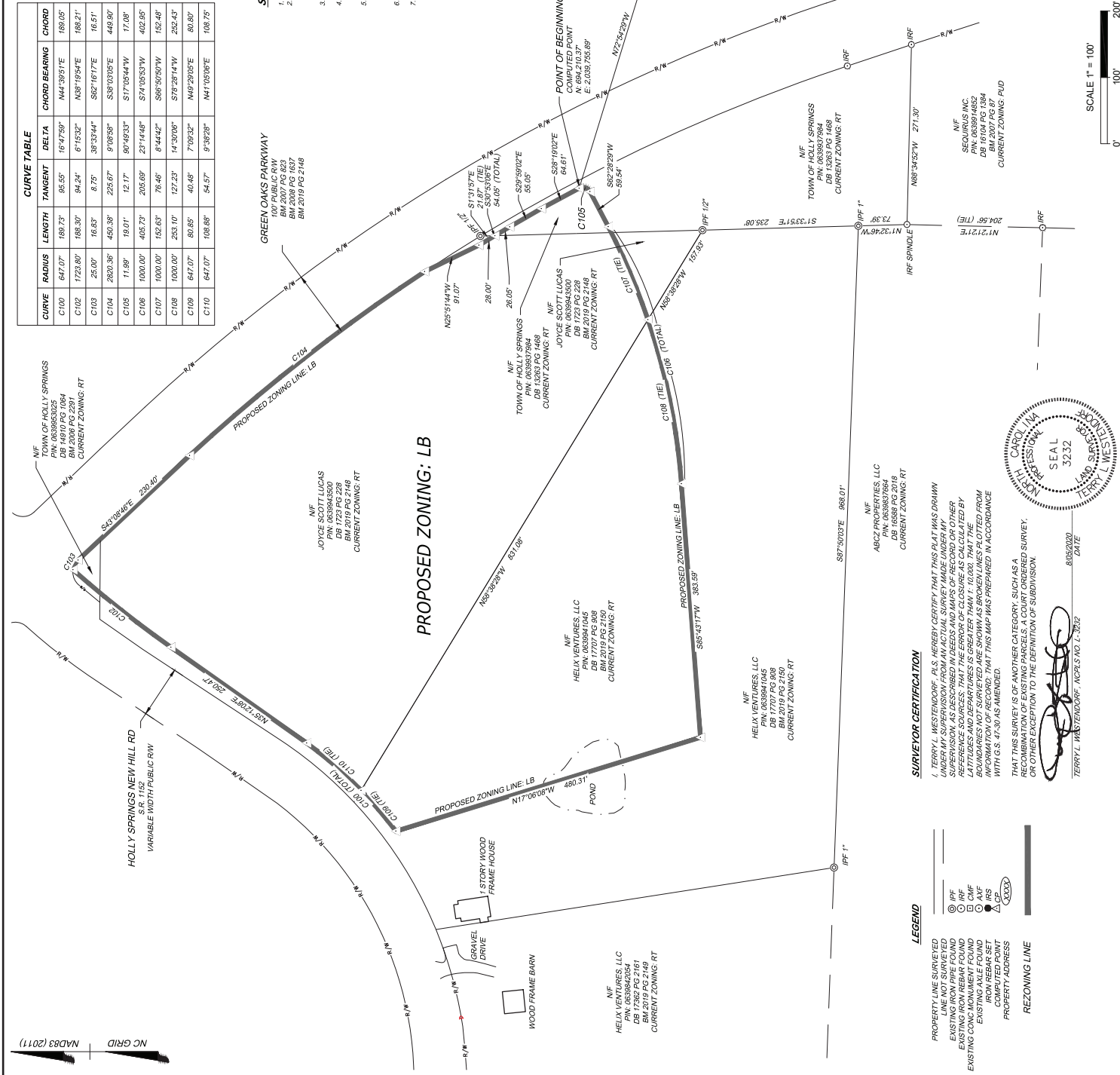
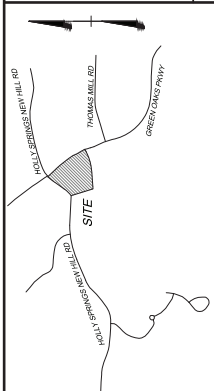
NC GRID
NAD83 (2011)

CURVE TABLE				
CURVE	RADIUS	LENGTH	TANGENT	CHORD BEARING
C100	647.07'	169.73'	95.55'	N41°30'51"E
C102	1723.80'	168.30'	94.24'	N38°19'54"E
C103	25.00'	16.83'	8.75'	S62°16'17"E
C104	2620.36'	450.38'	225.67'	S38°10'05"E
C105	11.98'	19.01'	12.17'	S07°49'33"
C106	1030.00'	405.73'	205.69'	S74°05'33"W
C107	1030.00'	152.63'	76.46'	S86°50'50"W
C108	1030.00'	253.10'	127.23'	S78°28'14"W
C109	647.07'	80.85'	40.48'	N49°29'02"E
C110	647.07'	108.88'	54.57'	N41°00'06"E

SURVEY NOTES:

1. PREPARED FOR TRUSTWELL GROUP.
2. THIS SURVEY IS NOT A SPECIAL FLOOD HAZARD AREA. PER FIRM # 3703062602PANEL 0626 EFFECTIVE DATE MAY 02, 2008, THIS PROPERTY ALSO LIES IN ZONE X, NOT A SPECIAL FLOOD HAZARD AREA. PER NORTH CAROLINA LICENSE NUMBER C-16532.
3. HORIZONTAL CONTROL IS BASED ON NC STATE GRID, NAD83 (2011) AS DETERMINED BY GPS. ALL DISTANCES SHOWN ARE GROUND DISTANCES.
4. THE LOCATION OF ANY JURISDICTIONAL WETLANDS THAT MAY EXIST ON THIS PROPERTY IS NOT AND SHOULD NOT BE CONSIDERED AS A BOUNDARY SURVEY. THIS SURVEY IS FOR PLANNING PURPOSES ONLY AND SHOULD NOT BE USED FOR THE TRANSFER OF REAL PROPERTY. THIS MAP IS NOT SUITABLE FOR RECORDING PURPOSES.
5. THE LOCATION OF ANY JURISDICTIONAL WETLANDS THAT MAY EXIST ON THIS DEEDS AND PLATS OF RECORD AS SHOWN HEREON.
6. INFORMATION IS BASED ON NOT ALL IMPROVEMENTS HAVE BEEN SHOWN.

VICINITY MAP - MAP NOT TO SCALE



TOTAL REZONING AREA =
550,599 Sq.Ft. / 12.640 ACRES

REZONING MAP FOR
TRUSTWELL GROUP
OF MULTIPLE PARCELS IN
HOLLY SPRINGS, NORTH CAROLINA
GREEN OAKS PARKWAY

HOLLY SPRINGS TOWNSHIP	WAKE COUNTY
DATE: AUGUST 06, 2020	SCALE: 1" = 100'
SHEET 1 OF 1	J.N.: 45363
DRAWN BY: MW	CHECK BY: TW
FIELD EDIT BY:	
MAP CHECKED BY: MM	
REVISED:	

SCALE 1" = 100'
0' 100' 200'

SURVEYOR CERTIFICATION

I, TERRY L. WESTENDORF, A.S. HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY PERSONAL SUPERVISION OR FROM A SURVEY MADE UNDER MY SUPERVISION. I HAVE REVIEWED THE SURVEY AND THE PLAT AND I AM Satisfied THAT THE SURVEY AND THE PLAT ARE CORRECT AND ACCURATE. I HAVE ALSO REVIEWED THE SURVEY AND THE PLAT AND I AM Satisfied THAT THE SURVEY AND THE PLAT ARE CORRECT AND ACCURATE.

DATE: 8/05/2020

TERRY L. WESTENDORF, NCPLS NO. L-2612



LEGEND

- PROPERTY LINE SURVEYED
- EXISTING ZONING LINE
- EXISTING FROM REBAR FOUND
- EXISTING CONC MONUMENT FOUND
- EXISTING ALLE FOUND
- EXISTING ALLE FOUND
- COMPUTED POINT
- PROPERTY ADDRESS
- REZONING LINE

Metes and Bounds Legal Description of Rezoning Area

COMMENCING on Town of Holly Springs Geodetic Monument "Alford 33", having North Carolina State Plane Coordinates of N: 693,650.75' E: 2,041,575.85'; thence South 83°51'47" West, 5,453.57 feet to an Existing 1" Iron Pipe, the **POINT OF BEGINNING**;
thence North 18°24'28" West, 741.28 feet to an Existing 5/8" Rebar; thence North 52°11'43" East, 50.02 feet to a point; thence North 55°43'58" East, 51.06 feet to a point; thence North 59°06'27" East, 53.19 feet to a point;
thence North 63°01'01" East, 54.58 feet to a point; thence North 65°41'16" East, 54.68 feet to a point; thence North 66°59'24" East, 50.60 feet to a point;
thence North 67°18'31" East, 51.03 feet to a point; thence North 66°55'57" East, 47.66 feet to a point; thence North 67°11'39" East, 50.13 feet to a point;
thence North 66°55'03" East, 48.93 feet to a point; thence North 66°23'00" East, 50.74 feet to a point; thence North 66°59'42" East, 97.70 feet to a point;
thence North 67°12'16" East, 48.52 feet to a point; thence North 66°54'00" East, 45.03 feet to a point; thence North 67°03'33" East, 58.69 feet to a point;
thence North 67°08'35" East, 54.78 feet to a point; thence North 67°33'11" East, 52.37 feet to a point; thence North 67°28'24" East, 57.13 feet to a point;
thence North 67°27'24" East, 54.76 feet to a point; thence North 67°52'36" East, 51.98 feet to a point; thence North 69°20'54" East, 48.40 feet to a point;
thence North 72°01'10" East, 53.15 feet to a point; thence North 74°51'30" East, 53.10 feet to a point; thence North 75°04'34" East, 51.98 feet to a point;
thence North 74°30'08" East, 55.12 feet to a point; thence North 76°26'29" East, 38.36 feet to a point; thence South 39°51'00" West, 9.88 feet to a point;
thence South 39°51'13" West, 1,605.55 feet; to the **POINT OF BEGINNING** containing 550,758 square feet, or 12.644 acres, more or less.

Melissa Sigmund

From: Brian Headley <rheadley@nc.rr.com>
Sent: Monday, October 19, 2020 10:10 AM
To: Melissa Sigmund
Subject: --[EXTERNAL]--20-REZ-02 Oakview Innovation

Melissa,

I am writing regarding the public hearing scheduled for Tuesday, November 3, 2020 concerning 20-REZ-02 Oakview Innovation.

I am a property owner in the 12 Oaks subdivision. I did attend the informational meeting on Monday October 5, 2020 at 11900 Holy Springs New Hill Rd conducted by the Timmons Group.

I would request that if the rezoning is approved for the lots 11605 and 11621, that ***no Special Exception Uses*** be approved. We (my neighbors and myself) do not want automotive sales and services to be allowed (automotive repair, car wash, gasoline service station, quick lube oil change). We also do not want drive thru fast-food restaurants or convenience stores typically situated with gasoline stations. In fact, these items should be noted as ***not allowed*** for this rezoning request.

We are not against the rezoning of lot 11900 to RT. During the information meeting on October 5, 2020 the presenter noted that the setback from the right-of-way was between 30' to 50'. Inclusive of all of the lots from 11621 (excluding lot 11621) to 11900 currently zoned as RT, we strongly request that the setback be defined as no less than 50'. This may help with a reduction of noise for the future development.

Please try to have these areas along Holly Springs New Hill Rd from Green Oaks Pkwy to the Trinity Creek subdivision developed as was presented for the Green Oaks West development.

In the long range and short term planning effort, the entire stretch of area from the Duke Health facility on RT 55 to the Trinity Creek subdivision along Holly Springs New Hill Rd should be developed with the intention of allowing golf cart usage. All of the current established subdivisions in this area allow golf carts and planning needs to be developed for golf cart access in the future developments along this road.

I will not be able to attend the November 3rd public hearing so please provide the above comments to the appropriate planning, zoning, and town council members.

Brian Headley
240 Lucky Ribbon Lane
Holly Springs, NC 27540

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Oakview Innovation Park Neighborhood Meeting Topics

1. Overview:
 - a. Meeting held outdoors and onsite to be COVID sensitive and easily accessible.
 - b. 7 residents of adjacent neighborhoods attended, 1 resident not from the area attended.
2. Topics discussed:
 - a. Introduction
 - i. Confirmed this was the next required step from the development agreement approved last December at public hearing by the Council that outlined the rezoning and annexation agreement and requirements.
 - ii. Reviewed approval was for rezoning and annexation petition in conjunction with the master plan only and a specific development plan had not been created yet.
 - iii. Though no site plans had been created, some concept images of the type of buildings (research, office and community retail) allowed by the new zoning were shared for context and was well received.
 - b. Land Use
 - i. Neighbors were happy to hear that the zoning would be RT and Retail which meant more good jobs coming to the area.
 - ii. Neighbors were happy to hear no apartments or new single family homes were included in the rezoning uses.
 - iii. Neighbors expressed concern for fast food, 24/7 businesses, and gas station uses due to concerns over traffic, noise , and light pollution, which were discussed and addressed in the meeting by:
 1. Traffic –
 - a. Primary issue with traffic was noise. Developer shared plans for landscape buffer preserving the existing trees on our site. Neighbors appreciated the buffer for the project and thought the residential developer for their side of the street could have done the same and they wouldn't have the problem.
 - b. Civil engineer shared that the rezoning TIA showed minimal increase in traffic, but project would be making contributions to improve intersections in the area to help which was well received.
 2. Noise –
 - a. Primary noise question was traffic as addressed above.
 - b. Neighbors agreed that they never had a noise issue with existing business park.
 - c. Project shared that by being annexed into the Town all uses on site would be under the Town noise ordinance to address any other noise concerns.
 3. Light -
 - a. Neighbors shared concern over light pollution.

- b. Neighbor in attendance shared that she had seen this issue successfully addressed on other projects by using lights with baffles to keep glare from lights on the project site.
 - c. Developer agreed that they had done this on other projects to fix the issue while still providing for needed site security. It was also shared that though no development plans had been made yet, using baffled fixtures would probably be done here as well.
 - iv. Neighbors asked Project to consider allowing golf carts on the retail site
 - 1. Developer would not have issue with golf carts on site but other neighbors shared government regulations wouldn't allow them on the state and town roads unfortunately.
- c. Property Value
 - i. Neighbor asked if a study on the effects on property value was done.
 - ii. Project shared that they did not know a format or group that would be certified to do such a study and one was not required. However, based on general experience with commercial development it was shared that:
 - 1. The commercial development was meant to bring high quality jobs to the area, which could make the area a more desirable place to relocate and therefore increase residential property values.
 - 2. Commercial development typically uses less Town resources than single family/residential uses while delivering more jobs and tax revenue to the Town. More commercial tax revenues would help keep residential taxes lower and allow the Town to build more community amenities. These two things combined with better job opportunities, make living here more desirable and hopefully further increase residential property values.
 - iii. Referred neighbors to Town Economic Development for more input if needed

PROJECT: Oakview Innovation Park

MEETING: Neighborhood Meeting

DATE: 5-OCTOBER-2020

NAME (PLEASE PRINT)	COMPANY	ADDRESS	TELEPHONE	EMAIL
BLAKE HALL, PE, PLA	TIMMONS GROUP	5410 TRINITY RD, SUITE 102 RALEIGH, NC 27607	919-866-4933	BLAKE.HALL@TIMMONS.COM
Jan Lewis Faylker	homeowners	312 Lucky Ribbon Ln Holly Springs	919-412-3319	resaprazor@gmail.com
Pat Lawrence	landowner	1124 Reberah Moor Dr. Willow Spring NC 27582	919-815-1542	silkhope2015@gmail.com
John Rock	Property Owner	208 Lucky Ribbon Lane Holly Springs 27540	984 867-7634	john rock359@gmail.com
BRIAN HEADLEY	Homeowner	240 Lucky Ribbon Lane Holly Springs 27540	919-270-2487	oeduarte1@gmail.com
Oscar Duarte	Home owner	232 Lucky Ribbon Lane Holly Springs 27540	321-704-3848	
PAUL Brecllieri	Home Owner	405 ANCIENT OAKS HS 27540	704 564 2003	RTB3TRIBE@gmail.com
Judy Chudk	" "	716 Rambling Oaks Lane Holly Springs		jbragot@yahoo.com

PREPARED BY/RETURN TO: JOHN SCHIFANO, ROD BOX 105

STATE OF NORTH CAROLINA COUNTY OF WAKE

DEVELOPMENT AGREEMENT REGARDING INFRASTRUCTURE CONSTRUCTION
AND FEE REIMBURSEMENT (N.C. GEN. STAT. § 160A-420.20 et seq.)

BY AND BETWEEN

THE TOWN OF HOLLY SPRINGS

and

HELIX VENTURES, LLC.

THIS AGREEMENT, made and entered into this 27 day of February, 2020, by and between the TOWN OF HOLLY SPRINGS, a North Carolina Municipal corporation, hereafter referred to as the "Town" and Helix Ventures, LLC, a North Carolina Limited Liability Company, hereafter referred to collectively as the "Developer." The Town and the Developer are collectively referred to herein as the "Parties."

WITNESSETH:

WHEREAS, the Developer is the fee simple owner or contract purchaser of several tracts of land held in common for development, the total of which are exceeding 150 acres in size, which are shown in Exhibit A, attached hereto and incorporated herein by reference (the "Property"), and the Developer, or its successors or assigns, will be requesting approval of a development plan for these tracts for a mixed use commercial development, in a manner consistent with the sketch plans prepared by the Developer attached hereto as Exhibit B and the terms of this agreement; and,

WHEREAS, Trustwell Property Group, LLC ("Trustwell" or "Representative") is the authorized representative of Developer and its managers may bind the Developer to contractual obligations with the Town, and the Town shall rely on the actions and representations of Trustwell to be binding on the Developer, until such time as informed in writing by the Developer otherwise; and,

WHEREAS, the Property is not currently located within the corporate limits of the Town, is not currently served by town sewer service, and a significant capital expenditure would be required to extend sewer service to the Property. However the Property is located in close proximity to the Town corporate limits is within the extraterritorial jurisdiction of the Town, and it is closer to any Town utilities than to any other town's utilities; and,

WHEREAS, Developer desires careful integration between public and private capital facilities planning, financing and construction, and further desires sufficient assurances that development standards, ordinances, policies and procedures remain stable throughout the extended period of development; and,

WHEREAS, it is beneficial to both the Town and Developer to construct certain on-site and off-site infrastructure improvements relative to the Project to enable the safe and responsible treatment of wastewater by the Town and to provide potable drinking water to the ultimate users of the Property, as well as other infrastructure; and,

WHEREAS, the Town requires, pursuant to N.C.G.S. § 160A-372 and its Unified Development Ordinance, the dedication and construction of streets and rights of way and other infrastructure and for the distribution of population and traffic in such a manner that it will avoid congestion and overcrowding and will create conditions essential to public health, safety, and the general welfare; and,

WHEREAS, the Town has enacted a subdivision control ordinance, pursuant to N.C.G.S. §160A-372 which provides for the orderly control of growth and development in the Town in general and on the Developer's parcel; and,

WHEREAS, the Town is authorized pursuant to N.C.G.S § 160A-311 et. seq. to operate and does in fact operate a water and sewer treatment enterprise and requires, pursuant to N.C.G.S. § 160A-317, the connection to the system by owners of developed lands located within the Town, for a cost set forth in the Town's annual budget; and,

WHEREAS, the Town is authorized to enter into this contract pursuant to N.C.G.S. §§ 160A-16, 160A-400.20 et seq. and may contract with the Developer to carry out the public purposes set forth herein pursuant to N.C.G.S. §160A-20.1 and the Town Council of Holly Springs has determined that it is in the best interests of its citizens to do so.

WHEREAS, The Town Council of Holly Springs, after a duly advertised public hearing, approved this Development Agreement at its regularly scheduled meeting on December 3, 2019, upon motion by Councilperson O'Brien, second by Councilperson Kelly, upon unanimous vote.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein the Town and the Developer agree as follows:

ARTICLE I

1. Definitions: The terms below shall have the following meanings as used herein:

- a. Actual Costs: The amount of true costs actually incurred for construction of a certain project described herein upon final completion and approved by the Town, inclusive of the cost of acquiring easements or rights of way from those not party to this agreement, but exclusive of any administrative costs (i.e., profit and overhead) of the Developer, or any project construction contingency. Any such costs which herein after are agreed to be reimbursed or otherwise paid by the Town shall be audited by the Town under generally accepted accounting principles for governments for a period of three (3) years after the last act under this Agreement. Developer's right of reimbursement for Actual Costs pursuant to the terms of this Agreement is contingent upon Developer first receiving from the Town advance written consent to the expected cost of an applicable transaction before the cost is incurred, provided, that such consent shall not be unreasonably withheld or delayed by the Town.
- b. Comprehensive plan: The comprehensive plan, land-use plan, small area plans, neighborhood plans, transportation plan, capital improvement plan, official map, and any other plans regarding land use and development that have been officially adopted by the governing board.
- c. Developer: Helix Ventures, LLC, the signatories hereto, and their heirs, successors and assigns.
- d. Development: Generally defined as the planning for or carrying out of a building activity, the making of a material change in the use or appearance of any structure or property, or the dividing of land into two or more parcels. 'Development', as designated in a law or development permit, includes the planning for and all other activity customarily associated with it unless otherwise specified. When appropriate to the context, 'development' refers to the planning for or the act of developing or to the result of development. Specifically in this agreement, the term 'development' refers to the construction by the Developer of all building activities associated with the Plans.

- e. Development permit: A building permit, zoning permit, subdivision approval, special exception or conditional use permit, variance, or any other official action of the Town having the effect of permitting the development of property.
- f. Land development regulations: Ordinances and regulations enacted by the Town for the regulation of any aspect of development and includes zoning, subdivision, or any other land development ordinances, including but not limited the Town of Holly Springs Unified Development Ordinance (“UDO”).
- g. Laws: All ordinances, resolutions, regulations, comprehensive plans, land development regulations, policies, and rules adopted by the Town affecting the development of property, and includes laws governing permitted uses of the property, density, design, and improvements.
- h. NCDOT: the North Carolina Department of Transportation
- i. Offsite Infrastructure: The public sanitary sewer gravity line, all potable waterlines, and other Town-owned equipment or facilities not located on the Developer’s site.
- j. Onsite Infrastructure: The public sanitary sewer gravity line, all potable waterlines, and other Town-owned equipment or facilities located on the Property. Specifically included in this definition is a new gravity main designed to serve the new development and the specific drainage region as described in Exhibit C.
- k. Person: An individual, corporation, business or land trust, estate, trust, partnership, association, two or more persons having a joint or common interest, State agency, or any legal entity.
- l. Plans: Those sketch plans attached hereto as Exhibit B.
- m. Property: All real property shown or described in Exhibit A, which is subject to land-use regulation of the Town and includes any improvements or structures customarily regarded as a part of real property.
- n. Project: The Developer’s plan to develop the Property.
- o. Representative: Trustwell Property Group, LLC shall serve as the Developer’s agent and representative.

ARTICLE II
DESCRIPTION OF DEVELOPMENT AGREEMENT

1. The legal description of the Property subject to this agreement and the names of its legal and equitable property owners are contained in Exhibit A.

2. TERM: The duration of the agreement is for twenty years. The parties are not precluded from entering into subsequent development agreements that may extend the original duration period. Condition precedent to this Agreement are as follows:

a. Developer shall acquire in fee simple absolute the Property within 90 days of approval of Master Plan and Rezoning.

3. DEVELOPMENT PERMITTED USES: The development uses permitted on the Property and the location of those uses are shown on Exhibit B ("Sketch Site Plan" or "Plans").

a. The Plans indicate approximately 12.6 acres (the "Mixed Use Parcel") shall be acres apportioned to the Local Business Business/mixed Use ("LB") land use, and approximately 185.9 acres to Research and Technology District ("RT"). The line distinguishing the two land uses on the Plans may change in shape or location on a final plan or re-zoning application submitted during the term of this Agreement, so long as the percentage of land zoned for RT use does not fall below 93%. For clarification, the following definitions for the land uses shown on the Plans are as follows:

1. "MU" shall be that zoning definition of "Mixed Use" contained in the current form of Section 3.02(C) of the Town of Holly Springs Unified Development Ordinance, except that residential uses shall not be allowed as a permitted use. The mix of uses for this area shall be only a mix of commercial uses such as retail and office, as further described and limited in Exhibit D. b that zoning definition contained in the current form of Section 4.02 of the Town of Holly Springs Unified Development Ordinance.

b. The Town hereby agrees that the land use described herein and shown on Exhibit B is in the best interest of the Town, is in keeping with the land use plans, and agrees, subject to statutory requirements, to rezone the Property in conformance with this Agreement. The Town shall facilitate all necessary approvals with the Developer according to the proposed estimated Development Schedule listed below.

c. Exhibit B shall describe the Developer's right to construct a mixed use commercial center at the corner of Holly Springs New Hill Road and Green Oaks Parkway in an area not to exceed 12.6 acres. In consideration of this change to the town's Comprehensive Plan and zoning, the Developer shall acquire and add to the Property an

approximate 12.64 acre tract known as the "Harris Tract" as shown on Exhibit B, and such tract shall be zoned RT and made a contiguous part of the Property.

d. The Developer voluntarily offers certain zoning conditions ("Zoning Conditions") as a part of this Agreement and any subsequent rezoning requests for the Property. These Zoning Conditions shall apply to the Mixed Use Parcel, and are listed in Exhibit D.

e. In addition to Developer's obligation to incorporate the Harris Tract as discussed above, the Developer further agrees to incorporate as part of its Master Plan one (1) tract equal to or greater than fifty (50) acres in size and one (1) tract equal to or greater than thirty (30) acres in size and allow the Town's Economic Development Department to market these tracts for sale to one or more single users ("Employment Center Tracts"). The parties agree that the creation of these two Employment Center Tracts are in the mutual interest of the parties to encourage development of the Property, create job growth, and stimulate the local and regional economy. The parties understand that tracts of such size, location, and access to utilities are rare and valuable in the region and are needed for the recruitment of a large employer. The Developer agrees to hold these Employment Center Tracts open for sale and marketing by the Town for a period of not less than three (3) years from the completion of the sewer line discussed below. At least Ninety (90) days prior to the expiration of this period, provided the Town has fulfilled all its obligations under this Agreement and is actively marketing the property to a bona fide employer candidate, the Town may request from the Developer one (1) extension to this period of no more than twelve (12) months to be granted at the Developer's discretion which shall not be unreasonably withheld or delayed. Developer agrees to sell either or both Employment Center Tracts for a fair market value determined by an appraisal obtained by the Town at such time as an end user is identified. In the event that the Developer reasonably opposes the analysis used in the appraisal, the Developer may obtain a second appraisal. In the event that the parties cannot agree on the fair market value after 2 appraisals, the parties may share the cost for a third, and the average the three appraisals shall determine the fair market value.

4. SEWER CONSTRUCTION AND ACCESS: The Town and Developer agree that the most efficient method of sewer access is through the installation of a new sewer outfall along a route that is generally described on Exhibit C ("Sewer Analysis Map"), together with the necessary upgrades to the Holly Springs Business Park Pump Station to accommodate the new sewer line, together referred to as the "Sewer Improvements." In an effort to substantiate the pump station upgrades and extension of gravity sewer line (i.e., the Sewer Improvements), a preliminary engineering report, design, permitting, and construction drawings shall be submitted to the Town, and any other necessary parties within twelve (12) months from the date of execution of this agreement. Developer shall commence construction of the Sewer Improvements within six (6) months of receipt of all approvals needed to begin construction. Subsequently, the pump station upgrades and the gravity sewer line shall be installed within eighteen (18) months of the receipt by Developer of all such approvals. Time is of the essence with respect to the construction

of the Sewer Improvements, and in the event that Developer does not commence construction within six (6) months of the receipt of all such approvals, the Town shall have no further obligation of payment as discussed below, unless a written extension is given by the Town Manager. The Town Manager is authorized by the Town Council to grant one (1) extension for not more than six (6) months to the timeline for Sewer Improvements upon a showing of necessity for permit approvals from outside agencies. The design of and budget for the Sewer Improvements, and the acquisition or dedication of all land or easements necessary to construct the Sewer Improvements shall be in keeping with the terms of this Agreement. Following submittal by the Developer of the budget for the Sewer Improvements, approval of the budget shall be provided by the Town within 30 days of the approval of Master Plan for the Project and all site development approvals necessary to allow for the construction. All such approvals shall not be unreasonably withheld or delayed.

a. The Town shall facilitate the construction of the Sewer Improvements by contributing to the Developer an amount equal to five hundred thousand dollars (\$500,000), which sum (the "Town Payment") has been approved and allocated by the Town, for Actual Construction Costs of the Sewer Improvements. The first One Hundred Thousand (\$100,000.00) of these funds shall be placed into escrow by the Town within Thirty (30) days of the execution of this Agreement. The balance of these funds shall be placed into escrow by the Town within Thirty (30) days of the issuance of construction permits for the construction of the Sewer Improvements .

1) The Developer shall be entitled to this reimbursement of funding and land according to the following schedule subject to the provisions of Paragraph 11(f) below:

- i. Upon approval of the construction drawings by the Town and granting of a Notice to Proceed with construction by the Town, the Town shall reimburse the Developer Actual Costs of any pre-construction costs up to \$100,000 within thirty (30) days upon said approval and request by Developer.
- ii. Upon acceptance by the Town of the completed sewer outfall and subsequent to receiving a warranty bond for one (1) year (unless by reason of necessity due to improper construction this bond is extended, then until such expiration of the bond) , the Town shall pay the remaining balance.

b. In consideration of: (1) the above described Town contribution to the sewer line construction does not fully reimburse the Developer for additional fees relating to the provision of sewer service; and (2) the Developer shall make available land for economic development purposes as a permitted use as described in Paragraph 3(d), the Town agrees to transfer to the Developer that Town-owned parcels approximately 0.36 acres and 2.07 acres in size adjacent to the Project, specifically Wake County Tax Parcel 0012998 and 0370123 and a sufficient acreage amount for the sewer outfall running through 0348208, which conveyance shall occur along with the payment pursuant to paragraph 4(a)(i) of this

Article II. These parcels are needed to facilitate the installation of the sewer and other infrastructure improvements as shown on Exhibit A, and provide or cause to be provided any easements, land acquisition or right of way required for either road access or sewer line installation.

c. Developer shall not be entitled to any certificates of occupancy for the Project until the completed sewer outfall has been accepted by the Town which shall not be unreasonably withheld or delayed.

d. In the event that the Developer fails to submit a preliminary engineering report, permit application, and proposed construction drawings for the Sewer Improvements to the Town and any other necessary parties within (twelve) 12 months of the execution of this agreement, or fails to commence construction within six (6) months of the date the Developer receives all such approvals necessary to commence construction, without otherwise obtaining an extension, from the Town, the Developer shall, upon election of the Town by written request:

- 1) Grant to the Town all easements on the Property necessary for installation of the Sewer Improvements and any other such easements, including temporary construction easements, that would be required for the Town's installation of the Sewer Line; and,
- 2) Grant to the Town all off-site easements that the Developer may have acquired in anticipation of the construction of the Sewer Improvements.
- 3) Transfer ownership to the Town without cost, any plans, reports, permits, drawings, surveys, studies, or the like relating to the Sewer Improvements; and,
- 4) Assist and cooperate in any way in the Town's efforts to install the Sewer Improvements.

5. TRANSPORTATION IMPROVMENTS:

The Town shall cooperate in approving curb cuts, additional infrastructure, and interior road configuration, and shall assist in securing NCDOT, Wake County and other third party funding for transportation infrastructure to the benefit of the Project as needed and as may be available from such sources.

6. ANNEXATION: The Parties agree that the Property shall be rezoned and annexed into the corporate limits of the Town through the approval of a petition for rezoning and voluntary annexation prior to the commencement of Town sewer service to the Property, in a zoning designation consistent with the covenants herein. The Developer shall submit a voluntary petition for rezoning and annexation of the Property at the same time as submission of the Master Plan. In the event that the Master Plan is not approved by the Town, the Developer shall be entitled to withdraw its re-zoning and annexation petitions until such time as the Master Plan is approved, up to and including, the final consideration of the Master Plan by the Town Council. The Town shall schedule for approval the Master Plan, rezoning, and annexation petitions so that the Town Council hearings for these matters will occur 130 days of the earlier of the submittal by Developer

of such petition or the execution of this Agreement. Nothing herein obligates the Town to provide sewer or water service to the Property prior to its annexation. Master Plan approval must occur prior to rezoning, and rezoning must occur as a prerequisite to annexation.

7. RESERVATION OF LAND: A description of a reservation or dedication of land for public purposes and any provisions to protect environmentally sensitive property.

a. No publicly dedicated land is required by the Town. Developer shall maintain private drainage retention as required by the Town according to site plans, which are to be developed as a part of the permitting process in the course of the development of the Property.

8. REQUIRED PERMITS: A description of all development permits approved or needed:

a. Developer shall secure all construction drawing approval, erosion and sedimentation control, grading approval, and building permits as necessary under the land development regulations in existence of the time of such permit application. Town shall aid Developer in securing all encroachment permits as required by the North Carolina Department of Transportation, and the North Carolina Department of Environment and Natural resources or other state or federal agencies, as required for roads, sewer, and water. The failure of the agreement to address a particular permit, condition, term, or restriction does not relieve the developer of the necessity of complying with the law governing their permitting requirements, conditions, terms, or restrictions.

9. TERMS REQUIRED FOR PUBLIC SAFETY: Description of any conditions, terms, restrictions, or other requirements determined to be necessary by the Town for the public health, safety, or welfare of its citizens.

a. Zoning of the Property by the Town of Holly Springs in a manner consistent with this Agreement.

10. HISTORIC STRUCTURES: Description of any provisions for the preservation and restoration of historic structures.

a. None

11. DEVELOPMENT SCHEDULE: Developer shall apply for preliminary site plan approval from the Town for the Property within twelve (12) months of the date this Agreement is approved by the Town, commence construction on the Onsite Public Infrastructure within 90 days after the Town approves the construction permit for the infrastructure improvements, and have the sewer outfall complete, operational, and in a condition ready for dedication and acceptance to the Town within twelve (12) months unless an extension to any of these stages is requested by the

Developer to which approval by the Town shall not be unreasonably denied or delayed. The Parties agree to use their best efforts to comply with the following schedule:

- a. Begin Development Agreement Review by December 1, 2019
- b. Development Agreement to be approved by Town on or before December 1, 2019
- c. Zoning map and annexation to be approved by Town on or before 130 days from submittal of petition.
- d. Master Plan and Site Permits (i.e., construction drawing approval) for the installation of the Sewer Improvements to be approved by Town on or before 108 days from submittal by Developer of final plans.
- e. Development plan to be approved by Town on or before 101 days from submittal by Developer.
- f. Developer to complete the installation of the sewer outfall line and submit it for operational approval on or before two (2) years from the commencement of construction or the Town shall be released from further payment of the Town Payment and the Mixed Use Parcel shall revert back to its prior zoning before the rezoning; and, upon such reversion, Developer shall not apply for another rezoning of the Mixed Use Parcel back to MU until such time as the sewer outfall line is completed and approved for operation, which rezoning shall be granted by the Town at that time.

ARTICLE III DEVELOPER'S DUTIES

1. For any offsite infrastructure constructed by the Developer, the Developer shall design, permit, and construct the infrastructure in the location approved by the Town and as shown on plans (to be submitted), according to engineering best practices, requirements of the Town, and requirements of the North Carolina Department of Environmental Quality (NCDEQ) and any other regulatory agency. For any land owned or controlled by the Developer, the Developer shall secure and dedicate to the Town all necessary easements for the construction and perpetual maintenance of the infrastructure referenced. For any land not owned by or controlled by the Developer, the Town shall convey such land owned by the Town to the Developer or secure all necessary easements on land owned by third parties for the construction and perpetual maintenance of the infrastructure referenced in a timely manner so as not to delay the completion of the Developer's Duties.

2. The Developer shall construct in a workmanlike manner the Onsite Public Infrastructure according to the design specifications and criteria of the Town which are existing at the time of this agreement, as well as full compliance with any NCDENR requirements. Said infrastructure,

together with any and all appurtenances, easements, and equipment associated with the project required for public dedication shall be dedicated to the Town in a manner consistent with the development plan and in a manner in accordance with the Town's standards.

3. The Developer shall construct the public infrastructure according to the plans and specifications submitted in a manner consistent with the standards of the Town which are in effect at the time of this Agreement.

4. The Developer (or his successors, and/or assigns) shall pay all development fees for the development at the time they would otherwise ordinarily be due and in an amount that is determined by the fee schedule approved in the annual budget which is in effect at the time of this Agreement. Developer shall be entitled to reimbursement of all Town levied fees associated with the sewer line installation for the Project in addition to the Town's contributions to the sewer project described in Section 4 of this Agreement, after completion of the sewer line installation. For any fee that is "credited" or "reimbursed" under this agreement, the Developer (or his successors, and/or assigns) shall pay the fee and request reimbursement against the credit from the Town's Director of Engineering by referencing this Agreement and using the agreement reimbursement form as shown in Exhibit F. Town shall reimburse all allowable requested fees to Developer within 30 Days of the receipt of request.

5. In the event that the Town in its sole discretion decides to install at its own cost the gravity sewer line described in this Agreement prior to the commencement of construction by Developer, Developer shall dedicate the necessary easements on the Property to the Town without additional compensation.

ARTICLE IV GENERAL TERMS

1. All reimbursements, if any, for this project shall be provided on the basis of final documented actual costs, as approved by the Director of Engineering, in accordance with this agreement. Any opinions of project cost included in this agreement are based upon preliminary designs and are approximate.

2. The Developer shall be responsible for the complete design and construction of each project, including all surveying, design, permitting, plat preparation and recordation, testing, engineering, bidding, construction, inspection, acceptance, easement maps and documents, construction management, construction administration, and all other necessary functions to insure complete-in-place, fully functional projects built and operational in accordance with Town and State standards and approved plans for the project. The costs of all of these items shall be borne by the Developer and shall not be subject to reimbursement or participation by the Town, except as specifically described herein

3. All fees, charges and payments related to the actual construction of each project shall be borne by the Developer and shall not be subject to reimbursement or participation by the Town, except as set forth herein.

4. In the course of installing the sewer line or any other work on easements obtained by the Town and under the Town's ownership, the Developer shall operate under permission to encroach onto a Town easement and shall hold the Town harmless.

5. The Developer agrees to protect, defend, indemnify and hold the Town of Holly Springs and its officers, employees and agents free and harmless from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees, or other expenses or liabilities of every kind in character and arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of actions of every kind and character in connection with or arising directly out of the entry onto and performance of work on the easements of the Town. The Developer further agrees to investigate, handle, provide defense for and respond to, any such claims at its sole expense and agrees to bear all other costs and expenses related thereto, even if such claims are groundless, false, or fraudulent.

6. The Town agrees to protect, defend, indemnify and hold the Developer and its officers, employees and agents free and harmless from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees, or other expenses or liabilities of every kind in character and arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of actions of every kind and character made by third parties in connection with or arising from the injury to (including death of) persons or physical damage to property arising out of the performance of Town's obligations under this Agreement by the Town, its agents, employees and contractors (collectively, "Claims"), except to the extent any such Claims arise out of the negligence or willful misconduct of the Developer, or its agents, employees or contractors, or any third party. The Town further agrees to investigate, handle, provide defense for and respond to, any such Claims at its sole expense and agrees to bear all other costs and expenses related to such Claims, even if such Claims are groundless, false, or fraudulent but only to the extent the same are not expressly excluded as set forth herein.

7. All projects shall be subject to the Town's policies and procedures regarding Town acceptance and warranty on infrastructure.

8. It shall be the responsibility of the Developer to ensure that all regulatory approvals for each project are in place before beginning construction.

9. The Town Manager is authorized to make decisions in regard to approvals, including changes to this Agreement in order to complete the scope of work required, within his authority granted by the Town Council, except as otherwise stated herein or required by Town ordinance.

10. The Developer shall secure all necessary easements for the infrastructure projects that are the subject of this Agreement prior to construction drawing approval. Should the Developer be unable to obtain required easements after documented attempts to do so, the Town may utilize its eminent domain authority to obtain the necessary easements for the installation of such projects with all costs to be borne by the Developer associated with this legal process, including all amounts paid for the acquisition. The Developer shall substantiate its attempts to obtain the property through voluntary sale in the following manner within 90 days of this Agreement:

- a. Developer shall provide a letter from property owners stating that he/she rejects all offers to purchase the easement. Said letter shall be signed by the landowner.
- b. An affidavit, signed under oath by penalty of perjury, from the Developer's agent or designee describing in detail the conversation that took place with the landowner, and the result of said conversation.

11. In the event of a condemnation action, the Developer shall escrow sufficient funds for a deposit necessary under the applicable condemnation statute. The Town Attorney shall inform the Developer 30 days prior to filing the amount of said deposit, and the Developer shall deposit funds prior to commencement of the action. Upon payment of deposit, the Town will proceed with condemnation action subsequent to the Town Council, in its sole discretion passing a resolution of condemnation for each property as soon as practicable after the receipt of the deposit. The timeframe discussed herein is set forth with the goal of allowing access to the condemned property(ies) within 45 to 60 days. At all times during this judicial process, the Town retains all legal authority with respect to settlement, negotiation trial strategy, and opinions as to value.

12. In the event that the Development Agreement is not approved by the Town on or before December 1, 2019, Developer shall have the right to terminate this agreement without penalty and receive a refund of all municipal fees paid to date in accordance with this Agreement, if any.

ARTICLE V OTHER

1. All projects shall be subject to the Town's policies and procedures regarding Town acceptance and warranty on Offsite Infrastructure. This Agreement shall not modify the warranty and acceptance procedures established by the Town through the Engineering Standards in place at the time of this agreement. It shall be the responsibility of the Developer to ensure that all regulatory approvals for each project are in place before beginning construction.

2. All notices, reports, and other communications given pursuant to this Agreement shall be in writing and shall either be mailed by first class mail, postage prepaid, certified or registered with return receipt requested, or delivered in person to the intended addressee. Notice

sent by certified or registered mail shall be effective upon the date of delivery indicated on the return receipt. Notice given in any other manner shall be effective upon actual receipt by the addressee.

3. This development agreement does not provide for the application of subsequently enacted Laws, ordinances, development policies, practices, procedures or standards. The Laws, ordinances, development policies, practices, procedures and standards applicable to the development of the Project are those in force at the time of the execution of this Agreement, in the manner prescribed by Holly Springs Ordinance 14-164.

4. Notices under this agreement shall be to the following:

FOR THE TOWN:

Randy J. Harrington
Town Manager
PO Box 8
Holly Springs, NC 27540
Reference:

FOR THE DEVELOPER:

Cara Z. Hylton
Helix Ventures, LLC
3717 National Drive, Suite 209
Raleigh, NC 27612

5. This agreement shall be governed by and construed in accordance with the law of the State of North Carolina. The parties consent to the jurisdiction of Superior Court Division of the General Court of Justice located in Wake County, North Carolina in the event a dispute arises between them regarding the terms of this Agreement.

6. If any paragraph or part of this Agreement is found void or unenforceable, the remainder of this Agreement shall continue in full force and effect.

7. This Settlement Agreement shall be binding upon and inure to the benefit of the Parties hereto, their heirs, successors and assigns.

8. This Contract contains the entire agreement of the parties and there are no representations, inducements or other provisions other than those expressed in writing.

9. Exhibit List: The following exhibits are hereby incorporated by reference:

EXHIBIT A:	Map of the Property
EXHIBIT B:	Site Development Plan
EXHIBIT C:	Sewer Analysis Map of New Outfall
EXHIBIT D:	Zoning Conditions
EXHIBIT F:	Town Fee Credit/Reimbursement Form

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.



TOWN OF HOLLY SPRINGS

BY: _____

Randy J. Harrington, Town Manager

ATTEST:

Linda McKinney
Linda McKinney, Town Clerk

This document is sufficient as to form.

John P. Schifano
John P. Schifano, Town Attorney

This instrument has been pre-audited in the manner proscribed by the Local Government Finance Act.

Patricia A. Dessen
Finance Director (Interim)

NORTH CAROLINA
WAKE COUNTY

I, a Notary Public of the County and State aforesaid, certify that Linda McKinney personally came before me this day and acknowledged that she is the Town Clerk/Deputy Town Clerk of the Town of Holly Springs, and that the seal affixed to the foregoing instrument in writing is the corporate seal of said Town, and that said writing was signed and sealed by her in behalf of said corporation by its authority duly given and the said person acknowledged this writing to be the act a deed of said corporation.

WITNESS my hand and official stamp (or seal), this the 27 day of February, 2020



[Signature]

Notary Public

My Commission Expires: 5/28/22

HELIX VENTURES, LLC

(Seal)

By: _____

Name: _____

Title: _____

I, a Notary Public, certify that Cara Z. Hylton, personally came before me this day and acknowledged that she is the Manager of Helix Ventures, LLC, a North Carolina limited liability company, and that she, as such officer, being authorized to do so, executed the foregoing on behalf of the limited liability company.

WITNESS my hand and official stamp (or seal), this the ____ day of November, 2019.

Notary Public

_____, Notary Public

Typed/Printed Name

[Official Seal]

My Commission expires: _____

NORTH CAROLINA
WAKE COUNTY

I, a Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that she is the Town Clerk/Deputy Town Clerk of the Town of Holly Springs, and that the seal affixed to the foregoing instrument in writing is the corporate seal of said Town, and that said writing was signed and sealed by her in behalf of said corporation by its authority duly given and the said person acknowledged this writing to be the act a deed of said corporation.

WITNESS my hand and official stamp (or seal), this the ____ day of _____

Notary Public

My Commission Expires: _____

HELIX VENTURES, LLC

(Seal)

By: Cara Z Hylton
Name: Cara Z Hylton
Title: Manager

I, a Notary Public, certify that Cara Z. Hylton, personally came before me this day and acknowledged that she is the Manager of Helix Ventures, LLC, a North Carolina limited liability company, and that she, as such officer, being authorized to do so, executed the foregoing on behalf of the limited liability company.

WITNESS my hand and official stamp (or seal), this the 2nd day of June, 2020.



Jonathan M. Keener
Notary Public
Typed/Printed Name

My Commission expires: 4/19/2025

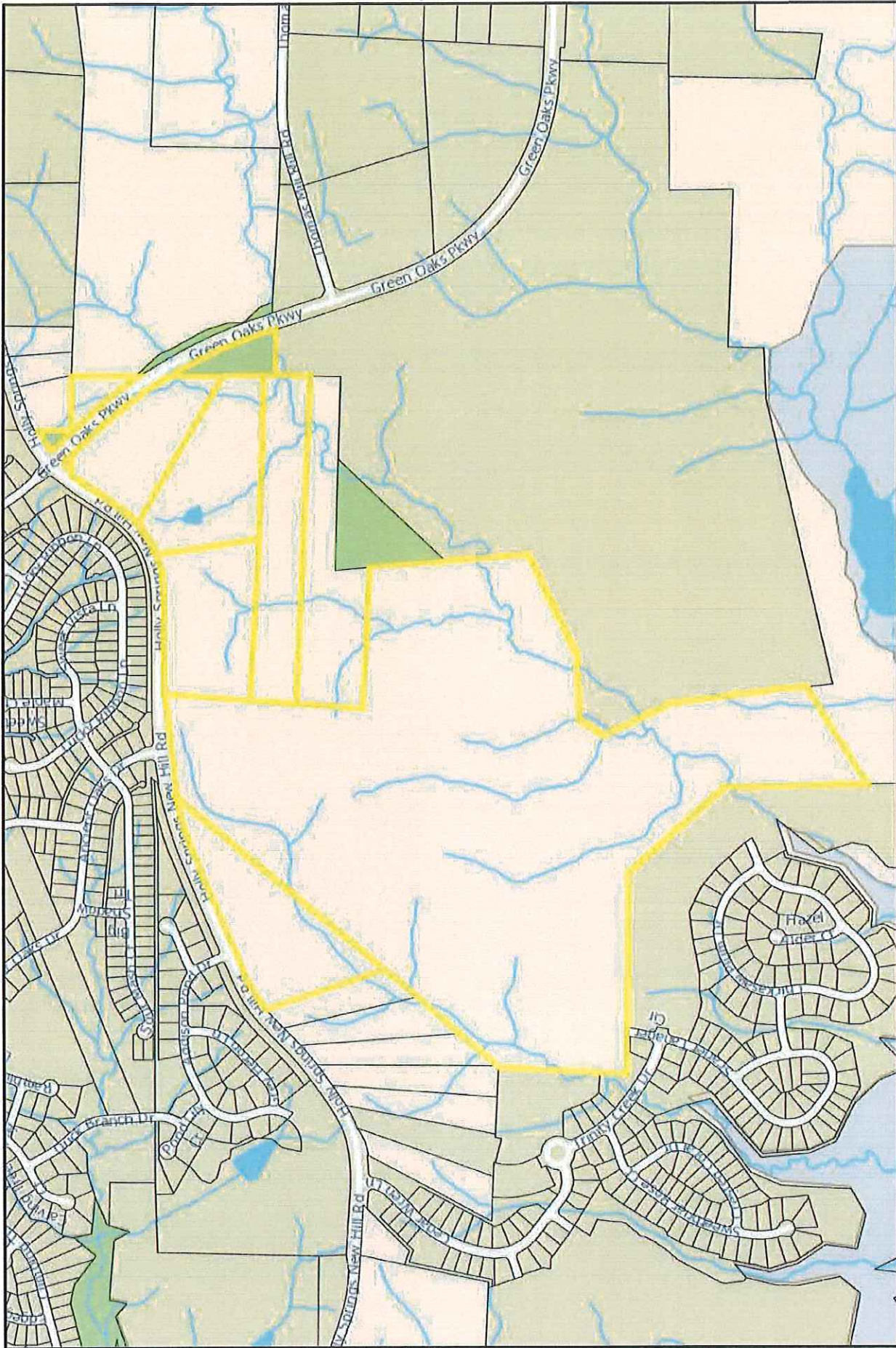


Exhibit A: Oakview Innovation Park Parcel Map

Exhibit B: Zoning Sketch Plan



[illegible]

Exhibit D
Zoning Conditions

Oakview Innovation Park/Green Oaks Tech Center | Rezoning from RT to LB: Local Business

Recommended items for consideration to be included in the Conditional Use zoning request:

- Use restrictions- remove from Primary Uses (not allowed):
 - o 1.a. Automotive Sales & Service
 - o 1.e. Miscellaneous: Bed & Breakfast, Cottage Business/Residential, Cottage School, Tourist Home o
 - 1.j. Residential
- Use restrictions- remove from Special Exception Uses (not allowed):
 - o 2.a. Automotive Sales & Service o 2.c Communications/Utilities
 - o 2.f. Miscellaneous: Mortuary/Funeral Home/Crematory, Tourist Home o 2.h. Residential
- Maximum Gross Main Floor Area of structures not restricted to Office/Professional Services- 100,000 sq ft
- Maximum Gross Main Floor Area for any non Office/Professional Service use shall be: 100,000 sq ft.
- Minimum Building Height/Stories: 25 feet
- Parking & Loading: No parking or loading areas shall be located between the front façade and the perimeter roads (Green Oaks Parkway and Holly Springs-New Hill Road)
- Mixed Use Option (Special Exception Use) regulations may be used, but no residential uses shall be permitted
- Architecture- all facades shall meet the primary façade design regulations ☐ Open Space- there shall be a public open space/green.

EXHIBIT F
FEE REIMBURSEMENT FORM
To be submitted quarterly

Date of Request: _____

Developer: _____ Project: _____

1. Total Eligible reimbursement under this Agreement: \$ _____
2. Total Fee Credits/Reimbursements earned to-date: \$ _____
3. Total Reimbursements made to-date: \$ _____
4. Sum of Reimbursements Requested for this request (ERUs named below) \$ _____
5. Total Remaining Reimbursements available (Line 2 minus sum of 3&4) \$ _____

*Based upon final Town approved amount of credit/reimbursement based upon documentation submitted by developer to Director of Engineering

This reimbursement request is being made for the following ERUs:

ERU	Number (or	Permit Number	Date of Payment	Water/Sewer
	range)			

Use additional Sheets if necessary

CERTIFICATION OF DEVELOPER

The undersign certifies that the above described permits are eligible for reimbursement under the Reimbursement Agreement, the fees have been paid in full, and have not been previously reimbursed by the Town. All other information on this form is true and accurate to the best of my knowledge.

Signature: _____

Printed name and title: _____

Approval for payment by Director of Engineering



THE TOWN OF

Holly Springs

Ordinance No.: 20-REZ-03

Date Adopted: November 3, 2020

Effective Date: November 3, 2020

AN ORDINANCE FOR REZONING PETITION 20-REZ-02 TO AMEND SECTIONS OF THE CODE OF ORDINANCES TO MODIFY APPENDIX A: UNIFIED DEVELOPMENT ORDINANCE: OFFICIAL ZONING MAP, ADOPT THE COMPATIBILITY STATEMENT REQUIRED BY NORTH CAROLINA GENERAL STATUTES 160A-383, AND CHANGE THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN

WHEREAS, the Town of Holly Springs Town Council adopted *Vision Holly Springs: Town of Holly Springs Comprehensive Plan* in November 2007 and updated the plan in 2009, 2018, 2019; and

WHEREAS, the Town of Holly Springs has received a request to modify the Official Zoning Map for approximately 12.644 acres of Wake County PIN 0639633688 from R-30: Residential to RT: Research & Technology and approximately 11.64 acres Wake County PINs 0639941045, 0639943500, and 0639937984 from RT: Research & Technology to LB: Local Business; and

WHEREAS, the *Vision Holly Springs: Town of Holly Springs Comprehensive Plan* designates said parcel on the *Future Land Use Map* as Mixed Use Center; and

WHEREAS, the zoning allows land uses that are consistent with the adopted *Vision Holly Springs: Town of Holly Springs Comprehensive Plan Future Land Use Map*, and

WHEREAS, the Holly Springs Planning Board reviewed this request at a Public Meeting on October 27, 2020 and recommended approval by a vote of 8-0; and

WHEREAS, an opportunity for public input into the suggested amendment has been offered in a public hearing before the Town Council; and

WHEREAS, after considering the recommendation of the Holly Springs Planning Board and the public input offered in a public hearing before the Town Council, the Town Council finds amending the Official Zoning Map will meet the development needs of the community and help achieve the *Vision Holly Springs: Town of Holly Springs Comprehensive Plan*,

WHEREAS, the Town Council finds the proposed amendment the Official Zoning Map is reasonable and in the public interest by supporting uses and development patterns consistent with the *Vision Holly Springs Comprehensive Plan* and *Future Land Use Map* designation of Business &

Industrial and will allow for the development of a large employment cluster and supporting commercial uses.

BE IT ORDAINED by the Holly Springs Town Council of the Town of Holly Springs, North Carolina, that the Unified Development Ordinance of the Town is amended as follows:

Part 1: Amend Unified Development Ordinance Section 1.20, C. Official Zoning Map with the following rezoning request: #20-REZ-02 to change the zoning of approximately 12.644 acres of Wake County PIN 0639633688 from R-30: Residential to RT: Research & Technology and approximately 11.64 acres Wake County PINs 0639941045, portion of 0639943500, portion of 0639937984 from RT: Research & Technology to LB: Local Business as specified on the attached legal description and survey map.

Part 2: Amend the Future Land Use Map of the Vision Holly Springs Comprehensive Plans to change the portion of the site that is rezoned with this ordinance to LB: Local Business with this request from a designation of Business & Industrial to a designation of Neighborhood Center.

Part 3: REPEAL OF CONFLICTING ORDINANCES

All ordinances or parts of the Unified Development Ordinance of the Town of Holly Springs conflicting or inconsistent with the provisions of this rezoning ordinance are hereby repealed.

Part 4: SEVERABILITY

If any section, part of a section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

Part 5: INCLUSION IN UDO

It is the intention of the Town Council entered as hereby ordained, that the provisions of this Ordinance shall become and be made part of the Unified Development Ordinance of the Town of Holly Springs, North Carolina; that the Section(s) of this Ordinance may be renumbered or relettered to accomplish such intention, and that the word "Ordinance" may be changed to "Section, or "Article" or other word.

Part 6: EFFECTIVE DATE

The provisions of this ordinance shall become effective November 3, 2020 in accordance with the laws of the State of North Carolina.

Adopted this, the 3rd day of November 2020.

Town of Holly Springs by

ATTEST:



Dick Sears, Mayor

Linda McKinney, Town Clerk



Holly Springs Town Council

Town Council Meeting Agenda Cover Sheet

Agenda Item#: 9.

Consent Agenda

Title: Approve the minutes of the October 13, 2020 Workshop Meeting and the October 20, 2020 Business Meeting.

Strategic Priority Area: Organizational Excellence

Staff Resource: Linda McKinney, Town Clerk

Action(s):

Approve the minutes of the Council's workshop meeting held October 13, 2020, and the business meeting held October 20, 2020.

Explanation:

- Minutes in draft form are attached for the Council's review.
- If there are any corrections, please call the Town Clerk at 919-557-3900 in advance of Tuesday night's meeting so that corrected versions of the draft minutes can be circulated for review before adoption of the Consent Agenda.

Background:

Funding Source(s):

N/A

Attachment(s):

1. 10.13.20 workshop minutes - draft
2. 10.20.20 minutes-draft



MINUTES

The Holly Springs Town Council met in a workshop session on Tuesday, October 13, 2020 at the Holly Springs Law Enforcement Center and via video conferencing. Mayor Sears presided, calling the meeting to order at 6:00 p.m. A quorum was established as the Mayor and five Councilmembers were present as the meeting opened.

Council Members Present: Mayor Sears, Councilmen Dan Berry, Peter Villadsen, Shaun McGrath, and Aaron Wolff, and Councilwoman Christine Kelly

Council Members Absent: none

Staff Members Present in the room: Randy Harrington, Town Manager; Linda McKinney, Town Clerk (recording the minutes); Scott Chase, Assistant Town Manager; Daniel Weeks, Assistant Town Manager; Patty Dressen, Interim Finance Director; Corey Petersohn, Finance; Jeff Wilson, IT Director; John Schifano, Town Attorney; Kendra Parrish, Executive Director, Utilities & Infrastructure; Daniel Colavito, Utilities & Infrastructure; Kimberly Keys, Utilities & Infrastructure; LeRoy Smith, Fire Chief; Luncie McNeil, Director of Public Works; Cassie Hack, Director, Communications and Marketing.

2. Workshop Overview

Staff Resource: Randy Harrington, Town Manager

Mr. Harrington gave an overview of the items on the agenda.

3. Financial Advisor Engagement

Staff Resource: Randy Harrington, Patty Dressen

Randy Harrington introduced Doug Carter and Andrew Carter from DEC Associates Inc., the Town's new financial advisors. Mr. Doug Carter gave his background and the background of their company. He said the purpose of their presentation was to talk about resource and capital affordability planning. He gave examples of how Holly Springs has moved in a positive direction in capital and debt planning with expanding the use of the Capital Improvement Plan (CIP) and debt affordability. He outlined the Town's current debt profile and financial situation. He talked about ways to move to the next level, and why the Town would want to do that. He suggested that the Town use a rate consultant to set rates in order to see where rates would have to grow to account for growth, maintenance, and debt maintenance.

Mr. D. Carter said that separating Operating and Capital funds is a good thing the Town has done, as that keeps the budget from being balanced with capital funds in years when debt is low. He discussed the possibility of creating a Community Investment Fund (CIF). He then went into more detail on how a CIF works and what the benefits to the Town would be.

Andrew Carter discussed what the model for a CIF could be and what Holly Springs has done to move in this direction. He said that setting aside money for capital service creates additional capacity once debt is paid off, and creates the ability to run various models to set priorities and account for changing costs. Finally, he summarized what the Town has accomplished thus far, and that there is the ability to afford the upcoming debt service.

Mr. D. Carter said that if the Town moved to a CIF, their firm could inform the Town, by budget time, what the needs would be and what the timing of those needs would be. They could then run the various "what if" scenarios. In summary, he said that the Town has done a lot to

move in the right direction, and the Town has strong growth which will drive investment needs. DEC sees the potential for Holly Springs to move to a higher credit rating, and he outlined potential next steps to get there.

Randy Harrington, Town Manager said that the Town is already moving in the CIF direction and if Council was ok with that, they would see more of it in the next budget. Councilman McGrath asked what policies made other municipalities falter or fail. Mr. D. Carter said: issuing debt more rapidly than they can afford, which can't be done in NC because of the LGC; not looking at long-term capital needs; not maintaining enough fund balance; and not being in sync on how resources are allocated. The separation of debt service is a big solution to that problem.

Councilwoman Kelly asked what staff needed from Council at this time. Mr. Harrington said that he wanted Council to understand the way staff is moving on the financial front to position the Town for the future. Council has made the right policy choices to set the Town in the right direction. Councilwoman Kelly asked how long the rating process took. Mr. Harrington said that we would get a new rating in February. Councilwoman Kelly asked if staff needed anything from Council to get to that place. Mr. D. Carter said if we can say definitively that the Town is moving in that direction, his professional opinion is that Holly Springs will get the new rating. By that time, we will have a model close enough to make the rating agencies happy. He said that typically the way the rating works, you show the rating agency positive movement and they say show us more, and then they move you up. But there is a possibility to skip that intermediate step. Because DEC advises many large municipalities in NC, Moody's accepts that as a positive step.

MPT Berry asked if the CIF the model allows you to see what we can prioritize and what we can afford in the future. Mr. D. Carter said that typically DEC can show ten years out, and, based on the pay off, what new capacities the Town would have.

4. Stormwater Fee Implementation and Policy Updates

Staff Resource: Scott Chase, Administration; Daniel Colavito, Utilities & Infrastructure

Scott Chase, Assistant Town Manager, said that the purpose of this item was to provide an update on the pending stormwater fee increase, public education, and outreach efforts, and the efforts to memorialize Town Policy as it relates to fee crediting and expected citizen level of service. He reminded Council that the fee adjustment was effective January 1, 2021, and is a new model of \$5.20 per month residential, with non-residential properties moving to an Equivalent Residential Unit (ERU) billing model. The purpose of the fee increase is to reduce the funding gap, which is currently subsidized by the General Fund, and address current fee inequities and disproportionate revenue sourcing. Additional factors driving the change are a backlog of identified stormwater repair needs, increased frequency of intense weather events and additional state and federal mandates.

Mr. Chase said that public education and outreach are ongoing. A consultant is working with the Finance Department to ensure implementation readiness. This is currently in the testing stage. Stormwater improvement projects are being prioritized, including those being identified through Watershed Management Plan Phase II, many of which are on private property. A consultant provided a fee crediting model and staff and legal are drafting a drainage policy and proposed ordinance revision.

Daniel Colavito, Utilities & Infrastructure, showed the interactive map created by the IT and Utilities & Infrastructure staff to enable non-residential users to check the new fees by property. This web page will be going live this week. Further outreach, in collaboration with Communications and Marketing, could include social media efforts, inserts in water bills, direct business engagement, and virtual events with the Chamber of Commerce or with the Business Park. The Economic Development team is assisting with this process for non-residential property owners. He discussed internal plans to have the front-line employees empowered to answer rate-payers' questions.

Mr. Colavito outlined the highlights of a needed ordinance update and policy considerations, including updating terminology, technical updates to match current NCDEQ/EPA language requirements, and updates to reflect the organizational realignment in the Town. The policy would also address fee credits and an appeals process. Staff is also drafting a stand-alone drainage policy to address stormwater repairs outside of the right of way.

Mr. Colavito gave an explanation of fee credits, including what they are, how they would be determined, and what the benefits to the Town would be.

He said the Town does not have a current drainage policy, and he outlined some potential considerations for a policy to make prioritizing of repair projects less subjective. He outlined the current prioritization mechanism, and how that would be made more transparent with a policy.

Mr. Chase said that next steps would include continuing the education and outreach efforts, integration and testing of the new fee in the financial billing system. Due to the impacts of COVID many of the education and outreach events may take place virtually, rather than face to face. Council will be asked to take action at the November 17th meeting on a stormwater ordinance update, a separate drainage policy, and the possibility of cost-sharing partnerships. The new program will be implemented on January 1, 2021.

Councilwoman Kelly thanked Mr. Colavito for his years of work. Mr. Colavito said that he understood that this was going to have a big impact on some residents and businesses, especially with COVID, but we need to move in this direction to balance the program. Councilwoman Kelly asked if there needed to be special messaging to those homes that had to go on a payment plan due to COVID, to avoid losing their water. Mr. Harrington said we cannot turn off the stormwater, but people get a single bill for water, sewer, and stormwater. So, if someone pays a partial amount, it could be applied non-proportionally. Patty Dressen, interim Finance Director, said If Council directed to have the payment go to stormwater first, then Finance could do that. She said that there are only two customers who have not set up a payment plan and Finance is working with them. The past due money is coming in faster than she expected it to, and the number of those with outstanding balances is about twice what it normally is.

MPT Berry asked if the term “threat to public infrastructure” was too broad, and what is the Town’s stance going to be to help people who have a threat to their infrastructure. Mr. Colavito said the Clay Ridge incident has a high rating to public infrastructure, because it is storm drain to storm drain. Staff assigns a number to each project based on various criteria. There is still some subjectivity to it, but we want to be as transparent as possible, while maintaining flexibility to meet current situations. MPT Berry asked how are the Town is communicating with HOAs on this cost-sharing, because subdivisions built in the last ten years ought to have a responsibility to maintain certain infrastructure. Councilman McGrath added on to that, by asking how much forensic analysis staff is able to do to find out what went wrong to cause these emergency repairs. Mr. Colavito said that unless it is explicitly outlined in the covenants, HOA’s typically do not maintain stormwater infrastructure. If it is clear that it was built to the Town standard at the time, the Town inspects pipes, so there may be some liability because the Town inspected it and passed it to the standard at the time. To begin to understand when we should do a cost-share, he recommends looking at the policy for the Town of Cary, which has the most widely respected program in the region. One aspect of it is that it has to come from the public right of way. Then, how do we start to rank that, how does cost sharing affect it? We don’t want to get into a situation where only rich people get their pipes repaired. We have to work on a case by case basis, but with the prioritization scale to allow us to bring the projects to Council.

5. Fire Station 3 & Operations Campus Updates

Staff Resource: Daniel Weeks, Scott Chase, John Schifano, Kimberly Keys, LeRoy Smith, Luncie McNeil

Daniel Weeks said the purpose of this item was to provide a status update, potential key considerations, and share next steps for the following upcoming facility investment projects:

- Fire Station #3
- Operations Campus (formerly Public Works Campus)

He showed the locations of the current fire stations and the location of proposed Fire Station 3 (FS3) along with the two current fire stations and the temporary FS3 on Friendship Rd. Currently staff worked with ADW Architects on site suitability analysis and conceptual design services. The results of that analysis indicate that the 4.6-acre site offered by Carolina Springs contains topographical challenges and sewer timing challenges. They sat down with David Stallings and conveyed these concerns. Shenandoah Homes is currently evaluating the purchase of additional acreage to add to the 4.6 acres to reduce these challenges and perhaps bring sewer to the site sooner.

Mr. Weeks said that potential design service considerations for FS3 are: a community room to provide gathering space for community events and meetings, as well as training space for Fire Department and other Town staff; a Police workspace for basic office work, relief and more efficiency in the Police Department; and potential sustainability elements of low impact design natural lighting HVAC, solar etc.

Mayor Sears asked how many fire stations are in each of the towns in the area. Chief Smith said that Apex is doing a lot of expansion. They have moved apparatus out of the downtown station and are in the design stage of a new station. Fuquay-Varina is also planning to build a new station, and Cary has been building a lot, too.

Next steps will include reaching an agreement with Shenandoah Homes on a suitable site, completing a conceptual design and space needs assessment; Then it would be time to engage an architect for full design. There is \$303,000 in FY21 budget for partial design, but we would probably need to identify some additional funds. The CIP includes \$5,815,000 in FY22 for design and construction, creating a total, preliminary project budget of \$6,118,000.

Councilman Wolff asked if ADW gave any information about energy/financial savings for different aspects of sustainable building. If it pays for itself, that would be a big incentive to incorporate these in the design. Mr. Harrington said that ADW has a lot of experience with this and will be able to give us an idea. Councilman Wolff said that also we could look into building to LEED standards without seeking the certification if that made financial sense. Councilman McGrath said that we need to look at the return on investment when making those decisions. And if the bridge isn't completed before FS3, the engines will not be able to cross it and do any good, so that needs to happen. Mr. Harrington said a key thing to consider with the community room is that we plan to have one in the Operations Campus, which can also be used for a getting ready room. If it is not financially feasible, we could remove the community room from FS3 to save money. Councilwoman Kelly said that the Fire crew will also have a kitchen and a microwave, does Police space need to be separate? Chief Smith said that if we put a kitchen in a community room it has to be a commercial kitchen, and that is a huge cost difference. A kitchen in the living quarters of a fire station is treated like a residential kitchen. Mr. Harrington said there might be some opportunities for Police and Fire to share, but there might need to be some privacy for them. But we will try to have overlap where we can. Mr. Weeks said that having the community room will require more parking, so that is another consideration. MPT Berry asked if staff was looking at the community room as a revenue generating room. In his past experience there was limited rental opportunity for that. Is this more for Town operations, or will it be made available to be rented? Mr. Harrington said we haven't worked through all of those pieces but it is possible that it could be a mixture. It could be rented out for HOAs, nonprofits, etc. It is not going to be a revenue generator that would move the needle on the general fund. He asked what Council thought would be an appropriate use for it. MPT Berry said that we continually run out of space in the buildings we have so it probably makes sense to have the room, but he doesn't think we would see your full investment back. Chief Smith said that there have been more and more requests to use the training room in Station 1 from Girl

Scouts, CPR classes, HOA meetings. It might be used as a polling place. Plus, if there is a storm it would give us a comfort station for people to warm up, charge their phones, etc.

Scott Chase gave an update on the Operations Campus. He showed where the new facility would be in relation to current Town wastewater treatment facility. He showed the conceptual campus footprint from 2017 and how it would fit in with existing facilities. He showed where the Town sought land adjacent to that parcel, and that could be expanded onto. Mr. Chase then discussed the current operational deficiencies which could be cured with the new facility, and showed the new Public Works facility in Fuquay-Varina and discussed what we would do the same and differently. It is important to build to the future, and not for the present. He said that key design considerations would be a vehicle wash area and treatment of stormwater/hazardous materials, covered, climate-controlled equipment, vehicle, and materials storage; fleet service and parking area; preliminary design for yard waste processing and storage, which is an immediate need. He discussed sustainable best practices for the facility and gave a preliminary project budget of \$15-\$18 million, to be cost shared between the Utilities Fund and the General Fund.

Mr. Chase said that the facility would provide multi-disciplinary department space needs, serving Utilities & Infrastructure, Public Works, and possibly others. There would be a phased approach to site development that was scalable to adjust for population and service growth. A large conference room/meeting space is planned, a warehouse for onsite storage of materials and equipment, and locker rooms with changing areas and showers.

Mr. Chase said that next steps include Council being asked to vote to approve closing on the property at the November 3rd Council meeting, as the sale was recently approved by the Utilities Commission. A design RFQ for a conceptual design would be issued in the spring of 2021. There is \$500,000 included in the adopted CIP for partial planning and design, and there is \$325,000 remaining in funds approved in prior budgets. The project budget would be refined in the FY2021-22 budget, with a total of \$18,500,000 including design and construction.

Mr. Harrington said that the \$18.5 million is a very preliminary estimate. There will have to be more work done before the actual cost is known. It may be lower, but we have to go through the process before we know. Mr. Chase there are design things that we can explore to keep the costs down also.

Councilwoman Kelly asked what would happen to the existing public works building when this is done. Would it be used as a satellite location? Mr. Harrington said the value in that area is in the land, not the building, so there will come a point when Council has to decide whether there is more value to the Town to keep the land for another purpose, or sell it for an economic development purpose. That has not been decided.

6. Open Discussion:

Councilwoman Kelly asked if there were any precautions that the Town is taking for safety of early voting. Mr. Weeks said that Captain Mike Patterson has devised a plan for patrolling the area. Councilwoman Kelly asked if there was going to be a statement from the Town on trick or treating. Mr. Harrington said that Halloween is not cancelled. The NCDHHS has come out with recommendations and guidelines for celebrating safely that Communications will roll out. Cassie Hack, Director of Communications and Marketing, said the Town doesn't regulate Halloween. We have been directing people to the NCDHHS web site. We can put something out if Council desires. But the Town does not regulate Halloween. Mr. Harrington said staff will work on some more concentrated posts on this subject. He said managers and Police Chiefs in Wake County are talking about plans for election day and immediately after to insure a safe voting experience.

7. Closed Session: The Council entered into closed session, pursuant to N.C.G.S. 143-318.11(a)(3) to discuss three potential litigation matters.

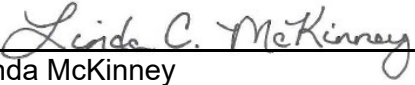
Motion by: Villadsen
Second by: Kelly
Vote: Unanimous

Motion was made to leave closed session by Villadsen seconded by Kelly, and passed unanimously.

8. Adjournment:

Motion to adjourn was made by Councilman Villadsen, second by Councilwoman Kelly, and passed with a unanimous vote. The October 13, 2020 workshop meeting of the Holly Springs Town Council was adjourned at 9:00 pm.

Respectfully Submitted on Tuesday, October 20, 2020.



Linda McKinney
Town Clerk



MINUTES

The Holly Springs Town Council met in regular session on Tuesday, October 20, 2020 in person and via video conferencing. 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, Mayor Pro Tem Dan Berry, Councilmen Peter Villadsen, Shaun McGrath and Aaron Wolff, and Councilwoman Christine Kelly.

Council Members Absent: none.

Staff Members Present in Chambers: Randy Harrington, *Town Manager*; Daniel Weeks, *Assistant Town Manager*; Scott Chase, *Assistant Town Manager*; John Schifano, *Town Attorney*; Linda McKinney, *Town Clerk* (recording the minutes); Cassie Hack, *Director Communications and Marketing*; Mark Andrews, *Communication and Marketing*; Jeff Wilson, *Director, IT*; Mathew Mutter, *IT*; Kathy White, *Deputy Town Clerk*; Melissa Sigmund, *Development Services*; Elizabeth Goodsen, *Development Services*; Rachel Jones, *Utilities and Infrastructure*; Caleb Allred, *Development Services*; Tim Athy, *Utilities and Infrastructure*; Patty Dressen, *Interim Director of Finance*; Leroy Smith, *Fire Chief*; Paul Liquorie, *Police Chief*.

Staff Members Present via video conferencing: Kendra Parrish, *Executive Director, Utilities & Infrastructure Services*; and LeeAnn Plumer, *Director Parks and Recreation*.

2. and 3. The Pledge of Allegiance was recited followed by an invocation by Pastor Jim Littleton of Holly Springs United Methodist Church.

4. Agenda Adjustment: The October 20, 2020 meeting agenda was adopted with changes, if any, as listed: add update on Transportation Bond Projects to Requests and Communications.

Motion: Berry

Second: Villadsen

Vote: Unanimous

Public Comment: Public Comment was requested in writing prior to the meeting. The following number of comments was received and provided to the Council prior to the meeting: one comment requesting changes to the Noise Ordinance, one comment in support of a UDO Text Amendment regarding fences for corner residential lots, and one comment against that UDO amendment. *Copies of these comments are attached to these minutes.*

Recognitions

5. Oath of Office: Police Chief Paul Liquorie

Mayor Sears introduced Police Chief Paul Liquorie. Linda McKinney, Town Clerk, administered the Oath of Office to Chief Liquorie, after which he said a few words.

Requests and Communications

6. Update on Organization Realignment

Town Manager, Randy Harrington, said that he had proposed this reorganization as part of the budget process. Scott Chase was assigned to this task and he thanked him for all his work, and said that the level of employment engagement was the highest he has seen and he thanked them.

Scott Chase, Assistant Town Manager, said the purpose of this item was to provide an update on recent realignment within the Town organization. In the FY2020-21 budget, the Town Manager outlined department realignments to strengthen the Town's capability to meet the public service delivery needs of tomorrow. The realignment, which became effective on October 1, created the new departments of Development Services, and Utilities and Infrastructure, as well as moving the Facilities Maintenance from Parks and Recreation to Public Works. Reasons for the realignment include simplifying leadership and resource management, enhancing the Town's ability to plan, maintain, and manage utility infrastructure assets, simplifying the customer experience, and grouping like-services together. He showed an organizational chart of how the Town was organized prior to the realignment, followed by the current organizational chart.

Mr. Chase said that Development Services combines the current Planning, Engineering and Code Inspection teams. Comprehensive services include a focus on the customer experience for individuals as well as developers, zoning administrations, development review and construction, site compliance, permits, building inspections, and long-range planning (including transportation planning.) He shared the divisions within Development Services and who their leadership would be. Utilities and Infrastructure includes Water Resources, Infrastructure, and Business Asset Management. It manages Town-owned projects and assets. He shared the divisions within Utilities and Infrastructure and named the leadership of those divisions. He said Public Services was to go back to core services. Facilities Management was moved to Public Works, and the other areas – Streets, Powell Bill, Solid Waste, and Fleet Maintenance are included in Public Works. Water Distribution, Wastewater Collection, and Pump Station Maintenance moved to Utilities and Infrastructure.

Mr. Chase said that remaining tasks include finalizing position titles and reclassifications, with requests planned to come before Council at a November meeting; rearranging office space in Town Hall, as well as relocating IT and Parks and Recreation staff to the Co-Working Station, and potentially relocating development inspectors to the Village Condo space; reviewing the processes and making enhancements to make the customer experience better; and finalizing service transitions.

Councilwoman Kelly asked what the plan was to reach out to affected communities. Mr. Chase said staff has met with some stake holders already, and plans to have further dialogue with the development community and small business once we are out of the transition. Councilwoman Kelly asked who to send complaints and requests to until that happens. Mr. Chase said he would be happy to take those calls and get them to the responsible people. Randy Harrington, Town Manager, said that when the UDO rewrite is complete, staff will have the flexibility that will help with the customer service.

7. Transportation Bond Projects Update

Randy Harrington, Town Manager, thanked Council for allowing this agenda item to be added at the last minute. Staff wanted to take this opportunity to share some important elements of the four bond projects.

Tim Athy, Utilities and Infrastructure, said the purpose of this item was to update Town Council on the 2018 Transportation Bond projects that are currently under design.

He said that for Holly Springs Road Phase II, the major roadway, utility and bridge design are completed and the environmental permits submitted. He said that with the help of Kimley Horne they have worked with NCDOT and have designed a 2-span bridge, which provides less environmental impact and lower cost than the 3-span bridge that was discussed at the workshop last winter. Final construction plans are underway, as are Duke utility relocation plans, right-of-way acquisition, and state and federal permit reviews. One of these permits has been approved. He said

that construction is estimated to start in the summer of 2021. He said that the design had been basically approved by the NCDOT, and they ran into problems with access to Holly Ridge school campus. The Cobble Ridge Neighborhood had the same predicament with the proposed design not allowing traffic to leave the neighborhood and turn left. Staff was challenged to come up with a better design, with the help of Kimley Horne.

Chad Beck with Kimley Horne said that after meeting with NCDOT, Wake County Schools, Holly Springs Police Department, and other stakeholders, they came up with a design that incorporates a roundabout at the elementary school / Cobble Point Way intersection, with the bus entrance having a right in right out, and busses using the roundabout to give them the ability to go east or west. They are still working with the DOT on other access points. This is a preliminary design to get an idea of the impact. The next step is working with NCDOT to finalize the design.

Mr. Athy said that on the Avent Ferry Road realignment, the conceptual roadway and utility design are completed, and a few months ago they held a Conceptual Design Virtual Open House. Environmental permits and studies are underway and the project is at 25% design plans, with an estimated construction start of the summer of 2022. He showed some sketches of the neighborhood enhancement planned with this realignment. He showed the conceptual plan, and indicated the alignment of the roads. A traffic signal will be installed at Pine Ave. and Main Street. The neighbors that staff met with said their first concern is to make people safe, but they also wanted the project to reflect the neighborhood and beautify it. Staff took to heart what the residents said. Residents liked the idea of the roundabout, so moving it to the intersection of Grigsby and Stinson would serve as a gateway into the neighborhood as well as control traffic.

Mr. Athy said that for the Main Street and NC 55 right turn lane projects, roadway, signal and utility design are completed; environmental permits have been submitted, and a tree study has been done by an arborist for the Main Street right turn lane. Only one large tree was found to be in the process of dying and would need to be removed. The others will remain. Final construction plans, Duke utility pole relocation plans, and landscaping plans are underway. Mr. Athy said they do not expect any right of way acquisition to be required for the NC 55 right turn lane. Construction is estimated to start in the fall/winter of 2021. If the Town receives LAPP grants for one of both of these projects, construction will be pushed forward a year to 2022 in order to utilize that money. They will be ready to go, if that is the case.

Mr. Athy said that next steps are to seek Council input for the four initial projects, complete designs for the four projects, bid Holly Springs Road Phase II in Summer 2021 and issuance of initial bond allocation in Spring 2021.

Councilman McGrath expressed that a 2-lane roundabout has some challenges. Mr. Athy said they are looking at a turbo roundabout, which divides lanes with a small median so the two lanes are separated and as you enter the roundabout, you choose which direction you are moving. People will have to learn, and there will be some public discourse, but if someone drives it once or twice they will have it mastered. Mr. Beck said that a turbo roundabout elongates the circle, which makes it only one lane except east or west where it shifts you into the correct position as you go around the roundabout. It was developed in Denmark, but there are some in NC also.

Councilman Wolff asked if this was similar in scale to the NC State roundabout on Hillsborough Street. Mr. Beck said it would be similar in size, but different in design. Councilman Wolff asked if it would require any additional land acquisition, and if there would be additional costs. Mr. Beck said it would require additional land, but the required land is HOA property, not individual or business. Mr. Athy said it would cost about \$300,000 or \$400,000 more.

Councilman Villadsen asked how this would impact the sidewalks. Mr. Athy said that pedestrian crosswalks would be at the upstream ends, on either side of the roundabout. To keep people from walking through the roundabout, staff is proposing landscaping that won't impeded vision, but will channel pedestrians to stay on the sidewalks.

Councilwoman Kelly asked if Cobble Ridge was fine with this plan. Mr. Athy said he was going to meet with them this week. Councilwoman Kelly asked how many homes would be impacted, particularly the one cross hatched on the map. Mr. Athy said that is an abandoned house, that is slated for demolition. Councilwoman Kelly asked if there were other homes affected. Mr. Athy said there were a few near Sunset Lake and staff is talking to them. One will have to be moved, and

for another we will build a retaining wall so that the house is not disturbed. Councilwoman Kelly asked what other outreach staff was doing for the people on Grigsby about the roundabout. Mr. Athy said that right now the Town is not far enough along in the design phase to talk to property owners. Once there is a design, if there is a house that is impacted, then staff plans to talking to them as soon as possible. Councilwoman Kelly asked if that meant there was still flexibility. Mr. Athy said it is not so much flexibility as not having the completed design to know what the impacts would be.

MPT Berry asked if there would still be a U-Turn on Holly Springs Rd. coming out of the school. Mr. Athy said that in the current design, cars turning right out of Holly Ridge would have to do a U-Turn but staff is discussing with DOT opening the median to have a dedicated left turn there, which staff believes would be the best design. MPT Berry expressed concern about the greenway connection and pedestrian safety along Holly Springs Road. Mr. Athy said that one of the LAPP grant projects is the Holly Springs School Pedestrian safety project, with the goal of making this area safe for pedestrians. Staff is looking at adding a fence or some plantings along the road and building sidewalks inside the school campus property to keep kids away from the side of the road. Councilwoman Kelly asked if bikes would share the road. Mr. Athy said there will be extra wide outside lanes for bikers who ride on the street, and 8-foot sidewalks for bikers who don't feel comfortable riding in the bike lane.

Councilman Wolff asked if the two-span bridge would bring cost savings. Mr. Athy said the roundabout adds funds, but the bridge saves money, so he estimates it could be a wash.

Randy Harrington said staff has talked a lot about pedestrian safety in that corridor, so that is top of mind. As to community engagement, staff has had a lot of engagement with residents at one end of the "tree streets", but can move to meet with those residents on the other ends of those streets. He also said that bidding the Phase II Holly Springs Road will be winter of 2021, not summer.

Public Hearings

8. Closure of a Portion of Ralph Stephens Road

John Schifano, Town Attorney, said that the purpose of this agenda item is to consider the closing of a portion of right of way between Ralph Stephens Road and S. Main Street. During the joint Town and NCDOT Main Street Extension project, a section of Ralph Stephens Road was moved to the South to create a safer, 90-degree intersection. At the September 15th meeting, Council adopted Resolution 20-27 stating their intention of abandoning this section of Ralph Stephens Rd., with the exception of the existing utility rights-of-way/easements. The land was posted and the Public Hearing advertised in the News & Observer for four consecutive weeks. The remainder will revert to the landowners.

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

Councilman McGrath asked if there was any discussion about access along that road. Mr. Schifano said the access will be worked out among the various land owners. Village Gate is the primary developer of that corner and the Town is putting together some mandatory access drives, but that would happen regardless of this action.

Action: Motion to adopt Resolution 20-33 to close a portion of right of way between Ralph Stephens Road and S. Main Street.

Moved by: Wolff
Second by: Kelly
Vote: Unanimous

9. Citizen-Initiated UDO Text Amendment for Fence Height in Residential Neighborhoods

Caleb Allred, Development Services, said the purpose of this agenda item was to consider resident-initiated modifications to the Unified Development Ordinance (UDO). He said the applicant applied for a variance for their own property and was turned down by the Board of Adjustment. The UDO does allow an applicant to apply for a UDO Text Amendment, and the applicant has done so. He reminded Council that a determination by the Board of Adjustment is not precedent setting.

Mr. Allred said that the current regulation says that fences cannot exceed 4 feet in height in a front yard, defined as a yard that faces a street. Corner lots have two "front yards" so a 6-foot high fence is allowed in the back and along one side only. He said the current regulation was created to maintain visual continuity along portions of private property that abut the right of way, allowing people using the public realm to safely view around corners, and activities occurring on abutting private property. The applicant is proposing to allow a 6-foot fence on the side of the home that faces the street with the following regulations: no chain link; requiring decorative fence features; a set back of 8 feet from the property line; required landscaping along the public facing side of the fence; and a maximum fence height of 6 feet. He said that currently permits are not required for fencing, but these changes might require a permitting process if this amendment is passed, so that staff can verify the setbacks, decorative features, landscaping, etc. There are safety concerns with this proposal, including sight lines at intersections. Also, a rewrite of the UDO is currently underway, and this might better be considered as part of the rewrite rather than a piece-meal amendment.

The Planning Board recommended approval with a vote of 9 – 0, and with the condition that the 6-foot fence be no further forward than half the distance between the rear corner and front corner of the house.

Councilman McGrath asked the Planning Board representative to come up. Courtney Patterson said that Planning Board discussed the owners' desire to use their property as they wish, balanced against the Town's needs. They thought this might be a Special Exception Use situation. They acknowledged that the UDO is being updated, but didn't think the owner should have to wait for that update to get the fence she desires. Ms. Patterson said that Planning Board wasn't concerned about the safety issues. It wasn't a point of discussion.

Mayor Sears opened and closed the public hearing, and then called the applicant to the podium.

The applicant, Joanna Holder, thanked Council for listening to her, thanked her family and introduced her neighbors there in support. She showed diagrams representing the current UDO and what the changes she proposes would do. She said the Town has grown since that UDO was written in 2002 and is different now. She said that she does not think a four-foot fence is high enough to contain children or dogs. Corner lots pose more danger to younger residents because they are close to 2 roads. A four-foot fence is not high enough to protect children. She said that people with a fear of dogs do not feel safe walking past a house with a dog behind a four-foot fence.

Ms. Holder showed a map of her property, which is a non-rectangular corner lot, and how the current UDO requirements would prevent her from having a six-foot fence for all but one-third of her property. She showed landscaping options that the Board of Adjustment suggested, and said that they might provide privacy, but not security. She said that that was not a viable option if you do not have a green thumb, is more expensive, and could evergreens could grow taller than 6 feet. She said that the Board of Adjustment process was long, embarrassing, and difficult, and there was much subjectivity in defining a "hardship."

She showed a comparison of the UDO fence provisions in other Wake County municipalities, and said that only Rolesville mirrored Holly Springs ordinance. She showed a chart of the corner lot fence requirements in PUDs in Holly Springs and how they are different from the UDO. She said that once you are a home owner, a PUD is not something that is available to you.

Ms. Holder showed some decorative fence types, and repeated the regulations that she was proposing regarding setbacks, landscaping, and decorative elements. This would affect only the side of the house, not the front. She then addressed the staff concerns saying that a permit would

be a good idea, but waiting for the UDO rewrite would not be in the best interest of the community. She said the sight triangle at intersections would be protected because you already cannot build anything that blocks the site triangle.

Councilman Wolff commended Ms. Holder for her presentation and her dedication for abiding by the ordinance as written. He said it is widespread that people do not abide by the regulation, and it is not right to punish her for following the rules. An aesthetically pleasing street scape is not more important than property owners' rights to their property. He agreed with the Planning Board's recommendation of restricting the 6-foot fence to halfway from the front corner of the house.

Mayor Sears then reopened the public hearing for any other comments. There were none and he closed the public hearing.

Councilwoman Kelly asked if permits were required, would it be for all fences, or just fences on corner lots. She said that she does not want to add a burden on staff. Randy Harrington said that one of the decisions that would have to be made is whether permitting is worth it. It would help insure uniformity and character. But that must be weighed against staff time and effort. Perhaps when violations are seen, then they could be investigated. But if it is important to Council to require permitting, that could be done.

Councilwoman Kelly asked if the UDO rewrite decides this is not a good idea, would this property be grandfathered in. Mr. Harrington said that they would.

There was discussion on whether the setbacks would be understood by homeowners as being from the right of way, not from the curb, and whether that would require permitting for staff to assist them. It was discussed that the proposed Ordinance amendment is silent on permitting, and that would be a separate discussion at a future meeting. There was discussion about HOA regulations and whether they were written to mirror Town UDO requirements, or were more strict. Melissa Sigmund, Development Services, said that the consultant who is working with the Town on the UDO rewrite brought up the same concerns that Council is discussing. Council discussed whether setbacks and decorative elements should be left to HOAs to decide, for the sake of uniformity.

Action: Motion to adopt Ordinance 20-06 with the addition of the Planning Board recommendations as follows, that fences along the corner side of the house shall not be placed closer to the front of the lot than one half of the depth of the building footprint, with the amendment to remove the proposed vegetation, decorative features, and setback.

Moved by: Wolff

Second by: Villadsen

Vote:

Aye: Kelly, Berry, Villadsen, Wolff

Nay: McGrath

The motion passed.

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 Councilman Villadsen and a unanimous vote. The following actions were affected:

10. Minutes – The Council approved minutes of the Council Workshop meeting held September 29, 2020 and the Business meeting held October 6, 2020.

11. Monthly Budget Amendment Report – The Council received a report of monthly administrative budget amendments approved by the Town Manager. *A copy of the budget amendment report is attached to these minutes.*

12. Woodfield Dead End Road Adoption – The Council approved Resolution 20-32 adopting a segment of Woodfield Dead End Road. *A copy of Resolution 20-32 is attached to these minutes.*

13. Town Official Designation for ABC Permit Applications- The Council adopted Resolution 20-31 designating the Chief of Police as the Town Official designated to approve ABC Permit Applications. *A copy of Resolution 20-31 is attached to these minutes.*

14. Voluntary Annexation A20-08, 5200 Catherine Place - The Council adopted Resolution 20-30 directing the Town Clerk to investigate the sufficiency of annexation petition A20-08 and set public hearing for November 3, 2020.

A copy of Resolution 20-30 is attached to these minutes.

OTHER BUSINESS

Mayor Sears said that there have been 523 COVID19 cases in zip code 27540 and one death. Wake County has had 262 deaths. He commended people in our zip code for following the rules and doing their part to control the virus. He said that speeding continues to be a “disease” and asked drivers to please slow down.

Councilman Wolff thanked staff and Randy for a robust beginning to the early voting. Staff set up tents to make it more comfortable for those waiting in line. It's nice to see people using the Hunt Center for early voting. He took part in the NC League of Municipalities legislative drafting session. He said he spoke towards more local autonomy for how municipalities use land and get revenue. We need alternate sources of revenue as a town. Also, many municipalities agreed with the need for increased funding from state and federal government sources, and more stability and predictability in that funding so that municipalities can plan.

Councilwoman Kelly said she met with Troop 1937 Girl Scouts last night and they earned their government badge. The girls were thrilled that they got to meet the Mayor. Given that this is the anniversary of the 19th amendment, she said it was great for girls to see that they could be in government. She gave a shout out to Holly Springs Police Department for the “#9pm routine” program.

Councilman McGrath said that he was at the Triangle J Council of Governments meeting where they discussed the NC211 program that is accepting applications for rent and utility assistance for those impacted by COVID19. Anyone below the 80% of median income can qualify. Go to [NC211.org/hope](https://nc211.org/hope) to apply. He pointed out that we need to look out for each other and pay attention mental health issues, so check in with your neighbors. The Landfill group met and has nothing significant to report. They are continuing to move forward with some items, mostly education about what the landfill is doing, and monitoring investment GFL has put in. He said the group will continue to provide updates. He said he spent last weekend helping a friend with street trees and the experience made him want to discuss the benefits of street trees from a lifecycle point of view, because they tear up sidewalks and driveways, and we need to have a policy discussion about the lifecycle costs. Finally, he said he was happy to see great voter turnout. But we need to be cognizant that voter engagement does not equal voter harassment. He put out a call for civility during the election.

Mayor Sears added to that. Many people have asked about the 50-foot buffer. We have the responsibility to remind our friends of what they can and cannot do.

MPT Berry asked if staff could do an outreach to HOA's about the fence change so that they can take action on their Covenants.

Councilman Villadsen welcomed GORaleigh to Holly Springs and thanked them for the bus service.

MANAGER'S REPORT

Randy Harrington, Town Manager, said he does not have a report tonight.

CLOSED SESSION: The Council entered into closed session, pursuant to N.C.G.S. 143-318.11(a)(3) to discuss potential litigation concerning Collins Park subdivision, and N.C.G.S. 143-318.11(a)(5) to discuss right of way acquisition.

Motion by: Berry

Second by: McGrath

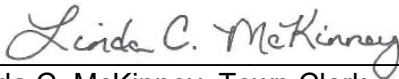
Vote: Unanimous

Motion to seal the minutes was made by Councilman Berry, seconded by Councilman Villadsen, and passed with a unanimous vote.

Motion to leave closed session was made by Councilman Berry, seconded by Councilman McGrath and passed with a unanimous vote.

Adjournment: Councilman Berry made a motion to adjourn at 9:46 pm. It was seconded by Councilman Wolff and passed with a unanimous vote.

Respectfully Submitted on Tuesday, November 3, 2020.



Linda C. McKinney, Town Clerk

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



Holly Springs Town Council

Town Council Meeting Agenda Cover Sheet

Agenda Item#: 10.

Consent Agenda

Title: Voluntary Annexation A20-03, Oakview Innovation

Strategic Priority Area: Responsible & Balanced Growth

Staff Resource: Melissa Sigmund, Development Services

Action(s):

Adopt Resolution 20-35 directing the Town Clerk to investigate the sufficiency of annexation petition A20-03 and set public hearing for November 17, 2020.

Explanation:

- The Town has received a petition for voluntary annexation of 196.57 +/- acres, located in the vicinity of Green Oaks Parkway and Holly Springs New Hill Road.
- The owners of the property are Helix Ventures LLC, ABCZ Properties, LLC, Joyce Scott Lucas, and Duke Energy Progress Inc.
- Staff has requested feedback from all departments and there were no issues with this annexation.

Background:

- Pursuant to NCGS § 160A-31(c) Council is required, upon receiving a petition for annexation, "to cause the clerk of the municipality to investigate the sufficiency thereof and to certify the result of the investigation: and to fix a date for a public hearing on the question of the annexation.

Funding Source(s):

N/A

Attachment(s):

1. A20-03 Oakview Innovation Resolution of Sufficiency
2. A20-3_OakviewInnovation map



THE TOWN OF

Holly Springs

Resolution No.: 20-35

Date Adopted: November 3, 2020

Annexation No.: A20-03

RESOLUTION OF THE HOLLY SPRINGS TOWN COUNCIL DIRECTING THE TOWN CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31 AND FIXING THE DATE OF A PUBLIC HEARING ON THE QUESTION OF ANNEXATION

WHEREAS, a petition requesting annexation of an area described in said petition was received by the Town of Holly Springs; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Holly Springs deems it advisable to proceed in response to this request for annexation, subject to the Clerk's satisfactory investigation of the sufficiency of the petition; and

WHEREAS, the area proposed for annexation is described as follows:

Legal Description for Voluntary Annexation

Properties located in the vicinity of Holly Springs New Hill Road and Green Oaks Parkway, more particularly described as Wake County PINs: 0639837664, 0639943500, 0639721436, 0639633688, 0639842054, 0639941045, 0639837664, 0639943500, and 0639721436.

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Holly Springs, North Carolina, that:

Section 1. The Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Holly Springs Town Council the result of her investigation.

Section 2. Subject to the Town Clerk's satisfactory result of her investigation, a public hearing on the question of annexation of the area described herein will be held at the Town Hall Council Chambers, located at 128 S. Main Street, at 7 p.m. (or as soon thereafter as is practicable) on Tuesday, November 17, 2020.

Section 3. Notice of the public hearing shall be published in the Raleigh News & Observer, a newspaper having general circulation in the Town of Holly Springs, at least ten (10) days prior to the date of the public hearing.

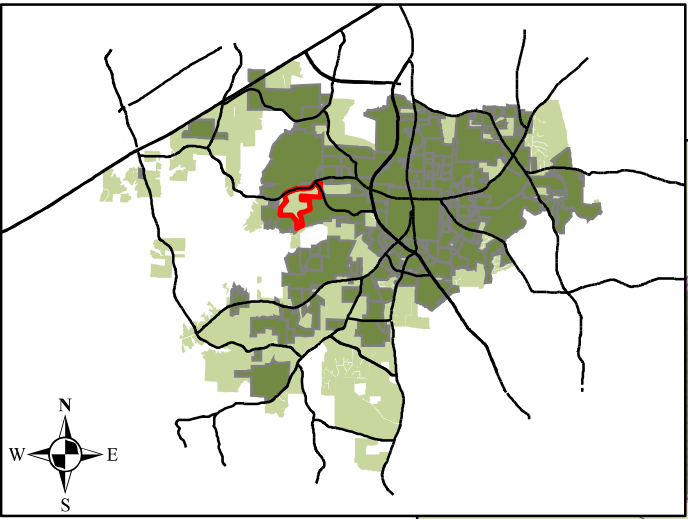
Adopted this, the 3rd day of November 2020.

ATTEST:

Dick Sears, Mayor

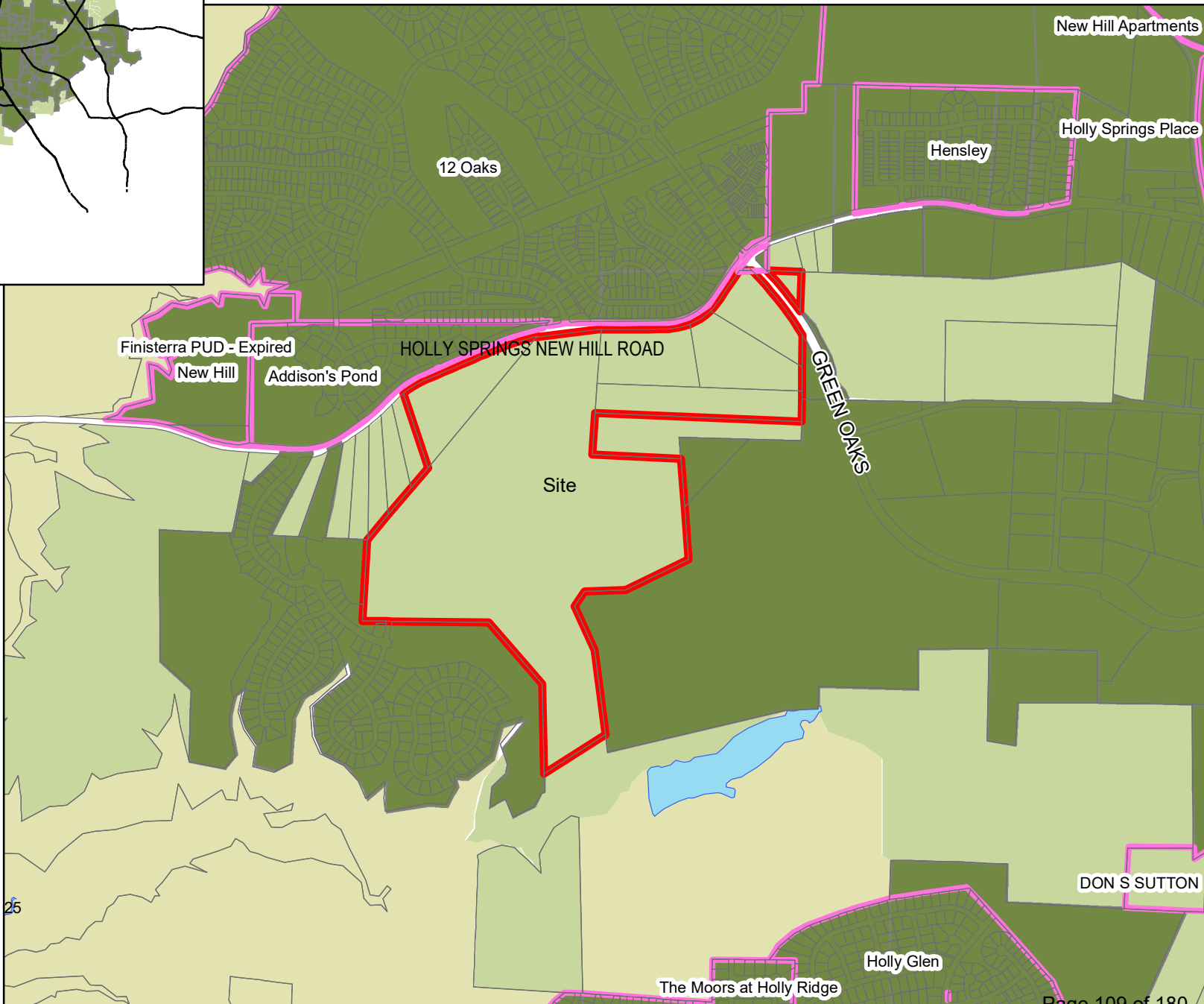
Linda C. McKinney
Town Clerk

A 20-3 | Oakview Innovations | 196.57 acres



Legend

-  Annexation
-  Subdivisions
-  Lakes
-  Town Limits
-  Extraterrito... Jurisdiction (ETJ)
-  Short Range Urban Service Area





Holly Springs Town Council

Town Council Meeting Agenda Cover Sheet

Agenda Item#: 11.

Consent Agenda

Title: Voluntary Annexation A20-05, Village Gate

Strategic Priority Area: Responsible & Balanced Growth

Staff Resource: Melissa Sigmund, Development Services

Action(s):

Adopt Resolution 20-34 directing the Town Clerk to investigate the sufficiency of annexation petition A20-05 and set public hearing for November 17, 2020.

Explanation:

- The Town has received a petition for voluntary annexation of 18.28 +/- acres, located on Main Street near Ralph Stephens and Piney Grove Wilbon Roads.
- The owners of the property are Elizabeth Y. Barnes and Pasty Y. Edwards, Randy and Roseann White, Suzanne T. Moore and Eli Zablud, and Danny and Kimbrette Y. Vuncannon.
- Staff has requested feedback from all departments and there were no issues with this annexation.

Background:

- Pursuant to NCGS § 160A-31(c) Council is required, upon receiving a petition for annexation, "to cause the clerk of the municipality to investigate the sufficiency thereof and to certify the result of the investigation: and to fix a date for a public hearing on the question of the annexation.

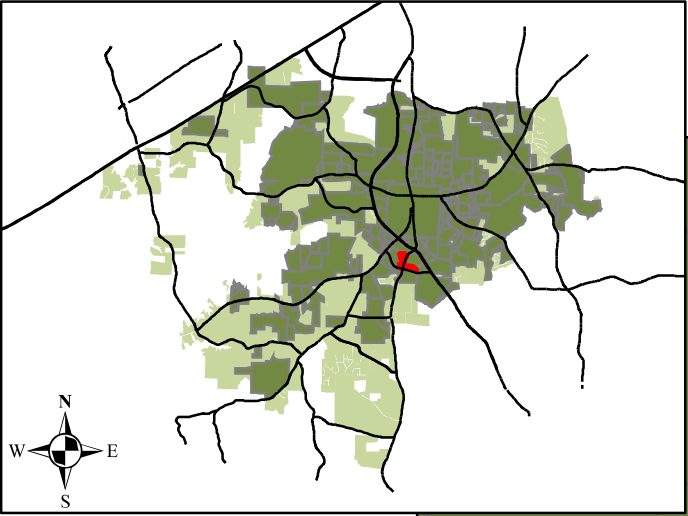
Funding Source(s):

N/A

Attachment(s):

1. Annexation A20-05 map
2. A20-05 Village Gate Resolution of Sufficiency

A 20-5 | Village Gate | 18.28 acres



Legend

-  Annexation Property Site
-  Subdivisions
-  Lakes
-  Town Limits
-  Extraterritorial Jurisdiction (ETJ)
-  Short Range Urban Service Area





THE TOWN OF

Holly Springs

Resolution No.: 20-34

Date Adopted: November 3, 2020

Annexation No.: A20-05

RESOLUTION OF THE HOLLY SPRINGS TOWN COUNCIL DIRECTING THE TOWN CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31 AND FIXING THE DATE OF A PUBLIC HEARING ON THE QUESTION OF ANNEXATION

WHEREAS, a petition requesting annexation of an area described in said petition was received by the Town of Holly Springs; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Holly Springs deems it advisable to proceed in response to this request for annexation, subject to the Clerk's satisfactory investigation of the sufficiency of the petition; and

WHEREAS, the area proposed for annexation is described as follows:

Legal Description for Voluntary Annexation

LEGAL DESCRIPTION ANNEXATION REID # 0182676, 0148765 & 0348874

All that certain parcel of land, situated in Holly Springs, Wake County, North Carolina, being on the lands of Elizabeth Y. Barnes, Patsy Y. Edwards, Jackie Y. McLean and Madge Y. Hinsley (REID 0348874) as described in Deed Book 12130 at Page 2447, Randy and Rosann White (REID 0148765) as described in Deed Book 9062 at Page 1552, Elizabeth Y. Barnes and Patsy Y. Edwards (REID 0182676) as described in Deed Book 12130 at Page 2447, Wake County Records, and being more particularly described as follows: Commencing at NCGS 'Aerosport' having State Plane Coordinates N:684993.62, E:2043505.62 thence N74°45'14"E, 4,632.50' to an Existing Iron Pipe labeled 'Control Corner' having State Plane Coordinates N:686211.80, E:2047975.08 being the Point of Beginning ; thence S89°21'42"E, 163.74' to an Existing Iron Pipe; thence S83°35'33"E 230.77' to an Existing Drill Hole in the Sidewalk being on the Western Right of Way of South main Street; thence along said Right of Way a curve to the Left having a radius of 4052.00', a length of 89.33' and a direction of S16°43'44"W, 89.33' to an Existing Drill Hole in the Sidewalk; thence along said Right of Way a curve to the Left having a radius of 4054.07', a length of 86.60' and a direction of S16°36'19"W, 86.60' to an Existing Drill Hole in the Sidewalk; thence along said Right of Way a curve to the Left having a radius of 4054.07', a length of 180.40' and a direction of S16°21'47"W, 180.38' to an Existing Iron Pipe; thence along said Right of Way a curve to the Left having a radius of 4057.25', a length of 18.84' and a direction of S13°50'12"W, 18.84' to an Existing Iron Pipe; thence along said Right of Way S13°42'13"W, 50.43' to an Existing Iron Pipe; thence along said Right of Way S59°30'11"W, 36.74' to an Existing Iron

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Pipe; thence leaving said Right of Way N84°30'58"W, 198.95' to an Existing Iron Pipe on the Northern Right of Way of Ralph Stevens Road; thence along said Right of Way N63°27'03"W, 55.93' to Existing Iron Pipe; thence Leaving said Right of Way N00°38'18"W, 408.35' to an Existing Iron Pipe; said Existing Iron Pipe being the Point of Beginning. Said Annexation contains 143,293 square feet, 3.29 ac more or less.

LEGAL DESCRIPTION ANNEXATION REID # 0206586, 0343941 & 0203248

All that certain parcel of land, situated in Holly Springs, Wake County, North Carolina, being on the lands of Danny R. & Kimbrette Vuncannon (REID 0206586) as described in Deed Book 12130 at Page 2441, Elizabeth Y. Barnes, Patsy Y. Edwards, Jackie Y. McLean, Madge Y. Hinsley, Betty Y. Holleman, Nancy Y. Perry, James F. Yarborough Jr. and Kimbrette Y. Vuncannon (REID 0343941) as described in Deed Book 14197 at Page 2522, Suzanne T. Moore and Eli Zablud (REID 0203248) as described in Deed Book 17886 at Page 2614, Wake County Records, and being more particularly described as follows: Commencing at NCGS 'Aerosport' having State Plane Coordinates N:684993.62, E:2043505.62 thence N68°15'07"E, 4,886.57' to an Existing Iron Pipe labeled 'Control Corner' having State Plane Coordinates N:686804.23, E:2048044.37 being the Point of Beginning ; thence N36°18'10"E, 51.47' to an Existing Iron Pipe; thence N09°17'59"W, 316.26' to an Existing Iron Pipe; thence N03°01'00"W, 117.41' to an Existing Axle; thence N89°51'38"E, 342.51' to an Existing Iron Pipe; thence N89°51'38"E, 185.63' to an Existing Iron Pipe; thence S42°38'23"W, 184.53' to an Existing Iron Pipe; thence S69°51'48"E, 364.85' bypassing an Existing Drill Hole in the Sidewalk to a point in the Existing Center Line Right of Way of S. Main Street; thence along said Center Line Right of Way a Curve to the Left having a radius of 926.00', a length of 215.95' and a direction of S27°46'31"W, 215.46' to a point in the Existing Center Line Right of Way of S. Main Street; thence along said Existing Center Line Right of Way of S. Main Street S21°05'40"W, 74.42' to a point in the Existing Center Line Right of Way of S. Main Street; thence along said Existing Center Line Right of Way of S. Main Street S20°43'27"W, 101.88' to a point in the Existing Center Line Right of Way of S. Main Street; thence along said Existing Center Line Right of Way of S. Main Street S21°06'48"W, 208.75' to a point in the Existing Center Line Right of Way of S. Main Street; thence Leaving Existing Center Line Right of Way of S. Main Street N70°37'20"W, 322.53' bypassing an Existing Drill Hole in the Sidewalk to an Existing Iron Pipe; thence N17°24'47"E, 117.81' to an Existing Iron Pipe; thence N19°06'37"E, 92.13' to an Existing Iron Pipe; thence N82°15'29"W, 243.82' to an Existing Iron Pipe; said Existing Iron Pipe being the Point of Beginning. Said Annexation contains 372,178 square feet, 8.54 ac more or less.

LEGAL DESCRIPTION ANNEXATION REID # 0067342 & 0476096

All that certain parcel of land, situated in Holly Springs, Wake County, North Carolina, being on the lands of Elizabeth Y. Barnes, Patsy Y. Edwards, Jackie Y. McLean, Madge Y. Hinsley, Betty Y. Holleman, Nancy Y. Perry, James F. Yarborough Jr. and Kimbrette Y. Vuncannon (REID 0067342) as described in Deed Book 16147 at Page 705 and Elizabeth Y. Barnes, Patsy Y. Edwards, Jackie Y. McLean, Madge Y. Hinsley (REID 0476096) as described in Deed Book 12130 at Page 2447, Wake County Records, and being more particularly described as follows: Commencing at NCGS 'Aerosport' having State Plane Coordinates N:684993.62, E:2043505.62 thence N78°05'56"E, 5,037.34' to an Existing Iron Pipe labeled 'Control Corner' having State Plane Coordinates N:686032.44, E:2048434.68 being the Point of Beginning ; thence S84°36'54"E, 911.56' to an Existing Iron Rebar; thence S49°08'49"E, 505.60' to an Existing Concrete Monument; thence N84°32'17"W, 1,014.05' to an Existing Iron Pipe; thence N84°31'19"W, 179.03' to an Existing Iron Pipe; thence N84°32'38"W, 156.58' to an Existing Iron Pipe; thence N35°55'00"W, 26.14' to an Existing Iron Pipe on the Eastern Right of Way of S. Main Street; thence along said Right of Way N14°44'15"E, 37.42' to an Existing Iron Pipe; thence N14°51'53"E, 18.57' to an Existing Iron Pipe on the Eastern Right of Way of S. Main Street; thence along said Right of Way N14°19'51"E, 47.08' to an Existing Iron Pipe; thence N14°28'55"E, 104.73' to an Existing Iron Pipe on the Eastern Right of Way of S. Main Street; thence along said Right of Way N14°22'24"E, 67.55' to an Existing Iron Pipe; said Existing Iron Pipe being the Point of Beginning. Said Annexation contains 333,218 square feet, 7.65 ac more or less.

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NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Holly Springs, North Carolina, that:

Section 1. The Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Holly Springs Town Council the result of her investigation.

Section 2. Subject to the Town Clerk's satisfactory result of her investigation, a public hearing on the question of annexation of the area described herein will be held at the Town Hall Council Chambers, located at 128 S. Main Street, at 7 p.m. (or as soon thereafter as is practicable) on Tuesday November 17, 2020.

Section 3. Notice of the public hearing shall be published in the Raleigh News & Observer, newspapers having general circulation in the Town of Holly Springs, at least ten (10) days prior to the date of the public hearing.

Adopted this, the 3rd day of November 2020.

ATTEST:

Dick Sears, Mayor

Linda C. McKinney
Town Clerk



Office of the Mayor

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Holly Springs Town Council

Town Council Meeting Agenda Cover Sheet

Agenda Item#: 12.

Consent Agenda

Title: Budget Amendment to Receive United Arts Council Grant

Strategic Priority Area: Engaged, Healthy, & Active Community

Staff Resource: LeeAnn Plumer, Parks & Recreation

Action(s):

Approve budget amendment to increase the Cultural Center- Guaranteed Performers account to recognize a \$1,200 grant from the United Arts Council of Wake County.

Explanation:

- The Cultural Center staff applied to the United Arts Council for supplemental funding to provide educational workshops as part of the professional performers series.
- The Town received \$1,200 from the United Arts Council of Raleigh/Wake Co. to support this effort.
- Educational workshops will be led by professional artists in spring 2021. The target audience for this learning opportunity is the Holly Springs youth orchestra.

Background:

- The Cultural Center applied for a total of \$4,000 to the United Arts Council for several educational workshop opportunities prior to COVID-19 but due to funding limitations, the Department received only a portion at the amount of \$1,200.
- Council action is requested to recognize this new grant revenue and appropriate the funds for expenditure.

Funding Source(s):

Increase expense 10-425 25 55.08 - Cultural Center - Programs-Guaranteed Performers by \$1,200;

Increase revenue account 10 340.01 - General Fund Misc. Revenue \$1,200.

Attachment(s):

1. FY21 Budget Amendment Form - United Arts Grant

Town of Holly Springs Budget Amendment Request

BE IT ORDAINED by the Town Council of the Town of Holly Springs, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2021.

Department: Parks and Recreation **Date:** 10/21/2020

Reason for Budget Amendment:

Awarded grant from United Arts Council of Raleigh and Wake County for FY21. These funds support a professionally-led educational workshop led by artist "The Moxie Strings" on May 14, 2021.

Expense			
Account #	Account Description	Increase	Decrease
10-425 25 55.08	Guaranteed Performers	\$ 1,200	
Total Expense:		\$ 1,200	\$ -

Revenue			
Account #	Account Description	Increase	Decrease
10 340.01	General Fund Misc Revenue	\$ 1,200	
Total Revenue:		\$ 1,200	\$ -

Department Head Signature (or electronic submission)

Finance Director Signature (if necessary)

Town Manager Signature (if necessary)

Council Approved/Notified (if necessary)

Town Manager is authorized to transfer within a department without prior approval of Town Council.
 Town Manager is authorized to approve transfers between departments within the same fund up to \$50,000.
 All inter-departmental transfers will be reported to Town Council by the following month.
 Amendments that change the total budget or departmental transfers over \$50,000 require Town Council approval.



Holly Springs Town Council

Town Council Meeting Agenda Cover Sheet

Agenda Item#: 13.

Consent Agenda

Title: Resolution 20-37 Designating Deputy Finance Officers

Strategic Priority Area: Organizational Excellence

Staff Resource: Antwan Morrison, Finance

Action(s):

Adopt Resolution 20-37, Designating Assistant Finance Director and Purchasing Manager as Deputy Finance Officers.

Explanation:

- NCGS 159-25 outlines the duties of the finance officer of a local government.
- NCGS 159-28(a) requires the finance officer or deputy finance officer to sign all purchase orders, contracts, or agreements, which includes the preaudit certificate.
- Having designated Deputy Finance Officers will ensure the smooth running of the business of the Town in the absence of the Finance Officer.

Background:

Funding Source(s):

N/A

Attachment(s):

1. Resolution 20-37 Designating Deputy Finance Officers



THE TOWN OF

Holly Springs

Resolution No.: 20-37

Date Adopted: November 3, 2020

**A RESOLUTION OF THE HOLLY SPRINGS TOWN COUNCIL DESIGNATING
DEPUTY FINANCE OFFICER FOR THE TOWN OF HOLLY SPRINGS, NORTH CAROLINA**

WHEREAS, North Carolina General Statutes 159-25 outlines the duties of the finance officer of a local government;

WHEREAS, North Carolina General Statutes 159-28(a) requires the finance officer or deputy finance officer to sign all purchase orders, contracts, or agreements which includes a certificate stating that the instrument has been preaudited to verify sufficient funds exist to meet the obligation;

NOW, THEREFORE, BE IT RESOLVED by the Holly Springs Town Council that the Assistant Finance Director, and the Purchasing Manager are appointed Deputy Finance Officers for the purposes of complying with the Local Government Budget and Fiscal Control Act.

Adopted this, the 3rd day of November, 2020.



ATTEST:

Dick Sears, Mayor

Linda McKinney, Town Clerk



Holly Springs Town Council

Town Council Meeting Agenda Cover Sheet

Agenda Item#: 14.

New Business

Title: Oakview Innovation Park Preliminary Plan 20-MAS-02

Strategic Priority Area: Economic Prosperity & Diversity
Responsible & Balanced Growth

Staff Resource: Sean Ryan, Development Services, Rachel Jones, Development Services

Action(s):

Approve/deny/table Oakview Innovation Park with the conditions in the attachment.

Explanation:

- The Town has received a request for a nonresidential subdivision located southwest of the intersection of Green Oaks Parkway and Holly Springs New Hill Road.
- The Detailed Master Plan consists of between 5-25 nonresidential lots for future development.
- The applicant has submitted a Detailed Master Plan, in accordance with the requirements of the Development Agreement, approved by Town Council on December 3, 2019 and executed by both parties in February 2020, which establishes the transportation network, utility layout, lot lines, common landscaping, and master architectural guidelines for future development of the property.

Background:

- Town Council approved a development agreement by and between the Town of Holly Springs and Helix Ventures, LLC. on December 3, 2019.
- A development agreement is a tool to provide a long-term plan for the development of a tract of land. By statute, a public hearing and ordinance adoption are required.
- Per the Agreement, the developer shall submit a Master Plan at the same time as submission of a voluntary petition for rezoning and annexation.
- Parcels were zoned RT Research & Technology on June 7, 2016.

- **Planning Board Recommendation:**

The Planning Board discussed the following issues and concerns on 10/27/2020:

- How traffic will be impacted by this project. Specific questions were asked regarding the timing of the signal at the intersection of Green Oaks Parkway and Holly Springs New Hill Road and the realignment of the Old Holly Springs Apex Road intersection.
 - Potential impacts to adjacent properties with noise and lighting.
 - The amount of stream buffering and tree preservation being provided.
- Planning Board Recommendation:

The Planning Board recommended approval (8-0-1)

- Follow up to Planning Board Discussion:

The anticipated construction for the Green Oaks Parkway/New Hill Road traffic signal is late summer 2021. Crosswalks and pedestrian signalization at each corner have been included as part of the approved design.

Funding Source(s):

N/A

Attachment(s):

1. OakviewInnovationPark20MAS02_Conditions
2. 20MAS02_OakviewInnovation_Plans
3. GOTC_Development Agreement_Signed



THE TOWN OF

Holly Springs

Oakview Innovation Park Detailed Master Plan 20-MAS-02 Conditions of Approval

Motion and Conditions of Approval:

Motion to **approve / deny / defer** Detailed Master Plan 20-MAS-02 for Oakview Innovation Park as submitted by the Timmons Group, Project Number 45363, dated Revised 9/25/20 with the following conditions:

1. Prior to the submittal of any UDO Permit for Sign Installation for permanent signage, a Master Sign Plan must be submitted to the Development Services Department for review and approved.
2. This project is required to meet Town's NPDES Phase II Post Construction Stormwater ordinance.
3. Maintain vehicular access to the Business Park Pump Station throughout all stages of development.
4. Sewer and Pump Station upgrades and improvements must be constructed in accordance with the terms previously approved in the executed Development Agreement.
5. A Downstream Sewer Evaluation and Preliminary Engineering Report have been completed with the Master Plan. With subsequent phases and Development Plans within the Master Plan, the downstream Business Park Pump Station flow is required to continue to be monitored by the Developer.
6. Prior to or with your second Construction Drawing Submittal, the detailed hydraulic report for the reclaimed water main extension must be finalized.
7. Prior to or with the first Construction Drawing Submittal, the following must be addressed:
 - a. Thoroughfares, collectors and boulevards require a calculated pavement design.
 - b. If the construction design triggers updates to the PER/Sewer Study, then a Final Gravity Sewer Line Sizing Report will be required or a letter should be submitted stating that there is not change.
 - c. All items listed on the Stormwater Submittal Checklist, Form #16003
8. The following must be addressed prior to Construction Drawing Approval and/or issuance of a land disturbance permit:
 - a. Any Offsite right-of-way needed for this project must be dedicated in the form of a recorded plat.
 - b. Off-site sewer easements shall be documented in the form of a recorded plat.
 - c. Approval of Stormwater Management Plan.
 - d. Payment of the Stormwater Fee-in-Lieu.
 - e. Stormwater sureties are required on this project. A performance surety in the form of a bond, letter of credit or cash is required in the amount of 125% estimated construction cost of the stormwater BMP prior to the preconstruction

meeting and a maintenance surety in the form of a cash escrow account in the amount of 35% the actual construction cost of the BMP is required at the end of the performance monitoring period for the project.

- f. All environmental permits must be obtained for the entire project.
 - g. A fee-in-lieu of design and construction of a new traffic signal at the intersection of Green Oaks Parkway/Holly Springs New Hill Road, proportionate to project impact, is required to be paid with Phase 1 of the Master Plan in the amount of \$23,835. If this amount is not paid in a lump sum by the developer, each Development Plan within Phase 1 of this Master Plan will be evaluated and required to pay the equivalent proportionate fee.
 - h. A fee-in-lieu of design and construction of the realignment of the intersection of Old Holly Springs Apex Road/Holly Springs New Hill Road, proportionate to project impact, is required to be paid with Phase 1 of the Master Plan in the amount of \$149,550. If this amount is not paid in a lump sum by the developer, each Development Plan within Phase 1 of this Master Plan will be evaluated and required to pay the equivalent proportionate fee.
 - i. Street Tree locations shall be shown with approved lighting fixture locations shall be positioned as to not interfere with any lighting fixtures or any site distance triangles. Trees shall be located a minimum of twenty-five (25) feet from the base of all street light poles.
9. The following must be addressed with the future Development Plans within Phase 1 of this Master Plan:
- a. Each Development Plan related to Phase 1 of the Master Plan will be required to submit a Transportation Memo to verify it is within the parameters established within the approved TIA.
 - b. Continue to monitor the Site Drive #1/ Ancient Oaks Parkway/ Holly Springs New Hill Rd intersection for traffic signalization. A Signal Warrant Analysis submittal will be required with subsequent Development Plans and phases within this Master Plan to determine if a traffic signal is warranted during any phase of development. If not warranted, a fee-in-lieu of traffic signal design and construction will be required, proportionate to the project impact and due at the time of Construction Drawing Approval.
 - c. A Sewer Memo shall be required with each Development Plan within the Master Plan to verify if the specific development is within the parameters of the Sewer Study approved with this Master Plan. If the parameters are exceeded, an update to the Sewer Study shall be required.
 - d. A Water System Hydraulic Report and FFA shall be required for each Development Plan within the Master Plan for Town review and approval.
 - e. Evaluate feasibility of relocation of overhead utilities underground and determine if fee-in-lieu of the work is applicable in accordance with the UDO.
 - f. Provide preliminary vertical alignment for a distance of 100' beyond the property line to demonstrate constructability for any street stub that crosses a stream in accordance with the ED&CS.
 - g. Determine the location of water meters and services.
 - h. Determine the location of backflow preventers.
 - i. Re-evaluate the feasibility of the construction of sanitary sewer stubs to upstream adjacent properties in accordance with ED&CS.
 - j. Provide Industrial Water Survey and Fats Oils & Grease Survey forms.
10. The following must be addressed with the future Phase of this Master Plan:
- a. Design and construct the new thoroughfare, as noted on the Master Plan, in accordance with the UDO and CTP.

- b. Design and construct the internal connector street, as noted on the Master Plan, to connect Phase 1 with the new thoroughfare.
- c. Re-evaluate the Master Plan TIA study area with new traffic counts to determine if additional recommendations are needed to adequately mitigate project impact. An updated TIA will be required to be submitted to the Town and NCDOT for review.
 - i. Re-evaluate the following intersections for fee-in-lieu of construction of improvements, proportionate to the project impact from this phase: Green Oaks Parkway/Holly Springs New Hill Road, Old Holly Springs Apex/Holly Springs New Hill Road, GB Alford/NC-55 corridor.
 - ii. Re-evaluation of the following intersections should be provided to identify necessary mitigations to meet NCDOT and Town requirements: Green Oaks Parkway / Site Driveway #2, Green Oaks Parkway & DPR Driveway/Thomas Mill Road, Green Oaks Parkway / Premier Drive
 - iii. Continue to monitor the Site Drive #1/ Ancient Oaks Parkway/ Holly Springs New Hill Rd intersection for traffic signalization. A Signal Warrant Analysis submittal will be required with subsequent Development Plans and this Phase within the Master Plan to determine if a traffic signal is warranted during any phase of development. When warranted, it is the responsibility of the Developer to design and construct the traffic signal in accordance with NCDOT and Town standards.

- 11. All conditions in the February 27, 2020 Development Agreement are in full force and effect.



Town of Holly Springs Staff Report to the Planning Board

REQUEST FOR MASTER PLAN Oakview Innovation Park 20-MAS-02

APPLICANT(S):

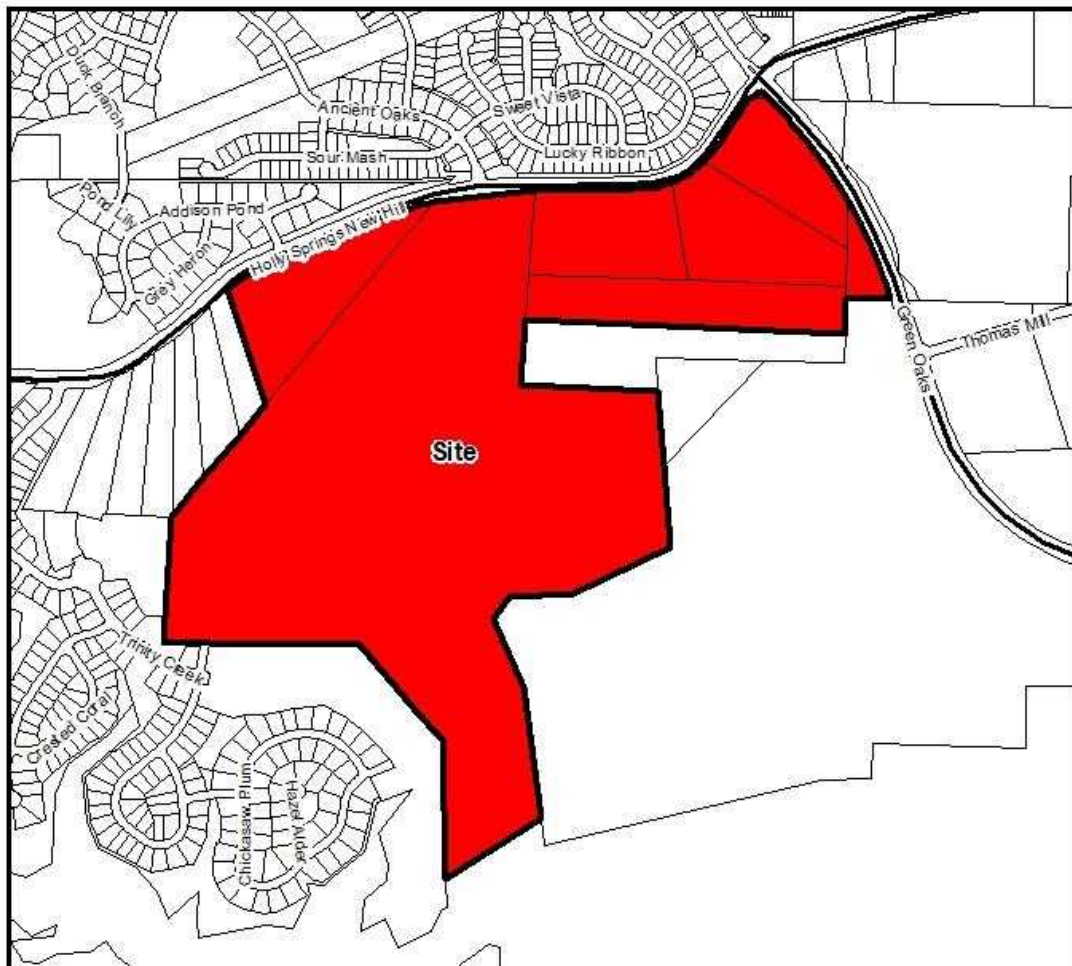
Jon Keener
Trustwell Property Group
3137 National Drive, Ste. 209
Raleigh, NC 27612

DEVELOPER(S):

Jon Keener
Trustwell Property Group
3137 National Drive, Ste. 209
Raleigh, NC 27612

OWNER(S):

Helix Ventures Llc
Duke Energy Progress Inc
Abcz Properties, Llc
Lucas, Joyce Scott
Town of Holly Springs

LOCATION:

☐ Within Corporate Limits of Holly Springs ☒ Within Holly Springs ETJ ☒ Annexation Pending

ANTICIPATED REVIEW SCHEDULE:

Planning Board: October 27, 2020
Town Council: November 3, 2020

STAFF CONTACTS: Sean Ryan, Senior Planner
Rachel Jones, Development Review Engineer

ATTACHMENTS: Development Petition, Preliminary Plans

PARCEL INFORMATION			
OWNER	PARCEL #	ZONING	AREA
Helix Ventures Llc	639633688	R-30 Residential (Concurrent rezoning to RT)	12.64± acres
Duke Energy Progress Inc	639721436	RT Research & Technology	139.98± acres
Abcz Properties, Llc	639837664	RT Research & Technology	12.43± acres
Helix Ventures Llc	639842054	RT Research & Technology	11.18± acres
Helix Ventures Llc	639941045	RT Research & Technology (Concurrent rezoning to LB)	11.77± acres
Lucas, Joyce Scott	639943500	RT Research & Technology (Concurrent rezoning to LB)	8.57± acres
Town of Holly Springs	639937984	RT Research & Technology (Concurrent rezoning to LB)	2.07± acres
Town of Holly Springs	639953025	RT Research & Technology (Concurrent rezoning to LB)	0.36± acres
TOTAL			198.5± acres

ADJACENT PROPERTY SITE DATA		
	ZONING	EXISTING LAND USE
Subject Property	R-30 Residential RT Research & Technology (Concurrent rezoning to RT and LB)	Vacant
North	PUD Twelve Oaks	Residential
South	R-30 Residential R-10 CU Residential PUD Holly Springs Business Park	Vacant Residential Seqirus
East	R-30 Residential PUD Holly Springs Business Park	Vacant Seqirus
West	R-30 Residential R-10 CU Residential	Residential

PROPERTY HISTORY

Rezoning History

Rezoning Number: 15-REZ-07

Original Zoning: Wake County R-40 and R-80

Proposed Zoning: RT Research & Technology

Approved by Town Council on: June 7, 2016

Development Agreement History

A development agreement was entered into by the Town Council in February 2020. The terms of the agreement are located in the attached Master Plan. This is a summary of the agreement:

- A 12.6 acre Mixed Use parcel following the regulations of the mixed-use option
- A 198 acre area for research and technology uses
- At least one (1) 50 acre tract and one (1) 30 acre tract for employment center uses
- Developer to construct sewer to serve the property with assistance from the Town
- Annexation is required
- Agreement of schedule of project approvals
- Zoning Conditions:

- Use restrictions- remove from Primary Uses (not allowed):
 - o 1.a. Automotive Sales & Service
 - o 1.e. Miscellaneous: Bed & Breakfast, Cottage Business/Residential, Cottage School, Tourist Home o
 - 1.j. Residential
- Use restrictions- remove from Special Exception Uses (not allowed):
 - o 2.a. Automotive Sales & Service o 2.c Communications/Utilities
 - o 2.f. Miscellaneous: Mortuary/Funeral Home/Crematory, Tourist Home o 2.h. Residential
- Maximum Gross Main Floor Area of structures not restricted to Office/Professional Services- 100,000 sq ft
- Maximum Gross Main Floor Area for any non Office/Professional Service use shall be: 100,000 sq ft.
- Minimum Building Height/Stories: 25 feet
- Parking & Loading: No parking or loading areas shall be located between the front façade and the perimeter roads (Green Oaks Parkway and Holly Springs-New Hill Road)
- Mixed Use Option (Special Exception Use) regulations may be used, but no residential uses shall be permitted
- Architecture- all facades shall meet the primary façade design regulations □ Open Space- there shall be a public open space/green.

STAFF ANALYSIS

PROJECT OVERVIEW

The Town has received a request for a nonresidential subdivision located southwest of the intersection of Green Oaks Parkway and Holly Springs New Hill Road. The applicant has submitted a detailed master plan, in accordance with the requirements of the previously approved Development Agreement, which establishes the transportation network, utility layout, lot lines, common landscaping, and master architectural guidelines (common building materials and colors) for future development of the property. If the master plan is approved, the next step in the development process would be a detailed development plan for each outlot. The detailed development plan will determine the specific use of the property (based on the permitted or special exception uses permitted in the RT and LB zoning districts) and specific design standards such as pedestrian circulation, building location, parking lot layout, loading locations, internal landscaping, site lighting, and building elevations.

In accordance with the Unified Development Ordinance, the detailed development plan review process would be determined based on the size of the proposed buildings. If a proposed building is less than 20,000 square feet and is a permitted land use, staff will review the plan for conformance with the requirements of the Unified Development Ordinance and make the final determination for approval. If a proposed building is greater than 20,000 square feet or is a Special Exception Use, staff will review the plans for conformance with the requirements of the Unified Development Ordinance, Planning Board will make a recommendation, and Town Council will make the final determination for approval.

PLANNING & ZONING

Vision Holly Springs Comprehensive Plan

Land Use & Character

The Land Use & Character plan designation for these properties is Business & Industrial. Business & Industrial Centers provide opportunities to concentrate employment clusters throughout the town. They support both large-scale, single tenant office and industrial buildings and smaller, multi- office and industrial buildings that are clustered and may support and serve one another. Business & Industrial Centers are typically buffered from surrounding development by tree preservation areas or landscaped areas, with the type and size of the buffer a function of the activities being performed on the site.

Development Standards

Lot Arrangement:

Minimum Number of Lots: 5
Maximum Number of Lots: 25

Minimum Lot Size: 1 acre
Maximum Lot Size: 150 acres

Minimum Perimeter Yards and Setbacks

Along Green Oaks Parkway: Minimum 10 feet, Maximum 30 feet

Along Holly Springs New Hill Road:

LB zoned portion: Minimum 10 feet, Maximum 30 feet

RT zoned portion: 50 feet, may be reduced to 30 feet with design features

Eastern property line: 50 feet

Southern property line: 50 feet

Western property line: 20 feet, 10 feet

Interior Yards:

Along Collector Street

LB zoned portion: Minimum 10 feet, Maximum 20 feet

RT zoned portion: 30 feet

Out Lots: 10 feet

Building Height:

Maximum Building Height

LB zoned portion: 45 feet

RT zoned portion: 75 feet

Minimum Building Height

LB zoned portion: 25 feet

RT zoned portion: N/A

Parking & Loading:

Parking & Loading requirements will be reviewed at time of site-specific development plan.

Outdoor Operations:

Outdoor operations will be reviewed at time of site-specific development plan.

Landscape Requirements:

Perimeter Yard/Bufferyard

Existing vegetation will be used to meet the minimum Plant Unit Value requirements for all yards. When existing vegetation is insufficient, perimeter yards and bufferyards will be supplemented to meet the minimum PUV requirements. Detailed tree survey information must be provided at time of site specific development plan to confirm that PUV requirements have been achieved.

Along Green Oaks Parkway: Street trees planted 40 feet on center
Along Holly Springs New Hill Road:
 LB zoned portion: Type A-50
 RT zoned portion: Type B-75
Eastern property line: Type C-225
Southern property line: Type C-225
Western property line: Type C-225 and Type A-20

Along Collector Street:
 LB zoned portion: Type A-20
 RT zoned portion: Type B-75

Out Lots: Type A-20

Street Trees

Street trees will be provided along internal roadways.

Tree Preservation

Portions of the property zoned RT are exempt from tree preservation requirements

Tree preservation areas will be required for the portion of the property zoned LB.

Required: 10% of project area

Provided: 10% of project area - a detailed tree preservation plan with preservation locations will be reviewed at time of site-specific development plan.

Foundation, Interior Parking Lot, and Parking Area Screening will be reviewed at time of site-specific development plan

Developed Recreational Open Space Requirements

The portion zone LB will be required to provide open space at time of site specific development plan.

General Regulations

Fences:

A decorative black fence detail has been provided for all common area fencing. Fencing location will be reviewed at time of site specific development plan.

Architectural and Site Design Requirements

Building Materials, Colors, Textures, Architecture, Roof Treatment, and Façade Modulation:

Individual building elevation and site design requirements will be addressed for each outlot as part of a detailed development plan. All projects would be required to meet UDO Section 4.05, Architectural and Site Design Requirements and the color, material, and design standards set forth in the proposed architectural design guidelines. Specific guidelines include:

Building Materials

All buildings will have masonry materials on facades facing thoroughfares.
Heavier materials shall be placed below lighter materials.

Architectural Elements

Architectural emblems are required to identity building entrances, create a sense of place, and provide visual wayfinding. This may be accomplished by

canopies, building materials, change in plane, roofline variations, or placement of art.

Architectural Style

No specific architectural style has been designated in order to allow a wider variety of architectural style. In accordance with UDO Section 4.05, architectural style must be harmonious with other developments within the general area.

Master Sign Plan:

Guidelines have been provided to require a unifying look for entry signs. A Master Sign Plan will be submitted in the future to establish the design of signs.

Lighting:

Lighting will be reviewed for compliance with the Unified Development Ordinance for each outlot. The Town has maximum light levels at property lines, which are stricter along residential property lines to prevent light pollution spilling onto residential properties.

Site lighting will be shoe box style LED lighting with black poles and fixtures.

Pedestrian Circulation and Vehicular Area Design (UDO Section 7.09)

Walkways or Pedestrian/Bikeway System Design:

Sidewalks will be provided on both sides of all streets. A connection to the public sidewalk system will be required for each building.

PARKS & RECREATION

Greenways (UDO Section 7.06, C.):

The Town's Future Greenways Map (Figure 4.2 b of Comprehensive Transportation Plan) shows a greenway within the project area for Oakview Innovation. The Master Plan shows a trailhead located on Green Oaks Parkway as well as a trailhead in the southwest corner of the property, these locations correspond to the points on which the greenway is shown in Figure 4.2b, but an exact route through the project area will be determined along with the review of the first Development Plan filed within the Master Plan area.

ENGINEERING

Water Service:

With the development of this Master Plan, connections will be made to existing water main on Holly Springs New Hill Rd and Green Oaks Parkway. As development occurs, new water main will be extended within proposed internal roads to serve the various Development Pods and will be stubbed to adjacent properties for future connection. A Hydraulic analysis and system model has been completed with the Master Plan and will be updated as needed with the subsequent Development Plans.

Reclaimed Water Service:

With the development of this Master Plan, connections will be made to existing reclaimed water main on Holly Springs New Hill Rd and Green Oaks Parkway. As development occurs, new reclaimed water main will be extending within proposed internal roads to serve the various Development Pods and will be stubbed to adjacent properties for future connection. A Hydraulic analysis and system model is being completed with the Master Plan and will be updated as needed with the subsequent Development Plans.

Sewer Service:

With the development of this Master Plan, a new gravity sewer outfall will be constructed to serve the Development Pods and upstream properties. The gravity sewer outfall will extend through the site and

discharge to the Business Park Pump Station. The Town Council previously approved a Development Agreement to partner with the Developer on the construction of the outfall and any necessary pump station upgrades. The timing of the sewer infrastructure improvements are outlined in the terms of the executed agreement. A downstream sewer evaluation report and preliminary engineering report have been completed with the Master Plan and will be updated as needed with subsequent Development Plans.

Transportation

A Traffic Impact Analysis (TIA) was completed with this Master Plan to identify traffic mitigation requirements at intersections that will be affected by Phase 1 of this project.

Each Development Plan related to Phase 1 of the Master Plan will be required to submit a Transportation Memo to verify it is within the parameters established within the approved TIA. Each subsequent phase of the Master Plan will re-evaluate the study intersections to determine if additional analysis is needed to adequately mitigate project impact. An updated TIA will be submitted to the Town and NCDOT for review.

With the development of this Master Plan, Holly Springs New Hill Rd will be widened across the property frontage to ½ of the ultimate cross section in accordance with the Town's UDO, CTP, and ED&CS. Green oaks Parkway has been widened but new sidewalk will be constructed with this project. The cross sections for Holly Springs New Hill Rd and Green Oaks Parkway are both 4-lane median-divided thoroughfares.

The development of Phase 1 of the Master Plan includes a network of 2-lane non-residential streets that connect to both Holly Springs New Hill Rd and Green Oaks Parkway. The development of subsequent phases of the Master Plan will include the design and construction of a 4-lane median divided thoroughfare in the southern portion of the property – in accordance with the UDO, CTP, and ED&CS — and a North/South connector street that ultimately connect Phase 1 streets to the future thoroughfare to the south. The future required thoroughfare will ultimately connect Holly Springs New Hill Rd to Cass Holt Rd at its full build out.

Sidewalk will be constructed across the property frontages on Holly Springs New Hill Rd and Green Oaks Parkway and on both sides of each proposed internal street. With the development of the Master Plan, a greenway extension through the property is required to be designed and constructed. Greenway connection points on the eastern and western edges of the property have been provided on this Master Plan.

Environmental Issues

This project will be required to meet the Town of Holly Springs NPDES Ph. II Post Construction Stormwater Ordinance and is located in the Cape Fear River Basin and will be subject to all applicable requirements of that basin.

REQUESTED ACTION

Motion that the Planning Board recommend the Town Council approve / deny Detailed Master Plan 20-MAS-02 for Oakview Innovation Park as submitted by the Timmons Group, Project Number 45363, dated Revised 9/25/20 with the following conditions:

1. Articles of the executed Development Agreement shall apply to this Master Plan.
2. Prior to Construction Drawing Approval, the following items must be addressed:
 - a. Street Tree locations shall be shown with approved lighting fixture locations shall be positioned as to not interfere with any lighting fixtures or any site distance triangles. Trees shall be located a minimum of twenty-five (25) feet from the base of all street light poles.

3. Prior to the submittal of any UDO Permit for Sign Installation for permanent signage, a Master Sign Plan must be submitted to the Department of Planning & Zoning for review and approved.
4. This project is required to meet Town's NPDES Phase II Post Construction Stormwater ordinance.
5. Maintain vehicular access to the Business Park Pump Station throughout all stages of development.
6. Sewer and Pump Station upgrades and improvements must be constructed in accordance with the terms previously approved in the executed Development Agreement.
7. A Downstream Sewer Evaluation and Preliminary Engineering Report have been completed with the Master Plan. With subsequent phases and Development Plans within the Master Plan, the downstream Business Park Pump Station flow is required to continue to be monitored by the Developer.
8. Prior to or with your second construction drawing submittal, the detailed hydraulic report for the reclaimed water main extension must be finalized.
9. Prior to or with the first construction drawing submittal, the following must be addressed:
 - a. Thoroughfares, collectors and boulevards require a calculated pavement design.
 - b. If the construction design triggers updates to the PER/Sewer Study, then a Final Gravity Sewer Line Sizing Report will be required or a letter should be submitted stating that there is not change.
 - c. All items listed on the Stormwater Submittal Checklist, Form #16003
10. The following must be addressed prior to construction drawing approval and/or issuance of a land disturbance permit:
 - a. Any Offsite right-of-way needed for this project must be dedicated in the form of a recorded plat.
 - b. Off-site sewer easements shall be documented in the form of a recorded plat.
 - c. Approval of Stormwater Management Plan.
 - d. Payment of the Stormwater Fee-in-Lieu.
 - e. Stormwater sureties are required on this project. A performance surety in the form of a bond, letter of credit or cash is required in the amount of 125% estimated construction cost of the stormwater BMP prior to the preconstruction meeting and a maintenance surety in the form of a cash escrow account in the amount of 35% the actual construction cost of the BMP is required at the end of the performance monitoring period for the project.
 - f. All environmental permits must be obtained for the entire project.
 - g. A fee-in-lieu of design and construction of a new traffic signal at the intersection of Green Oaks Parkway/Holly Springs New Hill Road, proportionate to project impact, is required to be paid with Phase 1 of the Master Plan in the amount of \$23,835. If this amount is not paid in a lump sum by the developer, each Development Plan within Phase 1 of this Master Plan will be evaluated and required to pay the equivalent proportionate fee.
 - h. A fee-in-lieu of design and construction of the realignment of the intersection of Old Holly Springs Apex Road/Holly Springs New Hill Road, proportionate to project impact, is required to be paid with Phase 1 of the Master Plan in the amount of \$149,550. If this amount is not paid in a lump sum by the developer, each Development Plan within Phase 1 of this Master Plan will be evaluated and required to pay the equivalent proportionate fee.
11. The following must be addressed with the future Development Plans within Phase 1 of this Master Plan:
 - a. Each Development Plan related to Phase 1 of the Master Plan will be required to submit a Transportation Memo to verify it is within the parameters established within the approved TIA.
 - b. Continue to monitor the Site Drive #1/ Ancient Oaks Parkway/ Holly Springs New Hill Rd intersection for traffic signalization. A Signal Warrant Analysis submittal will be required with subsequent Development Plans and phases within this Master Plan to determine if a traffic signal is warranted during any phase of development. If not warranted, a fee-in-lieu of traffic signal design and construction will be required, proportionate to the project impact and due at the time of Construction Drawing Approval.
 - c. A Sewer Memo shall be required with each Development Plan within the Master Plan to verify if the specific development is within the parameters of the Sewer Study approved with

this Master Plan. If the parameters are exceeded, an update to the Sewer Study shall be required.

- d. A Water System Hydraulic Report and FFA shall be required for each Development Plan within the Master Plan for Town review and approval.
- e. Evaluate feasibility of relocation of overhead utilities underground and determine if fee-in-lieu of the work is applicable in accordance with the UDO.
- f. Provide preliminary vertical alignment for a distance of 100' beyond the property line to demonstrate constructability for any street stub that crosses a stream in accordance with the ED&CS.
- g. Determine the location of water meters and services.
- h. Determine the location of backflow preventers.
- i. Re-evaluate the feasibility of the construction of sanitary sewer stubs to upstream adjacent properties in accordance with ED&CS.
- j. Provide Industrial Water Survey and Fats Oils & Grease Survey forms.

12. The following must be addressed with the future Phase of this Master Plan:

- a. Design and construct the new thoroughfare, as noted on the Master Plan, in accordance with the UDO and CTP.
- b. Design and construct the internal connector street, as noted on the Master Plan, to connect Phase 1 with the new thoroughfare.
- c. Re-evaluate the Master Plan TIA study area with new traffic counts to determine if additional recommendations are needed to adequately mitigate project impact. An updated TIA will be required to be submitted to the Town and NCDOT for review.
 - i. Re-evaluate the following intersections for fee-in-lieu of construction of improvements, proportionate to the project impact from this phase: Green Oaks Parkway/Holly Springs New Hill Road, Old Holly Springs Apex/Holly Springs New Hill Road, GB Alford/NC-55 corridor.
 - ii. Re-evaluation of the following intersections should be provided to identify necessary mitigations to meet NCDOT and Town requirements: Green Oaks Parkway / Site Driveway #2, Green Oaks Parkway & DPR Driveway/Thomas Mill Road, Green Oaks Parkway / Premier Drive
 - iii. Continue to monitor the Site Drive #1/ Ancient Oaks Parkway/ Holly Springs New Hill Rd intersection for traffic signalization. A Signal Warrant Analysis submittal will be required with subsequent Development Plans and this Phase within the Master Plan to determine if a traffic signal is warranted during any phase of development. When warranted, it is the responsibility of the Developer to design and construct the traffic signal in accordance with NCDOT and Town standards.

Staff Members	Approved for Distribution		
	Yes	No	Initials
Senior Planner – Sean Ryan	SR		
Current Planning Manager- Melissa Sigmund	MS		
Development Review Engineer- Rachel Jones	RDJ		

DEVELOPMENT PETITION

The current Filing Fees can be found on-line in the Town of Holly Springs Fee Schedule:
<http://www.hollyspringsnc.us/planning>

**Petition Type:**☒ **Master Plan**

- ☒ New Detailed ☐ New Schematic
☐ Major Amendment ☐ Minor Amendment*

☐ **Preliminary Plan- Major Subdivision**

- ☐ New ☐ Major Amendment ☐ Minor Amendment*

☐ **Development Plan** (check all that apply)

- ☐ New ☐ Major Amendment ☐ Minor Amendment*
☐ Gateway Non-Residential/Mixed Use Gross Building Floor Area _____
☐ Non-Gateway Non-Residential/Mixed Use Gross Building Floor Area _____
☐ Multifamily
☐ Residential Development Options or Infill Development Options

☐ **Special Exception Use**

- ☐ New ☐ Family Child Care Home

* Specify purpose of amendment on Certificate of Plan Revisions

For DPZ Use only

Project # _____

Fees Paid: \$ _____

Date Received: _____

☐ Initial ☐ Revised ☐ Final

Project Information:

Project Name: Oakview Innovation Park

If this project is part of a previously approved plan, please specify: _____

PUD/Master Plan/Subdivision _____ Shopping Center/Lot# _____

Project Location: Holly Springs Newhall Rd at Green Oaks Parkway

Use street address. If none, use the closest intersection

☐ Within Corporate Limits ☐ Within Holly Springs ETJ ☒ Pending Annexation

PIN: Multiple Parcels (see map) Real Estate ID: Multiple Parcels (see map)

Project Acreage (rounded to nearest tenth): _____ Partial Parcel: ☐ No ☐ Yes (additional fee)

Current Zoning: R-30/RT Proposed Use (see UDO Primary Use List): RT/LB

Open Space [See UDO Section 7.06(F)(4)]: ☐ Dedication ☐ Fee-in-lieu ☐ Combination ☒ N/A

Waivers Requested: ☒ No ☐ Yes- Specify UDO Section Number(s): _____

If yes, complete and attach appropriate Waiver Petition(s) from Waiver Packet

Scoping Meeting Date: 4/9/20 Concept Meeting Date: 5/28/20

If the Concept Meeting Date is not within 8 weeks of the submittal date, another Concept Meeting is required prior to submittal.

Petition Contact Information: (complete each contact in its entirety- please print or type)**Project Applicant/Contact**

(check one) ☐ Owner ☐ Owner's Agent ☐ Design Professional ☒ Developer ☐ Other _____

Name: Jon Keener Company: Trustwell Property Group

Mailing Address: 3717 National Dr Suite 209

City: Raleigh State: NC Zip: 27612

Telephone #: (919) 371-6208 E-Mail: jon@trustwellgroup.com

How would you like to receive staff review comments? ☒ E-Mail ☐ US Mail

How would you like to receive Official Action Notices? ☒ E-Mail ☐ US Mail- Certified

Design Professional if different than Applicant/Contact

Name: Blake Hall Company: Timmons Group

Mailing Address: 5410 Trinity Road Suite 102

City: Raleigh State: NC Zip: 27607

Telephone #: (919) 866-4938 E-Mail: Blake.hall@timmons.com

How would you like to receive staff review comments? ☒ E-Mail ☐ US Mail

How would you like to receive Official Action Notices? ☒ E-Mail ☐ US Mail- Certified

Developer

Name See Above Company Trustwell Property Group
Mailing Address _____
City _____ State _____ Zip _____
Telephone # () _____ E-Mail _____
How would you like to receive staff review comments? ☐ E-Mail ☐ US Mail
How would you like to receive Official Action Notices? ☐ E-Mail ☐ US Mail- Certified

Architect

Name _____ Company _____
Mailing Address _____
City _____ State _____ Zip _____
Telephone # () _____ E-Mail _____
How would you like to receive staff review comments? ☐ E-Mail ☐ US Mail
How would you like to receive Official Action Notices? ☐ E-Mail ☐ US Mail- Certified

Landscape Architect

Name Blake Hall Company Timmons Group
Mailing Address 5410 Trinity Road, Suite 102
City Raleigh State NC Zip 27607
Telephone # (919) 866-4938 E-Mail blake.hall@timmons.com
How would you like to receive staff review comments? ☒ E-Mail ☐ US Mail
How would you like to receive Official Action Notices? ☒ E-Mail ☐ US Mail- Certified

Other: _____ (any other contact that should receive comments and correspondence for this project)

Name _____ Company _____
Mailing Address _____
City _____ State _____ Zip _____
Telephone # () _____ Alternate Telephone # () _____
Fax # () _____ E-Mail _____
How would you like to receive staff review comments? ☐ Fax ☐ E-Mail ☐ US Mail
How would you like to receive Official Action Notices? ☐ Fax ☐ E-Mail ☐ US Mail- Certified

Property Owner - Required

Name Cara Hytten Company Helix Ventures LLC
Mailing Address 3717 Klational Drive, Suite 209
City Raleigh State NC Zip 27612
Telephone # (919) 371-6208 E-Mail cara@trustwellgroup.com
How would you like to receive staff review comments? ☒ E-Mail ☐ US Mail
How would you like to receive Official Action Notices? ☒ E-Mail ☐ US Mail- Certified

Certificate of Submittal Completion

I, Jonathan Keenel, certify that the information provided on this petition, plans and checklist are complete and accurate to the best of my knowledge.

Signature: [Signature] Date: 6/23/20

DETAILED MASTER PLAN: OAKVIEW INNOVATIONS

HOLLY SPRINGS, NORTH CAROLINA 27540
PROJECT NUMBER: 20-MAS-02

UTILITY / MUNICIPALITY CONTACTS:

- A. TOWN OF HOLLY SPRINGS
PLANNING DEPARTMENT
128 SOUTH MAIN STREET
HOLLY SPRINGS, NC 27540
(919) 557-2914
CONTACT: CHERYL CAINES

B. TOWN OF HOLLY SPRINGS
ENGINEERING DEPARTMENT
128 SOUTH MAIN STREET
HOLLY SPRINGS, NC 27540
(919) 557-3933
CONTACT: ELIZABETH GOODSON
- C. BURIED CABLE LOCATION
NC 811

D. DUKE ENERGY
(866) 582-6345

CONSULTANT CONTACTS:

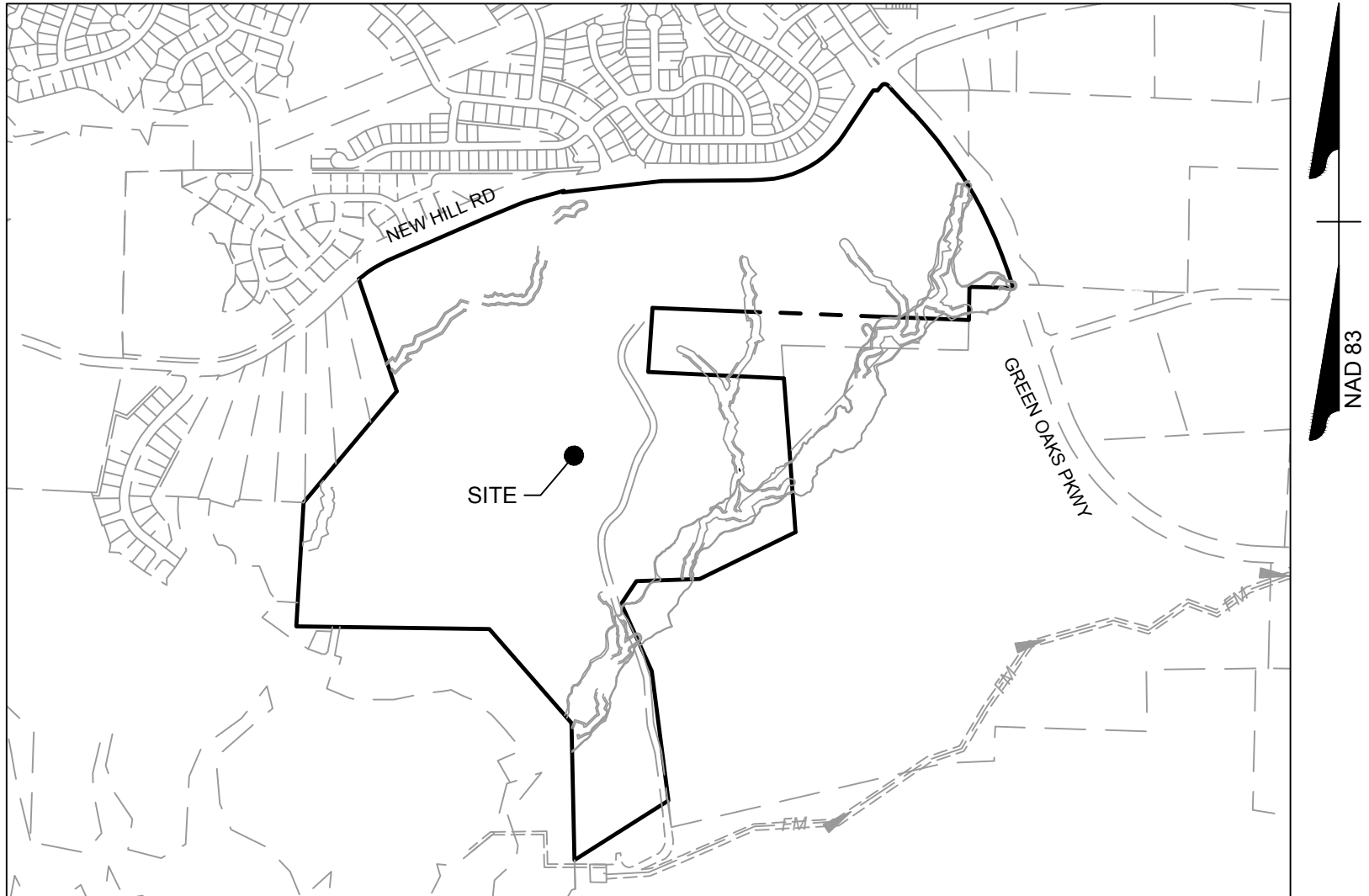
- OWNER
HELIX VENTURES LLC
CONTACT: CARA HYLTON
3717 NATIONAL DRIVE, SUITE 209
RALEIGH, NC 27612
PHONE: 919-371-6208

DEVELOPER/APPLICANT
TRUSTWELL PROPERTY GROUP
CONTACT: JON KEENER
3717 NATIONAL DRIVE, SUITE 209
RALEIGH, NC 27612
PHONE: 919-371-6208
- SITE ENGINEER/ LANDSCAPE
ARCHITECT
TIMMONS GROUP
CONTACT: BLAKE HALL
5410 TRINITY ROAD, SUITE 102
RALEIGH, NC 27607
PHONE: 919-866-4933

SITE DATA TABLE	
PINS:	0639721436, 0639633688, 0639837664, 0639842054, 0639941045, 0639943500, 0639953025, 0639937984, 0639945880
SITE AREA:	198.5 ACRES
ZONING:	RT-185.9 ACRES (93.7%); LB-12.64 ACRES (6.3%)
RIVER BASIN:	CAPE FEAR
MIN LOT WIDTH	RT-100' ; LB-50'
MAXIMUM BUILDING HEIGHT:	RT-75' ; LB-45/35'(REFER TO UDO SECTION 3.02)
MINIMUM BUILDING HEIGHT:	RT-N/A ; LB-25'
MINIMUM YARDS: DISTRICT	TYPE B: 10', 30', 50'; TYPE C: 20', 50'
MINIMUM NON RESIDENTIAL LOT SIZE:	1 ACRE
MAXIMUM NON RESIDENTIAL LOT SIZE:	150 ACRES
MIN. NUMBER OF NON RESIDENTIAL LOTS:	5
MAX. NUMBER OF NON RESIDENTIAL LOTS:	25

EXISTING PARCELS				
PIN	OWNER	ACREAGE	EXISTING ZONING	JURISDICTION
0639721436	DUKE ENERGY PROGRESS INC 550 S TRYON ST CHARLOTTE, NC 28202	139.98 AC	RT	TOWN OF HOLLY SPRINGS
0639633688	HELIX VENTURES LLC 3717 NATIONAL DR STE 207 RALEIGH, NC 27612	12.64 AC	R-30	TOWN OF HOLLY SPRINGS
0639837664	ABCDZ PROPERTIES, LLC 3048 CONE MANOR LN RALEIGH, NC 27613	12.43 AC	RT	TOWN OF HOLLY SPRINGS
0639842054	HELIX VENTURES LLC 3717 NATIONAL DR STE 206 RALEIGH, NC 27612	11.18 AC	RT	TOWN OF HOLLY SPRINGS
0639941045	HELIX VENTURES LLC 3717 NATIONAL DR STE 209 RALEIGH, NC 27612	11.77 AC	RT	TOWN OF HOLLY SPRINGS
0639943500	LUCAS, JOYCE SCOTT PO BOX 428 FUQUAY VARINA, NC 27526	8.57 AC	RT	TOWN OF HOLLY SPRINGS
0639937984	HOLLY SPRINGS TOWN OF PO BOX 8 HOLLY SPRINGS, NC 27540	2.07 AC	RT	TOWN OF HOLLY SPRINGS

SANITARY SEWER FLOW ESTIMATION					
	ACRES	FLOW FACTOR (GPD/AC)	GALLONS PER DAY	PEAKING FACTOR	PEAK FLOW RATE (GPM)
OAKVIEW INNOVATION PARK	198.5	1,500	297,750	2.5	516.9



VICINITY MAP

1" = 1000'

GENERAL NOTES:

- ALL CONSTRUCTION SHALL CONFORM TO THE TOWN OF HOLLY SPRINGS DESIGN AND CONSTRUCTION STANDARDS.
- CONSTRUCTION DRAWING APPROVAL IS REQUIRED PRIOR TO BEGINNING CONSTRUCTION. DEVELOPMENT FEES (ACREAGE, FEE-IN-LIEU OF ASSESSMENT AND INSPECTION FEES AND OTHERS AS REQUIRED MAY BE APPLICABLE) ARE DUE BEFORE CONSTRUCTION DRAWING APPROVAL.
- THE ESTIMATED SEWER FLOWS SHOWN ARE BASED ON ASSUMED TENANT MIX AT THE TIME OF THE SUBMITTAL. THE ESTIMATED FLOWS WILL BE UPDATED WITH EACH DEVELOPMENT PLAN SUBMITTAL.
- THE PLAN IS SUBJECT TO REVISIONS DURING CONSTRUCTION DRAWING APPROVAL PROCESS.
- REFER TO C0.1 FOR ZONING CONDITIONS IN THE DEVELOPMENT AGREEMENT.
- THE MONUMENT CONTROL POINTS FOR THIS PROJECT IS: TOWN OF HOLLY SPRINGS GEODETIC MONUMENT "ALFORD 33" PUBLISHED COORDINATES N= 693,650.75"E= 2,041,575.85"ELEV = 377.10'
THE TOWN OF HOLLY SPRINGS HAS INSTALLED A LOCAL GEODETIC MONUMENTATION GRID, TIED TO NAD83, WITHIN AND SURROUNDING THE TOWN LIMITS. ALL SURVEYED INFORMATION (WHEN ANY PORTION OF THE PROJECT IN DESIGN IS WITHIN 2000 FEET OF THE TOWN'S GEODETIC MONUMENT) SHALL REFERENCE THE NEAREST MONUMENT AND SHALL BE CLEARLY NOTED ON THE FIRST SHEET OF, BOTH CONSTRUCTION PLANS, AND AS-BUILTS SUBMITTED TO THE TOWN.
- IF THERE IS A GEODETIC MONUMENT LOCATED ON THIS SITE, IT MUST BE PROTECTED OR IF RELOCATION IS NEEDED IT WILL BE THE RESPONSIBILITY OF THE DEVELOPER TO RELOCATE IT WITH SURVEY ACCURACY.

Sheet List Table

Sheet Number	Sheet Title
C0.0	COVER SHEET
C0.1	DEVELOPMENT AGREEMENT
C0.2	ARCHITECTURAL MASTER PLAN
C1.0	EXISTING CONDITIONS PLAN
C3.0	OVERALL MASTER PLAN
C3.1	MASTER PLAN
C3.2	MASTER PLAN
C3.3	OVERALL PELIMINARY UTILITY AND DRAINAGE PLAN
C3.4	PRELIMINARY UTILITY AND DRAINAGE PLAN
C3.5	DRAINAGE AREA MAP
C4.0	NOTES AND DETAILS
C5.0	SANITARY SEWER BASIN MAP
C5.1	CONCEPTUAL SANITARY SEWER PLAN AND PROFILE
C5.2	CONCEPTUAL SANITARY SEWER PLAN AND PROFILE
L1.0	TREE PRESERVATION PLAN
L2.0	OVERALL LANDSCAPE PLAN



THIS DRAWING PREPARED AT THE
RALEIGH OFFICE
5410 Trinity Road, Suite 102 | Raleigh, NC 27607
TEL 919-866-4931 FAX 919-833-8124 www.timmons.com

REVISION DESCRIPTION

DATE
10/13/20
DRAWN BY
W ALTMAN
DESIGNED BY
W ALTMAN
CHECKED BY
B HALL
SCALE
AS SHOWN

TIMMONS GROUP

OAKVIEW INNOVATIONS
WAKE COUNTY - NORTH CAROLINA

COVER SHEET

JOB NO.
45363
SHEET NO.
C0.0

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Project Name: Oakview Innovation Park

The purpose of these standards is to create a uniform look for the entries and campus thoroughfares within the park while still allowing the employers operating there to create the buildings and supporting improvements best suited to their uses.

Unifying elements:

- a. Park entry (Holly Springs New Hill & Green Oaks Pkwy) and main entrances for each individual campus will be denoted by monument signage created of similar high quality and permanent base materials (including but not limited to masonry, metal panel, stone) on which the title of the park or insignia of the occupant will be displayed. Trademarked colors, fonts, and designs of the occupant's insignia or company branding will be encouraged to promote some diversity and visual interest and also improve wayfinding and direction within the park. All signs will be in accordance with the Holly Springs Unified Development Ordinance and a Master Sign Plan will be provided.
- b. For each building within the Park, architectural elements will be added or varied to create a clearly identifiable pedestrian entrance, sense of place, and visual wayfinding from the visitor or main parking areas to direct pedestrian traffic in a visually attractive way. This can be accomplished by a variety of means including but not limited to;
- a canopy or similar projecting element above the entrance
 - variation of materials,
 - change in wall or window plane,
 - recessed doors, archways, or cased openings
 - changes in the roofline, a tower, or other similar element
 - a unique architectural element above the entry,
 - placement of art or decorative detailing or architectural elements such as columns or decorative fixtures
- c. All buildings will have masonry materials along frontages that directly face thoroughfares. When two (2) or more materials are used on any building façade, the heavier material shall be placed below the lighter material (e.g., siding over brick) to give the sense of support and grounding. In all cases, all buildings shall meet the minimum requirements for architectural site design in the Holly Springs Unified Development Ordinance.

3717 National Drive, Ste. 209
Raleigh, NC 27612

- d. The architectural material and colors for the mixed-use parcel shall incorporate compatible materials and colors while still allowing for individual elements to differentiate it from the business park buildings and meet the minimum requirements for architectural site design in the Holly Springs Unified Development Ordinance.
- e. The lighting fixture, other than street lighting, for the lots within the master plan shall use Black shoe box LED.



THIS DRAWING PREPARED AT THE
RALEIGH OFFICE
5410 Trinity Road, Suite 102 | Raleigh, NC 27607
TEL 919.866.4951 FAX 919.833.8124 www.timmons.com

RALEIGH OFFICE	REVISION DESCRIPTION
#110 Trinity Road, Suite 102 19.866.4951 FAX 919.833.81	

DATE _____

DATE
10/13/20

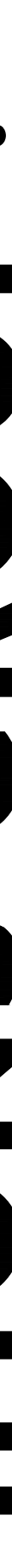
W. ALTMA.

DESIGNED BY
W. ALTMAIER

CHECKED BY
B HALL

SCALE

AS SHOW



TIMMONS GROUP

OAKVIEW INNOVATIONS

WAKE COUNTY - NORTH CAROLINA

ARCHITECTURAL MASTER PLAN

JOB NO.
45363

SHEET NO
C0.2

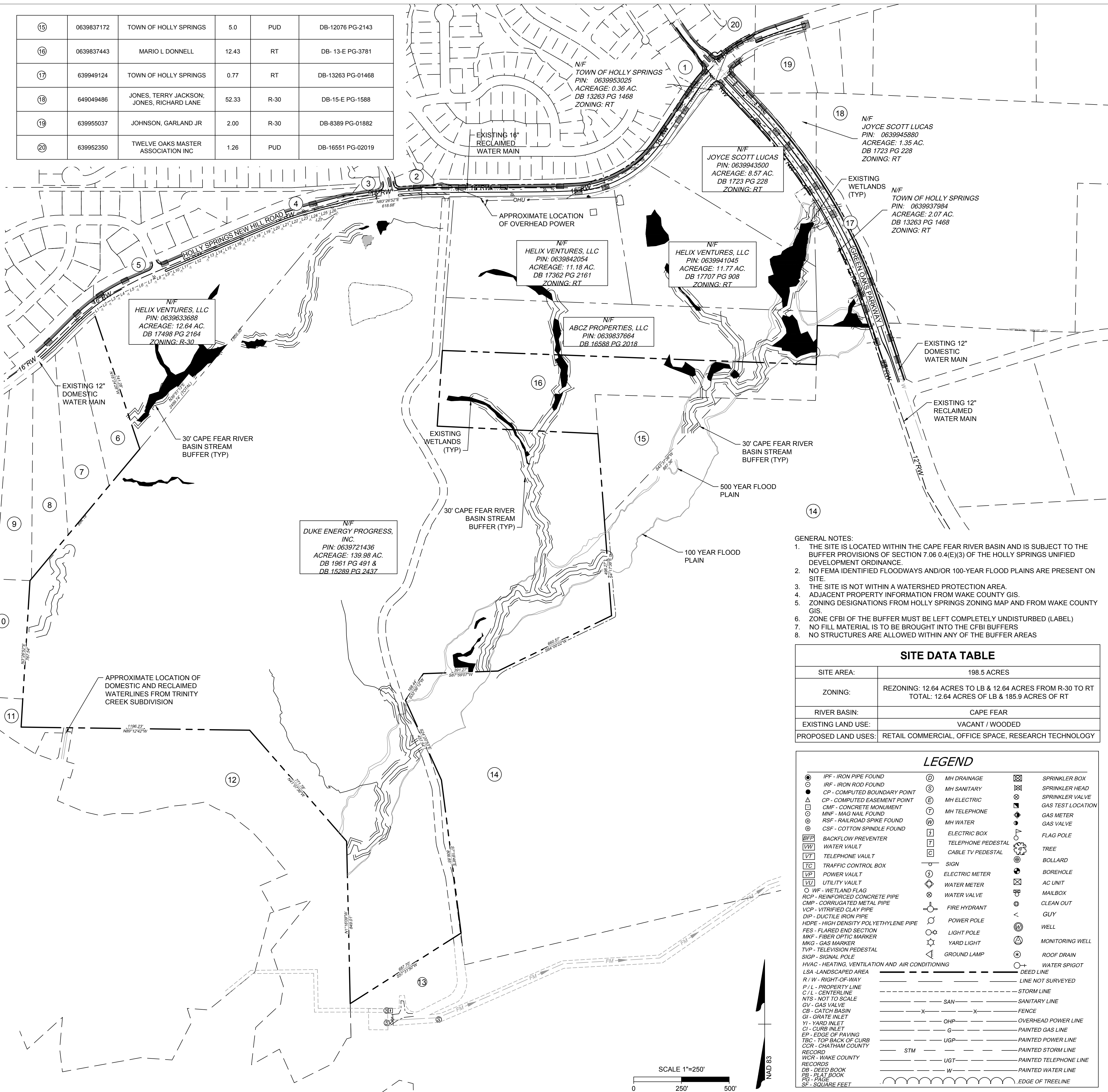
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ADJACENT PARCELS					
NUMBER	PIN	OWNER	ACREAGE	ZONING	DEED BOOK
①	639847640	TWELVE OAKS MASTER ASSOCIATION INC	1.73	PUD	DB-016551 PG-02019
②	639745498	TWELVE OAKS MASTER ASSOCIATION INC	0.31	PUD	DB-17221 PG-00799
③	639743407	TWELVE OAKS MASTER ASSOCIATION INC	0.32	PUD	DB-16551 PG-02019
④	639647236	TOLL SOUTHEAST LP COMPANY, INC	1.19	R-10	DB-17039 PG-01924
⑤	639538830	TOLL SOUTHEAST LP COMPANY, INC	1.02	R-10	DB-17039 PG-01924
⑥	639538380	BARBEE, CLIFTON; BARBEE, MATTIE	3.00	R-30	DB-2621 PG-00090
⑦	639538140	CAINES, CAREY; CAINES, FREDA P	3.66	R-30	DB-2955 PG-00010
⑧	639526998	BURT, RUDY M; BURT, FRANCINE A	3.71	R-30	DB-2219 PG-00074
⑨	639525817	WILLIS, JOHN M; WILLIS, NORMA C	3.66	R-30	DB-12137 PG-02217
⑩	639523135	FIELDING HOMES TRINITY CREEK LLC	5.56	R-10 CU	DB-017430 PG-01026
⑪	639515604	TRINITY CREEK PROPERTY OWNERS ASSN	1.05	R-10 CU	DB-17008 PG-01344
⑫	639614491	FIELDING HOMES TRINITY CREEK LLC	22.87	R-10 CU	DB-17430 PG-01026
⑬	638454415	DUKE ENERGY PROGRESS INC	1,389.44	R-30	DB-15289 PG-02437
⑭	639914852	SEORUS INC	157.91	PUD	DB-016104 PG-01384

LINE TABLE		
LINE	BEARING	LENGTH
L1	N52°11'43"E	50.02'
L2	N55°43'58"E	51.06'
L3	N59°06'27"E	53.19'
L4	N63°01'01"E	54.58'
L5	N65°41'16"E	54.68'
L6	N66°59'24"E	50.60'
L7	N67°18'31"E	51.03'
L8	N68°55'57"E	47.66'
L9	N67°11'39"E	50.13'
L10	N66°55'03"E	48.93'
L11	N66°23'00"E	50.74'
L12	N66°59'42"E	97.70'
L13	N67°12'16"E	48.52'
L14	N66°54'00"E	45.03'
L15	N67°03'33"E	58.69'
L16	N67°08'35"E	54.78'
L17	N67°33'11"E	52.37'
L18	N67°28'24"E	57.13'
L19	N67°27'24"E	54.76'
L20	N67°52'36"E	51.98'
L21	N69°20'54"E	48.40'
L22	N72°01'10"E	53.15'
L23	N74°51'30"E	53.10'
L24	N75°04'34"E	51.98'
L25	N74°30'08"E	55.12'
L26	N76°26'29"E	38.36'
L27	S39°51'00"W	9.88'

EXISTING PARCELS				
PIN	OWNER	ACREAGE	EXISTING ZONING	JURISDICTION
0639721436	DUKE ENERGY PROGRESS INC 550 S TRYON ST CHARLOTTE, NC 28202	139.98 AC	RT	TOWN OF HOLLY SPRINGS
0639633688	HELIX VENTURES LLC 3717 NATIONAL DR STE 207 RALEIGH, NC 27612	12.64 AC	R-30	TOWN OF HOLLY SPRINGS
0639837664	ABCZ PROPERTIES, LLC 3048 CONE MANOR LN RALEIGH, NC 27613	12.43 AC	RT	TOWN OF HOLLY SPRINGS
0639842054	HELIX VENTURES LLC 3717 NATIONAL DR STE 206 RALEIGH, NC 27612	11.18 AC	RT	TOWN OF HOLLY SPRINGS
0639941045	HELIX VENTURES LLC 3717 NATIONAL DR STE 209 RALEIGH, NC 27612	11.77 AC	RT	TOWN OF HOLLY SPRINGS
0639943500	LUCAS, JOYCE SCOTT PO BOX 428 FUQUAY VARINA, NC 27526	8.57 AC	RT	TOWN OF HOLLY SPRINGS
0639953025	HOLLY SPRINGS TOWN OF PO BOX 8 HOLLY SPRINGS, NC 27540	0.36 AC	RT	TOWN OF HOLLY SPRINGS
0639937984	HOLLY SPRINGS TOWN OF PO BOX 8 HOLLY SPRINGS, NC 27540	2.07 AC	RT	TOWN OF HOLLY SPRINGS
0639945880	LUCAS, JOYCE SCOTT PO BOX 428 FUQUAY VARINA, NC 27526	1.35 AC	RT	TOWN OF HOLLY SPRINGS

(15)	0639837172	TOWN OF HOLLY SPRINGS	5.0	PUD	DB-12076 PG-2143
(16)	0639837443	MARIO L DONNELL	12.43	RT	DB- 13-E PG-3781
(17)	639949124	TOWN OF HOLLY SPRINGS	0.77	RT	DB-13263 PG-01468
(18)	649049486	JONES, TERRY JACKSON; JONES, RICHARD LANE	52.33	R-30	DB-15-E PG-1588
(19)	639955037	JOHNSON, GARLAND JR	2.00	R-30	DB-8389 PG-01882
(20)	639952350	TWELVE OAKS MASTER ASSOCIATION INC	1.26	PUD	DB-16551 PG-02019



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B HALL

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OAKVIEW INNOVATIONS
WAKE COUNTY - NORTH CAROLINA

TESTING CONDITIONS PLAN

1

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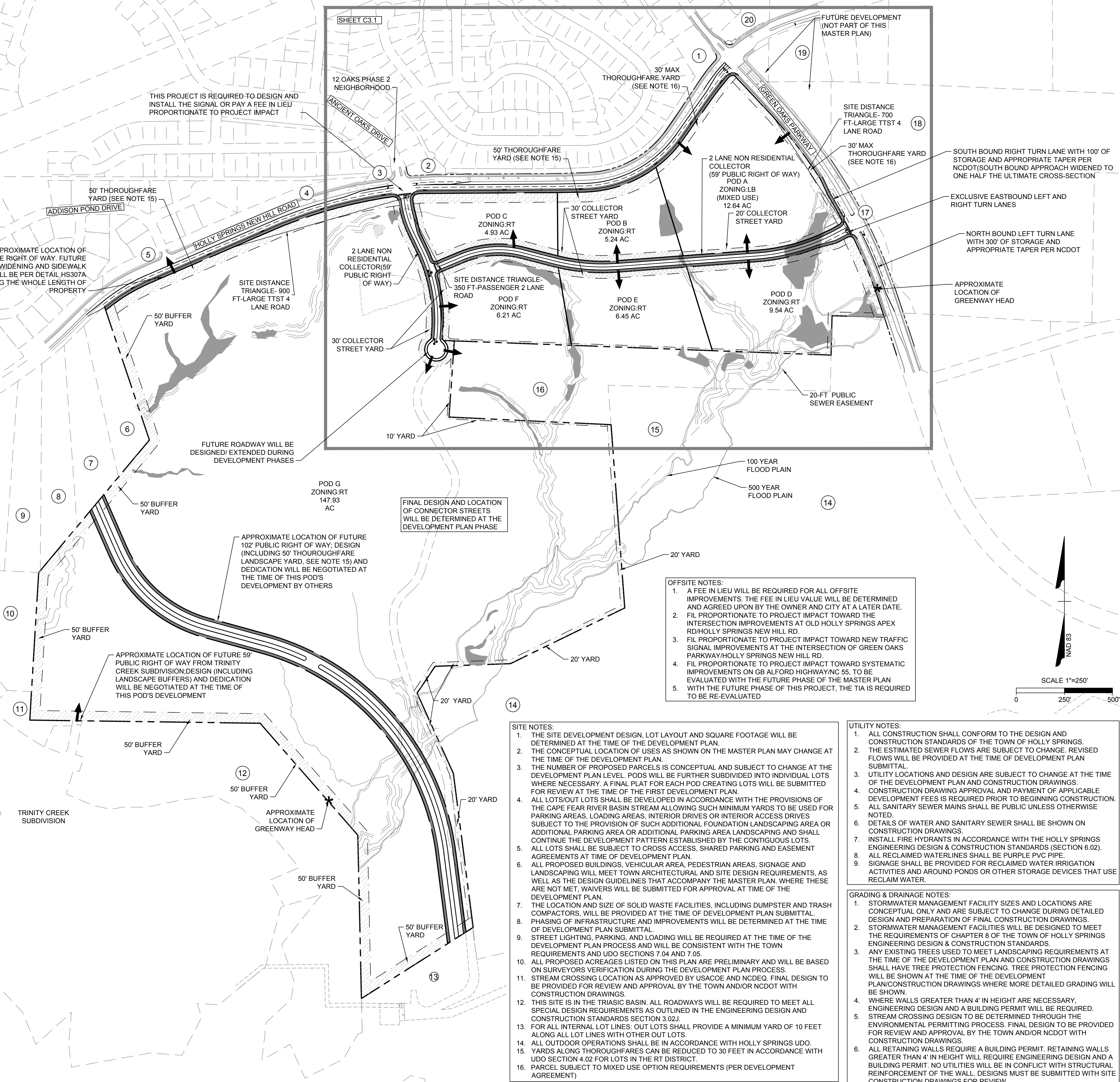
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SITE DATA TABLE	
PINS:	0639721436, 0639633688, 0639837664, 0639842054, 0639941045, 0639943500, 0639953025, 0639937984, 0639945880
SITE AREA:	198.5 ACRES
ZONING:	RT-185.9 ACRES (93.7%); LB-12.64 ACRES (6.3%)
RIVER BASIN:	CAPE FEAR
MIN LOT WIDTH	RT-100'; LB-50'
MAXIMUM BUILDING HEIGHT:	RT-75' ; LB-45/35'(REFER TO UDO SECTION 3.02)
MINIMUM BUILDING HEIGHT:	RT-N/A ; LB-20'
MINIMUM YARDS:	TYPE B: 10', 30', 50'; TYPE C: 20', 50'
MINIMUM NON RESIDENTIAL LOT SIZE:	1 ACRE
MAXIMUM NON RESIDENTIAL LOT SIZE:	150 ACRES
MIN. NUMBER OF NON RESIDENTIAL LOTS:	5
MAX. NUMBER OF NON RESIDENTIAL LOTS:	25

SIGHT DISTANCE TRIANGLES				
SIGHT DISTANCE TRIANGLE CALCULATIONS BASED ON TABLE 3.1 OF THE TOWN OF HOLLY SPRINGS ENGINEERING DESIGN AND CONSTRUCTION STANDARDS.				
VEHICLE CROSSING THE ROADWAY	SIGHT DISTANCE (FT) PER 10 MPH OF DESIGN SPEED FOR APPROPRIATE WIDTH OF CROSSING			
	2-LANES	4-LANES	6-LANES	8-LANES
PASSENGER	100	120	130	140
SINGLE UNIT TRUCK	130	150	170	190
LARGE TTST	170	200	210	220

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③	639743407	TWELVE OAKS MASTER ASSOCIATION INC	0.32	PUD	DB-16551 PG-02019
④	639647236	TOLL SOUTHEAST LP COMPANY, INC	1.19	R-10	DB-17039 PG-01924
⑤	639538830	TOLL SOUTHEAST LP COMPANY, INC	1.02	R-10	DB-17039 PG-01924
⑥	639539380	BARBEE, CLIFTON; BARBEE, MATTIE	3.00	R-30	DB-2621 PG-00090
⑦	639538140	CAINES, CAREY; CAINES, FREDA P	3.66	R-30	DB-2955 PG-00010
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⑨	639525817	WILLIS, JOHN M; WILLIS, NORMA C	3.66	R-30	DB-12137 PG-02217
⑩	639523135	FIELDING HOMES TRINITY CREEK LLC	5.56	R-10 CU	DB-017430 PG-01026
⑪	639515604	TRINITY CREEK PROPERTY OWNERS ASSN	1.05	R-10 CU	DB-17008 PG-01344
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⑬	638454415	DUKE ENERGY PROGRESS INC	1,389.44	R-30	DB-15289 PG-02437
⑭	639914852	SEQUIRUS INC	157.91	PUD	DB-016104 PG-01384
⑮	0639837172	TOWN OF HOLLY SPRINGS	5.0	PUD	DB-12076 PG-2143
⑯	0639837443	MARIO L DONNELL	12.43	RT	DB- 13-E PG-3781
⑰	639949124	TOWN OF HOLLY SPRINGS	0.77	RT	DB-13263 PG-01468
⑱	649049486	JONES, TERRY JACKSON; JONES, RICHARD LANE	52.33	R-30	DB-15-E PG-1588
⑲	639955037	JOHNSON, GARLAND JR	2.00	R-30	DB-8389 PG-01882
⑳	639952350	TWELVE OAKS MASTER ASSOCIATION INC	1.26	PUD	DB-16551 PG-02019



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	DESIGNED BY W ALTMAN
	CHECKED BY B HALL
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TIMMONS GROUP

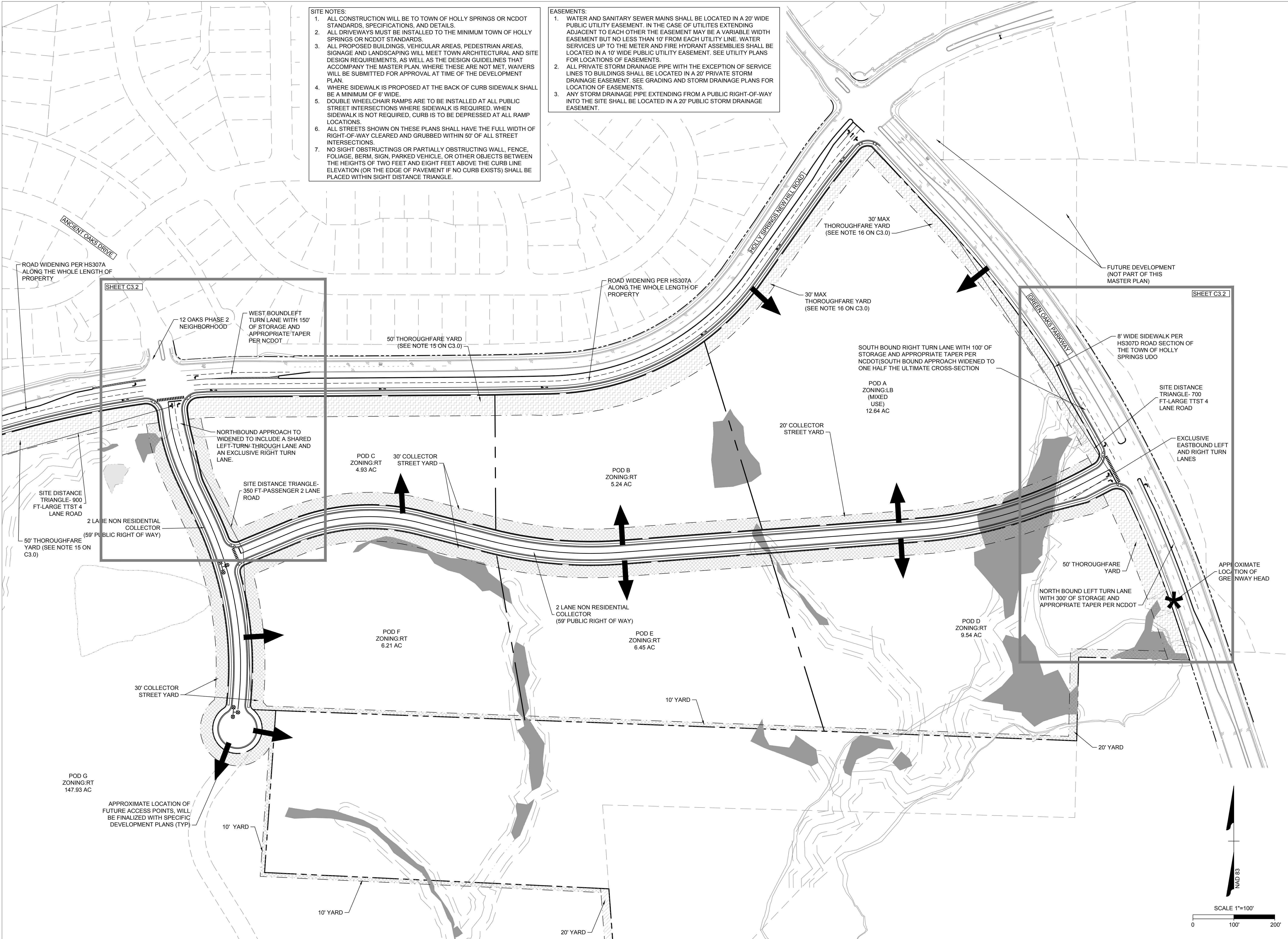
OAKVIEW INNOVATIONS
WAKE COUNTY - NORTH CAROLINA
OVERALL MASTER PLAN

JOB NO.
45363

SHEET NO.
C3.0

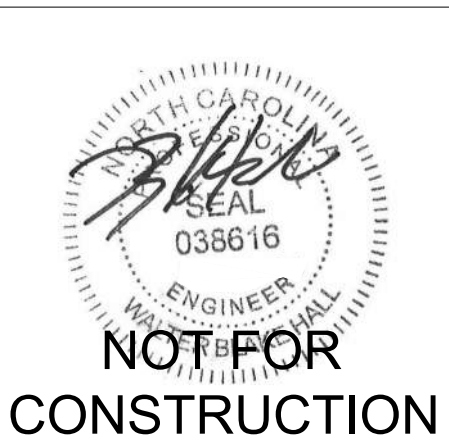
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Page 139 of 180



- SITE NOTES:**
1. ALL CONSTRUCTION WILL BE TO TOWN OF HOLLY SPRINGS OR NCDOT STANDARDS, SPECIFICATIONS, AND DETAILS.
 2. ALL DRIVEWAYS MUST BE INSTALLED TO THE MINIMUM TOWN OF HOLLY SPRINGS OR NCDOT STANDARDS.
 3. ALL PROPOSED BUILDINGS, VEHICULAR AREAS, PEDESTRIAN AREAS, SIGNAGE AND LANDSCAPING WILL MEET TOWN ARCHITECTURAL AND SITE DESIGN REQUIREMENTS, AS WELL AS THE DESIGN GUIDELINES THAT ACCOMPANY THE MASTER PLAN. WHERE THESE ARE NOT MET, WAIVERS WILL BE SUBMITTED FOR APPROVAL AT TIME OF THE DEVELOPMENT PLAN.
 4. WHERE SIDEWALK IS PROPOSED AT THE BACK OF CURB SIDEWALK SHALL BE A MINIMUM OF 6' WIDE.
 5. DOUBLE WHEELCHAIR RAMPS ARE TO BE INSTALLED AT ALL PUBLIC STREET INTERSECTIONS WHERE SIDEWALK IS REQUIRED. WHEN SIDEWALK IS NOT REQUIRED, CURB IS TO BE DEPRESSED AT ALL RAMP LOCATIONS.
 6. ALL STREETS SHOWN ON THESE PLANS SHALL HAVE THE FULL WIDTH OF RIGHT-OF-WAY CLEARED AND GRUBBED WITHIN 50' OF ALL STREET INTERSECTIONS.
 7. NO SIGHT OBSTRUCTIONS OR PARTIALLY OBSTRUCTING WALL, FENCE, FOLIAGE, BERM, SIGN, PARKED VEHICLE, OR OTHER OBJECTS BETWEEN THE HEIGHTS OF TWO FEET AND EIGHT FEET ABOVE THE CURB LINE ELEVATION (OR THE EDGE OF PAVEMENT IF NO CURB EXISTS) SHALL BE PLACED WITHIN SIGHT DISTANCE TRIANGLE.

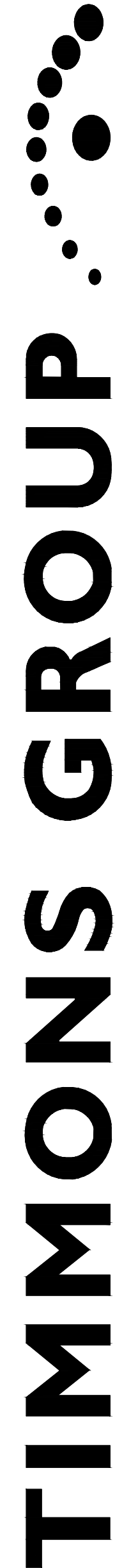
- EASEMENTS:**
1. WATER AND SANITARY SEWER MAINS SHALL BE LOCATED IN A 20' WIDE PUBLIC UTILITY EASEMENT. IN THE CASE OF UTILITIES EXTENDING ADJACENT TO EACH OTHER THE EASEMENT MAY BE A VARIABLE WIDTH EASEMENT BUT NO LESS THAN 10' FROM EACH UTILITY LINE. WATER SERVICES UP TO THE METER AND FIRE HYDRANT ASSEMBLIES SHALL BE LOCATED IN A 10' WIDE PUBLIC UTILITY EASEMENT. SEE UTILITY PLANS FOR LOCATIONS OF EASEMENTS.
 2. ALL PRIVATE STORM DRAINAGE PIPE WITH THE EXCEPTION OF SERVICE LINES TO BUILDINGS SHALL BE LOCATED IN A 20' PRIVATE STORM DRAINAGE EASEMENT. SEE GRADING AND STORM DRAINAGE PLANS FOR LOCATION OF EASEMENTS.
 3. ANY STORM DRAINAGE PIPE EXTENDING FROM A PUBLIC RIGHT-OF-WAY INTO THE SITE SHALL BE LOCATED IN A 20' PUBLIC STORM DRAINAGE EASEMENT.



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CHECKED BY	B. HALL
SCALE	AS SHOWN



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OAKVIEW INNOVATIONS

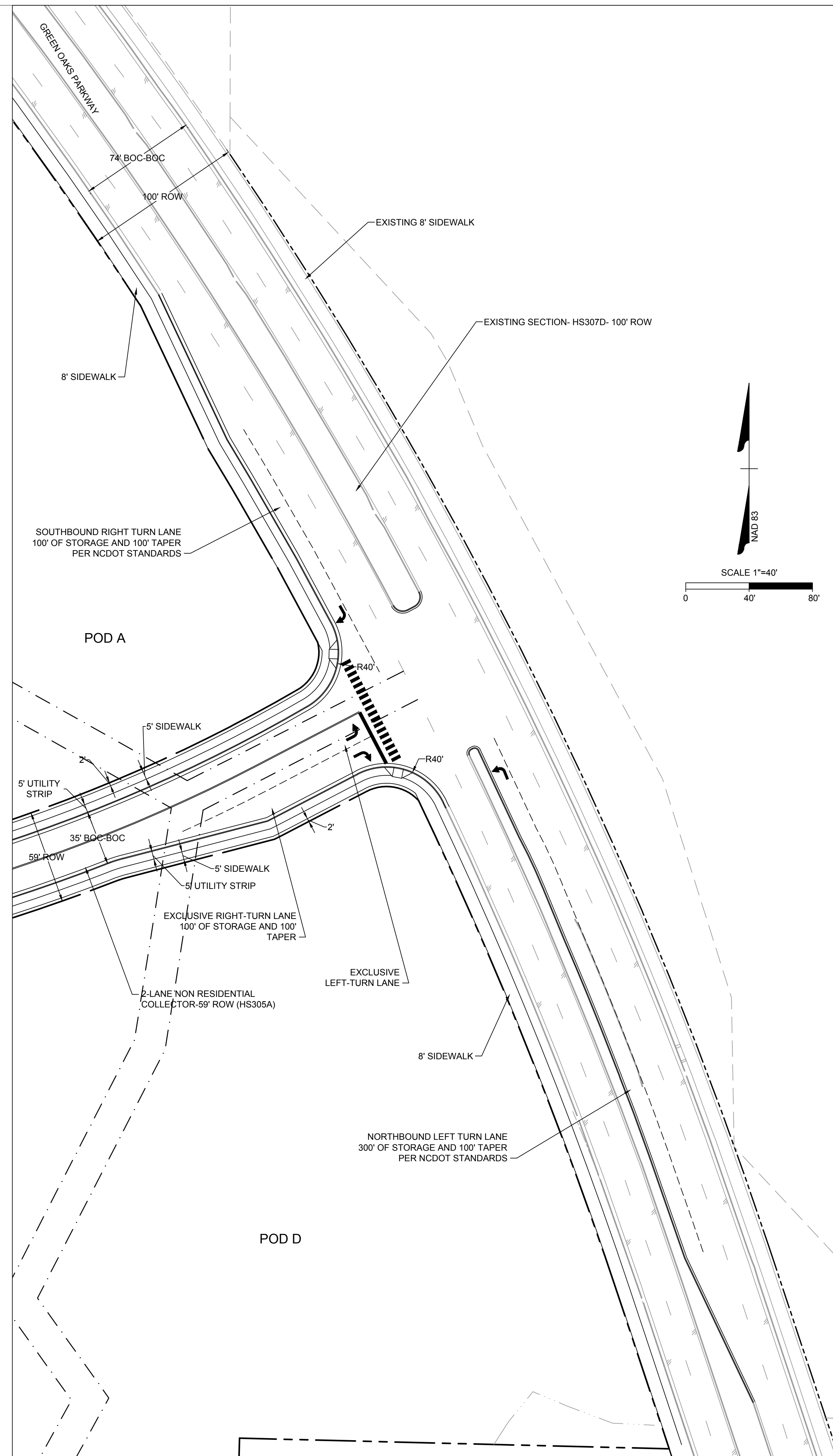
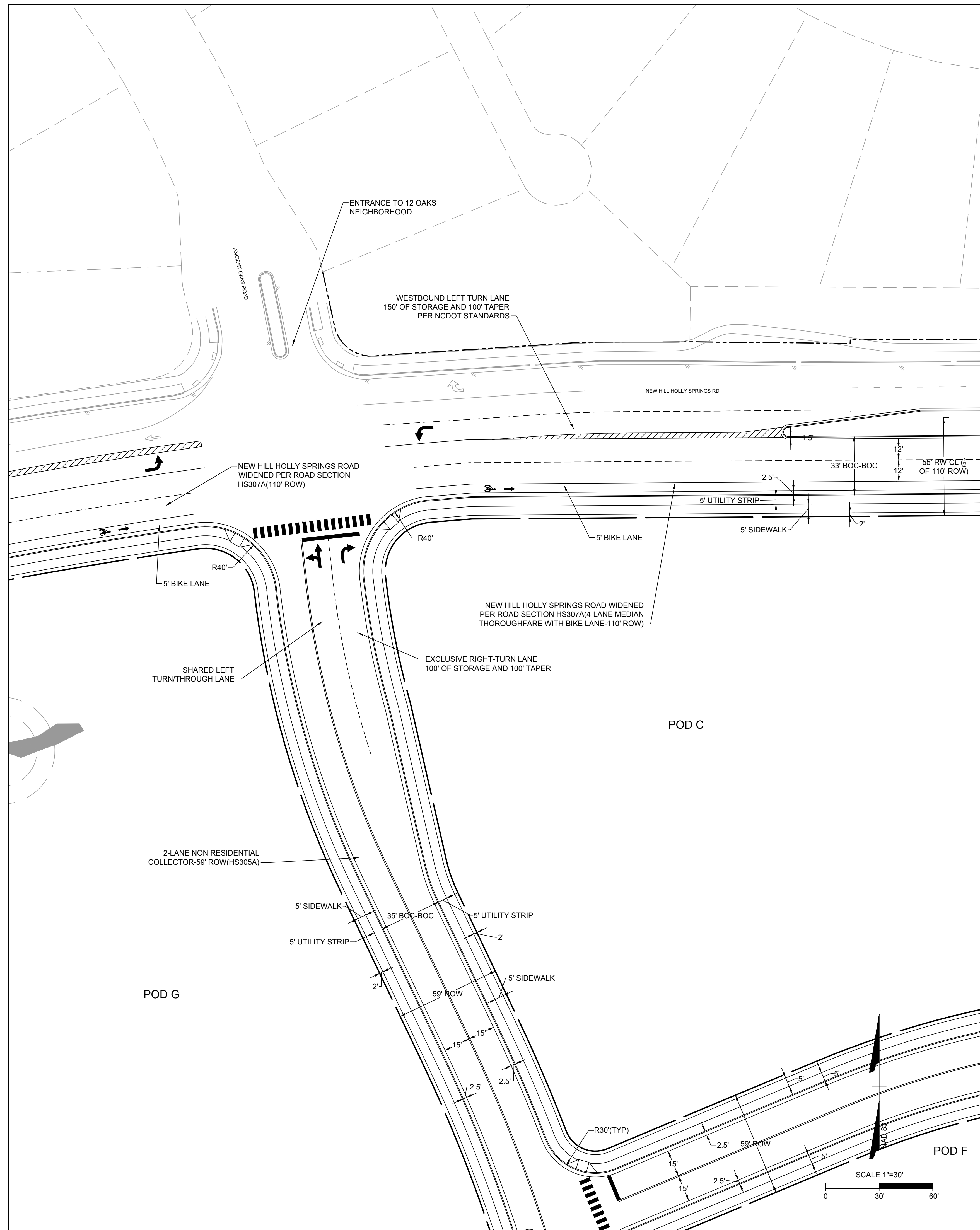
WAKE COUNTY - NORTH CAROLINA

MASTER PLAN

JOB NO.
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SHEET NO.
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OAKVIEW INNOVATIONS
WAKE COUNTY - NORTH CAROLINA
MASTER PLAN

JOB NO.

45363

SHEET NO

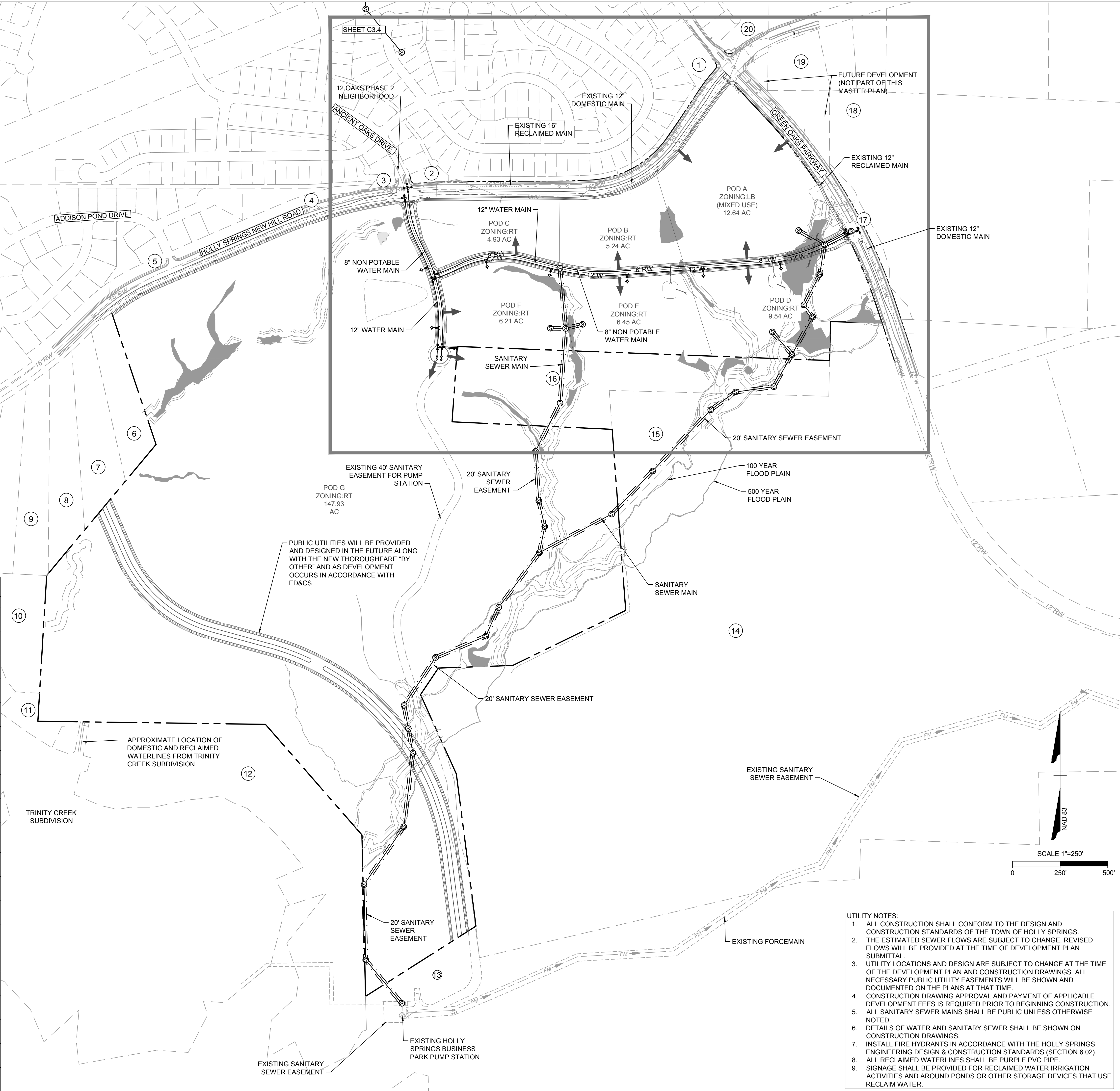
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⑳	639952350	TWELVE OAKS MASTER ASSOCIATION INC	1.26	PUD	DB-16551 PG-02019



- UTILITY NOTES:
1. ALL CONSTRUCTION SHALL CONFORM TO THE DESIGN AND CONSTRUCTION STANDARDS OF THE TOWN OF HOLLY SPRINGS.
 2. THE ESTIMATED SEWER FLOWS ARE SUBJECT TO CHANGE. REVISED FLOWS WILL BE PROVIDED AT THE TIME OF DEVELOPMENT PLAN SUBMITTAL.
 3. UTILITY LOCATIONS AND DESIGN ARE SUBJECT TO CHANGE AT THE TIME OF THE DEVELOPMENT PLAN AND CONSTRUCTION DRAWINGS. ALL NECESSARY PUBLIC UTILITY EASEMENTS WILL BE SHOWN AND DOCUMENTED ON THE PLANS AT THAT TIME.
 4. CONSTRUCTION DRAWING APPROVAL AND PAYMENT OF APPLICABLE DEVELOPMENT FEES IS REQUIRED PRIOR TO BEGINNING CONSTRUCTION.
 5. ALL SANITARY SEWER MAINS SHALL BE PUBLIC UNLESS OTHERWISE NOTED.
 6. DETAILS OF WATER AND SANITARY SEWER SHALL BE SHOWN ON CONSTRUCTION DRAWINGS.
 7. INSTALL FIRE HYDRANTS IN ACCORDANCE WITH THE HOLLY SPRINGS ENGINEERING DESIGN & CONSTRUCTION STANDARDS (SECTION 6.02).
 8. ALL RECLAIMED WATERLINES SHALL BE PURPLE PVC PIPE.
 9. SIGNAGE SHALL BE PROVIDED FOR RECLAIMED WATER IRRIGATION ACTIVITIES AND AROUND PONDS OR OTHER STORAGE DEVICES THAT USE RECLAIM WATER.

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W ALTMAN

DESIGNED BY
W ALTMAN

CHECKED BY
B HALL

SCALE
AS SHOWN

OAKVIEW INNOVATIONS

WAKE COUNTY - NORTH CAROLINA

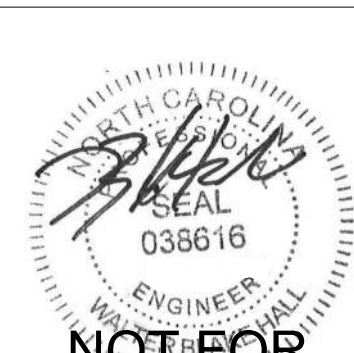
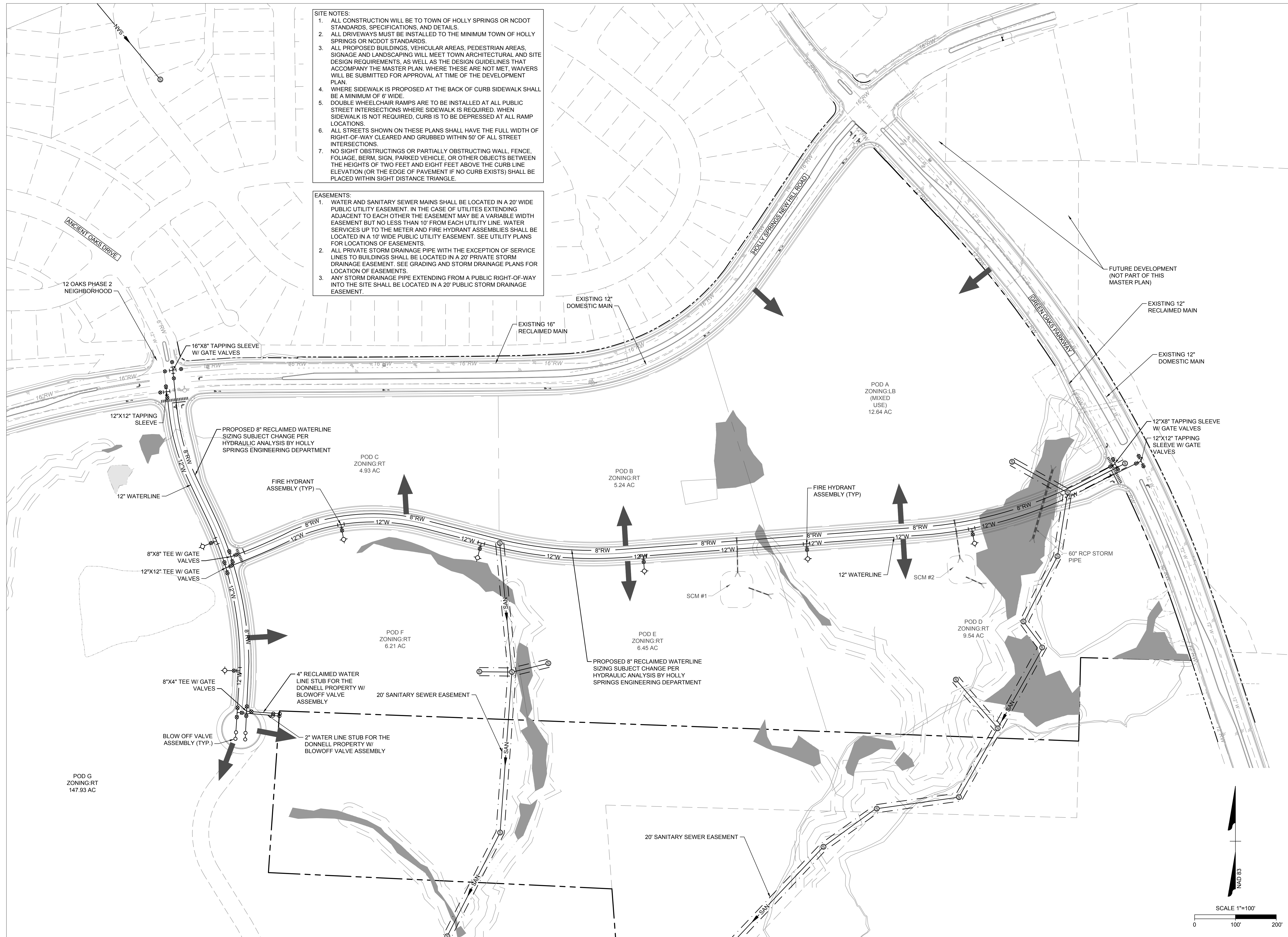
OVERALL PELIMINARY UTILITY AND DRAINAGE PLAN

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SHEET NO.
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OAKVIEW INNOVATIONS
WAKE COUNTY - NORTH CAROLINA

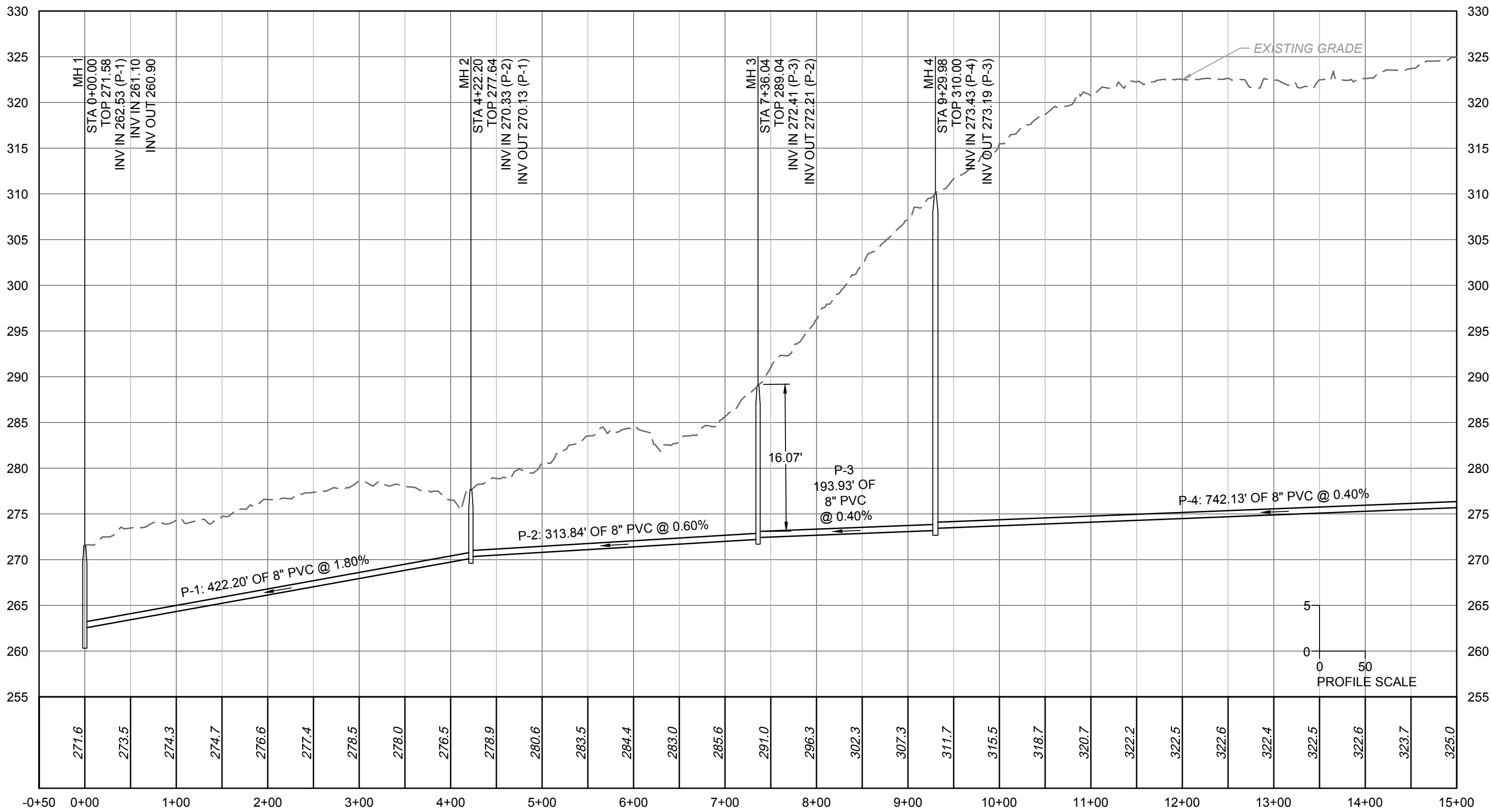
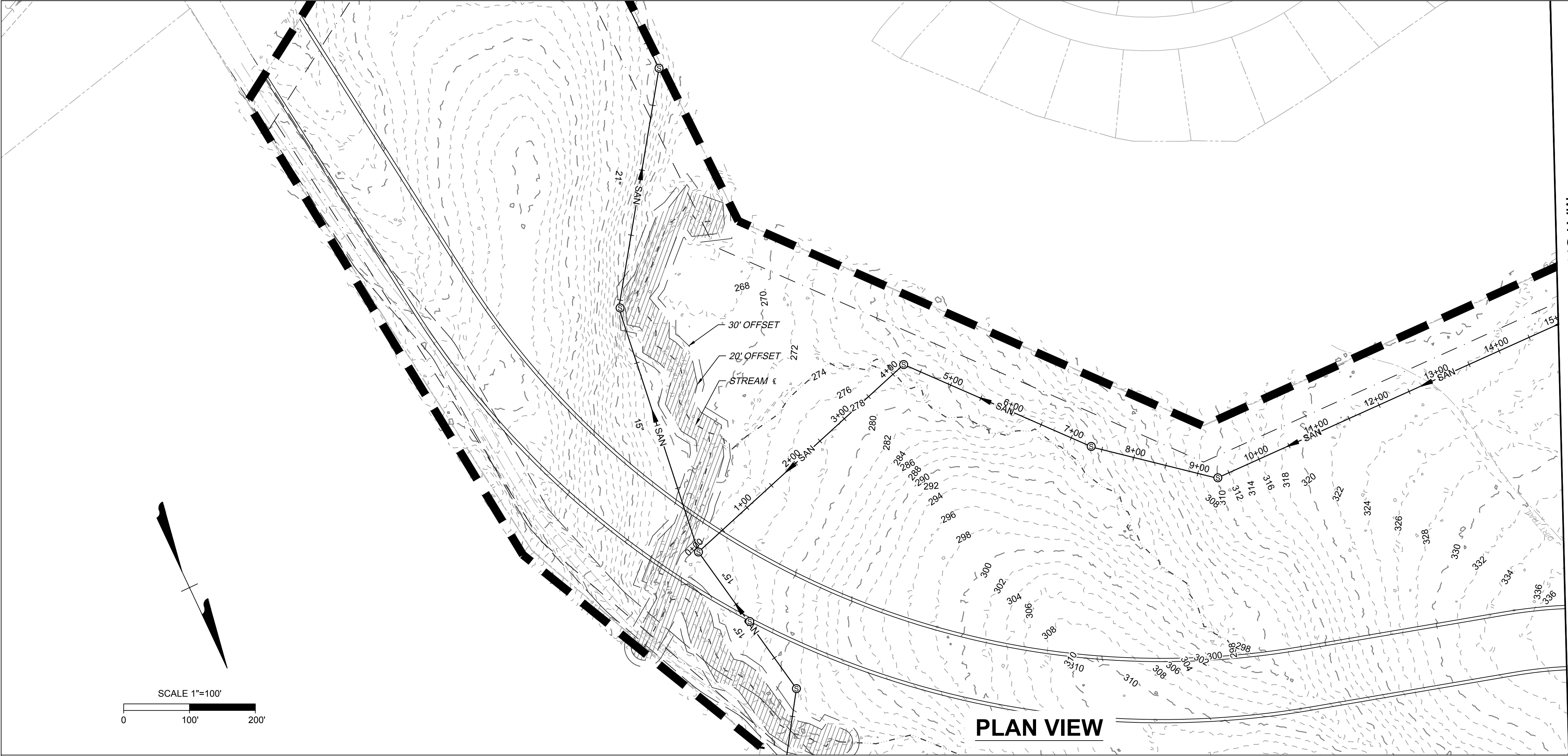
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DESIGNED BY
L. SOLARI

CHECKED BY
C. PETREE

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OAKVIEW INNOVATIONS

WAKE COUNTY - NORTH CAROLINA

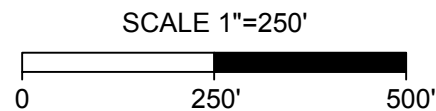
CONCEPTUAL SANITARY SEWER PLAN AND PROFILE

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C5.1

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1. TREE PRESERVATION AREAS ARE NOT REQUIRED FOR THE PORTIONS ZONED RT. TREE PRESERVATION WILL BE REQUIRED FOR PORTION TO BE ZONED LB.
2. A DETAILED TREE PRESERVATION PLAN SHALL BE REQUIRED AT THE TIME OF DEVELOPMENT PLAN. 10% OF TREE PRESERVATION IS REQUIRED.
3. EXISTING BUFFERS GENERALLY CONSIST OF SWEET GUM, OAK, MAPLE AND PINE.



THIS DRAWING PREPARED AT THE
RALEIGH OFFICE
5410 Trinity Road, Suite 102 | Raleigh, NC 27607
TEL 919.866.4951 FAX 919.833.8124 www.timmons.com

RALEIGH OFFICE	REVISION DESCRIPTION
4110 Trinity Road, Suite 102 19.866.4951 FAX 919.833.8111	

YOUR VISION ACHIEVED THROUGH OURS.

DATE _____

DATE
10/13/20

W. ALTMAN

DESIGNED BY
W. ALTMAN

CHECKED BY _____

SCALE
AS SHOWN

--	--

OAKVIEW INNOVATIONS

WAKE COUNTY - NORTH CAROLINA

TREE PRESERVATION PLAN

JOB NO.
45363

SHEET NO.
11.0

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LANDSCAPE NOTES

- LANDSCAPING SHOWN ON THE PRELIMINARY LANDSCAPE PLAN IS SHOWN AS BEING PLANTED WITH NEW VEGETATION TO MEET THE PUV REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE.
- EXISTING VEGETATION MAY BE USED TO MEET THE LANDSCAPE PUV REQUIREMENTS WHERE POSSIBLE. IF EXISTING LANDSCAPING IS PRESERVED, A SURVEY AND / OR SAMPLE AREAS OF THAT EXISTING VEGETATION WILL BE SUBMITTED AT THE TIME OF THE DEVELOPMENT PLAN. WHERE EXISTING VEGETATION CANNOT BE SAVED, SUPPLEMENTAL LANDSCAPING WILL BE INSTALLED TO MEET THE LANDSCAPE REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE.
- ANY EXISTING TREES USED TO MEET LANDSCAPING REQUIREMENTS SHALL HAVE TREE PROTECTION FENCING. SAMPLE AREA SURVEYS FOR EXISTING TREES WILL BE PROVIDED IN ACCORDANCE WITH THE STANDARDS FOR A PRESERVATION LANDSCAPE PLAN.
- PER THE STANDARDS OF THE TOWN'S UNIFIED DEVELOPMENT ORDINANCE, THE BUFFER LANDSCAPING REQUIREMENTS FOR PODS MAY BE MET THROUGH ADDITIONAL LANDSCAPING OF INTERNAL PARKING AREAS WITHIN THE PODS WHERE NECESSARY.
- IF ANY LOADING, STORAGE OR SERVICE AREAS ARE LOCATED IN BETWEEN A BUILDING WALL AND A THOROUGHFARE RIGHT-OF-WAY, THE BUFFER VALUE FOR THAT THOROUGHFARE RIGHT-OF-WAY, THE BUFFER VALUE FOR THAT THOROUGHFARE SHALL INCREASE TO C-225.
- SIGHT DISTANCE TRIANGLES HAVE BEEN SHOWN AT ALL INTERACTIONS AND ENTRANCES AS REQUESTED IN THE ENGINEERING DESIGN AND CONSTRUCTION STANDARDS 3.03 FOR THE VARIOUS GUIDELINES. LANDSCAPING WILL BE PROPOSED OUTSIDE THIS AREA AS REQUIRED. IF VEGETATION IS NEEDED TO BE LOCATED INSIDE THE SIGHT TRIANGLES, TREES CAN BE LIMBED UP SO THAT VIEWS ARE NOT BLOCKED.
- PERIMETER LANDSCAPE MATERIALS ON ALL PODS SHALL BE CONSISTENT WITH THE OVERALL LANDSCAPE DESIGN FOR THE DEVELOPMENT.
- OUT LOTS SHALL PROVIDE A MINIMUM YARD OF TEN (10) FEET ALONG ALL LOT LINES IN COMMON WITH OTHER OUT LOTS.

MAINTENANCE OF LANDSCAPING:

- THE OWNER SHALL BE RESPONSIBLE FOR THE FOLLOWING:
 - THE MAINTENANCE OF ALL REQUIRED LANDSCAPING BY KEEPING LAWNS MOVED, ALL PLANTS MAINTAINED AS DISEASE-FREE, ALL PLANTING BEDS GROOMED AND KEPT WEED FREE EXCEPT IN AREAS OF PRESERVED, EXISTING NATURAL VEGETATION) AND KEPT FREE FROM TRASH, DEBRIS AND OTHER OBJECTIONABLE MATERIALS.
 - THE REPLACEMENT OF ANY REQUIRED PLANTING, WHICH IS REMOVED OR DIES AFTER THE DATE OF PLANTING. SUCH REPLACEMENT SHALL OCCUR DURING THE NEXT PLANTING SEASON.
 - THE REPLACEMENT OF ANY TREE IN A TREE SAVE AREA WHICH IS REMOVED OR DIES AFTER THE DATE OF APPROVAL OF A PRESERVATION LANDSCAPE PLAN. SUCH REPLACEMENT SHALL OCCUR DURING THE NEXT PLANTING SEASON.
- FAILURE TO MAINTAIN REQUIRED LANDSCAPE AREAS SHALL CONSTITUTE A VIOLATION OF THE HOLY SPRINGS UDO ENFORCEABLE UNDER THE PROVISIONS OF SECTION 10-ENFORCEMENT.

PERIMETER YARD LANDSCAPING TABLE					
INCREMENT	LANDSCAPE MATERIAL	PUV OF MATERIAL	TOTAL PUV PROVIDED	% OF PUV	PUV REQUIRED
N1-N16	EXISTING VEGETATION TO BE VERIFIED AT TIME OF SITE SPECIFIC DEVELOPMENT PLAN APPROVAL AND SUPPLEMENTED TO MEET MINIMUM PUV REQUIREMENT	75	75	100%	TYPE B - 75
N17-N28	EXISTING VEGETATION TO BE VERIFIED AT TIME OF SITE SPECIFIC DEVELOPMENT PLAN APPROVAL AND SUPPLEMENTED TO MEET MINIMUM PUV REQUIREMENT	75	75	100%	TYPE B - 75
N29-N34	EXISTING VEGETATION TO BE VERIFIED AT TIME OF SITE SPECIFIC DEVELOPMENT PLAN APPROVAL AND SUPPLEMENTED TO MEET MINIMUM PUV REQUIREMENT	40	40	100%	TYPE A - 50
E1-E10	EXISTING VEGETATION TO BE VERIFIED AT TIME OF SITE SPECIFIC DEVELOPMENT PLAN APPROVAL AND SUPPLEMENTED TO MEET MINIMUM PUV REQUIREMENT	50	50	100%	TYPE A - 50
E11-E15	EXISTING VEGETATION TO BE VERIFIED AT TIME OF SITE SPECIFIC DEVELOPMENT PLAN APPROVAL AND SUPPLEMENTED TO MEET MINIMUM PUV REQUIREMENT	75	75	100%	TYPE B - 75
E16-E21	EXISTING VEGETATION TO BE VERIFIED AT TIME OF SITE SPECIFIC DEVELOPMENT PLAN APPROVAL AND SUPPLEMENTED TO MEET MINIMUM PUV REQUIREMENT	225	225	100%	TYPE C - 225
E22-E52	EXISTING VEGETATION TO BE VERIFIED AT TIME OF SITE SPECIFIC DEVELOPMENT PLAN APPROVAL AND SUPPLEMENTED TO MEET MINIMUM PUV REQUIREMENT	20	20	100%	TYPE A - 20
E53-E81	EXISTING VEGETATION TO BE VERIFIED AT TIME OF SITE SPECIFIC DEVELOPMENT PLAN APPROVAL AND SUPPLEMENTED TO MEET MINIMUM PUV REQUIREMENT	225	225	100%	TYPE C - 225
S1-S6	EXISTING VEGETATION TO BE VERIFIED AT TIME OF SITE SPECIFIC DEVELOPMENT PLAN APPROVAL AND SUPPLEMENTED TO MEET MINIMUM PUV REQUIREMENT	225	225	100%	TYPE C - 225
W1-W51	EXISTING VEGETATION TO BE VERIFIED AT TIME OF SITE SPECIFIC DEVELOPMENT PLAN APPROVAL AND SUPPLEMENTED TO MEET MINIMUM PUV REQUIREMENT	225	225	100%	TYPE C - 225
C1-C9	EXISTING VEGETATION TO BE VERIFIED AT TIME OF SITE SPECIFIC DEVELOPMENT PLAN APPROVAL AND SUPPLEMENTED TO MEET MINIMUM PUV REQUIREMENT	20	20	100%	TYPE A - 20
C1-C9	EXISTING VEGETATION TO BE VERIFIED AT TIME OF SITE SPECIFIC DEVELOPMENT PLAN APPROVAL AND SUPPLEMENTED TO MEET MINIMUM PUV REQUIREMENT	75	75	100%	TYPE B - 75
T1-T31	EXISTING VEGETATION TO BE VERIFIED AT TIME OF SITE SPECIFIC DEVELOPMENT PLAN APPROVAL AND SUPPLEMENTED TO MEET MINIMUM PUV REQUIREMENT	75	75	100%	TYPE B - 75
T32-T62	EXISTING VEGETATION TO BE VERIFIED AT TIME OF SITE SPECIFIC DEVELOPMENT PLAN APPROVAL AND SUPPLEMENTED TO MEET MINIMUM PUV REQUIREMENT	75	75	100%	TYPE B - 75

FRONT, SIDE & REAR YARDS AND FRONT, SIDE & REAR BUFFERYARDS:

- ALL REQUIRED YARDS AND BUFFERYARDS SHALL BE LANDSCAPED IN COMPLIANCE WITH THE REQUIREMENTS IN TABLE 7.01 C - TYPE AND PLANT UNIT VALUE OF REQUIRED LANDSCAPING.
- ALONG THOROUGHFARES, TREES SHALL BE PLANTED SO AS TO CREATE THE VISUAL APPEARANCE OF STREET TREES AS FOLLOWS:
 - DECIDUOUS TREES AS SPECIFIED IN SECTION 12.01 - PREFERRED LANDSCAPE MATERIALS OF THE TOWN OF HOLLY SPRINGS DEVELOPMENT PROCEDURES MANUAL, OR AS FURTHER SPECIFIED IN THE TOWN OF HOLLY SPRINGS COMPREHENSIVE PLAN THOROUGHFARE PLANTING PLAN.
 - WHERE EXISTING ONE UTILITIES INTERFERE WITH PART OF THE LANDSCAPE AREA, THE LARGE TREE REQUIREMENT MAY BE SUBSTITUTED BY INSTALLING SMALL DECIDUOUS TREES.
- REQUIREMENTS:
 - LARGE DECIDUOUS TREES = 2" CAL. (40' O.C. ON AVERAGE)
 - SMALL DECIDUOUS TREE = 1" CAL. (30' O.C. ON AVERAGE)
- ALL TREES SHALL BE LOCATED A MINIMUM OF 50' FROM THE POINT OF TANGENCY OF CURB RADI AT STREET INTERSECTIONS AND OUTSIDE OF SITE DISTANCE TRIANGLES IN ACCORDANCE WITH THE TOWN OF HOLLY SPRINGS ENGINEERING DESIGN & CONSTRUCTION STANDARDS.
- ALL TREES SHALL BE LOCATED 25' FROM THE BASE OF ALL LIGHT POLES.
- ALL TREES SHALL BE LOCATED WITHIN 5' OF THE RIGHT-OF-WAY LINE ON THE PRIVATE PROPERTY SIDE.
- AT THE TIME OF INSTALLATION, THE NURSERY TAGS MUST REMAIN ON THE TREES AND A WRITTEN STATEMENT MUST BE SUBMITTED TO THE DEPARTMENT OF PLANNING & ZONING TO CERTIFY THAT THE CORRECT SPECIES OF TREE(S) HAS BEEN INSTALLED.
- TREES SHALL BE INSTALLED WITH ROOT GUARDS IN ACCORDANCE WITH THE TOWN OF HOLLY SPRINGS ENGINEERING DESIGN & CONSTRUCTION STANDARDS.

ALL YARDS TO REMAIN UNDISTURBED USING EXISTING VEGETATION TO MEET MINIMUM PUV. SUPPLEMENTAL EVERGREENS SHALL BE USED AS REQUIRED.

SAMPLE BELOW:

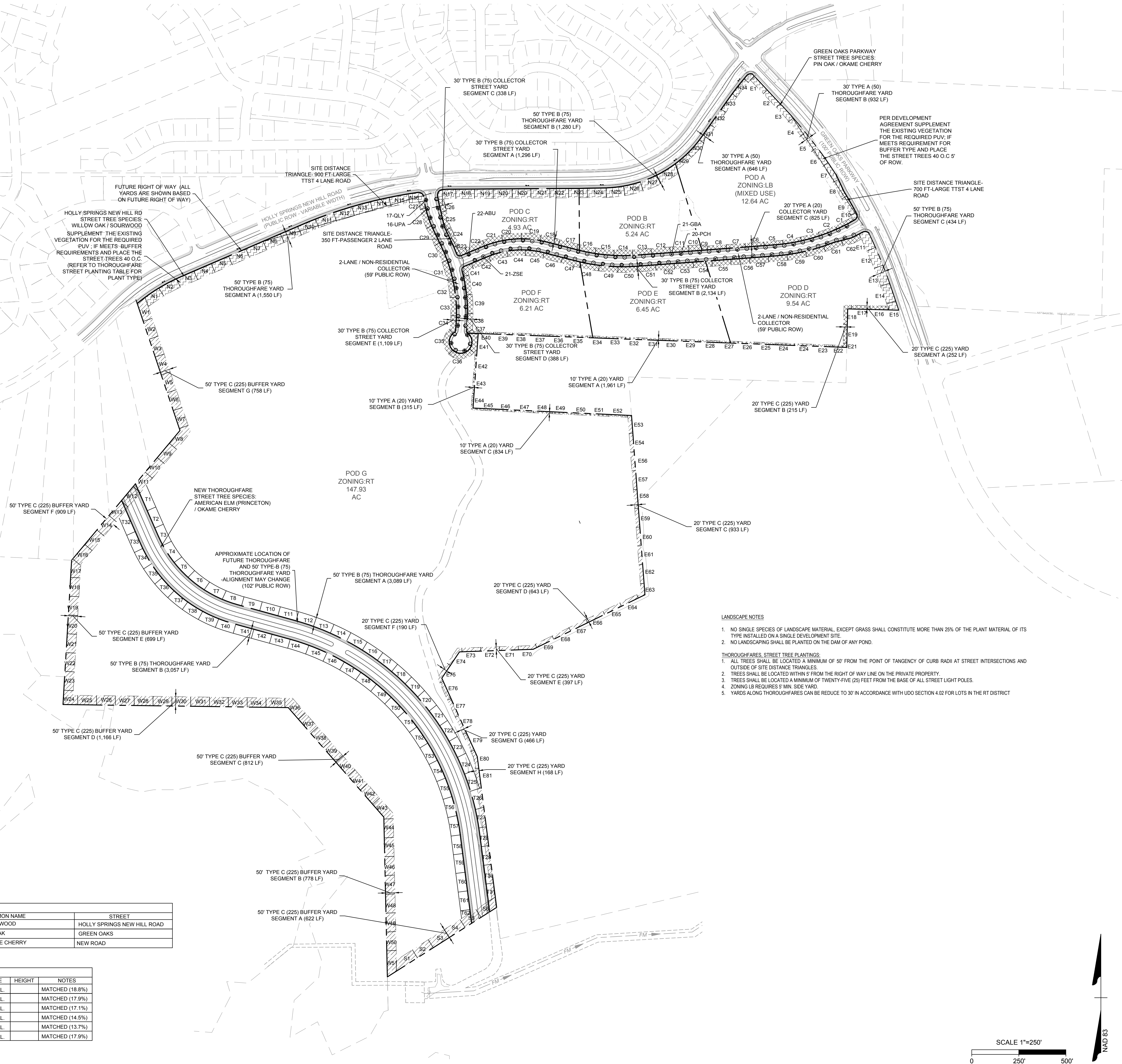
- ARBORVITAE
- CRYTOMERIA
- AMERICAN HOLLY
- RED CEDAR
- DEODAR CEDAR

THOROUGHFARE STREET TREE PLANT SCHEDULE

PLANT TYPE	COMMON NAME	COMMON NAME	STREET
CANOPY TREES	WILLOW OAK	SOURWOOD	HOLLY SPRINGS NEW HILL ROAD
	OKAME CHERRY	PIN OAK	GREEN OAKS
	AMERICAN ELM	OKAME CHERRY	NEW ROAD

STREET TREE PLANT SCHEDULE

PLANT TYPE	QTY	KEY	BOTANICAL NAME	COMMON NAME	ROOT	SIZE	HEIGHT	NOTES
CANOPY TREES	22	ABU	Acer buergerianum	Trident Maple	B&B	2" CAL.		MATCHED (18.8%)
	21	GBA	Ginkgo biloba 'Autumn Gold'	Autumn Gold Ginkgo	B&B	2" CAL.		MATCHED (17.9%)
	20	PCH	Pistacia chinensis	Chinese Pistache	B&B	2" CAL.		MATCHED (17.1%)
	17	QLY	Quercus lyrata	Overcup Oak	B&B	2" CAL.		MATCHED (14.5%)
	16	UPA	Ulmus parvifolia	Chinese Elm	B&B	2" CAL.		MATCHED (13.7%)
	21	ZSE	Zelkova serrata	Japanese Zelkova	B&B	2" CAL.		MATCHED (17.9%)



LANDSCAPE NOTES

- NO SINGLE SPECIES OF LANDSCAPE MATERIAL EXCEPT GRASS SHALL CONSTITUTE MORE THAN 25% OF THE PLANT MATERIAL OF ITS TYPE INSTALLED ON A SINGLE DEVELOPMENT SITE.
 - NO LANDSCAPING SHALL BE PLANTED ON THE DAM OF ANY POND.
- THOROUGHFARES STREET TREE PLANTINGS:
- ALL TREES SHALL BE LOCATED A MINIMUM OF 50' FROM THE POINT OF TANGENCY OF CURB RADI AT STREET INTERSECTIONS AND OUTSIDE OF SITE DISTANCE TRIANGLES.
 - TREES SHALL BE LOCATED WITHIN 5' FROM THE RIGHT OF WAY LINE ON THE PRIVATE PROPERTY.
 - TREES SHALL BE LOCATED A MINIMUM OF TWENTY-FIVE (25) FEET FROM THE BASE OF ALL STREET LIGHT POLES.
 - ZONING LB REQUIRES 5' MIN. SIDE YARD.
 - YARDS ALONG THOROUGHFARES CAN BE REDUCE TO 30' IN ACCORDANCE WITH UDO SECTION 4.02 FOR LOTS IN THE RT DISTRICT



NOT FOR CONSTRUCTION

THIS DRAWING PREPARED AT THE
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TEL 919.866.4951 FAX 919.833.8124 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

REVISION DESCRIPTION

DATE	DESCRIPTION
10/13/20	W ALTMAN
	DESIGNED BY W ALTMAN
	CHECKED BY B HALL
	SCALE AS SHOWN

TIMMONS GROUP

OAKVIEW INNOVATIONS
WAKE COUNTY - NORTH CAROLINA
OVERALL LANDSCAPE PLAN

JOB NO.
45363
SHEET NO.
L2.0

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PREPARED BY/RETURN TO: JOHN SCHIFANO, ROD BOX 105

STATE OF NORTH CAROLINA COUNTY OF WAKE

DEVELOPMENT AGREEMENT REGARDING INFRASTRUCTURE CONSTRUCTION
AND FEE REIMBURSEMENT (N.C. GEN. STAT. § 160A-420.20 et seq.)

BY AND BETWEEN

THE TOWN OF HOLLY SPRINGS

and

HELIX VENTURES, LLC.

THIS AGREEMENT, made and entered into this 27 day of February, 2020, by and between the TOWN OF HOLLY SPRINGS, a North Carolina Municipal corporation, hereafter referred to as the "Town" and Helix Ventures, LLC, a North Carolina Limited Liability Company, hereafter referred to collectively as the "Developer." The Town and the Developer are collectively referred to herein as the "Parties."

WITNESSETH:

WHEREAS, the Developer is the fee simple owner or contract purchaser of several tracts of land held in common for development, the total of which are exceeding 150 acres in size, which are shown in Exhibit A, attached hereto and incorporated herein by reference (the "Property"), and the Developer, or its successors or assigns, will be requesting approval of a development plan for these tracts for a mixed use commercial development, in a manner consistent with the sketch plans prepared by the Developer attached hereto as Exhibit B and the terms of this agreement; and,

WHEREAS, Trustwell Property Group, LLC ("Trustwell" or "Representative") is the authorized representative of Developer and its managers may bind the Developer to contractual obligations with the Town, and the Town shall rely on the actions and representations of Trustwell to be binding on the Developer, until such time as informed in writing by the Developer otherwise; and,

WHEREAS, the Property is not currently located within the corporate limits of the Town, is not currently served by town sewer service, and a significant capital expenditure would be required to extend sewer service to the Property. However the Property is located in close proximity to the Town corporate limits is within the extraterritorial jurisdiction of the Town, and it is closer to any Town utilities than to any other town's utilities; and,

WHEREAS, Developer desires careful integration between public and private capital facilities planning, financing and construction, and further desires sufficient assurances that development standards, ordinances, policies and procedures remain stable throughout the extended period of development; and,

WHEREAS, it is beneficial to both the Town and Developer to construct certain on-site and off-site infrastructure improvements relative to the Project to enable the safe and responsible treatment of wastewater by the Town and to provide potable drinking water to the ultimate users of the Property, as well as other infrastructure; and,

WHEREAS, the Town requires, pursuant to N.C.G.S. § 160A-372 and its Unified Development Ordinance, the dedication and construction of streets and rights of way and other infrastructure and for the distribution of population and traffic in such a manner that it will avoid congestion and overcrowding and will create conditions essential to public health, safety, and the general welfare; and,

WHEREAS, the Town has enacted a subdivision control ordinance, pursuant to N.C.G.S. §160A-372 which provides for the orderly control of growth and development in the Town in general and on the Developer's parcel; and,

WHEREAS, the Town is authorized pursuant to N.C.G.S § 160A-311 et. seq. to operate and does in fact operate a water and sewer treatment enterprise and requires, pursuant to N.C.G.S. § 160A-317, the connection to the system by owners of developed lands located within the Town, for a cost set forth in the Town's annual budget; and,

WHEREAS, the Town is authorized to enter into this contract pursuant to N.C.G.S. §§ 160A-16, 160A-400.20 et seq. and may contract with the Developer to carry out the public purposes set forth herein pursuant to N.C.G.S. §160A-20.1 and the Town Council of Holly Springs has determined that it is in the best interests of its citizens to do so.

WHEREAS, The Town Council of Holly Springs, after a duly advertised public hearing, approved this Development Agreement at its regularly scheduled meeting on December 3, 2019, upon motion by Councilperson O'Brien, second by Councilperson Kelly, upon unanimous vote.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein the Town and the Developer agree as follows:

ARTICLE I

1. Definitions: The terms below shall have the following meanings as used herein:

- a. Actual Costs: The amount of true costs actually incurred for construction of a certain project described herein upon final completion and approved by the Town, inclusive of the cost of acquiring easements or rights of way from those not party to this agreement, but exclusive of any administrative costs (i.e., profit and overhead) of the Developer, or any project construction contingency. Any such costs which herein after are agreed to be reimbursed or otherwise paid by the Town shall be audited by the Town under generally accepted accounting principles for governments for a period of three (3) years after the last act under this Agreement. Developer's right of reimbursement for Actual Costs pursuant to the terms of this Agreement is contingent upon Developer first receiving from the Town advance written consent to the expected cost of an applicable transaction before the cost is incurred, provided, that such consent shall not be unreasonably withheld or delayed by the Town.
- b. Comprehensive plan: The comprehensive plan, land-use plan, small area plans, neighborhood plans, transportation plan, capital improvement plan, official map, and any other plans regarding land use and development that have been officially adopted by the governing board.
- c. Developer: Helix Ventures, LLC, the signatories hereto, and their heirs, successors and assigns.
- d. Development: Generally defined as the planning for or carrying out of a building activity, the making of a material change in the use or appearance of any structure or property, or the dividing of land into two or more parcels. 'Development', as designated in a law or development permit, includes the planning for and all other activity customarily associated with it unless otherwise specified. When appropriate to the context, 'development' refers to the planning for or the act of developing or to the result of development. Specifically in this agreement, the term 'development' refers to the construction by the Developer of all building activities associated with the Plans.

- e. Development permit: A building permit, zoning permit, subdivision approval, special exception or conditional use permit, variance, or any other official action of the Town having the effect of permitting the development of property.
- f. Land development regulations: Ordinances and regulations enacted by the Town for the regulation of any aspect of development and includes zoning, subdivision, or any other land development ordinances, including but not limited the Town of Holly Springs Unified Development Ordinance (“UDO”).
- g. Laws: All ordinances, resolutions, regulations, comprehensive plans, land development regulations, policies, and rules adopted by the Town affecting the development of property, and includes laws governing permitted uses of the property, density, design, and improvements.
- h. NCDOT: the North Carolina Department of Transportation
- i. Offsite Infrastructure: The public sanitary sewer gravity line, all potable waterlines, and other Town-owned equipment or facilities not located on the Developer’s site.
- j. Onsite Infrastructure: The public sanitary sewer gravity line, all potable waterlines, and other Town-owned equipment or facilities located on the Property. Specifically included in this definition is a new gravity main designed to serve the new development and the specific drainage region as described in Exhibit C.
- k. Person: An individual, corporation, business or land trust, estate, trust, partnership, association, two or more persons having a joint or common interest, State agency, or any legal entity.
- l. Plans: Those sketch plans attached hereto as Exhibit B.
- m. Property: All real property shown or described in Exhibit A, which is subject to land-use regulation of the Town and includes any improvements or structures customarily regarded as a part of real property.
- n. Project: The Developer’s plan to develop the Property.
- o. Representative: Trustwell Property Group, LLC shall serve as the Developer’s agent and representative.

ARTICLE II
DESCRIPTION OF DEVELOPMENT AGREEMENT

1. The legal description of the Property subject to this agreement and the names of its legal and equitable property owners are contained in Exhibit A.

2. TERM: The duration of the agreement is for twenty years. The parties are not precluded from entering into subsequent development agreements that may extend the original duration period. Condition precedent to this Agreement are as follows:

a. Developer shall acquire in fee simple absolute the Property within 90 days of approval of Master Plan and Rezoning.

3. DEVELOPMENT PERMITTED USES: The development uses permitted on the Property and the location of those uses are shown on Exhibit B ("Sketch Site Plan" or "Plans").

a. The Plans indicate approximately 12.6 acres (the "Mixed Use Parcel") shall be acres apportioned to the Local Business Business/mixed Use ("LB") land use, and approximately 185.9 acres to Research and Technology District ("RT"). The line distinguishing the two land uses on the Plans may change in shape or location on a final plan or re-zoning application submitted during the term of this Agreement, so long as the percentage of land zoned for RT use does not fall below 93%. For clarification, the following definitions for the land uses shown on the Plans are as follows:

1. "MU" shall be that zoning definition of "Mixed Use" contained in the current form of Section 3.02(C) of the Town of Holly Springs Unified Development Ordinance, except that residential uses shall not be allowed as a permitted use. The mix of uses for this area shall be only a mix of commercial uses such as retail and office, as further described and limited in Exhibit D. b that zoning definition contained in the current form of Section 4.02 of the Town of Holly Springs Unified Development Ordinance.

b. The Town hereby agrees that the land use described herein and shown on Exhibit B is in the best interest of the Town, is in keeping with the land use plans, and agrees, subject to statutory requirements, to rezone the Property in conformance with this Agreement. The Town shall facilitate all necessary approvals with the Developer according to the proposed estimated Development Schedule listed below.

c. Exhibit B shall describe the Developer's right to construct a mixed use commercial center at the corner of Holly Springs New Hill Road and Green Oaks Parkway in an area not to exceed 12.6 acres. In consideration of this change to the town's Comprehensive Plan and zoning, the Developer shall acquire and add to the Property an

approximate 12.64 acre tract known as the "Harris Tract" as shown on Exhibit B, and such tract shall be zoned RT and made a contiguous part of the Property.

d. The Developer voluntarily offers certain zoning conditions ("Zoning Conditions") as a part of this Agreement and any subsequent rezoning requests for the Property. These Zoning Conditions shall apply to the Mixed Use Parcel, and are listed in Exhibit D.

e. In addition to Developer's obligation to incorporate the Harris Tract as discussed above, the Developer further agrees to incorporate as part of its Master Plan one (1) tract equal to or greater than fifty (50) acres in size and one (1) tract equal to or greater than thirty (30) acres in size and allow the Town's Economic Development Department to market these tracts for sale to one or more single users ("Employment Center Tracts"). The parties agree that the creation of these two Employment Center Tracts are in the mutual interest of the parties to encourage development of the Property, create job growth, and stimulate the local and regional economy. The parties understand that tracts of such size, location, and access to utilities are rare and valuable in the region and are needed for the recruitment of a large employer. The Developer agrees to hold these Employment Center Tracts open for sale and marketing by the Town for a period of not less than three (3) years from the completion of the sewer line discussed below. At least Ninety (90) days prior to the expiration of this period, provided the Town has fulfilled all its obligations under this Agreement and is actively marketing the property to a bona fide employer candidate, the Town may request from the Developer one (1) extension to this period of no more than twelve (12) months to be granted at the Developer's discretion which shall not be unreasonably withheld or delayed. Developer agrees to sell either or both Employment Center Tracts for a fair market value determined by an appraisal obtained by the Town at such time as an end user is identified. In the event that the Developer reasonably opposes the analysis used in the appraisal, the Developer may obtain a second appraisal. In the event that the parties cannot agree on the fair market value after 2 appraisals, the parties may share the cost for a third, and the average the three appraisals shall determine the fair market value.

4. SEWER CONSTRUCTION AND ACCESS: The Town and Developer agree that the most efficient method of sewer access is through the installation of a new sewer outfall along a route that is generally described on Exhibit C ("Sewer Analysis Map"), together with the necessary upgrades to the Holly Springs Business Park Pump Station to accommodate the new sewer line, together referred to as the "Sewer Improvements." In an effort to substantiate the pump station upgrades and extension of gravity sewer line (i.e., the Sewer Improvements), a preliminary engineering report, design, permitting, and construction drawings shall be submitted to the Town, and any other necessary parties within twelve (12) months from the date of execution of this agreement. Developer shall commence construction of the Sewer Improvements within six (6) months of receipt of all approvals needed to begin construction. Subsequently, the pump station upgrades and the gravity sewer line shall be installed within eighteen (18) months of the receipt by Developer of all such approvals. Time is of the essence with respect to the construction

of the Sewer Improvements, and in the event that Developer does not commence construction within six (6) months of the receipt of all such approvals, the Town shall have no further obligation of payment as discussed below, unless a written extension is given by the Town Manager. The Town Manager is authorized by the Town Council to grant one (1) extension for not more than six (6) months to the timeline for Sewer Improvements upon a showing of necessity for permit approvals from outside agencies. The design of and budget for the Sewer Improvements, and the acquisition or dedication of all land or easements necessary to construct the Sewer Improvements shall be in keeping with the terms of this Agreement. Following submittal by the Developer of the budget for the Sewer Improvements, approval of the budget shall be provided by the Town within 30 days of the approval of Master Plan for the Project and all site development approvals necessary to allow for the construction. All such approvals shall not be unreasonably withheld or delayed.

a. The Town shall facilitate the construction of the Sewer Improvements by contributing to the Developer an amount equal to five hundred thousand dollars (\$500,000), which sum (the "Town Payment") has been approved and allocated by the Town, for Actual Construction Costs of the Sewer Improvements. The first One Hundred Thousand (\$100,000.00) of these funds shall be placed into escrow by the Town within Thirty (30) days of the execution of this Agreement. The balance of these funds shall be placed into escrow by the Town within Thirty (30) days of the issuance of construction permits for the construction of the Sewer Improvements .

1) The Developer shall be entitled to this reimbursement of funding and land according to the following schedule subject to the provisions of Paragraph 11(f) below:

- i. Upon approval of the construction drawings by the Town and granting of a Notice to Proceed with construction by the Town, the Town shall reimburse the Developer Actual Costs of any pre-construction costs up to \$100,000 within thirty (30) days upon said approval and request by Developer.
- ii. Upon acceptance by the Town of the completed sewer outfall and subsequent to receiving a warranty bond for one (1) year (unless by reason of necessity due to improper construction this bond is extended, then until such expiration of the bond) , the Town shall pay the remaining balance.

b. In consideration of: (1) the above described Town contribution to the sewer line construction does not fully reimburse the Developer for additional fees relating to the provision of sewer service; and (2) the Developer shall make available land for economic development purposes as a permitted use as described in Paragraph 3(d), the Town agrees to transfer to the Developer that Town-owned parcels approximately 0.36 acres and 2.07 acres in size adjacent to the Project, specifically Wake County Tax Parcel 0012998 and 0370123 and a sufficient acreage amount for the sewer outfall running through 0348208, which conveyance shall occur along with the payment pursuant to paragraph 4(a)(i) of this

Article II. These parcels are needed to facilitate the installation of the sewer and other infrastructure improvements as shown on Exhibit A, and provide or cause to be provided any easements, land acquisition or right of way required for either road access or sewer line installation.

c. Developer shall not be entitled to any certificates of occupancy for the Project until the completed sewer outfall has been accepted by the Town which shall not be unreasonably withheld or delayed.

d. In the event that the Developer fails to submit a preliminary engineering report, permit application, and proposed construction drawings for the Sewer Improvements to the Town and any other necessary parties within (twelve) 12 months of the execution of this agreement, or fails to commence construction within six (6) months of the date the Developer receives all such approvals necessary to commence construction, without otherwise obtaining an extension, from the Town, the Developer shall, upon election of the Town by written request:

- 1) Grant to the Town all easements on the Property necessary for installation of the Sewer Improvements and any other such easements, including temporary construction easements, that would be required for the Town's installation of the Sewer Line; and,
- 2) Grant to the Town all off-site easements that the Developer may have acquired in anticipation of the construction of the Sewer Improvements.
- 3) Transfer ownership to the Town without cost, any plans, reports, permits, drawings, surveys, studies, or the like relating to the Sewer Improvements; and,
- 4) Assist and cooperate in any way in the Town's efforts to install the Sewer Improvements.

5. TRANSPORTATION IMPROVMENTS:

The Town shall cooperate in approving curb cuts, additional infrastructure, and interior road configuration, and shall assist in securing NCDOT, Wake County and other third party funding for transportation infrastructure to the benefit of the Project as needed and as may be available from such sources.

6. ANNEXATION: The Parties agree that the Property shall be rezoned and annexed into the corporate limits of the Town through the approval of a petition for rezoning and voluntary annexation prior to the commencement of Town sewer service to the Property, in a zoning designation consistent with the covenants herein. The Developer shall submit a voluntary petition for rezoning and annexation of the Property at the same time as submission of the Master Plan. In the event that the Master Plan is not approved by the Town, the Developer shall be entitled to withdraw its re-zoning and annexation petitions until such time as the Master Plan is approved, up to and including, the final consideration of the Master Plan by the Town Council. The Town shall schedule for approval the Master Plan, rezoning, and annexation petitions so that the Town Council hearings for these matters will occur 130 days of the earlier of the submittal by Developer

of such petition or the execution of this Agreement. Nothing herein obligates the Town to provide sewer or water service to the Property prior to its annexation. Master Plan approval must occur prior to rezoning, and rezoning must occur as a prerequisite to annexation.

7. RESERVATION OF LAND: A description of a reservation or dedication of land for public purposes and any provisions to protect environmentally sensitive property.

a. No publicly dedicated land is required by the Town. Developer shall maintain private drainage retention as required by the Town according to site plans, which are to be developed as a part of the permitting process in the course of the development of the Property.

8. REQUIRED PERMITS: A description of all development permits approved or needed:

a. Developer shall secure all construction drawing approval, erosion and sedimentation control, grading approval, and building permits as necessary under the land development regulations in existence of the time of such permit application. Town shall aid Developer in securing all encroachment permits as required by the North Carolina Department of Transportation, and the North Carolina Department of Environment and Natural resources or other state or federal agencies, as required for roads, sewer, and water. The failure of the agreement to address a particular permit, condition, term, or restriction does not relieve the developer of the necessity of complying with the law governing their permitting requirements, conditions, terms, or restrictions.

9. TERMS REQUIRED FOR PUBLIC SAFETY: Description of any conditions, terms, restrictions, or other requirements determined to be necessary by the Town for the public health, safety, or welfare of its citizens.

a. Zoning of the Property by the Town of Holly Springs in a manner consistent with this Agreement.

10. HISTORIC STRUCTURES: Description of any provisions for the preservation and restoration of historic structures.

a. None

11. DEVELOPMENT SCHEDULE: Developer shall apply for preliminary site plan approval from the Town for the Property within twelve (12) months of the date this Agreement is approved by the Town, commence construction on the Onsite Public Infrastructure within 90 days after the Town approves the construction permit for the infrastructure improvements, and have the sewer outfall complete, operational, and in a condition ready for dedication and acceptance to the Town within twelve (12) months unless an extension to any of these stages is requested by the

Developer to which approval by the Town shall not be unreasonably denied or delayed. The Parties agree to use their best efforts to comply with the following schedule:

- a. Begin Development Agreement Review by December 1, 2019
- b. Development Agreement to be approved by Town on or before December 1, 2019
- c. Zoning map and annexation to be approved by Town on or before 130 days from submittal of petition.
- d. Master Plan and Site Permits (i.e., construction drawing approval) for the installation of the Sewer Improvements to be approved by Town on or before 108 days from submittal by Developer of final plans.
- e. Development plan to be approved by Town on or before 101 days from submittal by Developer.
- f. Developer to complete the installation of the sewer outfall line and submit it for operational approval on or before two (2) years from the commencement of construction or the Town shall be released from further payment of the Town Payment and the Mixed Use Parcel shall revert back to its prior zoning before the rezoning; and, upon such reversion, Developer shall not apply for another rezoning of the Mixed Use Parcel back to MU until such time as the sewer outfall line is completed and approved for operation, which rezoning shall be granted by the Town at that time.

ARTICLE III DEVELOPER'S DUTIES

1. For any offsite infrastructure constructed by the Developer, the Developer shall design, permit, and construct the infrastructure in the location approved by the Town and as shown on plans (to be submitted), according to engineering best practices, requirements of the Town, and requirements of the North Carolina Department of Environmental Quality (NCDEQ) and any other regulatory agency. For any land owned or controlled by the Developer, the Developer shall secure and dedicate to the Town all necessary easements for the construction and perpetual maintenance of the infrastructure referenced. For any land not owned by or controlled by the Developer, the Town shall convey such land owned by the Town to the Developer or secure all necessary easements on land owned by third parties for the construction and perpetual maintenance of the infrastructure referenced in a timely manner so as not to delay the completion of the Developer's Duties.

2. The Developer shall construct in a workmanlike manner the Onsite Public Infrastructure according to the design specifications and criteria of the Town which are existing at the time of this agreement, as well as full compliance with any NCDENR requirements. Said infrastructure,

together with any and all appurtenances, easements, and equipment associated with the project required for public dedication shall be dedicated to the Town in a manner consistent with the development plan and in a manner in accordance with the Town's standards.

3. The Developer shall construct the public infrastructure according to the plans and specifications submitted in a manner consistent with the standards of the Town which are in effect at the time of this Agreement.

4. The Developer (or his successors, and/or assigns) shall pay all development fees for the development at the time they would otherwise ordinarily be due and in an amount that is determined by the fee schedule approved in the annual budget which is in effect at the time of this Agreement. Developer shall be entitled to reimbursement of all Town levied fees associated with the sewer line installation for the Project in addition to the Town's contributions to the sewer project described in Section 4 of this Agreement, after completion of the sewer line installation. For any fee that is "credited" or "reimbursed" under this agreement, the Developer (or his successors, and/or assigns) shall pay the fee and request reimbursement against the credit from the Town's Director of Engineering by referencing this Agreement and using the agreement reimbursement form as shown in Exhibit F. Town shall reimburse all allowable requested fees to Developer within 30 Days of the receipt of request.

5. In the event that the Town in its sole discretion decides to install at its own cost the gravity sewer line described in this Agreement prior to the commencement of construction by Developer, Developer shall dedicate the necessary easements on the Property to the Town without additional compensation.

ARTICLE IV GENERAL TERMS

1. All reimbursements, if any, for this project shall be provided on the basis of final documented actual costs, as approved by the Director of Engineering, in accordance with this agreement. Any opinions of project cost included in this agreement are based upon preliminary designs and are approximate.

2. The Developer shall be responsible for the complete design and construction of each project, including all surveying, design, permitting, plat preparation and recordation, testing, engineering, bidding, construction, inspection, acceptance, easement maps and documents, construction management, construction administration, and all other necessary functions to insure complete-in-place, fully functional projects built and operational in accordance with Town and State standards and approved plans for the project. The costs of all of these items shall be borne by the Developer and shall not be subject to reimbursement or participation by the Town, except as specifically described herein

3. All fees, charges and payments related to the actual construction of each project shall be borne by the Developer and shall not be subject to reimbursement or participation by the Town, except as set forth herein.

4. In the course of installing the sewer line or any other work on easements obtained by the Town and under the Town's ownership, the Developer shall operate under permission to encroach onto a Town easement and shall hold the Town harmless.

5. The Developer agrees to protect, defend, indemnify and hold the Town of Holly Springs and its officers, employees and agents free and harmless from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees, or other expenses or liabilities of every kind in character and arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of actions of every kind and character in connection with or arising directly out of the entry onto and performance of work on the easements of the Town. The Developer further agrees to investigate, handle, provide defense for and respond to, any such claims at its sole expense and agrees to bear all other costs and expenses related thereto, even if such claims are groundless, false, or fraudulent.

6. The Town agrees to protect, defend, indemnify and hold the Developer and its officers, employees and agents free and harmless from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees, or other expenses or liabilities of every kind in character and arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of actions of every kind and character made by third parties in connection with or arising from the injury to (including death of) persons or physical damage to property arising out of the performance of Town's obligations under this Agreement by the Town, its agents, employees and contractors (collectively, "Claims"), except to the extent any such Claims arise out of the negligence or willful misconduct of the Developer, or its agents, employees or contractors, or any third party. The Town further agrees to investigate, handle, provide defense for and respond to, any such Claims at its sole expense and agrees to bear all other costs and expenses related to such Claims, even if such Claims are groundless, false, or fraudulent but only to the extent the same are not expressly excluded as set forth herein.

7. All projects shall be subject to the Town's policies and procedures regarding Town acceptance and warranty on infrastructure.

8. It shall be the responsibility of the Developer to ensure that all regulatory approvals for each project are in place before beginning construction.

9. The Town Manager is authorized to make decisions in regard to approvals, including changes to this Agreement in order to complete the scope of work required, within his authority granted by the Town Council, except as otherwise stated herein or required by Town ordinance.

10. The Developer shall secure all necessary easements for the infrastructure projects that are the subject of this Agreement prior to construction drawing approval. Should the Developer be unable to obtain required easements after documented attempts to do so, the Town may utilize its eminent domain authority to obtain the necessary easements for the installation of such projects with all costs to be borne by the Developer associated with this legal process, including all amounts paid for the acquisition. The Developer shall substantiate its attempts to obtain the property through voluntary sale in the following manner within 90 days of this Agreement:

- a. Developer shall provide a letter from property owners stating that he/she rejects all offers to purchase the easement. Said letter shall be signed by the landowner.
- b. An affidavit, signed under oath by penalty of perjury, from the Developer's agent or designee describing in detail the conversation that took place with the landowner, and the result of said conversation.

11. In the event of a condemnation action, the Developer shall escrow sufficient funds for a deposit necessary under the applicable condemnation statute. The Town Attorney shall inform the Developer 30 days prior to filing the amount of said deposit, and the Developer shall deposit funds prior to commencement of the action. Upon payment of deposit, the Town will proceed with condemnation action subsequent to the Town Council, in its sole discretion passing a resolution of condemnation for each property as soon as practicable after the receipt of the deposit. The timeframe discussed herein is set forth with the goal of allowing access to the condemned property(ies) within 45 to 60 days. At all times during this judicial process, the Town retains all legal authority with respect to settlement, negotiation trial strategy, and opinions as to value.

12. In the event that the Development Agreement is not approved by the Town on or before December 1, 2019, Developer shall have the right to terminate this agreement without penalty and receive a refund of all municipal fees paid to date in accordance with this Agreement, if any.

ARTICLE V OTHER

1. All projects shall be subject to the Town's policies and procedures regarding Town acceptance and warranty on Offsite Infrastructure. This Agreement shall not modify the warranty and acceptance procedures established by the Town through the Engineering Standards in place at the time of this agreement. It shall be the responsibility of the Developer to ensure that all regulatory approvals for each project are in place before beginning construction.

2. All notices, reports, and other communications given pursuant to this Agreement shall be in writing and shall either be mailed by first class mail, postage prepaid, certified or registered with return receipt requested, or delivered in person to the intended addressee. Notice

sent by certified or registered mail shall be effective upon the date of delivery indicated on the return receipt. Notice given in any other manner shall be effective upon actual receipt by the addressee.

3. This development agreement does not provide for the application of subsequently enacted Laws, ordinances, development policies, practices, procedures or standards. The Laws, ordinances, development policies, practices, procedures and standards applicable to the development of the Project are those in force at the time of the execution of this Agreement, in the manner prescribed by Holly Springs Ordinance 14-164.

4. Notices under this agreement shall be to the following:

FOR THE TOWN:

Randy J. Harrington
Town Manager
PO Box 8
Holly Springs, NC 27540
Reference:

FOR THE DEVELOPER:

Cara Z. Hylton
Helix Ventures, LLC
3717 National Drive, Suite 209
Raleigh, NC 27612

5. This agreement shall be governed by and construed in accordance with the law of the State of North Carolina. The parties consent to the jurisdiction of Superior Court Division of the General Court of Justice located in Wake County, North Carolina in the event a dispute arises between them regarding the terms of this Agreement.

6. If any paragraph or part of this Agreement is found void or unenforceable, the remainder of this Agreement shall continue in full force and effect.

7. This Settlement Agreement shall be binding upon and inure to the benefit of the Parties hereto, their heirs, successors and assigns.

8. This Contract contains the entire agreement of the parties and there are no representations, inducements or other provisions other than those expressed in writing.

9. Exhibit List: The following exhibits are hereby incorporated by reference:

EXHIBIT A:	Map of the Property
EXHIBIT B:	Site Development Plan
EXHIBIT C:	Sewer Analysis Map of New Outfall
EXHIBIT D:	Zoning Conditions
EXHIBIT F:	Town Fee Credit/Reimbursement Form

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.



TOWN OF HOLLY SPRINGS

BY: _____

Randy J. Harrington, Town Manager

ATTEST:

Linda McKinney
Linda McKinney, Town Clerk

This document is sufficient as to form.

John P. Schifano
John P. Schifano, Town Attorney

This instrument has been pre-audited in the manner proscribed by the Local Government Finance Act.

Patricia A. Dessen
Finance Director (Interim)

NORTH CAROLINA
WAKE COUNTY

I, a Notary Public of the County and State aforesaid, certify that Linda McKinney personally came before me this day and acknowledged that she is the Town Clerk/Deputy Town Clerk of the Town of Holly Springs, and that the seal affixed to the foregoing instrument in writing is the corporate seal of said Town, and that said writing was signed and sealed by her in behalf of said corporation by its authority duly given and the said person acknowledged this writing to be the act a deed of said corporation.

WITNESS my hand and official stamp (or seal), this the 27 day of February, 2020



[Signature]

Notary Public

My Commission Expires: 5/28/22

HELIX VENTURES, LLC

(Seal)

By: _____

Name: _____

Title: _____

I, a Notary Public, certify that Cara Z. Hylton, personally came before me this day and acknowledged that she is the Manager of Helix Ventures, LLC, a North Carolina limited liability company, and that she, as such officer, being authorized to do so, executed the foregoing on behalf of the limited liability company.

WITNESS my hand and official stamp (or seal), this the ____ day of November, 2019.

Notary Public

_____, Notary Public

Typed/Printed Name

[Official Seal]

My Commission expires: _____

NORTH CAROLINA
WAKE COUNTY

I, a Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that she is the Town Clerk/Deputy Town Clerk of the Town of Holly Springs, and that the seal affixed to the foregoing instrument in writing is the corporate seal of said Town, and that said writing was signed and sealed by her in behalf of said corporation by its authority duly given and the said person acknowledged this writing to be the act a deed of said corporation.

WITNESS my hand and official stamp (or seal), this the ____ day of _____

Notary Public

My Commission Expires: _____

HELIX VENTURES, LLC

(Seal)

By: Cara Z Hylton
Name: Cara Z Hylton
Title: Manager

I, a Notary Public, certify that Cara Z. Hylton, personally came before me this day and acknowledged that she is the Manager of Helix Ventures, LLC, a North Carolina limited liability company, and that she, as such officer, being authorized to do so, executed the foregoing on behalf of the limited liability company.

WITNESS my hand and official stamp (or seal), this the 2nd day of June, 2020.



Jonathan M. Keener
Notary Public

Typed/Printed Name

My Commission expires: 4/19/2025

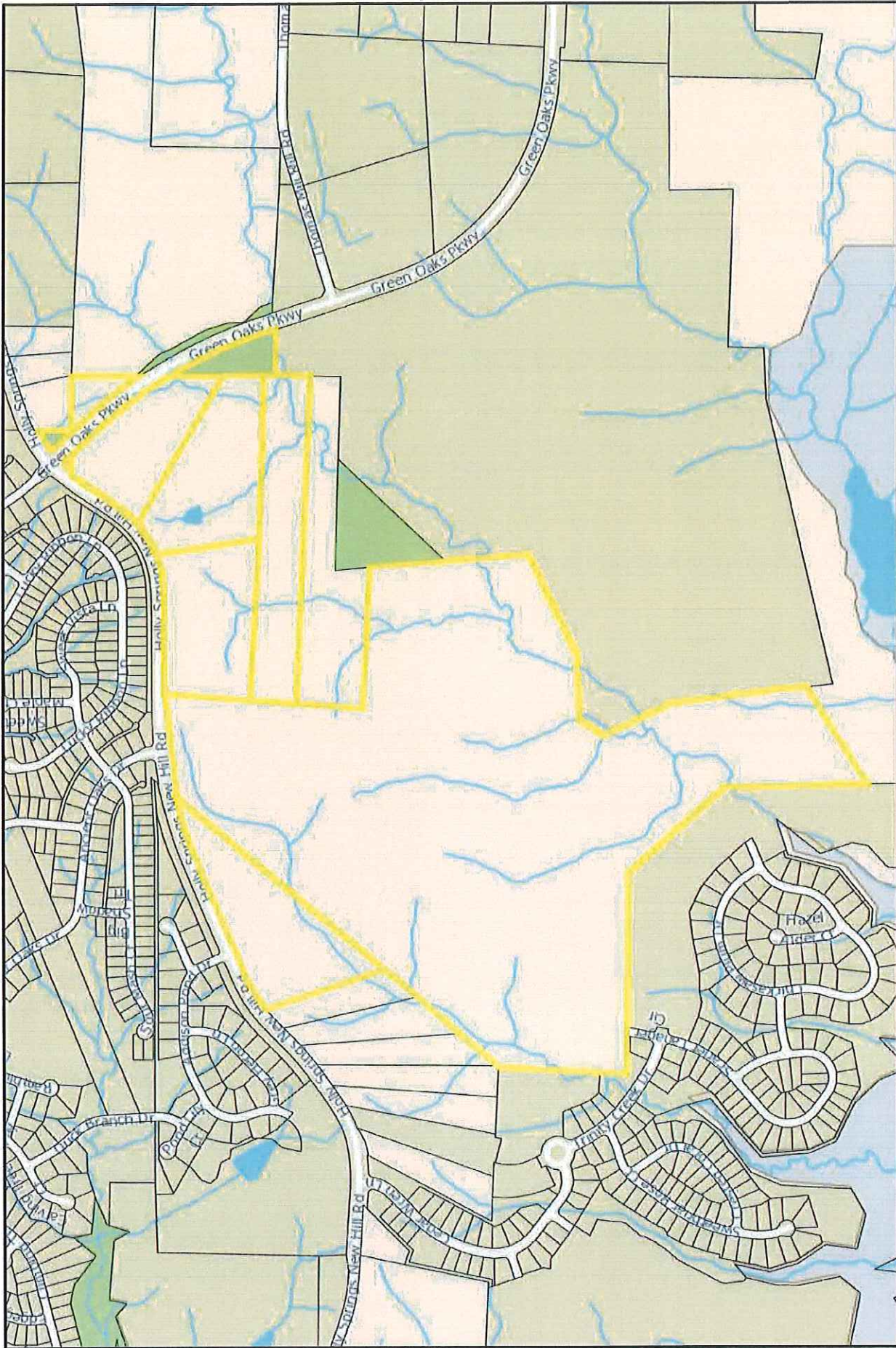


Exhibit A: Oakview Innovation Park Parcel Map



Exhibit B: Zoning Sketch Plan

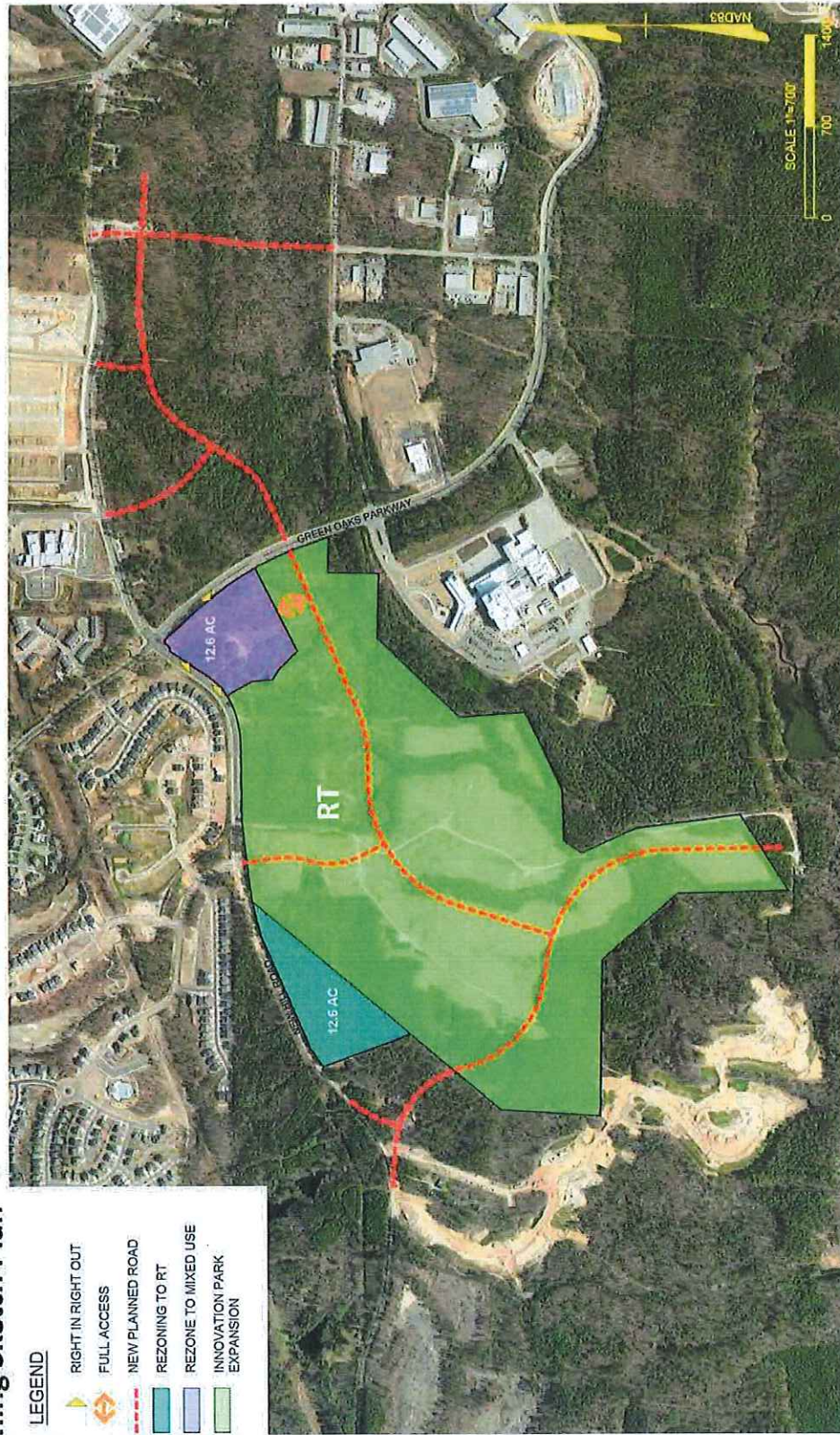


Exhibit C: Approximate Drainage Area Plan

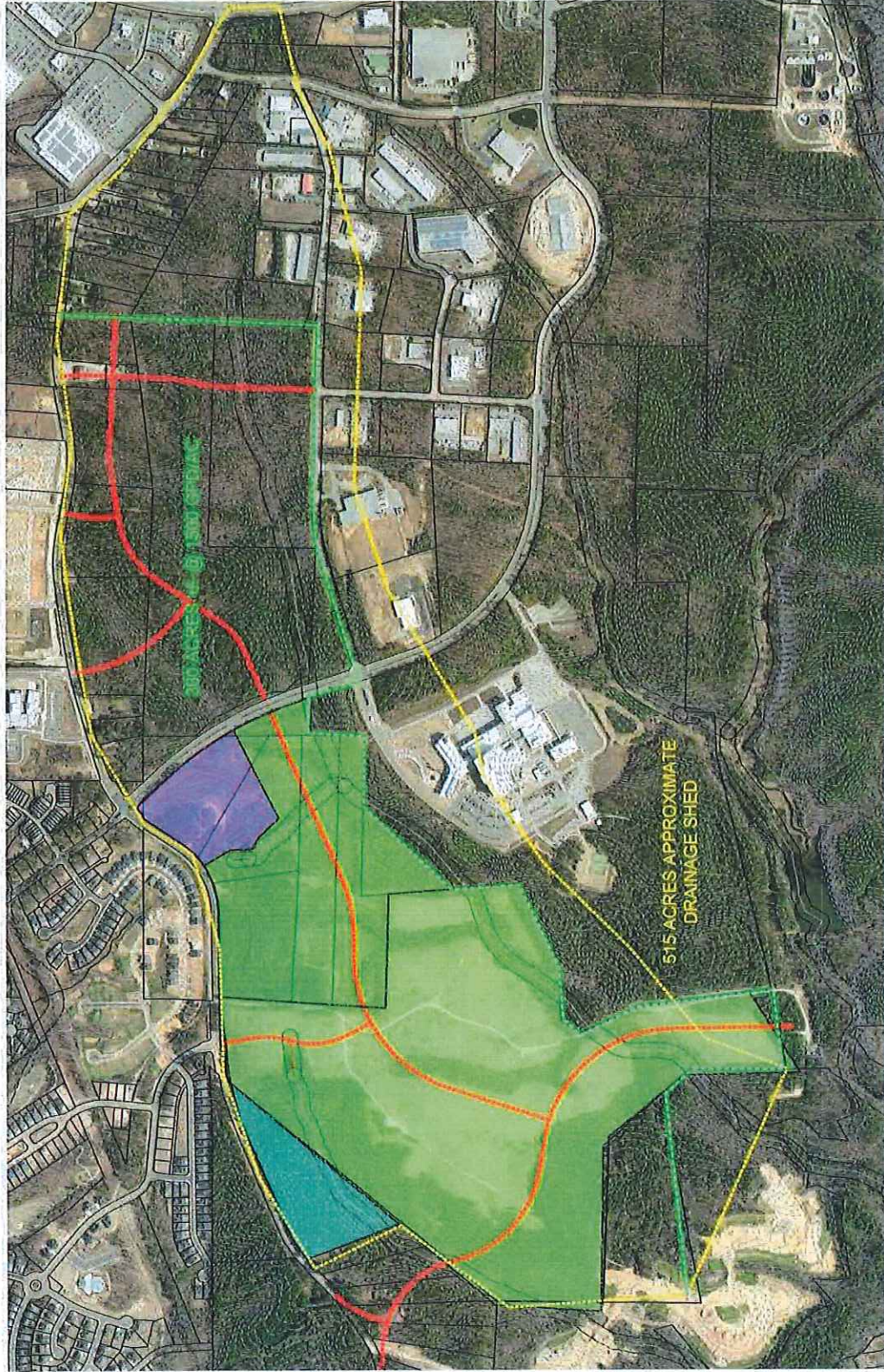


Exhibit D
Zoning Conditions

Oakview Innovation Park/Green Oaks Tech Center | Rezoning from RT to LB: Local Business

Recommended items for consideration to be included in the Conditional Use zoning request:

- Use restrictions- remove from Primary Uses (not allowed):
 - o 1.a. Automotive Sales & Service
 - o 1.e. Miscellaneous: Bed & Breakfast, Cottage Business/Residential, Cottage School, Tourist Home o
 - 1.j. Residential
- Use restrictions- remove from Special Exception Uses (not allowed):
 - o 2.a. Automotive Sales & Service o 2.c Communications/Utilities
 - o 2.f. Miscellaneous: Mortuary/Funeral Home/Crematory, Tourist Home o 2.h. Residential
- Maximum Gross Main Floor Area of structures not restricted to Office/Professional Services- 100,000 sq ft
- Maximum Gross Main Floor Area for any non Office/Professional Service use shall be: 100,000 sq ft.
- Minimum Building Height/Stories: 25 feet
- Parking & Loading: No parking or loading areas shall be located between the front façade and the perimeter roads (Green Oaks Parkway and Holly Springs-New Hill Road)
- Mixed Use Option (Special Exception Use) regulations may be used, but no residential uses shall be permitted
- Architecture- all facades shall meet the primary façade design regulations ☐ Open Space- there shall be a public open space/green.

EXHIBIT F
FEE REIMBURSEMENT FORM
To be submitted quarterly

Date of Request: _____

Developer: _____ Project: _____

1. Total Eligible reimbursement under this Agreement: \$ _____
2. Total Fee Credits/Reimbursements earned to-date: \$ _____
3. Total Reimbursements made to-date: \$ _____
4. Sum of Reimbursements Requested for this request (ERUs named below) \$ _____
5. Total Remaining Reimbursements available (Line 2 minus sum of 3&4) \$ _____

*Based upon final Town approved amount of credit/reimbursement based upon documentation submitted by developer to Director of Engineering

This reimbursement request is being made for the following ERUs:

ERU	Number (or	Permit Number	Date of Payment	Water/Sewer
	range)			

Use additional Sheets if necessary

CERTIFICATION OF DEVELOPER

The undersign certifies that the above described permits are eligible for reimbursement under the Reimbursement Agreement, the fees have been paid in full, and have not been previously reimbursed by the Town. All other information on this form is true and accurate to the best of my knowledge.

Signature: _____

Printed name and title: _____

Approval for payment by Director of Engineering



Holly Springs Town Council

Town Council Meeting Agenda Cover Sheet

Agenda Item#: 15.

New Business

Title: Public Service Operations Campus Land Purchase

Strategic Priority Area: Responsible & Balanced Growth

Staff Resource: John Schifano, Town Attorney, Scott Chase, Asst. Town Manager

Action(s):

- Ratify sales agreement for the land purchase approved in closed session in September 2019 for the acquisition of 30.94 acres of land located south of Green Oaks Parkway and west of Treatment Plant Road adjacent to the Utley Creek Water Reclamation Facility for the development of a Town Public Service Operations Campus based on the following:
 - Land purchase price of \$960,000 plus closing costs up to \$30,000 (additional taxes, fees, and costs to be determined on final closing)
 - Access easement sale back to Duke Energy valued at \$72,950
 - Approximate net cost to Town: \$917,050
- Approve Budget Amendment transferring \$917,050 from Utility Fund Reserves to Public Service Operations Campus Project Account 46-510 90.05.

Explanation:

- Action formalizes and concludes Town Council actions for the purchase of 30.94 acres of land for a future Town Operations Campus at the price of \$960,000.
- The budget amendment in the amount of \$917,050 transfers funds from Utility Reserves to the Operations Campus Facility project budget.
- This action achieves one of the priority initiatives of the Town's Strategic Plan, to determine the future location of a new public services Operations Campus and invest in associated architectural design services.
- The location, south of Green Oaks Parkway and west of Treatment Plant Road, is adjacent to the Utley Creek Water Reclamation Facility (UCWRF). The site is well suited for multiple departments to be housed specifically related to public works, and utilities and infrastructure and service delivery needs such as yard waste, fleet and storage.
- Next steps include soliciting design and master planning services to assess future service delivery demand and staffing space needs. Prior and current fiscal year funding will support this work.

Background:

- In 2001, the Town of Holly Springs located the present Public Works facility at 101 Thomas Mill Road.
- The existing facility is approximately 12,370 square feet (SF) and is located on 3.69 acres, and is comprised of roughly 3,000 SF of office, conference, break and locker rooms along with about 9,300 SF of high bay fleet services space. The site also has five open air storage shelters of approximately 4,500 SF total area, the fuel dispensing station and

limited area for parking town owned vehicles and equipment.

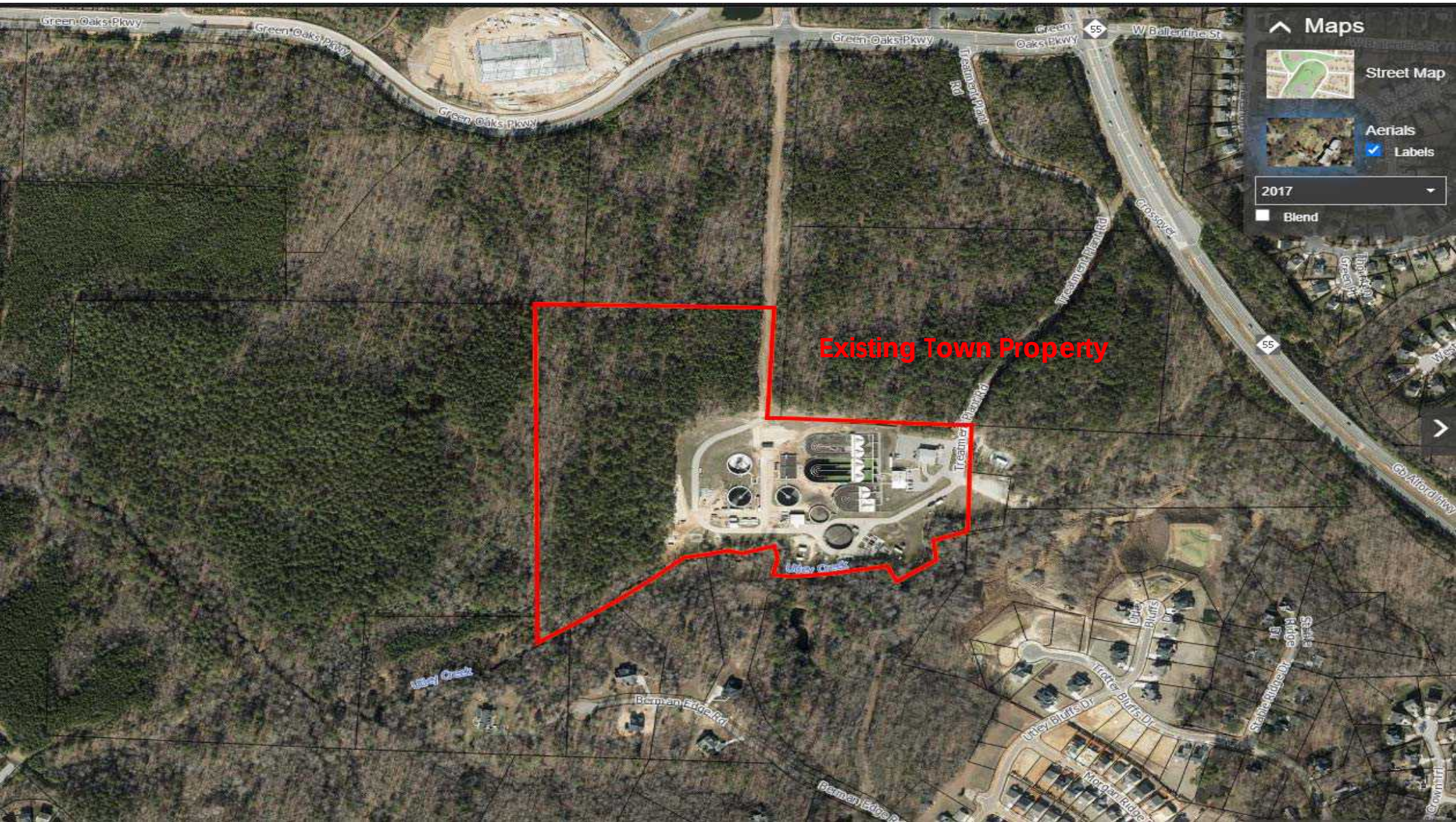
- In October 2017, Stewart Cooper Newell Architects provided the Town with a space needs assessment/recommendations for a future Public Works Campus on approximately 9.5-10 acres already owned by the Town adjacent to the Town's UCWRF.
- Per the study, the current facility is inadequate for the needs that are being asked of it, not simply in actual enclosed and conditioned building space but as importantly in vehicle and equipment parking, yard lay down and material storage area.
- The 2017 study did not include additional land requirements to accommodate future growth and plan assumed fleet maintenance remain at current Public Works facility.
- In addition, the property already owned by the Town adjacent to the UCWRF may be necessary for future UCWRF expansion.
- The Town explored several land options and ultimately engaged Duke Energy for a land purchase.
- Town Council authorized the Town Manager to enter into a letter of intent to purchase and release funds to cover due diligence on September 2019.
- Due diligence has been completed for the property including Phase I Environmental, survey and appraisal as required by the NC Utilities Commission.
- Most recent, the sale of the 30.94 acres has been approved by the NC Utilities Commission representing Duke Energy owned property for a sales price of \$960,000 per approved appraisal.
- A 20' wide easement along the north and western edge of the property will be sold back to Duke Energy for \$72,950.

Funding Source(s):

Utility Fund Reserves

Attachment(s):

1. Site map and conceptual design
2. Town Operations Campus - Budget Amendment

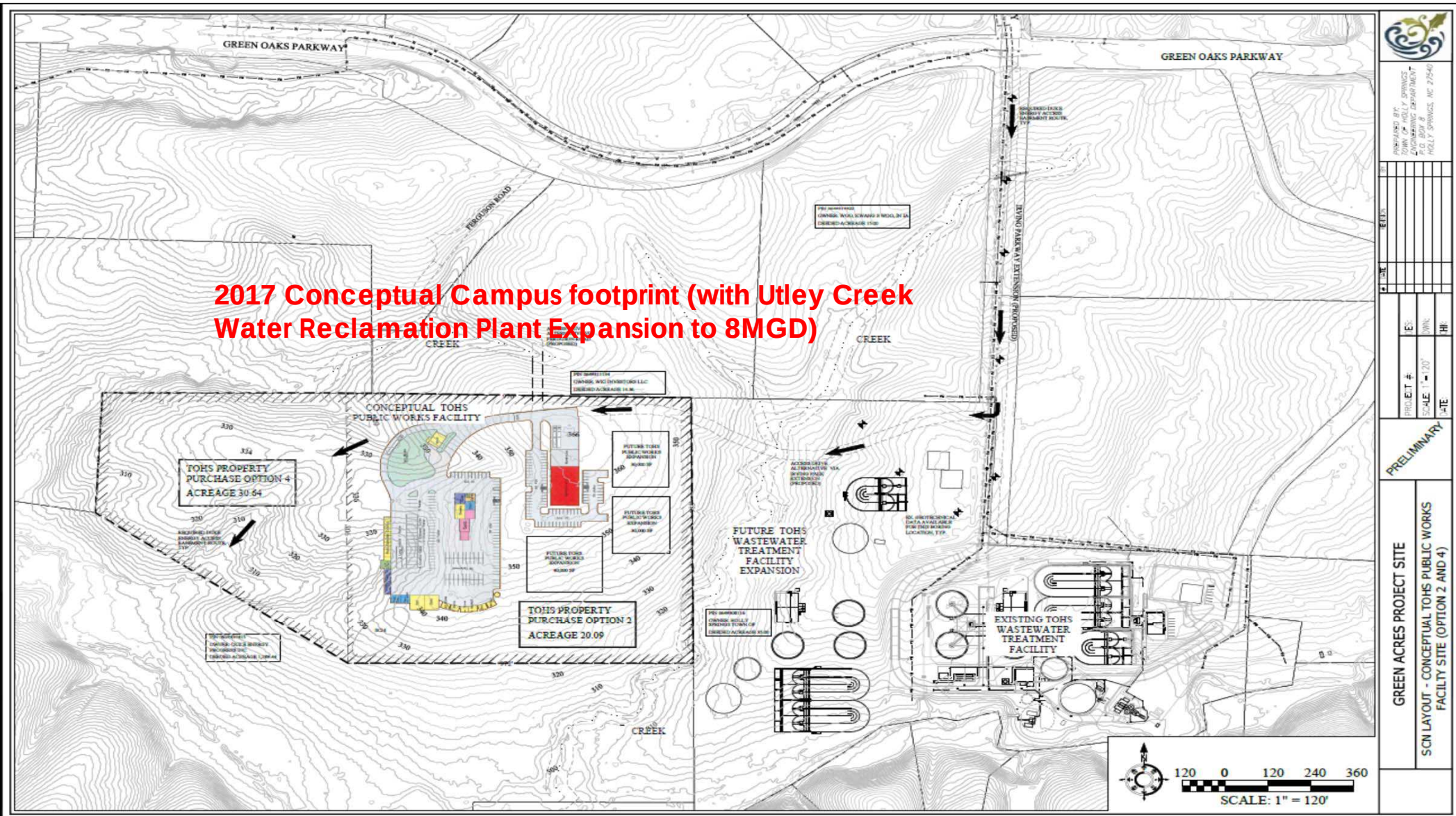




Operations Campus Property

LOT 1
1,348,178 SF
30,9499 ACRES
PORTION OF LU 1182958

2017 Conceptual Campus footprint (with Utley Creek Water Reclamation Plant Expansion to 8MGD)



Town of Holly Springs Budget Amendment Request

BE IT ORDAINED by the Town Council of the Town of Holly Springs, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2021.

Department: Administration

Date: 11/3/2020

Reason for Budget Amendment:

Utilizing reserve funding for purchase of land for Town Operations campus. This funding is for land purchase price of \$960,000 and an additional \$30,000 to cover taxes, fees, and insurance.

Expense			
<i>Account #</i>	<i>Account Description</i>	<i>Increase</i>	<i>Decrease</i>
23 95	Utility Reserve - Transfer	\$ 917,050	
46-510 90.05	Public Works Facility Project - Capital Land	\$ 917,050	
Total Expense:		\$ 1,834,100	\$ -

Revenue			
<i>Account #</i>	<i>Account Description</i>	<i>Increase</i>	<i>Decrease</i>
23 360.08	Utility Reserve - Appropriation from Balance	\$ 917,050	
46-510 355.23	Public Works Facility Project - Transfer from Res.	\$ 917,050	
Total Revenue:		\$ 1,834,100	\$ -

Department Head Signature (or electronic submission)

Finance Director Signature (if necessary)

Town Manager Signature (if necessary)

Council Approved/Notified (if necessary)

Town Manager is authorized to transfer within a department without prior approval of Town Council.

Town Manager is authorized to approve transfers between departments within the same fund up to \$50,000.

All inter-departmental transfers will be reported to Town Council by the following month.

Amendments that change the total budget or departmental transfers over \$50,000 require Town Council approval.