



MINUTES

The Holly Springs Town Council met in regular session on Tuesday, April 19, 2022. Mayor Mayefskie presided, calling the meeting to order at 7 p.m. A quorum was established as the Mayor and four Council members were present in the Chamber as the meeting opened.

Council Members Present: Mayor Mayefskie, Mayor Pro Tem Dan Berry, Council members Aaron Wolff, Kristi Bennett, and Timothy Forrest.

Council Members Present by Electronic Means: Council member Shaun McGrath.

Staff Members Present in Chambers: Randy Harrington, *Town Manager*; Scott Chase, *Assistant Town Manager*; Daniel Weeks, *Assistant Town Manager*; John Schifano, *Town Attorney*; Linda McKinney, *Town Clerk* (recording the minutes); Mathew Mutter, *IT*; Aaron Levitt, *Utilities and Infrastructure*; Tim Athy, *Utilities and Infrastructure*; Rachel Ingham, *Utilities and Infrastructure*; LeeAnn Plumer, *Director, Parks & Recreation*; Matt Beard, *Parks & Recreation*; Elizabeth Goodson, *Development Services*; Cheryl Caines, *Development Services*; Rachel Jones, *Development Services*; Paige Scott, *Director, Public Works*; Corey Petersohn, *Administration*; Cassie Hack, *Director, Communications*; Kathy White, *Deputy Clerk*.

2. and 3. The Pledge of Allegiance was recited followed by an invocation by Christian Dixon of Oasis Church.

4. Agenda Adjustment: The April 19, 2022 meeting agenda was adopted with changes, if any, as listed: none.

Motion: Berry

Second: Forrest

Vote: Unanimous

Public Comment: At this time, an opportunity was provided for members of the audience who had registered to speak to address the Council, and the Clerk was asked for any written comments received prior to the meeting.

The following written comments were received: none

The following comments were received in person: none

RECOGNITIONS

5. Volunteer Appreciation Week Proclamation

Mayor Mayefskie recognized volunteers who give their time and talents to the Town and proclaimed April 17-23 Volunteer Appreciation Week in Holly Springs.

6. Holly Springs High School Aeronautics and Engineering Club

Mayor Mayefskie recognized the Holly Springs High School Aeronautics and Engineering Club which was selected as one of 57 winning schools in the NASA TechRise Student Challenge for their project on Artificial Gravity. Ms. Tiffani Craig, physics teacher and Club facilitator and the students were recognized by Council for their hard work.

REQUESTS AND COMMUNICATIONS

7. North Carolina Turnpike Authority Complete 540 Update

Dennis Jernigan, of the NC Turnpike Authority shared an update on progress with NC 540. He said the project included 52 bridges and 33 culverts. He said that all but 8 of the bridges are complete or under construction, and 23 of the culverts are fully built with another 5 partially constructed. He showed the realignment of Kildaire Farm Road and Fairview Road. He said that from Friday, April 29th at 10pm to Monday May 2nd at 5 am Kildaire Farm Rd. would be closed to traffic between Arthur Pierce Rd. and Holly Springs Rd. and Holly Springs Rd. would be closed to through traffic between Arthur Pierce Rd./Pierce Olive Rd. and Sunset Lake Road. He showed the on-site detour for Holly Springs Rd. and the interchange of I-40/ U.S. 70.

Mr. Jernigan outlined the public outreach efforts and public response that his team has engaged in since 2021. He said a Complete 540 Joint Open House is scheduled for Weds. April 27th from 6-8 pm at Sunrise United Methodist Church to discuss 540 and the Northeast Gateway Master Plan.

Mayor Pro Tem Berry asked him to elaborate on the Kildaire Farm detour. Mr. Jernigan said the detour was just for the weekend of April 29 – May 2. After that, the realigned Kildaire Farm intersection would be available.

Council member McGrath asked for an update on the noise walls. Mr. Jernigan said the design noise report has been completed and approved. They balloted the communities that qualify for a noise wall. Everyone voted for the noise wall. On the website there is an area that shows all the noise walls, where they are, and their dimensions.

Consent Agenda

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

8. Minutes – Council approved the minutes of the April 5, 2022 business meeting.

9. Quarterly Budget Amendments – The Council approved General Fund Operating Budget Amendment related to the Apex Interlocal Agreement, and adopted Grants & Special Revenue Fund Ordinance 22-08 and Water Projects Capital Project Ordinance 22-09.

A copy of the Budget Amendment and Ordinances 22-08 and 22-09 are attached to these minutes.

10. Agreement for Limited Access to Sugg Farm from Parks at Bass Lake Subdivision. – The Council approved the Memorandum of Understanding with the Parks at Bass Lake neighborhood for limited use of the emergency access road during certain Town special events.

11. Installment Finance Agreement for Vehicles and Equipment. – The Council approved Installment Purchase Agreement with First Bank, approved Resolution 22-20 for financing terms and documents for equipment and vehicle acquisitions, and approved budget amendment associated with Installment Purchase Agreement with First Bank.

12. Holly Springs Road Widening (EAST) Right of Way Acquisition Contract Amendment. – The Council approved TELICS Right-of-Way acquisition contract amendment in the amount of \$138,000.

13. Arbor Creek/Middle Creek Greenway Construction Management Contract – The Council awarded a contract to and authorized the Town Manager to sign and execute the Construction

Engineering & Inspections and Contract Administration contracts for the Arbor Creek/Middle Creek Greenway project to SEPI in the amount of \$264,000 (\$239,840 SEPI contract plus \$24,160 contingency).

14. Chapter 16. Public Enterprises – Code of Ordinance Revisions – The Council adopted Ordinance 22-07 to amend Chapter 16. Public Enterprises of the Town of Holly Springs Code of Ordinances.

PUBLIC HEARINGS

15. 1000 S. Main Street Annexation and Rezoning

Cheryl Caines, Development Services, said that this item was to consider a request for annexation of 1000 S. Main Street and a rezoning from RR Rural Residential to CB CU Community Business Conditional Use of the same property. She oriented the audience to the location of the property, which is designated Mixed-Use Center on the Land Use and Character Plan and is currently zoned RR Rural Residential.

She said the applicant has agreed to pay a fee-in-lieu toward the S. Main St./Piney Grove Wilbon/Ralph Stephens Rd. intersection; a cross access easement with the eastern adjacent property; prohibit the uses of Automotive Sales & Service, Neighborhood Recycling Collection Point, and Parking Garage; and incorporating open space, restricting parking locations and utilizing low-impact stormwater design. MPT Berry asked if additional conditions were added after the Planning Board meeting. Ms. Caines said nothing was added.

Rachel Jones, Development Services, said that water and sewer is available to the property. She said the property would have a right-in only access off of S. Main Street, with egress at that site for emergency vehicles only, with egress through the neighboring property. The project would have a less than 2% impact on the intersection and would pay approximately \$3,105 towards the traffic signal and intersection improvements at Main Street and Ralph Stephens Road.

There was discussion over whether or not the access through Aspens would have a signal. Ms. Jones said she did not think that NCDOT would warrant a signal there.

Matt Beard, Parks and Recreation, said that the developer will create the sidepath along the Main Street frontage. Further south there will be a greenway included. But the adjacent properties were approved before the Greenway Master Plan and were not required to build sidepaths.

Rick Madoni, Planning Board representative, said that the Planning Board voted unanimously to recommend approval. He said that there was concern about traffic impact. There was a neighborhood meeting, but no one showed up. There were questions about future developments. There were no questions about additional conditions.

Mayor Mayefskie opened the public hearing for the annexation and the rezoning, requesting that those speaking address either of these topics or both, and specify, if they are opposed to one and not the other, which they oppose and which they support.

Avani Patel was present to answer questions to the applicant.

There were no questions for the applicant.

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

Action 1: Motion to adopt Annexation Ordinance A21-05 to approve annexation of 1000 S. Main Street.

Motion by: Wolff

Second by: Forrest

Vote: unanimous

A copy of Annexation Ordinance 21-05 is attached to these minutes.

Action 2: Motion to adopt Rezoning Ordinance RZ22-03 to adopt statement of compatibility and to approve rezoning with amended conditions as offered by the applicant.

Motion by: Wolff

Second by: Forrest

Vote: unanimous

A copy of Rezoning Ordinance RZ22-03 is attached to these minutes.

16. Voluntary Annexation A21-01, Optimist Commons

Cheryl Caines, Development Services, said the purpose of this item was to consider the annexation of 4900 Optimist Farm Road. The property is located on Optimist Farm Road near the intersection with Sunset Lake Road. The property is designated mixed-use center in the Land Use and Character Plan. Council rezoned the property with a split zoning on July 20, 2021. The part of the property abutting Optimist Farm Rd. is zoned NMX Neighborhood Mixed-Use CU, and the northern part of the property is zoned NCR Neighborhood Center Residential CU.

Mayor Mayefskie opened the public hearing.

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

Action: Motion to adopt Annexation Ordinance A21-05 to approve annexation of 4900 Optimist Farm Road in association with the Optimist Commons project.

Motion by: Berry

Second by: Forrest

Vote: unanimous

A copy of Annexation Ordinance 21-05 is attached to these minutes.

NEW BUSINESS

17. Optimist Commons Master Plan

Cheryl Caines, Development Services, said this item was the Detailed Master Plan and Waiver of Utility Undergrounding for existing overhead utility lines on the property just annexed. The property was rezoned in July of 2021, but the application was prior to the new UDO, and they have selected to proceed under the old UDO. The current step is the approval of the Detailed Master Plan. The next step is the Development Plan for the south side of the property.

Rachel Jones, Development Services, said that there was existing water and sewer available to the property and all associated studies were completed with the rezoning. A Traffic Assessment Report (TAR) was completed and one intersection was studied in addition to the proposed access site. She showed how the area has changed since the completion of the draft Comprehensive Transportation Plan, due to the completion of NC540, and how traffic might move in and out of the property. The development of POD I would have thoroughfare widening of Optimist Farm Rd., a fee-in-lieu of median; a 10-foot sidepath and restricted right-in/right-out access with interconnectivity for future cross-access. The TAR would be re-evaluated with the development of the future POD II, with Bell Haven extended for access to the north and stubs to prepare for interconnectivity to the east and west as those areas develop. She said there was discussion at Planning Board about the right-in/right-out access. This was discussed with NCDOT, including shifting the access point to the east. That would not work for site distance and safety reasons. Shifting the access to the west limited access options because of the distance to Sunset Lake Road.

Matt Beard, Parks and Recreation, said that a sidepath along Optimist Farm would be constructed. A greenway easement is being provided running roughly parallel to Sunset Lake Road

across the property that would eventually connect with future greenway, once the adjacent properties are developed. The entire natural area will be designated greenway easement, but it will be pared down once the greenway is designed and platted.

Rick Madoni, Planning Board representative, said that Planning Board first voted on a Motion to recommend approval with Additional Condition and the vote failed with a vote of 4-4-1. Concerns were the lack of a solid traffic plan, safety concerns, and the current lack of interconnectivity with the right-in/right-out access. They then made a Motion to recommend denial which passed with a vote of 8-0-1.

MPT Berry asked what the additional condition would have been. Mr. Madoni said it was to recommend that Council come up with a new access point – they didn't have a plan. Without the neighboring properties being developed it was hard to predict the best access point.

Josh Dunbar, of The El Group, Inc., speaking for the applicant, introduced the project team, and said that the traffic engineer was ill and unable to be present. He said he would review the Master Plan Elements, and provide an overview of current plans and the anticipated project schedule. He said that when the land was rezoned a zoning condition was placed allowing a maximum of 25 townhome units on the northern part of the property, future greenway construction across the rear of the property, the extension of S. Bell Haven Road, the extension of utilities to serve development to the north, and construction of a greenway sidepath along Optimist Farm Road frontage. The Master Plan for the 4.91 acres along Optimist Farm is for a proposed day care of about 7,500 sq. ft., and proposed future commercial/retail of about 9,000 sq. ft. POD I, the southern end, would include road improvements to Optimist Farm Road. He handed supporting documents to Council (attached to these minutes) regarding the business plan, timing of developments, and maps. He said that this was a local family business. The business is focused on serving working families in the service sector. Drop off and pick up times are on an extended schedule, and will therefore not be restricted to rush hour traffic times. He discussed the traffic options that were discussed with NCDOT, and the only solution DOT would agree to was the right-in/right out. He said they would plan to educate their families on options to route in and out of the site without going through neighborhoods. He discussed future development that will provide more connectivity for the site in the future. He discussed the timing of transportation projects in the area.

Mr. Dunbar said that utilities will be stubbed for POD II access at the time of construction, and the greenway sidepath will be constructed with POD I.

Mr. Dunbar shared discussions he had had with NCDOT and Town staff regarding traffic, and a right-in/right-out access meets the requirements for access and is the minimum that can be requested. Other options will become available as the land on either side is developed. Until then, there exist public routes for accessing the property. He said that POD II is planned for 25 Townhome units, and an additional traffic study would be required at the time of development plans. Utilities would be extended from POD I at the time of construction.

Mr. Dunbar said that the architectural elements for the POD I buildings would be brick and stone, in compliance with the UDO, and with architectural finish on all four sides. Awnings shall be limited to metal only and all glass doors and windows will be clear glass. He described the fencing, lighting, mechanical equipment and sign standards. If the Master Plan is approved tonight, Mr. Dunbar said he anticipates development plan approval for the day care in July of this year, with construction drawing approval and permits in the third quarter of 2022, construction of the day care beginning in the fourth quarter of 2022 and complete in the summer of 2023.

Council member McGrath said his concern was people coming from the east and cutting through Wescott, which is a terrible intersection, as to sight lines. He thinks it is still an unresolved issue. Mr. Dunbar said the CTP would restrict that, as it would become a median divided road at some point.

Rodney Brown, applicant, said this would not be a destination spot. If people are coming from Cary, they are coming to work and are coming anyway, so he does not see the day care adding more traffic, just as the traffic study shows.

Mayor ProTem Berry said there was a lot of other development that needs to occur to make this happen. He said the Town had the same issue at a different day care and people are going to be making illegal U-turns to get there. Since some of these other projects are pretty far out, there

will be 2 years between the day care and the other projects. Is there anything we can do with DOT and the design of a median to allow people to make a left in? Ms. Jones said that was investigated, but due to the length of the left turn that would be needed it would have to reach all the way to Sunset Lake Road and cars would stack up. So NCDOT would not support that. Elizabeth Goodson, Development Services, said additional widening would be required before a left turn lane could be put in without causing additional stacking.

Council member Wolff said this is eerily similar to the other day care situation. But having the full access is not going to be achievable unless all three projects were developed simultaneously, which is not going to happen. It's not ideal to be first, but someone has to be. He said he appreciated the applicant's willingness to explore other options.

Mayor Pro Tem Berry asked about the sewer project timeline. Ms. Jones said that it is being accelerated by collaborating with the apartment project and there is a regional pump station planned for this area as well as upgrades for those that are already in place.

Mayor Pro Tem Berry asked whether there would be a fee-in-lieu for waiving the undergrounding of utilities. Ms. Jones said yes.

Action 1: Motion to make and accept Findings of Fact for consideration of and approve the Waiver of Utility Undergrounding with the condition listed in the attachment.

Motion by: Wolff

Second by: Forrest

Vote: unanimous

Action 2: Motion to approve Detailed Master Plan 21-MAS-02 for Optimist Commons as submitted by Underfoot Engineering, Project Number C19002.00 dated Revised 2/16/2022, with the conditions listed in the attachment.

Motion by: Wolff

Second by: Forrest

Vote: unanimous

18. Carolina Springs Master Plan

Cheryl Caines, Development Services, said the purpose of this item was to consider a request for Carolina Springs Phase 2 Preliminary Plan. She oriented Council to the location of Carolina Springs in the northwest part of town, near US Hwy 1 and Woods Creek Road. The area is designated Mixed Residential Neighborhood on the Land Use and Character Plan and zoned Planned Unit Development. The property is at the Preliminary Plan stage for Phase 2.

Mayor ProTem Berry asked if this was the Development Plan, or if they would have to come back for that. Ms. Caines said there will be construction drawings, but those are approved at staff level, and will not come back to Council.

Council member Bennett asked for housing numbers. Ms. Caines said this space has 401 units, and Phase 1 has 436. Their maximum is 1700 for the entire development.

Rachel Jones, Development Services, said that there is existing water and reclaimed water to the site and showed where the proposed sanitary sewer outfall would go to Pump Station #2. She said the Traffic Impact Analysis (TIA) was completed with the PUD and an Update Memo with Phase 2. Phase 2 triggers the Improvements identified under 50% Build Out including turn lanes and a fee-in-lieu. There will be two new access points, which are being coordinated with Woods Creek Elementary School, and one closer to US 1. She said that five intersections were studied. They will pay a fee-in-lieu of new traffic signals, which will be installed by Developer when warranted, and will pay a fee-in-lieu of right turn lane at Bennett Knoll/NC-55. The developer has completed 90% design for the three traffic signals and will pay a fee-in-lieu should they not be warranted at time of construction.

Council member McGrath said, since other side of the road improvements are not included with the elementary school, do we have a timeline for full build-out? Ms. Jones said at this point it is not planned as part of our CIP; there are some downstream improvements, and we are investigating other options. The project side of the street will meet Town standards.

Matt Beard, Parks and Recreation, showed where the greenways will be through the development, and where they will connect to existing greenways, and a sidepath along Woods Creek Road. This project was approved before the Parks Recreation & Greenways Master Plan, and so required some flexibility from the Town and the developer. Phase 2 was developed with 5-ft sidewalks, and they were able to expand that to a 10-ft sidepath, and since that was not under the original requirement, the Town has offered to pay the difference in cost. This will provide a safe link to the school for children who will be attending the new elementary school. He discussed the park area and the greenway easement through the property running parallel to a Colonial Gas easement.

Planning Board representative Rick Madoni said that Planning Board recommended approval with a vote of 8-0-1. They discussed the timing of the commercial component, asked for an update on the Calvert Ice Sports facility, and the status of road and utility construction. They found that commercial is under construction. They did not get any information about the Ice facility. They suggested that flashing cross walks might be a good idea near the elementary school. They asked about EV charging stations and were told none were being built, but each house would have the capability to have one installed.

Debbie Ferm of Withers Ravenel spoke for the applicant. She showed the boundary of Phase 2 and said it was Neighborhood District. She showed the locations for town homes and single-family homes. She outlined the open space and park space being constructed as part of the PUD, including a Tot Lot and a Dog Park.

She said that Phase 2 contains a mix of 172 single family homes and 229 townhomes. The total number of units will be 837, which is less than the permitted 1,700. She showed elevations of proposed single family homes and townhomes.

She spoke about the allowable density and the units in the neighborhood district. She said that infrastructure plans for the Innovation/Town Center District/ Village Square East areas are in review and will be submitted next month. The elementary school is under construction and is being served by the utilities associated with Phase 1 and Phase 2.

Nate Bouquin with Ramey Kemp discussed the traffic improvements that were triggered by Phase 1. He said this phase triggers the full build-out of the improvements they will be building. He outlined the turn lanes, road widening, traffic signals, and other road improvements along with the project.

Ms. Ferm said that the greenway which is under review right now, will be 1 ½ miles to connect Carolina Springs to 12 Oaks. The 25 acre park also includes greenways to connect the park.

Steven Thorne, Lennar, said the spine road, Carolina Springs Boulevard is under construction. The forcemain project is close to completion. Phase 2 has been accelerated specifically to assist with Wake County Schools, to be sure the road improvements and the utilities needed to keep the school on schedule are installed. The partners on the project with the commercial development are in motion, and it will be easier to attract tenants once the utilities are completed. The Ice Sports area has met some bumps, due to COVID, but this allowed them and Lennar to eliminate some conflicts and they are coordinating and modifying their design and plan to reengage with staff soon.

MPT Berry expressed concern that no commercial project for Carolina Springs has come forward yet and asked about the timing of their ability to pull permits. John Schifano, Town Attorney, said that they can not get beyond 25% of the residential, without having approved plans for 20,000 sq. ft. of commercial space. After that, to go up to 50% of the residential, 20,000 sq. ft. of commercial must be built, and plans approved for another 20,000 sq. ft. Right now you are approving plans, but then they have to get construction drawing approval. Staff is not going to allow more than 25% of the building permits until the commercial is approved. In theory they could get plan approval for the whole project and staff could hold the permits until the commercial is built.

Mayor Pro Tem Berry said his entire qualm is with the overall developer. He said Council was given grand plans three years ago, with the iceplex as the crowning touch. Now we are getting single family homes, no real concept of everything together that we were sold three years ago. Putting this forward is setting the stage for infrastructure improvements that may not get paid back if the commercial doesn't come in. He thinks it is premature to approve this now. He is interested in tabling this for further discussion at least until we get those plans in place.

Mayor Mayefskie asked what the mechanism to notify Lennar that they were getting close? Mr. Schifano said it is building permits. They can go up to 25% (425) without the commercial. To go one unit above that amount, they need to get plans approved for 20,000 sq. ft. of commercial. They can then go up to 50%, but to go to 51%, they need to construct the 20,000 sq. ft. and have plans for another 20,000 sq. ft.

Mayor Mayefskie asked what the timeframe was to build out the first 25%. Mr. Thorne said the first home would not be for sale until 2023. An aggressive pace of 20 per month would be 20 months of home construction, and then they have to sell. In addition, he has spoken with the development partner on the commercial side. It is easier for them now that the utilities are in place. We have a separate agreement with him to have the commercial built so as not to hold up the residential. Mr. Thorne said he understands that it is going to come in as a commercial center, rather than 20,000 sq. ft. at a time, in addition to the Village District which is waiting for Carolina Blvd. to be constructed. There is a long burn time from when we need it. We have accelerated our timeline to work with Wake County.

Council member McGrath said it is important to remember that in those conversations three years ago, the commercial component was to ensure that a large housing development was not left without services and amenities. It was not just to get the tax ratio to 30/70.

Council member Wolff said that, worst case scenario, we end up with 425 homes and no commercial, and some excessive infrastructure. The agreement seems well crafted to manage this. We are all excited for full build out, but our action tonight is not going to do anything but further excite the commercial developer to get plans moving. He said he was willing to move forward tonight.

Council member Bennett said that when coming down Woods Creek Rd from 540, in front of 12 Oaks there is a single lane on either side. Once you pass that, is the rest of that going to be 2 lanes on the development side, and one on the other? Ms. Jones said yes, with this phase. There will be a little bit of a bottleneck. Elizabeth Goodson, Development Services, said there is room to put the additional lanes in, and right-of-way has been acquired. We need to discuss internally about future construction to ultimate four lane. Mayor Pro Tem Berry asked if a fee-in-lieu was collected. Ms. Goodson said she believed so, but needs to research it.

Council member Bennett asked when is the school was set to open. Randy Harrington, Town Manager, said the soft open was set for 2023 and full open in 2024.

Action: Motion to approve Preliminary Plan 21-MAS-06 Carolina Springs Phase 2 as submitted by Withers Ravenel, Project Number 02190372.30, dated Revised 2/11/2022, with the conditions listed in the attachment.

Motion by: Wolff

Second by: Forrest

Vote: Aye: Wolff, Forrest, Bennett

Nay: Berry

The motion passed.

19. Rhamkatte Plaza Development Plan Major Amendment

Cheryl Caines, Development Services, said this item was to consider a request for Rhamkatte Plaza Development Plan Major Amendment and Waiver for Architectural Design standards. The property is along Holly Springs Road across from the intersection with Bass Lake

Road. It is designated Neighborhood Center on the Land Use and Character Plan and zoned Planned Unit Development.

Rick Madoni, Planning Board representative, said that Planning Board recommended approval with a vote of 8-0-1 and no concerns were expressed.

Tom Spaulding, Spaulding Group, speaking for the applicant said they have gone through two rounds of plans before the applicant got a large tenant, which required minor changes. They have contractors lined up to begin in June.

Ted VanDyke of New City Architects, said the retail portion is in the corner, with lots of interest. The commercial building was moved slightly to allow for a larger footprint. The amendment is for Building 1, a 2-story building with 18,650 sq. ft. per story. He showed an architect's rendering of Building 1, followed by the elevations. The waiver is for building bays, requesting an extension to allow building bays and rooflines to extend for more than 50 feet, which is made necessary by the new shape of the building. The elevations are a "close cousin" to the retail on the corner.

Action 1: Motion to make and accept the Findings of Fact for consideration of and to approve Waiver of Architectural Design Standards.

Motion by: Berry

Second by: Wolff

Vote: unanimous

Action 2: Motion to approve Development Plan Major Amendment 20-DP-10-A02 for Rhamkatte Plaza, as submitted by The Spaulding Group, Project Number 955-19, dated Revised 2/11/2022 with the conditions listed in the attachment.

Motion by: Berry

Second by: Forrest

Vote: unanimous

20. CS Tree Services Development Plan

Cheryl Caines, Development Services, said the purpose of this item was to consider a request for CS Tree Services Development Plan and Waivers regarding road widening and utilities. The site is at the end of James Rest Home Road. It is designated Business & Industrial on the Land Use and Character Plan and zoned IT Industry & Technology under the old UDO and Heavy Industrial in the new UDO. The application was submitted prior to the new UDO and has chosen to move forward under the old UDO. Because the adjoining properties are still zoned rural residential, there are large buffers required. They went to the Board of Adjustment in March and requested reduced buffers, which was approved at that time.

Rachel Jones, Development Services, said that the nearest public water and sewer is over 3 miles away, so this site will use the well and septic, which is available and will be improved. She said there would be a fee-in-lieu of improvements across property frontages in the amount of \$100,828.56 and a waiver of road construction.

Rick Madoni, Planning Board representative, said Planning Board recommended approval with a vote of 8-0-1 and no concerns were expressed. The only question that came up was whether the fee-in-lieu could be used in another area, because it was unlikely this road would ever be improved.

Will Allman with Timmons Group spoke for the applicant and said that the total area is 13.9 acres, but it is reduced about 22% by Duke Energy owning the rights to the land that falls within the 260' contour for Harris Lake. There is existing well and septic on site. One house will be used as offices, and the rest will be taken down. He showed the site plan and the existing building on site. They will use gravel storage yards. He showed an elevation for a new maintenance building to be constructed on the south portion of the site. This will be used for fixing the trucks, but will not be in

daily use. He showed the buffer reduction (from 150' to 50') that was approved by the Board of Adjustment on March 7th.

Action 1: Motion to adopt Resolution 22-18 to make and accept the Findings of Fact for consideration of and to approve Waivers with conditions.

Motion by: Wolff

Second by: Forrest

Vote: unanimous

Action 2: Motion to approve Development Plan 21-DP-12 for CS Tree Services, as submitted by Timmons Group, Project Number 49551, dated Revised 3/8/2022 with the conditions listed in the attachment.

Motion by: Wolff

Second by: Forrest

Vote: unanimous

OTHER BUSINESS

Council member Wolff said that election signs are up. Primaries are coming up on May 17th and because of the redistricting after the 2020 census, everyone in town will have new representation, as we were split into three different districts. Go to the Board of Elections web site to see what your districts are. April 22nd is the last date to register in order to vote in the primary and May 10th is the last day to request an absentee ballot. Gave dates for early voting and election day.

Mayor Mayefskie said tomorrow is a big day - the groundbreaking for Holly Springs Road Widening. He commends Council for putting the effort in to get this project going. Council member Wolff said this was the first project from the 2018 bond.

MANAGER'S REPORT

Randy Harrington, Town Manager, gave a shout out to Cheryl Caines, Rachel Jones, Matt Beard and Rick Madoni, who carried a heavy load tonight with multiple presentations. There are 4 events coming up over the next several weeks

1. Sunday from 10-4 Chalk the Walk Festival at the Cultural Center. Register online to be an artist or come out to be a spectator.
2. Joint Complete 540 and NE Gateway meeting April 27 6 - 8 pm at Sunrise UMC on Sunset Lake Rd.
3. April 30th, Springs Classic Race in the downtown area, 7 am to 10 or 10:30 in the morning. There will be some road closures.
4. May 6th 1st International Food Festival from 5-9 pm near the Cultural Center.

CLOSED SESSION: None.

Adjournment: Mayor Pro Tem Berry made a motion to adjourn at 9:31 pm. It was seconded by Council member Forrest and passed with a unanimous vote.

Respectfully Submitted on Tuesday, May 3, 2022.



Linda C. McKinney, Town Clerk

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