



Holly Springs Town Council
7:00 PM **Tuesday, June 16, 2020**

Regular Meeting
Holly Springs Town Hall Council Chambers
128 S. Main Street, 2nd Floor

Agenda

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Adjustment and approval of June 16, 2020 meeting agenda

PUBLIC COMMENT PERIOD **Notes on the Comment Period** -Due to the COVID-19 pandemic and the current restrictions on mass gatherings, public comment will be received in writing and delivered to Council Members prior to this meeting.

RECOGNITIONS

5. July Parks and Recreation Month Proclamation

REQUESTS AND COMMUNICATIONS

6. Holly Springs Tree Advisory Committee 2019 Annual Report/Arbor Day Proclamation/Tree City USA Award presentation

PUBLIC HEARINGS

7. Overlook Townhomes A: 19-DP-19 / 19-SEU-11 / 20-WAV-12
8. Overlook Townhomes B: 19-DP-20 / 19-SEU-12 / 19-WAV-48 / 20-WAV-13
9. Village Gate Rezoning and Development Agreement: 19-REZ-03

CONSENT AGENDA

10. Approve the minutes of June 2, 2020 Business Meeting and the June 4, 2020 Budget Workshop, and the June 9, 2020 Workshop.
11. Monthly Budget Amendment Report
12. Fiscal Year 2020-2021 Order for Wake County to Collect Property Taxes
13. COVID-19 Disinfecting Services Contract
14. Utey Creek Water Reclamation Facility Master Plan Contract

NEW BUSINESS

15. Fiscal Year 2020-2021 Budget Adoption
16. Holly Springs Road Widening - Ph II Easement and Right of Way Acquisition (Transportation Bond Project #19-009)

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



June 16, 2020

MINUTES

The Holly Springs Town Council met in regular session on Tuesday, June 16, 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); Mark Andrews, *Communication and Marketing*; Jeff Wilson, *Director IT*; Gina Clapp, *Director of Planning & Zoning*; Sean Ryan, *Planning*; Melissa Sigmund, *Planning & Zoning*; Rachel Jones, *Engineering*; Tim Athy, *Engineering*; LeeAnn Plumer, *Director Parks and Recreation*;

Staff Members Present via video conferencing: Cassie Hack, *Director Communications and Marketing*; Tamara Ward, *Communications and Marketing*; Patty Dressen, *Interim Director of Finance*; Kendra Parrish, *Director Engineering*; Irena Krstanovic, *Director Economic Development*; Jessica McMillan, *Interim Police Chief*; and Leroy Smith, *Fire Chief*, Matthew Mutter, *IT*, Kathy White, *Town Deputy Clerk*.

2. and 3. The pledge of allegiance was recited followed by an invocation by Pastor Marcus Williams of Douglas Chapel AME Zion Church.

4. Agenda Adjustment: The June 16, 2020 meeting agenda was adopted with changes, if any, as listed: none.

Motion by: Berry

Second by: McGrath

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: Seven emails in opposition to the Overlook Townhomes project; and one email in support of the Village Gate project; and two emails with demands for police reform. *Copies of these emails are attached to these minutes.*

5. Parks and Recreation Month Proclamation

Lee Ann Plumer, Parks and Recreation Director said that this year's theme is "We are Parks and Recreation." She said that over the past few months, the Parks and Recreation Department has received many comments from the community regarding being able to get out and enjoy the parks, and being able to take virtual yoga and other virtual classes. She read a few comments from residents.

Mayor Sears presented her with a Proclamation naming July Parks and Recreation Month in Holly Springs.

6. Tree Advisory Committee 2019 Annual Report, Arbor Day Proclamation, and Tree City USA Award Presentation

Rachel Wood, Tree Advisory Committee (TAC) gave a report on the Committee's 2019 activities. This report was delayed due to COVID-19. She said the reason for the committee was the Town was seeking Tree City USA designation. She outlined the responsibilities of the committee. She spoke about activities the TAC participated in over the last year including work on the Tree Ordinance, appearances at Holly Fest, planning the Arbor Day event, and guiding the planting of street trees. In the fall, the Street Tree Infill program planted 21 trees of 4 species in established neighborhoods. Ms. Wood then gave a preview of activities already held or planned for 2020, including a pruning class, the first Arbor Day tree planting, working on the tree ordinance with the Planning Department, planning a tree identification program at Bass Lake Park, and expanding the Discovery Program to include a unit on trees.

Gina Clapp, Director of Planning and Zoning, introduced Mr. Andrew Pleninger, Program Head of Community and Urban Forestry with the NC Forest Service.

Mr. Pleninger said it was a pleasure to be here, virtually, to celebrate the role trees play in protecting our health and to present the Tree City USA award. Holly Springs is one of 81 municipalities in NC to receive this recognition. He gave the history of the Tree City USA program. He said awards are presented annually to cities and towns that meet the 4 criteria. Holly Springs has met these criteria. He presented the Council with Holly Springs' Tree City USA designation.

Gina Clapp said that we had received two street signs designating the Town as a Tree City USA, and a Tree City USA flag. She thanked the Council for all of its support over the past years to make this possible.

Mayor Sears proclaimed Arbor Day in Holly Springs.

7. Public Hearing: Overlook Townhomes A: 19-DP-19 / 19-SEU-11 / 20-WAV-12

Sean Ryan, Planning & Zoning, said the purpose of this item was for Council to consider a Development Plan, Special Exception Use, and associated Waiver for Overlook Townhomes Site A. He showed the location of the proposed development at the intersection of Avent Ferry Road and Holly Meadow Drive. He explained what the Mixed-Use Option is meant to allow: integrated uses, with unique and innovative design and pedestrian friendly features. He said that the proposed site is designated as Neighborhood Center on the Land Use and Character Plan. Neighborhood Centers are meant to be small scale, provide goods and services to surrounding neighborhoods. They may include a residential component, although they are meant to be mostly commercial. Current zoning is LB Local Business. The developer is proposing a land use mix of 22.7% commercial and 77.3% residential, with 22 townhomes (5 units per acres) and 6,600 sq. ft. of commercial building. The landscape plan submitted is requesting a waiver of the 25% hardwood tree requirement between the property and the houses on Shorehouse Way and Holly Glen Court. The plan calls for opaque screening along Holly Meadow Dr. and open screening along Avent Ferry Rd. Portions next to residential zoning require opaque screening, and those on commercial or thoroughfare require open screening. No elevations have been submitted at this time. If Council approves this, staff recommends a condition of approval that the elevations come back to Town Council for review and approval.

Rachel Jones, Engineering, said that there are water and sewer connections available to the site. A Traffic Impact Analysis (TIA) was done and the intersections studied were Avent Ferry at Holly Meadow Dr.; Avent Ferry at Capeside Ave.; Avent Ferry at Ralph Stephens Rd.; and Cass Holt Rd. at Honeycutt Rd. A signal was warranted at Holly Meadow Drive and Avent Ferry Road to meet the TIA requirements as well as safety requirements. The developer is committed to design and install the signal but is not committing to pay for the entire cost. The design and construction of the signal at Holly Meadow Drive would be completed with the first phase of the development. This traffic signal would require financial partnership between the Developer and the Town in order to fulfill the TIA requirements. The Developer is willing to pay 19% of the \$317,000 cost of the signal.

(or \$60,230), 35% (\$110,950) is expected to be paid by other development, leaving 46%, or \$145,820 as the Town's responsibility. Should Council vote to approve, that signal would need to be installed.

Thomas Urquhart, Planning Board said that the Planning Board discussed the following issues and concerns on April 28, 2020:

- Concerns about additional traffic and the need for a stop light;
- The breakdown between the area of commercial vs. residential; there is not enough commercial;
- If the project is best suited for this site;
- If the project is innovative enough;
- If the project is consistent with the new Land Use Plan and the goals for neighborhood centers;
- Why the tree preservation area needs a waiver.

On the UDO Wavier for the Tree Preservation Area, the Planning Board recommended denial with a vote of 4-5-0. Those voting against the motion were Mr. Brady, Mr. Crandall, Ms. Patterson, Mr. Stuckey, and Mr. Urquhart.

On the Special Exception Use and Development Plan the Planning Board recommended denial unanimously with a vote of 0-9-0. The reasons for voting against were:

Ms. Rybak: concerns about traffic and the preference for more commercial;

Mr. Carpico: agreed with the board comments;

Mr. Brady: project not the best use for this location;

Mr. Crandall: lack of innovation, and the proposed commercial/residential mix;

Mr. Deshazor: traffic, lack of innovation, and proposed commercial/residential mix;

Mr. Madoni: does not fit with new land use plan designation;

Ms. Patterson: proposed use is not the best location;

Mr. Stuckey: project not the best use for this location;

Mr. Urquhart: supports the Technical Review Committee recommendation for more commercial.

Councilman McGrath asked the exact distance from the closest townhome to the closest lot line. Mr. Ryan said he did not have the exact distance, but showed on the map where the closest residential lots are, and the place where the 30 foot buffer would be. On the north side, the buffer is greater than 20 feet, and is closer to 30 feet on the Holly Meadow side. MPT Berry asked if setbacks had to follow the commercial requirements. Mr. Ryan said that the setbacks come from the mixed-use option, which reduces the setback requirement from 30 feet to 10 feet. The applicant has not reduced the setback along Shorehouse Way or Holly Meadow, but has reduced them on Avent Ferry.

Councilman McGrath asked for clarification on the Comprehensive Transportation Plan, when Avent Ferry Road would be expanded to a 4 lane all the way to the southern Holly Meadow intersection (not the one close to Capeside). Ms. Jones said that Phase 2 of the road widening is from Ralph Stevens Road to Cass Holt Road. Staff is in discussion with DOT to extend this length, but has not been successful at this time. Even construction to Cass Holt Road is 3 years off. Beyond that, there is no timeline.

With that explanation given, Mayor Sears opened the public hearing. The following input was received: sworn affidavits in opposition to the project were received from 19 residents, and a notarized letter in opposition from one resident. *Copies of these affidavits are attached to these minutes.*

Mr. Michael Blakley, 6728 Carbonton Rd. Sanford, NC, of J. Thomas Engineering, Inc. said they asked to wait to submit the elevations because they have 5 builders interested in doing this project. One of the potential developers has provided them with the elevation shown on the slide,

which does not meet the Town requirements, and a building that was approved for this site 10 years ago for this site. These are to give Council an idea of what type of building might be presented. He said that they are collaborating with Children's Lighthouse developer to install the signal. He said that this plan was a transition between commercial use and single family homes. He said that they looked at the Neighborhood Center use, and they came up with a plan based on the market and what they could sell. They went from having townhomes as the main use, to adding some light commercial. They think that would be a good transition.

Mr. Blakley said the plan for Site A is a 6,600 sq. ft. office / commercial space, with the more intensive uses being services for the community, and 22 single family townhomes. The access would be off of Shorehouse Way, and there would be sidewalk interconnectivity and recreation areas with intermingling of mixed uses between cross-access parking, and the mail kiosk on the commercial side. He said there would be sidewalks on Avent Ferry and along Holly Meadow Drive. He said that the water supply would be adequate. They have agreed to install a stub to Children's Lighthouse for sewer. He said the project would offer the public safety improvements of a signalized intersection at Holly Meadow Dr. and Avent Ferry Rd., of which the developer would pay 18%, and eliminating left turns at Cape Side Drive with the use of medians. He said that both of those intersections were identified as failing in the TIA. He said that Capeside is a dangerous intersection. He said their impact on Capeside was below the TIA requirements. They propose to limit left turns out of Capeside by installing medians with a "pork chop island." He said that limiting movement on Capeside will impact other intersections, and there will be only 5 to 8 cars per day that would be redirected through the neighborhood. He said that he heard there was no funding for the Town to fix this intersection, so they propose to finance the signal for the Town.

Mr. Blakley said they were currently working on a developer agreement to finance the 47% that is lacking on the signal. Regarding the waiver for the tree preservation area, he said that the two parcels were previously timbered, so there are mostly pines and any hardwoods existing are not big enough to meet the tree ordinance requirements. They are picking the location of the tree preservation area to make the best screening and then they will plant additional trees to meet the requirement.

Councilwoman Kelly asked where the amenities for the townhomes were on this plan. Mr. Blakley said there is a patio next to the commercial building, and green areas with benches along the back. The benches around the stormwater retention can be used by both the commercial and the townhomes. Councilwoman Kelly asked what would stop people from going to use Holly Glen facilities since there are no playgrounds. Mr. Blakley said the demographic for the townhomes will be adults with no children - empty nesters, newly marrieds, etc. Councilwoman Kelly asked him why he said that. Mr. Blakley said that most people go into townhomes for starter homes. Most townhome people do not have kids. These are not intended for large families. Councilwoman Kelly asked if there was room for 2 cars. Mr. Blakley said there would be room for one car in the garage and one car in the driveway. Guest parking would be on the street, and in additional spaces on the commercial area that are shared.

Councilwoman Kelly asked how he determined that only 5 cars would go through the neighborhood, because that seemed like a low estimate.

Jeff Hochanadel, Timmons Group, said the TIA was done by them. He said Mr. Blakley misspoke about the number of cars. They are looking at traffic for 43 units, combining sites A and B. Incoming AM peak hours would be 5 trips; outgoing vehicles would be 16, for a total of 21 trips at AM peak. PM peak hour incoming is 18 trips, outgoing is 10 trips for a total of 28 trips at PM peak. The formula they used is from the 10th edition of the Institute of Transportation Engineers Trip Generation Manual, which is the manual required by NCDOT. That is for Phase 1, just the residential portion. For the commercial portion there would be a few more trips. Incoming AM total, including commercial and residential, 104 in, 77 out, which is 181 AM peak total. PM peak hours incoming 61, 59 out, which is 120 PM peak total. Not all those trips are heading towards Capeside. Traffic would be split between Capeside and Holly Meadow. He said he also wanted to make a correction on the percentage impact of this proposed project. It was calculated at 18%, but it takes into account trips currently turning left from Capeside, which would be redirected to Holly Meadow.

MPT Berry pointed out that Holly Springs is pretty passionate about trees. He said that they saw the Tree City USA presentation at the beginning of this meeting. The Staff Report indicates that there are adequate hardwoods on the lot. He asked if the developer provided a sample. Mr. Blakley said that they did. The most prominent tree area was the low point of the site where the stormwater control pond is. He said they couldn't keep the trees and meet the stormwater regulations. Even if this site is developed all commercial, the stormwater control would have to be in that location. They wanted to use the buffering ability of the tree preservation area on the single family home side so they put the tree preservation area there. They are agreeing to plant trees to meet the 25% hardwood requirement. It was a site limitation issue.

Councilman McGrath asked when the lot was timbered. Mr. Blakley said it was timbered twelve years ago. Mr. Blakley said that the Neighborhood Center requirements could not be met on a site this size, because the two sites are divided, rather than one 9 acre site.

Mayor Sears said that before he called people to testify, if their testimony was strictly for site A or site B, to please say so, and if anyone has already heard what they wanted to say said by someone else, they could pass.

Mark McLaws, 200 Shorehouse Way, said his comments speak to both Site A and Site B. His objections are to the Findings of Fact claiming that the proposed use will not be injurious to the public safety, health, comfort, convenience, and general welfare, or will not adversely affect adjacent property values. The developer's argument is that it is in keeping with the neighborhood, and that doesn't speak to safety, comfort or moral standards. This is adding 40 units to a neighborhood that has 80 houses. This is a 50% increase. They provided parking for 2 automobiles, but there are more than 2 cars per home in Holly Glen, and this means there will be on-street parking. There is not enough street parking, and there would not be adequate emergency vehicle access. The density would increase the traffic in such a manner that it would congest the streets and propose a risk to inhabitants. He said that parking will be congested to the point that it will spill over into Shorehouse and the stub road next to his property. This is not in keeping with the statement that it would not harm the comfort or convenience of the neighborhood. In addition, for Site B, the proposal to limit left turns from Capeside is not in keeping with how that intersection is currently used. He said that he spent some time observing traffic there. Of 84 cars he saw leaving the Overlook, 91% turned left. Forcing them to turn right is not in keeping with the applicants' claim that this project would not injure the comfort of the community. The traffic light is not fully funded, and that is where cars will go. Traffic currently backs up beyond the intersection at Holly Meadow when school is in session. People are not going to wait in a line like that, and will drive through the neighborhood. All the traffic from Sites A and B will empty out into Holly Meadow. A 50% increase in traffic is substantial for an intersection that is already backed up at peak hours. Right now, it is common knowledge that if you want to sell a house in the neighborhood, you instruct your realtor not to show it during peak traffic hours. This tells us that traffic is already affecting property values and this plan will exacerbate that problem. He asked Council to reject the proposal.

Matt Rennell, 425 Shorehouse Way, said that he moved here eight years ago. Prior to that he lived in a townhouse with his daughter and wife for three years. He is against turning this space from commercial to mixed-use. Traffic issues and the lack of left turn from Capeside will force all the traffic from the proposed townhomes, as well as the current residents to cut through the neighborhood. If the space is commercial only, traffic will be going in the opposite direction from neighborhood traffic at peak hours. Additionally, it would not require all traffic to be re-routed through the neighborhood. He is concerned about the impact to property values from the destruction of the tree buffer, and the safety of the children. The additional traffic will endanger children. Holly Glen is currently a safe neighborhood, and that is why his family moved there. The west side of town needs more commercial development. Townhomes will bring more children for schools that are already capped. Each of us who is speaking tonight is pleading with you to keep our property values from decreasing, our neighborhood streets from becoming high traffic areas,

and most importantly to keep our children safe. Please listen to your constituents and vote no on the Special Exception Use.

Scott Lindsay, 401 Shorehouse Way, said he was opposed to the proposal. The traffic pattern will negatively impact residents and other members of the community. He said that currently cars are frequently parked along Capeside, Shorehouse, and Oak Moss. Additional traffic and parked cars will cause difficulty getting through the neighborhood, block access for emergency vehicles, and prove dangerous for the neighborhood children.

Melissa McGahey, 205 Capeside Ave., said that the applicant claims that the design intent is to provide commercial and residential use in harmony with the surrounding community. They said the commercial use will be located at the front of the property next to the "bustling" Avent Ferry thoroughfare, which shows they are aware how busy these roads already are. Residents do not consider this in harmony with the surrounding community. The intersection of Holly Meadow and Shorehouse is the only school bus site for the neighborhood for several schools, including middle and high schools. The addition of these townhomes would add additional students to that bus stop. As a teacher, that is a concern to her. There are currently 80 homes in the Overlook section of Holly Glen. Increased traffic will negatively impact families. With the proposed changes at Capeside, all but a small portion of the residents will be forced to use Holly Meadow. On sheet C7, page 13 of the site plan for Site B, they note that for the Primrose exit, they will add an additional section to turn Primrose into right in right out, and that will also add additional traffic in the neighborhood. Development on this site without the realignment of Capeside and Cass Holt is a recipe for disaster. She said that they have had to teach their children to use safety flags at a signaled crosswalk. They are teaching their 16 year old to drive, and do not allow her to turn left at Capeside because it is so dangerous. The Town has spent many hours through the years to create development plans designed with specific zoning to help develop responsibly. In December of 2016 the Holly Glen community stood together to ask Council to maintain the current zoning surrounding their neighborhood, and not to add higher density homes. As mentioned in the special exemption, the townhomes would create a transition from higher density to lower density homes. Please maintain the current zoning, and avoid development that adversely affects our community. She said that "Interconnected development" in Holly Springs does not send traffic through neighborhood streets. Interconnected Neighborhood Centers should provide services to the neighborhood. This design does not do this. Please vote to maintain the current LB zoning.

Craig Ashby, 201 Highland Springs Lane, said he has lived in Holly Glen for 22 years and has seen a lot of changes in that time. He does not support either of these proposed developments. Given the population density on this side of town, given the existing and approved developments, the feasibility of evacuating in the event of an emergency is at best severely compromised, and if truth be told, nonexistent. The willful addition of yet more bodies and traffic into that already overburdened equation is in his opinion completely unpardonable, constituting as it does an unacceptable public safety risk. With an existing traffic signal at Cass Holt and Avent Ferry, a new signal at Holly Meadow and Avent Ferry is the last thing Avent Ferry needs. Avent Ferry needs to be 6 lanes, not 4 not 2, 6. Then perhaps we could dedicate one lane to the never ending procession of slow moving dump trucks that lumber up and down Avent Ferry on a daily basis. New developments mean construction traffic, plus the noise pollution and inconvenience associated with the construction itself, impacting the adjacent neighborhoods. Typically these considerations seem to be totally glossed over in the relentless pursuit of profit. He hopes that Council will reject both of these proposals.

Thomas Rushing, 416 Shorehouse Way, said that he agreed with the previous speakers, but wanted to point out that the Town has spent a lot of time, money, and effort in developing a good plan for these areas. They got the community input in developing the Future Land Use Plan, it is a good plan, and the Town needs to stick to it. The Holly Glen neighborhood doesn't have commercial that we can walk to, to have ice cream or a dinner. This is the kind of things they do

want, which a Neighborhood Center would give them. Holly Glen currently has 3 entrances and exits. This proposal will effectively cut it down to 2, and add traffic from 40 new homes to the current 80. He said he goes out Capeside every day, sometimes multiple times per day. Adding additional traffic and effectively reducing the number of exits, Avent Ferry is not ready for that. The light is not funded and the Town will have to come up with the additional money. The traffic diverted off of Capeside will have to go down Oak Moss Trail, which is a narrow road compare to Holly Meadow and is traffic we do not need. All the roads in Holly Glen have street parking and people park on both sides, reducing the street to one lane. It makes it hard to navigate and hard to see. It is not what the Town has already decided should be there. The Town has a good plan and should not change it.

Joe Simon, 309 Capeside Ave., said his concern is that we cannot handle more traffic. And he is worried that his child will be hit by a car. Nothing anyone can say would make that OK. He travels down Avent Ferry, he does make the right turn off of Capeside. Avent Ferry is backed up every morning. He leaves at 7:15, and by then, the traffic going towards 55 is backed up to the new subdivision built by Calatlantic Homes. Avent Ferry cannot handle more traffic.

Meredith Sheopner, 204 Capeside Ave., said she lives in the Overlook section of Holly Glen. She thanked the Council for their service to the Town. She said she lived in Raleigh when she was younger, but when they had a child their priorities changed. They moved to Fuquay-Varina for 10 years, and kept hearing very positive and charming and growth opportunities about Holly Springs. They have lived here for 6 years, love the environment, the fun, family activities and shops, with a little tinge of hope for more non-chain-y restaurants in the future. They, as a community, are very concerned about these proposals, both A and B. She said she worries that the type of businesses in the mixed-use section will be inconsistent with the neighborhood feel. She purposefully bought her house in Holly Glen because she wanted a charming neighborhood feel, not a city feel. The proposed traffic situation change through Holly Glen and a right turn only onto Avent Ferry is not only hideous in her opinion, considering the traffic issues already faced, but incredibly dangerous for the residents, especially for the children. She is concerned that the timeline to completion will cause significant disruptions. She understands that developers will get the land ready and then sell to a builder. What guarantees do residents have for what exactly will be built? What about noise of construction? She is concerned it will start early and end late. If this is approved will there be noise ordinances set for it? She expressed concern about the location of the stormwater pond, and whether it would bring more mosquitos and bugs, which will impact property values. She thanked Council for the opportunity to speak, and said she vehemently opposes this development, both A and B. Please leave our charming enclave as it is.

Dr. Jennifer Johnson, 104 Holly Glen Ct, echoes the sentiments her neighbors have expressed. She recently heard that 292 townhomes were approved that will be built at Ralph Stephens and Avent Ferry. These townhomes will make the proposed 40 in Holly Glen completely obsolete. The Ralph Stephens development has been appropriately planned and spaced and will not have the same impact. She said Holly Springs prides itself on its small town roots. But it is looking more like Cary and Apex. We have 800 new homes being developed down Avent Ferry towards New Hill. We have an opportunity to harness a unique opportunity for a commercial space that can enhance local businesses, local businesses to enhance the village that Holly Springs is supposed to be a part of. Let's enhance our neighborhood instead of adding to the issues that we all feel every single day. Please stay out of my backyard.

Katherine Kornbau, 513 Avent Meadows Lane, said she moved to this area over 20 years ago. At that time there were no stop signs and no traffic lights. A lot has changed. She said they moved here rather than Cary or Apex because of the trees, larger lots, the Family Farm, and the small town feel. Now there are over 2000 homes directly off Avent Ferry, three schools, numerous other homes and subdivisions that feed on to Avent Ferry, not to mention those that are approved but not yet built that will add more traffic. There will be townhomes across from Sheetz and behind

Sheetz. With all of that development, Avent Ferry Road has hardly changed at all. She said that they have been promised for about 15 years that Avent Ferry Rd. would be widened. She said to forgive her if she doesn't believe it's going to happen. With COVID, DOT funding has changed. And beyond the school there is no plan to widen Avent Ferry, despite the thousand homes that are being built. It is still a sleepy two-lane country road. She said she does not think anything should be approved until Avent Ferry is actually widened. Put the infrastructure in place before anything else is built. Avent Ferry is an emergency evacuation route from Shearon Harris. It used to take five minutes to get from Holly Glen to Town Hall and now it is almost twenty minutes. The plan to have all the commercial and residential traffic use Shorehouse instead of Capeside is absurd. The children of Holly Glen play in the road, because it is a quiet, sleepy road. All of the traffic diverted there will be a real danger to the kids. She also said that calling it Overlook Townhomes implies that it is part of Holly Glen neighborhood and HOA. There are no amenities planned for any of these townhomes. So the Holly Glen HOA will bear the burden of these extra children. Is the developer going to request to join our HOA? Will they advertise that they are part of the HOA? People coming by and looking will see Holly Glen's pool and playground and assume that they are part of the HOA. The Holly Glen HOA budget and amenities are at maximum capacity. She said that they do not want any more members to the HOA. They feel it is being forced upon them. Please deny this.

Colleen Bradley, 305 Avent Meadows Lane, said she appreciates being allowed to speak out. She has been here 12 years. She's an OR nurse at "Big Rex." She was excited to move here from the rural mountains of NC. Those rural high schools had a 4 lane highway and a turning lane to each one. Here, there is a high school, middle school, and elementary school off of a 2 lane highway. There has been much growth in Holly Springs. She said she normally leaves for work between 5 and 5:30 am, and there are 5 or 6 cars at the stop sign at Avent Ferry at that time of morning. It usually takes 10 to 15 minutes to get to US 1 at that time of morning. When she has a later start time and goes to work at 7:15, it takes her 7 to 12 ½ minutes to get out of the neighborhood, and from 10 to 15 or 20 minutes to get to Highway 55. It takes from 40 minutes to 1 1/2 hours to get to Big Rex. We have a lot of congestion there. It is a safety issue. These highways are jammed. The Super Street intersections on 55 have helped somewhat at some times, but the bottom line is that if anyone has a heart attack or stroke, even with the hospital being built here, we are limited in getting emergency help to them within the 10 minute time frame necessary. There are many areas ambulances will not be able to get to. There are so many developments, with 2 cars for each home. And traffic is backed up in all directions. She would like it if she could ask everyone to sit in silence for 10 minutes to see how they would feel waiting to turn left out of their own neighborhood. Everyone loves this area or they wouldn't still be here, but traffic is a main issue. It has increased. Many times children crossing the street to school have almost gotten hit, even when the cars are going slowly. They have been frustrated with more traffic. Also the intersection around Primrose is already confusing. Making these proposed changes will make it more confusing. Maybe the TIA traffic count was true, but we are in a pandemic. Was that taken into consideration? Even at 5:30 am she sees more cars than that. She said she is opposed to this project.

Melanie Stauffer, 221 Harbor Fog Trail, said that in addition to what everyone has shared today, she wanted to add that she has three 14 year old boys who will be learning how to drive when this development would be built. It is a hazard for anyone, let alone new drivers. There are a lot of kids in the neighborhood who will eventually become new drivers. Having to navigate additional congestion will make it difficult for them. Restricting the left hand turns will make the intersection safer, but the additional traffic 40 condos would produce through the neighborhood makes it more difficult for emergency vehicles to get to the neighborhood, and dangerous for their children at play. The adults in the neighborhood know that children play by the street and are careful, but others might not be. It took her 5 minutes to turn left this evening, at a non-peak time, with school out of session and some businesses still closed. If all residents in the Overlook area and these townhomes have to take Holly Meadow, it will add more time to any trip. She said they moved here for the small town feel, and to be connected to the Town and to be able to get where

they need to go quickly. It does not go along with the Town's plan to build responsibly. Please vote not to pass this.

Gina Farrell, 200 Magnolia Meadow Way, said that it was ironic that the first thing she heard at this meeting was the Arbor Day celebration and the Tree City USA award. She is proud of that. She said she is in agreement with everything already said and didn't need to say anything else.

Deron Kingston, 100 Holly Glen Court, said he was asking Council to vote no on this proposal. He said that as of Feb 4, 2020, 17 Wake County Elementary schools are capped, including Holly Grove Elementary. Currently Holly Grove is at 115% and new students are directed to Holly Springs Elementary, which is 3 1/2 to 4 miles away. Some of the factors for why a school is capped are:

- Class size legislation. Currently for Kindergarten it is 19-1, next year it will be 20-1.
- School must be able to accommodate children living in their base prior to the cap.
- When core facilities, driving parking, toilets, media, student support, etc., are overloaded.
- When a school has used all means necessary to accommodate students, staff and programs, a school can be capped.
- When pending enrollment projects that the base growth predicts future enrollment past the base;

He said that he got this information from Wake County Public Schools' website. One of the biggest points people make for year round schools is that it is a more efficient use of school space. He said this was his first time experiencing year round schools, and he didn't like the fact that his Kindergartener and 2nd grader are in a different class room every time they track back in, which is like starting over again each time. They have to get used to a new cubby location, new bathroom location, new décor – a whole different environment. The school is already packed with current and planned development. He said that we are all aware that there are new developments going on that will add students to the school, or require that they be bussed to Holly Springs Elementary. The traffic right now during school hours, both morning and afternoon, is very heavy, and the direction of the traffic, with Capeside being turned into a one-way, that will not help the rush hour traffic. He asked what time of day the traffic impact study was conducted. Was it at night? When you say you saw fewer than ten cars turn left from Capeside, that's impossible unless it was late at night. We are currently in a pandemic, and if you did your study during this period, you are not going to get an accurate traffic analysis because the schools are out. On behalf of Holly Glen residents, we are not the ones who have a problem with the left turn. Further, with regards to townhomes not having children, he said that five years ago he lived in a townhouse with 3 children. Children live in apartments, townhouses, condos, and single family homes. Please do not say that children don't live in townhomes.

P. J. Ferrell, 200 Magnolia Meadow Way, said he was completely against this development, and please vote no.

Baxter Walker, 305 Acorn Falls Court, said both sites is are ideally used for commercial and the Neighborhood Center designation allows for that. We have all heard the story of the traffic. The issue is the redirected traffic. Currently going from Capeside to Avent Ferry, you have to stop to let people in. The same thing happens at Holly Meadow. Making Capeside right only will direct traffic through the neighborhood. He said that he served on the advisory board for ReVision Holly Springs and he does not think that the proposed plan is consistent with what the plan calls for and what the Town wants.

Jonathan Benincosa, 304 Capeside Ave., said that he came to refute the filing for a Special Exception, both site A and B. This project does not align with the Comprehensive Land Use Plan or our neighborhood. Our neighborhood is looking forward to this Neighborhood Center coming through.

Wendy Dykema, 108 Holly Glen Court, thanked the Council for listening. She has looked at the Vision of the Town. On page 10 of the ReVision of the Town it states that all interconnectivity designs will be to improve access. In the Land Use and Character Plan, on p.19 improve the ability to live in close proximity to employment, goods, services, and amenities to create reduction in traffic and parking needs. On p. 20, "connectivity is achieved . . . when the number of routes to and from a destination is maximized." From what we have seen, that does not happen, it is minimized. She said that the Shorehouse and Holly Meadow intersection is a bus stop for Elementary schools as well as the middle and high schools. She said that there is already a sidewalk on Holly Meadow, so the developer would not be adding that. She said that on p. 21 of ReVision it says in residential neighborhoods there needs to be a balance of *preserved* natural features (not *planted*) such as trees, streams, and more formal landscape projects too. These projects, if we consider them as one, are only one of two preserved natural feature that we have. This project eliminates one of our two, and we need to preserve it.

Justin Armstrong, 100 Shorehouse Way, thanked Council for hearing everyone. He agrees with what people have already said. In a recent study, he read that Raleigh has 1.9 cars per home. By adding 43 new townhomes, you're adding a potential 82 cars to 80 homes already, for a total of 294 cars. His address, 100 Shorehouse, is on the corner, directly across from the proposed project. Every car will pass by his home and the bus stop. 234 cars per day. Already the traffic backs up past that corner every morning, pre-COVID. Every morning. His concern is that on-street parking will be necessary. People will park on Shorehouse and there is not room for parking and two way traffic. This will essentially make Shorehouse a one-way street. How will an ambulance, fire truck, bus, or car fit through? He said this project would destroy his property. It would eliminate his daughter being able to ride her bike on the street. It is damaging to his home. Also, the Retention pond which will bring mosquitos would be right across from his house. He is vigorously opposed to this project.

David Dykema, 108 Holly Glen Court, said that in honor of Tree City USA award, he is the proud owner of a new Dogwood tree. He said that if Council approves the deviation from 30 foot buffer to 10 foot buffer, it would knock out an extensive wooded area, take away habitat for wildlife and endanger his children with increased traffic. This is not unobtrusive. He supports a traffic light, but this is making the Town foot half the bill. Fact check, there is already a sidewalk on Holly Meadow. Also, it takes 10 - 25 years for a hardwood tree to grow so that's going to take a while.

Cristian Ianos, 104 Shorehouse Way, said he agrees with what his neighbors have said. He said that his house is located exactly in the front of the proposed entrance to this development and he already sees the traffic that is there at peak hours. In the morning cars are backed up on Shorehouse, with cars trying to turn onto Holly Meadow and then Avent Ferry. More development and cars will make this worse. There are 5 or 6 busses from different schools that use that bus stop at Shorehouse and Holly Meadow every day, and there are a lot of children there. He said that the way this development is located, it is uphill from the houses on Shorehouse and we would be "on a stage" with no privacy. Please vote against this.

Jessica Perry, 109 Oak Moss Trail, said she is speaking to oppose the SEU based on the facts her friends and neighbors have presented. She lives on Oak Moss Trail. Her street would become a through street, if this goes through, for the people who would no longer be allowed to turn left on Avent Ferry. A previous speaker said 294 cars, but most of them will make more than one trip out. It will be many more the 294 cars. They said that they would advise people to turn right out of Capeside, go down and make a U-Turn. It is not feasible to go right on Avent Ferry and make a U-Turn to go back, so everyone will be routed through the neighborhood. Avent Ferry is backed up for two to three miles past there at morning rush hour. Employees, and patrons of these businesses would be routed through the neighborhood also. Oak Moss has eight houses, but many cars. She said she has 3 cars and her neighbor has 4 cars. She said that they live about a mile from the school but it is not safe for her children to walk or bike to school. She said that the safety of our

children is paramount. It is not safe for children to walk to school now, and it will just be worse if this project is approved. She said she was concerned about what the developer said regarding SEU Finding 10, that the type, size, and intensity would not have an adverse impact on adjoining properties in the neighborhood. That is false for several reasons. They said it would be equal parts commercial and residential. From the statistics given at the beginning, it is not. It is $\frac{3}{4}$ residential. It will be skewed highly to residential. The developer said that they were trying to build a townhome development and put some commercial in to meet the requirements. What we need as a community, is commercial, small businesses. The right fit for the land is what is important. The developer said "we couldn't fit in the greenspace" and other things on these lots. In that case, this is not the right fit for this land. We need to find the right fit that will work for our community. She asked Council to oppose these proposals and keep the quality of life and safety of our kids as number one. We appreciate all you do for our Town, please keep it safe.

Brenda Priest, 213 Highland Springs Lane, said that Wake County Public School transportation guidelines state that students living in their school's walk zone are not allowed to ride the bus unless it is an unsafe walking environment. She lives one mile from campus, and her children have always been bussed. This is not a safe environment.

Doug Palmer, 104 Oak Moss Trail, thanked Council for hearing them. He said that in a town where everyone is so happy to live here, the fact that we are setting records for number of people speaking at a public hearing, on a night like tonight, is a glaring indication that this is not right. He said that we need business on our side of town, but this is not the right way to do it. When this many people show up to oppose something, please say no. He said that if Council lets this go through, he will lose his street. Oak Moss will be destroyed because all the traffic will be diverted through there. We love watching kids play hockey in the street. He turns left off Capeside and would be forced to go through the neighborhood. A vote for this will take away the kids ability to bike and play in the street. He said the developer's assessment of traffic is highly skewed and flawed. He said he is sure they did it the right way, but he doesn't know how archaic it was. And it does not reflect the reality of our neighborhood. The loss of Capeside navigation will be a bigger deal than they give it credence for. He said that they haven't even felt the impact of all the new development going on further south on Avent Ferry. He said that unless we get that fixed, we should not have this conversation. He said that the area is not ready for additional traffic. Please listen to everyone here. Holly Glen homes already have low water pressure. Would that get worse, with this development? He hopes not. Please vote no.

Bryan Perry, 109 Oak Moss Trail, asked how the Mayor felt when he flipped the page over and saw that there were more people signed up to speak. He thanked Council for listening to them all. This is an important issue. He said his family has lived here for 11 $\frac{1}{2}$ years, and it has been amazing to see the Town grow. The trees - if a developer can reduce the buffer from 30 feet to 10 feet, they are going to do 10 foot buffers. He said they like buffers and think it's great that the Town won an award for having a lot of green space, a lot of trees. Regarding the commercial, the developer said the demand is for residential. They looked at the vision, and the vision is to bring more commercial. Everyone wants to live here. The developer added a little commercial to try to get the project, but longer term, the vision that Council has, is to bring in more business. So those are considerations I would ask you to keep in mind. Stay true to your plan. You have a great plan. You all live in neighborhoods. All of you value safety very highly. Think about personal safety and how much you value it. That is what you have heard today. Imagine that it was your neighborhood that would have the extra traffic. After the tornado in 2011, traffic was diverted on Oak Moss due to Avent Ferry being blocked. Everyone coming through would be like that, creating a big traffic problem. His road is 26 $\frac{1}{2}$ feet wide. He has to park a truck on the street because they have narrow driveways. That takes the road down to 17 feet. If you have a car kitty-corner, that takes it down to 12 feet. What people are voicing is a real concern. Please stay true to your vision, bring some more commercial in, but don't let them block the left turn. Please oppose this development.

Rafael Rodriguez, 105 Holly Glen Court, said everyone is very passionate about this. This is not just statement of facts, but statement of life. He said that his was one of the first families in the Overlook area of Holly Glen. He could not envision what Overlook would look like today, never mind imagine what this project would do. There is nothing special about this SEU request. Property values will go down. The traffic, safety for kids, are problems. He said all of the townhouses will be visible from his backyard. The proposed buffer is certainly not adequate. It may be legal, but it is not adequate enough to block the existing homes. There are a lot of people who wanted to be here tonight, who because of COVID could not. There are a lot of kids and new drivers in the community. Please consider and vote no. Put townhouses in other locations where the zoning already allows them.

Jennifer Burkins, Michael Fassett, and Anthony Santori had been sworn in before the meeting, but did not respond when the Mayor called them to testify.

Michael Blakley, returned to offer a rebuttal. He said that they are paying for the signal, financing it for the Town, because the Town does not have the money. The consensus is that traffic is an existing problem. He said with our development, we are improving the issue that is there. The residents want commercial, and that is way more intensive traffic generating type site than residential. He asked Mr. Hochanadel to give numbers of what commercial would bring to this site, versus the residential that they have proposed. He said he did misspeak on the number of cars. He meant additional cars, not all the cars. Also, staff is requiring them to make it right out at Capeside, they didn't want that. They don't want to pay for the signal at Holly Meadow but it's a good idea so in an effort to have a safer town they have agreed to finance it for the Town. The agreement was supposed to go out five years. They were only responsible for 18% of it but they have stepped up to the plate and offered to help the Town out to finance the other 48%. The right out left in at Capeside is part of the future transportation plan. Avent Ferry ultimate section will be divided 4 lane with that island. Whether they develop this property or not, Capeside will be right out and there will be a signal at Holly Meadow. If you do come out of Capeside, you will be forced to make a right, make a U-Turn, or go further down, without this development. Primrose is proposed as right in right out as part of the ultimate section and they are required to do that as part of their development.

Mr. Hochanadel said when the median is constructed on Avent Ferry Road, Capeside will become right in right out, with or without the development, but the signal will not be there without this development unless it's funded by the Town or some other development. He said traffic counts were completed in April 2019, before COVID, in the middle of the week, with school in session, not a holiday. The traffic study was scoped with the DOT and the Town. The trip generation manual is a federal guideline. It's a compilation of thousands of studies. While people may have more than two cars, they are not all driving at the same time, or at peak hours. He said that the numbers he quoted were correct. When the left turn is restricted, the left turn volume off Capeside projected for 2026 is 70 AM and 56 PM. Without this site constructed, in 2026, you are looking at 38 AM and 27 PM going through the neighborhood when Avent Ferry is widened. Also, all the traffic from this development, Site A will come down Holly Meadow, and the Site B down Capeside. There is a right in right out for the commercial off of Avent Ferry Road, and they might not use the neighborhood at all.

MPT Berry asked the applicant to clarify what he meant by "financing" the installation of the signal, that "financing" is pending a partnership with the Town, and would require the Town to pay them back, so they are not paying for the signal. Mr. Blakeley said they, in combination with the Children's Lighthouse, would pay over 50% of the signal. He said either another development would pick up the remainder, or another developer would pay it, but they would pay upfront. MPT Berry said but at some point someone has to pay the other piece of that. Mr. Blakley said if we get this development, we will pay for half of the signal, which you wouldn't get if we don't get this development. We are helping the Town at an earlier date and the Town is requiring us to pay a fee-in-lieu but we are helping the Town get the project in place five years earlier.

Councilwoman Kelly said that recognizing the COVID-19 pandemic, it is extraordinary to have this many people show up to a public hearing. She said that one of the things she heard, is

that the best use of land would be commercial. The businesses the developer depicted were a dentist or a doctor and those aren't Neighborhood Center uses. Mr. Blakley said that they had not determined the uses. They were providing the mixed use. They have builders for the townhomes, but not the commercial. As soon as they have construction plan approval then they would adapt to whatever the demand is. They do not have the demand for the commercial component. They would build a shell building. They picked office/institutional because it was the most stringent parking use. They got the most square footage they could get, with the most parking required. They were looking at that component. Anything below that requirement - small shops, restaurants - all have less stringent parking. Councilwoman Kelly asked if it was fair to say that this is a townhouse development with some commercial, rather than commercial that has some townhouses. Mr. Blakley said that originally Site B was commercial with townhouses in the back, and A was all townhouses. They were originally going to submit the two sites as one, even though they were not adjacent properties. Staff told them they needed to submit them as two separate projects. As one project they had 20% commercial to get that mixed-use option on Site A, in addition to the 20% on Site B. They were trying to get the 20% commercial, because staff indicated that that was needed in the area. Councilwoman Kelly asked if they considered just commercial at any time. Mr. Blakley said that when the site was originally developed and approved it was to be commercial. Then the market demand shifted toward residential. The developer is providing the residential and the commercial, trying to give what the market needs and to give to the community and what the Town Council has approved as a Neighborhood Center.

Councilwoman Kelly asked what community meetings the developer had. Mr. Blakley said they did not have any community meetings. Staff didn't say not to have community meetings, but they didn't recommend it, and the developer was pretty far along in their plans before they heard that there was opposition. Councilwoman Kelly asked him to clarify that they didn't think they should meet with the community after they heard about the opposition. Mr. Blakley said they didn't find out that information until earlier this year. He said he didn't see any complaints until yesterday. He asked staff what kind of opposition they were looking at. With it being residential, from his experience, he thought there wouldn't be complaints. He understands what they are looking for, but our society has become more car dependent and development is still transitioning into that. They were trying to meet the demands of the market and the neighborhood.

Councilwoman Kelly asked if he was familiar with our reVision plan, and if he tried to look at the Neighborhood Center concept. Mr. Blakley said that they are engineers and are concerned with what will fit on the site. Site A has some grade constraints. They were limited by the site and the density requirements. A lot of the site layout is vertical, not horizontal. There's not room for the unique innovative, traffic circles and green areas. They had physical constraints. They can't put a townhome on a slope. Those want a decent driveway. A lot of those factors went in to the development of the design.

Mayor Sears then closed the public hearing.

MPT Berry asked Ms. Jones to speak to the CTP recommendation for the alignment of Capeside and Cass Holt Road. Ms. Jones said the long-range plan on the Comprehensive Transportation Plan is to realign Capeside and Cass Holt Road to make it a safer, realigned intersection.

Councilman McGrath asked what that realignment would require in terms of land purchases and cost. Ms. Jones said that Capeside would move to the east to realign with Cass Holt, there would be a requirement to purchase some land, to realign at the signal. When the median does go in, then that section of Capeside as it is would still exist, would be a right only. Councilman McGrath asked for clarification that there were no plans for the foreseeable future to widen Avent Ferry Rd. beyond Cass Holt Rd. Ms. Jones replied that that was correct.

MPT Berry thanked the residents who came out. The level of engagement made it worth sitting for 2 hours and 46 minutes to listen. The 26 people who spoke are in addition to the 20 sworn affidavits received. That is a lot of public input, and it is greatly appreciated. Generally speaking, our UDO clarifies the mixed-use option zoning district as intended to promote and guide

integrated uses into a development that is defined by unique, innovative design, and pedestrian friendly features. This proposal before us does none of these things, and instead attempts to call the insertion of one office building of 6,000 square feet into a residential project while offering nothing innovative or unique a mixed-use project. The Comprehensive Plan is clear on what this area calls for, the criteria for a Neighborhood Center are also clear. In my opinion this project does not meet that criteria. He said he was prepared to offer some additional Findings of Fact to consider, when his colleagues are ready.

Mayor Sears said that this was a record number of people giving input, in his whole career. He appreciates it and thanked them for the input.

Action 1: MPT Berry moved 6 findings of fact as it relates to sworn testimony received this evening, and in sworn affidavits received prior to the meeting.

1. Town Council relies on the expertise of the Planning Board, which is comprised of community members, and it was their finding that the proposed use is not consistent with the character of the current zoning district, nor the Holly Springs Comprehensive Land Use Plan which specifies these sites as Neighborhood Center;
2. The proposed use will generate an intensity that will have significant adverse effect on the adjoining properties;
3. The proposed use is injurious to the surrounding areas by increasing the traffic volumes and generating additional traffic flow through neighborhood streets impacting the safety of current residents, and is not harmonious with surrounding uses;
4. Town's Comprehensive Transportation Plan calls for the realignment of Capeside Ave. as a necessary improvement to mitigate over-congestion and improve safety by re-aligning traffic flow, and that this project will not realign Capeside Ave and Cass Holt Road;
5. Project would financially obligate the Town to contribute 46% of a traffic signal cost and the Town's budget does not include an allotment to fund a signal at Holly Meadow Drive and Avent Ferry Road, and the Town can only spend money that is duly budgeted;
6. The Public Hearing for the FY21 budget was completed on June 2nd with no sentiment that the Town fund a signal for this project, or at this location.

Motion by: Berry

Second by: Villadsen

Vote:

Aye: Berry, Villadsen, Kelly, Wolff

Nay: McGrath

The motion passed.

Councilman McGrath said his nay was due to Findings 3 and 4, because this traffic problem exists already and is not due to this development.

Action 2: Motion to deny Special Exception Use and Waiver.

Motion by: Berry

Second by: Kelly

Vote: Unanimous

Action 3: Motion to deny Development Plan for Overlook Townhomes Site A.

Motion by: Berry

Second by: McGrath

Vote: Unanimous

8. Public Hearing: Overlook Townhomes B: 19-DP-20 / 19-SEU-12 / 19-WAV-48 / 20-WAV-13

Sean Ryan, Planning & Zoning, said the purpose of this item was for Council to consider a Development Plan, Special Exception Use, and associated Waiver for Overlook Townhomes Site B.

He showed the location of the proposed development at the intersection of Avent Ferry Road and Capeside Ave. He explained what the Mixed-Use Option is meant to allow: integrated uses, with unique and innovative design and pedestrian friendly features. The proposed site is designated as Neighborhood Center on the Land Use and Character Plan. Current zoning is LB Local Business. The developer is proposing a land use mix of 28.2% commercial and 71.8% residential, with 17 townhomes (4.12 units per acres) and 9,400 sq. ft. of commercial building. The landscape plan submitted is requesting a waiver of the 25% hardwood tree requirement between the property and the houses on Shorehouse Way and Primrose Academy. The plan calls for opaque screening along the southern border and open screening along Avent Ferry Rd.

Rachel Jones, Engineering, said that the utility and transportation requirements for Site B included the water and sewer connections needed. Hydraulic and sewer studies were completed for this project. A Traffic Impact Analysis (TIA) was done and the intersections studied were Avent Ferry at Holly Meadow Dr.; Avent Ferry at Capeside Ave.; Avent Ferry at Ralph Stephens Rd.; and Cass Holt Rd. at Honeycutt Rd. A signal was warranted at Holly Meadow Drive and Avent Ferry Road to meet the TIA requirements as well as safety requirements. The intersection of Avent Ferry Rd. and Capeside Ave was shown as a failing intersection as well. The long-range plan for the Town according to our standards and ordinances is to realign the intersection at Avent Ferry and Capeside Ave. The Developer was not willing to complete the realignment of Cass Holt Road and Capeside Avenue, and what they offered is the restriction of left out at Capeside. The left-turn traffic would be diverted through the neighborhood streets. The developer is committed to design and install the signal but is not committing to pay for the entire cost. The design and construction of the signal at Holly Meadow Drive would be completed with the first phase of the development. This traffic signal would require financial partnership between the Developer and the Town in order to fulfill the TIA requirements. The Developer is willing to pay 19% of the \$317,000 cost of the signal (or \$60,230), 35% (\$110,950) is expected to be paid by other development, leaving 46%, or \$145,820 as the Town's responsibility. Should Council vote to approve, that signal would need to be installed.

Thomas Urquhart, Planning Board, said the Planning Board discussed the following issues and concerns on April 28, 2020 and they were the same as for Site A:

- Concerns about additional traffic and the need for a stop light;
- The breakdown between the area of commercial vs. residential; there is not enough commercial;
- If the project is best suited for this site;
- If the project is innovative enough;
- If the project is consistent with the new Land Use Plan and the goals for neighborhood centers;
- Why the tree preservation area needs a waiver.

On the UDO Wavier for the Tree Preservation Area, the Planning Board recommended denial with a vote of 4-5-0. Those voting against the motion were Mr. Brady, Mr. Crandall, Ms. Patterson, Mr. Stuckey, and Mr. Urquhart.

On the Special Exception Use and Development Plan the Planning Board recommended denial unanimously with a vote of 0-9-0. The reasons for voting against were:

Ms. Rybak: concerns about traffic and the preference for more commercial;

Mr. Carpico: agreed with the board comments;

Mr. Brady: project not the best use for this location;

Mr. Crandall: lack of innovation, and the proposed commercial/residential mix;

Mr. Deshazor: traffic, lack of innovation, and proposed commercial/residential mix;

Mr. Madoni: does not fit with new land use plan designation;

Ms. Patterson: proposed use is not the best location;

Mr. Stuckey: project not the best use for this location;

Mr. Urquhart: supports the Technical Review Committee recommendation for more commercial.

With that explanation given, Mayor Sears opened the public hearing. The following input was received: sworn affidavits in opposition to the project were received from 19 residents, and a notarized letter in opposition from one resident. *Copies of these affidavits are attached to these minutes.*

Mayor Sears noted that all the previous testimony had been against both Site A and Site B, and asked if anyone wanted to speak specifically to Site B. The following testimony was received.

Mr. Hochanadel said that the developer doesn't own the land needed to realign the road, so that is why they can't do that. Cass Holt angles away from Capeside, and there are dual lefts. People don't see until it's too late so that makes it very unsafe.

Mr. Michael Blakley of J. Thomas Engineering, Inc. said he had no additional presentation, but was willing to take questions.

Councilwoman Kelly asked him if he wanted commercial traffic to go through a neighborhood. Mr. Blakley said that is not what they want, but that's what is being required. And it's only the left turns.

Ms. Jones said staff is not requiring the design at Capeside and Avent Ferry. The TIA showed that this intersection is a failing level of service, the applicant was required to mitigate that, and this is what the developer brought to the table. The alternative solution is to realign the intersection. Otherwise this project is not mitigating the impact.

Councilman McGrath asked if there had been any discussion with the property owner of the land that would be required in order to realign the intersection.

Ms. Jones said yes, the property to the east is the Wood property. They recently came before the Technical Review Committee with a proposed site plan. It is in a conceptual stage at this point, but it does show the property that would be needed for the realignment. Capeside Ave swings out to the East, Cass Hold might need to be shifted to the west, but there is currently no design. Phase 2 of Avent Ferry road improvements could include the realignment, but we are looking at 3 years out. Development could wait for it to be realigned, or they could do it. Councilman McGrath asked if it has been identified to the Wake County Public Schools as a safety hazard. Ms. Jones said that they have not. She said a member of the police force was present if Council wanted to hear from them. Councilman McGrath said he didn't believe we need that. He would like staff to make a direct comment to Wake County Public Schools to identify this as a direct safety hazard to our students. Ms. Jones said she would follow up on that.

MPT Berry asked for clarification on which percentage of the cost of the signal the Town was being asked to fund, and to adjust the Findings to reflect that. Ms. Jones said that Site A & B impact is 19%, other development has a 35% share, which leaves 46% that would need to be funded by the Town.

Mayor Sears asked if anyone else wanted to speak.

Melissa McGahey said on behalf of the residents, she wanted to bring back up one thing that we have not discussed, the amount of traffic that Primrose could also impact in this area. Nowhere on the Site A plan did it show that they would be adding a median and changing the intersection to right in right out at Primrose. It was in tiny print on C7 of Site B. Many people drop their children off at Primrose and then turn left to go to work. If that is right in right out, the traffic is going to go through Site A, to the Overlook of Holly Glen and out Holly Meadow. That is a significant number of cars that have not been discussed tonight. And it needs to be considered.

Mr. Hochanadel said that if this site is not built, that right in right out is still going to happen, but there won't be a signal. It's difficult to get out now, it will be more difficult without a signal.

Mayor Sears said that the number of speakers we have had tonight is a strong record. There has been a lot of listening here. Is there anyone else who needs to speak? There was no one else who wanted to speak.

Councilman McGrath asked if it was a fact that the Comprehensive Transportation Plan includes a median with no other possibility than a right in right out for Primrose. Ms. Jones said that the Comprehensive Transportation Plan shows the ultimate build out as a 4 lane median divided thoroughfare. With that construction, Primrose will be a right in right out. When that takes place, the NCDOT will have input in that design, so opportunities for left turns will be explored at that time. MPT Berry asked if the Town had a commitment from DOT to fund improvements past Cass Holt Road. Ms. Jones said we do not, but staff is working with DOT to extend that phase to Holly Meadow Drive to address some of the issues that have been brought up tonight.

Mayor Sears then closed the public hearing.

MPT Berry moved the same six facts for Site B.

Action 1: Motion to find the following six as facts.

1. Town Council relies on the expertise of the Planning Board, which is comprised of community members, and it was their finding that the proposed use is not consistent with the character of the current zoning district, nor the Holly Springs Comprehensive Land Use Plan which specifies these sites as Neighborhood Center;
2. The proposed use will generate an intensity that will have significant adverse effect on the adjoining properties;
3. The proposed use is injurious to the surrounding areas by increasing the traffic volumes and generating additional traffic flow through neighborhood streets impacting the safety of current residents, and is not harmonious with surrounding uses;
4. Town's Comprehensive Transportation Plan calls for the realignment of Capeside Ave. as a necessary improvement to mitigate over-congestion and improve safety by re-aligning traffic flow, and that this project will not realign Capeside Ave and Cass Holt Road;
5. Project would financially obligate the Town to contribute 46% of a traffic signal cost and the Town's budget does not include an allotment to fund a signal at Holly Meadow Drive and Avent Ferry Road, and the Town can only spend money that is duly budgeted;
6. The Public Hearing for the FY21 budget was completed on June 2nd with no sentiment that the Town fund a signal for this project, or at this location.

Motion by: Berry

Second by: Kelly

Vote:

Aye: Berry, Villadsen, Kelly, Wolff

Nay: McGrath

The Motion passed.

Action 2: Councilman McGrath Moved to add as a finding of fact that due to the development of Site B, there is a significant resident-identified safety issue due to the lack of alignment of Capeside Avenue and Cass Holt Road.

Motion by: McGrath

Second by: Berry

Vote: Unanimous

Action 3: Motion deny Special Exception Use and Waivers.

Motion by: Berry

Second by: Kelly

Vote: Unanimous

Action 4: Motion to deny Development Plan for Overlook Townhomes Site B.

Motion by: Berry

Second by: McGrath

Vote: Unanimous

Mayor Sears recessed the meeting at 10:15 pm, for a 10 minute break.

9. Public Hearing: Village Gate Rezoning and Development Agreement: 19-REZ-03

Melissa Sigmund, Planning & Zoning, said the purpose of this agenda item is to consider the request for Rezoning and Development Agreement for Village Gate and to consider the Development Agreement. Council last saw it in December. She said there are three tracts on either side of Main Street at Ralph Stephens Road and on Main Street North of the Hampton Inn. She showed what businesses are already in the area, what projects are currently under construction, and which are approved but not yet under construction. The existing zoning is mostly R-20 Residential, with some CB Community Business. The Future Land Use Map designates all three tracts as Mixed Use Center. The applicant is requesting a rezoning of the 19.83 acres from R-20: Residential and CB: Community Business, to CU: Community Business Conditional Use. The developer plans senior living, commercial, Office/Medical Office, Oak Village Academy child care, and Apartments over Ground Floor Commercial.

Rachel Jones, Engineering, said that water and sewer is available for the development to tie into as needed. A hydraulic water model analysis and fire flow analysis would be completed with each development plan that comes in for approval. A sanitary sewer downstream evaluation would be required with the first development plan or masterplan. She said a TIA was conducted which studied 11 intersections: on NC Hwy 55 at Avent Ferry, Main Street, Ralph Stephens Rd. and points between Avent Ferry and Main and West of Avent Ferry; Avent Ferry Rd. and Village Walk, the entrance to South Park Village, and Ralph Stephens Road; Main St. at Village Walk, Ralph Stephens Road; and Ralph Stephens at Wildwood Farm Way. She showed five proposed access points, and two potential secondary access points to the three tracts.

The two intersections where improvements that have been offered are NC 55 at S. Main, and Ralph Stephens at S. Main. The developer has agreed to a fee-in-lieu for GB Alford improvements of \$105,000, to pay for a new through-right turn lane, upgrades to traffic signal timing and mast arm pole.

Matt Beard, Parks and Recreation, said that part of this project is a volunteered side path extension on Piney Grove Wilbon. Before any conclusive decision can be made on right of way to be acquired, a design and survey would need to be conducted. There will likely be a stream or culvert crossing needed on the greenway/side path south of the development requiring a bridge and additional easement or right-of-way acquisitions in two spots along the 2000 feet of greenway. The area next to Garrison Community and Brayton Park is wetlands, and there could be environmental permits needed. A decision would need to be made whether to acquire right of way, or easements. The proposed build out for Piney Grove Wilbon includes bike lanes. If there was a 10 foot side path off the street, that is preferred to an on-street bike lane. In that case staff would look at a revised build out. There is currently no curb, so as much separation as possible is needed for safety, and to leave room for the ultimate build out of the road. The Developer is offering to put this greenway in, and the Town would work with the developer in building the bridge connection. There would be a reimbursement of Parks and Recreation fees in the amount of the last 500 feet of side path / greenway, but the rest would be paid for by the developer.

John Schifano, Town Attorney said that as discussed at the January workshop, the key terms in the development agreement are the inclusion of mixed use residential/retail with age-

targeted housing; the developer to construct lane widening, NC 55 Contribution, 2500 feet of offsite multi-use path, (500 feet of which would have Parks & Recreation Fees reimbursed) conversion of the mast arm traffic signal. The side path and mast arm signal are tied to the construction of the Solaris building, phase 3. This will not be the first thing that goes in. The cost of the offsite infrastructure is estimated as \$585,000. This is covered in a synthetic tax increment grant (STIG) in which the Town gives back a percentage of the increase of increased tax revenue over a period of seven years. If the tax increment bump up is as big as we think it is going to be, the Town will probably give back the \$585,000 sooner than 7 years. But the developer receives a grant over 7 years, based on property taxes paid by the development. Randy Harrington, Town Manager, said that the \$585,000 is a portion of the cost, not the complete cost, to the developer. But that is the Town's cap. Only the property taxes that are new as a result of this development would pay for the reimbursement on that infrastructure.

Mr. Schifano said that the Developer also wanted, of his own volition, to develop 50 workforce housing units, which will be "master-metered" for sewer and water. These are for people who work in Holly Springs, and they will be rented at 75% of fair market value, for 20 years. The Town would have one water customer but will collect availability for the 50 units on a monthly basis. It is up to the landowner to collect the usage charge. It does give the developer a break in what we collect in system development fees. So if he does not maintain those 50 units, there is a per unit claw back of about \$390/year per unit. Throughout this 20 years the Town is keeping him honest on his commitment to have workforce housing. It is a business benefit to the Town to have one customer instead of 50.

Mayor Sears clarified that this is a review of information Council had already received. Mr. Harrington said that all the terms were similar to those discussed at the workshop.

Planning Board Recommendation.

The Planning Board discussed the following issues and concerns on November 26, 2019:

- Workforce Housing – whether it is premature to include in the voluntary zoning conditions when specific development plans have not been reviewed;

The Planning Board recommended approval, with the removal of condition #3 with a vote of 5-2-2. Those voting against the motion were:

Ms. Patterson and Mr. Crandall: agreed with the project as submitted (supported approval of rezoning with all conditions by the developer)

The Developer has modified the voluntary conditions to remove specific detailed language regarding implementation of workforce housing so that it may be addressed in the Development Agreement.

Council previously held a public hearing on December 17, 2019 and tabled the item to allow preparation of the Development Agreement. A draft Development Agreement was discussed at the Council's January 14, 2020 workshop and the May 12, 2020 workshop.

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

Eli Zablud, 907 Crabtree Crossing Parkway, Morrisville, said he did not think he needed to make the presentation again, but he was available for questions. He said that the difference between this agenda item and the one you saw earlier, is that his project only had support, no one opposed.

Mayor Sears asked if anyone who had not signed up wanted to speak. No one did.

Mayor Sears then closed the public hearing.

Councilman McGrath asked about the percentage of commercial versus residential. Mr. Schifano said it would be 100% commercial, as a tax basis, but there will be people living there. Only single family homes, townhomes, and condos are considered residential for tax purposes. The rest is

commercial. Mr. Harrington said that he believes all of it would be considered commercial under the Wake County tax system.

MPT Berry commented on what a good process this had been and how happy he was to work with Mr. Zablud whose desire to work together for the good of the Town was commendable. He also commended John Schifano for doing such a good job on this agreement.

Councilwoman Kelly thanked Mr. Zablud for working with Council, and also for working with the community. She said that the infrastructure is great; the innovative approach to workforce housing is great, and she thanked him for thinking out of the box and bringing the Town something unique.

Councilman McGrath said he agreed with what MPT Berry said. But he did want to state on the record that he thinks we have too many apartments, too close together. So, he said, if there are other developers listening, please don't bring us any more apartments in this part of town.

Action 1: Motion to adopt Statement of Consistency.

Motion by: Villadsen

Second by: Kelly

Vote: Unanimous

Action 2: Motion to adopt Ordinance for Rezoning and Development Agreement for Village Gate with conditions.

Motion by: Wolff

Second by: Berry

Vote: Unanimous

Mr. Zablud thanked the Council and Town Staff.

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 McGrath and a unanimous vote. The following actions were affected:

10. Minutes – The Council approved minutes of the Council business meeting held June 2, 2020, the budget workshop meeting held June 4, 2020, and the workshop meeting held June 9, 2020.

11. Monthly Administrative 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. Fiscal Year 2020-2021 Order for Wake County to Collect Property Taxes – The Council issued Order 20-01 directing Wake County to collect taxes for FY2020-2021. *A copy of Order 20-01 is attached to these minutes.*

13. COVID-19 Disinfecting Services Contract - The Council authorized the Town Manager to enter into a contract not to exceed \$30,000 to provide enhanced cleaning services to disinfect public areas in Town facilities as recommended to reduce exposure to the COVID-19 virus.

14. Utey Creek Water Reclamation Facility Master Plan Contract – The Council approved a contract with Hazen and Sawyer in the amount of \$84,707 to complete a Master Plan for the

expansion of Utley Creek Water Reclamation Facility from 6 million gallons per day (MGD) to 8 MGD.

NEW BUSINESS

15. Fiscal Year 2020-2021 Budget Adoption

Randy Harrington, Town Manager, said that Council has discussed the budget at the retreat as well as at several workshops. At their budget workshop on June 4, 2020, Council made some amendments, which are included in this budget. He said he and Interim Finance Director Patty Dressen would be willing to answer any questions.

Councilman McGrath asked how the fees for licensing go into our funding. Mr. Harrington said that the money from motor vehicle tax goes into street reserves which is only used for road improvements - sidewalks, crosswalks, paving, signals, safety.

Councilman McGrath made a motion that the first \$5 of the Motor Vehicle Fee also goes into street reserves rather than into the general fund. It was seconded by MPT Berry.

Councilwoman Kelly said that there are other things that are just as important to residents that we can't fund right now, so she is comfortable with the way it is now.

Councilman Villadsen said he was concerned about the impact on the budget which has already been calculated. To change that at this point would have consequences. Mr. Harrington said those funds have been allocated to other priorities in the general fund. If you make this change, you would have to rebalance the budget, because you would be taking those funds from other areas.

Discussion was had that this fee was a "driving tax" and should all be spent on transportation projects, the statutory requirement for anything above the first \$5 to go to transportation.

Councilman McGrath withdrew his motion.

Mr. Harrington said there is \$150,000 from the general fund to the Pay As You Go (PAYGO) fund that is going to sidewalks, so as a practical matter you already have five dollars going to transportation.

Councilwoman Kelly said that with all the discussion going around about public safety, she is comfortable that the one position being added to Public Safety is an Animal Control Supervisor position. She wants residents to know that we will continue to look at how we support these areas with a new Police Chief coming on board.

MPT Berry wanted to go on the record as being opposed to the increased motor vehicle fee, given how late in the process it was introduced. Other than that, great work on the budget.

Action: Motion to adopt Ordinance 20-02 adopting the Fiscal Year 2020-2021 Town budget.

Motion by: Wolff

Second by: Kelly

Vote:

Aye: Villadsen, Kelly, McGrath, Wolff

Nay: Berry

The motion passes.

Councilman Villadsen said that he would like a status update on the transportation bond projects.

Councilman McGrath said the Town needs to make sure that residents understand that we gave up a lot on this years' budget. He said that staffing positions were given up, we already underfunded the public safety department, and he feels it is important that people know this.

16. Holly Springs Road Widening Phase II Easement and Right of Way Acquisition

Tim Athy, Engineering, said that the project goal of Holly Springs Road Widening Phase II is to reduce traffic congestion and improve motorist and pedestrian safety. The Design consultant is currently working at 65% design completion, which includes the design for the three-span bridge over Middle Creek. In about a year we will be required to have the bond issued. This is the project which must go first. The 2018 Transportation Bond project is on schedule for an anticipated construction start date of mid-2021. He showed a map representing half of the project, from Flint Point, showing right of way or easements which need to be obtained. There are around 80 to 85 parcels. When the Town Attorney goes out to acquire the easement, he has many people to talk to. The right of way acquisition can be the slowest process in a construction project. The requested budget amendment will allow for property appraisals and the initiation of easement and right of way acquisition. This is a critical step in adhering to the project schedule, and obtaining the bond funds.

Councilman McGrath asked if Wake County Public Schools was amenable to this. John Schifano, Town Attorney said that we may have the right of way left from the school construction, but they are easy to work with if we do not.

Councilwoman Kelly said there are some long-time property owners in this section of Holly Springs Rd. There is a lot of fear and confusion due to the NCDOT 540 project. She would like them to be handled with kid gloves, be fair, communicate, and explain what is going on. Mr. Athy said that she was right, 540 has left a bad taste in residents' mouths, but staff is being respectful, honest and upfront, and if staff can put them at ease they will do that.

Action: Motion to approve budget amendment transferring \$2,000,000 from Interfund Loan 22.95.04 to project account 48-818-91 90.05 for temporary easement and Right of Way acquisition.

Motion by: Villadsen

Second by: McGrath

Vote: Unanimous

OTHER BUSINESS

Mayor Sears said that on the NC Department of Health and Human Services' COVID-19 website you can now get information by zip code. Holly Springs' zip code, 27540, has 45 cases, and 1 death as of noon today. He also announced that Thursday, June 18th would be his 60th wedding anniversary.

Councilwoman Kelly said that she has participated in a couple of wonderful, peaceful marches so far. There is another one planned on Saturday. She said that we are listening to the moment. We will learn, hear, and look to see what we can adjust. Staff is going above and beyond to build bridges. She also said that she and the Mayor and some staff were in a meeting with landfill staff. We know there is a landfill issue due to an equipment failure. They are speaking with Wake County representatives and asking them to assist. She urged residents to please continue to use the forms and report odor issues. That data is now more important than ever.

Mayor Sears said he had a long conversation with Sig Hutchinson of the Wake County Board of Commissioners regarding the issue.

MPT Berry said he had reached out to John Robertson at the landfill lately, and got a lackadaisical response about the app, which doesn't have addresses for people to be able to report odor problems in real time. He asked Mr. Harrington to follow up with why the app is not taking addresses and working properly. Mr. Harrington said he was planning to follow up.

Councilman McGrath said that NC DOT is moving forward with 540. For those who live in Woodcreek, the barricade was put out today closing River Falls Road. They removed the blockade but it is coming back on Monday, permanently.

MANAGER'S REPORT

Randy Harrington, Town Manager, said he had 4 items.

1. Earlier in the meeting we got the Tree City USA designation, and he thanked Council and previous Councils for their support of this, and he thanked Gina Clapp, Matt Beard and other staff for their hard work to get this designation for Holly Springs.

2. A reminder that we have an additional business meeting this month on Monday, June 22 at 6 pm. It is primarily for planning items delayed by COVID-19, but there are a few other items.

3. He asked LeeAnn Plumer, Director of Parks and Recreation to come up briefly to discuss July 5th fireworks plan. Ms. Plumer said that staff has been working on how to have a celebration. It will be a virtual fireworks celebration on Sunday, July 5th to give Holly Springs residents a chance to celebrate with their families. There will be some wrap around events as well - a virtual concert by Mo' Jazz that is typically a Summer at the Springs event, on July 3rd; a food art competition at the Farmers Market on Sat. July 4th which will be a drop-off event. Watch the web page and social media for details.

4. He asked Interim Chief McMillan to come up. He said that over the past 1 to 2 weeks, he and Interim Chief McMillan have been reviewing use of force policies, particularly through the lens of the 8 Can't Wait requests that are designed to reduce use of force occurrences. There has been additional information added on the Transparency Portal that gives more information on the related policies, and upcoming action such as body cameras. The Holly Springs Police Department is committed to doing the right thing, to strengthening the trust of our residents, and to listening to and engaging with all members of our community. If any resident does not feel safe, does not feel protected, we want to hear about that and work to improve that. Our Police officers love our community, and they have some of the toughest jobs in the community. He said he was grateful to Interim Chief McMillan and the work that she and her team have been doing. We know we still have work to do. We want to give an overview of those policies.

Interim Police Chief Jessica McMillan thanked the community for working with the police department with the peaceful protests. She said that the goal is to keep the community a safe community. She appreciates everyone who came out. During the past week the Command Staff has been reviewing the use of force policy. There are 8 recommendations from Campaign Zero.

1. Ban choke holds and strangle holds;
2. Require de-escalation;
3. Require warning before shooting;
4. Exhaust all alternatives before shooting;
5. Duty to intervene;
6. Ban shooting at moving vehicles;
7. Requires use of force continuum;
8. Require comprehensive reporting;

She said that the Holly Springs Police Department was proud that they are in alignment with all 8 recommendations. Officers have always been told when they join the department that they have the duty to intervene (#5), but now it is written into policy. That was the only change that was made. All the others were already in the policies of the Holly Springs Police Department. She said that they want to continue listening. They know people have sent questions and they want to get them answered as much as possible all at once, and they are working on answering those questions.

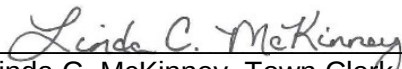
Mayor Sears complimented staff on the Transparency Portal, and complimented the people who held the peaceful protests.

MPT Berry said it was good to hear how closely the HSPD aligned and that the minimal change needed to Holly Springs Police Department policy is a testament to the Town's dedication to good police work and strong policies. Interim Chief McMillan said that they all come to work wanting to make this the best town ever. Councilwoman Kelly said that it's not just at work; that she knows the police work after hours to have conversations and build bridges with the community. Councilman Wolff commended Holly Springs Police Department on working on this prior to the current situation. The only feedback he has heard about the transparency portal that is at all negative, is the lack of racial breakdown on the use of force statistics. He asked if that was data that could be made available. Captain Bruner said that data is available and they are working on putting it out in a way that is easily understood by everyone.

CLOSED SESSION: none.

Adjournment: MPT Berry made a motion to adjourn at 11:34 pm. It was seconded by Councilman McGrath and passed with a unanimous vote.

Respectfully Submitted on Tuesday, July 21, 2020.



Linda C. McKinney, Town Clerk

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