

## **MINUTES**

**Wake County Planning Board  
Wednesday, December 2, 2015  
1:30 P.M., Room 2700  
Wake County Justice Center  
301 S. McDowell St.  
Raleigh, N.C.**

**Members Present (10):** Ms. Michelle Muir, Mr. Douglas Ball, Mr. Michael Birch, Mr. Matt Martin, Mr. Phil Feagan, Mr. Thomas Wells, Ms. Tara Kreider, Mr. Joseph Springer, Mr. Brian LiVecchi, and Mr. Alan Swanstrom

**Members Not Present (0):** None

**Staff Members Present (9):** Mr. Steven Finn (Land Development Administrator), Ms. Sharon Peterson (Long Range Planning Administrator), Mr. Bryan Coates (Planner III), Mr. Tim Maloney (Planning, Development & Inspections Director), Mr. Keith Lankford (Planner III), Ms. Betsy Pearce (Environmental Engineer/Consultant), Ms. Sydney Sadler (Student Assistant), Mr. Andy Kuhn (Executive Assistant), and Mr. Russ O'Melia (Clerk to the Board)

**County Attorneys Present (1):** Mr. Kenneth Murphy

**1. Call to Order** – Ms. Muir called the meeting to order at 1:31 p.m.

**2. Petitions and Amendments** – Mr. LiVecchi proposed modifying the agenda to have PCP 02-15 considered after ZP-886-15. There was no objection.

**3. Approval of Minutes of the November 4, 2015 Planning Board Meeting** – Mr. Martin made a motion to approve the minutes. Mr. Swanstrom seconded the motion. The minutes were approved unanimously.

**4. ZP-886-15: Request to rezone 220.4 acres located at 5301 Shearon Harris Road off of New Hill Holleman Road, from Residential-80 (R-80) to Conditional Use—Industrial-2**

Mr. Martin recused himself from consideration of ZP-886-15 and exited the meeting room.

Mr. Lankford presented the staff report to the board.

**Request:** To rezone 220.4 acres located at 5301 Shearon Harris Road off of New Hill Holleman Road, from Residential-80 (R-80) to Conditional Use-Industrial-2 (CU-I-2).

**Note:** A conditional use rezoning means that the petitioner has offered conditions as part of the rezoning petition (e.g.—limiting the number and types of uses that would otherwise be permissible). The petitioner has stated that the intent is to allow for a training facility for Duke Energy Progress employees. A list of all of the possible uses under the proposed Conditional Use-Industrial-2 zoning district is attached to this report.

**Location:** The property is located at 5301 Shearon Harris Road on the northern side of the U-shaped bend in Shearon Harris Road, and approximately one-half of a mile west of New Hill-Holleman Road. These 220.4 acres are portions of two much larger parcels that are owned by Duke Energy Progress, LLC (PIN 0618420089 at 5465.95 acres and PIN

0619147086 at 1011.41 acres). The petitioner provided a survey with a metes and bounds description of the 220.4-acre area that is the subject of this rezoning petition.

**Current Zoning:** Residential-80 (R-80, not in a water supply watershed area)

**Proposed Zoning:** Conditional Use-Industrial-2 (CU-I-2)

**Existing Land Uses:** Outdoor power pole training facility related to the operation of the Shearon Harris nuclear power plant and vacant wooded land

**Petitioner:** Rachel Cotter, McAdams Company Consulting Engineers

**Design Firm:** McAdams Company Consulting Engineers

**Owner:** Duke Energy Progress, Inc.

**PIN #:** Portions of 0618420089 and 0619147086

### **Surrounding Land Uses and Zoning Districts**

<b>Direction</b>	<b>Land Use</b>	<b>Zoning District</b>
North	Vacant wooded land, residential	Residential-80
East	Shearon Harris Road, vacant timbered land	Residential-80
South	Shearon Harris Road, vacant wooded land	Residential-80
West	Shearon Harris Road, vacant wooded land	Residential-80

### **Land Use/Zoning History**

- 1973: General zoning was first applied to this portion of Wake County.
- 2004: Southwest Area Land Use Plan (SWALUP) was adopted
- 2007: SWALUP was updated
- 2009: Harris Lake Drainage Basin Study was completed
- 2010: SWALUP was updated to incorporate the Harris Lake Drainage Basin Study and designated this area on the map as Utility/Preservation

### **Wake County Land Use Plan**

The Wake County Land Use Plan's General Classification map designates this area as Holly Springs' Long-Range Urban Services Area (LRUSA). LRUSAs are defined as areas within the county's jurisdiction that are intended to be urbanized, but probably not within the next ten years. This area is proposed to be reclassified to Short-Range Urban Services Area (SRUSA) via a pending Land Use Plan Amendment.

The Southwest Area Land Use Plan (SWALUP) was updated, via Land Use Plan Amendment LUPA 03-09, in 2010 to incorporate the findings of the Harris Lake Drainage Basin Study. The adoption resolution of March 15, 2010 had an effective date of April 5, 2010 and included the creation of a land use designation of "Utility/Harris Lake", which is shown on the updated SWALUP map as "Utility/Preservation". The description of this land use designation states:

Utility/Harris Lake - This district comprises lands primarily owned by Progress Energy and includes Harris Lake. Recommended **land uses within the district include the generation, transmission, and distribution of electric power produced by both nuclear and non-nuclear means** and could include, by way

of example, natural gas, wind and solar generation. **Land uses supporting, appurtenant, and ancillary to these activities, including** uses involving the elements and byproducts of power generation, may also be present in the district and may take the form of offices, warehouses, industrial, and **training facilities operated by Progress Energy**, its grantees, and lessees. Other public utility, parks, recreational, and municipal uses may be located within the district. To the extent practicable, the use of land within the district will respect and enhance the environment and natural resources. [Emphasis added]

The proposed rezoning and stated training facility use would be consistent with the Utility/Harris Lake (aka Utility/Preservation) land use designation of the 2010 SWALUP update. The petitioner has included a condition that restricts the subsequent uses on the subject 220.4-acre site to "No uses beyond those listed in section 2 (c) Utility/Harris Lake of the LUPA 03/09 [as quoted above] shall be permitted".

The requested CU-I-2 zoning allows for a limited range of nonresidential uses (with training facilities specifically allowed) that are consistent with the Land Use Plan designation and are reasonable and appropriate for the area. Most of the subsequent uses on this 220.4-acre site will require a Planned Compliance Permit (PCP) via the Wake County Planning Board. The proposed rezoning and stated training use would be reasonable because the subject area lies about mid-way between the existing training facility and the power plant. The proposed rezoning and stated training use would be in the public interest because the rezoning of the site will allow for the construction of a training facility that will allow Duke Energy Progress, LLC to train their employees to safely and rapidly respond and restore power during times of power outages.

Any future use on this property will have to be determined to be consistent with the Land Use Plan via a site-specific development plan before it can be approved. The public hearing process for a PCP is intended to provide for an open public participation process to ensure that their location and design is appropriate, and will protect the public health, safety and general welfare. This review process will also ensure that the proposed site plan and use fully complies with all applicable county, state and federal regulations

Besides the proposed rezoning's compliance with the land use plan's designation for this area, two of the Land Use Plan's stated goals have also been referenced by the petitioner. The petitioner has indicated that this petition is consistent with the Wake County Land Use Plan, because "Goal 1, to guide quality growth throughout the County in conjunction with affected local governments, is achieved by collaboration with the Town of Holly Springs with regard to the land use and utility infrastructure". The petition also notes that "Goal 2, to encourage growth close to municipalities, to take advantage of existing and planned infrastructure, such as transportation, water and sewer facilities, is achieved by locating the proposed facility in an area with adequate transportation networks and planned water and sewer utility infrastructure (to be implemented as part of the proposed development)".

In accordance with the North Carolina General Statutes and the Wake County Unified Development Ordinance, any proposed rezoning should be consistent with the Wake County Land Use Plan. It is the planning staff's professional opinion that the rezoning petition for Conditional Use-Industrial-2 zoning and the permissible range of uses (including the stated proposed training facility) would be consistent with the Land Use Plan and are reasonable and appropriate for the area.

#### **Required Statement of Consistency with the Land Use Plan and Public Interest**

North Carolina General Statute 153A-341 and Section 19-21-6 (C) of the Wake County Unified Development Ordinance require that the Planning Board provide the Board of Commissioners with a statement of whether or not the proposed rezoning petition is consistent with the Land Use Plan, reasonable, and otherwise advances the public health, safety, and general welfare. In making a determination of whether or not to approve the rezoning petition, the Board of Commissioners must adopt a statement describing whether or not the proposed petition is consistent with the Land Use Plan, reasonable, and otherwise advances the public health, safety, and general welfare, or why it chose not to follow the Land Use Plan and how that decision is reasonable and in the public interest--if that is the case.

The petitioner has provided statements indicating (1) why they believe that the proposed rezoning and subsequent use is a public necessity, and (2) explaining its impact on the surrounding neighborhood and adjacent properties. They have also provided statements of (3) how the rezoning complies with the Land Use Plan; and (4) how the rezoning benefits the adjacent and surrounding properties and (5) otherwise advances the public health, safety and general welfare.

### **Two-Step Conditional Use Rezoning Process**

The Wake County Unified Development Ordinance (UDO) establishes a two-step conditional use rezoning process. The first step is to obtain a conditional use rezoning from the Board of Commissioners. The second step requires that the Wake County Planning Board review a Planned Compliance Permit (PCP) for **most** uses (although some commercial uses could be approved administratively by staff if they were less than 2,500 square feet in building size). Any commercial use with gas sales, regardless of building size, would require a PCP.

The Planning Board acts as the permit issuing authority for uses requiring a PCP (as per Section 19-22 of the UDO). The PCP process requires the petitioner to submit a detailed site plan to the planning staff and the Planning Board to demonstrate that the project conforms with all regulations and standards generally applicable within the zoning district and specifically applicable to the particular type of PCP or class of PCPs. A copy of the PCP plans will be sent to the relevant municipality, in this case the Town of Holly Springs, for their review and comment. The planning staff and Planning Board will also ensure that any rezoning conditions are incorporated into the PCP site plan. The Planning Board may impose additional "reasonable" conditions to address any impediments to the board reaching the required findings that are necessary for approval of the PCP.

A General Use Permit would be processed administratively by the planning staff for commercial uses of less than 2,500 square feet in building size (except for those with gas sales) after demonstration of full compliance with all applicable regulations and standards.

While the petitioner has indicated that the intent is to construct an indoor and outdoor training facility for Duke Energy Progress, LLC employees, any rezoning decision must be made based upon **all** possible uses of the subject property as listed in the attached rezoning conditions.

### **Input from the Town of Holly Springs**

As part of the Wake County planning staff's review of any rezoning request, a copy of the petition is forwarded to the relevant municipality who's Urban Services Area that the subject property lies within. Approximately half of the 220.4-acre subject area is classified as the Town of Holly Springs' Long-Range Urban Services Area (LRUSA). This half is the area north of the curved Progress Energy Exclusion Zone (PEX) line as shown on the attached maps. This area is proposed to be reclassified to Short-Range Urban Services Area via a

pending Land Use Plan Amendment. The other half of the 220.4-acre subject area is classified as Non-Urban Area (NUA).

The Holly Springs' planning staff has indicated that they did not have any objection to the rezoning petition.

### **Input from Neighboring Property Owners**

The planning staff mailed out letters to all property owners within 1,000 feet of the subject area and also posted two public meeting notice signs on Shearon Harris Road. The planning staff has not received any objection to the rezoning petition in response to those efforts to solicit neighborhood feedback. The petitioner has indicated that they have spoken to the one property owner within the required 1,000-foot notification range and that they had no opposition to this request.

As noted in the petitioner's "What is the impact on surrounding neighborhood and adjacent properties?" statement, the subject 220.4-acre area of this rezoning petition is surrounded by the balance of the two parent parcels that are owned by Duke Energy Progress, LLC. Therefore, this area—and any potential impacts—are well separated from any property that is not owned by Duke Energy Progress, LLC.

### **Utilities**

Approximately half of the 220.4-acre subject area--the half north of the curved Progress Energy Exclusion Zone (PEX) line--is classified as the Town of Holly Springs' Long-Range Urban Services Area (LRUSA). The Wake County Land Use Plan defines LRUSAs as areas within the county's jurisdiction that are intended to be urbanized, but probably not within the next ten years. As noted above, this area is proposed to be reclassified to Short-Range Urban Services Area via a pending Land Use Plan Amendment.

There are no existing municipal water or sewer lines currently within this area, however, the town is planning to extend water and sewer lines into this area in the near future—in part to serve the proposed training facility. Development on this property will have to be supported by individual wells and septic systems unless and until municipal utility connections are provided by the Town of Holly Springs.

The petitioner has indicated that this petition is consistent with the Wake County Land Use Plan, because "Goal 1, to guide quality growth throughout the County in conjunction with affected local governments, is achieved by collaboration with the Town of Holly Springs with regard to the land use and utility infrastructure". The petition also notes that "Goal 2, to encourage growth close to municipalities, to take advantage of existing and planned infrastructure, such as transportation, water and sewer facilities, is achieved by locating the proposed facility in an area with adequate transportation networks and planned water and sewer utility infrastructure (to be implemented as part of the proposed development)".

### **Environmental Issues**

There is no Federal Emergency Management Agency (FEMA) regulatory floodplain within the subject area being petitioned for rezoning, however, there are some Wake County flood hazard soils associated with the streams that run through the area. There may be some 50-foot wide riparian buffers along these streams and some narrower buffers along the secondary drainageways. Various provisions of the Wake County Unified Development Ordinance (UDO) will restrict, or prohibit, development within these environmentally sensitive areas. All of these areas of concern will be addressed during the review of any subsequent development plans.

### **Transportation Plan**

The area that is the subject of this rezoning petition is bordered by Shearon Harris Road on three sides. This portion of Shearon Harris Road, which has an existing 60-foot right-of-way and a 24-foot pavement width, effectively serves as a service road for the Shearon Harris nuclear plant, a few residences, and for access to Shooting Lane and Fire Training Lane. As such, there are no right-of-way or roadway improvements required for Shearon Harris Road as shown in the Wake County Transportation Plan. The county and/or the North Carolina Department of Transportation (NCDOT) may require improvements such as a turn lane associated with a driveway permit for the new training facility. Any roadway improvements and/or driveway permits will have to be coordinated with, and approved by, NCDOT.

The subject area has no frontage on New Hill-Holleman Road, which is a half-mile to the east. It is approximately two-thirds of a mile, by road, from the closest point of the subject area that is being petitioned for rezoning out to the intersection with New Hill-Holleman Road. New Hill-Holleman Road is classified as a major thoroughfare in the Wake County Land Use Plan. While there are some improvements and right-of-way dedication shown on the Transportation Plan for New Hill-Holleman Road, they will not be triggered by development on the subject property because it does not have frontage on New Hill-Holleman Road. However, the petitioner did consult with NCDOT and they confirmed that there would be no improvements (e.g.—turn lanes) required on New Hill-Holleman Road.

### **Traffic Volumes**

The most recently available NCDOT average annual daily traffic (AADT) counts for Shearon Harris Road, taken just west of its intersection with New Hill-Holleman Road, was 2,000 vehicles per day in 2013. As noted above, this portion of Shearon Harris Road effectively serves as a service road for the Shearon Harris nuclear plant, a few residences, and for access to Shooting Lane and Fire Training Lane.

Shearon Harris Road connects to New Hill-Holleman Road, which in turn runs north to an interchange with US 1. The 2011 AADT figure for New Hill-Holleman Road was 4,600 vehicles per day at a point just north of US 1 and 4,200 vehicles just north of its intersection with Shearon Harris Road. The most recent AADT count for New Hill-Holleman Road, taken at the same point just north of US 1, was only 2,000 vehicles in 2013. The recent decrease in traffic volumes on New Hill-Holleman Road appears to be a result of the new section of NC 540 opening at the end of 2012/early 2013. The opening of this segment of NC 540 should lead to a permanent reduction of traffic on New Hill-Holleman Road.

A standard 24-foot wide two-lane roadway design has a capacity of 12,000 vehicles per day. With both New Hill-Holleman Road and Shearon Harris Road at 2,000 vehicles per day, there is sufficient capacity remaining on both roadways, with them operating at approximately 17% of their design capacity.

### **Accident Reports**

The North Carolina Department of Transportation's Traffic Engineering Accident Analysis System report for the 3-year period from September 1, 2012 through August 31, 2015 indicated that there have been 22 accidents in the 3.99-mile section of New Hill-Holleman Road between Avent Ferry Road and the US 1 south bound ramps. Only three (3) of those 22 accidents occurred at, or in close proximity to, the Shearon Harris Road intersection. Six (6) of the 22 accidents involved minor injuries--with a total of seven (7) persons being injured--and 16 resulted in property damage only.

Five (5) of the 22 accidents occurred in wet weather conditions, and five (5) occurred at night. Four (4) of the 22 accidents involved collisions with animals and ten (10) involved vehicles that struck a ditch, sign, tree, fence or some other fixed object.

### **Traffic Impact Analysis**

A Traffic Impact Analysis (TIA) is required by the Wake County Unified Development Ordinance (UDO), for any development that generates more than 1,000 trips per day, or more than 100 peak-hour trips as determined by the Institute of Transportation Engineers' Trip Generation Manual for specific proposed uses. Any required TIA must be submitted during the site plan approval process.

As noted above, the petitioner has indicated that they intend to build an indoor and outdoor training facility on the subject 220.4-acre area. Representatives of Duke Energy Progress, LLC and their engineering consultant have met with NCDOT to discuss the potential traffic impacts of the proposed training facility. They have indicated that there would be an increase of only 60 to 100 vehicles per day (on days that the facility is being used). Based upon this low projected traffic volume increase, NCDOT advised Duke Energy Progress, LLC that they would not require them to prepare a TIA. This figure is also well below the thresholds that would trigger a TIA for this rezoning petition via the Wake County UDO. As noted above there are no significant issues with the traffic volumes or accident rates, therefore Wake County planning staff will not require a TIA as part of this rezoning, however, we reserve the right to require one during the subsequent Planned Compliance Permit site plan review process.

### **Planning Staff Findings**

1. The proposed Conditional Use-Industrial-2 (CU-I-2) rezoning and the permissible range of uses are consistent with the Southwest Area Land Use Plan's (SWALUP) designation of Utility/Harris Lake (aka Utility/Preservation) and are reasonable and appropriate for the area.
2. More specifically, the stated purpose of the proposed training facility complies with the SWALUP's designation of Utility/Harris Lake (aka Utility/Preservation) as noted in LUPA 03/09 and the 2010 SWALUP update map.
3. The proposed rezoning complies with Land Use Plan Goal 1 regarding guiding quality growth throughout the County in conjunction with affected local governments via collaboration with the Town of Holly Springs with regard to land use and utility infrastructure.
4. The proposed rezoning complies with Land Use Plan Goal 2 regarding encouraging growth close to municipalities, to take advantage of existing and planned infrastructure, such as water and sewer facilities.
5. The proposed rezoning and stated training facility use are reasonable because the subject area is located half way between the existing training facility and the nuclear power plant.
6. The traffic volumes and accident reports from the North Carolina Department of Transportation do not indicate any significant traffic issues for Shearon Harris Road or New Hill-Holleman Road.
7. A detailed Planned Compliance Permit site plan must be approved by the Wake County Planning Board prior to future development to ensure compliance with all applicable regulations.
8. The Town of Holly Springs' planning staff has indicated that they had no objection to the rezoning petition.
9. The Wake County planning staff has received no objections from the surrounding property owners or the general public.

### **Planning Staff Recommendation**

The planning staff recommends **approval** of the requested zoning map amendment, ZP-886-15, as presented, and finds that the zoning map amendment is consistent with the Land Use Plan, reasonable, and otherwise advances the public health, safety, and welfare.

Mr. Swanstrom asked if the proposal to change the land from the Town of Holly Springs's Long Range Urban Services Area to Short Range Urban Services Area would have any impact on the rezoning. Mr. Lankford answered that staff finds the rezoning to be consistent with the Land Use Plan regardless of whether the land is reclassified to Short Range Urban Services Area.

Ms. Rachel Cotter of McAdams came forward to address the board. She stated that she is the petitioner on behalf of Duke Energy Progress.

Mr. Wells asked whether the development is contingent on getting utilities to the site. The petitioner did not have any information.

Mr. LiVecchi asked about one of the uses that is proposed to be permitted being "hazardous or low-level radioactive waste facility." Mr. Lankford said that there is temporary storage of spent rods in a pool within the Shearon Harris facility. Similar storage would not occur in the subject area. Mr. LiVecchi asked if that use needed to be included if it would not occur. Mr. Lankford said that the list of proposed permissible uses matches what the Land Use Plan says. Even though the zoning could allow the storage of the radioactive waste, the Nuclear Regulatory Commission regulations and security perimeter necessary would prohibit such storage.

Mr. Swanstrom made a motion that the Planning Board recommend approval of ZP-886-15 and adopt the following statement of consistency, reasonableness, and public interest:

The Wake County Planning Board has reviewed the rezoning petition (ZP-886-15) for the 220.4-acre area located at 5301 Shearon Harris Road (portions of PINs 0618420089 and 0619147086) to rezone the property from Residential-80 (R-80) to Conditional Use-Industrial-2 (CU-I-2). The Planning Board offers the following (1) statement of consistency, reasonableness, and public interest, and (2) recommendation for approval:

- 1) The Planning Board finds that the requested rezoning to CU-I-2 is:
  - a) consistent with the Wake County Land Use Plan's designation of Utility/Harris Lake (aka Utility/Preservation) and the limited range of allowable uses (including training facilities) as described in the 2010 adoption resolution for LUPA 03-09 which updated the Southwest Area Land Use Plan;
  - b) consistent with the Land Use Plan's Goal 1 regarding guiding quality growth throughout the County in conjunction with affected local governments via collaboration with the Town of Holly Springs with regard to land use and utility infrastructure;
  - c) consistent with the Land Use Plan's Goal 2 regarding encouraging growth close to municipalities to take advantage of existing and planned infrastructure such as water and sewer facilities;
  - d) reasonable because the subject area is located halfway between the existing training facility and the nuclear power plant;



- e) in the public interest because the rezoning of the site will allow for the construction of a training facility that will allow Duke Energy Progress, LLC to train their employees to safely and rapidly respond and restore power during times of power outages;
  - f) reasonable and in the public interest because various provisions in the Wake County Unified Development Ordinance and the established development review process with outside agencies such as the North Carolina Department of Transportation and other county departments, will ensure that there are no significant adverse impacts on the public health, safety and general welfare. For example, there are no significant traffic issues on Shearon Harris Road or New Hill-Holleman Road, and the subsequent development will comply with county requirements regarding buffering, stormwater and erosion control, and protection of environmentally sensitive areas.
- 2) The Planning Board recommends that the Board of Commissioners approve the rezoning request as presented.

Mr. Springer seconded the motion. The motion passed unanimously.

**5. *Quasi-judicial hearing: PCP 02-15: Planned Compliance Permit to allow the expansion of an existing self-service storage and outdoor storage facility located at 5333 New Hill Holleman Road***

Before the case was heard, Mr. Finn was duly sworn.

Mr. Finn submitted the staff report and PowerPoint slides into evidence. Mr. Finn presented the staff report to the board.

Documentary evidence: Staff report, application, preliminary soils evaluation, site plan maps, explanation of proposed changes of the conditions of approval from PCP-03-06, video, an email from Gina Clapp (Director of Planning & Zoning for the Town of Holly Springs) to LeRoy Smith (Holly Springs Fire Chief), photographs submitted by Mr. LeRoy Smith.

**I. REQUEST: PCP 02-15**

The petitioner is requesting Planned Compliance Permit approval for the expansion of an existing self-service storage and outdoor storage facility on a 16.62 acre site located at 5333 New Hill Holleman Rd. The first phase of the expansion includes two self-storage buildings, a 1,800 square foot office and outdoor storage on the northwestern portion of the property. The second phase of the expansion includes the addition of fourteen additional self-storage buildings to be constructed over time as demand is demonstrated. The applicant is also requesting several changes to conditions of 2007 approval from the site's original Planned Compliance Permit (PCP 03-06).

**II. PROJECT LOCATION**

The site is located at 5333 New Hill Holleman Rd. on the eastern side of New Hill Holleman Rd. between Avent Ferry Rd. and Harris Lake. The site is located within the Town of Holly Springs' Long-Range Urban Services Area (LRUSA) and is also located within a Neighborhood Activity Center.

**III. PROJECT PROFILE**

WAKE COUNTY PIN: 0628700189

ZONING DISTRICT: Conditional Use-Industrial 2 (CU-I-2)

LAND USE CLASSIFICATION: Town of Holly Springs' Long Range Urban Services Area (LRUSA) and Neighborhood Activity Center

WATERSHED: N/A

CROSS REFERENCE FILES: ZP-54-05; PCP-03-06; ZP-879-12

APPLICANT: Paul Brewer

PROPERTY OWNER: Harris Lake Boat Storage, LLC

PROPERTY SIZE: 16.62 acres

CURRENT LAND USE: Self-service storage and outdoor storage

PROPOSED LAND USE: Self-service storage and outdoor storage

#### **IV. PROJECT SETTING – SURROUNDING ZONING DISTRICTS AND LAND USES**

<b>DIRECTION</b>	<b>LAND USE</b>	<b>ZONING</b>
North	Harris Lake, Shearon Harris game lands, and wooded	Residential-80 (R-80)
East	Wooded	Residential-80 (R-80)
South	Place of Worship, cemetery, and residential	Residential-80 (R-80)
West	Residential	Residential-80 (R-80)

#### **V. AERIAL MAP**



## **VI. ZONING**

### **A. ZONING DISTRICT**

The property is zoned Conditional Use-Industrial 2 (CU-I-2).

### **B. BACKGROUND**

The property was rezoned from Residential-80 (R-80) to Conditional Use-Industrial 2 (CU-I-2) on February 1, 2006. The property owner placed the following conditions on the property:

1. Permitted Uses:
  - (A) Mini-storage and outdoor storage, not to exceed 8.5 acres of 16.62 acre tract.
  - (B) Telecommunication towers as per Section 1-1-39(B)(6)(7)(a)(b) of the Wake County Zoning Ordinance
2. Permitted Special Uses per Section 1-1-39(B)(6)(7)(a)(b) of the Wake County Zoning Ordinance.
3. The total impervious surface coverage of the property may exceed thirty (30) percent of the area of the property only if on-site detention of storm water is provided for the runoff in excess of that which would occur with thirty (30) percent impervious surface.
4. Compliance with Transitional Urban Development Policies: Development on the property will comply with the County Land Use Plan's Transitional Urban Development policies (TUDs), which require that necessary easements for future installation of water and sewer lines be provided. Development on the property

will comply with the TUDs policies that call for new development to provide for the types and levels of transportation facilities that accommodate vehicular, bicycle, pedestrian, transit, parks and recreation, greenway, or open space plans adopted by the County, and that are designed to be constructed to the standards of the municipality associated with the Urban Service Area and the Wake County Thoroughfare Plan and North Carolina Department of Transportation standards.

The site received Planned Compliance Permit approval on August 1, 2007 for an 8.5 acre portion of the property to be used for the operation of a self-service storage and outdoor boat storage facility. Conditions for this PCP approval are attached for reference.

On August 6<sup>th</sup>, 2012, the original conditions from the February 1, 2006 rezoning were amended to allow for permitted uses on the entirety of the 16.62 as follows:

- (A) Mini-storage, and outdoor storage including: boats, automobiles, trucks, trailers [not mobile homes], campers, RVs [recreational vehicles], and mobile storage units.

Previous rezoning conditions #2-4 remained unchanged in this zoning map amendment.

### **C. SOUTHWEST WAKE AREA LAND USE PLAN**

The site is located within Holly Springs' Long-Range Urban Services Area (LRUSA) as shown on the Southwest Wake County Area Land Use Plan. The LRUSAs are intended to be urbanized and served by municipal water and sewer in the future, but not within the next ten years.

The Southwest Wake Area Land Use Plan designates this area as a Neighborhood Activity Center, which provides for a mix of small-scale commercial and industrial uses that serve surrounding neighborhoods. The proposal complies with the Southwest Wake Area Land Use Plan.

## **VIII. ZONING STANDARDS**

### **A. LOT STANDARDS**

	Standard	Consistent?
Minimum Lot Area	None	YES
Minimum Front Setback	50 feet	YES
Minimum Side Setback	25 feet	YES
Minimum Rear Setback	25 feet	YES
Street front bufferyard	10 foot deep with Type F screening	YES
Northern perimeter bufferyard	60-foot deep with Type B screening	YES
Eastern perimeter bufferyard	60-foot deep with Type B screening	YES
Western perimeter bufferyard	45-foot deep with Type B screening with six-foot tall solid fence	YES
Southern perimeter bufferyard	20-foot deep with Type E screening	YES

## **B. TRANSPORTATION**

The site is accessed from New Hill-Holleman Road, which is classified as a major thoroughfare. The Wake County Thoroughfare Plan indicates that New-Hill Holleman Road, which currently has a 60-foot right-of-way, will have an 80-foot ultimate right-of-way and requires that the current pavement width of 22 feet consisting of two lanes be widened to a width of 36 feet with two lanes. The proposed plan demonstrates a dedication of 10-feet of right-of-way. Additionally, a 10-foot dedication of right-of-way along Avent Ferry Rd. is also demonstrated in accordance with Thoroughfare Plan requirements.

## **C. UTILITIES**

Water for the proposed use will be provided by individual well. Wastewater for the proposed use will be provided by an individual septic system. A septic permit will be required from Wake County Environmental Services.

## **D. PARKING**

For self-service storage, Section 15-10 of the Wake County Unified Development Ordinance requires a minimum of one parking space per 5,000 square feet of non-office area and one space per 300 square feet of office space. Phase 1 of the expansion request requires 6 spaces for non-office use and 6 spaces for office use. The plan shows 12 parking spaces are to be provided, which is consistent with UDO standards. The second Phase requires 19 parking spaces. The plan shows 54 additional parking spaces are to be provided, which is consistent with UDO standards.

## **E. STORMWATER MANAGEMENT/IMPERVIOUS SURFACE COVERAGE**

A condition from the rezoning case requires that the property can exceed a total impervious surface coverage of 30% only if on-site detention of stormwater is provided for excess runoff. The site plan indicates that the proposed impervious surface coverage is 46.5%, which will require additional on-site detention beyond what is already existing to handle current conditions. A stormwater management basin is proposed on the northwestern portion of the property and the applicant has been working with Wake County Environmental Services to ensure compliance with applicable stormwater regulations for the site.

## **F. EXTERIOR LIGHTING**

Section 17-11-7 *Exterior Lighting* states that: *"all exterior lighting must be shielded or directed away from any adjacent use or lot or any adjacent public street. No exterior lighting may cause illumination in excess of one foot candle at the lot line of any use"*.

A lighting plan will be required prior to the installation of additional site lighting for the site.

## **G. SIGNAGE**

Any proposed signage for the subject property must be consistent with the standards outlined in UDO Article 16 as well as Planning Board Condition #14 that references a sign package as presented on the attached Notice of Planned Compliance Permit Approval and on Sheet C-3 of the proposed site plan.

#### **H. REQUESTED CHANGES TO PREVIOUS PCP APPROVAL CONDITIONS**

As a portion of this Planned Compliance Permit application, the petitioner is proposing several changes to conditions of the original PCP approval. Specifically, the applicant is requesting changes to Conditions #5, #19, #21, #22, #26, #29. Staff has requested that the petitioner provide a letter explaining the rationale for the proposed changes. This letter along supporting documentation is attached for the Planning Board's reference.

#### **IX. FINDINGS**

##### **Planned Compliance Permit Required Conclusions:**

The Planning Board shall not approve a petition for a Planned Compliance Permit unless it first reaches each of the following conclusions based on findings of fact supported by competent, substantial, and material evidence. The Planning Board must make positive findings on the following findings of fact from Section 19-22-8 of the Wake County Unified Development Ordinance in order to approve or deny this planned compliance request:

- (1) The proposed development will not materially endanger the public health or safety.

Considerations:

- a. Traffic conditions in the vicinity, including the effect of additional traffic on streets, street intersections, and sight lines at street intersections and curb cuts.
- b. Provision of services and utilities, including sewer, water, electrical, garbage collections, fire protection.
- c. Soil erosion and sedimentation.
- d. Protection of public, community, or private water supplies, including possible adverse effects on surface waters or groundwater.

- (2) The proposed development will comply with all regulations and standards generally applicable within the zoning district and specifically applicable to the particular type of Planned Compliance Permit or class of Planned Compliance Permit.

#### **X. RECOMMENDATION**

Staff recommends that if the Planning Board reaches positive conclusions on all of the required findings, the Planned Compliance Permit be approved with the following staff recommended conditions:

- 1) The petitioner must comply with all conditions from the approval of PCP-03-06 as well as any future changes to those conditions as approved by the Planning Board;
- 2) The petitioner must obtain building permits from Wake County Division of Planning, Development and Inspections;
- 3) The petitioner must obtain approval for the wastewater system from the Wake County Department of Environmental Services;
- 4) The petitioner must obtain and complete a stormwater permit from the Wake County Environmental Services Stormwater Division;
- 5) The petitioner must provide a detailed lighting plan for approval prior to the installation of exterior lighting;
- 6) The petitioner must obtain and complete a sign permit for each sign from the Planning, Development and Inspections Division prior to the installation of any signage;
- 7) A final zoning site inspection to verify site plan compliance with all applicable standards of the Unified Development Ordinance must be performed by Wake County Planning before the issuance of a Certificate of Compliance.
- 8) The petitioner must record the Order of the Board in the Wake County Register of Deeds and return a copy to Planning.

Mr. Martin asked for more information regarding the proposed change to condition #22. Mr. Finn said that pine trees in question are generally throughout the buffers on the property.

Ms. Muir asked if the applicant is currently in compliance with the existing approved site plan. Mr. Finn answered that the applicant is in compliance with the approved site plan. The issues raised by staff during the process related to screening have been addressed including the green mesh fencing. Ms. Muir asked what year the traffic impact analysis (TIA) was completed. Mr. Finn said that the analysis was done in 2007, and it concluded that no transportation improvements were required.

Ms. Kreider asked if the area of expansion would require a new TIA. Mr. Finn answered that the expansion would not require a new TIA.

Mr. Finn said that notification letters were mailed during the second week in November.

Sworn witness in favor of the petition:

Paul Brewer, 8712 Holly Springs Road, Apex, NC 27539

Mr. Brewer testified that Harris Lake Boat Storage has a full facility with over 300 tenants. He said that they have a clean, secure, and well lit facility. Several churches store trailers at the site. He said that they would like to expand on the six acres that have not yet been developed to make the facility nicer and to add more capacity for storage. Mr. Brewer reported that they have a positive relationship with both neighbors. They have worked hard to buffer the property as desired by Wake County.

Mr. Martin asked about the requested change to condition #22 related to buffers. Mr. Brewer said that there are other pine trees that naturally grow in that area in addition to the pines that they have planted. He said that Wake County approved recent changes to the landscape plan. Mr. Brewer added that the storage use is a low traffic business use that has little impact on the neighbors.

Sworn witness in favor of the petition:

Matt Lundy, PO Box 1234, Holly Springs, NC 27540

Mr. Lundy said that he is from Oasis Church in Holly Springs. The church has stored its trailers at the facility for two years. The church has had a good relationship with the storage facility, and it is helpful since the facility is just down the street from where the church meets.

Sworn witness in favor of the petition:

Will Godfrey, 108 Jumping Creek Ct., Holly Springs, NC 27540

Mr. Godfrey testified that he is a Holly Springs resident, and he has several young kids who enjoy the lake. He stores a boat at the storage facility. Many of the area homeowners associations do not allow homeowners to store boats in their driveways. The proximity of the storage facility to the lake is convenient.

Sworn witness:

LeRoy Smith, 309 Kingsport Road, Holly Springs, NC 27540

Mr. Smith said that he is the fire chief for the Town of Holly Springs. He said that he is not opposed to the project, but he has some concerns for the board to consider. Mr. Smith submitted an email from Gina Clapp (Holly Springs Planning Director) into the record. Ms. Muir accepted the email into the record. Mr. Smith said that the location of the facility is in the rural area which is outside of his inspection area, though he would have command and control over any fire incident at the facility. Some of his questions involved what types of items would be stored in the enclosed units, whether the internal drives would be paved or gravel, and details regarding the storage of fuel. Mr. Smith said that he had a concern regarding the water supply on the site. He said that this type of building would be susceptible to being burned down. This area does not have a static water supply; there are neither any underground cisterns nor any fire hydrants available. He noted NFPA 303 (National Fire Protection Agency) which has a protection standard for marinas and boatyards that requires a sprinkler system. He submitted pictures of other boat storage facilities and boats that have had fires. Ms. Muir accepted the pictures into the record. Mr. Smith said that one of the pictures is from Washington and another is from California.

Ms. Muir asked about the agreement between Holly Springs and Wake County regarding who would respond to a fire at the site. Mr. Smith answered that Holly Springs has a cost share agreement with Wake County where Holly Springs contracts with the county to cover areas outside of the municipal town limits.

Mr. Smith noted that limiting the traffic on Avent Ferry Road is a positive part of having the storage facility in that location. If one of the boats were in an accident it would clog the roads. Mr. Smith noted an environmental concern since fiberglass is toxic when it burns. A lot of the runoff from battling a fire at this location would runoff into Shearon Harris Lake. He said that sprinkler system installed in the buildings would be the best solution to address his concerns.



Ms. Muir asked Mr. Smith if he had data regarding how frequent fires occur at storage facilities. Mr. Smith said that he did not have any data. Ms. Muir asked for more information about the runoff.

Sworn witness:

Kendra Parrish, Engineering Director for the Town of Holly Springs

Ms. Parrish said that the site is a tributary area to the Harris Lake watershed. There is a retention pond on the site, though it is not designed to handle the quantity of water or the contaminants involved in the event of a fire.

Mr. Swanstrom asked if water from a sprinkler system is the best thing to put on a gasoline fire. Mr. Smith said that having a sprinkler system would keep areas away from the fire cool and prevent the fire from spreading. He said having a monitored alarm would also be helpful to alert the fire department quicker. Mr. Swanstrom asked if a sprinkler system would be an expensive improvement. Mr. Smith said that a monitored alarm system would be more expensive than the sprinkler system.

Mr. Ball asked whether the issue with sprinklers would be handled at the building permit stage as determined by whether the North Carolina Building Code would require sprinklers for this type of building. Mr. Finn said that several staff, including the Fire Marshal staff, will review the plans when the building permits are submitted for construction drawing approval.

Mr. Birch asked if both Wake County and Holly Springs are enforcing the North Carolina fire code. Mr. Smith said that Holly Springs enforces the North Carolina fire code. Mr. Finn said that Wake County enforces the North Carolina fire code.

There was no one else who wished to speak in favor of or in opposition to the request. Ms. Muir closed the public hearing.

BOARD DISCUSSION

Mr. Martin discussed whether it was appropriate for the board to impose conditions requiring sprinklers if it would be something that would be considered under the North Carolina fire code when the buildings are built.

Mr. Wells said that the building code would determine whether a sprinkler would be required in this type of building.

Mr. Swanstrom said that this hearing was the wrong place to worry about building code issues.

Mr. Birch said that the board is limited in its ability to add conditions. The conditions need to be related to bringing the plan to conformance with one of the UDO standards that guide the board's decision. He said that he has not seen any evidence that there is anything about this proposal that would give the board a basis for adding a condition over and above what the UDO standards, building code standards, and fire code standards are.

MOTION

Mr. Ball made a motion in the matter of PCP 02-15 that the Board find and conclude that the petition does meet the requirements of Article 19-22-8 of the Wake County Unified Development Ordinance and the planned compliance permit be granted with the

recommended staff conditions. Mr. Swanstrom seconded the motion. By a vote of 10-0, the motion passed, and the planned compliance permit was granted. So ordered.

#### FINDINGS OF FACT:

A) The proposed development will not materially endanger the public health or safety; considering:

- 1) Traffic conditions in the vicinity, including the effect of additional traffic on streets and street intersections, and sight lines at the street intersection and curb cuts. This is a low volume traffic facility.
- 2) Provision of services and utilities, including sewer, water, electrical, garbage collections, fire protection. There is a limited need for utilities on the site.
- 3) Soil erosion and sedimentation. The site is proposed to be stable.
- 4) Protection of public, community, or private water supplies, including possible adverse effects on surface waters or groundwater. Retention devices are proposed as shown on the site plan.

B) The proposed development will comply with all regulations and standards generally applicable within the zoning district and specifically applicable to the particular type of planned compliance permit or class of planned compliance permits. There was testimony regarding onsite visits by staff that the site is in compliance.

#### CONCLUSIONS OF LAW

The proposed development will not materially endanger the public health or safety. The proposed development will comply with all regulations and standards generally applicable within the zoning district and specifically applicable to the particular type of Planned Compliance Permit or class of Planned Compliance Permit.

#### IT IS THEREFORE ORDERED:

- 1) The petitioner must comply with all conditions from the approval of PCP-03-06 as well as any future changes to those conditions as approved by the Planning Board;  
Approved changes to the conditions of approval of PCP-03-06 include:
  - a. Condition #5: That fuel storage other than that stored in watercraft, RV's and other vehicle fuel tanks is not allowed.
  - b. Condition #19: The petitioner must obtain driveway permits from the North Carolina Department of Transportation and provide a copy to the Current Planning Section of the Wake County Planning Department, prior to the issuance of any construction plans and/or building permit, no further roadway improvements will be required.
  - c. Condition #21: That the outer walls of buildings 2, 3, and 9 that face a right of way and the side walls facing the main drive of buildings 1, 4, 6, 8, and 16 be installed and maintained as a brick façade according to the site plan, to assist in maintaining the residential character of the area.
  - d. Condition #22: This condition is removed. (This condition formerly said: "That the landscape plan be revised to show Virginia Pines or equivalent in the place of White Pines.")
  - e. Condition #25: This condition is removed. (This condition formerly said: "That the outside boat storage is prohibited in both phase one and phase two areas concurrently.")

- f. Condition #28: This condition is removed. (This condition formerly said: "That a transportation impact study/analysis be reviewed and approved by Planning Staff prior to the issuance of any building construction permit.")
- 2) The petitioner must obtain building permits from Wake County Division of Planning, Development and Inspections;
- 3) The petitioner must obtain approval for the wastewater system from the Wake County Department of Environmental Services;
- 4) The petitioner must obtain and complete a stormwater permit from the Wake County Environmental Services Stormwater Division;
- 5) The petitioner must provide a detailed lighting plan for approval prior to the installation of exterior lighting;
- 6) The petitioner must obtain and complete a sign permit for each sign from the Planning, Development and Inspections Division prior to the installation of any signage;
- 7) A final zoning site inspection to verify site plan compliance with all applicable standards of the Unified Development Ordinance must be performed by Wake County Planning before the issuance of a Certificate of Compliance.
- 8) The petitioner must record the Order of the Board in the Wake County Register of Deeds and return a copy to Planning.

## **6. Holly Springs ETJ Request**

Before the case was considered, Mr. Martin recused himself from consideration on the matter and exited the meeting room. Mr. Birch said that he had represented a person opposed to the ETJ request; the person has removed the opposition, so there is no longer a conflict.

Mr. Coates presented the staff report to the board.

**REQUEST:** Extend Town of Holly Spring's Extraterritorial Jurisdiction by approximately 6,126 acres.

**PETITIONER:** Town of Holly Springs

On April 21, 2015, the Holly Springs Town Board adopted a resolution requesting that the Wake County Board of Commissioners consider granting extension of the town's Extraterritorial Jurisdiction (ETJ) by 10,485 acres. The proposed expansion area includes small areas to the east and south of Town, the majority is west of current town limits along Holly Springs New Hill Road, Avent Ferry Road, Cass Holt Road, and New Hill Holleman Road South of US 1.

The ETJ request has been modified by the Town of Holly Springs on November 3, 2015. The amended request is 6,125 acres.

## **State Law**

By State law, a municipality of more than 25,000 in population may exercise ETJ over an area not more than three miles beyond its corporate limits. The area beyond the corporate limits is defined as extraterritorial jurisdiction (ETJ). In determining the population of a city for the purposes of this Article, the city council and the board of county commissioners may use the most recent annual estimate of population as certified by the Secretary of the North Carolina Department of Administration. The State Demographer released the most current certified municipal population estimates in September 2015: July 1, 2014 population estimate for the Town of Holly Springs – 28,832.

In accordance with North Carolina General Statutes, if you operate a bona-fide farm and are added into a municipality's ETJ, that land being used for bona-fide farm purposes only is exempt from the municipality's zoning and building requirements but becomes subject to the municipality's requirements upon the cessation of a bona fide farm use.

## **Purpose**

ETJ allows a municipality to have its development policies, procedures and standards in place in advance of development. This provision proactively influences the character of development in an area that is expected to urbanize and be serviced by municipal utilities in the near future. This enables the municipality to plan for timely, efficient provision of development and associated infrastructure and urban services, and address code enforcement issues that might impair their development. Seven criteria have been developed to review ETJ expansion requests:

- 1) Classification as Urban Services Area
- 2) Commitment to Comprehensive Planning
- 3) Adoption of Special Regulations
- 4) Municipal Water and Sewer Service
- 5) Evidence of Feasibility for Urban Density Development
- 6) Annexation within Ten (10) Years
- 7) Existing ETJ

## **Background/History**

In early April 2015, the Town of Holly Springs Department of Planning & Zoning created a public information webpage and mailed over 700 letters to potentially affected property owners informing them of the Town's intention to file a request for ETJ Extension and to invite them to a Public Information Meeting.

On April 15, 2015, the Town of Holly Springs Department of Planning & Zoning held a public information meeting to gauge the response of potentially affected property owners. As a result of that meeting, the Town removed several parcels before submitting its ETJ request to Wake County. The comments from the community meeting are included within the submittal packet by the Town of Holly Springs. On April 21, 2015 the Town of Holly Springs Town Council adopted Resolution 15-18 requesting an extension of the Town's ETJ.

On June 3, 2015 Town of Holly Springs staff submitted its ETJ report to Wake County Planning Staff for review.

In August 2015, the Town of Holly Springs Department of Planning & Zoning mailed over 700 letters to the affected property owners informing them of the upcoming Wake County Land Use Committee and Planning Board meeting dates. The letter contained meeting information and a Frequently Asked Questions page on the ETJ.

The Wake County Land Use Committee held four meetings between September 2, 2015 and November 4, 2015 to review the ETJ request.

On November 3, 2015, the Town of Holly Springs amended its ETJ request to remove portions of the Duke Energy land. The original request of 10,485 acres was reduced to 6,125 acres.

## **ANALYSIS:**

Staff has reviewed the Town of Holly Springs's ETJ expansion request. The review is based on the County's criteria for evaluating ETJ requests. Each of the seven (7) criteria is addressed in this report.

## **ETJ CRITERIA**

### **(1) Classification as Urban Services Area:**

*The area proposed for ETJ expansion should be classified as Urban Services Area associated with the municipality.*

The proposed ETJ extension area is within the Town of Holly Springs's Long Range and Short Range Urban Service area in the Wake County Land Use Plan. The 6,126 acres is within Short Range Urban Service Areas and Long Range Urban Service Areas.

The Town of Holly Springs has finalized annexation agreements with the towns of Apex, Cary, and Fuquay-Varina in the last few years.

✓ The Town of Holly Springs request complies with the criterion

### **(2) Commitment to Comprehensive Planning:**

*The municipality should demonstrate a commitment to comprehensive planning, preferably including adopted land use, public facilities and transportation plans, engineering studies, and a capital improvements program (CIP) including funding to implement the CIP. This commitment must be demonstrated through official actions by the governing body.*

The Town of Holly Springs has been very active in planning for future growth through the adoption of plans for land use, public facilities, and transportation as well as adopting an annual Capital Improvement Plan (CIP).

In 2006, The Town adopted the *Vision Holly Springs Comprehensive Plan*; the town provides updates and studies as needed. The most recent update was completed in April 2015. *Vision Holly Springs* includes all of the Town's planning area including the areas in the proposed ETJ extension.

The Town of Holly Springs was an active partner in the development of the Southwest Area Plan and the Harris Lake Drainage Basin Land Use Study.

The Town has been active in planning and securing adequate capacity for both municipal water and sewer facilities. The Town has a water capacity of 12 million gallons a day. The utility capacity for water and sewer will provide service past 2060 according to the Town. The Town's Water Reclamation Facility gives the town 8 million gallons a day and recently received a Finding of No Significant Impact for the Environmental Assessment Amendment that keeps the discharge in the current location.

The Town has a Parks & Recreation Master Plan. This plan has been endorsed and has helped the town in its park facilities and greenway infrastructure. The Town's residents approved a Parks & Recreation Bond Referendum in 2011.

In 2011, the Town adopted Holly Springs Comprehensive Transportation Plan, the Town's first transportation plan studying all forms of transportation and ensuring a coordinated approach to providing its residents a safe mode of travel by foot, bicycle, car or bus.

At its Winter Retreat each year, the Holly Springs Town Council endorses a CIP that lays the groundwork for the design and construction of priority of public infrastructure projects. The projects include public safety, transportation, parks, water, waste water, and reclaimed water system improvements. The most recent CIP can be found at <http://www.hollyspringsnc.us/Documentcenter/view/10478> and contains all projects.

✓ The Town of Holly Springs request complies with the criterion

### **(3) Adoption of Special Regulations:**

*Where the municipality proposed ETJ expansions along major transportation corridors designated by the County as Special Transportation Corridors, the municipality should have adopted and be willing to apply regulations comparable to those for Special Transportation Corridors.*

The Town currently has an adopted Comprehensive Transportation Plan, and an update is planned for 2016 which will include any additional areas identified with the ETJ expansion.

The County does not have a Special Transportation Corridor within the Town's requested ETJ expansion request. However, the Town does have special "Gateway" regulations for any development along a major thoroughfare in Town that includes the future NC 540 corridor within its Unified Development Ordinance.

*Where the municipality proposed ETJ expansions within a water supply watershed, the municipality should have adopted, and be willing to apply, water supply watershed protection policies and provisions that meet or exceed the applicable State water supply watershed regulations or an adopted Plan for the water supply watershed.*

None of the requested ETJ expansion area lies within a designated water supply watershed as defined by the State of NC and Wake County.

*For evaluating an ETJ expansion request, the municipality's application of such special regulations to its existing ETJ should be considered as evidence of its willingness to apply these special regulations.*

The Town of Holly Springs will apply all of its ordinances and policies in the requested ETJ area. The Town of Holly Springs participates in the Wake County Historic Preservation Program and has County Landmarks within its Town limits.

- ✓ The Town of Holly Springs request complies with the criterion

#### **(4) Municipal Water and Sewer Service:**

*The municipality should show how the area proposed for ETJ expansion would be served by water and sewer service within five (5) years of the effective date of ETJ extension. The systems should be designed with adequate treatment capacity and adequately sized major trunk line extensions to service the area proposed for ETJ extension. The municipality should include needed improvements in its capital improvements program (CIP).*

#### **Wastewater**

The wastewater collection and treatment system for the Town of Holly Springs consists of gravity lines, pumping stations and force mains that convey flows to the Holly Springs Water Reclamation Facility (WRF) on Utley Creek. The Utley Creek WRF currently discharges approximately 1.8 million gallons per day (MGD) into Utley Creek in the Cape Fear River Basin. The Utley Creek WRF has a current design of 6.0 MGD and a permitted capacity of 8.0 MGD. The Utley Creek WRF is currently being expanded to provide enough capacity to serve the needs of Holly Springs through at least 2060.

Holly Springs' collection system currently consists of 176 miles of gravity sewers, and 22 miles of force mains, 6.8 miles of inactive force mains, as well as 23 pump stations including 10 that are privately maintained.

The Holly Springs Engineering Department prepared a map showing drainage basins within the proposed ETJ and the potential path for existing and proposed pump stations. Five pump stations currently exist within the Norris Branch and Utley Creek drainage basins within the proposed ETJ. The Town currently is designing new pump stations within the proposed ETJ along New Hill Holleman Road, as well Honeycutt Road for a new Wake County Public School and potential developments nearby.

#### **Water**

The Town's largest water supply originates from the Cape Fear River in Harnett County which is the same basin that the Town's Utley Creek WRF drains into alleviating any issues with inter-basin transfers. Holly Springs owns an allocation of 10.0 MGD of water from Harnett County. The water is purified at a water treatment plant in Lillington, NC and then conveyed via a shared 36-inch transmission line to a booster pumping station near Fuquay-Varina, then on to Holly Springs via a 30-inch water transmission main owned by Holly Springs.

An emergency supply of water is accessible via an agreement with the Town of Cary. A 16-inch transmission line along Holly Springs Road conveys water from Tryon Road in Raleigh to the Sunset Ridge area of Holly Springs. This drinking water originates in Falls Lake, is purified at the treatment plant in Raleigh and is then piped into Holly Springs. The Town is presently allocated 1.2 MGD of water from the City of Raleigh, but the transmission line is capable of supplying up to 2.5 MGD. Other emergency connections are in place on N Main Street and Sunset Lake Road with the Town of Apex, as well as the Town of Fuquay-Varina at the intersection of Piney Grove Wilbon and Wilbon Road.

The water system includes two pump stations, and three elevated storage tanks. The Town of Holly Springs can currently supply 3.2 MGD of water to its residents and industries. The Town estimates that each household uses roughly 200 gallons of water daily.

The Capital Improvement Plan (CIP) shows future waterlines along New Hill Holleman, Rex, Avent Ferry, Cass Holt, Buckhorn Duncan, Honeycutt, Rouse, and Duncan Cook Roads. The Loop from Friendship-New Hill Road to New Hill Holleman Road to Avent Ferry is expected to be operational by the Spring of 2017. All other projects listed in the CIP are projected to be completed by 2020.

The Town has plans to accommodate a population of 65,000 and will need to expand its water supply to meet future needs. To meet this additional need, future capital improvements will be required. The Town of Holly Springs has three potential plans to meet this future need:

- 1) Purchase additional capacity from Harnett County
- 2) Access its Jordan Lake allocation
- 3) Purchase water from the Town of Cary

The Capital Improvement Plan (CIP) attachments highlight the Town projects needed for the expansion area. <http://www.hollyspringsnc.us/Documentcenter/view/10478>

✓ The Town of Holly Springs request complies with the criterion

#### **(5) Evidence of Feasibility for Urban Density Development:**

*Areas proposed for ETJ extension by a municipality should be capable of being developed to an average density feasible for municipal annexation. This criterion is closely related to the ability of a municipality to serve the area with water and sewer service in accordance with its plan for development.*

In accordance with the Future Land Use Plan (Vision Holly Springs), there is a wide variety of anticipated future land uses and residential densities. The density of development allowed by the Town's Land Use Plan in the proposed area will provide for densities exceeding the 2.3 persons per acre density requirement for annexation. Holly Springs has a median household size of 3.05 per single family household and 2.68 per unit in multi-family. The Town is seeing a mix of housing units as a large apartment complex opened up along NC 55, and many townhouse developments under construction.

The town anticipates that properties west of Holly Springs along the US 1 corridor will be zoned non-residential (Industrial/Business) as the area surrounds the Friendship Certified Economic Development site. The town is attempting to create a high tech business park for



Southwest Wake County. A part of the US 1 Corridor will also be a Community Growth Area that would have residential densities exceeding 15 units per acre.

The parcels to the south and west of Holly Springs will primarily be at residential densities between 2- 3.25 units per acre which is the current average density of typical Holly Springs neighborhoods.

As NC 540 expands to the east, the ETJ extension area to the east is currently designated for residential uses at a density up to 3.25-4.5 units per acre. As plans progress in this area with NC 540, the Town plans to conduct a land use review which could result in higher intensity and density to take advantage of what is planned to be a very busy interchange of NC 540.

The Town of Holly Springs has experienced tremendous growth from a population of 908 in 1990 to an estimated 30,157 in 2014 by the US Census. The Town projects a population of 41,000 in 2020. The table below includes new residential single family and commercial permits from 2005 to 2015\*.

Year	2015	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005
<b>New Residential Permits</b>	545*	436	439	414	299	192	197	337	507	865	846
<b>New Commercial Permits</b>	8*	10	22	23	6	8	21	25	24	6	14
*Partial Year- Data through October 2015											

The Town of Holly Springs has averaged roughly 507 new single family permits yearly over the last 11 years. If this trend holds, the town could see an additional 5,000 new single family homes by 2025.

- ✓ The Town of Holly Springs request complies with the criterion

## **(6) Annexation within Ten Years**

*ETJ extensions should only be granted for areas anticipated to be substantially developed and annexed within ten (10) years. The ten-year period projection should be used as a guideline, and is adopted with the understanding that actual progress in development and annexation of a given ETJ area may vary from that originally projected at the time of ETJ extension. To determine the potential for annexation within ten (10) years the following should be considered: relevant County and Municipal plans and policies, past development experiences, and previous projections.*

Since 1996, the Town of Holly Springs has annexed roughly 5,789 acres. North Carolina annexation laws were amended in 2011, which make it much more difficult for a municipality to perform involuntary annexations. The Town of Holly Springs relies solely on voluntary annexations to extend its town limits.

Since 2005, the Town of Holly Springs has annexed roughly 2,815 acres. The Town of Holly Springs does have a policy requiring that prior to a development plan or subdivision being

considered for approval by the Town Council and being granted access to the Town's utilities, the property must be annexed into the Town's corporate limits.

Since the last major ETJ extension that was granted to Holly Springs in 2006 and accepted and zoned by the Town in 2007, the Town has annexed 819.22 acres of Urban Service Area designated lands.

Of the acreage annexed in the urban service area, roughly 150 acres were classified as Short-Range Urban Service Area (SRUSA) and 669 acres were classified as Long-Range Urban Services (LRUSA). Traditionally, most annexations should occur in a town's ETJ or Short Range Urban Service Area.

With the extension of municipal water and sewer service within the proposed ETJ area, the Town should see additional annexations as town services will be closer to a large part of the Town's Urban Service Areas.

- ✓ The Town of Holly Springs request complies with the criterion

#### **(7) Existing ETJ:**

*When a municipality requests additional ETJ, the municipality must demonstrate its progress in annexing and supplying municipal services, especially water and sewer, through the entirety of its existing ETJ. For all areas of ETJ granted after May 2, 1988, the municipality must specifically address its progress in complying with the criteria under which that ETJ was originally granted. An ETJ expansion may be granted to a municipality only when it demonstrates substantial progress in meeting this criterion.*

The Holly Springs original ETJ was one mile in each direction from Town boundaries. The Town was granted two ETJ extensions in 1996 and 2006 by request of the Town. In 2008 and 2013 ETJ was granted to Holly Springs as a result of modifying and finalizing annexation agreement lines with Apex and Fuquay-Varina. The 2008 request contained land that was all classified as Fuquay-Varina ETJ. The 2013 request was land that was classified as Apex ETJ and Wake County.

The Town of Holly Springs does have a policy requiring that prior to a development plan or subdivision being considered for approval by the Town Council and being granted access to the Town's utilities, the property must be annexed into the Town's corporate limits. The Town of Holly Springs has annexed roughly 819.22 acres of its Short and Long Range Urban Services since 2007.

A summary is provided below that shows the various ETJ extensions that have been granted to the Town, the portion of those extensions that have been annexed as well as those portions of the ETJ's that are owned by Duke Energy.

Year ETJ Granted	Acreage Granted	Acreage Annexed	Acreage Remaining	Pending Annexations	% Remaining	Duke Energy Property	% Remaining not including Duke Energy Land
Original	1,224.14	721.91	443.38	0	36.2%	0	36.2%
1996	821.5	593.64	227.86	0	27.7%	13.52	26.1%
2006	2,558.84	565	1,993.84	47.56	76.1%	143.46	70.5%
2008*	66.1	16.75	0	0.00	0.0%	0	0.0%
2013	669.8	133.74	536.06	0.00	80.0%	105.97	64.2%

\* Remaining acres were modified back to FV ETJ after agreement line modification

The Town of Holly Springs has shown progress in annexing its previous ETJ's. The 2006 ETJ will see more development as water and sewer extensions to the west have provided better access to that extension. Two major waterlines exist within the 2006 request currently and many projects are identified in the CIP to provide additional services.

The Town of Holly Springs continues to see voluntary annexations as development occurs within the existing ETJ's. The 2008 ETJ has been either all been annexed or was transferred to the Town of Fuquay-Varina. The 2013 ETJ has had 20% annexed within two years.

✓ The Town of Holly Springs request complies with the criterion

#### **PLANNING BOARD LAND USE COMMITTEE RECOMMENDATION:**

The Land Use Committee on November 4, 2015 voted 4-1 to recommend approval of Holly Springs ETJ request to the Planning Board.

#### **STAFF RECOMMENDATION:**

Staff recommends that the Planning Board recommend that the Board of Commissioners approve the Town of Holly Springs proposed ETJ expansion request.

Ms. Gina Clapp, Director of Planning and Zoning for the Town of Holly Springs, came forward to address the board. She said that Holly Springs is a fast growing community, and the purpose of ETJ is to support the urbanization of Wake County. Holly Springs is working in partnership with Duke Energy on a major water line extension near the western part of the town. Growth is now picking up in the southwest corridor south of Avent Ferry Road near Harnett County and Fuquay-Varina. Wake County Public Schools recently announced the location of a new school in that area. Ms. Clapp said that the town expects to have water and sewer in that area within the next five years. She said that being able to work directly with developers will help the town, and the property owners will be able to understand whose standards they fall under when they decide to sell their land for development purposes.

Mr. Paul Brewer of Harris Lake Boat Storage came forward to address the board. He said that the site of Harris Lake Boat Storage is within the area requested by Holly Springs for

ETJ. He asked Holly Springs to not be included in the request area. He said that his site falls under Wake County zoning regulations. If his site were brought into the Holly Springs ETJ, the zoning regulations would change. He said that there is not a zoning district in Holly Springs that is comparable to what his site currently has with Wake County. Holly Springs's storage zoning has a maximum of 15% outside storage; a majority of the Harris Lake Boat Storage facility is outdoor self-storage. If they ever wanted to change anything on their site plan and had to comply with the 15% outdoor storage limit, it would be devastating to their business. Mr. Brewer noted that residents in the ETJ are not able to vote for the Holly Springs Town Council which controls their property. He said that if the Town of Holly Springs would allow Duke Energy Progress to be removed from the ETJ request area at their request, why would they not allow Harris Lake Boat Storage to be excluded. He concluded that he is not in favor of the ETJ request, and he is especially against the ETJ for his property.

Mr. Keith McGuinness, Senior Land Strategist with Duke Energy, came forward to address the board. He said that Duke Energy would like the area around Friendship Road just south of US 1 excluded from the ETJ request. He said that the land was purchased for power generation use, and it is regulated by the North Carolina Utility Commission.

Ms. Kendra Parrish, Director of Engineering for the Town of Holly Springs, came forward to address the board. She said that the ETJ will help the town plan for utilities of water and sewer. If individual property owners are excluded from the request area, properties downstream are penalized. Including those properties in the ETJ request allows the town to regulate the layout of properties and require easements so that when development comes downstream other properties can be served with those utilities.

Mr. Wells asked whether Holly Springs has any zoning classification comparable to how Harris Lake Boat Storage is currently zoned. Ms. Clapp said that when property comes into the Holly Springs ETJ, it is automatically zoned R-30, according to Holly Springs's regulations. Properties whose zoning is more intense than R-30 have an opportunity to request a change in the zoning to a classification that is compatible with what they previously had. Ms. Clapp said that Mr. Brewer has requested to be zoned as "RT" which would allow self-storage facilities. She said that Mr. Brewer would be allowed to continue to develop his property in conformance with the plans that have been approved by Wake County. Any further expansion would have to be in conformance with Holly Springs's regulations.

Ms. Muir asked if a property needs to be in an ETJ in order for a utility to cross the land. Mr. Murphy answered that he did not think so. Ms. Parrish said that the town could initiate a process to have water or sewer lines cross a property that is not in their ETJ. She commented that it is easier and cheaper to establish easements at the time of development rather than after people have been living in the area for years.

Mr. Chuck Simmons, Town Manager for the Town of Holly Springs, came forward to address the board. He commented that residential developments within the Holly Springs ETJ would need to submit a TIA. Traffic congestion is a key concern for a growing community like Holly Springs, and it is beneficial to deal with the traffic during the growth. If the town

needs to grow around land that is not annexed that does not have the transportation improvements required by the town, then that is a burden that the taxpayers need to undertake. Mr. Simmons said that the Town of Holly Springs does allow self-storage facilities within the municipal limits. He said that the town works with existing businesses and property owners. Mr. Simmons said that the area around the Friendship site is strategically important to the town. The town plans to extend utilities to the area, and the town has invested resources to extend water to the area. He said that the town would be in a better position if the Friendship site and the surrounding area were within Holly Springs's planning jurisdiction.

David Raymer, 4617 Friendship Road, Apes, NC, came forward to address the board. He said that he lives in the ETJ request area. His family's property is down to 126 acres. He said that he is opposed to the ETJ request. He said that he would rather be under Wake County's jurisdiction than Holly Springs's jurisdiction. He would prefer to keep the area rural, and he does not see any advantage for him to be in the Holly Springs ETJ.

Mr. O'Melia noted the letter sent to the board from John B. Adcock in opposition to the ETJ request.

Mr. Swanstrom noted that one criterion for the ETJ is the expectation that the property would develop within 5-10 years, and Duke Energy has said that they would not develop some of their land. He added that relief was provided for Duke Energy's concerns, but some individual property owners have similar concerns as well.

Ms. Muir asked whether any land has been removed from the request area besides Duke Energy land. Ms. Clapp said that the town has not excluded any additional properties since the request was submitted, though there were some parcels that were excluded since their original meetings prior to submittal. Of the approximately 760 property owners in the area, Ms. Clapp said that she has spoken to about 20-25 of them regarding their inquiries. Only five or less property owners indicated that they did not want to be included in the ETJ. Ms. Peterson said that Wake County staff received an email from Mr. Mullen in September, and that email was forwarded to Holly Springs and Fuquay-Varina. Mr. Mullen has one parcel in Fuquay-Varina's planning jurisdiction and another parcel within the area requested for ETJ by Holly Springs. Mr. Mullen requested to be removed from the ETJ request area. Mr. Coates detailed the properties whose owners requested to be removed from the ETJ request area: Mr. Gunter's property north of Shearon Harris, Harris Lake Boat Storage, Mr. Mullen's property, and land owned by Mr. Ding who owns about 10 lots and a mobile home park. Mr. Coates said that staff treats land the same regardless of who owns the land when planning for ETJ; if land will have access to utilities and meet the criteria, staff will recommend that the parcels be included in the ETJ.

Mr. Swanstrom asked about the Mullen property. Mr. Simmons said that the Town of Holly Springs is in discussions with the Town of Fuquay-Varina regarding the Mullen property. He expected the issue to be resolved soon. Mr. Coates said that staff hopes the issue is resolved before the ETJ request is considered by the Board of Commissioners. Mr. Swanstrom asked Mr. Simmons if it made sense to remove the Mullen property from the

request now since a resolution is forthcoming. Mr. Simmons answered that he did not have any objection to that.

Mr. Ball asked about the pump stations planned for the request area. Ms. Parrish said that she expects the pump stations for the area to be installed within the 5-10 year timeframe required by the ETJ criteria.

Ms. Muir asked about properties that are excluded near Piney Grove Wilbon Road. Ms. Clapp said that the excluded areas are existing Wake County subdivisions that are under construction or newly constructed. Those subdivisions are being served by well and septic, so the town does not anticipate those areas needing connection to utilities. For that reason, those parcels were excluded. Ms. Muir brought up the possibility of excluding Mr. Adcock's property as well since he is in development on two of his tracts. Ms. Parrish said that Mr. Adcock's parcels are tributary to the pump station that is under design, so his property fits the criteria to be included within the ETJ. Ms. Muir asked about the difference between the excluded parcels and Mr. Adcock's property. Mr. Birch said that Mr. Adcock's proposed development appears to be construction of a single family house as opposed to the residential subdivisions which are excluded from the request area. Mr. Coates noted that once the roads within a subdivision are taken over by NCDOT it becomes more feasible for a town to bring that subdivision into its ETJ.

Ms. Muir commented that over 75% of the 2006 ETJ request has not been annexed by Holly Springs, even though a portion of that is Duke Energy property.

Mr. Birch commented on the request. He said that handling the growth that Wake County is experiencing within municipal limits at urban densities is the best way to accommodate that growth. It facilitates the most efficient provision of urban services. There is a great benefit for the town and county to have property within municipal planning jurisdictions that is available for annexation and that is being planned for the extension of utilities. A lot of the improvements related to utilities will be done by developers. The construction of I-540 in the area will add to the growth pressure on Holly Springs. Mr. Birch said that it is very important to get land within the county's jurisdiction into municipal planning jurisdictions. He said that a lot of the land from the 2006 ETJ expansion that has not been annexed is due to the recession and the change to state law that prohibits involuntary annexation. Mr. Birch encouraged the board to recommend approval of the ETJ request.

Mr. Swanstrom asked about excluding the following properties from the request: the Raymer property, the Mullen property, the Brewer property, and the Adcock property. Ms. Clapp noted that the Raymer property is in the middle of the request area and would create a donut hole. Mr. Simmons stated that excluding the properties (other than the Mullen property) would be inconsistent with the ETJ criteria.

Mr. Ball noted that the Land Use Committee recommended approval of the ETJ request on a split vote. He said that the reason for the split vote was the Friendship site and the area to the southeast that appeared to not have the availability of utilities within ten years.

Mr. Birch made a motion that the Planning Board recommends approval of the latest version of the Holly Springs ETJ extension request with the removal of the Mullen property.

Mr. Swanstrom requested that the Harris Lake Boat Storage property be removed as well. Mr. Birch declined the requested friendly amendment to his motion.

Mr. Wells seconded the motion. By a vote of 7-2, with Ms. Muir and Mr. Ball voting against, the motion passed.

Prior to the next case being considered, Mr. Birch departed.

**7. LUPA 02-15: Land Use Plan Amendment request by the Town of Holly Springs to reclassify 9,125 acres from Town of Holly Springs Long Range Urban Services Area (LRUSA) to Holly Springs Short Range Urban Services Area (SRUSA)**

Mr. Martin recused himself from consideration of this case and exited the meeting room.

Mr. Coates presented the staff report to the board.

**Request:**

Amend the General Classifications Map of the Wake County Land Use Plan as follows:

- Reclassify the Town of Holly Springs Long Range Urban Services Area (LRUSA) (12,798 acres) to Town of Holly Springs Short Range Urban Services Area (SRUSA)

**Applicant:**

- Town of Holly Springs

**Location:**

The requested area is within Wake County's Planning jurisdiction. The area lies southwest and west of the Town of Holly Springs and is located immediately west of New Hill Holleman Road and West of Buckhorn Duncan Roads.

**Background:**

Urban Services Areas (USAs), as defined in the Wake County Land Use Plan, identify where urban development will occur in the foreseeable future. USAs are associated with the municipality that is expected to extend urban services for the purpose of annexation. To increase the probability that USAs can accommodate the demands of urban development, provision of water and sewer facilities is central to USAs classifications.

Current and anticipated growth trends, major urban service facilities, transportation corridors, and other factors are taken into account when designating the different types of USAs. The Short Range Urban Services Area (SRUSA) classification applies to land that is projected and intended to be urbanized in the next ten years. Long Range Urban Services Area (LRUSAs) are lands to be urbanized and served by municipal services in the future, extending beyond the next ten years.

As urban development and growth patterns change throughout the county, the Wake County Land Use Plan General Classifications Map will be revised. Boundary changes between LRUSA and SRUSA should reflect urbanization and the extension of municipal water and sewer service.

**Analysis:**

The Short-Range Urban Services Area (SRUSA) classification applies to all land in the County's planning jurisdiction that: (a) is projected and intended to be urbanized and served by municipal services in the next 10 years; and (b) is not located within a water supply watershed, as designated by the State.

- ✓ The Area requested is not within a water supply watershed designated by the State of North Carolina
- ✓ The Town of Holly Springs expects this area to have or will be within 1 mile of a designated sewer watershed within 10 years.

Goal #1 of the Wake County Land Use Plan is to guide growth throughout the County in conjunction with affected local governments. To achieve consistency between the County and municipal plans, urban service area boundaries are periodically amended.

The Town of Holly Springs is requesting that its existing LRUSA be reclassified as Holly Springs SRUSA to accurately reflect recent municipal growth patterns.

- ✓ The Town has annexed roughly 670 acres of its existing LRUSA. Only two of the annexations were not contiguous to the Town's corporate limits.
- ✓ Currently in western Holly Springs, LRUSA and Town limits abut each other. Very little transition exists between urban and rural areas.
- ✓ Holly Springs has submitted an ETJ request that will create some transition if approved. However, LRUSA policies and ETJ are not consistent with each other.
- ✓ Municipal Water and Sewer Service will serve areas west of New Hill Holleman in the Spring of 2017.
- ✓ An existing waterline is along Buckhorn Duncan Road that connects with Fuquay-Varina's urban service area and Harnett County.
- ✓ The Town has within its Capital Improvement Plan to have water service along Cass Holt Road to Sweet Springs Road south.

Goal #2 in the Wake County Land Use Plan states, *to encourage growth close to municipalities to take advantage of existing and planned infrastructure, such as transportation, water and sewer facilities.*

- ✓ The Town of Holly Springs is expected to have municipal sewer and pump stations nearby within 10 years.
- ✓ Municipal waterlines exist in small portions of the proposed SRUSA today and will be nearby within 10 years.

The County's Transitional Urban Development Policies (TUDs), which are incorporated within the Land Use Plan, address urban intensity development within the SRUSA. The TUDs require that new development in the SRUSA connect to municipal water or sewer systems whenever extension of municipal water and sewer service to the development is available (within 2,500'). Water and sewer lines, public roads, and pedestrian ways within the development would have to be designed and constructed to municipal standards in order to



facilitate its future assimilation into an urbanized area served by urban facilities and services. The TUD policies – (e.g. water and sewer plans, future collector streets) – will be implemented in this proposed SRUSA.

### **Holly Springs Growth Patterns**

The Town of Holly Springs has witnessed significant growth in the last decade. The Town's population in 2010 was 24,661 residents up from the 9,192 residents recorded in 2000 by the US Census. The US Census Estimate for the Town of Holly Springs as of July 1, 2014 was 30,157 residents.

The Town of Holly Springs is expected to continue its growth rate and development. Below is a table showing the number of new residential and commercial permits from 2007- to 2015. 2015\* data only includes totals from January to October.

<b>Year</b>	<b>2015*</b>	<b>2014</b>	<b>2013</b>	<b>2012</b>	<b>2011</b>	<b>2010</b>	<b>2009</b>	<b>2008</b>	<b>2007</b>
New Residential Permits	545	436	439	414	299	192	197	337	507
New Commercial Permits	8	10	22	23	6	8	21	25	24
*Partial Year- Data through October 2015									

The Towns of Apex, Cary, and Fuquay-Varina are also seeing growth patterns pushing west of the NC 55 and NC 540 Corridors.

### **Findings:**

1. The Town of Holly Springs has infrastructure plans for thoroughfares, water lines, and sewer lines in the requested area.
2. The reclassification of the area will reflect the Town of Holly Springs' current and anticipated growth patterns.
3. The request to amend the Wake County Land Use Plan General Classifications to reclassify the Town of Holly Springs LRUSA to Holly Springs SRUSA is consistent with policies and goals set forth within the Land Use Plan.

### **Staff Recommendation:**

That the Planning Board recommends that the Board of Commissioners approve the proposed Land Use Plan Amendment LUPA 02-15 to reclassify a total of 12,798 acres from Holly Springs Long Range Urban Services to Holly Springs Short Range Urban Services.

Mr. LiVecchi made a motion that the Planning Board recommend approval of LUPA 02-15. Mr. Swanstrom seconded the motion. By a vote of 8-0, the motion passed.

**8. Reports** – Mr. LiVecchi reported that the Code & Operations Committee had a meeting regarding community well lots and telecommunications facilities. He said that the committee will continue to consider telecommunications facilities and boat storage in January.

**9. Planning, Development, and Inspections Report** – Mr. Finn reported that home occupations are trending up. Mr. Maloney reported that the Planning Board will consider financial guarantees and a rezoning request at its January meeting. He also reported that the Wake County Transit Plan will be released on December 8<sup>th</sup>.

**10. Chairman's Report** – Ms. Muir expressed her appreciation to the board members and staff.

**11. Adjournment** – With no other business, the meeting was adjourned at 4:36 p.m.

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REGULAR MEETING  
WAKE COUNTY PLANNING BOARD  
December 2, 2015

All petitions complete, Michelle Muir declared the regular meeting  
of the Wake County Planning Board for  
Wednesday, December 2, 2015 adjourned at 4:36 p.m.

Respectfully Submitted:

Michelle Muir  
Wake County Planning Board

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