



Town of Holly Springs Town Council Meeting Agenda Form

Town Clerk's Office Use:

Agenda Item #: 7a
Attachment #: 3

Meeting Date: | October 2, 2012 |

Agenda Placement: | **Public Hearings** |

(Special Recognitions (awards, proclamations), Requests & Communications (reports, information presentations), Public Hearings, Consent Agenda, Unfinished Business, New Business, Closed Session)

Subject Title: | **Jones Park Improvements** |

Presenter Name(s): | **Laura Holloman, Planner I** |

SUBJECT HIGHLIGHTS:

Jones Park currently is under-utilized with regard to providing a rapidly-growing community with adequate recreation activities on-site. In response, and as part of the Parks Bond referendum passed by voters last November, the Town's Parks and Recreation department is proposing some improvements to the park.

A playground would be added as well as a pavilion and disc golf course. The improvements do not warrant a development plan process; however, the improvements would be required to go through Planning and Zoning's Unified Development Ordinance permit process as well as obtaining all necessary building permits prior to construction.

Advisory board recommendation, if applicable:

n/a

Note: Since this is a Town project, Planning Board does not review or provide a recommendation to Council.

Staff Recommendation:

Approve.

Action(s) requested or suggested motion(s):

HOLD PUBLIC HEARING: Accept sworn testimony and qualified evidence on Special Exception Use Petition #12-SEU-03 for Jones Park Improvements to allow for a public park in the R-10: Residential District for the property located at 405 School Days Lane, Wake County PIN 0659049836, as submitted by the Town of Holly Springs.

ACTION #1: SPECIAL EXCEPTION USE FINDINGS OF FACT

Discussion: Determine whether the findings of fact for the Special Exception Use petition have been adequately satisfied. The petitioner's responses to the required findings are enclosed in your packets for your review and reference when making this determination.

Special Exception Use Findings of Fact:

A special exception use may only be granted upon the presentation of sufficient evidence to enable a written determination that:

- The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare;
- The proposed use will not injure or adversely affect the adjacent area;

- c. The proposed use will be consistent with the character of the district, land uses authorized therein, and the Town of Holly Springs Comprehensive Plan;
- d. The proposed use shall conform to all development standards of the applicable district (unless a waiver of such development standards is requested as part of the special exception use petition and approved as set forth above, in which case the proposed use shall conform to the terms and conditions of such waiver).
- e. Access drives or driveways are or will be sufficient in size and properly located to: ensure automotive and pedestrian safety and convenience, traffic flow as set forth in Section 7.09 – Pedestrian Circulation and Vehicular Area Design; and, control and access in case of fire or other emergency;
- f. Off-street parking areas, off-street loading areas, trash enclosures, trash pick-up and removal, and other service areas are located so as to be safe, convenient, allow for access in case of emergency, and to minimize economic, glare, odor, and other impacts on adjoining properties and properties in the general neighborhood;
- g. The lot, building or structure proposed for the use has adequate restroom facilities, cooking facilities, safety equipment (smoke alarms, floatation devices, etc.), or any other service or equipment necessary to provide for the needs of those persons whom may work at, visit or own property nearby to the proposed use;
- h. Utilities, schools, fire, police and other necessary public and private facilities and services will be adequate to handle the needs of the proposed use;
- i. The location and arrangement of the use on the site, screening, buffering, landscaping, and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impacts; and,
- j. The type, size, and intensity of the proposed use (including but not limited to such considerations as the hours of operation and numbers of people who are likely to utilize or be attracted to the use) will not have significant adverse impacts on adjoining properties or the neighborhood.

Suggested Motion:

Motion to make and accept the findings of fact to be recorded in the minutes for Special Exception Use Petition #12-SEU-03 for Jones Park Improvements to allow for a public park in the R-10: Residential District for the property located at 405 School Days Lane, Wake County PIN 0659049836, as submitted by the Town of Holly Springs.

ACTION #2: SPECIAL EXCEPTION USE ACTION:

Suggested Motion: Having made findings of fact that the project meets the requirements to be granted a Special Exception Use, motion to approve Special Exception Use Petition #12-SEU-03 for Jones Park Improvements to allow for the property to be used as a public park in the R-10: Residential District for the property located at 405 School Days Lane, Wake County PIN 0659049836, as submitted by the Town of Holly Springs.

Staff Review Record

Are there exhibits for this agenda item? **Yes**

List them in order they should appear in packet: **Staff Report, Application, Findings of Fact**

Department head initials and comments, if applicable: **gmc**

Finance director initials and comments, if applicable: | |

Town attorney initials and comments, if applicable: | |

Town manager initials and / or comments: **cd by jp**

Town clerk initials: **jp**



Town of Holly Springs Staff Report to the Town Council

REQUEST FOR SPECIAL EXCEPTION USE JONES PARK 12-SEU-03

PETITIONER(S):

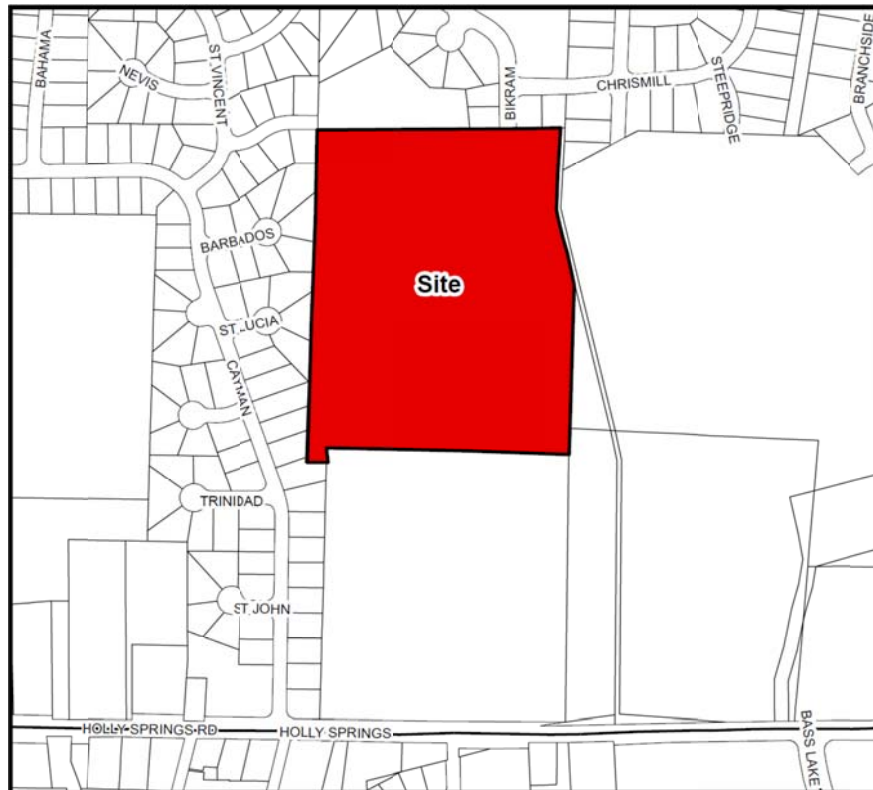
Len Bradley
Town of Holly Springs
P.O. Box 8
Holly Springs, NC 27540

DEVELOPER(S):

Town of Holly Springs
P.O. Box 8
Holly Springs, NC 27540

OWNER(S):

Town of Holly Springs
P.O. Box 8
Holly Springs, NC 27540

LOCATION:

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

ANTICIPATED REVIEW SCHEDULE:

Town Council Public Hearing & Action: October 2, 2012

STAFF CONTACTS: Laura Holloman, Planner I

Elizabeth Goodson, Development Review Engineer

Len Bradley, Director of Parks & Recreation

ATTACHMENTS:

Petitioner's Response to the Special Exception Use Petition Findings of Fact

PARCEL INFORMATION

OWNER PARC	EL #	ZONING	AREA
Town of Holly Springs	0659049836	R-10	24.1 AC
TOTAL			24.1 AC

ADJACENT PROPERTY SITE DATA

	ZONING EXISTIN	G LAND USE
Subject Property	R-10	Public Park
North	R-10, PUD	Residential
South	R-10	Holly Springs Elementary School
East	PUD	Vacant
West	R-10	Residential

SPECIAL EXCEPTION USE

Request to allow for a Special Exception Use as specified in Unified Development Ordinance Section 2.04 A. 2. to allow for a public park at the property located at 405 School Days Lane, Wake County PIN 0659049836.

Special Exception Use Findings of Fact:

A special exception use may only be granted upon the presentation of sufficient evidence to enable a written determination that:

- a. The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare;
- b. The proposed use will not injure or adversely affect the adjacent area;
- c. The proposed use will be consistent with the character of the district, land uses authorized therein, and the Town of Holly Springs Comprehensive Plan;
- d. The proposed use shall conform to all development standards of the applicable district (unless a waiver of such development standards is requested as part of the special exception use petition and approved as set forth above, in which case the proposed use shall conform to the terms and conditions of such waiver).
- e. Access drives or driveways are or will be sufficient in size and properly located to: ensure automotive and pedestrian safety and convenience, traffic flow as set forth in Section 7.09 – Pedestrian Circulation and Vehicular Area Design; and, control and access in case of fire or other emergency;
- f. Off-street parking areas, off-street loading areas, trash enclosures, trash pick-up and removal, and other service areas are located so as to be safe, convenient, allow for access in case of emergency, and to minimize economic, glare, odor, and other impacts on adjoining properties and properties in the general neighborhood;
- g. The lot, building or structure proposed for the use has adequate restroom facilities, cooking facilities, safety equipment (smoke alarms, floatation devices, etc.), or any other service or equipment necessary to provide for the needs of those persons whom may work at, visit or own property nearby to the proposed use;
- h. Utilities, schools, fire, police and other necessary public and private facilities and services will be adequate to handle the needs of the proposed use;
- i. The location and arrangement of the use on the site, screening, buffering, landscaping, and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impacts; and,
- j. The type, size, and intensity of the proposed use (including but not limited to such considerations as the hours of operation and numbers of people who are likely to utilize or be attracted to the use) will not have significant adverse impacts on adjoining properties or the neighborhood.

STAFF ANALYSIS

PROJECT OVERVIEW

Jones Park is currently under-utilized with regards to providing a rapidly growing community with adequate activities on-site. In response, as part of the Parks Bond referendum passed last November, the Town's Park and Recreation department is proposing improvements to the park. A playground will be added as well as a pavilion and disc golf course. The improvements do not warrant a development plan process, however the improvements will be required to go through Planning & Zoning's UDO permit process as well as obtaining all necessary building permits prior to construction.

PLANNING & ZONING

Vision Holly Springs Comprehensive Plan

The Land Use Plan has this property designated as Residential, which allows for limited public and institutional uses like public parks.

In addition, one of the Future Land Use objective's states " Enable all residents to have the ability to live within walking distance of a neighborhood commercial center and central civic space." The Jones Park improvements certainly give surrounding residents improved civic recreational opportunities within walking distance.

Parks & Recreation Policies that apply to this project include:

Policy 4: The Town shall locate parks, greenways, and other facilities in accordance with the Master Park Facilities Plan.

PARKS & RECREATION

The proposed use of this property for public park facilities will fill a tremendous need for more developed park activities in the community. Attention will be taken to locate improvements internal to the site where possible adverse impacts to adjacent subdivisions will be avoided.

ENGINEERING

Utility Service:

Water service can be provided to this site from existing mains at the site entrance. This site can be served by sewer through existing gravity lines adjacent to the site.

Transportation:

This site currently has access off of School Days Road. Any road improvements required will be addressed with site plan review.

Environmental Issues

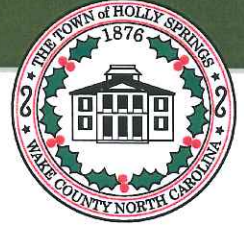
This site is located in the Neuse River Basin and will be subject to the applicable requirements of that basin.

STAFF RECOMMENDATION TO THE TOWN COUNCIL

Staff recommends that the Town Council approve Special Exception Use #12-SEU-03 for Jones Park as submitted by the Town of Holly Springs.

DEVELOPMENT PETITION

The current Filing Fees can be found on-line in the Town of Holly Springs Fee Schedule:
www.hollyspringsnc.us/dept/planning/policy/feesched.pdf

**Petition Type:** **Master Plan**

- New Detailed New Schematic
 Major Amendment Minor Amendment

 Preliminary Plan- Major Subdivision

- New Major Amendment Minor Amendment

 Development Plan (check all that apply)

- New Major Amendment Minor Amendment
 Gateway Non-Residential/Mixed Use Gross Building Floor Area _____
 Non-Gateway Non-Residential/Mixed Use Gross Building Floor Area _____
 Multifamily
 Residential Development Option

 Special Exception Use

- New Major Amendment Minor Amendment Family Child Care Home

For DPZ Use only
Project # <u>12</u> - SEU - <u>03</u>
Fees Paid: \$ <u>N/A</u>
Date Received:
Received
AUG 31 2012
Planning & Zoning
<input type="checkbox"/> Complete <input type="checkbox"/> Incomplete

Project Information:Project Name: Jones Park Improvements

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

PUD/Master Plan/Subdivision N/A Shopping Center/Lot# N/AProject Location: 405 School Days Lane
Use street address. If none, use the closest intersection Within Corporate Limits Within Holly Springs ETJ Pending AnnexationPIN: 0659049836 Real Estate ID: 0237185Project Acreage: 24.1 AC Partial Parcel: No YesCurrent Zoning: R-10 Proposed Use (see UDO Primary Use List): Public ParkOpen Space [See UDO Section 7.06(F)(4)]: Dedication Fee-in-lieu Combination N/AWaivers Requested: No Yes- Specify UDO Section Number(s): N/A
*If yes, complete and attach appropriate Waiver Petition(s) from Waiver Packet***Petition Contact Information:** (complete each contact in its entirety- please print or type)**Project Applicant/Contact**(Check one) Owner Owner's Agent Design Professional Developer Other: _____Name Len Bradley Company Town of Holly SpringsMailing Address P.O. Box 8City Holly Springs State NC Zip 27540Telephone # (919) 557-3934 Alternate Telephone # ()Fax # () E-Mail Len.bradley@hollyspringsnc.usHow would you like to receive staff review comments? Fax E-Mail US MailHow would you like to receive Official Action Notices? Fax E-Mail US Mail- Certified**Design Professional if different than Applicant/Contact**Name Eric Davis Company Lappas & Havener, PAMailing Address 215 Morris Street, Suite 150City Durham State NC Zip 27715Telephone # (919) 419-1199 Alternate Telephone # ()Fax # () E-Mail EDAVIS@LHPA-NC.COMHow would you like to receive staff review comments? Fax E-Mail US MailHow would you like to receive Official Action Notices? Fax E-Mail US Mail- Certified

SPECIAL EXCEPTION USE FINDINGS OF FACT



You must respond to all findings; please type or print legibly in blue or black ink.

Project Information:

Project Name: Jones Park Improvements

Special Exception Use:

UDO Section No.: 2.04 2. C.

Special Exception Use: Public Park

Specific Special Exception Use Request:

To make improvements to an existing park located within the R-10: Residential District.

For DPZ Use only

Project # 12 - SEU - 03

Date Received:

Findings of Fact:

A petition for Special Exception Use may only be approved upon the presentation of sufficient evidence. Please include as much detailed information or unique conditions that would enable the Board to make a written determination that:

(1) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare:

This park expansion will work towards adding much needed facilities for Town residents to enjoy. These facilities will increase physical activity which will greatly improve public health and comfort for years to come.

(2) The proposed use will not injure or adversely affect the adjacent area or property values therein:

The proposed improvements will complement the adjacent elementary school as well as adjacent subdivisions.

(3) The proposed use will be consistent with the character of the district, land uses authorized therein, and the Town of Holly Springs Comprehensive Plan:

Proposed uses are in keeping with the character of this district since they will be great supporting uses to the residential district. The Comprehensive Plan's objective of enabling all residents to have the ability to walk to central civic space is being support with the planned park improvements, resulting in more recreational opportunities for citizens in many locations around Town.

(4) The proposed use shall conform to all development standards of the applicable district (unless a waiver of such development standards is requested as part of the special exception use petition and approved by the Town Council in which case the proposed use shall conform to the terms and conditions of such waiver):

All UDO development standards will be met to the greatest extent possible. If this is not feasible, the required waiver process will be carried out.

(5) Access drives or driveways are or will be sufficient in size and properly located to: ensure automotive and pedestrian safety and convenience, traffic flow as set forth in Section 7.09 – Pedestrian Circulation and Vehicular Area Design; and, control and access in case of fire or other emergency:

Safe pedestrian circulation was the main objective while site deisgning any expansion opportunities in Jones Park. Fire and other emergency vehicles will be able to circulate through areas of the park safely and efficiently.

(6) Off-street parking areas, off-street loading areas, trash enclosures, trash pick-up and removal, and other service areas are located so as to be safe, convenient, allow for access in case of emergency, and to minimize economic, glare, odor, and other impacts on adjoining properties and properties in the general neighborhood:

All service areas including parking lots and trash enclosures were situated in the park so as not to be directly adjacent to any existing homes and to allow for safe & convenient access to service vehicles and patrons.

(7) The lot, building or structure proposed for the use has adequate restroom facilities, cooking facilities, safety equipment (smoke alarms, floatation devices, etc.), or any other service or equipment necessary to provide for the needs of those persons whom may work at, visit or own property nearby to the proposed use:

All structures built will meet NC Building code requirements and will be equipped to meet the needs of all persons visiting the facility.

(8) Utilities, schools, fire, police and other necessary public and private facilities and services will be adequate to handle the proposed use:

Utilities, fire and police are adequately staffed to handle this proposed expansion.

(9) The location and arrangement of the use on the site, screening, buffering, landscaping, and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impacts:

The expansions of a playground, pavilion, and disc golf will be arranged on-site so as to not interfere with existing screening, buffering and landscaping that currently exists on-site.

(10) The type, size, and intensity of the proposed use, including such considerations as the hours of operation and numbers of people who are likely to utilize or be attracted to the use, will not have significant adverse impacts on adjoining properties or the neighborhood:

The improvements to Jones Park will not drastically affect the hours of operation for the park now in place. Existing parking facilities were built with future improvements in mind and so are efficient to handle the expected increase in patrons visiting the park.

Certificate of Completion

I certify that all information presented in this application is accurate to the best of my knowledge and belief. Further, I grant permission for members of the Planning Board, Town Council, and Town Staff to visit the site in question for informational, advertisement, and inspection needs.

Signature of Applicant: Shannon L. Brumley Date: 9-14-12

Signature of Owner: Carl Silva Date: 9-14-12