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MINUTES

JANUARY 8, 2015

7:00PM

REGULAR MEETING

YOUNGSVILLE COMMUNITY HOUSE

Mayor Fonzie Flowers called the Meeting of the Town of Youngsville Board of Commissioners to order at 7:00pm. Commissioner Stallings gave the invocation. In attendance were Commissioners Graham Stallings, Catherine Redd and Larry Wiggins. Commissioners Terry Hedlund and Joseph Johnson were not in attendance. Also in attendance were Town Administrator Bill Tatum, Town Clerk / Tax Collector Emily Hurd, Police Chief Daren Kirts, Town Attorney Joseph Olivieri, Zoning / Planning Administrator Bob Clark and Maintenance Supervisor Sheldon Patterson. Representatives from the Franklin Times and the Wake Weekly were also present.

The first item on the agenda was two Public Hearings. The first Public Hearing was called to order at 7:00pm. It was for a request for a Zoning Amendment from Residential to Commercial at 307 E Main Street. Dwayne Kroeze stated that he was under contract on the property and he did not want this decision to affect the owner should the contract not go through. Mr. Kroeze asked if the Board could hold off on their decision until next month as he felt that this would be in the best interest of the current owner. When asked, Mr. Kroeze stated that he would locate his land survey company in the building and would rent out the other office spaces. He stated that there would be renovations needed. The Public Hearing was concluded at 7:02pm.

The second Public Hearing was called to order at 7:03pm. It was for a request for a Zoning Amendment from Medium Industrial to Commercial for 932 S Cross Street. Katy Hannam and Sara Easley presented their request. They stated that they wish to relocate the Wake Forest Alano Club, a nonprofit organization, to 932 S Cross Street. They stated that they would be hosting spaces for recovery group meeting. They explained that this building has been vacant for three years and will need some upgrades but no structural changes. They stated that the Planning Board has reviewed their proposal and made some minor changes. When asked, they stated that they hoped to be open by April 25th for a scheduled event. They stated that they lost some membership when they had to relocate outside of Wake Forest town limits and that this will be a benefit for the area. Patricia Anderson stated that she has been helping with getting grants. She stated that they are looking at this location because it will help the tri-county area. She noted that the surrounding buildings are already commercial with a development across the street. Carolyn Webb, president, explained that they had walk-ins when they were located in downtown Wake Forest but their current location is too remote to make that an option for people. She stated that they wanted to get back in the area to be available for the community. Makenna Hannam stated that she was sixteen years old and had to go to meetings in Raleigh. She stated that it was hard for her and others to get there and she

would like to start a group for teens in Franklin County. She stated that these meetings have been very helpful. The Public Hearing concluded at 7:16pm.

The next item on the agenda was citizen's comments. There were no comments.

The next item on the agenda was the Financial Report. There were no comments.

The next item on the agenda was the approval of the Consent Agenda. The Consent Agenda consisted of approval of the minutes from the Board Meeting on December 11, 2014. Also included on the Consent Agenda were the Tax Collectors Report, the Police Department Report, and Budget Amendment 2015-07.

MOTION: TO APPROVE THE CONSENT AGENDA

The motion was made by Commissioner Redd and was seconded by Commissioner Stallings. It passed unanimously.

The next item on the agenda was Old Business. The first item under Old Business was an update on the sale of the land / storage building. Attorney Olivieri stated that the process was moving along. He stated that the process ends when no one bids higher.

The second item under Old Business was the Planning Board recommendation on the request for Zoning Amendment from Residential to Commercial for 307 E Main Street. Clark stated that the Planning Board gave a unanimous Favorable Recommendation and that they considered a number of factors. He stated that the building is already adjacent to Commercial zoning on one side and a church, along with their parking area, that covered both the opposite side and the back of the property. Clark stated that there was residential across the street. He stated that there was not a pattern of spot zoning and this would fit in with the businesses along Main Street. He stated that it was a small lot that would need parking spots to meet the requirements. Commissioner Redd stated that if we were going to table it, she felt that she should let the Mr. Kroeze know that she was in favor of the Zoning Amendment.

MOTION: TO TABLE THE REQUEST FOR ZONING AMENDMENT FROM RESIDENTIAL TO COMMERCIAL FOR 307 E MAIN STREET

The motion was made by Commissioner Redd and was seconded by Commissioner Wiggins. It passed unanimously.

The third item under Old Business was the Planning Board recommendation on the request for Zoning Amendment from Medium Industrial to Commercial for 932 S Cross Street. Clark stated that this request received a Favorable Recommendation from the Planning Board. He stated that this property was in a large area of industrial and has been vacant for a few years. He stated that there were no upcoming projects that will be hindered by this request. Clark stated that the property was long and narrow. He stated that other properties in the area were also being used as Commercial. He stated that this would not interfere with any easements for the railroad. Clark stated that the Planning

Board recommended looking at the other properties along the road frontage to see about changing the area to Commercial. Commissioner Wiggins asked if they were nonprofit and the answer was yes.

MOTION: TO APPROVE THE REQUEST FOR ZONING AMENDMENT FROM MEDIUM INDUSTRIAL TO COMMERCIAL FOR 932 S CROSS STREET

The motion was made by Commissioner Stallings and was seconded by Commissioner Wiggins. It passed unanimously. Commissioner Redd stated that she was glad they were coming to Youngsville.

The next item on the agenda was New Business. The first item under New Business was a discussion and recommendation on the selection of the consultant for the Comprehensive Bicycle and Pedestrian Plan. Mayor Flowers stated that he had looked over the two proposals and one stood out for him. Clark stated that they solicited 42 companies that were prequalified and only received two proposals. He stated that URS has a long history in the area and Alta had been helping us with the grant from the beginning. He stated that both firms have the capability and received good comments from their references. Commissioner Wiggins noticed that both proposals were for the total amount of the grant and wanted to know if there were any negotiations regarding the fees. Clark stated that it was common for grants since the State determines what is required. Commissioner Redd asked if this would help with the Safe Routes to School and Clark stated that after this grant helps us to create a Plan, then we can apply for other grants such as the Safe Routes to School Grant. He stated that this will give us the tools to implement and make us eligible for other grants. Mayor Flowers asked if Clark's recommendation was for Alta and he stated yes. Mayor Flowers stated that they have a good track record.

MOTION: TO ACCEPT ALTA AS CONSULTANTS FOR THE COMPREHENSIVE BICYCLE AND PEDESTRIAL PLAN

The motion was made by Commissioner Redd and was seconded by Commissioner Wiggins. It passed unanimously. Commissioner Redd stated that we were moving forward.

The next item on the agenda was Closed Session (if necessary). Mayor Flowers stated that there was no need to go into Closed Session.

The next item on the agenda was Committee Updates.

Policy / Ordinance Committee – There were no comments.

Finance Committee – There were no comments.

Capital Improvement Committee – There were no comments.

Comprehensive Development Committee – There were no comments.

The next item on the agenda was Reports and Other Business. Mayor Flowers stated that the Franklin County Chamber of Commerce would be having their annual meeting at the Boondocks next Thursday from 6-8:30pm.

Tatum stated that the heating unit at the Community House needed to be replaced and would cost around \$11,000. He stated that the leaf machine broke again and that a police car needed to have the engine replaced. He stated that this means that we won't do as well as we did last year.

Tatum stated that a few months back, a resident on Railroad Street came in concerning the flooding on his road and the cost to eliminate that problem would be \$2,285. This will replace the pipe and level out the road. Tatum stated that we would be discussing the prioritization of spending Powell Bill money at the January Work Session and that we can finish this discussion then. Commissioner Redd requested that we let the property owner know that we are discussing the problem and possible solutions. Tatum stated that he would call him. Commissioner Wiggins asked if this would be part of paving the road and Hurd stated that it was estimated at \$10,000 to pave the whole road but to fix the actual problem from flooding, it would only cost \$2,285. Tatum stated that paving the road is at the option of the Board but this would keep the road from flooding. Commissioner Wiggins stated that he felt we should move forward now and start the repairs to prevent the current drainage and flooding issues.

**MOTION: TO APPROVE THE REPAIRS FOR DRAINAGE AT THE 300
BLOCK OF NW RAILROAD STREET**

The motion was made by Commissioner Wiggins and was seconded by Commissioner Stallings. Commissioner Redd stated that we have Powell Bill money that needs to be used and that discussion would take place at the Work Session and Hurd reminded the Board that no motions can be made at the Work Session. Commissioner Wiggins stated that it has been a problem for a while. Attorney Olivieri wanted to clarify that the area being flooded was public property and Hurd stated that it was a public road that we get Powell Bill money to maintain. Commissioner Redd stated that people other than the resident used the road such as Franklin County Public Utilities. The motion passed unanimously. Tatum stated that he would call the resident and let him know the decision.

Clark presented the Staff Report. He stated that the Planning Board felt that there needed to be action on the Zoning Ordinance as it applies to churches, temples, synagogues, etc. Clark stated that the Planning Board made a motion to recommend setting a Public Hearing for a text amendment to clarify the locations allowed throughout the zoning jurisdictions. He stated that in the past year, three separate congregations have come to him looking for a place to locate new facilities. The Zoning Ordinance is clear that they are not allowed in the Commercial and Mixed Use jurisdictions. Clark stated that there were some located in those areas that are grandfathered at this time such as Faith Baptist Church. He stated that there are a total of seven in these jurisdictions with a non-conforming use. Clark stated that assembly halls are allowed but not the churches,

temples, synagogues, etc as they are listed separately from assembly halls. He stated that this would be a house keeping matter and there were no issues that have come up concerning the other locations. He stated that the Planning Board asked that this be brought to the Board's attention and suggested that the staff draft a text amendment to the Zoning Ordinance to allow churches, temples, synagogues, etc in Commercial districts but still not allow them in the Main Street Business District. Attorney Olivieri asked if there was any action needed tonight and Clark recommended setting a Public Hearing at the March Board Meeting.

Commissioner Wiggins wanted to clarify that the churches would be allowed in Commercial districts and Clark stated that this would allow them in Commercial districts with the exception of the Main Street Business District. Attorney Olivieri stated that this would allow them in the outlying districts but clearly preserve the downtown area. He stated that this would clean up the Ordinance and recognize what already exists.

Commissioner Redd expressed concern that the 5-Points Shopping Center was not included in the Main Street Business District and felt that we also needed to rework the areas located in that jurisdiction. She stated that the Ordinance needed to be very clear and Clark stated that this would help make it clear for everyone to interpret throughout the coming years. Clark stated that he should be able to draft it quickly and get it out well before the Public Hearing. When asked if this would be strictly for downtown, Clark stated that it would allow the churches, temples, synagogues, etc to be allowed everywhere but downtown. Commissioner Wiggins stated that he felt letting churches go into a shopping center would restrict the retail aspect of that center. He stated that he felt it was a problem and may lead to a shopping center drying up. Clark stated that normally what happens is after the shopping center dries up, then they allow anyone to rent a space to help pay the bills and that's where a lot of churches in the shopping centers come from. Commissioner Wiggins stated that he felt that we should restrict it from retail areas. Clark stated that there was only a two block area that is zoned Main Street Business District, everywhere else is zoned business of any kind currently does not allow churches, temples, synagogues, etc but do allow assembly halls. Commissioner Wiggins wanted to clarify that as of right now, shopping centers do not allow them and Clark stated yes, they are not permitted if they are located in a Mixed Use or Commercial zoning district.

MOTION: TO HAVE STAFF DRAFT A TEXT AMENDMENT TO PERMIT CHURCHES, TEMPLES, SYNAGOGUES, ASSEMBLY HALLS, LIBRARIES, MUSEUMS AND CEMETERIES IN COMMERCIAL AND MIXED USE ZONING JURISDICTIONS FOR A FEBRUARY 12, 2015 PUBLIC HEARING WITH A STIPULATION THAT THE PLANNING BOARD LOOKS INTO EXPANDING THE MAIN STREET BUSINESS DISTRICT IN A WAY THAT WORKS WITH THE COMMUNITY.

The motion was made by Commissioner Redd and was seconded by Commissioner Wiggins. The motion passed with two aye votes with Commissioner Stallings not voting.

Commissioner Stallings stated that he felt each situation should be handled individually based on the situation.

Clark stated that he had received an application today from Jim Moss and Matthew Winslow concerning a subdivision that would include approximately 46 – 48 homes on the north side of Holden Road near Richland North. They wish to rezone the property from Residential Agricultural and Mixed Use to Residential Single Family. Clark stated that more information would be included in the packet next month and he would like to set a date for a Public Hearing. Clark stated that the Planning Board will be taking a look at it as well and it constituted two tracts of land. When asked, Clark clarified on the map which two tracts were to be rezoned. Clark stated that they would be submitting the subdivision plans to the Planning Board and would like for the Public Hearing to be scheduled on February 12th. Commissioner Wiggins asked if all of the paperwork had been done and Clark stated that it was subject to all paperwork and fees. Mr. Moss stated that it would be completed in time.

MOTION: TO SET A PUBLIC HEARING FOR FEBRUARY 12, 2015 FOR ZONING AMENDMENT REQUEST FOR PROPERTY LOCATED ON THE NORTH SIDE OF HOLDEN ROAD NEAR RICHLAND NORTH

The motion was made by Commissioner Wiggins and was seconded by Commissioner Stallings. It passed unanimously.

The meeting adjourned at 8:20 pm.